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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter F—Security Servicing and Liquidations

[FHA Instruction 465.8]

PART 372—FARM OWNERSHIP LOANS

SUBPART G—ASSIGNMENT OF INSURED MORTGAGES

Part 372 of Title 6, Code of Federal Regulations, is hereby amended to add a new Subpart G as follows:

- Sec.
- 372.121 General.
- 372.122 Definitions.
- 372.123 Authorities.
- 372.124 General policies.
- 372.125 Assignment of an insured mortgage by a private holder to a private buyer.
- 372.126 Assignment of insured mortgages to the Government.
- 372.127 Assignment of an insured mortgage from the insurance fund to a private buyer.
- 372.128 Assignment of an insured mortgage held by the Farmers Home Administration as trustee for a State Rural Rehabilitation Corporation under a section 2 (f) agreement.

AUTHORITY: §§ 372.121 to 372.128 issued under sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Statutory provisions interpreted or applied are cited to text in parentheses.

§ 372.121 *General.* This subpart prescribes the authorities, policies, and procedures for processing the assignment of insured Farm Ownership mortgages. It includes the assignment by a private holder to a private buyer or to the Government, the assignment by the Government (insurance fund) to a private buyer, and the assignment to a private buyer or to the Government of an insured mortgage held by the Farmers Home Administration as trustee of the assets of a State Rural Rehabilitation Corporation when such assets have been transferred to the United States pursuant to section 2 (f) of the Rural Rehabilitation Corporation Trust Liquidation Act (40 U. S. C. 440 (f)).

§ 372.122 *Definitions.* As used in this subpart, the term:

(a) "Private buyer" is any purchaser of an insured mortgage other than the

Government or a State Rural Rehabilitation Corporation under a section 2 (f) agreement.

(b) "Holder" is the current owner of an insured mortgage. "Private holder" is any holder other than the Government or a State Rural Rehabilitation Corporation under a section 2 (f) agreement.

(c) "Value" of an insured mortgage is the outstanding unpaid principal plus the amount of unpaid accrued interest on the note account, plus the unpaid amount of advances, if any, made by a holder for property insurance premiums, taxes, assessments, water charges, and other payments in discharge of liens which are prior to the mortgage.

(d) "Insurance fund" is the insurance fund established pursuant to section 11 (a) of the Bankhead-Jones Farm Tenant Act, as amended.

(e) "Mortgage and related instruments" includes the original mortgage (deed of trust or other security instrument) the promissory note (bond) the triple agreement, if any the original executed instrument of assignment, if a separate instrument was used, and any other documents held by the assignor relating to the mortgage transaction, such as copies of any partial releases from the lien of the mortgage, the originals of any previous instruments of assignment, and Form FHA-38, "Letter of Certification," if one was issued.

(f) "Fixed period" is the agreed period of years during which a mortgage is not assignable to the Government unless the borrower is in default.

(g) "State" also includes Alaska, Hawaii and Puerto Rico.

(Secs. 11 (a), 13 (a), 60 Stat. 1075, 1077, sec. 5, 62 Stat. 535, sec. 2 (f), 64 Stat. 99; 7 U. S. C. 1005a, (a), 1005b (j), 1005c (a), 40 U. S. C. 440 (f))

§ 372.123 *Authorities.* Subject to the policies and procedures prescribed in this subpart:

(a) The Director, Finance Office, is authorized, on behalf of the Government, in connection with the assignment of insured mortgages to execute required documents and to perform other necessary steps, including but not limited to:

(1) Acknowledging receipt of notice of assignment of an insured mortgage.

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(2) Requiring the holder of an insured mortgage to assign the mortgage to the Government, when requested to do so by the State Director.

(3) Approving the request of a holder to have the Government purchase the mortgage.

(4) Accepting the assignment of an insured mortgage on behalf of the insurance fund, assigning such mortgage and endorsing the note for reinsurance.

(5) Authorizing disbursements from the insurance fund for mortgages being assigned to the Government.

(6) Executing supplemental purchase agreements.

(7) Assigning an insured mortgage held by the United States as trustee of the assets of a State Rural Rehabilitation Corporation under a section 2 (f) agreement.

(b) The State Director is authorized to require assignment of, an insured mortgage to the Government when a borrower is in default for any reason that necessitates liquidation of the loan by voluntary conveyance or foreclosure. The State Director also is authorized to assign an insured mortgage held by the United States as trustee of the assets of a State Rural Rehabilitation Corporation under a section 2 (f) agreement.

(Secs. 12 (c) (7), 12 (i), 13 (a), 13 (b), 13 (d), 60 Stat. 1076, 1077, 1078, sec. 5, 62 Stat. 535, sec. 2 (f), 64 Stat. 99; 7 U. S. C. 1005b (c) (7), (1) (j), 1005c (a), (b) (d) 40 U. S. C. 440 (f))

§ 372.124 *General policies*—(a) *Conditions of assignment*. When insured mortgages are assigned between private holders, notice of such assignment, executed by both the assignor and the assignee, must be given to the Farmers Home Administration. The Government may require assignment of an insured mortgage if the borrower is in default. The holder has the privilege of assigning a mortgage to the Government when a borrower has been in default for more than 12 months or during the one-year period following the expiration of a fixed period. Insured loans that have been acquired by the insurance fund may be assigned to private buyers provided the borrower is not in default.

(b) *Selling price*. Whenever an insured mortgage is purchased or sold by the Government, whether in its own right or as trustee of the assets of a State Rural Rehabilitation Corporation, the selling price will be the value of the mortgage. The selling price of an insured mortgage assigned by one private holder to another will be determined by the assignor and the assignee and may differ from the value of the mortgage.

(c) *Method of assignment*. Insured mortgages will be assigned in accordance with the law of the state in which the mortgaged property is located. In states in which recordation is necessary (see paragraph (e) of this section) the mortgage will be assigned by a separate instrument of assignment, except that recordation may be made by marginal entry when a mortgage is assigned between private parties and the mortgaged property is located in Arkansas, Indiana, Iowa, Kentucky, Mississippi, Nevada, Ohio or Wyoming. The promissory note

will be assigned by endorsement "to the order of" and delivery to, the assignee. Assignment of the mortgage may be effected merely by endorsement and delivery of the note when the mortgaged property is located in Colorado, Missouri, Tennessee, Virginia, or Puerto Rico.

(d) *Form of assignment*. The Farmers Home Administration will furnish holders with appropriate forms of assignment for use in each state in which recordation is necessary. In assignments between private parties, the holder may at his option, use any other appropriate form of assignment which transfers to the assignee all rights, interests, and claims of the assignor arising out of the mortgage transaction.

(e) *Recording of assignments*. All assignments will be recorded in the land records except when the mortgaged property is located in Colorado, Missouri, Tennessee, Virginia or Puerto Rico. The assignee is responsible for recording the assignment of an insured mortgage and for paying the recording fee. When the Farmers Home Administration is the assignee and recordation is necessary as provided herein, the County Supervisor will have the assignment recorded and pay the fee.

(f) *Responsibilities of the Director Finance Office*. The Director, Finance Office, will.

(1) Advise holders regarding the procedures to be followed for assigning insured mortgages.

(2) Perform the necessary steps, on behalf of the Government, in connection with the assignment of insured mortgages.

(3) Notify the National Office of mortgages held by the insurance fund that are eligible for assignment.

(4) Notify the National Office 60 days prior to the expiration of the fixed period of each loan.

(5) Notify holders whenever a borrower is in default on the installments on his note, whenever other defaults occur of which the Director, Finance Office, receives notice from the State Director, and whenever any of such defaults are corrected.

(g) *Responsibilities of the National Office*. The National Office is responsible for:

(1) Negotiating with private buyers for the assignment of mortgages acquired by the insurance fund or for the account of a State Rural Rehabilitation Corporation under a section 2 (f) agreement.

(2) Advising the holder of the options available to him at the expiration of the fixed period. The Government may offer the holder a supplemental purchase agreement either on Form FHA-206, "Supplemental Purchase Agreement (Insured Mortgage—Fixed Period)" or on Form FHA-207, "Supplemental Purchase Agreement (Insured Mortgage—Automatic Renewal)" giving him an additional fixed period, determined by the Administrator, after which the holder again will have a one-year option for having the mortgage purchased by the Government.

(Secs. 12 (c) (7), 12 (f) (1), 12 (i), 13 (a), 13 (b), 13 (d) 60 Stat. 1076, 1077, 1078, sec.

5, 62 Stat. 535, sec. 2 (f) 64 Stat. 99; 7 U. S. C. 1005b (c) (7), (f) (1), (i) (j), 1005c (a), (b), (d), 40 U. S. C. 440 (f))

§ 372.125 *Assignment of an insured mortgage by a private holder to a private buyer* (a) Upon receipt of notice from a holder of intention to assign an insured mortgage, the Director, Finance Office, will send any accumulated payments on the loan to the holder and furnish the holder with appropriate information on how to complete the assignment. The Director, Finance Office, also will send the holder three copies of Form FHA-234, "Notice of Assignment," a statement of account, and assignment forms, if needed.

(b) If the Director, Finance Office, receives information that an insured mortgage has already been assigned, he will inform the holder of any additional steps that are needed to complete the assignment and request the holder to furnish a completed Form FHA-234.

(c) Upon receipt of a properly completed Form FHA-234 and a conformed copy of the instrument of assignment, if a separate instrument of assignment was used, the Director, Finance Office, will prepare Form FHA-235, "Acknowledgment of Assignment," send the original to the assignee, and send one copy to the assignor. Upon the issuance of Form FHA-235, the assignment shall be binding upon the Government from the date of the assignment, provided a valid assignment of the note and mortgage has been effected, and provided further that, except when the mortgaged property is located in Colorado, Missouri, Tennessee, Virginia or Puerto Rico, the assignment has been properly recorded in the land records. The Government assumes no liability for any payment transmitted to the assignor prior to the date of the Form FHA-235.

(d) The Finance Office will transmit payments to the assignee after the date of the Form FHA-235 and will notify the assignor and assignee of any payments processed to the assignor subsequent to the date of the assignment or the statement of account, whichever is earlier, and prior to the date of the Form FHA-235. The Farmers Home Administration will assume no liability for failure to give such notice and for adjustment of these payments between the assignor and the assignee.

(Secs. 12 (f) (1), 12 (i), 60 Stat. 1077; 7 U. S. C. 1005b (f) (1) (i))

§ 372.126 *Assignment of insured mortgages to the Government*—(a) *Assignment at the request of the holder*. The following actions will be taken whenever the holder of an insured mortgage requests that the Government accept assignment of the mortgage after the borrower has been in default for more than a year or during the 12-month period following expiration of a fixed period.

(1) The Director, Finance Office, will inform the holder regarding the procedures to be followed to effect the assignment. He also will send him copies of the assignment form, unless the assignment can be effected merely by endorsement and delivery of the note.

(2) Upon receipt of the mortgage and related instruments, and the executed instrument of assignment, if any, the Director, Finance Office, will:

(i) Acknowledge receipt of the mortgage and related instruments.

(ii) Process payment to the assignor for an amount equal to the value of the mortgage as of the date of the Treasury check.

(iii) Send to the County Office a copy of Form FHA-282, "Notification of Insured Loan Payment," for the payment to the assignor.

(iv) If a separate instrument of assignment was used, it will be sent to the County Office for recording with a request that it be returned to the Finance Office when recorded.

(b) *Assignment at the request of the Government.* When the State Director receives a Form FHA-506, "Report on Farm Ownership Problem Case," which the County Supervisor has submitted for an insured loan borrower, he will determine whether liquidation action is necessary

(1) If the State Director decides that liquidation through voluntary conveyance or foreclosure is necessary he will request the Director, Finance Office, to require the holder to assign the mortgage to the Government. The procedures for assigning such an insured mortgage will be the same as those prescribed in paragraph (a) of this section for insured mortgages assigned to the Government at the request of the holder, except that the Director, Finance Office, will advise the holder that the Government is requiring assignment of the mortgage because the borrower is in default.

(2) If the State Director decides that liquidation action is not necessary and the borrower's default is for a reason other than an advance having been made out of the insurance fund to pay a delinquency on the note or to pay insurance premiums, taxes, and similar charges, he will advise the Finance Office that the loan is in default. The State Director will, in such a case, also advise the Finance Office when the default is corrected.

(Secs. 12 (c) (7) 12 (f) (1) 12 (1) 13 (a) 13 (d) 60 Stat. 1076, 1077, 1078, sec. 5, 62 Stat. 535; 7 U. S. C. 1005b (c) (7), (f) (1), (i) (j), 1005c (a), (d))

§ 372.127 *Assignment of an insured mortgage from the insurance fund to a private buyer* Upon completion by the National Office of the negotiations for assignment to a private buyer of insured mortgages held by the insurance fund, the National Office will advise the Director, Finance Office, of the terms, conditions, and effective date of the assignment. The Director, Finance Office, will send to the buyer a list of the mortgages showing each borrower's name and case number and the value of each mortgage as of the effective date of the assignment.

(a) If payment will be made in advance of delivery of the executed security documents, the Director, Finance Office, will request the buyer to forward a check or draft before the effective date of assignment, drawn to the order of the Farmers Home Administration in the amount of the total value of all the mortgages. If the buyer is an indi-

vidual, payment by certified check or cashier's check will be required. Upon receipt of payment, the Director, Finance Office, will:

(1) Prepare and execute the instrument of assignment, if one is required.

(2) Endorse the note on behalf of the United States for assignment and reinsurance.

(3) Execute a supplemental purchase agreement when instructed to do so by the National Office.

(4) Send the mortgage and related instruments to the purchaser by registered mail, return receipt requested, and request the return of an executed copy of the supplemental purchase agreement, if any.

