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Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 12,900]

PART 541—DEFINITIONS

PART 545—OPERATIONS

Loans and Participation in Loans

NOVEMBER 6, 1959.

Resolved that, the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment to § 541.17 (12 CFR 541.17) of Part 541 (12 CFR Part 541) and §§ 545.6-4, 545.6-4a (12 CFR 545.6-4, 545.6-4a) of Part 545 (12 CFR Part 545) of the rules and regulations for the Federal Savings and Loan System, and for the purpose of effecting such amendment hereby amends the aforesaid sections of said parts as follows, effective November 13, 1959:

(1) Amend § 541.17 (12 CFR 541.17) by striking from said section the following language, “§ 545.6-4a”, and inserting in the place of the language so stricken, the following language, “§ 545.6-4”. As amended § 541.17 reads as follows:

§ 541.17 Without recourse.

As used in §§ 545.6-4 and 545.11 of this chapter, the term “without recourse” means without recourse and without any agreement or arrangement under which the purchaser is to be entitled to receive from the seller any sum of money or thing of value, whether tangible or intangible (including any substitution), upon default in payment of any loan involved or any part thereof or to withhold or to have withheld from the seller any sum of money or any such thing of value by way of security against any such default.

(2) Amend §§ 545.6-4 and 545.6-4a (12 CFR 545.6-4, 545.6-4a) to read, and to be designated, as follows:

§ 545.6-4 Participation loans.

(a) *General.* Any Federal association may participate with other lenders in making loans of any type that such an

association may otherwise make: *Provided, That:*

(1) The real estate security is located within such association's regular lending area;

(2) Each of the lenders is either an instrumentality of the United States Government or is insured by the Federal Savings and Loan Insurance Corporation or by the Federal Deposit Insurance Corporation.

(b) *Participation loans on real estate beyond regular lending area.* In addition to its authority under paragraph (a) of this section, any Federal association may, to the extent that it has under statute and its charter legal authority to do so, participate in making a loan, secured by first lien upon a home located beyond the association's regular lending area, of any type that it may make under this part, provided each of the lenders is an institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, or purchase from any such institution a participation in such a loan. Any Federal association may, to the extent that it has under statute and its charter legal authority to do so, sell to any such institution, without regard to the provisions of § 545.11, a participating interest in any loan, and such sale shall not be regarded as a sale of a loan within the meaning of § 545.11. Any sale by a Federal association of a participating interest in any loan shall be without recourse.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR 1947 Supp.)

Resolved further that, since the foregoing amendments involve no substantive change in any of the sections amended and are intended (1) for purposes of clarity, to redesignate both sections relating to participation loans into a single section, and (2) to appropriately amend a cross-reference in a definition to participation loans beyond the regular lending area to the redesignated participation loans section, the Board hereby finds that notice and public procedure with respect to such amendments are unnecessary under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or section 4(a) of the Ad-

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Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.419]

PART 22—FEES AND CHARGES, FOREIGN SERVICE

Tariff of Fees

Section 22.1 *Tariff of fees, Foreign Service of the United States of America*, (a), of Title 22 of the Code of Federal Regulations is amended in part in its tariff schedule, item 13, to read as follows:

PASSPORT AND CITIZENSHIP SERVICES

Item No.

- 13 Completion of birth and death reports in number of copies prescribed by regulation—
- (a) Registration of birth of American citizen----- No fee
- (b) Furnishing one copy of the consular report of birth (Form FS-240, Report of Birth Abroad of a Citizen of the United States of America) to parents or persons in interest----- \$1.50
- (c) Report of death of American citizen and sending one copy each to legal representative and to closest known relative or relatives ----- No fee

(Charge under item 75 below for any additional copies made and furnished, as well as under item 47 below if certification is furnished of the correctness thereof.)

The regulation contained in this order shall become effective upon publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the provisions thereof involve foreign affairs functions of the United States.

JOHN W. HANES, JR.,
Administrator, Bureau of Security and Consular Affairs,
Department of State.

NOVEMBER 2, 1959.

[F.R. Doc. 59-9627; Filed, Nov. 12, 1959;
8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER G—DEFENSE CONTRACT FINANCING

PART 81—STATEMENT OF POLICY FOR TREATMENT OF DEPRECIATION ON EMERGENCY FACILITIES

Basic Principles

Section 81.3(h) of this part has been amended to clarify the intent "to allow true depreciation only to the extent it could be prorated and allocated to contracts during fiscal periods during which the contracts were being performed." Section 81.3(h), as amended, reads as follows:

§ 81.3 Basic principles.

(h) Contractors may use normal depreciation without requesting a determination of true depreciation, or may elect to use either normal or true depreciation after a determination of true depreciation has been made. Once either method is elected, it must be followed consistently throughout the life of the emergency facility. Where an election is made to use normal depreciation, § 15.205(b)(2) of this chapter is not intended to apply to assets fully amortized on the contractor's books of account under Certificates of Necessity. Where an election is made to use true depreciation, it shall be prorated over the full five year emergency period, and proportionate amounts shall be allocated to contracts only for those fiscal periods during which the contracts are performed during the five year period. Care must be exercised to assure that no other allowance is made under the contract which would duplicate the factors, such as extraordinary obsolescence, considered in the determination of true depreciation. In addition, where an election is made to use true depreciation, contract pricing for the post-emergency period will be based on depreciation computed by allocating the undepreciated cost of the emergency facility at the end of the emergency period (cost less true depreciation for that period) over the estimated remaining life of the facility, provided the remaining undepreciated portion of such cost shall not include any amount of unrecovered true depreciation.

(64 Stat. 798-822, as amended; 50 U.S.C. App. 2061-2166)

J. J. PHELAN, JR.,
Acting Director for Procurement Policy, Office of Assistant Secretary of Defense
(Supplies and Logistics).

NOVEMBER 6, 1959.

[F.R. Doc. 59-9631; Filed, Nov. 12, 1959;
8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 203—BRIDGE REGULATIONS

PART 204—DANGER ZONE REGULATIONS

Miscellaneous Amendments

1. Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U.S.C. 471), § 202.195 establishing and governing the use and navigation of anchorages in the Mississippi River is hereby amended by revising paragraph (a)(2) to permit conditional use of the explosive anchorage below New Orleans for

a general anchorage, by adding paragraphs (a) (5) to (7) establishing a cargo transfer anchorage near Bonnet Carre Spillway, and anchorage areas between New Orleans and Baton Rouge for vessels awaiting berthing space, as follows:

§ 202.195 Mississippi River below Baton Rouge, La., including South and Southwest Passes.

(a) *The anchorage grounds.* * * *

(2) *Explosives anchorage.* An area along the right descending bank or west side of the river, 1,000 feet wide, extending upstream and downstream from a point located 1.4 miles upstream from Oak Point Light. The Commander, Eighth Coast Guard District, will designate anchorages upstream and downstream from this point. This anchorage is reserved for vessels carrying explosives. It may be used for a general anchorage when not required for vessels carrying explosives or dangerous or inflammable cargo. No vessel shall occupy this anchorage without obtaining a permit from the Commander, Eighth Coast Guard District.

(5) *Cargo transfer anchorage.* An area approximately 1.7 miles in length along the left descending bank of the river, about 600 feet wide, extending from Mile 127.3 to Mile 129.0 above Head of Passes. This area is located adjacent to the river end of Bonnet Carre Spillway. During the time when the Bonnet Carre Spillway is operating, vessels will not be permitted to use this area but will moor at areas as directed by the District Engineer, U.S. Army Engineer District, New Orleans. Upon completion of the transfer of cargo, vessels shall move from this area.

(6) *Temporary anchorages Baton Rouge-New Orleans.* Vessels awaiting berthing at riverside wharves between Mile 225 above Head of Passes and the upper limits of the Port of New Orleans, Mile 107 above Head of Passes, will anchor in a manner and area as prescribed by the District Engineer, U.S. Army Engineer District, New Orleans.

(7) *Baton Rouge general anchorage.* An area approximately 2 miles in length along the right descending bank, about 1,700 feet wide, extending from Mile 227 to Mile 225 above Head of Passes.

[Regs., 28 October 1959, 285/91 (Mississippi River)—ENGWO] (Sec. 7, 38 Stat. 1053; 33 U.S.C. 471)

2. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.135 governing the operation of the New York, New Haven and Hartford Railroad Company bridge across Saugatuck River, Connecticut, is hereby amended to revise the closed periods and to require advance notice for opening during certain periods, as follows:

§ 203.135 Saugatuck River, Conn.; bridge of New York, New Haven and Hartford Railroad Co., at Saugatuck, Conn.

(a) Except as otherwise provided in this section, the draw shall be opened as soon as practicable for the passage of

vessels that cannot pass under the closed bridge, upon a signal given by three short blasts (each of about 2 seconds' duration) of a horn or steam whistle, between 5:00 a.m. and 9:00 p.m. from June 1 to September 30, inclusive, and between 8:00 a.m. and 4:00 p.m. from October 1 to May 31, inclusive. An eight-hour advance notice shall be required for opening the draw from October 1 to May 31, inclusive, between 5:00 a.m. and 8:00 a.m. and between 4:00 p.m. and 9:00 p.m. The draw may remain closed at all other times.

(1) *Exception.* When a train scheduled to pass beyond the bridge without stop has passed the last station nearest the bridge and is in motion toward the bridge, the bridge shall be opened as soon as the approaching train has been brought to a stop at the drawbridge signal.

(b) In case the bridge cannot be opened immediately when the signal is given, a red flag or ball by day or a red light by night shall be conspicuously displayed.

(c) Signals for the opening of the draw shall be answered by a whistle or Klaxon horn on the bridge with the same signal, three short blasts, described in paragraph (a) of this section, when the operation of the opening is commenced, or by a series of not less than four short, sharp blasts, each of not more than 1 second duration, when the bridge cannot be promptly opened.

[Regs., 28 October 1959, 285/91 (Saugatuck River, Conn.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

3. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 governing the operation of drawbridges across navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets, where constant attendance of draw tenders, is not required, is hereby amended revoking paragraph (h) (22), the City of Fort Lauderdale bridge across Middle River, Florida at North East Tenth Street having been converted to a fixed span, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(h) *Waterways discharging into Atlantic Ocean south of Charleston.* * * * (22) [Revoked.]

[Regs., 28 October 1959, 285/91 (Middle River, Fla.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

4. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.712 governing the operation of bridges across tributaries of San Francisco Bay and San Pablo Bay, California, is hereby amended with respect to para-

graph (i) (3) to revise the advance notice requirement for opening the State highway bridge near Imola, California, as follows:

§ 203.712 Tributaries of San Francisco Bay and San Pablo Bay, Calif.

(i) *Mare Island Strait, Napa River, and their tributaries.* * * *

(3) *State highway bridge near Imola.* At least 24 hours' advance notice required. To be given to State Highway Superintendent at the Highway Office, 3161 Jefferson Street, Napa, California, Telephone Baldwin 6-3184 or Baldwin 6-6290.

[Regs., 28 October 1959, 285/91 (Napa River, Calif.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

§ 204.125 [Amendment]

5. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 204.125 *Gulf of Mexico, west of St. Andrew Bay West Entrance; test operations area, Navy Mine Countermeasures Station, Panama City, Fla.,* establishing and governing the use and navigation of a test operations area in the Gulf of Mexico, west of St. Andrew Bay West Entrance, Florida, is hereby revoked.

