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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF STATE

Effective upon publication in the FEDERAL REGISTER, the position listed below is added to § 6.302 (d)

§ 6.302 *Department of State.* * * *
(d) *Office of the Assistant Secretary for Public Affairs.* * * *
(7) One Chief, News Division.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, March 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 53-10236; Filed, Dec. 7, 1953; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 722—COTTON

MARKETING QUOTA REGULATIONS RELATING TO APPORTIONMENT OF NATIONAL ACREAGE ALLOTMENT FOR 1954 CROP OF EXTRA LONG STAPLE COTTON TO STATES, COUNTIES, AND FARMS

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722.1128 Review of quotas.

Authority: §§ 722.1111 to 722.1128 issued under sec. 375, 52 Stat. 60; 7 U. S. C. 1375. Interpret or apply secs. 301, 343-347, 361-368, 373-374, 388, 52 Stat. 39, as amended; 7 U. S. C. 1301, 1343-1347, 1361-1368, 1373-1374, 1388.

GENERAL

§ 722.1111 *Basis and purpose.* (a) The regulations contained in §§ 722.1111 to 722.1128 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of State, county, and farm acreage allotments for the 1954 crop of extra long staple cotton. The latest available statistics of the Federal Government have been used in making the determinations required to be made in connection with establishing State and county acreage allotments, and such statistics will be used in making the other determinations required to be made in connection with §§ 722.1111 to 722.1128. Prior to preparing the regulations in §§ 722.1111 to 722.1128, public notice was given (18 F. R. 7196) in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003) of proposed regulations being considered for issuance. The data, views, and recommendations which were submitted in response to such notice have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

(b) In order that the State and county Production and Marketing Administration committees may establish farm acreage allotments as early as possible prior to the cotton referendum to be held on

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December 15, 1953, and in order to comply with section 362 of the act which provides that, insofar as practicable, notice of the farm acreage allotment shall be mailed to the farm operator of each farm in sufficient time to be received prior to the date of the referendum, it is essential that the regulations in §§ 722.1111 to 722.1128 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest, and such regulations shall be effective upon filing of this document with the Director, Division of the Federal Register.

§ 722.1112 *Definitions.* As used in §§ 722.1111 to 722.1128 and in all forms and documents in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings and the masculine shall include the feminine and neuter genders and the singular shall include the plural number:

(a) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto heretofore or hereafter made.

(b) "Secretary" means the Secretary, or Acting Secretary, of Agriculture of the United States.

(c) "Assistant Administrator" means the Assistant Administrator for Production, or Acting Assistant Administrator for Production, of the Production and Marketing Administration of the United States Department of Agriculture.

(d) "Director" means the Director, or Acting Director, of the Cotton Branch, Production and Marketing Administration, United States Department of Agriculture.

(e) "Committees"

(1) "Community committee" means the persons elected within a community as the community committee pursuant to the Secretary's regulations governing the selection and functions of the Production and Marketing Administration county and community committees. (14 F. R. 5916)

(2) "County committee" means the persons elected within a county as the county committee pursuant to the Secretary's regulations governing the selection and functions of the Production and Marketing Administration county and community committees (14 F. R. 5916) In Puerto Rico the PMA Caribbean Area Committee shall, insofar as applicable, perform all functions of the county committee.

(3) "State committee" means the persons designated by the Secretary as the State committee of the Production and Marketing Administration. In Puerto Rico the PMA Caribbean Area Committee

shall, insofar as applicable, perform all functions of the State committee.

(4) "Review committee" means the review committee appointed by the Secretary pursuant to section 363 of the act.

(f) "Person" means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity, or State or agency thereof. The term "person" shall include two or more persons having a joint or common interest.

(g) "Owner" or "landlord" means a person who owns farm land and rents such land to another person or who operates such land.

(h) "Cash tenant" "standing-rent tenant" or "fixed-rent tenant" means a person who rents land from another for a fixed amount of cash or a commodity to be paid as rent.

(i) "Share tenant" means a person other than a sharecropper who rents land from another person and pays as rent a share of the crops or the proceeds thereof.

(j) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the crops produced thereon or the proceeds thereof.

(k) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(l) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the Assistant Administrator, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

(m) "Farm acreage allotment" means an acreage allotment established for extra long staple cotton for a farm under the regulations in this subpart.

(n) "Extra long staple cotton" means American-Egyptian, Sea Island and Sea-land cotton, and all other varieties of the Barbudense species, and any hybrid thereof, and any other cotton in which one or more of these varieties predominate.

(o) "State and county code number" means the applicable number assigned by the Production and Marketing Administration to each State and county

for the purpose of identification. In Puerto Rico a comparable identifying number will be used in place of the county code number.

(p) "Serial number of the farm" or "farm serial number" means the serial number assigned to a farm by the county committee.

(q) "Old cotton farm" means a farm having an acreage planted to extra long staple cotton in any one or more of the years 1951, 1952, and 1953, in a county designated in § 722.1116 (b).

(r) "New cotton farm" means a farm located in a county designated in § 722.1116 (b) on which extra long staple cotton is to be planted in 1954 but on which there was no acreage planted to extra long staple cotton in any of the years 1951, 1952, or 1953.

(s) "Normal yield" means the average yield of extra long staple lint cotton per acre for the farm, adjusted for abnormal weather conditions, during the five calendar years 1947, 1948, 1950, 1951, and 1952. If for any such year the data are not available or there is no actual yield, then the normal yield for the farm shall be appraised by the county committee in accordance with instructions issued by the Assistant Administrator, taking into consideration abnormal weather conditions, the normal yield, if any, for the county, and the yield in years for which data are available.

(t) "Normal production" of any number of acres means the normal yield per acre of extra long staple lint cotton for the farm multiplied by such number of acres.

(u) "Actual yield" means the pounds of extra long staple lint cotton per acre determined by dividing the number of pounds of such lint cotton produced on the farm in 1954 by the acreage planted to such cotton on the farm in 1954.

(v) "Actual production" of any number of acres means the actual yield of extra long staple lint cotton per acre for the farm multiplied by such number of acres.

(w) "Producer" means a person who as landlord (other than the landlord of a standing-rent tenant, fixed-rent tenant, or cash tenant), cash tenant, standing-rent tenant, fixed-rent tenant, share tenant, or sharecropper is entitled to all or a share of the 1954 crop of extra long staple cotton or of the proceeds thereof.

(x) "Acreage planted to extra long staple cotton"

(1) *State and county.* The acreages of extra long staple cotton to be used in establishing State acreage allotments are the official acreages for the years 1947, 1948, 1950, 1951, and 1952, as determined by the Bureau of Agricultural Economics of the United States Department of Agriculture. Official estimates of planted acreages shall be used where available from the Bureau of Agricultural Economics; in other cases, the official estimates of the acreages in cultivation on July 1 of each year shall be used.

(2) *Farm.* For purposes of establishing farm acreage allotments for the 1954 crop of extra long staple cotton, the acreage planted to such cotton on a farm means the acreage of land seeded to such

cotton. The acreage seeded to extra long staple cotton for the years 1951 to 1953, inclusive, shall be determined as follows:

(i) *For 1951 and 1952.* The acreage measured by the county committee or reported to the county committee for the farm, with such adjustments in the reported acreages as are necessary under instructions issued by the Assistant Administrator. The sum of the reported acreages as adjusted by the county committee plus the measured acreages shall conform with the official planted acreages of the Bureau of Agricultural Economics, United States Department of Agriculture, for the respective years to the extent required under instructions issued by the Assistant Administrator.

(ii) *For 1953.* The acreage measured by the county committee in accordance with instructions issued by the Assistant Administrator.

(y) "Abnormal weather conditions" means weather conditions (including conditions directly resulting therefrom) adversely affecting the planting of extra long staple cotton, which conditions must have been of sufficient duration and intensity to prevent the planting of cotton and must have continued until the end of the planting season for the area. In apportioning the State acreage allotment to counties, adjustments in county acreages of extra long staple cotton for abnormal weather conditions for applicable years are made on the basis of recommendations by the State committees. Any such adjustment in county acreages of extra long staple cotton is the amount established by reference to available information and data as the net reduction of planted acreage in the county attributable solely to abnormal weather conditions. Such adjustments for abnormal weather conditions take into consideration failure to plant extra long staple cotton because of abnormal weather conditions. Also, in cases where the acreage of extra long staple cotton in cultivation July 1 is used in apportioning allotments to States and counties, abandonment of extra long staple cotton prior to July 1 in excess of normal abandonment by that date because of abnormal weather conditions shall be taken into consideration in determining adjustments, if any, in county acreages of extra long staple cotton.

(z) "Cropland" means the land which in 1953 was tilled or was in regular rotation as determined by the county committee in accordance with instructions issued by the State committee, excluding any land which constitutes, or will constitute, if such tillage is continued, a wind-erosion hazard to the community and also excluding bearing orchards and vineyards (except the acreage of cropland thereon) and plowable non-crop open pasture.

§ 722.1113 *Issuance of forms and instructions.* The Director shall cause to be prepared such forms and instructions as are necessary for carrying out the regulations in §§ 722.1111 to 722.1128. The forms shall be issued by the Director with the approval of the Assistant Administrator, and the instructions shall be issued by the Assistant Administra-

tor. Copies of such forms and instructions shall be furnished free to persons needing them upon request made to the office of the State or county committee or the Director.

§ 722.1114 *Extent of calculations and rule of fractions.* The acreage planted to extra long staple cotton on farms and farm acreage allotments shall be computed to three places beyond the decimal point and rounded to tenths of acres. Fractions of fifty one-thousandths of an acre or more shall be rounded upward, and fractions of less than fifty one-thousandths of an acre shall be dropped. For example, 10.051 would be 10.1 and 10.050 would be 10.0.

STATE AND COUNTY ACREAGE ALLOTMENTS

§ 722.1115 *Apportionment of national acreage allotment among States.* The national acreage allotment proclaimed for the 1954 crop of extra long staple cotton (18 F. R. 6557) is apportioned among the States (including Puerto Rico) on the basis of the average acreage planted to extra long staple cotton in each such State for the years 1947, 1948, 1950, 1951, and 1952. It has been determined that, on the basis of the latest available data and information, no adjustments in State acreages of extra long staple cotton for abnormal weather conditions are required for any of the aforementioned years. The acreage allotted to a State pursuant to the provisions of this section is herein referred to as the "State acreage allotment" The State acreage allotment for each State for the 1954 crop of extra long staple cotton is as follows:

State:	State acreage allotments
Arizona -----	16,271
California -----	272
Florida -----	614
Georgia -----	185
New Mexico -----	7,144
Texas -----	14,259
Puerto Rico -----	2,516
Total -----	41,261

§ 722.1116 *Apportionment of State acreage allotment among counties—(a) Establishment of State acreage reserve.* The State committee shall set aside a total State acreage reserve of 10 percent of the State acreage allotment unless, on the basis of the needs of the State as determined under paragraph (c) of this section, the State committee recommends a smaller acreage reserve and the Administrator of the Production and Marketing Administration approves such recommendation.

(b) *Computed county acreage allotments.* The State acreage allotment for the 1954 crop of extra long staple cotton, less the State acreage reserve established pursuant to paragraph (a) of this section, shall be apportioned to the following counties designated pursuant to section 347 (a) of the act: Cochise, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, Santa Cruz, and Yuma Counties, Arizona, and Imperial and Riverside Counties, California, and Alachua, Columbia, Hamilton, Jefferson, Lake, Madison, Marion, Orange, Putnam, Seminole, Suwannee, Union, and Volusia Counties, Florida, and Atkinson,

Berrien, Cook, and Lanier Counties, Georgia, and Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, and Sierra Counties, New Mexico, and the counties in Puerto Rico, and Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, and Ward Counties, Texas. Such apportionment shall be made on the basis of the acreage planted to extra long staple cotton in 1947, 1948, 1950, 1951, and 1952 (herein referred to as the "base years") with adjustments for abnormal weather conditions during such years. The acreage allotted to a county pursuant to the provisions of this paragraph is herein referred to as the "computed county acreage allotment" The cotton producing areas located in the northern part of Puerto Rico shall be considered as a county and the cotton producing areas in the southern part of Puerto Rico shall be considered as a county.

(c) *Use of State acreage reserve.* The State acreage reserve established for the purposes set forth in subparagraphs (1) through (4) of this paragraph (c) shall be used as provided in such subparagraphs and in accordance with instructions issued by the Assistant Administrator.

(1) *To adjust computed county acreage allotments for trends in the acreage of extra long staple cotton.* The State committee shall, if necessary, use a part of the State acreage reserve to adjust the computed county acreage allotments for trends in the acreage planted to extra long staple cotton in the counties during recent years (the period of years may include the year 1953 but shall not include the year 1949) Any such adjustments shall be determined by use of a formula, if needed, applied uniformly to each county in the State.

(2) *To adjust computed county acreage allotments for counties adversely affected by abnormal conditions affecting plantings of extra long staple cotton.* The State committee shall, if necessary, use a part of the State acreage reserve to adjust the computed county acreage allotments for abnormal conditions adversely affecting plantings in the counties during the base years. The State committee shall examine the acreage planted to extra long staple cotton for each of the base years to determine whether the acreage planted may have been adversely affected by abnormal conditions. In determining the needs for adjustments for abnormal conditions adversely affecting plantings, the State committee shall take into account (i) abnormal weather conditions adversely affecting plantings during any of the base years; (ii) conditions in counties in which a number of farms are being returned to extra long staple cotton production or are increasing the acreage in extra long staple cotton after having been out of production or having been on a reduced level of production of such cotton because such farms were used to a larger extent than normal in connection with air bases, defense plants, and other wartime activities; (iii) abnormal reduction in planted acreage of extra long staple cotton because of an unusual movement of labor from farms in the area or county to war industries or into the armed forces and

its return, as compared with such movements in other counties; and (iv) any other abnormal conditions which adversely affected plantings in the county to a greater extent as compared with other counties.