(b) If the sight draft method is used, the Director, Finance Office, will attach a sight draft to the executed security documents and send them to the bank designated by the buyer by registered mail, return receipt requested. The buyer will pay the bank's charge for handling the transaction. The remittance must be dated on or before the effective date of assignment.

(c) The Director, Finance Office, will request the assignee to have the assignment recorded in states where recordation is necessary. He will send a confirmed copy of the assignment form to the County Supervisor for filing in the borrower's County Office case folder. In states where a separate instrument of assignment is not used, the Director, Finance Office, will advise the County Supervisor of the assignment by letter.

(d) If any payment has been processed to the borrower's note account subsequent to the date on which the value of the mortgage was computed and prior to the effective date of the assignment, the Finance Office will process a check to the assignee for the amount of the payment.

(R. S. 3648, secs. 12 (f) (1) 12 (1) 13 (b) 60 Stat. 1077, 1078, sec. 5, 62 Stat. 535; 31 U. S. C. 529, 7 U. S. C. 1005b (f) (1) (i) (j), 1005c (b))

§ 372.128 *Assignment of an insured mortgage held by the Farmers Home Administration as trustee for a State Rural Rehabilitation Corporation under a section 2 (f) agreement*—(a) *Assignment to a private buyer* Unless otherwise authorized by the Administrator, the steps involved in assigning a mortgage from a State Rural Rehabilitation Corporation to a private buyer are the same as those prescribed in § 372.127 for the assignment of mortgages from the insurance fund.

(1) The Director, Finance Office, will request the State Director to forward to the Finance Office, return receipt requested, the mortgages and related instruments to be assigned.

(2) The Director, Finance Office, will request the buyer to make the check or draft payable to the "Farmers Home Administration, Trustee of the ----- Rural Rehabilitation Corporation."

(3) Upon receipt of payment from the buyer, the Director, Finance Office, will.

(i) Execute an assignment form, unless the assignment is accomplished merely by endorsement and delivery of the note.

(ii) Endorse the promissory note on behalf of the United States as trustee. When a separate instrument of assignment is not used, the effective date of the assignment will be added to the endorsement.

(iii) Send the mortgage and related instruments to the buyer, return receipt requested, with a letter of transmittal listing each mortgage separately and acknowledging the assignment thereof.

(4) If the sight draft method is used, the Director, Finance Office, will attach a sight draft to the executed assignment form, if any the mortgage, and related instruments and forward these documents to the bank designated by the buyer.

(5) A supplemental purchase agreement will be executed by the Director, Finance Office, only when instructed to do so by the National Office.

(b) *Assignment to the insurance fund.* Whenever the State Director determines that liquidation through voluntary conveyance or foreclosure is necessary he will:

(1) Execute any necessary assignment instruments in accordance with the advice of the Director, Finance Office, and endorse the note in the manner specified in paragraph (a) of this section.

(2) Notify the Director, Finance Office, that the loan is being liquidated and that he has taken the necessary action to effect the assignment to the insurance fund.

(3) Request the Director, Finance Office, to process payment to the revolving fund of the State Rural Rehabilitation Corporation for the value of the mortgage as of the effective date of assignment.

(R. S. 3648, secs. 12 (c) (7) 12 (f) (1) 12 (1) 13 (a) 13 (d) 60 Stat. 1076, 1077, 1078, sec. 5, 62 Stat. 535, sec. 2 (f) 64 Stat. 99; 31 U. S. C. 529, 7 U. S. C. 1005b (c) (7) (f) (1), (i) (j) 1005c (a) (d) 40 U. S. C. 440 (f))

Issued this 14th day of February 1955.

[SEAL] R. B. MCLEAISH,
Administrator
Farmers Home Administration.

[F R. Doc. 55-1438; Filed, Feb. 17, 1955; 8:51 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[7th Gen. Rev. of Export Regs., Amdt. 20¹]

PART 371—GENERAL LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

MISCELLANEOUS AMENDMENTS

1. Section 371.3 *General license country groups*, paragraph (a) *Grouping of*

¹ This amendment was published in Current Export Bulletin No. 744, dated February 10, 1955, and in the reprint pages, dated February 10, 1955.

[7th Gen Rev of Export Regs Amdt P L 13¹]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 Appendix A—Positive List of Commodities is amended in the following particulars:

1 The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
200998	Synthetic rubbers (report synthetic liquid latex in terms of total dry latex solids (TDLIS) (report compounded Ket F elastomer ¹); Abrasive products (report abrasive refuse in 566098; and diamond compounds in 540910); Whetstones sticks, files, and blocks of manufactured abrasives made of or incorporating grains of silicon carbide, boron carbide or fused aluminum oxide; Abrasive paper, cloth, or combination thereof, coated with silicon carbide or aluminum oxide when the largest dimension exceeds 12 inches; ⁴ Other industrial chemicals: Titanium carbide ¹	Lb Lb Ream Lb	RUBR 2 CDGS TOOL MINL	None 100 100 100	RO R R RO

¹ This commodity is subject to the IC/DV procedure (see § 370.2 of this subchapter), effective Mar. 28 1955

² This commodity may be exported under the Foreign Distribution licensing procedure (see Part 378).

³ This commodity may not be exported under general license GLV (see § 371.10 (c) of this subchapter).

⁴ This commodity may be exported under the Periodic Requirements licensing procedure (see Part 376)

This part of the amendment shall become effective as of 12:01 a m February 17 1955

2. The revised entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a Schedule B Number, the entry to be superseded is identified by a numerical reference in parentheses following the commodity description in the revised entry:

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
541150	Abrasive products (report abrasive refuse in 566098; and diamond compounds in 540910); Abrasive pastes, compounds, and cake incorporating grains of silicon carbide boron carbide or fused aluminum oxide; ¹ Metal powders: Titanium (specify titanium content) (7) ² Titanium: Sponge (including iodide titanium) and scrap (specify Brinell hardness of sponge) ³ Power-driven metalworking machine tools (nonportable), and parts: Gear tooth grinding and gear tooth finishing machines, n e c, except non generating type gear grinding machines (formerly 744908 and 744917) ³ Bending and forming machines equipped for the working and forming of aircraft sheet plate or extrusions (formerly 744410). ³ Hydraulic and pneumatic presses all types including forging presses: Hydraulic and pneumatic presses equipped for the working or forming of aircraft sheet, plate or extrusions (formerly 744410 and 744700) (1) ⁴	Lb Lb Lb No No No	CDGS MINL MINL TOOL TOOL TOOL	100 None None 500 500 500	R RO RO RO RO RO

See footnotes at end of table

¹ This amendment was published in Current Export Bulletin No 744 dated February 10 1955

of paragraph (d) is amended to read as follows:

(4) *Shipper's export declaration* An additional copy of the shipper's export declaration shall be presented to the Collector of Customs in connection with each shipment of iron and steel scrap except where the export regulations or the Regulations for the Collection of Statistics of Foreign Commerce and Navigation of the United States do not require the submission of a shipper's export declaration

4 Section 373.41 *Nonferrous commodities, including ores concentrates or unrefined products* is amended in the following particulars: The parenthetical reference at the end of paragraph (b) *Containing radium* is deleted

5 Section 373.55 *Chemicals and medicinal paragraph (d) Radioactive isotopes radium salts and compounds and radium emanation (Radon)* is deleted

6 Section 373.71 *Supplement 1; Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended to read as follows:

FIRST AND SECOND QUARTERS OF 1955¹

Dept of Commerce Schedule B No	Commodity	Submission dates	
		First quarter 1955	Second quarter 1955
619159 622098 644908 823810 839750 839900 842900	Selenium powder Ferro-selenium metal, except selenium bearing scrap materials Selenium metal, except selenium bearing scrap materials Selenium containing rubber compounding agents not of coal tar origin; accelerators Selenium salts and compounds, including selenium dioxide Selenium containing pigments	Dec 1-15 1954	Mar 1-15 1955

¹ Applications for licenses to export commodities for which no specified filing dates are announced may be submitted at any time (see § 372.5 (c) of this subchapter). Export applications for commodities requiring a validated license when moving in transit through the United States may be submitted at any time and are not subject to specified filing dates (see § 372.6 of this subchapter)

7 Section 380.2 *Amendments or alterations of licenses paragraph (f) Where to file is amended in the following particulars: Subdivision (iv) of subparagraph (3) Amendment requests on which field offices may not take action is amended by the deletion of the words aluminum scrap (Schedule B No 630050)*

The remainder of the subdivision is unchanged

This amendment shall become effective as of February 10 1955
(Sec 3 63 Stat 7 as amended; 50 U S C App 2023 E O 9630 10 F R 12945 3 CFR 1945 Supp E O 9919 13 F R 59 3 CFR 1948 Supp)

LORING K MACY
Director

Bureau of Foreign Commerce

[F R Doc 55-1393; Filed Feb 16 1955; 9:00 a m]

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
744420	Hydraulic and pneumatic presses all types including forging presses—Continued Other hydraulic presses with rated capacity of over 1,000 tons (formerly 744410 and 744700) (2) ¹⁵ Other hydraulic presses with rated capacity of 1,000 tons or less (formerly 744410 and 744700) (3) ¹⁵ Mechanical presses, power driven, all types: ing of aircraft, sheet plate or extrusions (formerly 744410 and 744700) (1) ¹⁵ Other mechanical presses, with rated capacity of over 1,000 tons (formerly 744410 and 744700) (2) ¹⁵ Other mechanical presses, with rated capacity of 1,000 tons or less (formerly 744410 and 744700) (3) ¹⁵ Punching and shearing machines equipped for the work ing or forming of aircraft, sheet plate or extrusions (formerly 744410 and 744450) ¹⁵ Air compressors: Stationary, capacity over 25 cubic feet: Centrifugal, axial rotary and reciprocating com presses having any of the following character istics: (a) Mainstream internal air flow exceed ing 35,300 c. f. m. and a compression ratio of 2:1 or more; (b) capable of handling a mass flow of 2,500 pounds or more per minute; (c) designed for an intake pressure above atmospheric; (d) designat capacity of 80 c. f. m. or over and all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel; (e) designed for a deliv ery pressure of 450 p. s. i. g. or over and requiring 300 hp or over. (Specify type, capacity, inlet pres sure, discharge pressure, horsepower, whether all flow contact surfaces are made of aluminum, nickel, and if meeting requirements of (a) the MACH number). ¹⁴ Portable, capacity 60 cubic feet, and over: Centrifugal, axial rotary, and reciprocating com presses having any of the following character istics: (a) Mainstream internal air flow exceeding a MACH number of 0.7; (b) capacity over 35,300 c. f. m. and a compression ratio of 2:1 or more; (c) capable of handling a mass flow of 2,500 pounds or more per minute and designed for an intake pressure above atmospheric; (d) all flow-contact surfaces made of aluminum, nickel, or alloy con taining 60 percent or more nickel; (e) designed for a delivery pressure of 450 p. s. i. g., or over, and requiring 300 hp or over. (Specify type, capacity inlet pressure, discharge pressure, horsepower whether all flow contact surfaces are made of alu minum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the MACH number). ¹⁴ Gas compressors, n e c: Centrifugal, axial, rotary, and reciprocating compres sors having any of the following characteristics: (a) Mainstream internal air flow exceeding a MACH number of 0.7; (b) capacity over 35,300 c. f. m. and a compression ratio of 2:1 or more; (c) capable of han dling a mass flow of 2,500 or more pounds per minute and all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel, and all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel, and requiring 300 hp or over. (Specify type, capacity, inlet pressure, discharge pressure, horsepower, whether all flow contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the MACH number). ¹⁴	No	TOOL	500	RO
744420		No	TOOL	500	R
744425		No	TOOL	500	RO
744425		No	TOOL	500	RO
744425		No	TOOL	500	R
744430		No	TOOL	500	RO
770900	Stationary, capacity over 25 cubic feet: Centrifugal, axial rotary and reciprocating com presses having any of the following character istics: (a) Mainstream internal air flow exceed ing 35,300 c. f. m. and a compression ratio of 2:1 or more; (b) capable of handling a mass flow of 2,500 pounds or more per minute; (c) designed for an intake pressure above atmospheric; (d) designat capacity of 80 c. f. m. or over and all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel; (e) designed for a deliv ery pressure of 450 p. s. i. g. or over and requiring 300 hp or over. (Specify type, capacity, inlet pres sure, discharge pressure, horsepower, whether all flow contact surfaces are made of aluminum, nickel, and if meeting requirements of (a) the MACH number). ¹⁴ Portable, capacity 60 cubic feet, and over: Centrifugal, axial rotary, and reciprocating com presses having any of the following character istics: (a) Mainstream internal air flow exceeding a MACH number of 0.7; (b) capacity over 35,300 c. f. m. and a compression ratio of 2:1 or more; (c) capable of handling a mass flow of 2,500 pounds or more per minute and designed for an intake pressure above atmospheric; (d) all flow-contact surfaces made of aluminum, nickel, or alloy con taining 60 percent or more nickel; (e) designed for a delivery pressure of 450 p. s. i. g., or over, and requiring 300 hp or over. (Specify type, capacity inlet pressure, discharge pressure, horsepower whether all flow contact surfaces are made of alu minum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the MACH number). ¹⁴ Gas compressors, n e c: Centrifugal, axial, rotary, and reciprocating compres sors having any of the following characteristics: (a) Mainstream internal air flow exceeding a MACH number of 0.7; (b) capacity over 35,300 c. f. m. and a compression ratio of 2:1 or more; (c) capable of han dling a mass flow of 2,500 or more pounds per minute and all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel, and all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel, and requiring 300 hp or over. (Specify type, capacity, inlet pressure, discharge pressure, horsepower, whether all flow contact surfaces are made of alu minum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the MACH number). ¹⁴	No	CON S 2	None	RO
770920	Rotary pumps (delivering liquids separately or in combination with solids and/or gases) having any of the following characteristics: (1) Designed to produce pressures exceeding 200 g. p. m.; (2) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or more silicon (as metal alloy); (c) 10 percent or more chromium or nickel; (d) 10 percent or more silicon (as metal alloy); (e) polytetrafluoroethylene (e. g., Kel F). (Specify type, capacity, in g. p. m. delivery pressure, and kinds of material). ¹⁴ Diaphragm pumps (delivering liquids separately or in combination with solids and/or gases) having any of the following characteristics: (1) Designed to produce pressures exceeding 200 g. p. m.; (2) all flow-contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel; (e) polytetrafluoroethylene (e. g., Teflon) or polytrifluoroethylene (e. g., Kel F). (Specify type, capacity, in g. p. m. delivery pressure, and kinds of material). ¹⁴ Diaphragm pumps (delivering liquids separately or in combination with solids and/or gases) having all flow contact surfaces made of any of the following ma terials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum either sepa rately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) poly tetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel F). (Specify type and kinds of material). ¹⁴ Reciprocating steam pumps (delivering liquids sepa rately or in combination with solids and/or gases) having either of the following characteristics: (1) De signed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 f. p. m.; (2) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either sepa rately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) poly tetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel F). (Specify type and kinds of material). ¹⁴	No	CON S 3	None	RO
770930	Diaphragm pumps (delivering liquids separately or in combination with solids and/or gases) having all flow contact surfaces made of any of the following ma terials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum either sepa rately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) poly tetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel F). (Specify type and kinds of material). ¹⁴ Reciprocating steam pumps (delivering liquids sepa rately or in combination with solids and/or gases) having either of the following characteristics: (1) De signed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 f. p. m.; (2) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either sepa rately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) poly tetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel F). (Specify type and kinds of material). ¹⁴	No	CON S 3	None	RO
770940	Reciprocating steam pumps (delivering liquids sepa rately or in combination with solids and/or gases) having either of the following characteristics: (1) De signed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 f. p. m.; (2) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either sepa rately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) poly tetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel F). (Specify type and kinds of material). ¹⁴	No	CON S 3	None	RO