[Regs., 28 October 1959, 285/91 (Gulf of Mexico, Fla.)—ENGWO] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

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

[F.R. Doc. 59-9607; Filed, Nov. 12, 1959; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 14—LEGAL SERVICES, GENERAL COUNSEL

Miscellaneous Amendments

1. In § 14.515, paragraphs (b) and (c) are amended to read as follows:

§ 14.515 Suits involving loan guaranty matters and disposition of personal property.

(b) The General Counsel and each Chief Attorney representing the General Counsel is the attorney of the Administrator of Veterans Affairs for all purposes of 38 U.S.C. 1820 and 5225 and as such is authorized to represent the Administrator in any court action, or other legal matter (including foreclosure, judicial, or nonjudicial) arising under either of said statutory provisions. Said authorization is subject to any applicable statutes and Executive orders concerning claims of the United States. A Chief Attorney may enter appearance in such cases, subject to the provisions of § 36-4319 of this chapter and paragraph (a) of this section. Each Chief Attorney is authorized to contract for the employment of attorneys on a fee basis for con-

ducting any action arising under guaranty or insurance of loans or direct loans by the Veterans Administration; or for examination and other proper services with respect to title to and liens on real and personal property, material incident to such activities of the Veterans Administration, when such employment is deemed by him to be appropriate.

(c) The General Counsel and each Chief Attorney in carrying out his duties as authorized in paragraph (a) or (b) of this section is authorized (1) to contract for and execute for and on behalf of the Administrator, any bond (and appropriate contract or application therefor) which is required in or preliminary to or in connection with any judicial proceeding in which the Chief Attorney is attorney for the Administrator, and to incur obligations for premiums for such bonds; (2) to sign petitions for removal of causes to United States, or other proper courts or tribunals; (3) to do all other acts and incur all costs and expenses which in his professional opinion are necessary or appropriate to further or protect the interests of the Administrator in or in connection with prosecuting or defending any cause in any court or tribunal within the United States, which cause arises out of or incident to the guaranty or insurance of loans, or the making of direct loans by the Veterans Administration, pursuant to 38 U.S.C. Ch. 37 or the performance of functions authorized under 38 U.S.C. Ch. 85.

2. In § 14.560, paragraph (c) is amended to read as follows:

§ 14.560 Procedure where violation of penal statutes is involved.

(c) In cases arising under prior laws authorizing readjustment benefits and war orphans' educational assistance (see sec. 3, Pub. Law 85-857) and current grants of readjustment and educational assistance as authorized in Title 38, United States Code, any evidence or information coming to the attention of a Chief Attorney requiring determination as to whether they may be a violation of a Federal criminal statute will be brought promptly to the attention of the local office or agent of the FBI without attempting to develop any criminal aspects, as will such facts or evidence subsequently discovered in administrative investigation or other action. Copy of the final investigation report in administrative investigation shall be forwarded to the United States attorney, if, in the opinion of the Chief Attorney, prosecutive action is necessary for administrative purposes. The Chief Attorney will bring to the attention of the General Counsel any case wherein he is of the opinion that criminal action should be initiated, notwithstanding adverse report or lack of report, by the FBI.

3. Section 14.561 is revised to read as follows:

§ 14.561 Administrative action prior to submission.

Before a submission is made to the United States attorney in cases involving personnel or claims, the General Counsel,

if the file is in central office, or the Chief Attorney, regional office or center, if the file is in the regional office or other field station, will first ascertain that necessary administrative or adjudicatory (forfeiture (see Pub. Law 86-222), etc.) action has been taken; except that in urgent cases such as breaches of the peace, disorderly conduct, trespass, robbery, or where the evidence may be lost by delay, or prosecution barred by the statute of limitations, submission to the United States attorney will be made immediately.

4. Section 14.583 is revised to read as follows:

§ 14.583 Crimes or offenses on reservations.

Upon receipt by the Chief Attorney of a report from the Manager of any Veterans Administration hospital or domiciliary located in his regional office area, other than the District of Columbia, indicating a violation of any penal statutes occurring on such Veterans Administration hospital or domiciliary reservation, he will extend full cooperation and advice to the Manager. In so doing, the Chief Attorney will be guided by the provisions of 18 U.S.C. 13 and 3041, and 38 U.S.C. 625. Serious crimes (felonies or misdemeanors) committed on a hospital or domiciliary reservation will be reported direct to the United States attorney or local agent of the Federal Bureau of Investigation. The Chief Attorney will give every assistance to the Manager in such cases.

5. In § 14.600, paragraph (a) is amended to read as follows:

§ 14.600 Liability.

(a) The United States is not liable for wrongs inflicted by its officers or employees except in accordance with specific legislation providing such liability. The Federal Tort Claims Act (August 2, 1946, title IV, Pub. Law 601, chapter 753, 2d session, 79th Congress, 60 Stat. 842, as amended; 28 U.S.C. 1291, 1346, 1402, 1504, 2110, 2401, 2402, 2411, 2412, and 2671 through 2680) provides for recognizing liability under certain stated circumstances, and prescribes a uniform procedure for the handling of claims against the United States, for money only, accruing on and after January 1, 1945, on account of damage to or loss of property, or on account of personal injury or death, caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable in accordance with the law of the place where the act or omission occurred. Part 2 of the act (28 U.S.C. 2672 and 2673) relates to administrative consideration, ascertainment, adjustment, determination, and settlement of such claims " * * * where the total amount of the claim does not exceed \$2,500 * * * " Part 3 (28 U.S.C. 1291, 1346, 1402, 1504, 2110, 2402, 2411, 2412, 2674, 2675, 2676, and 2677) provides for the filing of suit on tort claims in United States District courts and authorizes

compromises by the Attorney General, with the approval of the court, in such cases. No limitation is provided with respect to the amount of a claim which may be submitted for judicial consideration, and suit may be instituted on claims which have been disallowed administratively and claims which have been withdrawn from administrative consideration prior to final disposition thereof. Court cases under the act shall be tried without a jury. A district court judgment may be appealed to a United States Circuit Court of Appeals; or, upon consent, to the Court of Claims of the United States. Part 4 (28 U.S.C. 2401, 2678, 2679, and 2680) of the act provides a 2-year statute of limitations beginning on the day the claim accrued for the submission in writing for administrative consideration of a claim not exceeding \$2,500 in amount, or initiation of court action in any amount. In the case of a claim not exceeding \$2,500 presented for administrative consideration, an extension of 6 months from the date of mailing of the notice of final administrative disposition or from the date of withdrawal of the claim is granted where the time for filing suit would otherwise expire before the end of the 6-month period.

6. In § 14.607, paragraphs (a), (b), and (c) are amended to read as follows:

§ 14.607 Determination of liability.

(a) When there is submitted a claim in excess of \$2,500, the Chief Attorney will notify the claimant that the Veterans Administration is without authority to consider the claim, inasmuch as the Federal Tort Claims Act provides a maximum of \$2,500 for administrative consideration of claims thereunder. Attention of the claimant should be invited to the provisions of the act relating to judicial consideration of tort claims.

(b) In the case of a claim for not more than \$2,500 wherein the Chief Attorney determines that there is no liability on the part of the United States, he will promptly notify the claimant by mail of the disallowance of the claim, explaining the reasons therefor, and advise the claimant of the right to appeal to the General Counsel within 60 days. In the event appeal is not made to the General Counsel within 60 days, the date of mailing of the notice of disallowance by the Chief Attorney will be considered as the date of final administrative disposition of the claim for the purpose of the statute of limitations provided in section 420 of the act (28 U.S.C. 2401).

(c) In cases of a claim for not more than \$2,500 wherein the Chief Attorney determines liability on the part of the United States under the act, and cases of appeal from an adverse decision by the Chief Attorney, the report required by § 14.605 will be transmitted, along with a statement regarding a fair and reasonable amount for reimbursement, to central office, attention: The General Counsel. The General Counsel will review said report and make the final administrative determination regarding allowance of the claim. If the claim is disallowed, the General Counsel will notify the claimant accordingly.

7. Section 14.609 is revised to read as follows:

§ 14.609 Damage to or loss of patients' property.

The authorization for payment of damage to or loss of personal property of hospitalized patients caused by the negligence of an officer or employee of the government contained in the act of December 28, 1922 (42 Stat. 1066; 31 U.S.C., sec. 215), is repealed by the act of August 2, 1946, supra, and claims for such losses are for settlement under the Federal Tort Claims Act.

8. Section 14.610 is revised to read as follows:

§ 14.610 Damage or loss caused by fire.

Title 38 U.S.C. 626 provides for the reimbursement of beneficiaries hospitalized or who have been hospitalized in Veterans Administration hospitals for any loss of personal effects sustained by fire while such effects are or were stored in designated locations in Veterans Administration hospitals. The procedure for handling this class of claims is governed by §§ 17.75, 17.76, and 17.77 of this chapter.

9. The centerhead immediately preceding § 14.620 is amended to read as follows: "Power of attorney and delegation of authority in the making and the guaranty and insurance of loans."

10. In § 14.620, paragraph (a) is amended to read as follows:

§ 14.620 Power of attorney and delegation of authority.

(a) *Forms, power of attorney, 38 U.S.C. Chapter 37. VA Form 2-23, Power of Attorney and Delegation of Authority, and VA Form 2-24, Revocation of Power of Attorney, are prescribed for use of loan guaranty officials to supply formal evidence of the authority of designated persons to perform the functions and exercise the powers delegated to them by regulations (§ 36.4342 of this chapter) pursuant to section 504, Servicemen's Readjustment Act of 1944, as amended (38 U.S.C. 212).*

11. The centerhead immediately preceding § 14.626 is amended to read as follows: "Recognition of Organizations, Accredited Representatives, Attorneys, Agents; Rules of Practice and Information Concerning Fees, 38 U.S.C. Chapter 59."

12. In § 14.626, the introductory portion preceding paragraph (a) is amended to read as follows:

§ 14.626 Requirements for recognition of organizations.

The American National Red Cross, American Legion, Disabled American Veterans, United Spanish War Veterans, Veterans of Foreign Wars of the United States, and such other organizations as the Administrator of Veterans Affairs shall approve may be recognized in the presentation of claims under the laws administered by the Veterans Administration when the proper officers thereof make application for recognition on the form prescribed and furnished by Veterans Administration and, as a part of such application, agree and certify that

neither the organization nor its representatives will charge or accept any fee or gratuity whatsoever for service rendered a claimant. In general, no additional organizations will be recognized except State or governmental services or organizations granted a charter or recognition by act of Congress.

13. In § 14.629, paragraph (d) is amended to read as follows:

§ 14.629 Recognition of attorneys and agents.

(d) Any cause considered sufficient to reject the application of an attorney or agent or to cancel recognition previously granted will be reported by the Chief Attorney to the General Counsel

for final determination. Recognition shall be canceled automatically if an attorney or agent is convicted of charging illegal fees contrary to the provisions of the Federal Statutes (38 U.S.C. Ch. 59). There shall also be applied the provisions of section 6(a), Public Law 404, 79th Congress (Administrative Procedure Act, sec. 1005, title 5, United States Code).