(3) *To make adjustments in acreage allotments for small farms.* The State committee shall determine the acreage required from the State acreage reserve to supplement that part of the county acreage reserve established as provided for in subparagraphs (1) and (2) of § 722.1117 (e) to adjust indicated farm acreage allotments for old cotton farms established under § 722.1117 (d) at 15 acres or less. The acreage made available to any county under this subparagraph shall be used by the county committee only for adjustments in small farm allotments. The acreage reserved for small farms may also be used (i) to establish allotments for any small farm which is an old cotton farm but for which an allotment was not established at the time allotments were established for old cotton farms in the county because of oversight on the part of the county committee or because the county committee had no information or data with respect to acreage planted to extra long staple cotton on the farm in 1951, 1952, or 1953, and (ii) to adjust allotments for small farms where the farm is reconstituted for 1954 due to division of the farm as constituted in 1953 or a combination of a part or all of the 1953 farm with other land.

(4) *To establish 1954 acreage allotments for new cotton farms.* Where the State committee determines that the needs for acreage to establish acreage allotments for new cotton farms are generally uniform in all counties in the State which are designated in paragraph (b) of this section, the State committee shall determine whether all the acreage required to establish acreage allotments for new cotton farms shall be provided from the State acreage reserve or the county acreage reserve, or from both such reserves. In determining the source of acreage for new cotton farms the State committee shall take into consideration the acreage requirements determined for such farms from the county surveys, if available, as provided for in § 722.1117 (e) (3). In States where new areas within the counties designated in paragraph (a) of this section will be brought into production of extra long staple cotton in 1954 or where it is determined by the State committee that the entire county acreage reserve for any county is needed for adjustments pursuant to subparagraphs (1) and (2) of § 722.1117 (e) the State committee shall consider establishing an acreage from the State acreage reserve to supplement the acreage set aside by the county committee, if any, from the county acreage reserve for establishing acreage allotments for new cotton farms. The acreage made available to any county under this subparagraph shall be used by the county committee only for new cotton farms.

(d) *Availability of data for inspection.* The following shall be on file and shall be available in the office of the State committee for examination by any in-

terested producer of extra long staple cotton: (1) The amount of the State acreage reserve; (2) the formula, if any, and data developed and used under subparagraphs (1) and (2) of paragraph (c) of this section; and (3) the total acreage set aside from the State acreage reserve for the purposes set forth in subparagraphs (3) and (4) of paragraph (c) of this section.

(e) *County acreage allotment.* The county acreage allotment shall be the sum of (1) the computed county acreage allotment determined under paragraph (b) of this section, and (2) the acreages from the State acreage reserve which are added to the computed county acreage allotment under subparagraphs (1) and (2) of paragraph (c) of this section. This paragraph will be amended at a later date to include the county acreage allotment established for each county.

(f) *Administrative areas.* If the county committee with the approval of the State committee, or if the State committee, determines with respect to a county that, because of the difference in types, kinds, and productivity of the soil or other conditions, different areas of the county should be treated separately in order to prevent discrimination, each such area shall, in accordance with instructions issued by the Assistant Administrator, be designated as an administrative area and, insofar as practicable, each such area shall be treated as a county in determining the acreage allotment for the area and in establishing farm acreage allotments under § 722.1117.

ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS

§ 722.1117 *Apportionment of county acreage allotment—(a) Acreage set aside from county acreage allotment.* The county committee shall set aside an acreage from the county acreage allotment which it estimates will be adequate (1) for establishing allotments for old cotton farms for which allotments are not established at the time allotments are originally established for old cotton farms in the county because of oversight on the part of the county committee or because the county committee had no information or data with respect to acreage planted to extra long staple cotton on the farm in 1951, 1952, or 1953, (2) for correction by the county committee of errors in farm acreage allotments, and (3) for providing the additional allotment required for farms which are reconstituted for 1954 as provided in paragraphs (g) and (h) of this section.

(b) *Determination of county acreage reserve.* The county committee shall establish a county acreage reserve of not in excess of 15 percent of the county acreage allotment which shall be used to adjust indicated farm acreage allotments for old cotton farms determined under paragraph (d) of this section and to establish acreage allotments for new cotton farms under paragraph (e) (3) of this section. The county acreage reserve shall not be less than 13 percent of the county acreage allotment (less the acreage set aside pursuant to paragraph (a) of this section) unless the county committee recommends a smaller acre-

age reserve and the State committee gives its approval in accordance with instructions issued by the Assistant Administrator. Any approval of a smaller acreage reserve shall be based upon a showing by the county committee that the recommended acreage is adequate, on the basis of the factors set forth in paragraph (e) of this section, to make necessary adjustments in indicated allotments for old cotton farms and to establish allotments for new cotton farms.

(c) *Determination of adjusted cropland.* The county committee shall in accordance with instruction issued by the Assistant Administrator, determine an adjusted cropland acreage for each old cotton farm by subtracting from the acreage of land on the farm which in 1953 was tilled annually or in regular rotation, the sum of the following acreages:

(1) The 1953 acreage of sugarcane for sugar or for syrup and sugar beets for sugar;

(2) The 1953 acreage of tobacco for market (or the 1953 farm acreage allotment, if any, for the applicable type of tobacco if the 1953 acreage has not been determined)

(3) The 1953 acreage of peanuts picked and threshed as determined by the county committee;

(4) The acreage of wheat for harvest in 1954 for market or for feeding to livestock for market. If the measured wheat acreage for the farm is not available to the county committee, the deduction for wheat acreage shall be the 1954 wheat acreage allotment less the acreage which the county committee determines will be used for purposes other than for market or for feeding to livestock for market. In the counties designated in item (7) of this paragraph, the deduction for wheat acreage shall be limited to the acreage by which the deduction which otherwise would be made under this item (4) exceeds the acreage deducted under item (7) of this paragraph;

(5) The acreage planted to rice in 1953 for market or for feeding to livestock for market, plus the acreage of other rice land on the farm for which water is available and which is not used for the production of cotton under the rotation system for the farm;

(6) The acreage of land devoted in 1953 primarily to orchards or vineyards, less the acreage therein which qualifies as cropland for 1954; and

(7) In Cochise, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, Santa Cruz, and Yuma Counties, Arizona, and in Imperial and Riverside Counties, California, and in Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, and Sierra Counties, New Mexico, and in Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, and Ward Counties, Texas, the acreage of cropland in excess of that acreage for which irrigation water is normally available and adequate from available facilities for the production of irrigated crops during the cotton-producing season (seeding to maturity).

(d) *Indicated acreage allotments for old cotton farms.* The county acreage allotment, less the acreages set aside and

reserved pursuant to paragraphs (a) and (b) of this section, shall be used to determine indicated allotments for old cotton farms as follows:

(1) *Determination of county cropland factors.* The first county cropland factor shall be computed by dividing the county acreage allotment (less the acreages set aside and reserved pursuant to paragraphs (a) and (b) of this section) by the total of the adjusted cropland acreages on old cotton farms. Second and additional county cropland factors shall be determined, if necessary, by dividing (i) the available county acreage allotment remaining after maximum indicated farm acreage allotments as defined in subparagraph (2) of this paragraph have been established by (ii) the total of the adjusted cropland acreages for old cotton farms in the county which under the preceding factor were not affected by the maximum allotment provisions. The last county cropland factor computed and applied shall be referred to herein as the "final county cropland factor"

(2) *Indicated farm acreage allotment.* An indicated acreage allotment shall be computed for each old cotton farm by multiplying the adjusted cropland for each such farm by the applicable county cropland factor except that the maximum indicated acreage allotment for any such farm shall not exceed the highest acreage planted to extra long staple cotton on the farm in any of the years 1951, 1952, or 1953.

(e) *Use of county acreage reserve.* The county acreage reserve shall be used by the county committee as follows:

(1) *Adjustments in indicated farm acreage allotments of 5 to 15 acres.* Not less than 20 percent of the county acreage reserve shall, to the extent required, be used by the county committee to adjust indicated farm acreage allotments of 5 to 15 acres, inclusive, determined under paragraph (d) of this section. Such adjustments shall be made so as to establish acreage allotments which are fair and reasonable in relation to the acreage allotments established for similar farms in the community, taking into consideration for the farm the acreages planted to extra long staple cotton in 1951, 1952, and 1953; the land, labor, and equipment available for the production of such cotton; crop-rotation practices; the soil and other physical facilities affecting the production of such cotton; and abnormal conditions of production. The county committee shall not make adjustments so as to cause an acreage allotment to be established for any such farm (1) in excess of the acreage which could be planted on the farm in 1954 consistent with sound crop rotation practices followed in the community (2) in excess of the acreage which can be farmed with the labor and equipment currently or normally available on the farm, or (3) which would cause extra long staple cotton to be planted on land unsuited to the production of such cotton.

(2) *Adjustments in indicated acreage allotments for other farms.* The remainder of the acreage in the county acreage reserve, after meeting the requirements under subparagraphs (1),

and (3) of this paragraph, shall be used by the county committee to adjust indicated acreage allotments for farms which are less than 5 acres or more than 15 acres. Such adjustments shall be made so as to establish acreage allotments which are fair and reasonable in relation to the acreage allotments established for similar farms in the community, taking into consideration for the farm the land, labor, and equipment available for the production of extra long staple cotton; crop-rotation practices; the soil and other physical facilities affecting the production of such cotton; and abnormal conditions of production. The acreages planted to extra long staple cotton on a farm in 1951, 1952, and 1953 shall be considered in determining the land, labor, and equipment available for the production of such cotton and in connection with the crop-rotation practices followed on the farm. The county committee shall not make adjustments so as to cause an acreage allotment to be established for any such farm (1) in excess of the acreage which could be planted on the farm in 1954 consistent with sound crop-rotation practices followed in the community, (2) in excess of the acreage which can be farmed with the labor and equipment currently or normally available on the farm, or (3) which would cause extra long staple cotton to be planted on land unsuited to the production of such cotton.

(3) *Acreage allotments for new cotton farms—(i) Determination of county acreage needed for establishing acreage allotments for new cotton farms.* The county committee, with the assistance of the community committees, shall estimate from county office records and other available sources of information the number of new cotton farms in the county and the adjusted cropland acreage for such farms, and such estimates shall be used by the State and county committees as a basis for determining the acreage that will be required for establishing acreage allotments for new cotton farms. The acreage so determined shall not exceed 75 percent of the acreage obtained by multiplying the county cropland factor, which shall be estimated where necessary, by the total estimated adjusted cropland acreage on new cotton farms in the county. In determining the acreage from the county acreage reserve which is to be used for establishing acreage allotments for new cotton farms, the county committee shall take into consideration the acreage, if any, to be made available from the State acreage reserve pursuant to subparagraph (4) of § 722.1116 (c) for establishing acreage allotments for new cotton farms.

(ii) *Eligibility of a new cotton farm for an acreage allotment.* An acreage allotment for extra long staple cotton for a new cotton farm may be established by the county committee in accordance with instructions issued by the Assistant Administrator if each of the following conditions is met:

(a) An application for such an acreage allotment is filed by the farm operator with the county committee by the closing date established by the State

committee. In no event is the closing date to be earlier than January 15, 1954.

(b) The farm operator is largely dependent on income from the farm for his livelihood.

(c) The farm is the only farm in the county which is owned or operated by the farm operator or farm owner for which an acreage allotment for extra long staple cotton is established for 1954.

(iii) *Establishment of acreage allotments for new cotton farms.* If the applicant's farm is eligible for an acreage allotment for extra long staple cotton, such allotment shall be established by the committee on the basis of land, labor, and equipment available for the production of extra long staple cotton; crop-rotation practices; and the soil and other physical facilities affecting the production of such cotton. The acreage allotment so determined for any such farm shall not exceed the smallest of (a) the acreage allotment established for old cotton farms in the county which are similar with respect to the foregoing factors, (b) the acreage allotment requested by the applicant, and (c) the result obtained by multiplying the adjusted cropland for the farm by the final county cropland factor. The acreage allotments for new cotton farms shall be subject to review and approval by the State committee.

(f) *Use of acreage allocated to county from State acreage reserve for making adjustments in acreage allotments for small farms.* The acreage allocated to a county from the State acreage reserve for making adjustments in acreage allotments for small farms shall be used by the county committee to adjust indicated farm acreage allotments of 15 acres and less for old cotton farms on the basis of the factors set forth in paragraph (e) (1) and (2) of this section for adjusting small farm allotments.

(g) *Allotments for late and reconstituted farms and correction of errors.* The acreage set aside from the county acreage allotment pursuant to paragraph (a) of this section shall be used by the county committee (1) for establishing allotments for old cotton farms for which allotments were not established at the time allotments were originally established for old cotton farms in the county because of oversight on the part of the county committee or because the county committee had no information or dates with respect to acreage planted to extra long staple cotton on the farm in 1951, 1952, or 1953, (2) for correcting errors in farm acreage allotments, and (3) for use in establishing acreage allotments for farms which are divided or combined for 1954 as provided in paragraph (h) of this section.

(h) *Allotments for farms divided or combined.* If land which was operated as a single farm in 1953 is divided into two or more tracts for 1954 (1) the acreages of extra long staple cotton on the farm in 1951, 1952, and 1953 shall be divided among the several tracts in proportion to the acreage of cropland on each tract, except that upon agreement by all interested producers and approval by the county committee, the acreages normally considered as rice land, wheat land, and sugarcane land may be ex-

cluded from the cropland on each tract in apportioning the cotton acreage history among the tracts, and (2) a cotton acreage allotment shall be determined, for the land which constitutes a farm as it is operated in 1954, in accordance with applicable provisions of paragraphs (d) and (e) of this section. If two or more tracts of land are combined and operated as a single farm in 1954, an allotment for such farm for 1954 shall be determined in accordance with the applicable provisions of paragraphs (d), and (e) of this section.

(i) *Availability of reserves for inspection by interested producers.* The allocations to the county from the State acreage reserve and the total amount and the distribution of the county acreage reserve and all other data used in establishing farm acreage allotments shall be available in the office of the county committee for examination by any interested producer of extra long staple cotton.