See footnotes at end of table

Dept of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
770950	Pumping equipment, n. e. c. (specify type of pump by generic name according to following classifications) — continued Other reciprocating pumps (delivering liquids separately or in combination with solids and/or gases) having either of the following characteristics: (1) Designed to produce capacity exceeding 200 g. p. m.; (2) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium or zirconium, either separately or combined; (b) 50 percent or more cobalt, or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify type, capacity in g. p. m. delivery pressure and kinds of material). ¹⁴ Pumps, n. e. c. (delivering liquids separately or in combination with solids and/or gases) having any of the following characteristics: (1) Designed to move molten metals by electromagnetic forces; (2) designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 g. p. m.; (3) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify type, capacity in g. p. m. delivery pressure and kinds of material). ¹⁴	No	CONS 3	None	RO
770980	Pumps, n. e. c. (delivering liquids separately or in combination with solids and/or gases) having any of the following characteristics: (1) Designed to move molten metals by electromagnetic forces; (2) designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 g. p. m.; (3) all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify type, capacity in g. p. m. delivery pressure and kinds of material). ¹⁴	No	CONS 3	None	RO
774450	Pipe valves, except automatic control or regulating; Iron and steel: Valves and cocks fitted with bellows seal, and lined with aluminum, nickel, or alloy containing 60 percent or more nickel. (1) ¹⁵ Valves and cocks fitted with bellows seal, and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel. (1) ¹⁵ Automatic control or regulating valves, n. e. c. (any pipe ends attached by automatically integral, integral, or wholly integral, for automatically regulating or controlling its operation). Automatic control valves, throttling types, capable of being adjusted at more than one control position between "full open" and "full closed". (2) ¹⁶ Parts, n. e. c. specially fabricated for: metal valves and cocks fitted with bellows seal and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and nonmetal valves and cocks having all flow contact surfaces made of polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³ Parts, n. e. c. specially fabricated for other pipe valves and cocks included on the Positive List under Schedule B Nos. 774450-774480. (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³	No	GIEQ 5	50	RO
774465	Brass, bronze, or other nonferrous metals: Valves and cocks fitted with bellows seal, and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel. (1) ¹⁵ Automatic control or regulating valves, n. e. c. (any pipe ends attached by automatically integral, integral, or wholly integral, for automatically regulating or controlling its operation). Automatic control valves, throttling types, capable of being adjusted at more than one control position between "full open" and "full closed". (2) ¹⁶ Parts, n. e. c. specially fabricated for: metal valves and cocks fitted with bellows seal and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and nonmetal valves and cocks having all flow contact surfaces made of polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³ Parts, n. e. c. specially fabricated for other pipe valves and cocks included on the Positive List under Schedule B Nos. 774450-774480. (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³	No	GIEQ 5	50	RO
774490	Automatic control valves, throttling types, capable of being adjusted at more than one control position between "full open" and "full closed". (2) ¹⁶ Parts, n. e. c. specially fabricated for: metal valves and cocks fitted with bellows seal and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and nonmetal valves and cocks having all flow contact surfaces made of polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³ Parts, n. e. c. specially fabricated for other pipe valves and cocks included on the Positive List under Schedule B Nos. 774450-774480. (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³	No	GIEQ 5	50	RO
774498	Automatic control valves, throttling types, capable of being adjusted at more than one control position between "full open" and "full closed". (2) ¹⁶ Parts, n. e. c. specially fabricated for: metal valves and cocks fitted with bellows seal and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and nonmetal valves and cocks having all flow contact surfaces made of polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³ Parts, n. e. c. specially fabricated for other pipe valves and cocks included on the Positive List under Schedule B Nos. 774450-774480. (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³	No	GIEQ 5	50	RO
774498	Automatic control valves, throttling types, capable of being adjusted at more than one control position between "full open" and "full closed". (2) ¹⁶ Parts, n. e. c. specially fabricated for: metal valves and cocks fitted with bellows seal and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and nonmetal valves and cocks having all flow contact surfaces made of polytetrafluoroethylene (e. g., Teflon) or polytrifluoro chloroethylene (e. g., Kel-F). (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³ Parts, n. e. c. specially fabricated for other pipe valves and cocks included on the Positive List under Schedule B Nos. 774450-774480. (Specify Schedule B number of valve for which parts are intended valve size type and working pressure). ¹³	No	GIEQ 5	50	RO

See footnotes at end of table

Dept of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
790013	Motor trucks and truck chassis, including truck tractors (new), n. e. c. (G. V. W. or gross vehicle weight is the greatest weight of vehicle in load which the manufacturer authorizes and guarantees the vehicle to accommodate with safety under normal conditions of operation) (specify type of body if mounted): Grade 5 (G. V. W. and under): Commercial front and rear axle drive or multiple rear axle drive. ¹ Military front and rear axle drive or multiple rear axle drive. ¹	No	TRAN 2	None	RO
790017	Passenger cars and chassis (new): Nonmilitary front and rear axle drive only. ¹ Military front and rear axle drive only. ¹	No	TRAN 5	None	RO
790763	Passenger cars and chassis (used): Nonmilitary front and rear axle drive only. ¹ Military front and rear axle drive only. ¹	No	TRAN 2	None	RO
790767	Parts for commercial automobiles trucks and buses: Engines for assembly: Motor truck and bus engines: Diesel and semi-diesel. ¹	No	TRAN 5	None	RO
791210	Engines for replacement (motor truck bus and passenger car engines): Diesel and semi-diesel. ¹	No	TRAN 6	None	R
791240	Additives for lubricating and fuel oils (including diesel oil cetane improvers and other agents added to motor oils, diesel and fuel oils, engine oils and greases to increase their effectiveness) (report combustion catalysts containing cobalt in 828960). ¹	No Lb or Gal	TRAN 6	None	RO
948169	Components and parts, n. e. c., manufactured of brass or bronze, for small arms ammunition, except empty shotgun shells; primers for shotgun shells; and percussion caps for muzzle loading shotguns. ²⁰	No	NONF	100	RO

¹ The processing code is changed or related commodity group number is changed (see § 372.5 (f))
² The letter "A" is deleted in the column headed "Commodity Lists" indicating that the commodity is no longer subject to the IC/DV procedure (see § 373.2)
³ The letter "B" is deleted in the column headed "Commodity Lists" indicating that the commodity is no longer subject to DL restrictions (see § 374.2) and is no longer excepted from the Time Limit licensing procedure (see Part 377)
⁴ The letter "C" is deleted in the column headed "Commodity Lists" indicating that the commodity may now be exported under General License GLT (see § 371.9 (c))
⁵ The letter "E" is added in the column headed "Commodity Lists" indicating that the commodity may be exported under the Periodic Requirements licensing procedure (see Part 376)
⁶ The letter "G" is added in the column headed "Commodity Lists", indicating that the commodity may be exported under general license GLV to R and O destinations, only within the dollar value limit specified on the Positive List (see § 371.10 (c)) effective February 17 1955
⁷ The commodity description is revised without substantive change
⁸ The commodity coverage is increased effective February 17 1955
⁹ The requirement to specify maximum content is added
¹⁰ The requirement to specify Brinell hardness of titanium sponge is added
¹¹ In order to conform to Schedule B all combustion catalysts containing cobalt shall be reported under Schedule B No. 828990

This part of the amendment shall become effective as of February 10 1955 unless otherwise indicated in the footnotes
Parts 1 and 2 of this amendment which were on dock on lighter laden aboard an exporting carrier or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m. February 17 1955 may be exported under the previous general license provisions up to and including March 12 1955 Any such

shipment not laden aboard the exporting carrier on or before March 12, 1955, requires a validated license for export.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945, Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director

Bureau of Foreign Commerce.

[F. R. Doc. 55-1394, Filed, Feb. 16, 1955;
9:01 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 100]

PART 955—GRAPEFRUIT GROWN IN THE STATE OF ARIZONA, IN IMPERIAL COUNTY, CALIFORNIA, AND IN THAT PART OF RIVERSIDE COUNTY, CALIFORNIA, SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.361 *Grapefruit Regulation 100—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955) regulating the handling of grapefruit grown in the State of Arizona, in Imperial County California, and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the Administrative Committee established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than February 20, 1955. Shipments of grapefruit, grown as aforesaid, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 17, 1954, and will so continue until February 20, 1955; the recommendation and supporting information for continued regulation subsequent to February 19, 1955, was promptly

submitted to the Department after an open meeting of the Administrative Committee on February 10; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., P. s. t., February 20, 1955, and ending at 12:01 a. m., P. s. t., April 3, 1955, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona, in Imperial County, California, or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass unless such grapefruit grade at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (a) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than $3\frac{1}{16}$ inches in diameter, or (b) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than $3\frac{3}{16}$ inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit) except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona) §§ 51.925 to 51.955 of this title: *Provided*, That in determining the percentage of grapefruit in any lot which are smaller than $3\frac{9}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $3\frac{13}{16}$ inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than $3\frac{3}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size $3\frac{11}{16}$ inches in diameter and smaller.

(2) As used in this section, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order and the term "U. S. No. 2" shall have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona) §§ 51.925 to 51.955 of this title.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 15, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 55-1437; Filed, Feb. 17, 1955;
8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-115]

PART 22—KRAFT PAPER INDUSTRY

ORDER RESCINDING RULES

Whereas, the Commission on July 13, 1931, promulgated trade practice rules for the Kraft Paper Industry which are codified in the Code of Federal Regulations (16 CFR Part 22) and

Whereas, it appears that the rules for this industry are general in form and are not applicable exclusively to practices solely within said industry and

Whereas, it appears that the rules do not in all respects express present requirements of law, and that the industry has no interest in participating in proceedings for revision of such rules:

It is ordered, That the said rules be and the same are hereby rescinded.

Issued: February 15, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 55-1434; Filed, Feb. 17, 1955;
8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53603]

PART 3—DOCUMENTATION OF VESSELS

Correction

In Federal Register Document 54-7768, appearing at page 6375 of the issue for October 2, 1954, paragraph (a) of § 3.60 should read as follows:

§ 3.60 *Vessels entitled to documents.*

(a) Any vessel (except a vessel constructed under the provisions of the Merchant Marine Act, 1936, as amended) not documented under the laws of the United States, which is acquired by or made available to the Secretary of Commerce, may be documented under the act of August 9, 1954.¹¹

¹¹ It is not necessary that the name and hailing port be marked prior to documentation on a vessel to be documented under §§ 3.60 to 3.74.

A vessel may be documented under such sections although no certificate of inspection has been issued or filed with the collector.

The master and watch officers of a vessel documented under such sections shall be citizens of the United States, except in those cases where that requirement of law is waived as provided for in section 3 (b) of the act of August 9, 1954.

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 717—MUSTERING-OUT-PAYMENTS

Part 717 is revised to read as follows:

Sec.

- 717.1 Eligibility for payment.
 717.2 Amount of payment and method.
 717.3 Payments to survivors.
 717.4 Payments on behalf of persons retired or discharged by reason of mental disability.
 717.5 Payments, non-assignable; tax and claim exempt.
 717.6 Delegation of authority.

AUTHORITY: §§ 717.1 to 717.6 Issued under sec. 505, 66 Stat 690; 38 U. S. C. 1015. Interpret or apply 66 Stat. 688; 38 U. S. C. 1011-1016.

§ 717.1 *Eligibility.* (a) Each member of the United States Navy or the United States Marine Corps who shall have been engaged in active service on or after June 27, 1950, and prior to such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress, and who is discharged or relieved from active service under honorable conditions, shall be eligible to receive mustering-out-payment, except as provided in paragraph (b) of this section.