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective November 13, 1959.

[SEAL]

BRADFORD MORSE,
Deputy Administrator.

[F.R. Doc. 59-9636; Filed, Nov. 12, 1959;
8:49 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

19 CFR Part 741

INTERSTATE MOVEMENT OF SHEEP BECAUSE OF SCABIES

Notice of Proposed Rule Making

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that, pursuant to the provisions of sections 1 and 2 of the Act of February 2, 1903, as amended (21 U.S.C. 111-113, 120), section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 125), and section 7 of the Act of May 29, 1884, as amended (21 U.S.C. 117), it is proposed to add additional provisions to and amend other provisions appearing in Part 74, Title 9, Code of Federal Regulations, restricting the interstate movement of sheep because of the disease known as scabies, as follows:

1. Section 74.1 would be amended to read:

§ 74.1 Interstate movement of infected sheep prohibited.

No sheep infected with scabies shall be shipped, trailed, driven, or otherwise moved interstate for any purpose.

2. A new § 74.2 would be added to read:

§ 74.2 Designation of free and infected areas.

Notice is hereby given that sheep in the following States, Territories, and District, or parts thereof as specified, are not known to be infected with scabies and such States, Territories or parts thereof are hereby designated as free areas: Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Louisiana, Maine, Massachusetts, Mississippi, Montana, Nevada, New Hampshire, New Mexico, North Carolina, Oregon, Puerto Rico, Rhode Island, South Carolina, that portion of South Dakota west of the Missouri River,

Texas, Utah, Vermont, Washington, and Wyoming. All other States, Territories, or parts thereof are hereby designated as infected areas.

3. A new § 74.3 would be added to read:

§ 74.3 Designation of eradication areas.

Notice is hereby given that sheep in the following States, Territories, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep and such States, Territories, or parts thereof, have been designated as eradication areas: That portion of South Dakota east of the Missouri River.

4. A new § 74.4 would be added to read:

§ 74.4 Certificates and owner's declaration to be presented with animals at destination.

All certificates, waybills, statements or declarations required under this part shall accompany the shipment en route and shall be presented to the person authorized to receive the shipment at destination.

5. A new § 74.5 would be added to read:

§ 74.5 Other movements.

The Director of the Division in specific cases in which, in his opinion, no risk of the spread of scabies exists may provide for the movement, not otherwise provided for in this part, of sheep not known to be infected with scabies, under such conditions as he may prescribe to carry out the purposes of this part. The Director of the Division will promptly notify the appropriate livestock sanitary officials of the States involved of any such action.

§ 74.6 [Amendment]

6. Section 74.6 and heading thereof would be amended by deleting the word "affected" where used and substituting therefor the word "infected".

7. Section 74.7 would be amended to read:

§ 74.7 Movement from the infected, eradication or quarantined areas; prohibited except as provided.

No sheep shall be shipped, trailed, driven, or otherwise moved interstate from the areas quarantined for the disease of scabies in sheep or from the areas designated as the infected or eradication areas because of said disease, except as provided in this part.

§ 74.8 [Amendment]

8. Section 74.8 and the heading thereof would be amended by deleting the word "diseased" wherever it appears therein and substituting therefor the word "infected".

§ 74.9 [Amendment]

9. Section 74.9 would be amended by deleting the word "affected" and substituting therefor the word "infected"; and by inserting between the words "Division" and "inspector" the words "or State".

§ 74.10 [Amendment]

10. Section 74.10 would be amended by deleting the words "by the owner" and substituting therefor the words "under the supervision of a Division or State inspector".

§ 74.11 [Deletion]

11. Section 74.11 would be deleted.

12. Section 74.12 would be amended to read:

§ 74.12 Interstate movement from quarantined, infected or eradication areas; permitted for immediate slaughter on inspection and certification.

(a) Sheep of the quarantined area may be shipped or transported interstate for immediate slaughter directly to a recognized slaughtering center or to a public stockyard provided they have been inspected by a Division or State inspector and found free from the disease or exposure thereto and are accompanied by a certificate from said inspector to that effect.

(b) Like movement of sheep from an infected or eradication area is permitted if the sheep are free of scabies infection or exposure thereto and if the shipment is accompanied by an accredited veterinarian's certificate, a waybill, or similar document, or a statement signed by the owner or shipper of the sheep, stating: (1) that the animals are free of scabies infection or exposure thereto; (2) the destination of the animals; (3) the purpose for which they are to be moved; (4) the number of sheep; (5) the point from which the animals are moved interstate; (6) that the sheep shall not be diverted en route; and (7) the name and address of the owner of the sheep or shipper.

13. Section 74.13 would be amended to read:

§ 74.13 Interstate movement of exposed, not infected, sheep to recognized slaughtering center; conditions under which permitted.

Sheep which have been exposed to scabies but are not infected therewith may be shipped or transported interstate, for

immediate slaughter, to a recognized slaughtering center provided the following conditions are strictly observed and complied with:

(a) The sheep shall be inspected by a Division or State inspector and certified to be free from scabies.

(b) The sheep shall not be diverted en route and upon arrival at public stockyards shall be handled as provided in § 74.9(c).

(c) The trucks, cars or boats containing the sheep shall be placarded and the billing shall be marked "Exposed Sheep for Slaughter," in accordance with § 74.15.

§ 74.14 [Amendment]

14. Section 74.14 is amended by deleting from the heading the word "undiseased" and substituting therefor the word "uninfected"; and by inserting between the words "Division" and "inspection" in the heading, and between the words "Division" and "supervision" in the text, the words "or State".

15. Section 74.15 would be amended to read:

§ 74.15 Placarding of cars and markings of billing of carriers.

When sheep are shipped for slaughter in accordance with § 74.9 or § 74.13, the transportation companies shall securely affix to and maintain upon both sides of each car or truck carrying such sheep a durable and conspicuous placard, not less than 5½ by 8 inches in size, on which shall be printed with permanent black ink in bold-face letters, not less than 1½ inches in height, the words, "Dipped, Scabby Sheep," or "Exposed Sheep for Slaughter," as the case may be. These placards shall also show the name of the place from which the shipment was made, the date of the shipment (which must correspond to the date of the waybills and other papers), the name of the truck owner or transportation company, and the name of the place of destination. The carrier issuing the waybills, conductors' manifests, memoranda, and bills of lading pertaining to such shipments shall plainly write or stamp upon the face of such papers the words "Dipped Scabby Sheep," or "Exposed Sheep for Slaughter," as the case may be. If for any reason the placards required by this part have not been affixed to the vehicle as aforesaid, or the placards have been removed, destroyed, or rendered illegible, or the sheep are rebilled or are transferred to other trucks, cars or boats the placards shall be immediately affixed or replaced by the carrier and the new waybills shall be marked as aforesaid by the carrier issuing them, the intention being that the billing accompanying the shipment shall be marked and the cars and trucks containing the sheep shall be placarded "Dipped Scabby Sheep," or "Exposed Sheep for Slaughter," as the case may be, from the time of shipment until the sheep arrive at destination and the disposition of the vehicles is designated by a Division or State inspector.

16. Section 74.16 would be amended to read:

§ 74.16 Infected sheep permitted movement for any purpose on two dippings.

Sheep which were infected with scabies just prior to shipment may be moved interstate for any purpose after they have been dipped twice, 10 to 14 days apart, in a permitted dip under the supervision of a Division or State inspector, and are so certified by such inspector.

17. Section 74.17 would be amended to read:

§ 74.17 Uninfected but exposed sheep permitted for any purpose on one dipping.

Sheep that are not infected with scabies but which have been exposed to the disease may be shipped, transported, or otherwise moved interstate, for any purpose after they have been dipped once in a permitted dip, within 10 days prior to date of shipment, under the supervision of a Division or State Inspector and are certified by such inspector to be free from the disease.

18. Section 74.18 would be amended to read:

§ 74.18 Uninfected and unexposed sheep from eradication, infected, and quarantined areas.

(a) Uninfected and unexposed sheep of the eradication, infected, and quarantined areas may be shipped, transported, or otherwise moved interstate for any purpose after they have been inspected by a Division or State inspector or an accredited veterinarian, found to be free from the disease or exposure thereto, have been dipped once in a permitted dip within 10 days prior to date of shipment and are accompanied by a certificate from said inspector or veterinarian stating that such requirements have been fulfilled, except that certification must be by Division or State inspector when such sheep are of the quarantined areas.

(b) Uninfected and unexposed sheep of the eradication or infected areas are not required by this part to be inspected or dipped prior to moving interstate to the quarantined area or to other States in the infected area, but must be accompanied by a certificate or document as required in § 74.12(b).¹

19. The Division heading immediately preceding § 74.19 would be amended to read: "Movement from Eradication, Infected, or Quarantined Areas to Free Area and Shipment Therefrom."

20. Section 74.19 would be amended to read:

§ 74.19 Prohibited except in compliance with regulations regarding movement of sheep from eradication, infected or quarantined areas.

No person, firm, or corporation shall deliver for transportation, transport, drive on foot, or otherwise move interstate from the free area of any State, Territory, or the District of Columbia any sheep which have been moved from

¹In each instance, the regulations of the State of destination should be consulted before interstate shipments are made.

the eradication, infected or quarantined areas of the same State, Territory, or the District of Columbia into such free area; *Provided, however,* That such sheep may be moved interstate in strict compliance with the requirements of this part governing the interstate movement of sheep of the eradication, infected or quarantined areas, as the case may be: *And provided further,* That this section shall not apply to sheep of the eradication, infected or quarantined areas which, before being moved into the free area, are inspected by a Division or State inspector, certified by him as free from disease, are dipped and are accompanied en route by his certificate stating that such requirements have been fulfilled.

§ 74.20 [Amendment]

21. Section 74.20 would be amended by deleting in the heading the word "undiseased" and substituting therefor the word "uninfected".

22. Section 74.21 would be amended to read:

§ 74.21 Sheep infected or exposed en route under certification by a Division or State Inspector or an accredited veterinarian; handled as infected or exposed.

Sheep shipped interstate under a certificate from a Division or State inspector or an accredited veterinarian, or other sheep, which are found en route to be infected with scabies or to have been exposed thereto, shall thereafter be handled in the same manner as infected or exposed sheep are required by this part to be handled, and the cars or other vehicles, and the chutes, alleys, and pens which have been occupied by infected sheep shall be cleaned and disinfected, as provided in §§ 71.4-71.11 of this subchapter or shall be cleaned and treated with a permitted dip.

23. The division heading immediately preceding § 74.22 would be amended to read: "Shipment to Public Stockyards and Recognized Slaughter Centers and From Public Stockyards."

24. Section 74.22 would be amended to read:

§ 74.22 Interstate shipment; conditions under which permitted.

(a) Sheep of the infected, eradication, or quarantined areas which are not infected with or exposed to scabies may be moved interstate directly to public stockyards or a recognized slaughtering center: *Provided,* That such sheep from the quarantined area must be accompanied by a certificate issued by a Division or State Inspector: *And provided further,* That sheep from the infected or eradication area which are free from scabies infection and exposure thereto shall be accompanied by an accredited veterinarian's certificate, waybill or similar document, or a statement signed by the owner or shipper of the sheep, stating: (1) That the animals are free of scabies infection and exposure thereto; (2) the destination of the animals; (3) the purpose for which they are to be moved; (4) the number of sheep; (5) the point from which the animals are moved interstate; (6) that the sheep will not be diverted

en route; and (7) the name and address of the owner or shipper.