FARM MARKETING QUOTA AND FARM MARKETING EXCESS

§ 722.1118 *Notice of farm acreage allotment and marketing quota.* Immediately after acreage allotments for farms in a county or other local administrative area are established and approved by the State committee pursuant to § 722.1127 (a) the county committee shall mail to the operator of each such farm a written notice of the farm acreage allotment and marketing quota for the farm. The county committee shall also mail to the operator of (1) each new cotton farm for which application for an allotment is made but for which it is determined that no farm acreage allotment and marketing quota will be established and (2) each farm for which no cotton acreage data were reported pursuant to § 722.1124 and the county committee has no reliable basis for appraising data for the farm but the county committee believes that extra long staple cotton was planted on the farm in one or more of the years 1951, 1952, and 1953, a similar written notice showing "none" as the acreage allotment and marketing quota established for the farm. The notice shall contain at or near the top thereof the following statement: "To all persons who as operator, landlord, tenant, or sharecropper are interested in the farm for which this acreage allotment and marketing quota are established." Notice so given shall constitute notice to all such persons. Such notice shall also contain a brief statement of the procedure whereby application for review of the marketing quota may be made under section 363 of the act. A copy of each notice, containing a notation thereon of the date of mailing the notice to the operator of the farm, shall be kept among the permanent records of the county committee, and upon request a copy thereof, duly certified as a true and correct copy, shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper is interested in the extra long staple cotton produced in 1954 on the farm for which the notice is given. Insofar as practicable, the notice for each old cotton farm shall be prepared and

mailed to the operator so as to be received prior to December 15, 1953, the date on which the referendum to determine whether producers of extra long staple cotton favor or oppose marketing quotas for the 1954 crop will be held.

§ 722.1119 *Amount of the farm marketing quota.* The farm marketing quota for any farm for the 1954 crop of extra long staple cotton shall be the actual production of extra long staple lint cotton for the acreage planted to such cotton on the farm less the farm marketing excess.

§ 722.1120 *Amount of the farm marketing excess—(a) Where the acreage planted to extra long staple cotton is determined.* The farm marketing excess for the 1954 crop of extra long staple cotton shall be the normal production of the acreage of such cotton on the farm in excess of the farm acreage allotment. Where it is established by any producer on the farm in connection with an application filed by him or by any other producer on the farm in accordance with regulations to be issued under this part by the Secretary, that the normal production of the excess acreage is larger than the amount by which the actual production of extra long staple cotton in 1954 on the farm exceeds the normal production of the farm acreage allotment, the farm marketing excess shall be adjusted downward to the smaller amount.

(b) *Where the acreage planted to extra long staple cotton is not determined.* Whenever the determination of the acreage planted to extra long staple cotton in excess of the farm acreage allotment is prevented by the farm operator, the farm marketing excess shall be the total number of pounds of such cotton produced in 1954 on the farm. In the event the farm operator or any other producer on the farm establishes, in accordance with regulations to be issued under this part by the Secretary, the total number of pounds of extra long staple cotton produced in 1954 on the farm, the farm marketing excess shall be the number of pounds of such cotton produced in 1954 on the farm in excess of the normal production of the farm acreage allotment.

(c) *Acreage planted on farms without an allotment.* If extra long staple cotton is grown in 1954 on any farm outside the area designated in § 722.1116 (b) or if extra long staple cotton is grown in 1954 on a farm which is located within the area so designated but which does not have an allotment for extra long staple cotton, the farm marketing excess for the 1954 crop of extra long staple cotton shall be the normal production of the acreage of such cotton on the farm. Where it is established by any producer on the farm in connection with an application filed by him or by any other producer on the farm in accordance with regulations to be issued under this part by the Secretary, that the normal production of the acreage planted to extra long staple cotton exceeds the actual production of such cotton on the farm in 1954, the farm marketing excess shall be adjusted downward to the smaller amount.

§ 722.1121 *Publication of farm acreage allotments and marketing quotas.* One copy of each notice of the farm acreage allotment and marketing quota for farms in a county shall be placed in binders or folders, or in lieu thereof a listing of such allotments shall be prepared, and such notices or listing shall be kept freely available in the office of the county committee for public inspection for a period of not less than thirty calendar days. At the end of such period the copies of the notices or the listing shall be filed in the office of the county committee and remain readily available for further public inspection. If the county is divided into administrative areas, separate binders, folders, or listings shall be prepared and made available for inspection for each administrative area.

§ 722.1122 *Successors-in-interest.* Any person who succeeds to the interest of a producer in a farm, or in a crop of extra long staple cotton, or in extra long staple cotton for which a farm marketing quota and farm marketing excess were established, shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to such marketing quota and marketing excess and be subject to the restrictions on the marketing of such cotton.

§ 722.1123 *Marketing quotas not transferable.* A farm marketing quota is established for a farm and may not be assigned or otherwise transferred in whole or in part to any other farm.

MISCELLANEOUS PROVISIONS

§ 722.1124 *Report of data and information for old cotton farms.* The owner, operator, or any other interested person shall furnish the county committee of the county in which the farm is located the data and information required to be entered on Form CN-364 (1953) "Farm Acreage Report", a copy of which may be obtained from the county committee of any county in which either upland cotton or extra long staple cotton is grown or from the State committee. The county committee, with the assistance of the community committee, shall, insofar as possible, appraise and otherwise determine the required data and information for any farm for which such report on Form CN-364 (1953) is not filed by a person having an interest in the farm, using for such appraisals and determinations the records of the county office for the farm and other farms in the community and other available information.

§ 722.1125 *Acreage planted to extra long staple cotton—(a) Adjustment of acreage planted in excess of farm acreage allotment.* If the acreage determined to be planted to extra long staple cotton on a farm in 1954 is in excess of the farm acreage allotment, the farm operator may, not later than a date established under instructions issued by the Assistant Administrator, adjust such planted acreage to the farm acreage allotment. The date established under such instructions shall afford farm operators a reasonable time for making such adjustments.

(b) *Underplanting the farm acreage allotment.* For any farm on which extra long staple cotton is planted in 1954 and the acreage of such cotton in 1954 is less than the 1954 farm acreage allotment by not more than the larger of 10 percent of the allotment or one acre, an acreage equal to the farm acreage allotment shall be deemed to be the acreage planted to such cotton on the farm in 1954, and the additional acreage added to the extra long staple cotton acreage history for the farm shall be added to the extra long staple cotton acreage history for the county and State.

(c) *No credit for overplanting the farm acreage allotment.* Any acreage planted to extra long staple cotton in 1954 in excess of the farm acreage allotment for the 1954 crop of such cotton shall not be taken into account in establishing State, county, and farm acreage allotments for the 1955 and subsequent crops of such cotton.

§ 722.1126 *Availability of records.* The State and county committees shall make available for inspection by owners or operators of farms receiving extra long staple cotton acreage allotments, all records pertaining to such cotton acreage allotments and marketing quotas.

§ 722.1127 *Approval of county committee determinations and redelegation of authority by the State committee—(a) Approval of county committee determinations.* The State committee shall review all acreage allotments and may correct or require correction of any determinations made under §§ 722.1117 to 722.1125. All acreage allotments shall be approved by the State committee and no official notice of acreage allotment and marketing quota shall be mailed to a farm operator until such allotment has been approved by the State committee.

(b) *Redelegation of authority.* Any authority delegated to the State committee by the regulations in §§ 722.1111 to 722.1128 may be redelegated by the State committee.

REVIEW OF QUOTAS

§ 722.1128 *Review of quotas—(a) Review committees.* Any producer who is dissatisfied with the farm acreage allotment or marketing quota established for his farm, or in the case of a new cotton farm with the action of the county committee in refusing to establish a farm acreage allotment or marketing quota for such farm, may, by making application within 15 days after the mailing of the notice provided for in § 722.1118, have such allotment, quota, or determination reviewed by a review committee composed of three farmers appointed by the Secretary. The review committee shall, upon proper application, review the action of the county committee. The review committee in determining any farm acreage allotment or marketing quota shall, to the same extent as the county committee, be limited to the establishment of a farm acreage allotment or marketing quota in an amount which, under the Act and regulations, should have been established. Unless such application is made within 15 days, the original determination of the farm acre-

age allotment or marketing quota shall be final. All applications for review shall be made in accordance with the Marketing Quota Review Regulations issued by the Secretary.

(b) *Court review.* If the producer is dissatisfied with the determination of the review committee, he may, within 15 days after notice of such determination is mailed to him by registered mail, institute proceedings against the review committee to have the determination of the review committee reviewed by a court in accordance with section 365 of the act.

NOTE: The reporting requirements contained herein have been approved by, and subsequent reporting requirements will be subject to the approval of the Bureau of Budget in accordance with Federal Reports Act of 1942.

Done at Washington, D. C., this 4th day of December 1953. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-10257; Filed, Dec. 4, 1953;
3:07 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 210—FORM AND CONTENT OF FINANCIAL STATEMENTS, SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 AND INVESTMENT COMPANY ACT OF 1940

APPLICATION OF REGULATION S-X

Purpose of amendment. On October 9, 1953, the Securities and Exchange Commission rescinded Form 9-K (17 CFR 249.309) (Securities Exchange Act of 1934 Release No. 4949 and Securities Act of 1933 Release No. 3489) the form for quarterly reports of gross sales and operating revenues under the Securities Exchange Act of 1934. This action by the Commission makes necessary the deletion of the reference to such form now contained in paragraph (a) (3) and paragraph (a) (4) of § 210.1-01 (Rule 1-01) Article 1 of Regulation S-X.

In addition the amendment clarifies the introductory language of paragraph (a)

Statutory basis. The amendments of the rule are adopted pursuant to authority conferred upon the Commission by the Securities Act of 1933, particularly sections 6, 7, 8, 10 and 19 (a) thereof, the Securities Exchange Act of 1934, particularly sections 12, 13, 15 (d) and 23 (a) thereof, the Public Utility Holding Company Act of 1935, particularly section 20 thereof, and the Investment Company Act of 1940, particularly sections 8, 30, 31 (c) and 38 (a) thereof.

Text of rule as amended:

§ 210.1-01 *Application of this part.* (a) This part (together with the Accounting Series Releases) states the requirements applicable to the form and

content of all financial statements required to be filed as part of—

(1) Registration statements under the Securities Act of 1933 filed on Form S-1, S-2, S-3, S-4, S-5, S-6, or S-11 (§§ 239.11, 239.12, 239.13, 239.14, 239.15, 239.16, 239.18 of this chapter), except as otherwise specifically provided in such forms;

(2) Applications for registration of securities under the Securities Exchange Act of 1934 filed on Form 8-A, 8-B, 10 or 14 (§§ 249.208a, 249.208b, 249.210, 249.214 of this chapter),

(3) Supplemental or periodic reports under Section 13 of the Securities Exchange Act of 1934 filed on Form 8-K, 10-K, 14-K, 16-K, or U5-S (§§ 249.308, 249.310, 249.314, 249.316, 259.5s of this chapter),

(4) Supplemental or periodic reports under Section 15 (d) of the Securities Exchange Act of 1934 filed on Form 8-K, 10-K, 2-MD, 4-MD, or U5-S (§§ 249.308, 249.310, 249.402, 249.404, 259.5s of this chapter) and

(5) Registration statements and annual reports filed under the Public Utility Holding Company Act of 1935 by public utility holding companies registered under such act; and

(6) Registration statements and annual reports under the Investment Company Act of 1940.

(b) The term "financial statements" as used in this part shall be deemed to include all supporting schedules.

The Commission finds that notice and public procedures upon this amendment are unnecessary since it is merely a clarification of the rules previously in effect. The foregoing rule, as amended, shall become effective January 4, 1954.

(Secs. 19, 23, 48 Stat. 85, 901 as amended, sec. 38, 54 Stat. 841; 15 U. S. C. 778, 78w, 80a-37. Interprets or applies secs. 6, 7, 8, 10, 12, 13, 15, 48 Stat. 78, 79, 81, 892, 894, 895, as amended; sec. 20, 49 Stat. 833; secs. 8, 30, 31, 54 Stat. 803, 836, 838, 15 U. S. C. 771, 77g, 77h, 77j, 78f, 78m, 78o, 79f, 80a-8, 80a-29, 80a-30)

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

NOVEMBER 30, 1953.

[F. R. Doc. 53-10224; Filed, Dec. 7, 1953;
8:47 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53395]

NAVIGATION AND CUSTOMS FEES; ASSESSMENT AND COLLECTION

The Customs Regulations are hereby amended as indicated hereinafter to provide for the assessment and collection of the fees listed below pursuant to authority contained in Title V, Independent Offices Appropriation Act, 1952 (5 U. S. C. 140)

(1) For registering a house flag or funnel mark, or both, upon application of an owner of a vessel or vessels, \$25.

(2) For recording a trade-mark, trade name, or copyright, \$25.

(3) For designating a common carrier as a carrier of customs bonded merchandise, \$35.

(4) For establishment of a customs bonded warehouse, \$50.

(5) For issuing a customs cartage or lighterage license, \$35.

(6) For issuing a customhouse broker's license, \$100.

PART 3—DOCUMENTATION OF VESSELS

Part 3 is amended by inserting a new § 3.82 reading as follows:

§ 3.82 *Fee for registering a house flag or funnel mark, or both.* A fee of \$25, designated as fee number 11 in § 4.98 of this chapter, shall be paid upon the registration of a house flag or funnel mark, or both, and each application for such registration filed with a collector of customs shall be accompanied by a remittance in that amount.

(R. S. 161, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended; 5 U. S. C. 22, 46 U. S. C. 2, 3. Interprets or applies secs. 7, 35 Stat. 426, as amended, sec. 501, 65 Stat. 290; 46 U. S. C. 49, 5 U. S. C. 140)

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Section 4.98 (a) is amended by adding the following as fee number 11 to the table of fees:

11. Registering a house flag or funnel mark, or both (5 U. S. C. 140; T. D. 53385).

(R. S. 161, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended; 5 U. S. C. 22, 46 U. S. C. 2, 3. Interprets or applies secs. 7, 35 Stat. 426, as amended, sec. 501, 65 Stat. 290; 46 U. S. C. 49, 5 U. S. C. 140)

PART 11—PACKING AND STAMPING; MARKING; TRADE-MARKS AND TRADE NAMES; COPYRIGHTS

1. Section 11.15 (a) is amended by deleting "and" following "ownership of the applicant," in the second sentence, by deleting footnote reference 17 at the end of the second sentence and said footnote, and by changing the period at the end of the second sentence to a comma and adding the following: "and the fee of \$25 prescribed by § 24.12 of this chapter. Checks or money orders in payment of the fee shall be made payable to the Head, Fiscal Section, Bureau of Customs."