(b) No mustering-out-payment shall be made to:

(1) Any member who was discharged or relieved from active duty prior to July 16, 1952, and failed to apply for the payment prior to July 16, 1954,

(2) Any member who, at the time of discharge or relief from active service, is in a pay grade higher than O-3;

(3) Any member who, at the time of discharge or relief from active service, is entitled to severance pay or is transferred or returned to the retired list with retired pay, retirement pay retainer pay or equivalent pay, or to a status in which he receives such pay unless such retirement or separation is made pursuant to Title IV of the Career Compensation Act of 1949.

(4) Any member for any active service performed prior to the date of his discharge or relief from active service on his own initiative to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska;

(5) Any member whose total period of service has been as a student assigned by the Navy or Marine Corps to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians;

(6) Any member for any active service performed prior to the date of his discharge for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy.

(7) Any member whose sole service has been as a midshipman at the United States Naval Academy, or in a prepara-

tory school after nomination as a principal, alternate, or candidate for admission to the said Academy.

(8) Any commissioned officer unless he is discharged or relieved from active service within three years after such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress; and

(9) Any member who is ordered to active service for the sole purpose of training duty or a physical examination, or for a period of less than sixty days.

§ 717.2 (a) *Amount and method of payment.* Mustering-out-payment for persons eligible as provided in § 717.1, paragraph (a) is as follows:

(1) \$300 for persons who, have performed active service for sixty days or more, have served outside the continental limits of the United States or in Alaska, such amount shall be payable, one-third at time of final discharge or ultimate relief from active service and the balance in two equal installments, one-month and two respectively from date of the original payment;

(2) \$200 for persons who, have performed active service for sixty days or more, have served no part thereof outside the continental limits of the United States or in Alaska; such amounts shall be payable one-half at time of final discharge or ultimate relief from active service and the remaining portion one month from date of the original payment;

(3) \$100 for persons who, have performed active service for less than sixty days; such amount shall be payable at time of discharge or relief from active service.

(4) A person entitled to receive the first installment of the mustering-out-payment at the time of discharge or release for the purpose of enlistment, reenlistment, or appointment in a regular component of the Armed Forces, shall, at his election, receive the whole of such payment in one lump sum, rather than in installments.

§ 717.3 *Payment to survivors.* (a) If any member, who is eligible to receive mustering-out-payment, shall die before receiving any portion of or the full amount of the payment, the amount due him shall be payable upon application, first to his surviving spouse and, if there is no spouse, to his child or children in equal shares, and, if there be no surviving spouse, child or children, to the surviving parents in equal shares, but if there be none of these surviving, then to no other person.

(b) *Definition of survivors.* The category of survivors listed in paragraph (a) of this section are defined as follows:

(1) The term "spouse" means a lawful wife or husband.

(2) The term "child" includes (a) legitimate child, (b) a child legally adopted, (c) a stepchild, if, at the time of death such stepchild was a member of the deceased member's household.

(3) The term "parent" includes father and mother, stepfather and stepmother and father and mother through adoption.

(c) *Payments to minor* Where a survivor, otherwise entitled to payment is

a minor, payments will be made as follows:

(1) Where a legal guardian has been judicially appointed and notice of such appointment has been received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(2) Where a survivor is seventeen years of age and over, and no notice has been received that a legal guardian has been judicially appointed, payment will be made directly to the survivor.

(3) Where a survivor is under seventeen years of age and no notice is received that a legal guardian has been judicially appointed, payment for the use and benefit of the survivor will be made to a person within the following classes: Parent, adult brother, adult sister, other person who is determined after appropriate investigation, to be qualified to act in the best interests of the survivor. Payment will be made in the order of precedence set forth unless it is considered that compliance therewith would not serve the best interests of the survivor.

§ 717.4 *Payments on behalf of persons retired or discharged by reason of mental disability.* (a) Payments in behalf of members retired or discharged by reason of mental disability may be made to any person or persons designated by the Secretary of the Navy or his delegatee. The amounts paid to such designated person shall constitute a complete discharge of the obligation of the United States.

(b) Where a legal guardian or committee has been judicially appointed, payment will be made to such legal guardian or committee unless such payment has been made prior to receipt of notice of appointment to a person or persons designated by the Secretary of the Navy or his delegatee.

§ 717.5 *Payments, nonassignable; tax and claim exempt.* Mustering-out-payment is not assignable, and any payments made to or on account of a veteran is exempt from taxation and claims of creditors, including the United States, and are not subject to attachment, levy or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

§ 717.6 *Delegation of authority.* The authority vested in the Secretary of the Navy by section 505 (b) 66 Stat. 690, 38 U. S. C. 1015 (b) to make decisions thereunder is delegated as follows:

(a) The Chief of Naval Personnel, or the Commandant of the Marine Corps, or such officer, or officers, as may be designated by either one of them, shall make all decisions, for their respective services, as to the relationship in cases pertaining to mustering-out-payments to eligible survivors, legally appointed guardians or committees and other persons authorized to act in a fiduciary capacity who are entitled to receive mustering-out-payment in lieu of or on behalf of a qualified veteran.

(b) The Chief of Naval Personnel, or the Commandant of the Marine Corps, or the Chief of the Bureau of Supplies and Accounts, or such officer, or officers,

as may be designated by any one of them, shall make all other decisions necessary under the provisions of the act of July 16, 1952.

(c) The Chief of Naval Personnel has authorized the Director, Assistant Director, and Technical Assistant, Enlisted Services and Records Division, Bureau of Naval Personnel, Washington 25, D. C., to make such determinations as the Chief of Naval Personnel is authorized to make under the regulations. Payments, other than initial payments, are made by the Field Branch (Cleveland, Ohio) of the Bureau of Supplies and Accounts.

(d) The Commandant of the Marine Corps has authorized the Head, Records Branch, Personnel Department, Headquarters, United States Marine Corps, Washington 25, D. C., to make determinations of entitlement and amounts payable when such determinations have not been made at time of separation.

Dated, February 10, 1955.

By direction of the Secretary of the Navy.

IRA H. NUNN,
Rear Admiral, U. S. Navy,
Judge Advocate General of the Navy.

[F. R. Doc. 55-1417; Filed, Feb. 17, 1955;
8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order I-3 (Revised)]

DMO I-3—ESTABLISHING PROCEDURES FOR DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS AND FOR AUTHORIZATION OF DEFENSE HOUSING AND COMMUNITY FACILITIES ASSISTANCE BY DESIGNATION OF PARTICULAR PERIODS OR PROJECTS

By virtue of the authority vested in me by Reorganization Plan No. 3 of 1953, effective June 12, 1953, Executive Order 10480 of August 14, 1953, and Executive Order 10296 of October 2, 1951, as amended by Executive Orders 10433 of February 4, 1953, and 10593 of January 27, 1955, and pursuant to the Defense Housing and Community Facilities and Services Act of 1951, as amended, and the Defense Production Act Amendments of 1952, as amended, it is hereby ordered as follows:

1. Defense Areas Advisory Committee.

a. There is established in the Office of Defense Mobilization a Defense Areas Advisory Committee which shall consist of representatives of the Department of Defense and the Housing and Home Finance Agency and a Chairman designated by the Director of the Office of Defense Mobilization.

b. The Defense Areas Advisory Committee shall advise the Director of the Office of Defense Mobilization with respect to:

(1) The determination of critical defense housing areas pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951, as amended (hereinafter referred to as the act) and

(2) The designation, pursuant to section 104 of the act, of periods during which, or projects for which, (i) mortgages on defense housing may be insured under title IX of the National Housing Act, as amended, or (ii) pursuant to title III of the act, agreements may be made to extend assistance for the provision of defense community facilities or services, or the construction of temporary housing or community facilities may be begun by the United States.

c. Any Federal agency shall, to the fullest practicable extent, furnish such information in its possession to the Defense Areas Advisory Committee as such Committee may request from time to time relevant to its operations.

2. Procedure. (a) It shall be the responsibility of the Housing and Home Finance Administrator to make recommendations to the Defense Areas Advisory Committee for the determination of critical defense housing areas and for the designation of periods or projects described in section 1-b of this order. In carrying out this responsibility the Housing and Home Finance Administrator, for each area under consideration, shall:

i. Secure from the appropriate defense agencies information and recommendations necessary to determine whether the area does or does not contain defense-connected activities.

ii. Secure from the Bureau of Employment Security of the Department of Labor, or from the Department of Defense, or both, information and judgments necessary to a determination on in-migration of defense workers or military personnel.

iii. Make the necessary studies of the present and prospective housing supply in the area and of the need for community facilities and services resulting from defense activities in the area.

iv. Assemble and analyze the information provided by the several agencies and determine, in the light of all the facts and their interrelations, whether or not the conditions contained in section 101 of the act for determination of a critical defense housing area have been met, if such area has not already been determined to be a critical defense housing area, or whether the designation under section 104 of the act of the proposed period, project, or projects is required in connection with national defense activities.

v. Prepare a written summary of findings supporting each recommendation for the determination of a critical defense housing area (pursuant to section 101 of the act) and/or the designation of a particular period or project (pursuant to section 104 of the act.)

(b) It shall be the responsibility of the Office of Defense Mobilization, the Department of Defense, and other defense agencies to provide the Housing and Home Finance Administrator, upon his request, with information and recommendations regarding the defense connection of installations or activities in the area under consideration.

(c) It shall be the responsibility of the Bureau of Employment Security of the Department of Labor to provide the Housing and Home Finance Administrator, upon his request, with information

and judgments regarding the in-migration of industrial defense workers for each area under consideration.

(d) It shall be the responsibility of the Department of Defense to provide the Housing and Home Finance Administrator, upon his request, with information and judgments regarding the in-migration of military personnel for each area under consideration. The Department of Defense shall also provide the Housing and Home Finance Administrator with such information as it possesses concerning housing conditions in and around military posts or installations.

(e) It shall be the responsibility of the Department of Health, Education, and Welfare to make surveys of and to provide the Housing and Home Finance Administrator with information and judgments regarding the need for community facilities under its jurisdiction in connection with areas under consideration and to initiate consideration of areas where a shortage of such community facilities is the principal problem.

3. This order supersedes DMO-I-3, dated June 10, 1953, and shall take effect on February 11, 1955.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMING,
Director

[F. R. Doc. 55-1467; Filed, Feb. 16, 1955;
1:04 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix C—Public Land Orders [Public Land Order 1069]

ALASKA

EXCLUDING CERTAIN TRACTS FROM CHUGACH NATIONAL FOREST AND RESTORING THEM FOR PURCHASE AS HOMESITES

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

The following-described tracts of public land in Alaska, occupied as homesites and identified by surveys of which plats and field notes are on file in the Bureau of Land Management, are hereby excluded from the Chugach National Forest, Alaska, as hereinafter indicated, and restored, subject to valid existing rights and the provisions of existing withdrawals, for purchase as homesites under section 10 of the act of May 14, 1898, as amended by the act of May 26, 1934 (48 Stat. 809; 48 U. S. C. 461)

U. S. Survey No. 2529, tract B, 4.89 acres; latitude 60°29'38" N., longitude 149°21' W. (Homesite No. 28, Moose Pass Group).

U. S. Survey No. 2529, tract D, 4.71 acres; latitude 60°29'38" N., longitude 149°21' W. (Homesite No. 44, Moose Pass Group).

ORME LEWIS,
Assistant Secretary of the Interior

FEBRUARY 11, 1955.

[F. R. Doc. 55-1410; Filed, Feb. 17, 1955;
8:45 a. m.]

[Public Land Order 1070]

WASHINGTON

REVOKING EXECUTIVE ORDERS NO. 8915 OF OCTOBER 11, 1941, AND NO. 8992 OF DECEMBER 26, 1941, WHICH RESERVED LANDS FOR USE OF WAR DEPARTMENT AS PRACTICE BOMBING AND GUNNERY RANGE

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

Executive Order No. 8915 of October 11, 1941, and No. 8992 of December 26, 1941, reserving the following-described public lands for use of the War Department as a practice bombing and gunnery range are hereby revoked:

WILLAMETTE MERIDIAN

EXECUTIVE ORDER NO. 8915

T. 18 N., R. 27 E.,
Secs. 20 and 22.

EXECUTIVE ORDER NO. 8992

T. 18 N., R. 25 E.,
Sec. 10, SW¼,
Sec. 14, NW¼.

The areas described aggregate 1,600 acres.

The lands are withdrawn for reclamation purposes by Departmental orders of June 27, 1941, and June 18, 1947.

ORME LEWIS,

Assistant Secretary of the Interior

FEBRUARY 11, 1955.

[F. R. Doc. 55-1411; Filed, Feb. 17, 1955; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

CARRIERS BY PIPE LINE; ANNUAL REPORT FORM P

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 4th day of February A. D. 1955.

The matter of annual reports from carriers by pipe line being under consideration, and it appearing that the changes in existing regulations to be effected by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary.

It is ordered, That the order dated November 18, 1953, in the matter of annual reports from carriers by pipe line (49 CFR 120.61) be, and it is hereby modified with respect to annual reports for the year ended December 31, 1954, and subsequent years, as follows:

§ 120.61 Form prescribed for carriers by pipe line. All carriers by pipe line subject to the provisions of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1954, and for each succeeding year until further order, in accordance with Annual Report Form P (Carriers by Pipe Line) which is hereby approved and made a part of this section.¹ The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

By the Commission, Division 1.

[SEAL]

GEORGE W LAIRD,
Secretary.