(b) Sheep which, just prior to shipment, were infected with or exposed to scabies, may move interstate to public stockyards or recognized slaughtering centers for immediate slaughter subject to the restrictions detailed in this part.

(c) The movement of sheep from public stockyards to any other point within the State or interstate must comply with the provisions of this part the same as if the sheep had been originally consigned direct from the point of origin to such destination.

(d) No sheep shall be shipped or moved interstate from any public stockyard without a certificate issued by a Division inspector showing that the sheep are free from scabies or have been dipped for scabies as required in this part: *Provided*, That this restriction shall not apply to shipments of sheep unloaded in transit for feed, water, and rest, and not offered for sale.

25. Section 74.23 would be amended to read:

§ 74.23 Interstate shipments without dipping prohibited unless for slaughter.

No sheep shall be dipped or moved interstate from any public stockyard for purposes other than slaughter without being dipped under Division supervision: *Provided*, That sheep of the free areas which are not infected with or exposed to scabies may be shipped or moved interstate from public stockyards for any purpose without dipping provided that their identity as free sheep is maintained at all times, they have not mingled with sheep of lesser status in transit to or at the stockyards, they are placed in a portion of the stockyards reserved for the receipt of such sheep and they are kept free from contagious, infectious, and communicable diseases: *And provided further*, That uninfected and unexposed sheep of the eradication or infected areas may be shipped or moved interstate from public stockyards on compliance with the provisions of this part which would apply if the sheep had been originally consigned direct from point of origin to final destination.

§ 74.24 [Amendment]

26. Subparagraph (4) of paragraph (a) and paragraph (b) of § 74.24 would be amended, respectively, to read:

(4) Toxaphene emulsions (specifically approved proprietary brands)² made and maintained at a concentration of 0.5 percent. Animals treated with such dip should not be slaughtered for food purposes until the expiration of such period as may be required under the Meat Inspection Act (21 U.S.C. 71 et seq.). The length of this required period shall be specified on each certificate issued by the Division or State inspector or accredited veterinarian who supervises the dipping with such dip.

(b) Proprietary brands of toxaphene emulsion, lime-sulphur, or nicotine dips may be used in official dipping only if the brand has been approved by the Division.²

²Names of such brands may be obtained from the Division or a Division inspector.

§ 74.25 [Amendment]

27. Section 74.25 would be amended by inserting the following words after the word "subchapter": "or shall be cleaned and treated with a permitted dip."

Some of the major changes proposed by the amendment are the designation of 28 entire States, the District of Columbia, and a portion of one additional State as free areas, with all other States, Territories, or parts thereof, constituting the infected areas; and the addition of another type of area to the regulation designated as the eradication area. Appropriate restrictions have been added to protect free and eradication areas. The addition of a new § 78.5 would provide necessary authority for the Director of Division to permit movements of sheep not otherwise provided for in the regulation under such conditions as he may prescribe to prevent the spread of scabies. The other principal change consists of the addition of four new paragraphs to § 74.22 covering the movement of sheep to and from public stockyards and to recognized slaughtering centers. The majority of the other proposed changes are minor in nature, such as the addition of "State Inspector" in several sections and the words "trucks" and "truck owner" in § 74.15. The term "infected" is used where previously "affected", "diseased", and "infected" were used interchangeably. State inspectors and accredited veterinarians are authorized to conduct inspections, supervise dippings, and to officially certify such activities.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Director, Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, Washington, D.C., within 30 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of November 1959.

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

[F.R. Doc. 59-9630; Filed, Nov. 12, 1959; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Sodium o-Phenylphenate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

A petition has been filed by The Dow Chemical Company, Midland, Michigan,

proposing the establishment of a tolerance of 15 parts per million for residues of sodium o-phenylphenate, expressed as o-phenylphenol, in or on sweetpotatoes.

The analytical method proposed in the petition for determination of residues of o-phenylphenol is as follows: The sample is acidified and then steam distilled. The distillate is extracted with cyclohexane and the latter is washed with sodium hydroxide solution. The o-phenylphenol content of the alkaline extract is determined colorimetrically by the 4-amino-antipyrine method.

References:

Tompkins, R. G., and Isherwood, F. A., *Analyst*, Volume 70, pages 330-333 (1945).
Gottlieb, S., and Marsh, P. B., *Industrial and Engineering Chemistry, Analytical Edition*, Volume 18, pages 16-19 (1946).

Dated: November 5, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 59-9621; Filed, Nov. 12, 1959; 8:47 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Maneb

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

A petition has been filed by E. I. du Pont de Nemours and Company, Wilmington, Delaware, proposing the establishment of a tolerance of 10 parts per million for residues of maneb (manganese ethylenebisdithiocarbamate), expressed as zineb, in or on rhubarb.

The analytical method proposed in the petition for determining residues of maneb is that described by H. L. Pease in the article "Determination of Dithiocarbamate Fungicide Residues," *Journal of the Association of Official Agricultural Chemists*, Volume 40, pages 1113-1118, November 1957.

Dated: November 5, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 59-9622; Filed, Nov. 12, 1959; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 59-WA-290]

CONTROL AREA

Designation of Extension

Pursuant to the authority delegated to me by the Administration (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is consid-

ering an amendment to Part 601 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration designation of a control area extension at Rhinelander, Wis. In order to effectively control air traffic and to provide protection for aircraft arriving and departing the Oneida County Airport, it is proposed to designate a control area extension within a fifteen mile radius of a VOR to be installed approximately February 1, 1960, on the Oneida County Airport, Rhinelander, Wis., at Lat. 45°38'01" N., Long. 89°27'28" W.

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

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

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

In consideration of the foregoing, it is proposed to amend Part 601 (14 CFR, 1958 Supp., Part 601) by adding the following section:

§ 601.1388 Control area extension (Rhinelander, Wis.).

Within a 15-mile radius of the Rhinelander, Wis., VOR.

Issued in Washington, D.C., on November 5, 1959.

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

[F.R. Doc. 59-9612; Filed, Nov. 12, 1959; 8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 59-WA-282]

CONTROL AREAS

Designation of Extension

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 No. 222—2

F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration the designation of a control area extension at Stevens Point, Wis. In order to effectively control air traffic and to provide protection for aircraft arriving and departing the Stevens Point Airport, it is proposed to designate a control area extension within a fifteen-mile radius of a VOR to be installed approximately Dec. 15, 1959, on the Stevens Point, Wis., Airport at latitude 44°32'24" N., longitude 89°30'54" W., excluding the portion which would overlie the Wausau, Wis., control area extension.

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

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

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

In consideration of the foregoing, it is proposed to amend Part 601 (14 CFR, 1958 Supp., Part 601) by adding the following section:

§ 601.1351 Control area extension (Stevens Point, Wis.).

Within a fifteen mile radius of the Stevens Point, Wis., VOR excluding the portion which lies within the Wausau, Wis., Control area extension (§ 601.1337).

Issued in Washington, D.C. on November 5, 1959.

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

[F.R. Doc. 59-9611; Filed, Nov. 12, 1959; 8:46 a.m.]

[14 CFR Part 602]

[Airspace Docket No. 59-WA-227]

CODED JET ROUTES

Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 602 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration revocation of L/MF jet route No. 65. This route presently extends from Phoenix, Ariz., to Red Bluff, Calif., but duplicates the routing provided by VOR/VORTAC jet route No. 65. Therefore, it appears that the retention of Jet Route 65-L is unjustified and the revocation thereof would be in the public interest.

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

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

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

In consideration of the foregoing, it is proposed to amend Part 602 (14 CFR, 1958 Supp., Part 602) as follows: § 602.165 L/MF jet route No. 65 (Phoenix, Ariz., to Red Bluff, Calif.), is revoked.

Issued in Washington, D.C., on November 5, 1959.

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

[F.R. Doc. 59-9610; Filed, Nov. 12, 1959; 8:46 a.m.]

[14 CFR Part 608]

[Airspace Docket No. 59-WA-11]

RESTRICTED AREAS

Modification of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24

F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.30 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration modification of the upper altitude limits of the Oscoda (Wurtsmith AFB), Mich., Restricted Area/Military Climb Corridor (R-550). The present climb corridor extends from a point 5 statute miles from the Wurtsmith TVOR on the 266° True radial of the TVOR to a point 32 statute miles west of the TVOR. The lower altitude limits extend in graduated steps from 2,600 feet MSL to 19,600 feet MSL. The upper altitude limits extend from 10,600 feet MSL to 27,000 feet MSL. The upper altitude limits of the present Oscoda Restricted Area/Military Climb Corridor will not contain the later models of the Century series aircraft due to the ability of the aircraft to reach high speeds and high rate of climb in a short time after take off. Accordingly, to provide protection for the air defense aircraft and other aircraft operating in the vicinity of the airbase, it is proposed to raise the upper altitude limits of the Oscoda Restricted Area/Military Climb Corridor to extend from 15,600 feet MSL to 27,000 feet MSL.

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

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

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

In consideration of the foregoing, it is proposed to amend § 608.30 (23 F.R. 9773) as follows:

In § 608.30 Michigan, Oscoda, Mich., (Wurtsmith AFB) Restricted Area/Military Climb Corridor (R-550) (Lake Huron Chart) is amended to read:

Description. That area based on the 266° True radial of the Wurtsmith TVOR, begin-

ning 5 statute miles W of the airbase and extending 32 statute miles W of the airbase, having a width of 1 statute mile N and 2.3 statute miles S of the 266° True radial at the beginning, expanding to a width of 2.3 statute miles on the N side and remaining 2.3 statute miles wide on the S side of the 266° True radial at the outer extremity.

Designated altitudes. 2,600 feet to 15,600 feet MSL from 5 statute miles W of the airbase to 6 statute miles W of the airbase. 2,600 feet to 24,600 feet MSL from 6 to 7 statute miles W of the airbase. 2,600 feet to 27,000 feet MSL from 7 to 10 statute miles W of the airbase. 6,600 feet to 27,000 feet MSL from 10 to 15 statute miles W of the airbase. 10,600 feet to 27,000 feet MSL from 15 to 20 statute miles W of the airbase. 15,600 feet to 27,000 feet MSL from 20 to 25 statute miles W of the airbase. 19,600 feet to 27,000 feet MSL from 25 to 32 statute miles W of the airbase.

Time of designation. Continuous.
Controlling agency. Wurtsmith AFB, Mich., Approach Control.

Issued in Washington, D.C., on November 5, 1959.

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

[F.R. Doc. 59-9608; Filed, Nov. 12, 1959;
8:45 a.m.]

[14 CFR Part 608 I

[Airspace Docket No. 59-WA-229]

RESTRICTED AREAS

Modification of Restricted Area/Military Climb Corridor

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 608.28 of the regulations of the Administrator, as hereinafter set forth.