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

2. Section 11.16 (a) is amended by deleting footnote reference 17 at the end of the first sentence and by changing the period at the end of the second sentence to a comma and adding the following: "and by the fee of \$25 prescribed by § 24.12 of this chapter. Checks or money orders in payment of the fee shall be made payable to the Head, Fiscal Section, Bureau of Customs."

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

3. Section 11.19 (b) is amended by substituting "accompanied by" for "together with" and by deleting the period at the end of the sentence and adding

the following after the word "Alaska": "and the fee of \$25 prescribed by § 24.12 of this chapter. Checks or money orders in payment of the fee shall be made payable to the Collector of Customs, New York, N. Y."

(R. S. 161, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 1624. Interprets or applies sec. 1, 61 Stat. 652; 17 U. S. C. 109)

4. Section 11.19 (d) is amended by deleting from the last sentence the word "and" and the period at the end and adding the following after the word "designate": "and by the fee of \$25 prescribed by § 24.12 of this chapter. Checks or money orders in payment of the fee shall be made payable to the Head, Fiscal Section, Bureau of Customs."

(Sec. 1, 61 Stat. 652; 17 U. S. C. 109.)

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

Section 18.1 (c) is amended by substituting "accompanied by the fee of \$35 prescribed by § 24.12 of this chapter," for "together with" in the first sentence, and by inserting a comma after "carriage" in that sentence.

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624.)

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

Section 19.2 (a) is amended by changing the period at the end of the first sentence to a comma and adding "and shall transmit therewith the fee of \$50 prescribed by § 24.12 of this chapter."

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624.)

PART 21—CARTAGE AND LIGHTERAGE

Section 21.1 (a) is amended by deleting the period from the end of the third sentence and adding thereto "and pay the fee of \$35 prescribed by § 24.12 of this chapter."

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624.)

Part 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

Section 24.12 (a) is amended to read as follows:

§ 24.12 *Customs fees; charges for storage.* (a) (1) A table of the rates of fees prescribed by law or hereinafter in this paragraph shall be kept posted in each collector's, surveyor's, and comptroller's office. A customs fee in the amount respectively indicated shall be collected for each of the following actions and when payment of such fee is received by any customs employee a receipt therefor shall be issued:

(i) Recording a trade-mark, trade name, or copyright, \$25 (see §§ 11.15, 11.16, and 11.19 of this chapter).

(ii) Designating a common carrier as a carrier of customs bonded merchandise, \$35 (see § 18.1 of this chapter).

(iii) Establishment of a customs bonded warehouse, \$50 (see § 19.2 of this chapter).

(iv) Issuance of a customs cartage or lighterage license, \$35 (see § 21.1 of this chapter).

(v) Issuance of a customhouse broker's license, \$100.

(vi) Making an official certification, unless otherwise prescribed by law, 20 cents.

(2) The fee in subparagraph (1) (iii) of this paragraph shall be assessed and collected for the action of initially establishing a customs bonded warehouse or for rebonding a warehouse after its discontinuance. Such fee shall not be collected for action in connection with the discontinuance or alteration of a customs bonded warehouse or the reactivation of such a warehouse after its temporary suspension.

(3) The fee in subparagraph (1) (iv) of this paragraph shall be assessed and collected for the action of initially issuing a customs cartage or lighterage license or issuing a new license after the previous license has been canceled or revoked, but not for renewing such a license.

(R. S. 161, 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624. Interprets or applies R. S. 2635, as amended, 2654, as amended, 4383, as amended, sec. 501, 65 Stat. 290; 19 U. S. C. 58, 59, 46 U. S. C. 333, 5 U. S. C. 140)

Notice of the proposed issuance of the foregoing amendments was published in the FEDERAL REGISTER on August 8, 1953 (18 F. R. 4707) pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003). After due consideration of the representations received, it has been decided to adopt the amendments as set forth above.

The fees listed in § 24.12 (a) (1) to (5) inclusive, are not retroactive and shall be assessed and collected only for the action taken on applications received on or after the effective date of these amendments.

The amendments shall become effective upon the expiration of 30 days after the date of their publication in the FEDERAL REGISTER.

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

Approved: November 27, 1953.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-10235; Filed, Dec. 7, 1953; 8:48 a. m.]

TITLE 21—FOOD AND DRUGS

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

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

EXEMPTING CERTAIN ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS FROM CERTIFICATION

Correction

In F. R. Doc. 53-10110, appearing at page 7672 of the issue for Thursday, December 3, 1953, the following changes should be made:

1. In the introductory text of § 146.30 (f), the parenthetical phrase should

read "(unless they contain crystalline penicillin o or l-ephenamine penicillin)"

2. In the fifth line of § 146.37 (f) (2) the word "only" should be inserted between the words "use" and "in"

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.199]

PART 75—INTERNATIONAL TRAFFIC IN ARMS, AMMUNITION AND IMPLEMENTS OF WAR

Correction

In Federal Register Document 53-10042, published at page 7628 of the issue for Tuesday, December 1, 1953, the citation of authority should read as follows:

AUTHORITY: §§ 75.1 to 75.46 issued under sec. 12, 54 Stat. 10; 22 U. S. C. 452; Proc. 3038, 18 F. R. 7505. Statutory provisions interpreted or applied are cited to text in parentheses.

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 6055]

PART 7—TAXATION PURSUANT TO TREATIES

EXCHANGE OF INFORMATION UNDER INCOME TAX CONVENTIONS

§ 7.1 *Exchange of information*—(a) *Form 1042 Supplement*. (1) For the calendar year 1953 and subsequent calendar years every United States withholding agent shall make and file with the district director of internal revenue for the district in which the withholding agent is located an information return on Form 1042 Supplement with respect to each foreign country which has, or will have, entered into an income tax convention with the United States, if such convention provides for the mutual exchange of information and if the Commissioner of Internal Revenue determines that such return is required in the case of such country.

(2) Form 1042 Supplement shall be filed simultaneously with the Form 1042 prescribed by § 39.143-7 of this chapter. A separate return shall be made on Form 1042 Supplement in duplicate with respect to each such country as the Commissioner of Internal Revenue shall designate, and there shall be reported thereon all items of fixed or determinable annual or periodical income derived from sources within the United States and paid to nonresident aliens (including nonresident alien individuals, fiduciaries, and partnerships) and to nonresident foreign corporations, whose addresses at the time of payment were in such country, including such items of income upon which United States tax has not been withheld at source because of the income tax convention with such country except that any of such items which constitute wages subject to with-

holding of United States tax pursuant to section 1622, Internal Revenue Code, and interest in respect of which an ownership certificate other than Form 1001, such as Form 1001-D, Form 1001-IR, or Form 1001-UK, or the substitute thereof, has been filed in duplicate with the withholding agent is not required to be reported on such Form 1042 Supplement.

(3) As soon as practicable after the close of the calendar year 1953 and subsequent calendar years during which the income tax convention between the United States and such country is in effect, the Commissioner of Internal Revenue will transmit to the appropriate authority designated in the convention with such country the duplicate copy of each available Form 1042 Supplement filed pursuant to this section in respect to such country for such preceding calendar year.

(4) Form 1042B, Form 1042C, Form 1042D, Form 1042E, and Form 1042F which are currently prescribed under this part as information returns for use under the income tax convention between the United States and Canada, France, the United Kingdom, The Netherlands, and Switzerland, respectively, will not be required for 1953 and subsequent years.

(b) *Form 1042*. For the calendar year 1953 and subsequent calendar years every United States withholding agent shall report on Form 1042 all such items of income, otherwise required to be reported thereon pursuant to § 39.143-7 of this chapter, upon which United States tax has not been withheld at source because of any income tax convention which is in effect between the United States and a foreign country. There shall also be reported on such form interest on registered bonds with respect to which an exemption certificate, such as Form 1001 A-D, or an exemption or reduced rate certificate, such as Form 1001 A-S, has been filed with the withholding agent.

(c) *Prior regulations*. The provisions of this section shall apply notwithstanding any regulation to the contrary which has been approved prior to the date on which this Treasury decision is published in the FEDERAL REGISTER.

Because this Treasury decision is basically in accordance with procedures now being followed by withholding agents, it is hereby found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

Approved: December 1, 1953.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 53-10233; Filed, Dec. 7, 1953; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order V-1, Supp. 1]

ESTABLISHMENT OF INTERDEPARTMENTAL COMMODITY ADVISORY COMMITTEES

By virtue of the authority vested in me by Executive Order 10480 of August 15, 1953, and Reorganization Plan No. 3 of June 12, 1953, and in order to obtain advice and cooperation which will facilitate the coordination of Federal policies and programs with respect to the supply of materials to meet the requirements for both current defense activities and readiness for any future national emergency, *It is hereby ordered.*

1. There are hereby established in the Office of Defense Mobilization the following interdepartmental commodity advisory committees. The Chairman of each committee shall be appointed by the Assistant Director for Materials, Office of Defense Mobilization. Representatives shall be designated by the head of the indicated department or agency:

a. Interdepartmental Iron, Steel and Ferroalloys Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of the Interior.
U. S. Tariff Commission.
General Services Administration.

b. Interdepartmental Light Metals Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of the Interior.
U. S. Tariff Commission.
General Services Administration.

c. Interdepartmental Non-Ferrous Metals Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of the Interior.
U. S. Tariff Commission.
General Services Administration.

d. Interdepartmental Non-Metals Minerals Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of the Interior.
U. S. Tariff Commission.
General Services Administration.

e. Interdepartmental Chemicals and Rubber Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of the Interior.
Department of Agriculture.
U. S. Tariff Commission.
General Services Administration.

f. Interdepartmental Forest Products Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of the Interior.
Department of Agriculture.

U. S. Tariff Commission,
General Services Administration.

g. Interdepartmental Fibers Committee.

Department of Defense.
Department of Commerce.
Department of State.
Department of Agriculture.
U. S. Tariff Commission.
General Services Administration.

2. The foregoing ODM interdepartmental commodity advisory committees shall be advisory to the Assistant Director for Materials, ODM, in the development of supply, requirements, and technical data required by the ODM in carrying out its industrial mobilization responsibilities.

3. This order shall become effective immediately.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMING,
Director.

[F. R. Doc. 53-10258; Filed, Dec. 4, 1953;
4:33 p. m.]

Chapter XXI—Defense Rental Areas Division, Office of Defense Mobilization

[Rent Regulation 1, Amtd. 152 to Schedule A]
[Rent Regulation 2, Amtd. 150 to Schedule A]
[Rent Regulation 3, Amtd. 142 to Schedule A]
[Rent Regulation 4, Amtd. 86 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

RR 3—HOTELS

RR 4—MOTOR COURTS

SCHEDULE A—DEFENSE-RENTAL AREAS

CERTAIN STATES

Correction

In Federal Register Document 53-7388, appearing at page 4991 of the issue for Friday, August 21, 1953, the "Effective date of regulation" in the last column of the table in paragraph 2, opposite area "(86) Braidwood-Joliet" class C, now reading "Dec. 10, 1952," should read "Dec. 10, 1951."

In the table in F. R. Doc. 53-7389, page 4992 of the issue for Friday, August 21, 1953, area "(321) Del Rio" should read "(312) Del Rio" and the maximum rent date for this area should read "Sept. 1, 1952"

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter G—Navigation Requirements for Certain Inland Waters
[CGFR 53-49]

PART 82—BOUNDARY LINES OF INLAND WATERS

GULF COAST; MISCELLANEOUS AMENDMENTS

A notice regarding the establishment of a line of demarcation between the

high seas and inland waters from Mobile Bay to the Rio Grande River on the Gulf of Mexico was published in the FEDERAL REGISTER dated May 1, 1953 (18 F. R. 2556). A public hearing was held by the Commander of the 8th Coast Guard District on June 2, 1953, in the Jackson Room of the St. Charles Hotel, New Orleans, Louisiana. Upon request the Commander of the 8th Coast Guard District permitted until July 3, 1953, additional comments and data to be submitted and made a part of the record of this hearing.

All the comments, views, and data submitted in writing or orally at the public hearing, together with the recommendations of the Commander of the 8th Coast Guard District, were considered by the Merchant Marine Council. Where practicable, the comments, views, and data relating to safe navigation were accepted and parts of the described lines as proposed were revised accordingly. The comments, data, and views submitted which were based on reasons not directly connected with promoting safe navigation were rejected.

The establishment of descriptive lines of demarcation is solely for purposes connected with navigation and shipping. Section 2 of the act of February 19, 1895, as amended (33 U. S. C. 151), authorizes the establishment of these descriptive lines primarily to indicate where different statutory and regulatory rules for preventing collisions of vessels shall apply and must be followed by public and private vessels. These lines are not for the purpose of defining Federal or State boundaries, nor do they define or describe Federal or State jurisdiction over navigable waters. Upon the waters inshore of the lines described, the Inland Rules and Pilot Rules apply. Upon the waters outside of the lines described, the International Rules apply.

The purposes for these changes in the line of demarcation between the high seas and rivers, harbors, and inland waters, from Mobile Bay to the Rio Grande River on the Gulf of Mexico, are

(1) to extend or connect lines previously published for certain localities; (2) to remove confusion that has arisen regarding where the lines should be; and (3) to clearly indicate where the rules for preventing collisions at sea (International Rules) apply and where the Inland Rules and Pilot Rules for preventing collisions of vessels apply.

The purpose for amending 33 CFR 82.95 is to describe a line of demarcation from Mobile Bay, Alabama, to Mississippi Passes, Louisiana.

The purpose for amending 33 CFR 82.100 is to change the provisions of this regulation to agree with Public Law 232, 83d Congress (62 Stat. 249; 33 U. S. C. 154, 301) Public Law 232 made the Inland Rules applicable to the Mobile River and all its tributaries.

The purpose for adding a new regulation 33 CFR 82.103 is to describe the line of demarcation from Mississippi Passes, Louisiana, to Sabine Pass, Texas. Numerous objections to the descriptive line proposed and considered at the public hearing were received and were the basis for certain changes adopted. The new regulation 33 CFR 82.103 sets forth the

line from Mississippi Passes, Louisiana, to Sabine Pass, Texas.