[F. R. Doc. 55-1424; Filed, Feb. 17, 1955; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

United States Coast Guard

[46 CFR Parts 10, 12, 39, 43 to 45, 52, 54 to 56, 78, 97, 137, 146]

[CGFR 55-3]

VESSEL INSPECTION REGULATIONS

PUBLIC HEARING ON PROPOSED CHANGES

1. The Merchant Marine Council will hold a public hearing on Tuesday, March 22, 1955, commencing at 9:30 a. m., in Room 4120, Coast Guard Headquarters, Thirteenth and E Streets NW., Washington, D. C., for the purpose of receiving comments, views, and data on certain proposed changes in the vessel inspection regulations as generally described in Items I to IX, inclusive, below.

2. The proposed changes in the vessel inspection regulations, together with the statutory authority for making such changes, are generally described by subjects in paragraphs 4 to 25, inclusive. The Merchant Marine Council Public Hearing Agenda (CG-249) dated March 1955, has been prepared. This Agenda contains the specific changes proposed and where possible the present and proposed regulations are set forth in comparison form, together with reasons for the changes where necessary. Copies of this Agenda have been mailed to persons and organizations who have expressed a continued interest in the subjects under consideration and have requested that copies be furnished them. Copies of the Agenda will be furnished on request to the Commandant (CMC)

United States Coast Guard, Washington 25, D. C., so long as they are available. After the extra copies for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. Written comments containing constructive criticisms, suggestions, or views are welcomed; however, acknowledgment of the comments received or reasons why the suggested changes were or were not adopted cannot be furnished since personnel is not available to handle the necessary correspondence involved. Each oral or written comment is considered and evaluated. If it is believed the comment, view, or suggestion clarifies or improves the proposed regulation or amendment, it is changed accordingly and after adoption by the Commandant the revised regulation is published in the FEDERAL REGISTER. Each person who desires to submit written comments, data, or views in connection with the proposed regulations set forth in the Merchant Marine Council Public Hearing Agenda should submit them so that they will be received prior to March 18, 1955, by the Commandant (CMC) United States Coast Guard Headquarters, Washington, D. C. Comments, data, or views may be presented orally or in writing at the hearing before the Merchant Marine Council on March 22, 1955. In order to insure consideration of comments and to facilitate checking and recording, it is essential that

each comment regarding a section or paragraph of the proposed regulations shall be submitted on Form CG-3287, showing the section number, the proposed change, the reason or basis (if any) and the name, business firm or organization (if any) and the address of the submitter. A small quantity of Form CG-3287 is attached to the Agenda. Additional copies may be obtained upon request from the Commandant (CMC) or from any Coast Guard District Commander.

ITEM I—DANGEROUS CARGO REGULATIONS; MISCELLANEOUS AMENDMENTS

4. Various amendments to the Dangerous Cargo regulations have been necessitated because of corresponding changes made in the Interstate Commerce Commission's regulations governing land transportation of the same commodities, inasmuch as R. S. 4472, as amended (46 U. S. C. 170) requires that the land and water regulations be as nearly parallel as practicable. The proposed amendments include provisions for water shipment of new articles of commerce, additional shipping containers, marking and labeling requirements for certain commodities, and editorial changes. The proposed amendment to 46 CFR 146.04-5, commodity list, lists the shipping names of new articles of commerce allowed and deletes or edits the names of those commodities which are no longer applicable to the regulations. The proposed amend-

¹ Filed as part of original document.

ment to 46 CFR 146.05-3 adds a new paragraph regarding mixed packing. The proposed amendment to 46 CFR 146.05-9 revises the present requirements regarding specification containers in outside containers and includes several new requirements. The proposed amendments to 46 CFR 146.20-7, 146.20-9, 146.20-11, 146.20-100, 146.20-200, and 146.20-300, revise the detailed regulations governing explosives to include new definitions for certain classes A, B, and C explosives and provide for the shipment by water of certain explosives, use of additional shipping containers, marking requirements, and editorial changes. The proposed amendments to 46 CFR 146.21-30, 146.21-65, and 146.21-100 revise the detailed regulations governing inflammable liquids to provide for the stowage of inflammable liquids "on deck" on vessels with machinery spaces aft and when carrying explosives, list inflammable liquids which may not be shipped as "limited quantity shipments" and permit the use of new shipping containers for certain inflammable liquids, and other editorial changes. The proposed amendment to 46 CFR 146.2-100 revises the detailed regulations governing inflammable solids and oxidizing materials to permit the shipment by water of certain new inflammable solids and oxidizing materials, use of additional shipping containers for certain articles, and "tween deck" stowage of lauroyl peroxide. The proposed amendments to 46 CFR 146.23-30 and 146.23-100 revise the detailed regulations governing corrosive liquids by listing certain corrosive liquids not subject to exemption by the regulations, as well as to provide for the shipment by water of certain new corrosive liquids and the use of additional shipping containers for certain corrosive liquids. The proposed amendments to 46 CFR 146.24-25, 146.24-85, and 146.24-100 revise the detailed regulations governing compressed gases by prescribing the type of cargo handling gear to be used in loading, and unloading cylinders of compressed gas, new inspection requirements for tanks used in bulk shipment of anhydrous ammonia and to permit the use of additional shipping containers for certain compressed gases. The amendments to 46 CFR 146.25-20, 146.25-25, 146.25-100, 146.25-200, and 146.25-400 revise the detailed regulations governing poisonous articles by changing the requirements for radioactive materials, permitting the use of additional shipping containers for class A poisons, class B poisons, and radioactive materials, and editorial changes. The proposed amendment to 46 CFR 146.27-100 revises the detailed regulations governing hazardous articles by permitting the use of additional shipping containers for manganese dioxide and clarifying the requirements regarding the loading, unloading, and transportation of sulfur in bulk.

5. The authority for Dangerous Cargo Regulations is in R. S. 4405, as amended, 4462, as amended, and 4472, as amended; 46 U. S. C. 375, 416, 170. The regulations interpret or apply Public Law 569, 83d Congress, and Executive Order 10402, 17 F R. 9917 3 CFR, 1952 Supp.

ITEM II—MARINE ENGINEERING REGULATIONS AND MATERIAL SPECIFICATIONS; MISCELLANEOUS AMENDMENTS

6. It is proposed to amend 46 CFR 52.01-70 to permit the alternate use of empirical formulas in lieu of proof hydrostatic tests for determining pressure ratings of pressure vessels having cross sections which are not circular but are of irregular form. The proposed amendment to 46 CFR 52.05-12 changes the requirements for pressure vessels designed with a factor of safety of four in order that the Coast Guard requirements will be the same as the American Bureau of Shipping rules and the American Society of Mechanical Engineers boiler code rules on the same subject. The proposal deletes the requirement for removal of weld reinforcement for pressure vessels designed with a factor of safety of four, except for pressure vessels subject to temperatures exceeding 800 degrees F. The proposed amendments to 46 CFR 52.20-15, 52.20-20, 52.22-15, 52.24-10, and 52.25-1 to 52.25-50, inclusive, revise the requirements regarding openings and reinforcements in order to have Coast Guard regulations in agreement with similar requirements of the American Bureau of Shipping and the American Society of Mechanical Engineers. The proposed amendments to 46 CFR 52.60-20, and 52.70-10 revise the requirements regarding venting of superheaters and studded or screwed boiler connections. These changes in the requirements conform to the current American Society of Mechanical Engineers boiler code and the American Bureau of Shipping rules.

7. The amendment to 46 CFR 54.03-15 revises the requirements regarding tube sheets in heat exchangers. This change is based on a petition received from a manufacturer of refrigeration heat exchangers. The proposed amendment to 46 CFR 54.03-40, regarding openings and reinforcements is proposed in order to have the regulations consistent in view of the proposed amendments to 46 CFR 52.25-1 to 52.25-50, regarding openings and reinforcements in boilers.

8. It is proposed to amend 46 CFR 55.10-55, regarding lubricating oil systems so that Coast Guard requirements will be the same as similar rules of the American Bureau of Shipping. The proposed amendment to 46 CFR 55.10-70 revises the requirements regarding overboard discharges and shell connections by making mandatory recommended practices previously contained in a Navigation and Vessel Inspection Circular No. 6-48. It is also proposed to clarify the requirements for overboard discharges where piping is led through cargo tanks on tank vessels. This change agrees with the American Bureau of Shipping rules on the same subject.

9. The proposed amendment to 46 CFR 56.01-10, regarding qualification of welders, revises Coast Guard requirements to agree with similar requirements of the Bureau of Ships, Navy Department, and the American Bureau of Shipping. At present welders qualified by the American Bureau of Shipping, the Bureau of Ships, Navy Department, or the Coast Guard are accepted by each other within the limits covered by the

qualification tests passed by the welder. The proposed changes were concurred in by representatives of shipyards and manufacturers and have been accepted by the American Bureau of Shipping and the Bureau of Ships, Navy Department. The proposed changes are recommended in order that the present practice of accepting welders may be continued. It is proposed to amend 46 CFR 56.01-70 to require preheating and stress relieving of class II welded pressure vessels when containing liquefied compressed gases for transportation or storage. The amendment to 46 CFR 56.05-5 will require the reinforcement on pressure vessels shall be finished with a smooth crown. This change agrees with the American Society of Mechanical Engineers on the same subject.

10. The authority for regulations regarding marine engineering is in R. S. 4405, as amended, and 4462, as amended; 46 U. S. C. 375, 416. These regulations interpret or apply R. S. 4399, 4400, 4417, 4417a, 4418, 4421, 4426-4431, 4433, 4434, 4453, 4491, as amended, sec. 14, 29 Stat. 690, sec. 10, 35 Stat. 428, 41 Stat. 305, secs. 1, 2, 49 Stat. 1544, sec. 17, 54 Stat. 166, sec. 3, 54 Stat. 346, sec. 2, 54 Stat. 1028, as amended, Pub. Law 569, 83d Cong., 46 U. S. C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 489, 366, 395, 363, 367, 536p, 1333, 463a, E. O. 10402, 17 F R. 9917 3 CFR, 1952 Supp.

ITEM III—INFLAMMABLE OR COMBUSTIBLE LIQUIDS HAVING TOXIC OR LETHAL CHARACTERISTICS; TANK VESSELS

11. At the September 1954 public hearing certain minor changes were considered with respect to the transportation of inflammable or combustible liquids having lethal characteristics. These proposed changes are being held in abeyance pending a complete review of the regulations in 46 CFR Part 39. A request has been received to permit the transportation of a chemical designated as "DD" which is a class B poison having a negligible vapor pressure. The proposal is to amend 46 CFR Part 39 to permit the transportation of certain class B poisons in bulk, as well as to restrict the shipment of certain inflammable or combustible liquids, other than class B or class C poisons, which have sufficient toxicity as to create an undue hazard to life. The proposed amendment to 46 CFR Part 39 is a complete revision of the requirements and will bring it up to date.

12. The authority for regulations regarding tank vessels is in R. S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U. S. C. 375, 391a, 416. These regulations interpret or apply sec. 3 (c) of Public Law 569, 83d Congress, and Executive Order 10402, 17 F R. 9917, 3 CFR, 1952 Supp.

ITEM IV—HATCH CLOSING DEVICES; PASSENGER, CARGO, AND MISCELLANEOUS VESSELS

13. It is proposed to amend 46 CFR 78.17-35 and 97.15-20, regarding hatches and other openings to specifically require the use of closure devices and assignment of responsibility. The intent of these proposed regulations is to require the effective use of closure devices required by the Load Line Regulations when navi-

gating on waters other than those designated as rivers in order that the stability of the vessel will be maintained by preventing the possibility of water entering the vessel through hull openings and to prevent the flooding of adjacent spaces in the event any portion of the vessel is holed or making water from any cause.

14. The authority for these regulations is in R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. These rules and regulations interpret or apply R. S. 4417, 4418, 4426, 4453, as amended, secs. 1, 2, 49 Stat. 1544, sec. 17, 54 Stat. 166, as amended, P. L. 569, 83d Cong., 46 U. S. C. 391, 392, 404, 435, 367, 526p; E. O. 10402, 17 F. R. 9917. 3 CFR, 1952 Supp.

ITEM V—RULES AND REGULATIONS FOR LICENSING MERCHANT MARINE PERSONNEL

15. It is proposed to amend 46 CFR 10.05-15, regarding the requirements for a license as master of bays, sounds, and lakes other than the Great Lakes, steam and motor vessels, in order to establish service requirements that will represent present operating conditions and practices followed by merchant vessels navigating on bays, sounds, and lakes other than the Great Lakes. It is felt that the revised requirements proposed will fit the present needs of licensed deck personnel of these vessels. The amendments to 46 CFR 10.05-39, 10.05-41, and 10.05-43, regarding requirements for pilots, revise the regulations so that these requirements for pilots will more properly reflect the necessary experience required to perform this highly skilled function, as well as to clarify and establish the type of service required in order for a person to be eligible for examination. These changes apply not only to pilots but to the holders of certain grades and classes of licenses bearing endorsements as pilot.

16. The authority for these regulations regarding licensing of merchant marine officers is in R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. These rules or regulations interpret or apply R. S. 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4442, as amended, 4443, as amended, 4447, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3 (c) of Public Law 569, 83d Congress; 46 U. S. C. 224, 224a, 226, 228, 214, 230, 233, 367.

ITEM VI—DENIAL OR REVOCATION OF LICENSES, DOCUMENTS, OR CERTIFICATES UNDER PUBLIC LAW 500, 83D CONGRESS

17. The provisions of Public Law 500, 83d Congress, 68 Stat. 484, approved July 15, 1954, provide for the revocation of any and all types of licenses, certificates, and documents issued to merchant mariners by the United States Coast Guard and predecessor agencies if the holder is involved in certain narcotic violations or if the person is a user of or addicted to the use of narcotic drugs. This law also provides that the Coast Guard shall deny to any person involved in certain narcotic violations or who is a user of or addicted to the use of narcotic drugs, any and all types of licenses, certificates,

and documents which may be issued to the merchant mariner. Temporary instructions and requirements were published in the FEDERAL REGISTER dated October 16, 1954. The proposed amendments to 46 CFR Parts 10, 12, and 137 are intended to give force and effect to the provisions of Public Law 500, 83d Congress, approved July 15, 1954.