The Federal Aviation Agency has under consideration modification of the upper altitude limits of the Camp Springs (Andrews AFB), Md., Restricted Area/Military Climb Corridor (R-542). The present climb corridor extends from a point 5 statute miles northeast of the airbase on the 053° True radial of the Andrews AFB TVOR to a point 32 statute miles northeast of the airbase. The lower altitude limits extend in graduated steps from 2,280 feet MSL to 19,280 feet MSL. The upper altitude limits extend from 10,280 feet MSL to 27,000 feet MSL. The upper altitude limits of the present Andrews AFB Restricted Area/Military Climb Corridor will not contain later models of the century series aircraft due to the ability of the aircraft to reach high speeds and high rate of climb in a short time after takeoff. Accordingly, to provide protection for the air defense century series aircraft and other aircraft operating in the vicinity of the airbase, it is proposed to raise the upper altitude limits of the Restricted Area/Military Climb Corridor. If such action is taken, the upper altitude limits of the Andrews AFB, Restricted Area/Military Climb Corridor will extend from 15,280 feet MSL to 27,000 feet MSL.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

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

In consideration of the foregoing, it is proposed to amend § 608.28 (23 F.R. 9134) as follows:

In § 608.28 Maryland, Camp Springs, Md. (Andrews AFB) Restricted Area/Military Climb Corridor (R-542) (Washington Chart) is amended to read:

Description. That area based on the 053° True radial of the Andrews AFB TVOR, beginning 5 statute miles NE of the airbase and extending 32 statute miles NE of the airbase, having a width of 1 statute mile SE and 2.3 statute miles NW of the 053° True radial at the beginning and a width of 2.3 statute miles on each side of the 053° True radial at the outer extremity.

Designated Altitudes. 2,280 feet MSL to 15,280 feet MSL from 5 statute miles NE of the airbase to 6 statute miles NE of the airbase. 2,280 feet MSL to 24,280 feet MSL from 6 to 7 statute miles NE of the airbase. 2,280 feet MSL to 27,000 feet MSL from 7 to 10 statute miles NE of the airbase. 6,280 feet MSL to 27,000 feet MSL from 10 to 15 statute miles NE of the airbase. 10,280 feet MSL to 27,000 feet MSL from 15 to 20 statute miles NE of the airbase. 15,280 feet MSL to 27,000 feet MSL from 20 to 25 statute miles NE of the airbase. 19,280 feet MSL to 27,000 feet MSL from 25 to 32 statute miles NE of the airbase.

Time of designation. Continuous.
Controlling agency. Andrews AFB Approach Control.

Issued in Washington, D.C., on November 5, 1959.

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

[F.R. Doc. 59-9609; Filed, Nov. 12, 1959;
8:45 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 92]

[File No. 21-90]

PROPOSED REVISED TRADE PRACTICE RULES FOR WOODWORKING MACHINERY INDUSTRY

Notice of Hearing and of Opportunity To Present Views, Suggestions, or Objections

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, affected by or having an interest in the proposed revised trade practice rules for the Woodworking Machinery Industry (to supersede the rules for this Industry as promulgated May 3, 1933), to present to the Commission their views concerning said rules, including such pertinent in-

formation, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than December 4, 1959. Opportunity to be heard orally will be afforded at the hearing beginning at 9:30 a.m., e.s.t., December 4, 1959, in the Yacht Lounge, 30th Floor, Barbizon-Plaza Hotel, 106 Central Park South, New York, New York, to any such persons, firms, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are sought to be established through this proceeding consists of per-

sons, firms, corporations and organizations engaged in the manufacture, sale, offering for sale, lease, or distribution of all types of power-driven machinery and parts or accessories therefor used in the fabrication of wood from the log to the finished product, whether such machinery, parts, or accessories are new, used, repossessed, or rebuilt. These machines are not portable by hand.

These proceedings to revise the existing trade practice rules for the Woodworking Machinery Industry were instituted by the Commission on an industry application. The announced hearing constitutes the first step in these proceedings.

Issued: November 9, 1959.

By direction of the Commission.

[SEAL] ROBERT M. FARRISH,
Secretary.

[F.R. Doc. 59-9620; Filed, Nov. 12, 1959; 8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[411.4]

CHOLIC ACID, DL-ISOLEUCINE, AND DL-METHIONINE

Notice of Proposed Tariff Classification

NOVEMBER 6, 1959.

It appears that cholic acid, dl-isoleucine, and dl-methionine are properly classifiable under paragraph 1, Tariff Act of 1930, as acids, not specially provided for, and dutiable at the rate of 12½ percent ad valorem under that paragraph, as modified.

Pursuant to § 16.10a(d) of the Customs Regulations (19 CFR 16.10a(d)), notice is hereby given that there is under review in the Bureau the existing practice of classifying dl-isoleucine under paragraph 5 as a chemical compound, not specially provided for, dutiable at the rate of 10½ percent ad valorem under that paragraph, as modified, and the existing practice of classifying cholic acid and dl-methionine under paragraph 34 as drugs, natural and uncompounded, not edible, not specially provided for, but advanced in condition or value, and dutiable at the rate of 5 percent ad valorem under that paragraph, as modified.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct tariff classification of this merchandise which are submitted to the Bureau of Customs, Washington 25, D.C., in writing. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice. No hearings will be held.

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F.R. Doc. 59-9638; Filed, Nov. 12, 1959; 8:49 a.m.]

[643.3]

SHOEBOARD FROM CANADA

Notice That There is Reason To Believe or Suspect Purchase Price Is Less or Likely To Be Less Than Foreign Market Value

NOVEMBER 5, 1959.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of shoeboard, manufactured by Bennett Limited, of Fort Chambly, Quebec, Canada, is less, or is likely to be less, than the foreign market value, as defined by sections 203 and 205, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 164).

Customs officers are being authorized to withhold appraisement of entries of shoeboard manufactured by Bennett Limited, of Fort Chambly, Quebec, Canada, pursuant to § 14.9 of the Customs Regulations (19 CFR 14.9).

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F.R. Doc. 59-9637; Filed, Nov. 12, 1959; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 6, 1959.

The United States Forest Service of the Department of Agriculture has filed an application, Serial Number Colorado 031000, for the withdrawal of the lands described below from location and entry

under the General Mining Laws, subject to existing valid claims.

The applicant desires the land for use as an experimental area in Pike National Forest.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado State Office, 339 New Custom House, P.O. Box 1018, Denver 1, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

PIKE NATIONAL FOREST

Manitou Experimental Forest

T. 10 S., R. 69 W.,
Sec. 33, NE¼NE¼ and W½.
T. 11 S., R. 69 W.,
Sec. 4, lot 2, S½NE¼ and SE¼;
Sec. 9, E½ and E½SW¼;
Sec. 10, N½NW¼ and W½SW¼;
Sec. 11, W½SW¼;
Sec. 13, NW¼SW¼;
Sec. 14, NW¼NE¼, NE¼NW¼, S½NW¼,
N½SW¼, SE¼SW¼, SW¼SE¼ and
E½SE¼;
Sec. 15, W½NW¼, NW¼SW¼ and SE¼
NE¼;
Sec. 16, NW¼ and E½E½;
Sec. 22, E½NE¼;
Sec. 23, NW¼NE¼, NW¼ and SW¼.

The above area aggregates 2641.81 acres.

J. ELLIOTT HALL,
Lands and Minerals Officer.

[F.R. Doc. 59-9623; Filed, Nov. 12, 1959; 8:47 a.m.]

[Classification 53]

ALASKA**Small Tract Classification:
Amendment**

Effective November 23, 1959, paragraph 1 of Federal Register Document 17-1359 is hereby amended to re-classify the following parcel of land from a Homesite classification to a Business Site classification:

KENAI AREA

Kenai Unit No. 2.
For Lease and Sale.
For Business Site.
T. 6 N., R. 11 W., S.M.
Sec. 31: Lot 111 (being the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of a normal subdivision).

Containing 2.5 acres.

HAROLD M. WHEATLEY,
Acting Operations Supervisor,
Anchorage.

[F.R. Doc. 59-9635; Filed, Nov. 12, 1959;
8:49 a.m.]

DEPARTMENT OF AGRICULTURE**Agricultural Marketing Service****ARKANSAS NATIONAL STOCKYARDS
CO., LITTLE ROCK, ARKANSAS,
ET AL.****Proposed Posting of Stockyards**

The Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the act.

Arkansas National Stockyards Co., Little Rock, Ark.
Greenfield Sales Barn, Greenfield, Iowa.
Lovelock Livestock Commission Co., Lovelock, Nev.

Notice is hereby given, therefore, that the said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of November 1959.

LEE D. SINCLAIR,
Acting Director, Livestock Division,
Agricultural Marketing Service.

[F.R. Doc. 59-9629; Filed, Nov. 12, 1959;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-10]

COMMONWEALTH EDISON CO.**Amendment No. 1 to License No.
DPR-2**

As provided in the attached order issued in this proceeding by the Presiding Officer on November 5, 1959, the expiration date of License No. DPR-2 is hereby extended to December 10, 1959.

Dated at Germantown, Md., this 5th day of November 1959.

For the Atomic Energy Commission.

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

**ORDER EXTENDING PERIOD OF TIME
FOR LIMITED POWER OPERATIONS**

On September 14, 1959, the Commission entered an Order providing that Commonwealth Edison Company (Edison), the applicant herein, may operate its nuclear reactor facility, constructed in accordance with the construction permit heretofore issued by the Commission, pursuant to any license authorized by the intermediate decision entered in these proceedings, but only for a period of 45 days and not at a power in excess of 1 megawatt thermal, pending further consideration of the intermediate decision or other orders that may be entered herein.

On September 26, 1959, an interim intermediate decision was entered, pending receipt of a further report by the Advisory Committee on Reactor Safeguards, and Edison was therein authorized to undertake initial loading and limited operations of its nuclear reactor facility at a power level not in excess of one megawatt of power for a period of 45 days.

At a hearing held on October 19, 1959, to receive the ACRS report, Edison reported that criticality had been attained in the reactor on October 16, 1959, and further, that the 45-day limited operations period would expire on November 10, 1959.

Edison requested an additional period of time, to December 10, 1959, for a continuance of these aforesaid limited power operations, during which time Edison would be continuing to make readings and recordings of the tests and operations of the reactor conducted at that power level. On November 3, 1959, the Commission issued a further order modifying its aforesaid September 14, 1959 order to thereby provide for an extension of the period of time specified for limited power operations to and until December 10, 1959.

Upon the basis of the record to date in this proceeding, and after a consideration of the request by Edison;

It is ordered, That:

A. The Division of Licensing and Regulation of the Commission issue to Commonwealth Edison Company, Chicago, Illinois, a limited power operating license pursuant to Section 104b of the Atomic Energy Act of 1954 to provide for a continuance of presently conducted operations of the nuclear reactor facility, described in Edison's application and amendments thereto, to the extent of but not in excess of a power level of one (1) megawatt (thermal) for a period of time which will expire December 10, 1959.

B. This authority hereby granted to Commonwealth Edison Company is subject to the further determination to be made by the final intermediate decision to be issued herein, and subject to review thereof, by

the Commission, upon its own motion or upon exceptions filed to such final intermediate decision to be issued herein.

Issued November 5, 1959, Germantown, Md.

SAMUEL W. JENSCH,
Presiding Officer.

[F.R. Doc. 59-9605; Filed, Nov. 12, 1959;
8:45 a.m.]