33 CFR 82.105, regarding Inland Rules to be followed in Sabine Pass, Texas, is canceled. This line is not necessary since a new regulation designated 33 CFR 82.106 includes Sabine Pass, Texas.

The new regulation designated 33 CFR 82.106 describes the line from Sabine Pass, Texas, to Galveston, Texas.

33 CFR 82.110, regarding the descriptive line for Galveston Harbor, is canceled. This line is not necessary since a new regulation designated 33 CFR 82.111 includes Galveston Harbor.

A new regulation designated 33 CFR 82.111 describes the line from Galveston, Texas, to Brazos River, Texas.

33 CFR 82.115, regarding the descriptive line for Brazos River, Texas, is canceled. This line is not necessary since a new regulation designated 33 CFR 82.116 includes the Brazos River.

A new description designated 33 CFR 82.116 describes the line from Brazos River, Texas, to the Rio Grande, Texas. Numerous comments regarding this proposed description were received. The proposed descriptive line was not adopted. The line of demarcation adopted will permit oceangoing vessels running between Aransas Pass Lighted Whistle Buoy 1A and Brazos Santiago Entrance Lighted Whistle Buoy 1 to operate under the International Rules at all times.

In order to prevent confusion regarding effective date of regulations because the revised International Rules become effective on and after January 1, 1954, it is hereby found to be in the public interest that these amendments become effective on and after January 1, 1954.

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) to promulgate rules and regulations in accordance with the statutes cited with the regulations below, the following amendments to the regulations are prescribed which shall become effective on and after January 1, 1954:

1. Section 82.95 is amended to read as follows:

§ 82.95 *Mobile Bay, Ala., to Mississippi Passes, La.* Starting from a point which is located 1 mile, 90° true, from Mobile Point Lighthouse, a line drawn to Mobile Entrance Lighted Whistle Buoy 1, thence to Ship Island Lighthouse; thence to Chandeleur Lighthouse; thence in a curved line following the general trend of the seaward, high-water shore lines of the Chandeleur Islands to the southwesternmost extremity of Errol Shoal (Lat. 29°35.8' N., Long. 89°00.8' W.) thence to Pass a Loure Lighted Whistle Buoy 4.

2. Section 82.100 is amended to read as follows:

§ 82.100 *Mississippi River.* The Pilot Rules for Western Rivers are to be followed in the Mississippi River and its tributaries above the Huey P. Long Bridge.

3. Part 82 is amended by adding a new § 82.103, reading as follows:

§ 82.103 *Mississippi Passes, La., to Sabine Pass, Tex.* A line drawn from Pass a Loutre Lighted Whistle Buoy 4 to South Pass Lighted Whistle Buoy 2; thence to Southwest Pass Entrance Midchannel Lighted Whistle Buoy thence to Ship Shoal Lighthouse; thence to Calcasieu Pass Lighted Whistle Buoy 1, thence to Sabine Pass Lighted Whistle Buoy 1.

4. Section 82.105 *Sabine Pass, Texas*, is canceled.

5. Part 82 is amended by adding a new § 82.106, reading as follows:

§ 82.106 *Sabine Pass, Tex., to Galveston, Tex.* A line drawn from Sabine Pass Lighted Whistle Buoy 1 to Galveston Bar Lighted Whistle Buoy 1.

6. Section 82.110 *Galveston Harbor* is canceled.

7. Part 82 is amended by adding a new § 82.111, reading as follows:

§ 82.111 *Galveston, Tex., to Brazos River Tex.* A line drawn from Galveston Bar Lighted Whistle Buoy 1 to Freeport Entrance Lighted Bell Buoy 1.

8. Section 82.115 *Brazos River Tex.* is canceled.

9. Part 82 is amended by adding a new § 82.116, reading as follows:

§ 82.116 *Brazos River Tex., to the Rio Grande, Tex.* A line drawn from Freeport Entrance Lighted Bell Buoy 1 to Pass Cavallo Lighted Whistle Buoy 1, thence to Aransas Pass Lighted Whistle Buoy 1A, thence to a position 10½ miles, 90° true, from the north end of Lopeno Island (Lat. 27°00.1' N., Long. 97°15.5' W.) thence to Brazos Santiago Entrance Lighted Whistle Buoy 1.

(Sec. 2, 28 Stat. 672, as amended, 33 U. S. C. 151)

Dated: December 1, 1953.

[SEAL] A. C. RICHMOND,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 53-10234; Filed, Dec. 7, 1953;
8:48 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 27—LETTER, CALL, AND LOCK BOXES, AND KEY DEPOSITS

RENT OF BOXES

In § 27.7 *Rent of boxes* paragraphs (b) (c) and (d) are amended to read as follows:

(b) *Collection of rent.* Box rents shall be collected on or before the be-

ginning of a quarter for that quarter or in advance on an annual basis for the fiscal year. Box patrons including agencies of the Federal Government are permitted to pay rental on post office boxes for not more than one full fiscal year in advance, or for the three, two, or one quarter remaining in the fiscal year during which the box is rented. All box rentals collected, both current and advance payments, shall be accounted for as postal receipts on the dates collections are made. When a patron, including a Government agency, surrenders a box prior to the expiration of the period for which rental has been paid no portion of the rental shall be refunded.

(c) *Box rent notice.* Postmasters shall place a notice that the rent is due and payable in each rented box 10 days in advance of the expiration of the quarter for which rental has been paid. If a boxholder fails to renew his right to his box on or before the last day of a quarter the box shall then be closed and offered for rent, and the mail placed in the general delivery unless deliverable by carrier. At a station or branch, such mail which is undeliverable by carrier shall be held at the station or branch for 10 days and then if not called for returned to the sender with suitable endorsement. In the case of a known permanent resident who is temporarily absent and has filed a forwarding order for his mail, the box rent notice should be inclosed in an official penalty envelope and mailed to his forwarding address. Ample time for reply should be allowed before the closing and re-renting of such box. (See §§ 43.22 and 43.23 of this chapter.)

(d) *When box rented after beginning of quarter* When a box is rented after the beginning of the quarter the rent to be collected shall be computed by multiplying the number of days remaining in the quarter, including the day on which the box is rented, by the rate and dividing the product by 90, which for this purpose shall be considered the number of days in each quarter, except that rental for the entire quarter shall be collected from a boxholder who pays for the right to continue the use of the box which he held during the previous quarter. Boxes shall not be assigned or transferred to others by boxholders.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, 5 U. S. C. 22, 369)

[SEAL] ROSS RIZLEY,
Solicitor

[F. R. Doc. 53-10219; Filed, Dec. 7, 1953;
8:46 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 AND CERTAIN GAME MAMMALS

COMPENSATORY EXTENSIONS OF CERTAIN MIGRATORY GAME BIRD SEASONS

Basis and purpose. A request has been received from the States of New York and West Virginia for an extension of the migratory game bird seasons by the number of days sportsmen were not permitted to hunt such birds due to emergency State action closing extensive areas to shooting as a forest fire prevention measure. It has been determined that the slight compensatory extensions sought are not likely to result in a diminution of the birds to any greater extent than was contemplated for the original period.

Accordingly, pursuant to authority conferred upon me by § 6.4 of the Migratory Bird Treaty Act Regulations (16 F. R. 7513), the seasons fixed by the amendments to such regulations approved August 21 and October 28, 1953 (18 F. R. 5175 and 18 F. R. 6971) are, subject to shooting hours and other applicable provisions of the current Federal regulations, extended as follows:

Waterfowl and coot from December 16 to December 19, both dates inclusive, in New York (except Long Island and that part of Westchester County lying south of the Hutchinson River Parkway)

In West Virginia, waterfowl and coot from December 27, 1953, to January 9, 1954, woodcock from December 1 to December 19, all dates inclusive.

Since these amendments are relaxations of existing regulations, notice and public procedure thereon are not required (60 Stat. 237; 5 U. S. C. 1001, et seq.) and they shall become effective immediately.

(Sec. 3, 40 Stat. 755, as amended; 16 U. S. C. 704)

Dated: November 30, 1953.

JOHN L. FARLEY,
Director,
Fish and Wildlife Service.

[F. R. Doc. 53-10211; Filed, Dec. 7, 1953;
8:45 a. m.]

PROPOSED RULE MAKING

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 250]

REGISTRATION AND GENERAL EXEMPTIONS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission is consid-

ering adopting a new rule, (Rule U-13; 17 CFR 250.13) under the Public Utility Holding Company Act of 1935 exempting certain non-utility subsidiary companies and affiliates of registered holding companies from the obligations, duties and liabilities imposed upon them as subsidiary companies or affiliates of registered holding companies.

The proposal to adopt U-13 is made pursuant to the provisions of sections 3

(d) and 20 (a) of the Public Utility Holding Company Act of 1935.

Section 3 (d) of the act provides that the Commission "may, by rules and regulations, conditionally or unconditionally exempt any specified class or classes of persons from the obligations, duties, or liabilities imposed upon such persons as subsidiary companies or affiliates under any provision or provisions of this title * * *". The proposed rule

would unconditionally exempt every subsidiary company or affiliate of a registered holding company (which subsidiary company or affiliate is not (a) a holding company, (b) a public-utility company, (c) an investment company or (d) a service company) from all the obligations, duties and liabilities imposed upon it by the act as a subsidiary company or affiliate of a registered holding company. *Provided*, That the company so exempted becomes a subsidiary or affiliate by reason of the acquisition of its voting securities after the effective date of the rule by a registered holding company. *And provided further* That such acquisition is in accordance with an investment program permitted by an order of the Commission entered pursuant to section 11 of the act in connection with the conversion of such registered holding company into an investment company in compliance with the act.

At the present time there are two registered holding companies which, with Commission approval, are in the process of converting into investment companies and there are two other registered holding companies which have indicated an intention to convert into an investment company if permitted by the Commission.

The text of the proposed rule would read as follows:

§ 250.13 *Exemption of certain non-utility subsidiary companies and affiliates of registered holding companies transforming to investment companies.* Every subsidiary company or affiliate of a registered holding company which subsidiary company or affiliate is not—

- (a) A holding company
- (b) A public-utility company
- (c) An investment company or investment trust, including one which is a medium for investments in securities for the benefit of a public-utility or holding company or its directors, officers or employees;
- (d) A service company performing services or construction for or selling goods to associate companies of any of the classes specified in paragraphs (a) to (c) of this section; or
- (e) Controlling, directly or indirectly, any company specified in paragraphs (a) to (d) of this section;

shall be unconditionally exempt from the obligations, duties and liabilities which would otherwise be imposed upon such company as a subsidiary company or an affiliate by any provision or provisions of the act and shall not be deemed to be a subsidiary company or an affiliate within the meaning of any

such provision or provisions, if such company becomes a subsidiary company or an affiliate by virtue of the acquisition after December 15, 1953, directly or indirectly, of voting securities of which it is the issuer by a registered holding company in accordance with an investment program permitted by an order of the Commission which has become final and which has been entered pursuant to section 11 of the act in connection with the conversion of such registered holding company into an investment company in compliance with the provisions of the act.

All interested persons are hereby invited to submit views and comments on the proposed rule. Such views and comments should be submitted to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before December 16, 1953.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

NOVEMBER 27, 1953.

[F. R. Doc. 53-10225; Filed, Dec. 7, 1953;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 962]

[Docket No. AO 162-A4]

FRESH PEACHES GROWN IN GEORGIA

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO AMENDED MARKETING AGREEMENT AND ORDER REGULATING HANDLING

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders, as amended (7 CFR Part 900) notice is hereby given of a public hearing to be held at the Lanier Hotel, 553 Mulberry Street, Macon, Georgia, beginning at 10:00 a. m., e. s. t., December 17, 1953, with respect to proposed amendments to the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962, 18 F. R. 3013), hereinafter referred to as the "marketing agreement" and "order," respectively, regulating the handling of fresh peaches grown in the State of Georgia. These proposals have not re-

ceived the approval of the Secretary of Agriculture.

Such public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions relating to the proposed amendments, which are hereinafter set forth, and appropriate modifications thereof.

The following amendment has been proposed by the Industry Committee established pursuant to the aforesaid marketing agreement and order:

1. Delete the proviso in the first sentence of § 962.41 and insert in lieu thereof the following: "*Provided*, That no assessment shall be levied against peaches that are exempt pursuant to § 962.71 or against peaches that are exempt from inspection pursuant to § 962.64."

The Fruit and Vegetable Branch, Production and Marketing Administration has proposed that such other changes in the marketing agreement and order be made as may be necessary to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing may be obtained from the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., or from the Southeastern Marketing Field Office, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, P. O. Box 19, Lakeland, Florida.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 2d day of December 1953.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 53-10231; Filed, Dec. 7, 1953;
8:48 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Part 11]

[Docket No. E-123]

ANNUAL CHARGES PRESCRIBED FOR LICENSEES

DISCRETIONAL REDUCTION

Correction

In F. R. Doc. 53-10141 appearing at page 7826 of the issue for Friday, December 4, 1953, the bracketed docket number designation should read as set forth above.

NOTICES

DEPARTMENT OF JUSTICE

OFFICE OF ALIEN PROPERTY

STATEMENT OF ORGANIZATION AND DELEGATIONS OF FINAL AUTHORITY

The Statement of Organization and Delegations of Final Authority of the Office of Alien Property (16 F. R. 6895),

as amended, are hereby amended to read as follows:

1. *Establishment.* The Office of Alien Property, Department of Justice, was established by the Attorney General to administer functions vested in him relating to the control or vesting of foreign owned property, the administration of

property vested under the Trading With the Enemy Act, as amended, including allowance and payment of claims asserted with respect thereto, and litigation connected with any of the foregoing functions.

2. *Direction.* The Office of Alien Property is under the supervision and direction of an Assistant Attorney Gen-

eral, who is Director of the Office of Alien Property and is responsible to the Attorney General. The Director acts for and on behalf of the Attorney General. All of the authority, rights, privileges, powers, duties, and functions of the Office of Alien Property may be exercised by the Director or by any agencies, instrumentalities, agents, delegates, or other personnel appointed or designated by him.