18. The proposed amendments to 46 CFR 10.02-1 and 10.02-9, regarding general requirements for all deck and engineer officers licenses, 10.13-5 and 10.31-21, regarding licensing of radio officers, 10.15-25, regarding licensing of officers for uninspected vessels, 10.20-3 and 10.20-9, regarding motorboat operator's licenses, 10.25-7, regarding registration of staff officers, and 12.02-4, regarding general requirements for certification and basis for denial of documents, revise the requirements by requiring the applicant to state on the application whether or not he has been convicted by a court of record of a violation of the narcotic drug laws of the United States, the District of Columbia, or any State or Territory of the United States, within ten years prior to the date of filing the application, or if he has ever been the user of or addicted to the use of a narcotic drug, as well as statements that such persons shall be denied the licenses, certificates, or documents requested unless satisfactory evidence is furnished regarding an effective cure. The proposed amendments to 46 CFR 137.01-1 to 137.01-15, 137.04-1 to 137.04-20, and 137.17-5, revise the requirements regarding suspension and revocation proceedings in order that the procedures will be in agreement with the temporary regulations published in the FEDERAL REGISTER dated October 16, 1954. These proposed amendments are intended to give force and effect to the administration of Public Law 500, 83d Congress, and eliminate or revise certain regulations to meet the changes introduced by that law. These proposed amendments also are intended to clarify and bring up to date the regulations for suspension and revocation proceedings.

19. The authority for these rules and regulations is in R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. These rules and regulations interpret or apply R. S. 4450, as amended; 46 U. S. C. 239, and Public Laws 500 and 569, 83d Congress.

ITEM VII—LOAD LINES FOR HOPPER TYPE BARGES

20. The proposed amendments to 46 CFR 44.05-20, 44.05-25, and 45.01-20, revise the load line requirements in order to provide a basis for the control of the operation of hopper type barges in coastwise waters or the Great Lakes in order to have the necessary safety and compliance with the Coastwise Load Line Act.

21. The authority for these regulations is in section 2, 49 Stat. 888, as amended, 46 U. S. C. 88a.

ITEM VIII—FEES FOR ASSIGNMENT OF LOAD LINES

22. It is proposed to amend 46 CFR 43.40-5 and 45.20-75, regarding fees for the assignment and renewal of load line

certificates for load line inspections and surveys which may be charged by the assigning authorities approved by the Commandant, U. S. Coast Guard, to assist in the administration of the Load Line Act of March 2, 1929, as amended, and the Coastwise Load Line Act of 1935, as amended (46 U. S. C. 85-88i). The scale of fees has not been revised since 1936. The changes proposed are in accordance with present day economic conditions.

23. The authority for these regulations is in section 2 of 45 Stat. 1493, and section 2, 49 Stat. 888, as amended, 46 U. S. C. 85a, and 88a.

ITEM IX—ISSUANCE OF MERCHANT MARINER'S DOCUMENTS FOR ENTRY RATINGS

24. It is proposed to amend 46 CFR 12.25-5, regarding merchant mariner's documents for entry ratings, to eliminate the requirement for a commitment of employment when a seaman in possession of a merchant mariner's document applies for additional endorsements in entry ratings and to authorize the issuance of an original merchant mariner's document with more than one entry rating at the time the commitment of employment is presented.

25. The authority for these regulations is in section 7, 49 Stat. 1936, as amended; 46 U. S. C. 689.

Dated, January 25, 1955.

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

[F. R. Doc. 55-1426; Filed, Feb. 17, 1955;
8:48 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 40]

SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES; AUTHORIZATION OF NIGHT VFR OPERATIONS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an amendment to Part 40 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received by March 21, 1955. Copies of such communications will be available after March 23, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C. Currently effective § 40.36 of revised Part 40 of the Civil Air Regulations requires that nonvisual ground aids to air navigation be available along each route,

but provides "That no nonvisual ground aids to navigation are required for day VFR operations where the characteristics of the terrain are such that navigation can be conducted by pilotage."

Prior to the adoption of revised Part 40, however, night VFR operations were authorized on certain routes not served by nonvisual aids when such routes were equipped with airway beacons and obstruction lights deemed by the Administrator to be adequate for safe air carrier operation at night. At the time revised Part 40 was in preparation, discussion drafts prepared by the Bureau included authorization for the continuation of such day and night VFR operations. However, opinion was expressed that the inclusion of the authorization for night VFR was inconsistent with the airborne equipment requirements of § 40.231 (b) and the deletion of such authorization was recommended. In order to eliminate this conflict in Part 40 which became effective April 1, 1954, the authorization covering day VFR operations was retained and the authorization covering night VFR operations was deleted.

The CAA has advised the Bureau that as a result of this deletion it will be

necessary to cancel a large number of night VFR operations previously authorized under the provisions of old Part 40 because the routes are not equipped with nonvisual ground aids. Thus it appears that the deletion of the authorization for night VFR operations is unduly restrictive with regard to previously authorized routes. The Bureau has received requests that Part 40 be amended to again permit night VFR operations on certain routes, based only on lighted airway beacons or lighted landmarks.

The CAA also recommends that the night VFR requirements of Part 40 be changed to permit operations which had formerly been approved by CAA under old Parts 40 and 61.

The Bureau believes that there is reasonable justification for amending Part 40 of the Civil Air Regulations to again permit VFR operations at night over lighted airways or on routes where, in the opinion of the Administrator, lighted landmarks permit navigation to be safely conducted by pilotage.

In view of the foregoing, notice is hereby given that it is proposed to amend Part 40 of the Civil Air Regulations as follows:

By amending the proviso of § 40.36 to read as follows:

§ 40.36 *En route navigational facilities.* * * * *Provided*, That no nonvisual ground aids to navigation are required for day VFR operations where the characteristics of the terrain are such that navigation can be conducted by pilotage; or for night VFR operations, along lighted airways, or on routes where the Administrator has determined that reliably lighted landmarks are adequate for safe operation.

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in light of comments received in response to this notice of proposed rule making.

(Sec. 205 (a) 52 Stat. 984; 49 U. S. C. 425 (a) Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated: February 9, 1955, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director

[F R. Doc. 55-1435; Filed, Feb. 17, 1955; 8:50 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

FAR EAST CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. 814.

(1) Agreement No. 17-25-1, between the member lines of the Far East Conference and the carriers comprising the new Kokusai Line Joint Service, modifies conference membership of such joint service (Agreement No. 17-25) The purpose of this modification is to record the new Kokusai Line "joint service parties" (Iino Kaun Kaisha, Ltd., and Mitsubishi Kaun Kaisha, Ltd.) in place of the present parties to such joint service (Nissan Kisen Kaisha, Ltd., Toho Kaun Kaisha, Ltd., Iino Kaun Kaisha, Ltd., Mitsubishi Kaun Kaisha, Ltd., and Kokusai Kaun Kaisha, Ltd.), as a party to Agreement No. 17-25, and a member of said conference.

(2) Agreement No. 7786-1, between Federal Steam Navigation Company Limited, The New Zealand Shipping Company, Limited and Avenue Shipping Co., Ltd., is an amended "Federal-New Zealand Lines" Joint Service Agreement covering the trades between ports of the United States and Hawaiian Islands and ports in British North America, West Indies, Central America, Canal Zone, Mexico, South America, Africa, Asia, Japan, Australasia, Philippine Islands, Europe

and all ports in islands or groups of islands adjacent thereto. The purpose of this amended agreement is to include Avenue Shipping Co., Ltd. as a participant in the joint service.

(3) Agreement No. 7787-1, between the carriers comprising the Federal-New Zealand Lines Joint Service (Federal Steam Navigation Company Limited, The New Zealand Shipping Company, Limited and Avenue Shipping Co., Ltd.) and the carriers comprising the Ellerman and Bucknall Associated Lines (Ellerman Lines, Limited, Ellerman & Bucknall Steamship Co., Limited, Hall Line, Limited, The City Line, Limited) is an amended "American & Australian Steamship Line" Joint Service Agreement covering the trade from United States Atlantic and Gulf ports to Australia, New Zealand, Tasmania and South Sea Islands. The purpose of this amended agreement is to include Avenue Shipping Co., Ltd. as a participant in the American & Australian Steamship Line Joint Service as a member of the Federal-New Zealand Lines joint service.

(4) Agreement No. 7814-1, between Montreal Australia New Zealand Line Limited, the carriers comprising the Port and Associated Lines (Port Line Ltd., The Cunard Steam-Ship Company, Ltd., Thos. & Jno. Brocklebank Ltd.) the carriers comprising the Federal-New Zealand Lines joint service (Federal Steam Navigation Company, Limited, The New Zealand Shipping Company Limited, Avenue Shipping Co., Ltd.) and the carriers comprising the Ellerman and Bucknall Associated Lines (Ellerman Lines, Limited, Ellerman & Bucknall Steamship

Co., Limited, Hall Line, Limited, The City Line, Limited) is an amended "M. A. N. Z. Line" Joint Service Agreement covering the trades from Australia, New Zealand, Tasmania, and South Sea Islands to ports of the United States including the Canal Zone. The purpose of this amended agreement is to include Avenue Shipping Co., Ltd., as a participant in the M. A. N. Z. Line joint service as a member of the Federal-New Zealand Lines joint service.

(5) Agreement No. 7918-1, between Stockholms Rederiaktiebolag Svea, Rederiaktiebolaget Frederika, and Eckert Steamship Corp., modifies approved joint service agreement No. 7918 to cover the trade between Canadian and United States Atlantic ports and United States Gulf ports, on the one hand, and ports in Spain, Portugal and the Mediterranean (from the Azores, Casablanca and Gibraltar on the west, to and including Egyptian, Lebanese and Turkish ports on the east) on the other hand. Agreement No. 7918 presently covers the trade between Canadian and United States Atlantic ports and United States Gulf ports, on the one hand, and ports of Spain, Portugal, North Africa and the Western Mediterranean (from Casablanca on the west to Tunisia on the east, and from Gibraltar on the west to and including the West Coast of Italy on the east) on the other hand.

(6) Agreement No. 7996-1, between the carriers comprising the American & Australian Steamship Line joint service and the carriers comprising the Port and Associated Lines joint service, is an amended sailing agreement between such

carriers covering the trade from New York to Australia and New Zealand. The purpose of this amended agreement is to include the Avenue Shipping Co., Ltd., as a participant in such sailing agreement as a member of the American & Australian Steamship Line joint service.

(7) Agreement No. 8014, between the carriers comprising the Ellerman & Bucknall Associated Lines (American and Indian Line) joint service, and Bull Insular Line, Inc., covers the transportation of gunny sacks, hessian cloth and jute under through bills of lading from India and Pakistan to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia. This agreement will supersede and cancel Agreement No. 7642.

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

Dated, February 15, 1955.

By order of the Federal Maritime Board,

[SEAL] A. J. WILLIAMS,
Secretary.

[F R. Doc. 55-1433; Filed, Feb. 17, 1955;
8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEVADA

AMENDMENT OF CLASSIFICATION ORDER

FEBRUARY 9, 1955.

Pursuant to the authority delegated to me by the Area Administrator, Area II, Bureau of Land Management, by order No. 541, part II, section 2.5, dated April 21, 1954, Nevada Small Tract Classification Order No. 21 of March 16, 1949, is hereby amended to permit sales to lessees in accordance with the following schedule:

T. 22 S., R. 61 E., M. D. M.,
Sec. 4, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, in tracts of approximately 2 $\frac{1}{2}$ acres at \$200 per tract. W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, in tracts of approximately 5 acres at \$350 per tract.

E. R. GREENSLET,
State Supervisor

[F R. Doc. 55-1413; Filed, Feb. 17, 1955;
8:45 a. m.]

NEVADA

AMENDMENT OF CLASSIFICATION ORDER

FEBRUARY 9, 1955.

Pursuant to the authority delegated to me by the Area Administrator, Area II, Bureau of Land Management, by order No. 541, part II, section 2.5, dated April 21, 1954, Nevada Small Tract Classification Order No. 46 of January 27, 1950, is

hereby amended to permit sales to lessees in accordance with the following schedule:

T. 22 S., R. 63 E., M. D. M.,
Sec. 19, S $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, in tracts of approximately 5 acres at \$50 per tract.

E. R. GREENSLET,
State Supervisor

[F R. Doc. 55-1414; Filed, Feb. 17, 1955;
8:45 a. m.]

NEVADA

AMENDMENT OF CLASSIFICATION ORDER

FEBRUARY 9, 1955.

Pursuant to the authority delegated to me by the Area Administrator, Area II, Bureau of Land Management, by order No. 541, part II, section 2.5, dated April 21, 1954, Nevada Small Tract Classification Order No. 54 of February 24, 1950, is hereby amended to permit sales to lessees in accordance with the following schedule:

T. 22 S., R. 61 E., M. D. M.,
Sec. 3, SW $\frac{1}{4}$ SE $\frac{1}{4}$, in tracts of approximately 5 acres at \$200 per tract.

E. R. GREENSLET,
State Supervisor

[F R. Doc. 55-1415; Filed, Feb. 17, 1955;
8:45 a. m.]

[Misc. 64537]

NEBRASKA

AMENDMENT OF NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

FEBRUARY 14, 1955.

The State designation in the heading of Federal Register Document 55-724, appearing on page 567 of the issue for January 26, 1955, should read "Nebraska"

EDWARD WOOLEY,
Director

[F R. Doc. 55-1412; Filed, Feb. 17, 1955;
8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10739; FCC 55M-141]

CARBON-EMERY BROADCASTING Co.