[Docket No. 50-146]

**SAXTON NUCLEAR EXPERIMENTAL
CORP.****Notice of Hearing on Application for
Construction Permit**

Pursuant to the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act") and the regulations in 10 CFR Part 2, rules of practice, notice is hereby given that a hearing will be held to consider the issuance of a construction permit for a 20 megawatt (thermal) facility, to be used for research and development, to Saxton Nuclear Experimental Corporation under sections 104b and 185 of the Act. The hearing will commence at 10:30 a.m. on December 15, 1959, and will be held in the Auditorium of the AEC Headquarters, Germantown, Maryland. The application is available for public inspection at the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

The issues to be considered at the hearing will be the following:

1. Whether there is information sufficient to provide reasonable assurance that a utilization facility of the type proposed in the application can be constructed and operated at the location proposed therein without endangering the health and safety of the public;

2. Whether there is reasonable assurance that the technical information omitted from and required to complete the application will be supplied;

3. Whether the applicant is technically qualified to design and construct the proposed facility;

4. Whether pursuant to § 50.40(b) of the AEC's regulations the applicant is financially qualified to design and construct the facility; and

5. Whether the issuance of a construction permit will be inimical to the common defense and security or to the health and safety of the public.

Petitions for leave to intervene must be received in the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or in the AEC's Public Document Room, 1717 H Street NW., Washington, D.C., not later than thirty days after publication of this notice in the FEDERAL REGISTER, or in the event of a postponement of the hearing date specified above at such time as the Presiding Officer may provide.

Answer to this notice shall be filed by Saxton Nuclear Experimental Corporation pursuant to § 2.736 of the rules of practice on or before November 30, 1959. In the absence of good cause shown to the contrary, the AEC staff proposes to recommend at the hearing that the AEC

issue a construction permit to the applicant substantially in the form set forth below.

Papers required to be filed with the AEC in this proceeding shall be filed by mailing to the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or at the AEC's Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Presiding Officer, parties shall file twenty copies of each such paper with the AEC and where service of papers is required on other parties shall serve five copies of each.

Pursuant to section 182b of the Act notice is hereby given that the report of the Advisory Committee on Reactor Safeguards in this matter is available for public inspection at the AEC's Public Document Room. Copies may be obtained by request to the Director, Division of Licensing and Regulation, Washington 25, D.C.

The Commission has designated Samuel W. Jensch, Esq., as the Presiding Officer to conduct the hearing and to render a decision pursuant to § 2.751(a) of the Commission's rules of practice.

Dated at Germantown, Md., this 5th day of November 1959.

For the Atomic Energy Commission.

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

PROPOSED CONSTRUCTION PERMIT

1. Pursuant to the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act"), and Title 10, CFR, Ch. I, Part 50, "Licensing of Production and Utilization Facilities," the Atomic Energy Commission (hereinafter referred to as "the Commission") hereby issues a construction permit to Saxton Nuclear Experimental Corporation to construct a utilization facility in accordance with the application and amendments thereto. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. The earliest date for the completion of the facility is December 1, 1961. The latest date for the completion of the facility is December 1, 1962. The term "completion date" as used herein means the date on which construction of the facility is completed except for the introduction of the fuel material.

B. The site proposed for the facility is the location at the Saxton station of the Pennsylvania Electric Company situated approximately twenty miles southeast of Altoona, Pennsylvania, described in the application.

C. The facility authorized for construction is a light water moderated and cooled, pressurized water reactor to be operated primarily for research and development with steam supplied to an existing 10 megawatt turbine generator, as described in the application.

D. The applicant may proceed to design and construct the facility described in the application and amendments thereto without further authorization. However, this does not constitute final approval of any technical specification of the facility as

distinguished from the general design concept proposed. Before the license is issued to operate the facility, the Commission must finally approve all technical specifications. If the applicant desires final approval of any particular technical specification prior to the issuance of the license to operate, he may request that the Commission grant specific approval of any technical specification by appropriate amendment to this permit.

2. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by the Commission unless Saxton Nuclear Experimental Corporation has submitted to the Commission (by amendment to the application) the complete, Final Hazards Summary Report (portions of which may be submitted and evaluated from time to time) and the Commission has found that the final design provides reasonable assurance that the health and safety of the public will not be endangered by operation of the facility in accordance with the specified procedures.

3. Upon completion (as defined in Paragraph 1.A. above) of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the original application up to date, upon filing of proof of financial protection as required by section 170 of the Act and the Commission's regulations, and upon a finding that the facility authorized has been constructed in conformity with the application, as amended, and in conformity with the provisions of the Act and the rules and regulations of the Commission and in the absence of any good cause shown to the Commission why the granting of a license would not be in accordance with the Act, the Commission will issue a Class 104 license to Saxton Nuclear Experimental Corporation pursuant to section 104(b) of the Act, which license shall expire six years from its date of issuance or five years from the date the reactor first achieves criticality, whichever is earlier.

Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 59-9606; Filed, Nov. 12, 1959;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-347]

ACCIDENT OCCURRING NEAR ARLINGTON, WASH.

Notice of Hearing

In the matter of investigation of accident involving aircraft of United States Registry N 7071, which occurred near Arlington, Washington, October 19, 1959.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, particularly Title VII of said Act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday, November 19, 1959, at 9:30 a.m. (local time) in the Ballroom of the Olympic Hotel, Seattle, Washington.

Dated at Washington, D.C., November 6, 1959.

[SEAL]

REID C. TATT,
Hearing Officer.

[F.R. Doc. 59-9646; Filed, Nov. 12, 1959;
8:50 a.m.]

[Docket 10963]

EMPRESA DE TRANSPORTES AEROVIAS BRASIL, S.A.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on November 17, 1959, at 10:00 a.m. e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Curtis C. Henderson.

Dated at Washington, D.C., November 9, 1959.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-9647; Filed, Nov. 12, 1959;
8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13257, 13258; FCC 59M-1481]

CATSKILLS BROADCASTING CO. AND ELLENVILLE BROADCASTING CO.

Order Scheduling Hearing

In re applications of Harry G. Borwick, David Levinson, Seymour D. Lubin, Henry L. Shipp, Joseph K. Schwartz and Philip Slutsky d/b as Catskills Broadcasting Company, Ellenville, New York, Docket No. 13257, File No. BP-12266; Jerome Z. Elkin, Charles W. Letter, Samuel Elkin and Harry W. Weiss, d/b as Ellenville Broadcasting Company, Ellenville, New York, Docket No. 13258, File No. BP-12742; for construction permits.

It is ordered, This 6th day of November 1959, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 28, 1960, in Washington, D.C.

Released: November 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL]

MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9639; Filed, Nov. 12, 1959;
8:49 a.m.]

[Docket No. 12615, etc.; FCC 59M-1484]

COOKEVILLE BROADCASTING CO.

Order Scheduling Further Prehearing Conference

In re applications of Hamilton Parks, tr/as Cookeville Broadcasting Company, Cookeville, Tennessee, Docket No. 12615, File No. BP-11518; et al., Docket Nos. 12960, 12962, 12963, 12964, 12965, 12966, 12967, 12968, 12969, 12970, 12971, 12972, 12973, 12974, 12976, 12977, 12978, 12979, 12980, 12981, 12982, 12983, 12984; for construction permits.

Pursuant to agreements and determinations made in prehearing conference on this date,

It is ordered, This 5th day of November 1959, that the date the parties shall notify to each other, by tentative draft copies, all engineering exhibits and technical evidence material planned to be offered in the direct affirmative case presentations to be made is extended from November 20 to December 7, 1959; and

It is further ordered, That a further prehearing conference shall be convened at 2:00 p.m. on Monday, November 16, 1959.

Released: November 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9640; Filed, Nov. 12, 1959;
8:49 a.m.]

[Docket Nos. 13259-13261; FCC 59M-1483]

**PALMDALE BROADCASTERS (KUTY)
ET AL.**

Order Scheduling Hearing

In re applications of Harold C. Singleton, tr/as Palmdale Broadcasters (KUTY), Palmdale, California, Docket No. 13259, File No. BP-11522; Louis Helfman, Fontana, California, Docket No. 13260, File No. BP-11746; The Voice of the Orange Empire, Inc., Ltd. (KWIZ), Santa Ana, California, Docket No. 13261, File No. BP-12612; for construction permits for standard broadcast stations.

It is ordered, This 6th day of November 1959, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 28, 1960, in Washington, D.C.

Released: November 9, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9642; Filed, Nov. 12, 1959;
8:49 a.m.]

[Docket Nos. 13213, 13214; FCC 59M-1480]

MOUNT WILSON FM BROADCASTERS, INC. (KBCA) AND FREDDOT, LTD. (KITT)

Order Continuing Hearing Conference

In re applications of Mount Wilson FM Broadcasters, Inc. (KBCA), Los Angeles, California, Docket No. 13213, File No. BPH-2705; Freddot, Ltd. (KITT), San Diego, California, Docket No. 13214, File No. BMPH-5593; for construction permits (FM Facilities).

The Hearing Examiner has under consideration a telegram received November 5, 1959, from Mount Wilson FM Broadcasters, Inc.; requesting a continuance of the prehearing conference now scheduled for November 10, 1959, for the rea-

son that local commitments will prevent movant from attending a hearing conference on that date.

It has been ascertained by informal conference with other counsel that there are no objections to granting the requested continuance and that the date of December 10, 1959, will be satisfactory to counsel. Good cause for granting a continuance has been shown. The element of time requires immediate action on the request for continuance.

It is ordered, This the 6th day of November 1959, that the extension of time requested in the telegram from Mount Wilson FM Broadcasters, Inc., is granted and the prehearing conference now scheduled for November 10, 1959 is continued to December 10, 1959.

Released: November 6, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9641; Filed, Nov. 12, 1959;
8:49 a.m.]

[Docket Nos. 13004, 13005; FCC 59M-1479]

SOUTHEAST MISSISSIPPI BROADCASTING CO. (WSJC) AND JEFF DAVIS BROADCASTING SERVICE

Order Governing Course of Hearing

In re applications of Marvin L. Mathis, Robin H. Mathis, Ralph C. Mathis, Rad W. Mathis, and John B. Skelton, Jr., d/b as Southeast Mississippi Broadcasting Company (WSJC), Magee, Mississippi, Docket No. 13004, File No. BP-11869; Jesse R. Williams, tr/as Jeff Davis Broadcasting Service, Prentiss, Mississippi, Docket No. 13005, File No. BP-12753; for construction permits.

Pursuant to agreement reached at a pre-hearing conference held in the above-described proceeding on November 3, 1959: *It is ordered*, This 5th day of November 1959, that the following calendar shall govern the future course of the proceeding:

Exchange of Exhibits: December 4, 1959;
Hearing: December 21, 1959.

Released: November 6, 1959.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F.R. Doc. 59-9643; Filed, Nov. 12, 1959;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-19984]

ALABAMA-TENNESSEE NATURAL GAS CO.

Order Suspending Proposed Tariff Sheets and Providing for Hearing

NOVEMBER 4, 1959.