3. *Authority.* (a) Authority under the Trading With the Enemy Act, as amended, was delegated to the Alien Property Custodian by the President pursuant to the following Executive Orders:

(1) Executive Order 9095 of March 11, 1942, 7 F. R. 1971, as amended by Executive Order 9193 of July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp., and Executive Order 9567 of June 8, 1945, 10 F. R. 6917, 3 CFR, 1945 Supp., and modified by Executive Order 9760 of July 23, 1946, 11 F. R. 7999, 3 CFR, 1946 Supp.

(2) Executive Order 9142 of April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum. Supp.

(3) Executive Order 9325 of April 7, 1943, 8 F. R. 1682, 3 CFR, 1943 Cum. Supp.

(4) Executive Order 9725 of May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp.

(b) The Office of Alien Property Custodian was terminated, and all powers and authority vested in or transferred to the Alien Property Custodian or the Office of Alien Property Custodian were transferred to or vested in the Attorney General by Executive Order 9788 of October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.

(c) Jurisdiction formerly exercised by the Secretary of the Treasury under the Trading With the Enemy Act, as amended, over certain assets which were blocked by Executive Order 8389 of April 10, 1940, 5 F. R. 1400, as amended, 3 CFR, 1943 Cum. Supp., was transferred to the Attorney General by Executive Order 9989 of August 20, 1948, 13 F. R. 4891, 3 CFR, 1948 Supp. By Executive Order 10348 of April 26, 1952, 17 F. R. 3769, 3 CFR, 1952 Supp., the aforesaid Executive Orders and all delegations, regulations, rulings, instructions and licenses under said Orders were continued in force according to their terms for the duration of the national emergency proclaimed by Proclamation 2914 of December 16, 1950, 15 F. R. 9029, 3 CFR, 1950 Supp.

(d) By Executive Order 10244 of May 17, 1951, 16 F. R. 4689, 3 CFR, 1951 Supp., the President designated the Attorney General to exercise functions relating to the settlement of intercustodial disputes regarding enemy property conferred by the act of September 28, 1950 (64 Stat. 1079; 50 U. S. C. App. Sup. 40)

(e) Certain functions under the Trading With the Enemy Act, as amended, relating to the Philippines, which were conferred on the President by the Philippine Property Act of 1946, as amended (60 Stat. 418, 64 Stat. 1116, 22 U. S. C. and Sup. 1382) were delegated to the Philippine Alien Property Administration by the following orders:

(1) Executive Order 9789 of October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.

(2) Executive Order 9818 of January 7, 1947, 12 F. R. 133, 3 CFR, 1947 Supp.

(3) Executive Order 9921 of January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp.

(f) The Philippine Alien Property Administration was terminated by Executive Order 10254 of June 15, 1951, 16 F. R. 5289, 3 CFR, 1951 Supp., and all powers and authority vested in or transferred to the Philippine Alien Property Administration or the Philippine Alien Property Administrator were transferred to or vested in the Attorney General.

(g) The Attorney General, by Order 3732, Supp. 51, of July 12, 1951, 16 F. R. 6895, has placed all of the foregoing powers and authority in the Office of Alien Property, Department of Justice.

4. *Organization.* The Office of Alien Property is composed of the following principal subdivisions, with functions and authority as indicated:

(a) *Office of the Director.* This Office consists of the Director, the Deputy Director, an Intercustodial and Foreign Funds Officer, and the Hearing Examiners.

(1) The Director exercises the functions and authority noted in paragraph 3 of this Notice.

(2) The Deputy Director may exercise any of the authority, rights, privileges, powers, duties, and functions of the Director in the absence of the Director or in the event of his inability to act, or at any other time, to the extent that such an authority may be lawfully delegated by the Director. In performing the aforesaid duties the Deputy Director will act for and on behalf of the Attorney General.

(3) The Intercustodial and Foreign Funds Officer is responsible for the administration of controls with respect to property over which jurisdiction is exercised by virtue of Executive Order 9989 and transactions relating to such property and for the conduct of negotiations with respect to intercustodial conflicts.

(i) The Intercustodial and Foreign Funds Officer is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(ii) The Intercustodial and Foreign Funds Officer is authorized to take final action with respect to specific licensing matters, by granting or denying applications for specific licenses, and by amending, modifying, renewing, or revoking existing specific licenses with respect to the property over which jurisdiction is exercised by virtue of Executive Order 9989. In the exercise of the foregoing authority, such official will act for and on behalf of the Director or the Deputy Director, and will sign in the following form.

Issued by direction and on behalf of the (Deputy) Director, Office of Alien Property.

By -----
(Title)

(4) The Hearing Examiners, consisting of a Chief Hearing Examiner and such other hearing examiners as may from time to time be designated, hear and determine, subject to review by the Director or the Deputy Director, contested claims under Sections 9 (a) 20, 32 and 34 of the Trading With the

Enemy Act, as amended, and handle such other matters not inconsistent with their duties as hearing examiners as may be assigned by the Director or the Deputy Director. The Hearing Examiners are hereby severally delegated authority to exercise the powers conferred upon hearing examiners by 8 CFR Part 502.

(b) *Legal and Legislative Section.* Under the supervision of the Chief, Legal and Legislative Section, this section advises on all legal and legislative matters generally affecting the operations of the Office of Alien Property. This section also is responsible for all matters relating to the liquidation of banking and insurance institutions under the control of the Office and all matters relating to the administration of patents, trade-marks and copyrights and rights or interests therein or related thereto vested under the Trading With the Enemy Act, as amended, or controlled thereunder by 8 CFR Part 507.

(1) The Chief, Legal and Legislative Section, is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) The Chief, Legal and Legislative Section, is authorized:

(i) To issue licenses with respect to vested patents, applications for patents, copyrights and rights or interests therein or related thereto; and to fix royalty schedules pertaining thereto;

(ii) To approve requests for loans of vested motion picture films and to enter into agreements concerning the use thereof;

(iii) To make demand for and accept payment of royalties and other moneys due the Attorney General with respect to vested patents, applications for patents, copyrights, trade-marks, films, licenses and rights or interests therein or relating thereto; and to execute receipts, surrenders, releases or other instruments to evidence such action.

(c) *Litigation Section.* Under the supervision of the Chief, Litigation Section, this Section conducts all litigation concerning the Office. This Section is responsible for collection, custody and administration with respect to vested interests in estates and trusts and vested rights under contracts of life insurance and annuity.

(1) The Chief, Litigation Section, is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) The Chief, Litigation Section, is authorized:

(i) To issue any demand, direction or instruction directed to any person, firm or corporation or take any other action necessary to effectuate a vesting order;

(ii) To take custody of any property or interest therein which is vested in, or is transferable or deliverable to, the Attorney General under the Trading With the Enemy Act, as amended; to accept payment, conveyance, transfer, assignment, or delivery made to or for the account of the Attorney General pursuant to said act; to exercise any right of election to surrender or release any vested insurance policy contract rights

or interests therein against payment of cash surrender value; and to execute receipts, surrenders, releases or other instruments to evidence such action.

(d) *Claims Section.* Under the supervision of the Chief, Claims Section, this Section processes all claims under the Trading With the Enemy Act, as amended, for return of property or payment of debts of former owners of vested property and related attorney fee claims.

(1) The Chief, Claims Section, is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions, including particularly the powers conferred upon him by 8 CFR, Part 502.

(2) In the exercise of such authority, insofar as it relates to a position taken by the Claims Section prior to allowance or final disallowance of a claim, the Chief, Claims Section, shall sign in his own name and title.

(e) *Liquidation Section.* Under the supervision of the Chief, Liquidation Section, this Section is responsible for matters relating to the operation or liquidation of business enterprises which have been supervised or vested, or in which interests have been supervised or vested, and for the management and liquidation of vested real and personal property. This Section also performs certain functions in connection with effectuating returns of vested property.

(1) The Chief, Liquidation Section, is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) The Chief, Liquidation Section, and within this Section the Chief, Collection and Custody Unit and the Assistant Chief, Collection and Custody Unit, are severally authorized:

(i) To issue any demand, direction or instruction directed to any person, firm, or corporation or to take any other action necessary to effectuate a vesting order;

(ii) To take custody of any property or interest therein which is vested in, or is transferable or deliverable to, the Attorney General under the Trading With the Enemy Act, as amended; to accept payment, conveyance, transfer, assignment or delivery made to or for the account of the Attorney General pursuant to said act; and to execute receipts, surrenders, releases or other instruments to evidence such action;

(iii) To waive compliance with any vesting order which vests a debt in a specific amount to the extent of normal service charges not to exceed \$250.00 asserted by a claimant who would be entitled to a return of the amount of such charges if the vesting order were enforced according to its terms;

(iv) To direct the execution and delivery of transfers of vested property.

(f) *Comptroller's Section.* Under the supervision of the Comptroller, this Section maintains accounting records regarding vested property; prepares financial reports of the Office of Alien Property; deposits for collection with the Treasurer of the United States currency, checks, and drafts paid to or received by the Office of Alien Property; transfers the proceeds to the account of the At-

torney General with the Treasurer of the United States; and makes disbursements by the issuance of checks in payment of taxes, expenses of and claims allowed by the Office of Alien Property. This Section also performs certain other functions in connection with effectuating returns of vested property.

(1) The Comptroller is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) The Disbursing Officer, within the Comptroller's Section, is authorized to collect moneys for the Office of Alien Property to deposit for collection with the Treasurer of the United States currency, checks, and drafts paid to or received by the Office of Alien Property; to transfer the proceeds to the account of the Attorney General with the Treasurer of the United States; and to make disbursements by issuance of checks in payment of taxes, necessary and proper expenses of the Office of Alien Property and duly allowed claims. In the exercise of such authority, he is authorized to act in his own name and title.

(g) *Administrative Section.* Under the supervision of the Chief, Administrative Section, this Section is responsible for internal administrative functions, maintains statistical records of the Office of Alien Property and prepares official reports.

(1) The Chief, Administrative Section, is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) Within this Section, the Records Officer and the Assistant to the Records Officer are severally authorized to authenticate, certify and attest copies of books, records, papers, and documents in the official custody of the Office of Alien Property; to subscribe the name of the Director or the Deputy Director to such certificates, and to affix the seal of the Office of Alien Property.

(h) *Philippine Office.* Under the supervision of the Manager, Philippine Office, this Office is responsible for all matters in the Philippine Islands affecting the Office of Alien Property, including the coordination of the activities in the Philippines of all Sections of the Office of Alien Property.

(1) The Manager, Philippine Office, is authorized to exercise any of the rights, privileges, powers, duties, and functions of the Office of Alien Property, or of the Director, Office of Alien Property, with respect to property or interests located in the Philippines, or which, prior to vesting, were located in the Philippines, including particularly and without limitation:

(i) To collect all moneys for the Office of Alien Property in the Philippines; to make disbursements by issuance of checks in payment of necessary and proper expenses of the Manila Office and duly allowed claims against the Office of Alien Property.

(ii) To authenticate, certify, and attest copies of books, records, papers, and documents in the official custody of the Office of Alien Property, as successor to the Philippine Alien Property Adminis-

tration, and to affix the seal of the Office of Alien Property.

(i) *San Francisco Office.* This Office, under the Manager, San Francisco Office, coordinates activities in the West Coast area of all Sections of the Office of Alien Property and administers personnel and service functions for that Office.

(j) *Hawaii Office.* This Office, under the Manager, Hawaii Office, coordinates activities in Hawaii of all Sections of the Office of Alien Property and handles personnel and service functions in that Office.

(k) *Overseas Office.* This Office, under the Chief, Overseas Office, administers all functions of the Office of Alien Property in Europe.

(l) *Tokyo Office.* This Office, under the Chief, Tokyo Office, administers all functions of the Office of Alien Property in Japan.

5. *Form of Signature.* Except for the Director, Deputy Director, and as otherwise indicated in paragraph 4 of this notice, the designated officials of the Office of Alien Property, in exercising authority conferred on them, will sign in the following form:

(Name)
Assistant Attorney General
Director, Office of Alien Property
By _____
(Title)

6. *Location of Offices.* The Office of Alien Property maintains offices as follows:

(a) *Washington, D. C.* Federal Home Loan Bank Building, 101 Indiana Avenue NW., Washington 25, D. C.

(b) *San Francisco Office.* San Francisco, California.

(c) *Philippine Office.* Manila, P. I.

(d) *Hawaii Office.* Honolulu, T. H.

(e) *Overseas Office.* Munich, Germany.

(f) *Tokyo Office.* American Embassy, Tokyo, Japan.

7. *Information.*—(a) *General.* Requests for general information should be addressed to the Office of Alien Property, Department of Justice, Washington 25, D. C., unless the San Francisco, Philippine, Hawaii, Overseas or Tokyo Office is nearer, in which event requests may be addressed to such Office.

(b) *Sales.* Notices of public offerings of vested property are given by publication in appropriate newspapers and trade journals and by mail to persons on the mailing lists of the Office of Alien Property. The mailing lists are maintained by the Comptroller's Section and names may be placed on such lists on request.

(c) *Patents and Copyrights Program.* Vested interests in certain properties of these types have been made available for use by the American public. Requests for information should be addressed to the Legal and Legislative Section, Office of Alien Property, Washington 25, D. C.

(40 Stat. 411, 55 Stat. 839, 60 Stat. 50, 925, 64 Stat. 1079, 50 U. S. C. App. and Sup. 1-40; 60 Stat. 418, 64 Stat. 1116, 22 U. S. C. and Sup. 1383; E. O. 8389, April 10, 1940, 5 P. R. 1400, 25 amended, 3 CFR, 1943 Cum. Supp.; E. O. 9142, April 21, 1942, 7 F. R. 2335, 3 CFR, 1943 Cum. Supp.; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR, 1943 Cum. Supp.; E. O. 9557, June 8, 1945, 10 F. R. 6317, 3 CFR, 1945

Supp., E. O. 9725, May 16, 1946, 11 F. R. 5381, 3 CFR, 1946 Supp., E. O. 9788, October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp., E. O. 9818, January 1, 1947, 12 F. R. 133, 3 CFR, 1947 Supp., E. O. 9921, January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp., E. O. 9989, August 20, 1948, 13 F. R. 4981, 3 CFR, 1948 Supp., Proc. 2914, December 16, 1950, 15 F. R. 9029, 3 CFR, 1950 Supp., E. O. 10244, May 17, 1951, 16 F. R. 4639, 3 CFR, 1951 Supp., E. O. 10254, June 15, 1951, 16 F. R. 5829, 3 CFR, 1951 Supp., E. O. 10348, April 26, 1952, 17 F. R. 3769, 3 CFR, 1952 Supp.)