ORDER CONTINUING HEARING

In re application of George G. Platis and Robert E. Hawley d/b as Carbon-Emery Broadcasting Company Price, Utah, for construction permit; Docket No. 10739, File No. BP-8797.

The Commission having under consideration a petition filed on February 10, 1955, by the Chief, Broadcast Bureau, requesting that the hearing in the above-entitled proceeding, presently scheduled to commence February 23, 1955, be continued to February 28, 1955, and

It appearing that counsel for Carbon-Emery Broadcasting Company has no objection to the requested continuance, has agreed to waive the so-called "four-

day rule," and that good cause has been shown for grant of the petition,

It is ordered, This 11th day of February 1955, that the petition be and it is hereby granted, and the hearing in the above-entitled proceeding be and it is hereby continued to February 28, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1427; Filed, Feb. 17, 1955;
8:48 a. m.]

[Docket No. 11141; FCC 55-184]

THEODORE FEINSTEIN

MEMORANDUM OPINION AND ORDER AMENDING ISSUES

In re application of Theodore Feinstein, Newburyport, Massachusetts, for construction permit; Docket No. 11141, File No. BP-9027.

1. The Commission has under consideration the petition filed on December 20, 1954, by the Chief, Broadcast Bureau, to enlarge issues in the above-entitled proceeding to include an issue designed to determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the availability of other primary service to such areas and populations.

2. By order released on August 19, 1954, the Commission designated for hearing in a comparative proceeding the applications of Theodore Feinstein and of Sherwood J. Tarlow, each requesting a construction permit for a new standard broadcast station to operate on the facilities 1470 kilocycles, with 500 watts power, daytime only in Newburyport, Massachusetts. In addition to the comparative issue, there was included in the order of designation an issue designed to determine the extent of the interference, if any, between the proposed operations and Stations WHAV Haverhill, Massachusetts and WLAM, Lewiston, Maine, and, upon the basis of their protests to grant of the said applications, the licensees of these stations were named parties intervenor. By order of December 21, 1954, the petition of Sherwood J. Tarlow requesting dismissal without prejudice of his said application was granted and the application of Theodore Feinstein retained in hearing status.

3. The instant petition sets forth that under the issues in this proceeding as now constituted, evidence cannot be adduced to determine the areas and populations to which primary service will be provided by the proposed operation or the availability of other such service thereto, and consequently the evidence which can now be received will not permit a determination of the services which the public will gain or lose.

4. We have considered the petition and conclude that the allegations contained therein are true and that the issues should be enlarged as requested. It also appears that under the issues in this proceeding, evidence could not be introduced as to the programming serv-

ices to be gained or lost in any area or areas of interference. Further, in view of the dismissal of the application of Sherwood J. Tarlow and the prior determination in the order of designation that Theodore Feinstein is legally technically financially and otherwise qualified to construct and operate his proposed station, the matters toward which issue 2 is directed are not now germane to the proceeding. Also, issue 1 is now directed to the applications of both Theodore Feinstein and Sherwood J. Tarlow and should be amended. Under these considerations, in order to assure a record in this proceeding permitting determination of the necessary facets of this application as they relate to whether a grant would be in the public interest, the issues should be further amended on the Commission's own motion.

5. *Accordingly, it is ordered*, That the said petition is granted and that the issues in the above-entitled proceeding are amended to delete the issues as now constituted and to substitute therefor the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the station proposed by Theodore Feinstein and the availability of other primary service to such areas and populations from existing stations.

2. To determine whether the operation of the station proposed by Theodore Feinstein would involve objectionable interference with Stations WLAM, Lewiston, Maine and WHAV Haverhill, Massachusetts, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program service proposed to be rendered by Theodore Feinstein and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine the type and character of program services rendered by Stations WLAM and WHAV and whether these services meet the requirements of the populations and areas proposed to lose such service, if any

5. To determine, in the light of the evidence adduced under the foregoing issues, whether the public interest, convenience, or necessity would be served by a grant of the application of Theodore Feinstein.

It is further ordered, That the burden of proceeding with the introduction of evidence under issue 4 as to the type and character of program service rendered by Station WLAM and whether this service meets the requirements of the populations and areas proposed to lose such service, if any is placed upon Lewiston-Auburn Broadcasting Company and the burden of proceeding with the introduction of evidence under issue 4 as to the type and character of program service rendered by Station WHAV and whether this service meets the requirements of the populations and areas proposed to

lose such service, if any is placed upon WHAV Broadcasting Company, Inc.

Adopted: February 11, 1955.

Released: February 14, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1428; Filed, Feb. 17, 1955;
8:48 a. m.]

[Docket No. 11186; FCC 55M-138]

RADIO SERVICES OF WELLSVILLE
ORDER SCHEDULING HEARING CONFERENCE

In re application of J. S. Mumma, J. M. Cleary, J. H. Satterwhite, J. E. Ericson and C. S. Bromeley d/b as Radio Services of Wellsville, Wellsville, New York, for construction permit; Docket No. 11186, File No. BP-9021.

The Commission having before it a motion filed February 10, 1955, by applicant above named requesting that the time for exchange of exhibits in this proceeding be extended from February 15, 1955, to March 1, 1955; and

It appearing from the facts stated in the motion that good cause has been shown for a grant of the requested extension and that counsel for respondent and counsel for the Commission's Broadcast Bureau, the only other parties in the proceeding, have consented to a grant of the motion and to a waiver of the four-day requirement of § 1.745 of the Commission's rules;

It is ordered, This 10th day of February 1955, that the motion is granted, and that the exhibits shall be exchanged on March 1, 1955, instead of February 15, 1955, and

It is further ordered, That a further conference shall be held on Friday March 4, 1955, at 10:00 a. m. at Washington, D. C., as provided for in § 1.841 (c) of the Commission's rules.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1429; Filed, Feb. 17, 1955;
8:48 a. m.]

[Docket No. 11243; FCC 55-178]

HYMAN ROSENBLUM ET AL.

ORDER POSTPONING ORAL ARGUMENT

In re application of Hyman Rosenblum, et al., transferors, and Lowell J. Thomas, et al., transferees, for consent to the transfer of control of Hudson Valley Broadcasting Company Inc., Albany New York (WROW and WROW-TV) Docket No. 11243, File No. BTC-1828.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955,

The Commission having under consideration a request filed on February 10,

1955 by Van Curler Broadcasting Corporation, protestant herein, that the Commission reconsider its Order of February 10th, 1955 denying petitioner's earlier motion to continue oral argument in the above-entitled proceeding scheduled before the Commission en banc for February 14, 1955 to February 17, 1955

It appearing that the Commission's business schedule for the week of February 14 to 18, 1955 makes it impossible to hear oral argument herein as presently scheduled and as requested in subject petition for reconsideration and requires that the Commission, on its own motion, postpone said oral argument beyond the date requested by petitioner and

It further appearing that the public interest requires Commission action as indicated,

It is ordered, That the subject petition for reconsideration is dismissed as moot; and

It is further ordered, That oral argument herein, scheduled for 10:00 a. m. on February 14, 1955 is hereby postponed to 10:00 a. m. February 21, 1955.

Released: February 14, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1430; Filed, Feb. 17, 1955;
8:48 a. m.]

[Docket No. 11262; FCC 55-177]

AMERICAN SOUTHERN BROADCASTERS
(WPWR)

ORDER CONTINUING ORAL ARGUMENT

In re application of Carrol F Jackson & D. N. Jackson, d/b as American Southern Broadcasters (WPWR) Laurel, Mississippi, for construction permit for new standard broadcast station, Docket No. 11262, File No. BP-9440.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of February 1955,

The Commission having under consideration its order of January 26, 1955, scheduling the proceeding herein for oral argument before the Commission en banc on February 14, 1955,

It appearing that the Commission's business schedule now makes it impossible to hear oral argument as scheduled on February 14, 1955, and requires that the Commission on its own motion continue said argument;

It further appearing that the public interest requires Commission action as indicated,

It is ordered, That the aforesaid oral argument is continued to February 21, 1955, at 10:00 a. m.

Released: February 14, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F R. Doc. 55-1431; Filed, Feb. 17, 1955;
8:48 a. m.]

[Change List 90]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JANUARY 18, 1955.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power	Antenna	Schedule	Class	Proposed date of commencement of operation
CKDM	Dauphin, Manitoba (PO: 1230 kc 250 w ND IV).	1050 kilocycles 250 w N/1D	ND	U	II	Jan. 15, 1956
New	Smith Falls, Ontario	1070 kilocycles 1 kw	ND	D	II	Jan. 15, 1956

FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

[SEAL]

[F R. Doc. 55-1432; Filed, Feb. 17, 1955; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-301]

ACCIDENT OCCURRING AT GREATER CINCINNATI AIRPORT, COVINGTON, KY.

NOTICE OF HEARING

In the matter of investigation of accident involving air collision between aircraft of United States, registry N 93211 and N 999B, which occurred at Greater Cincinnati Airport, Covington, Kentucky, January 12, 1955.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday February 24, 1955, at 9:00 a. m. (local time) in the Sheraton Gibson Hotel, 421 Walnut Street, Cincinnati, Ohio.

Dated at Washington, D. C., February 14, 1955.

[SEAL] EVERETT S. BOSWORTH,
Presiding Officer

[F R. Doc. 55-1436; Filed, Feb. 17, 1955; 8:50 a. m.]

GENERAL SERVICES ADMINISTRATION

Public Buildings Service

[Wildlife Order 29]

BATTLE MOUNTAIN SANITARIUM, HOT SPRINGS, SOUTH DAKOTA

TRANSFER OF PROPERTY FROM UNITED STATES TO STATE OF SOUTH DAKOTA FOR WILDLIFE CONSERVATION PURPOSES

Pursuant to the authority granted under Public Law 537, approved May 19, 1948, Eightieth Congress, notice is hereby given that:

1. By deed from the United States of America, dated January 13, 1955, to the State of South Dakota, property known as Battle Mountain Sanitarium, Hot Springs, South Dakota, and more particularly described in said deed, has been

transferred from the United States to the State of South Dakota.

2. The above described property is transferred to the State of South Dakota for wildlife conservation purposes (other than migratory birds) in accordance with the provisions of said Public Law 537.

P. A. STROBEL,
Commissioner of Public Buildings Service.

FEBRUARY 14, 1955.

[F. R. Doc. 55-1488; Filed, Feb. 16, 1955; 5:09 p. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

AREA DIRECTOR OF URBAN RENEWAL, PUERTO RICO AREA OFFICE

REDELEGATION OF AUTHORITY WITH RESPECT TO SLUM CLEARANCE AND URBAN RENEWAL PROGRAM

The Area Director of Urban Renewal, Puerto Rico Area Office, Urban Renewal Administration, Housing and Home Finance Agency, is hereby authorized within the Puerto Rico Area, comprising Puerto Rico and the Virgin Islands, to exercise the following authority delegated to the Urban Renewal Commissioner by the Housing and Home Finance Administrator's delegation of authority effective December 23, 1954 (20 F R. 428-9, January 19, 1955) with respect to the programs authorized under Title I of the Housing Act of 1949, as amended (63 Stat. 414-421, as amended, 42 U. S. C. 1450-1460) and under section 312 of the Housing Act of 1954 (68 Stat. 629)

1. Approve local public agencies' acquisition of project property where the cost per parcel does not exceed \$4,000;

2. Execute Contracts for Advances and Letters to Proceed, including waivers, changes, amendments and revisions thereof, upon the basis of allocation orders executed by or other written au-

thorization from the Urban Renewal Commissioner.

3. Execute Statements of Continued Obligation pursuant to approvals of preliminary project reports by the Urban Renewal Commissioner.

4. Approve requisitions for Advance payments; survey and planning budgets, project expenditures budgets and revisions thereof; and estimates of gross and net project costs;

5. Approve contracts between local public agencies and third parties, except contracts for the disposition of project land,

6. Make or adopt determinations of salaries of architects and other technicians, pursuant to section 109 of the Housing Act of 1949, as amended,

7. Make determinations respecting the adequacy of general or master plans and positive programs of code enforcement and blight prevention, and

8. Concur in the institution of eminent domain proceedings.

All official acts performed by such Area Director between December 23, 1954, and the effective date of this instrument are hereby ratified and approved to the extent that they are consistent with and of the type authorized under this redelegation of authority.

Effective as of the 18th day of February 1955.

J. W. FOLLIN,
Urban Renewal Commissioner

[F R. Doc. 55-1425; Filed, Feb. 17, 1955; 8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

KEY WEST, FLA., AREA

DESIGNATION OF TEMPORARY HOUSING PROJECT

By virtue of the authority vested in me by Executive Order 10296 of October 2, 1951, as amended by Executive Orders 10433 of February 4, 1953, and 10593 of January 27, 1955, and pursuant to the provisions of section 104 (b) of the Defense Housing and Community Facilities and Services Act of 1951, as amended, I hereby designate the following temporary housing project for which construction by the United States may be begun under Title III of said act:

In the Key West, Florida, Critical Defense Housing Area which was determined to be a critical defense housing area on November 19, 1951 (16 F R. 11745-46)—250 trailers.

Dated: February 16, 1955.

ARTHUR S. FLEMMING,
Director

[F R. Doc. 55-1476; Filed, Feb. 16, 1955; 4:16 p. m.]