Alabama-Tennessee Natural Gas Company (Alabama-Tennessee) on October 5, 1959, tendered for filing Fifth Revised Sheet No. 5, and Sixth Revised Sheet No. 10, to its FPC Gas Tariff, First

Revised Volume No. 1, proposing an annual increase in its rates and charges for jurisdictional sales of \$515,941 or 14.8 percent, based on sales for the year ending August 31, 1959. Alabama-Tennessee's increase is in addition to rate increases now in effect subject to refund in Docket Nos. G-5471, G-11982 and G-17218.

Applicant states that its proposed increase is based upon the recent rate increase application filed by Tennessee Gas Transmission Company, Applicant's sole supplier. The company also relies in part on a prior increase of its supplier which is in effect subject to refund, and other claimed costs.

Alabama-Tennessee requests an effective date of November 5, 1959, or should Tennessee's filing be made effective on a date other than November 5, Alabama-Tennessee requests that its filing be made effective concurrently with that of Tennessee.

Since the proposed increased rates and charges of Tennessee are in part effective subject to refund and in part under suspension, and have not yet been shown to be justified, Alabama-Tennessee's filing is subject to the same infirmity.

The increased rates and charges provided for in the revised tariff sheets tendered by Alabama-Tennessee on October 5, 1959, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1, as proposed to be amended by Fifth Revised Sheet No. 5 and Sixth Revised Sheet No. 10, tendered for filing on October 5, 1959, and that said proposed revised tariff sheets and the rates contained therein be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 4 and 15 of the Natural Gas Act, and the Commission's regulations under the Natural Gas Act, including rules of practice and procedure (18 CFR Ch. I), a public hearing be held at a time and date to be fixed by notice from the Secretary of this Commission, concerning the lawfulness of the rates, charges, classifications, and services, contained in Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1, as proposed to be amended by Fifth Revised Sheet No. 5 and Sixth Revised Sheet No. 10.

(B) Pending such hearing and decision thereon, Alabama-Tennessee's proposed Fifth Revised Sheet No. 5 and Sixth Revised Sheet No. 10 and the rates proposed therein, are hereby suspended, and their use deferred until April 5, 1960, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9613; Filed, Nov. 12, 1959;
8:46 a.m.]

[Docket No. 12196 etc.]

ATLANTIC SEABOARD CORP. ET AL.
Notice of Severance and Consolidation of Proceedings

NOVEMBER 5, 1959.

In the matters of Atlantic Seaboard Corporation, Docket Nos. G-12196 and G-16401; Home Gas Company, Docket Nos. G-12198 and G-16402; Kentucky Gas Transmission Corporation, Docket Nos. G-12199 and G-16403; The Manufacturers Light and Heat Company, Docket Nos. G-12197, G-16404, G-16820 and G-18425.

The above-captioned proceedings were consolidated for purposes of hearing in the manner indicated below by orders or notice issued on the dates shown:

Respondent, Dockets, and Date of Order

Atlantic Seaboard Corp.; G-16401 with G-12196; Sept. 30, 1958.

Home Gas Co.; G-16402 with G-12198; Sept. 30, 1958.

Kentucky Gas Transmission Corp.; G-16403 with G-12199; Sept. 30, 1958.

The Manufacturers Light and Heat Co.; G-16404 with G-12197; Sept. 30, 1958.

The Manufacturers Light and Heat Co.; G-16820 and G-18425 with G-16404 and G-12197; Notice issued Sept. 23, 1959.

On September 30, 1959, Commonwealth Natural Gas Corporation, Lynchburg Gas Company and Washington Gas Light Company (hereinafter referred to as Movants) filed a joint motion to sever from the above-designated consolidated proceedings Docket Nos. G-16401, G-16402, G-16403 and G-16404 and to consolidate these dockets for hearing.

Movants aver, inter alia, that they are customers of Atlantic Seaboard Corporation which, like the other respondents, is a subsidiary of the Columbia Gas System, Inc., and that Docket Nos. G-16401, G-16402, G-16403 and G-16404 each propose a substantially identical partial requirements rate schedule (CDS-PR) and involve similar questions of law and fact which are substantially different from those questions presented in respondents rate dockets with which they are presently consolidated.

On October 12, 1959, the Manufacturers Light and Heat Company filed an answer opposing Movants' joint motion.

Take notice that the proceeding in Docket No. G-16401 is hereby severed from the proceeding in Docket No. G-12196, the proceeding in Docket No. G-16402 is hereby severed from the proceeding in Docket No. G-12198, the proceeding in Docket No. G-16403 is

hereby severed from the proceeding in Docket No. G-12199, and the proceeding in Docket No. G-16404 is hereby severed from the proceedings in Docket Nos. G-12197 et al.

Take further notice that the proceedings in Docket Nos. G-16401, G-16402, G-16403 and G-16404 are hereby consolidated for hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9614; Filed, Nov. 12, 1959;
8:46 a.m.]

[Docket No. G-20009]

HUNT OIL CO.

Order for Hearing Suspending Proposed Change in Rate and Allowing Decreased Rate To Become Effective

NOVEMBER 4, 1959.

Hunt Oil Company (Hunt), on Oct. 5, 1959, tendered for filing a proposed change in its presently effective rate schedule¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes a decreased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated
Purchaser: El Paso Natural Gas Company
Rate schedule designation: Supplement Nos. 4, 5 and 6 to Hunt's FPC Gas Rate Schedule No. 36

Effective date: November 5, 1959 (stated effective date is the first day after the expiration of the required thirty days' statutory notice).

The rate decrease proposed by Hunt results from the decrease in well pressure so that it will no longer produce into El Paso Natural Gas Company's (El Paso) high pressure gathering system.

In support of its proposed rate decrease from 13.52822 cents per Mcf to 10.3072 cents per Mcf, Hunt submitted a letter dated Sept. 10, 1959 in which the parties have agreed that such gas shall be sold under the terms of a specified casing head gas contract dated Sept. 4, 1956. The letter and contract were submitted along with the notice of change in rate to reflect a decrease in rate.

El Paso has protested the proposed decreased rate and states that the proper rate is 8.0 cents per Mcf.

The rates and charges so proposed have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the several proposed changes and that the above-designated supplements be sus-

pending and the use deferred as herein-after ordered.

(2) It is necessary and proper in carrying out the provisions of the Natural Gas Act that the proposed rates be made effective as hereinafter provided and that Hunt be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rate and charges contained in Supplement Nos. 4, 5, and 6 to Hunt's FPC Gas Rate Schedule No. 36.

(B) Pending the hearing and decision thereon, each of the said supplements is hereby suspended and the use thereof deferred until November 6, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The respective rate, charge and classification set forth in each of the above-designated supplements shall be effective on November 6, 1959: *Provided, however*, That within 20 days from the date of this order Hunt shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Hunt shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the rate found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Hunt until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Hunt so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rate in effect immediately prior to the date upon which the increased rate allowed by this order becomes effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Hunt shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by

¹ The presently effective rate is subject to refund in Docket No. G-76479.

a certificate showing service of copies thereof upon all purchasers under the rate schedule involved, as follows:

*Agreement and Undertaking of -----
To Comply With the Terms and Conditions
of Paragraph (D) of Federal Power Com-
mission's Order Making Effective Proposed
Rate Changes*

In conformity with the requirements of the order issued -----, in Docket No. G-----, hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this ----- day of -----

Attest: _____
By _____
(Secretary)

Unless Hunt is advised to the contrary within 15 days after the date of filing such agreement and undertaking, its agreement and undertaking shall be deemed to have been accepted.

(F) If Hunt, in conformity with the terms and conditions of paragraph (D) of this order, makes such refunds as may be required by order of the Commission, it shall be discharged of undertaking; otherwise, it shall remain in full force and effect.

(G) None of the supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.3 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR, 1.8 and 1.37(f)).

By the Commission (Commissioner Kline dissenting).

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9615; Filed, Nov. 12, 1959;
8:46 a.m.]

[Project 2111]

PACIFIC POWER AND LIGHT CO.
**Modification of Notice of Land
Withdrawal**

NOVEMBER 6, 1959.

In the matter of Swift No. 1 Hydroelectric Project, Pacific Power and Light Company.

By letter of November 25, 1952, this Commission gave notice to the Director, Bureau of Land Management, of the reservation of approximately 70.25 acres of United States land for Project No. 2111, pursuant to the filing of an application for a preliminary permit on July 14, 1952, by the Pacific Power and Light Company, Public Service Building, Portland 4, Oregon.

On December 30, 1955, the Pacific Power and Light Company filed an ap-

plication for license for the Swift Nos. 1 and 2 hydroelectric developments on the Lewis River, Washington. This application was amended on August 7, 1956, to eliminate the Swift No. 2 development from the project. On October 2, 1956, revised map exhibit "K" (F.P.C. No. 2111-12) was filed delimiting the lands occupied by the Swift No. 1 development in Skamania County, Washington.

Therefore in accordance with the provisions of section 24 of the Act of June 10, 1920, as amended, notice is hereby given that the hereinafter described lands, insofar as title thereto remains in the United States, are included in the aforesaid power project, and are, from the date of filing of completed amendatory application on October 2, 1956, reserved from all forms of disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

WILLAMETTE MERIDIAN, WASHINGTON

T. 7 N., R. 5 E.,
Sec. 26: Lot 7;
Sec. 28: SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 6 N., R. 6 E.,
Sec. 4: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 5: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 6: Lots 4 and 5;
Sec. 8: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 7 N., R. 6 E.,
Sec. 26: Lot 4, portions of Lots 5 and 6,
(E $\frac{1}{2}$ SW $\frac{1}{4}$), Lots 7, 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The area of United States lands reserved pursuant to the filing of this amended application for license is approximately 872.93 acres of which approximately 338.65 acres have been previously reserved for power purposes in connection with Project Nos. 264, 935, 2111 or Power Site Reserve No. 74. Approximately 713.23 acres are within the Gifford Pinchot National Forest.

A copy of amendatory project map exhibit "K" (F.P.C. No. 2111-12) has been transmitted to the Bureau of Land Management, Geological Survey and Forest Service.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9616; Filed, Nov. 12, 1959;
8:46 a.m.]

[Docket No. G-191983]

TENNESSEE GAS TRANSMISSION CO.
**Order Suspending Proposed Tariff and
Other Revised Tariff Sheets and
Providing for Hearing**

NOVEMBER 4, 1959.

Tennessee Gas Transmission Company (Tennessee) on October 5, 1959, pursuant to section 4 of the Natural Gas Act and the Commission's regulations thereunder, particularly Part 154 thereof (18 CFR Part 154), tendered for filing its FPC Gas Tariff Eighth Revised Volume No. 1, Second Revised Sheets Nos. 10, 11, and 25 and Fourth Revised Sheet No. 48 to its FPC Gas Tariff 4th Revised Volume No. 2, and First Revised Sheets Nos. 30, 51, 85, 105, 294, 305, 319, 341, 353, 517, 531, 536, 549, 551, 565, 567,

580, 598, 607, 613, 615, 650, 1012, 1038, 1040, 1054, 1056, 1072, 1074, 1081, 1083 and 1090, Second Revised Sheets Nos. 281 and 307, and Fourth Revised Sheets Nos. 268 and 279 to its FPC Gas Tariff Original Volume No. 3.