Executed at Washington, D. C., on December 3, 1953.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 53-10240; Filed, Dec. 7, 1953;
8:49 a. m.]

DEPARTMENT OF STATE

[Public Notice 132; Delegation of Authority
74]

ADMINISTRATOR OF THE BUREAU OF SECURITY,
CONSULAR AFFAIRS AND PERSONNEL

DELEGATION OF AUTHORITY WITH RESPECT
TO ADMINISTRATION AND ENFORCEMENT OF
IMMIGRATION AND NATIONALITY LAWS RELATING
TO POWERS, DUTIES AND FUNCTIONS OF
DIPLOMATIC AND CONSULAR OFFICERS

NOVEMBER 27, 1953.

By virtue of the authority vested in me by section 4 of the act of May 26, 1949 (63 Stat. 111, 5 U. S. C. 151c) it is hereby provided as follows:

(1) Under the general direction of the Secretary of State and subject to the limitations contained in section 104 of the Immigration and Nationality Act (66 Stat. 174; 8 U. S. C. 1104) the Administrator of the Bureau of Security, Consular Affairs and Personnel of the Department of State shall be charged with the administration and enforcement of the Immigration and Nationality Act and all other immigration and nationality laws relating to the powers, duties and functions of diplomatic and consular officers of the United States, including the authority to establish such regulations; prescribe such forms of reports, entries and other papers, issue such instruments; and to perform such other acts as he deems necessary for carrying out the provisions of the Immigration and Nationality Act and all other immigration and nationality laws relating to the powers, duties and functions of diplomatic and consular officers of the United States.

(2) There are hereby excluded from the authority delegated under paragraph (1) of this order: (a) The powers, duties and functions conferred upon consular officers relating to the granting or refusal of visas; (b) the powers, duties and functions conferred upon the Secretary of State by delegation from the President of the United States; and (c) the powers, duties and functions conferred jointly upon the Secretary of State and the Attorney General.

(3) The authority delegated under paragraph (1) of this order shall not be deemed to include the authority to redelegate the powers, duties and functions so delegated.

(4) This order shall take effect as of the date hereof.

Dated: November 27, 1953.

[SEAL] JOHN FOSTER DULLES,
Secretary of State.

[F. R. Doc. 53-10226; Filed, Dec. 7, 1953;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration

[Notice 1]

ENTRY OF SUGAR INTO THE CONTINENTAL
UNITED STATES EX-QUOTA

ENTRY FOR REFINING AND RETURN TO
CUSTOMS' CUSTODY

Pursuant to the provisions of paragraph (b) of § 818.2, and on the basis of information before me, I do hereby determine and give public notice that sugar or liquid sugar may be brought or imported into the continental United States during the remainder of 1953 for the sole purpose of refining and return to Customs' custody without interfering with the effective administration of the Sugar Act of 1948. Accordingly, notice is hereby given that during the period from the date of publication of this notice in the FEDERAL REGISTER through the close of business on December 31, 1953, sugar or liquid sugar may be brought or imported into the continental United States for the sole purpose of refining and return to Customs' custody without being charged against the applicable quota or allotment after acceptance by the Director of the Sugar Branch or the Chief, Quota and Allotment Division, Sugar Branch, of the Production and Marketing Administration of the Department, of a bond pursuant to paragraph (c) of § 818.2 and the fulfillment of other applicable conditions specified in Part 818.

Issued at Washington, D. C., this 2d
of December 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-10232; Filed, Dec. 7, 1953;
8:48 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

DIRECTOR OF THE BUREAU OF FOREIGN
COMMERCE ET AL.

DELEGATION OF AUTHORITY RELATING TO
EXPORT CONTROL

A. I hereby delegate to the Director of the Bureau of Foreign Commerce authority to exercise and perform all powers and functions provided by the Export Control Act of 1949, as extended. This specifically includes the authority:

(1) To issue rules and regulations to carry out the purposes of the aforesaid Act, including rules and regulations applicable to the financing, transporting, and other servicing of exports and the participation therein by any person necessary to achieve effective enforce-

ment; (2) to sign and issue subpoenas requiring any person to appear and testify or to appear and produce books, records, and other writings, or both, to any designated place, in connection with any investigation necessary or appropriate to the enforcement of said export control authority; and (3) to require reports and the keeping of records by any person, to the extent necessary or appropriate to the enforcement of said export control authority, and to require any person to permit the inspection of books, records, and other writings, premises, or property.

B. The Director of the Bureau of Foreign Commerce is authorized to redelegate any power or function conferred upon him by this delegation and he may authorize such successive redelegations as he may deem appropriate, except as otherwise provided and limited in paragraphs C, D, and E herein with respect to inspections, subpoenas, oaths and affirmations, and other enforcement authority.

C. In addition to the Director, and at all times, the Deputy Director of the Bureau of Foreign Commerce and the Director and Deputy Director of the Office of Export Supply are each authorized to (1) require any person to permit the inspection of books, records, and other writings, premises, or property; and (2) to sign and issue subpoenas requiring any person to appear and testify or appear and produce books, records, and other writings, or both, to any designated place, in connection with any investigation necessary or appropriate to the enforcement of said export control authority.

D. The Compliance Commissioners for Export Control are authorized, in any proceeding for the denial of licensing privileges under the Export Control Act of 1949, (1) to administer oaths and affirmations, and (2) to sign and issue subpoenas requiring any person to appear and testify or to appear and produce books, records, and other writings, or both.

E. Any person employed in the Export Control Investigation Staff of the Bureau of Foreign Commerce and any attorney in the Office of the Assistant General Counsel (International Affairs) assigned to export control enforcement duties, who is specifically designated as a special agent of the Bureau of Foreign Commerce by the Director thereof, is hereby authorized, (1) to make investigations, obtain information, inspect books, records, and other writings, premises, or property of, and take the sworn testimony of, any person; and (2) to administer oaths and affirmations for the purpose of procuring or receiving from any person sworn statements or other sworn testimony, concerning any matter under investigation necessary or appropriate to the enforcement of the export control authority vested in me.

F. This supersedes the delegation of authority previously made and confirmed with respect to export control (17 F. R. 1229), except that all outstanding rules, regulations, orders, licenses, and other forms of administrative action shall,

until amended or revoked, remain in full force and effect.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept., 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

Dated: December 1, 1953.

[SEAL] **SINCLAIR WEEKS,**
Secretary of Commerce.

[F. R. Doc. 53-10237; Filed, Dec. 7, 1953; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6305]

HAWAIIAN AIRLINES MAIL RATE CASE
NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on January 7, 1954, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Herbert K. Bryan.

Dated at Washington, D. C., December 2, 1953.

[SEAL] **FRANCIS W. BROWN,**
Chief Examiner

[F. R. Doc. 53-10239; Filed, Dec. 7, 1953; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10780]

JEAN S. SUGDEN

ORDER DESIGNATING MATTER FOR HEARING

In the matter of Jean S. Sugden, Yuma, Arizona, suspension of Restricted Radiotelephone Operator Permit; Docket No. 10780.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of November 1953;

It appearing, that acting in accordance with the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, Jean S. Sugden, Yuma, Arizona filed with the Commission within the time provided therefor an application requesting hearing on the Commission's order of October 28, 1953, suspending for a period of the remainder of the license term her Restricted Radiotelephone Operator Permit PR-11-71027; and

It further appearing, that under the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, said licensee is entitled to a hearing in the matter; and that upon the filing of a timely written application therefor the Commission's order of suspension is held in abeyance until the conclusion of the proceeding in the said matter.

It is ordered, This 25th day of November 1953 that the matter of the suspension of the Restricted Radiotelephone Operator license of Jean S. Sugden is hereby designated for hearing before a

Commission examiner in the offices of the Commission in Washington, D. C., at 10:00 a. m. on June 1, 1954, upon the following issues:

(1) To determine whether at any time between September 4 and September 18, 1953, inclusive, Jean S. Sugden wilfully operated a unit of radio station KOG-285 to transmit unauthorized communications in violation of § 11.151 (a) of the Commission's rules and the terms of the station license.

(2) To determine if Jean S. Sugden, between September 4 and September 18, 1953, inclusive, operated a unit of radio station KOG-285 without holding a radio operator license or permit issued by the Commission in violation of section 318 of the Communications Act of 1934, as amended, and § 11.154 (e) of the Commission's rules.

(3) If the licensee committed such violation, to determine whether the facts or circumstances in connection therewith would warrant any change in the terms of the Commission's order of suspension.

It is further ordered, That a copy of this order be transmitted by registered mail, return receipt requested to Jean S. Sugden, Yuma, Arizona.

Released: December 1, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **Wm P. MASSING,**
Acting Secretary.

[F. R. Doc. 53-10212; Filed, Dec. 7, 1953; 8:45 a. m.]

[Docket No. 10781]

ROBERT V. H. SUGDEN

ORDER DESIGNATING MATTER FOR HEARING

In the matter of Robert V. H. Sugden, Yuma, Arizona, suspension of Restricted Radiotelephone Operator Permit; Docket No. 10781.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of November 1953;

It appearing, that acting in accordance with the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, Robert V. H. Sugden, Yuma, Arizona filed with the Commission within the time provided therefor an application requesting hearing on the Commission's order of October 28, 1953, suspending for a period of the remainder of the license term his Restricted Radiotelephone Operator Permit RP-11-71026; and

It further appearing, that under the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, said licensee is entitled to a hearing in the matter; and that upon the filing of a timely written application therefor the Commission's order of suspension is held in abeyance until the conclusion of the proceeding in the said matter.

It is ordered, This 25th day of November 1953 that the matter of the suspension of the Restricted Radiotelephone Operator license of Robert V. H. Sugden

is hereby designated for hearing before a Commission examiner in the offices of the Commission in Washington, D. C., at 10:00 a. m. on June 1, 1954, upon the following issues:

(1) To determine if at various times from September 4 to September 18, 1953, inclusive, Robert V. H. Sugden wilfully permitted base station KOG-285 to be operated by an unlicensed person in violation of section 318 of the Communications Act of 1934, as amended, and § 11.154 (e) of the Commission's rules; and

(2) To determine if at various times from September 4 to September 18, 1953, inclusive, Robert V. H. Sugden wilfully operated a unit of radio station KOG-285 and wilfully permitted other persons to operate units of said station to transmit unauthorized communications in violation of § 11.151 (a) of the Commission's rules and the terms of the station license;

(3) If the licensee committed such violation, to determine whether the facts or circumstances in connection therewith would warrant any change in the terms of the Commission's order of suspension.

It is further ordered, That a copy of this order be transmitted by registered mail, return receipt requested, to Robert V. H. Sugden, Yuma, Arizona.

Released: December 1, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] **Wm P. MASSING,**
Acting Secretary.

[F. R. Doc. 53-10213; Filed, Dec. 7, 1953; 8:45 a. m.]

[Docket No. 10784]

TACOMA BROADCASTERS, INC.

ORDER TO SHOW CAUSE

In the matter of revocation of license of Tacoma Broadcasters, Inc., licensee of Station KTAC, Tacoma, Washington; Docket No. 10784.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of November 1953;

The Commission having under consideration information that Tacoma Broadcasters, Inc., licensee of Station KTAC at Tacoma, Washington, has not complied with the requirements of § 1.343 (a) of the Commission's rules and regulations, which section requires each broadcast licensee to file, on or before April 1 of each year, an Annual Ownership Report, (FCC Form 323) as of December 31 of the preceding calendar year; and

It appearing, that necessary forms (FCC Form 323) for filing an Annual Ownership Report, for the calendar year ending December 31, 1952, were forwarded to Tacoma Broadcasters, Inc., during January 1953; and

It further appearing, that a letter signed by the Secretary of the Commission, was mailed to Tacoma Broadcasters, Inc., on June 1, 1953, informing such company of its non-compliance with § 1.343 (a) of the Commission's rules and regulations and directing it to

[Docket No. 10785]

LA PORTE COUNTY BROADCASTING CO., INC.