Ft. HUACHUCA, ARIZ., AREA

DESIGNATION OF HOUSING PROJECT

By virtue of the authority vested in me by Executive Order 10296 of October 2, 1951, as amended by Executive Orders 10433 of February 4, 1953, and 10593 of January 26, 1955, and pursuant to the

provisions of section 104 (a) of the Defense Housing and Community Facilities and Services Act of 1951, as amended, I hereby designate the following housing project for which mortgages may be insured under Title IX of the National Housing Act, as amended:

In the Ft. Huachuca, Arizona, Critical Defense Housing Area, which was determined to be a critical defense housing area on December 12, 1951 (16 F. R. 12595)—100 family dwelling units.

Dated: February 16, 1955.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 55-1477; Filed, Feb. 16, 1955;
4:16 p. m.]

BEDFORD, MASS., AREA

DESIGNATION OF COMMUNITY FACILITIES PROJECT

By virtue of the authority vested in me by Executive Order 10296 of October 2, 1951, as amended by Executive Orders 10433 of February 4, 1953, and 10593 of January 27, 1955, and pursuant to the provisions of section 104 (b) of the Defense Housing and Community Facilities and Services Act of 1951, as amended, I hereby designate the following project for which agreements may be made to extend assistance for the provision of community facilities or services under Title III of said act:

In the Town of Bedford in the Bedford, Massachusetts, Critical Defense Housing Area, which was determined to be a critical defense housing area on March 6, 1952 (17 F. R. 2028-29)—additions and improvements to an existing water system, comprising (a) new wells, pumps and well houses, (b) distribution lines, (c) auxiliary power supply for pumps, and (d) protection of existing field from floods.

Dated: February 16, 1955.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 55-1478; Filed, Feb. 16, 1955;
4:16 p. m.]

MISSION, TEX., AREA

DESIGNATION OF TEMPORARY HOUSING PROJECT

By virtue of the authority vested in me by Executive Order 10296 of October 2, 1951, as amended by Executive Orders 10433 of February 4, 1953, and 10593 of January 27, 1955, and pursuant to the provisions of section 104 (b) of the Defense Housing and Community Facilities and Services Act of 1951, as amended, I hereby designate the following temporary housing project for which construction by the United States may be begun under Title III of said act:

In the Mission, Texas, Critical Defense Housing Area, which was determined to be a critical defense housing area on the date hereof—200 units of temporary housing.

Dated: February 16, 1955.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 55-1479; Filed, Feb. 16, 1955;
4:16 p. m.]

MISSION, TEX., AREA

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS

Upon a review of specific data presented to me, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951, as amended, exist in the

Mission, Texas, Area. The area consists of Precinct 4, including the City of Mission, in Hidalgo County, Texas.

Accordingly pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by Executive Order 10296 of October 2, 1951, I hereby determine that said area is a critical defense housing area.

Dated: February 16, 1955.

ARTHUR S. FLEMMING,
Director

[F. R. Doc. 55-1480; Filed, Feb. 16, 1955;
4:16 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-72, 54-104, 54-105, 54-191]

STANDARD GAS AND ELECTRIC CO. ET AL.

MEMORANDUM OPINION AND SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER CERTAIN EXPENSES

FEBRUARY 14, 1955.

In the matter of Standard Gas and Electric Company, File No. 54-72; Standard Power and Light Corporation, Standard Gas and Electric Company File Nos. 54-104 and 54-105; Standard Gas and Electric Company and Philadelphia Company, File No. 54-191.

The above-entitled matters involve plans filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") for the purpose of enabling Standard Power and Light Corporation ("Standard Power") Standard Gas and Electric Company ("Standard Gas") and Philadelphia Company ("Philadelphia") all registered holding companies in the same system, to effectuate compliance with the provisions of section 11 (b) of the act and our orders thereunder requiring those companies to liquidate and dissolve.

On August 8, 1941, we ordered Standard Gas to dispose of all of its holdings of securities other than those of Philadelphia and a system service company. At the time of that order, Standard Gas controlled a farflung utility and non-utility system and it had a capital structure consisting of substantial amounts of notes and debentures, two series of preferred stocks and common stock. In 1943, Standard Gas filed a plan of recapitalization (File No. 54-72) which, as subsequently amended, we approved in 1944. This plan provided for the retirement of Standard Gas' indebtedness, and the reclassification of Standard Gas' outstanding capital stocks into a single class of common stock of which approximately 95 percent was to be allocated to the holders of the senior preferred stock and

5 percent to the holders of the junior preferred stock. No participation was accorded to the common stockholders.

In 1944, Standard Gas and Standard Power filed two plans, one proposing the settlement of various intercompany claims and the other proposing the liquidation and dissolution of Standard Power (File Nos. 54-105 and 54-104). We approved these plans in 1945 but consummation thereof was contingent upon the consummation of the plan for the recapitalization of Standard Gas.

At Standard Gas' request, we instituted court enforcement proceedings with respect to its recapitalization plan, which proceedings culminated in early 1946 in the remand of the plan to the Commission by the United States District Court for the District of Delaware after the plan had been approved by the United States Court of Appeals for the Third Circuit on appeal from an order of the lower court which denied enforcement of the plan. The remand of the plan was due to a change in conditions which occurred while the court enforcement proceedings were pending. Subsequently the Standard Gas recapitalization plan was abandoned and withdrawn and, as a consequence, the two plans filed by Standard Gas and Standard Power were also withdrawn. In 1951 Standard Gas filed a new plan (File No. 54-191) proposing, among other things, the liquidation and dissolution of Standard Gas and that plan has been substantially consummated. Pursuant to the 1951 plan both series of Standard Gas' preferred stocks were retired at their investment values and a substantial equity remained for the common stockholders.

During the course of the various proceedings, Claude Pearce, who claims to have been the owner of a substantial amount of the Standard Gas junior preferred stock and common stock, interested himself in these matters. Pearce, who is not a lawyer, appeared at the hearings which were held in connection with the old Standard Gas plan filed in 1943 and also in the related proceedings concerning the two plans which were filed by Standard Power in 1944. Pearce took an active part in the hearings and questioned certain witnesses. He also appeared in the District Court where the enforcement proceedings were instituted and he participated in the appeal taken from that Court's adverse decision. In the court proceedings Pearce argued orally and filed memoranda in opposition to the plan.

Pearce was the only common stockholder participating in the proceedings involving the old plan and he consistently contended that it was unfair to the junior preferred and common stockholders of Standard Gas. Following the remand of the plan in 1946, Pearce joined forces with other preferred stockholders and his activities in these proceedings were minor in character thereafter.

In its order approving the 1951 Standard Gas plan, the Commission reserved jurisdiction to pass upon, allow and award fees and expenses for services rendered by the various participants in these proceedings.

Pursuant to this reservation of jurisdiction, all participants were advised to submit applications for allowances if they believed they were entitled to compensation. Among others, the Commission received a response from Pearce who claimed that he spent a lot of money protesting the case before the Commission and before the courts in an attempt to show that the 1943 Standard Gas plan was unfair to the stockholders like himself and that his "lone-handed efforts" were instrumental in defeating the plan. He indicated that he had incurred expenses for traveling, hotels, preparing briefs and for other incidentals but he did not specify any amounts.

On May 14, 1954, we issued an order (Holding Company Act Release No. 12496) which, among other things, directed that a public hearing be held in connection with the claim asserted by Pearce. The hearing was duly held at which Pearce attended and testified under examination by counsel for our Division of Corporate Regulation and counsel for Standard Gas. In his testimony Pearce took the position that while he was not claiming a fee for his services he felt he was entitled to his expenses which he stated aggregated \$10,000. However, he was unable to furnish any details or evidence to substantiate his claim. The company indicated that it was not inclined to raise any technical objection to Pearce's claim because of his failure to itemize his expenses and at the close of the hearing Pearce was afforded an opportunity to furnish in affidavit form an estimated statement of his expenses.

Subsequently there ensued discussions between Pearce and representatives of Standard Gas which resulted in his filing an affidavit which states that he did not keep any records of his time and expenses in connection with his activities in these proceedings because when he rendered such services he was not aware that he might be entitled to an allowance or to reimbursement of his expenses out of the estate. He further states that his expenses were at least in excess of \$6,000 and has agreed to reduce his claim to that amount.

Standard Gas has indicated to us that in its judgment Pearce rendered substantial services of value to the proceedings, that it believes his claim is fair and reasonable, and that it is prepared to pay Pearce if and when this Commission releases jurisdiction with respect to such payment.

In the light of the entire record, we think the allowance sought by Pearce is not unreasonable, that it is for necessary services, that an order approving and directing the payment thereof by Standard Gas should be entered, and that the jurisdiction heretofore reserved with respect to such allowance should be released.

It is therefore ordered, That the claim of Claude Pearce for an allowance of \$6,000 as reimbursement of expenses be, and hereby is, approved, and Standard Gas is directed to pay the same, and that the jurisdiction heretofore reserved with

respect to said claim be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1418; Filed, Feb. 17, 1955;
8:46 a. m.]

[File No. 54-158]

UNITED CORP

SUPPLEMENTAL ORDER APPROVING PAYMENT
OF ADDITIONAL FEE

FEBRUARY 14, 1955.

The Commission by Memorandum Findings and Opinion and Order herein dated June 4, 1952, having approved the payment by The United Corporation to Boehm & Fischman, Hayes, St. John, Abramson & Schulman, and Kurland & Wolfson, counsel for a Preference Stockholders' Committee, a counsel fee in the amount of \$2,000 and reimbursement of expenses in the amount of \$1,690.50; and

The United States District Court for the District of Delaware on the 11th day of October 1954, having ordered and decreed that the Commission amend its aforesaid Memorandum Findings and Opinion and Order to permit The United Corporation to pay to said Boehm & Fischman, Hayes, St. John, Abramson & Schulman, and Kurland & Wolfson a fee in the amount of \$5,000 and reimbursement of expenses in the amount of \$1,690.50, less any amounts previously received under said order of the Commission. It is so ordered.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1419; Filed, Feb. 17, 1955;
8:46 a. m.]

[File No. 70-3335]

COLUMBIA GAS SYSTEM, INC., COLUMBIA
GAS SYSTEM SERVICE CORP.

ORDER AUTHORIZING REFINANCING OF EXISTING
OPEN-ACCOUNT ADVANCES OF HOLDING
COMPANY TO SUBSIDIARY SERVICE COM-
PANY, AND MAKING OF FURTHER OPEN-
ACCOUNT ADVANCES

FEBRUARY 14, 1955.

The Columbia Gas System, Inc. ("Columbia") a registered holding company and Columbia Gas System Service Corporation ("Service") its wholly-owned subsidiary service company having filed with this Commission a joint application-declaration and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("act") particularly sections 6 (b) 9, 10, and 12 (b) thereof and Rule U-45 thereunder in respect of the following transactions:

It is proposed that temporary advances heretofore made by Columbia to Service in the aggregate principal amount of \$200,000 be refinanced and that the working capital of Service be increased by

\$50,000, by the issuance and sale by Service to Columbia of \$250,000 principal amount of 3½ percent Installment Promissory Notes. Such notes will be payable in 25 equal annual installments on February 15 of each of the years 1957 to 1981, inclusive. Interest on the unpaid principal amount will be paid semiannually on February 15 and August 15.

It is further proposed that Columbia advance to Service during 1955, on open-account without interest, such funds as Service may require, up to a total of \$150,000, for the purchase of land in or near Columbus, Ohio. Such land is to be acquired in anticipation of the erection thereon of a building to consolidate at one site the departments of Service located in Columbus. It is represented that the open-account advances will be repaid at such time as a more permanent form of financing has been agreed upon and approved by the Commission, or the property sold.

The estimated expenses to be incurred in connection with the proposed transactions aggregate \$75 for Columbia and \$315 for Service.

It is stated that no State or Federal commission other than this Commission has jurisdiction over the proposed transactions.

Applicants-declarants request that the Commission's order become effective upon issuance.

Due notice having been given of the filing of said joint application-declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration as amended be granted and permitted to become effective forthwith.

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F R. Doc. 55-1420; Filed, Feb. 17, 1955;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Taylor's I. C. C. Order No.
47-A]

SOUTHERN RAILWAY CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of Taylor's I. C. C. Order No. 47 and good cause appearing therefor:

It is ordered, That:

(a) Taylor's I. C. C. Order No. 47 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 12:01 p. m., February 14, 1955.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., February 14, 1955.

INTERSTATE COMMERCE
COMMISSION,
CHARLES W TAYLOR,
Agent.

[F R. Doc. 55-1423; Filed, Feb. 17, 1955;
8:47 a. m.]

[4th Sec. Application 30252]

COTTON PIECE GOODS AND RELATED
ARTICLES FROM PHILADELPHIA, PA., TO
POINTS IN MIDWEST

APPLICATION FOR RELIEF

FEBRUARY 15, 1955.

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: C. W. Boin, Agent, for carriers parties to schedule listed below.

Commodities involved: Finished or unfinished cotton piece goods, flat goods, and dry goods, less-than-carloads.

From: Philadelphia, Pa.

To: Chicago, Ill., Indianapolis, Ind., St. Louis, Mo., and other points.

Grounds for relief: Competition with rail carriers, and market competition.

Schedules filed containing proposed rates: C. W. Boin, Agent, I. C. C. No. A-1015, supp. 51.

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. 55-1421; Filed, Feb. 17, 1955;
8:46 a. m.]

[4th Sec. Application 30253]

IRON AND STEEL ARTICLES FROM LISBON,
OHIO, TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 15, 1955.

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: H. R. Hinsch, Agent, for carriers parties to schedules listed below.

Commodities involved: Iron and steel articles, carloads.

From: Lisbon, Ohio.

To: Points in official (including Illinois) territory.

Grounds for relief: Competition with rail and motor carriers, additional origin, and circuitry.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. 3388, supp. 198; H. R. Hinsch, Agent, I. C. C. 3422, supp. 245.

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. 55-1422; Filed, Feb. 17, 1955;
8:47 a. m.]