ORDER TO SHOW CAUSE

In the matter of revocation of license of La Porte County Broadcasting Company, Inc., licensee of Station WLOI, La Porte, Indiana; Docket No. 10785.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of November 1953;

The Commission having under consideration information that La Porte County Broadcasting Company, Inc., licensee of Station WLOI at La Porte, Indiana, has not complied with the requirements of § 1.343 (a) of the Commission's rules and regulations, which section requires each broadcast licensee to file, on or before April 1 of each year, an Annual Ownership Report, (FCC Form 323) as of December 31 of the preceding calendar year and

It appearing, that necessary forms (FCC Form 323) for filing an Annual Ownership Report, for the calendar year ending December 31, 1952, were forwarded to La Porte County Broadcasting Company, Inc., during January 1953; and

It further appearing, that a letter signed by the Secretary of the Commission was mailed to La Porte County Broadcasting Company, Inc., on June 1, 1953, informing such company of its noncompliance with § 1.343 (a) of the Commission's rules and regulations and directing it to file such Annual Ownership Report on or before June 19, 1953, necessary forms being enclosed therewith; and

It further appearing, that on August 26, 1953, the Commission directed that a letter be sent to La Porte County Broadcasting Company, Inc., by registered mail, return receipt requested, directing said company to file such Annual Ownership Report within thirty days, necessary forms being enclosed therewith; and

It further appearing, that such a letter was mailed an August 31, 1953, by registered mail and was received by La Porte County Broadcasting Company, Inc., on September 13, 1953; and

It further appearing, that an Annual Ownership Report (FCC Form 323) as of December 31, 1952, has not been received in the offices of the Commission from La Porte County Broadcasting Company, Inc., despite the aforesaid specific directive from the Commission to do so; and

It further appearing, that the noncompliance with § 1.343 (a) of the Commission's rules and regulations on the part of La Porte County Broadcasting Company, Inc., La Porte, Indiana, has been willful;

It is ordered, That pursuant to section 312 (a) (4) of the Communications Act of 1934, as amended, La Porte County Broadcasting Company, Inc., licensee of Station WLOI, be and is hereby directed to show cause why there should not be issued an order revoking its radio station license; and

file such Annual Ownership Report on or before June 19, 1953, necessary forms being enclosed therewith; and

It further appearing, that on August 26, 1953, the Commission directed that a letter be sent to Tacoma Broadcasters, Inc., by registered mail, return receipt requested, directing said company to file such Annual Ownership Report within thirty days, necessary forms being enclosed therewith; and

It further appearing, that such a letter was mailed on August 31, 1953, by registered mail and was received by Tacoma Broadcasters, Inc., on September 4, 1953; and

It further appearing, that an Annual Ownership Report (FCC Form 323) as of December 31, 1952, has not been received in the offices of the Commission from Tacoma Broadcasters, Inc., despite the aforesaid specific directive from the Commission to do so; and

It further appearing, that the noncompliance with § 1.343 (a) of the Commission's rules and regulations on the part of Tacoma Broadcasters, Inc., Tacoma, Washington, has been willful;

It is ordered, That pursuant to section 312 (a) (4) of the Communications Act of 1934, as amended, Tacoma Broadcasters, Inc., licensee of Station KTAC, be and is hereby directed to show cause why there should not be issued an order revoking its radio station license; and

It is further ordered, That a hearing in this matter will be held in the Commission's office, Twelfth and Pennsylvania Avenue NW., Washington 25, D. C., on the 18th day of January 1954, in order to determine whether said Order of Revocation should be issued, and that Tacoma Broadcasters, Inc., is herewith called upon to appear at this hearing and give evidence upon the matter specified herein; and

It is further ordered, That pursuant to § 1.402 of the Commission's rules and regulations, that said Tacoma Broadcasters, Inc., is directed to file with the Commission within thirty days of the receipt of this order a written appearance in triplicate, stating that it will appear and present evidence on the matters specified in this order if it desires to avail itself of the opportunity to appear before the Commission. If said Tacoma Broadcasters, Inc., does not desire to appear before the Commission to give evidence on the matters specified herein, it shall, within thirty days of the receipt of this order, file with the Commission, in triplicate a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why Tacoma Broadcasters, Inc., believes that an Order of Revocation should not be issued; and

It is further ordered, That failure of said Tacoma Broadcasters, Inc., timely to respond to this order or failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: December 1, 1953.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] WM. P. MASSING,
Acting Secretary.[F. R. Doc. 53-10214; Filed, Dec. 7, 1953;
8:45 a. m.]

It is further ordered, That a hearing in this matter will be held in the Commission's office, Twelfth and Pennsylvania Avenue NW., Washington 25, D. C., on the 18th day of January 1954, in order to determine whether said Order of Revocation should be issued, and that La Porte County Broadcasting Company, Inc., is herewith called upon to appear at this hearing and give evidence upon the matter specified herein; and

It is further ordered, That pursuant to § 1.402 of the Commission's rules and regulations, that said La Porte County Broadcasting Company, Inc., is directed to file with the Commission within thirty days of the receipt of this order a written appearance in triplicate, stating that it will appear and present evidence on the matters specified in this order if it desires to avail itself of the opportunity to appear before the Commission. If said La Porte County Broadcasting Company, Inc., does not desire to appear before the Commission to give evidence on the matters specified herein, it shall, within thirty days of the receipt of this order, file with the Commission, in triplicate a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why La Porte County Broadcasting Company, Inc., believes that an Order of Revocation should not be issued; and

It is further ordered, That failure of said La Porte County Broadcasting Company, Inc., timely to respond to this order or failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: December 1, 1953.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.[F. R. Doc. 53-10215; Filed, Dec. 7, 1953;
8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1928, G-2063, G-2134]

FERMIAN BASIN PIPELINE CO. ET AL.

NOTICE OF ORDERS ISSUING CERTIFICATES OF
PUBLIC CONVENIENCE AND NECESSITY

DECEMBER 2, 1953.

In the matters of Permian Basin Pipeline Company, Docket No. G-1928; El Paso Natural Gas Company, Docket No. G-2134, Northern Natural Gas Company, Docket No. G-2063.

Notice is hereby given that on November 27, 1953, the Federal Power Commission issued its orders adopted November 25, 1953, in the above-entitled matters, amending Opinion No. 249 and order of May 1, 1953 (18 F. R. 2674) issuing certificates of public convenience and necessity to Permian Basin Pipeline Company, Docket No. G-1928, and to El Paso Natural Gas Company, Docket No. G-2134.

[SEAL] LEON M. FUQUAY,
Secretary.[F. R. Doc. 53-10216; Filed, Dec. 7, 1953;
8:45 a. m.]

[Docket Nos. G-2225, G-2265]

TEXAS GAS TRANSMISSION CORP. AND CITIES SERVICE GAS CO.

NOTICE OF FINDINGS AND ORDERS

DECEMBER 1, 1953.

Notice is hereby given that on November 30, 1953, the Federal Power Commission issued its orders adopted November 25, 1953, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-10217; Filed, Dec. 7, 1953; 8:45 a. m.]

[Docket Nos. ID-1058, ID-1204]

W J. ROSE AND GEORGE B. MUNROE, JR.

NOTICE OF ORDER AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

DECEMBER 1, 1953.

Notice is hereby given that on November 30, 1953, the Federal Power Commission issued its orders adopted November 25, 1953, authorizing applicants to hold certain positions pursuant to section 305 (b) of the Federal Power-Act in the above-entitled matters.

[SEAL] LEON M. FUQUAY, Secretary.

[F. R. Doc. 53-10218; Filed, Dec. 7, 1953; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3147]

MONONGAHELA POWER CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION HERETOFORE RESERVED WITH RESPECT TO RESULTS OF COMPETITIVE BIDDING AND FEES AND EXPENSES

DECEMBER 2, 1953.

Monongahela Power Company ("Monongahela") a public-utility subsidiary of The West Penn Electric Company, a registered holding company, having filed herein a declaration and an amendment thereto, with this Commission pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, regarding the issue and sale at competitive bidding of \$10,000,000 principal amount of First Mortgage Bonds, — percent Series due 1983 ("New Bonds") and

The Commission having by order dated November 18, 1953 permitted said declaration as amended to become effective subject to a reservation of jurisdiction with respect to the results of competitive bidding under Rule U-50 and with respect to the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions; and

A further amendment to said declaration having been filed on December 2,

1953, setting forth the action taken to comply with the requirements of Rule U-50, and stating that, pursuant to the invitation for competitive bids with respect to the New Bonds, the following bids were received:

Bidder	Annual interest rate (percent)	Price to Company ¹ (percent of principal)	Annual cost to Company (percent)
Union Securities Corp. and Salomon Bros. & Hutzler	3½	101.727	3.231194
Halsey, Stuart & Co., Inc. Harriman Ripley & Co., Inc.	3½	101.235	3.257679
Equitable Securities Corp. W. C. Langley & Co. and The First Boston Corp.	3½	101.109	3.264515
Merrill Lynch, Pierce, Fenner & Beane	3½	101.099	3.265029
Kidder, Peabody & Co. and White, Weld & Co.	3½	100.6799	3.287811
		100.637	3.290145
		100.3199	3.307461

¹ Exclusive of accrued interest from December 1, 1953.

Said amendment setting forth that Monongahela has accepted the proposal of the underwriting group headed by Union Securities Corporation and Salomon Bros. & Hutzler as shown above, and further stating that said bonds will be reoffered to the public at a price of 102.31 percent of the principal amount thereof resulting in an underwriting spread of 0.583 percent and an aggregate spread of \$58,300; and

The record also having been completed with respect to the fees and expenses to be incurred in connection with the proposed transactions, which fees and expenses to be paid by the company are estimated in the aggregate amount of \$42,419.48, including a fee of \$7,500 to Sullivan and Cromwell, counsel for Monongahela, plus expenses of \$200, and a fee of \$3,650 to Price Waterhouse & Co., for accounting services plus expenses of \$569.48, and a fee of \$5,000 to Cahill, Gordon, Zachry & Reindel, counsel to the purchasers; which fee is to be paid by the purchasers; and

The Commission observing no basis for adverse findings with respect to the results of competitive bidding or the fees and expenses to be paid in connection with the proposed transactions, and deeming it appropriate that said declaration, as amended, should be permitted to become effective and that jurisdiction heretofore reserved should be released:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions contained in Rule U-24 that said declaration, as amended be, and the same hereby is, permitted to become effective forthwith; and

It is further ordered, That jurisdiction heretofore reserved with respect to the results of competitive bidding and the payment of fees and expenses be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBois, Secretary.

[F. R. Doc. 53-10223; Filed, Dec. 7, 1953; 8:46 a. m.]

[File No. 812-856]

NORTH AMERICAN SECURITIES CO.

NOTICE OF FILING OF APPLICATION REGARDING PAYMENT OF BONUS TO EMPLOYEES

DECEMBER 2, 1953.

North American Securities Company ("Applicant"), San Francisco, California, has filed an application pursuant to section 17 (d) of the Investment Company Act of 1940 and Rule N-17D-1 of the rules and regulations thereunder regarding the proposed payment in December 1953 of a bonus to each of the company's employees equal to one-half of one month's salary in the case of each person who has been employed for the entire year and, in the case of persons employed for a lesser period, a portion of one-half of one month's salary based on the proportionate number of months of the year during which such persons were employed. The Applicant estimates that the proposed bonus payments will aggregate \$9,400.

Applicant is a wholly owned subsidiary and investment adviser of North American Investment Corporation, a registered management, closed-end, diversified investment company, and it is the underwriter and investment adviser of Commonwealth Investment Company and of Commonwealth Stock Fund, Inc., each of which is a registered management, open-end, diversified investment company. Applicant has about 51 employees who are eligible to receive the proposed bonus, including seven individuals who are affiliated persons (as officers or directors) of North American Investment Corporation, Commonwealth Investment Company or Commonwealth Stock Fund, Inc., or of all three companies. The applicant's parent company, North American Investment Corporation, does not have any paid employees.

Rule N-17D-1 provides, among other things, that it shall be unlawful, with certain exceptions not applicable here, for any affiliated person of a registered investment company or of any company controlled by any such registered company to participate in, or effect any transaction in connection with, any bonus plan in which any such registered or controlled company is a participant unless an application regarding such plan has been granted by the Commission.

Notice is further given that any interested person may, not later than December 14, 1953, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided

in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 53-10221; Filed, Dec. 7, 1953;
8:46 a. m.]

[File No: 812-857]

NIAGARA SHARE CORP.

NOTICE OF FILING OF APPLICATION REGARDING PAYMENT OF BONUS TO EMPLOYEES

DECEMBER 2, 1953.

Niagara Share Corporation ("Niagara Share") Buffalo, New York, a registered management, closed-end, diversified investment company, has filed an application pursuant to section 17 (d) of the act and Rule N-17D-1 of the rules and regulations thereunder regarding the proposed payment, in the discretion of the company's board of directors, of a bonus for 1953 to each of its employees, including officers, in an amount not to exceed 10 percent of their respective salaries and an additional cost-of-living bonus for 1953 not to exceed \$150, to each of its employees except certain officers. The application states that the company has 16 employees and that it is expected that each of them will receive the bonus based on salary and that 12 of them will receive the cost-of-living bonus. Niagara Share estimates that the salary and cost-of-living bonuses for 1953 will total \$11,139 and \$1,800, respectively.

Rule N-17D-1 of the rules and regulations under the act provides among other things, that it shall be unlawful, with certain exceptions not applicable here, for any affiliated person of any registered investment company or of any company controlled by any such registered company to participate in, or effect any transaction in connection with any bonus plan in which such registered or controlled company is a participant unless an application regarding such plan has been granted by the Commission.

Notice is further given that any interested person may, not later than December 15, 1953, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 53-10222; Filed, Dec. 7, 1953;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28722]

AUTOMOBILES FROM JANESVILLE, WIS., TO IOWA, MICHIGAN, MINNESOTA, AND WISCONSIN

APPLICATION FOR RELIEF

DECEMBER 3, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Automobiles, set up, freight or passenger, carloads.

From: Janesville, Wis.

To: Points in Iowa, Michigan, Minnesota and Wisconsin.

Grounds for relief: Competition with rail carriers, circuitous routes, and competition with motor carriers.

Schedules filed containing proposed rates; W. J. Prueter, Agent, I. C. C. No. A-3939, supp. 6.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-10228; Filed, Dec. 7, 1953;
8:48 a. m.]

[4th Sec. Application 28723]

CRANBERRIES FROM WISCONSIN TO MEMPHIS AND NASHVILLE, TENN.

APPLICATION FOR RELIEF

DECEMBER 3, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by W. J. Prueter, Agent, for carriers parties to his tariff I. C. C. No. A-3883, pursuant to fourth-section order No. 17220.

Commodities involved: Cranberries, fresh, carloads.

From: Points in Wisconsin.

To: Memphis and Nashville, Tenn.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-10229; Filed, Dec. 7, 1953;
8:48 a. m.]

[Sec. 5a Application 50]

OIL CAPITOL TARIFF BUREAU, INC.

APPLICATION FOR APPROVAL OF AGREEMENT

DECEMBER 3, 1953.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed November 9, 1953 by Clyde Grever, Attorney-in-fact, 5315 West Eighth Street, Tulsa, Okla.

Agreement involved: An agreement between and among common carriers by motor vehicle relating to rates, rules, and regulations for the transportation, in interstate or foreign commerce, of oil-industry commodities, heavy machinery, and such commodities which, because of size or weight, require the use of special equipment, boats and other commodities, between points in the States of Arkansas, Colorado, Illinois, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas; and procedures for the joint initiation, consideration, and establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] GEORGE W LAIRD,
Secretary.

[F. R. Doc. 53-10241; Filed, Dec. 7, 1953;
8:49 a. m.]