The tariff changes contained in the tendered filing effect a general increase in rates and charges for sale in interstate commerce of natural gas for ultimate public consumption subject to the jurisdiction of the Commission under the Natural Gas Act. Tennessee requests that the increased rates and charges be allowed to become effective as of November 5, 1959.

The tariff changes proposed by Tennessee involve increases for all of the services rendered over its transmission system, except surplus interruptible service and transportation service under its rate schedule T-2, and for 17 of its field sales, and amounts to an increase of \$26,590,138 or 10.1 percent based on sales for the year ended July 31, 1959. The proposed increase is in addition to the increases now in effect subject to refund in Docket Nos. G-11980 and G-17166.

In support of its proposed increase, Tennessee states that it has filed to compensate for deficiencies in revenues arising principally from increases in the cost of purchased gas, cost of capital and to a limited extent by increases in taxes and salaries and wages. Tennessee also relies on a 7 percent rate of return and associated income taxes to support this proposed increase.

The proposed rates in the tendered filing deviate substantially from allocated demand and commodity costs in that the amount of increased costs claimed for the most part has been added to the demand portion of the rate. In support of that deviation, Tennessee states that the new rates have been designed "to recoup the total cost of services allocated to each zone while at the same time maintaining the present level of commodity charges. This has been accomplished by determining the demand charge which, together with the present commodity charge will provide refund equal to the cost of service allocated to each zone."

The increased rates and charges proposed by Tennessee's revised tariff and other tariff sheets have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications and services contained in Tennessee's FPC Gas Tariff Eighth Revised Volume No. 1 and its FPC Gas Tariff's Fourth Revised Volume No. 2, and Original Volume No. 3 as proposed to be amended by the revised tariff sheets identified above and that such tariff and revised tariff sheets be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections

4 and 15 thereof, the Commission's rules of practice and procedure and the Regulations under the Natural Gas Act (18 CFR Ch. I) a public hearing be held on December 15, 1959, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the lawfulness of the rates, charges, classifications, and services contained in Tennessee's FPC Gas Tariff Eighth Revised Volume No. 1; its FPC Gas Tariff Fourth Revised Volume No. 2 as proposed to be amended by Second Revised Sheets Nos. 10, 11 and 25 and Fourth Revised Sheet No. 48 and its FPC Gas Tariff Original Volume No. 3 as proposed to be revised by First Revised Sheets Nos. 30, 51, 85, 105, 294, 305, 319, 341, 353, 517, 531, 536, 549, 551, 565, 567, 580, 598, 607, 613, 615, 650, 1012, 1038, 1040, 1054, 1056, 1072, 1074, 1081, 1083, and 1090. Second Revised Sheets Nos. 281 and 307 and Fourth Revised Sheets Nos. 268 and 279.

(B) Pending such hearing and decision thereon, Tennessee's proposed FPC Gas Tariff Eighth Revised Volume No. 1 and the other revised tariff sheets identified in paragraph (A) above hereby are suspended and their use deferred until April 5, 1960 and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission,

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9617; Filed, Nov. 12, 1959;
8:46 a.m.]

[Docket No. G-19985]

TENNESSEE NATURAL GAS LINES, INC.

Order Suspending Revised Tariff Sheets and Providing for Hearing

NOVEMBER 4, 1959.

On October 5, 1959, Tennessee Natural Gas Lines, Inc. (Tennessee Natural), tendered for filing three revised tariff sheets¹ to its FPC Gas Tariff, Original Volume No. 1, proposing an annual rate increase of \$866,200 based on sales to Nashville Gas Company, its affiliate and only wholesale customer during the 12-month period ending July 31, 1959. The proposed increase is in addition to the rates which became effective on May 28, 1959, by order of the Commission issued June 19, 1959, in the proceeding in Docket No. G-17217.

Tennessee Natural states that the incremental increase, amounting to 85

cents per Mcf in the demand component of its Rate Schedule G-1 rate, is identical in form and level to that proposed by Tennessee Gas Transmission Company (TGT) in its rate filing also tendered on October 5, 1959. Tennessee Natural requests that its tender be permitted to become effective concurrently with that of Tennessee Gas Transmission Company.

The proposed increased rates and charges of TGT have not been shown to be justified and have been suspended. The increased rates and charges proposed in the revised tariff sheets tendered on October 5, 1959, by Tennessee Natural have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Tennessee Natural's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Twelfth Revised Sheet No. 4 and Seventh Revised Sheets Nos. 6 and 7, as tendered for filing on October 5, 1959, and that said proposed revised tariff sheets and the rates contained therein be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 4 and 15 of the Natural Gas Act, and the Commission's regulations under the Natural Gas Act including rules of practice and procedure (18 CFR, Ch. I), a public hearing will be held at a time and date to be fixed by notice from the Secretary of this Commission, concerning the lawfulness of the rates, charges, classifications, and services, subject to the jurisdiction of the Commission, contained in Tennessee Natural's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Twelfth Revised Sheet No. 4 and Seventh Revised Sheets Nos. 6 and 7, as tendered for filing on October 5, 1959.

(B) Pending such hearing and decision thereon, Tennessee Natural's proposed Twelfth Revised Sheet No. 4 and Seventh Revised Sheets Nos. 6 and 7, as tendered for filing on October 5, 1959, are each hereby suspended, and their use deferred until April 5, 1960, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission,

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-9618; Filed, Nov. 12, 1959;
8:47 a.m.]

FEDERAL RESERVE SYSTEM

ATLANTIC NATIONAL BANK OF JACKSONVILLE AND ATLANTIC TRUST CO.

Order Approving Applications Under Bank Holding Company Act

In the matter of the applications of The Atlantic National Bank of Jacksonville and Atlantic Trust Company for prior approval of acquisition of voting shares of Southside Atlantic Bank, Jacksonville, Florida.

There having come before the Board of Governors pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843) and section 4(a)(2) of the Board's Regulation Y (12 CFR 222.4(a)(2)), applications on behalf of The Atlantic National Bank of Jacksonville and the Atlantic Trust Company, whose respective principal offices are in Jacksonville, Florida, for the Board's prior approval of the acquisition of up to 94.75 percent of the outstanding voting shares of a proposed bank, the Southside Atlantic Bank, Jacksonville, Florida; a Notice of Tentative Decision referring to a Tentative Statement on said applications having been published in the FEDERAL REGISTER on October 16, 1959 (24 F.R. 8423); said Notice having provided interested persons an opportunity, before issuance of the Board's final order, to file objections to or comments upon the facts stated and the reasons indicated in the Tentative Statement; and the time for filing such objections and comments having expired and comments received having been duly considered;

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that the said applications be and hereby are granted, and the acquisition by The Atlantic National Bank of Jacksonville and the Atlantic Trust Company of up to 94.75 percent of the outstanding voting shares of the proposed bank, the Southside Atlantic Bank, Jacksonville, Florida, is hereby approved, provided that such acquisition is completed within three months from the date hereof.

Dated at Washington, D.C., this 5th day of November 1959.

By order of the Board of Governors.²

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-9619; Filed, Nov. 12, 1959;
8:47 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D.C., or to any Federal Reserve Bank.

² Voting for this action: Vice Chairman Balderston and Governors Szymczak, Mills, Robertson, Shepardson and King. Absent and not voting: Chairman Martin.

¹ Twelfth Revised Sheet No. 4 to supersede Eleventh Revised Sheet No. 4 and Seventh Revised Sheets Nos. 6 and 7 to supersede Sixth Revised Sheets Nos. 6 and 7, respectively.

SECURITIES AND EXCHANGE COMMISSION

[File No. 24A-1236]

AL-DUN AMUSEMENT CO.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

NOVEMBER 6, 1959.

I. Al-Dun Amusement Co. (issuer), a Georgia corporation, West Point, Georgia, filed with the Commission on December 8, 1958 a notification on Form 1-A and an offering circular, and subsequently filed amendments thereto, relating to an offering of 260 shares of its Class A preferred stock at \$100 per share and 500 shares of its common stock at \$100 per share, in the aggregate of \$75,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the issuer has failed to file a report on Form 2-A as required by Rule 260 of Regulation A, despite requests of the Commission's staff for such filing.

III. *It is ordered*, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty days herefrom; that, within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall remain in effect unless or until it is modified or vacated by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 59-9824; Filed, Nov. 12, 1959; 8:47 a.m.]

[File No. 1-2645]

F. L. JACOBS CO.

Order Summarily Suspending Trading

NOVEMBER 6, 1959.

In the matter of trading on the New York Stock Exchange and the Detroit Stock Exchange in the \$1.00 par value common stock of F. L. Jacobs Co., File No. 1-2645.

I. The common stock, \$1.00 par value, of F. L. Jacobs Co. is registered on the New York Stock Exchange and admitted to unlisted trading privileges on the Detroit Stock Exchange, national securities exchanges, and

II. The Commission on February 11, 1959 issued its order and notice of hearing under section 19(a) (2) of the Securities Exchange Act of 1934 to determine at a hearing beginning March 16, 1959 whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of F. L. Jacobs Co. on the New York Stock Exchange and Detroit Stock Exchange for failure to comply with section 13 of the Act and the rules and regulations thereunder.

On October 28, 1959 the Commission issued its order summarily suspending trading of said securities on the exchanges pursuant to section 19(a) (4) of the Act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days ending November 7, 1959.

III. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the New York Exchange and Detroit Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the further opinion that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, trading in the stock of F. L. Jacobs Co. will be unlawful under section 15(c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule 240.15c2-2 (17 CFR 240.15c2-2) thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19(a) (4) of the Securities Exchange Act of 1934 that trading in said security on

the New York Stock Exchange and Detroit Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, November 8, 1959, to November 17, 1959, inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 59-9625; Filed, Nov. 12, 1959; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Dissolution Order No. 84]

JAPAN COTTON CO.

Supplement to Amended Order

Whereas, pursuant to Dissolution Order No. 84, executed October 11, 1948, as amended December 15, 1948 (13 F.R. 6071, 7880), relating to Japan Cotton Company (herein sometimes called the "Company"), a Texas Corporation dissolved in 1945, there is presently held in reserve accounts the total sum of \$36,075.96; and

Whereas, it has been determined that the account heretofore carried on the books of the Company as account payable to Yokohama Specie Bank, Ltd., New York, in the amount of \$300,399.14 (being the account identified in subparagraph e(5) of said Dissolution Order No. 84, as amended), does not represent a presently valid, enforceable liability and should be eliminated from the books of the Company.

Now, therefore, under the authority of the Trading With the Enemy Act, as amended, and Executive Orders 9095, as amended, and 9788, and pursuant to law, after investigation:

1. Finding that after eliminating as a liability of Japan Cotton Company the aforesaid account payable of \$300,399.14, and taking into account the pro rata (10.5 percent) payments heretofore made to creditors pursuant to Dissolution Order No. 84, as amended, there remain unpaid (in addition to the claim of the Attorney General for reimbursement of monies advanced or services rendered or to be rendered to the Company by the Office of Alien Property in connection with the dissolution and winding up of its affairs), the claims of creditors of the Company in the amounts set forth below:

Name of creditor	OAP account No.	Original amount of liability	Amount remaining unpaid
Yamakawa & Co. (Vesting Order 369).....	39-16297	\$200,632.79	\$179,566.35
Jean Boeswillwald.....	s/k 27-200321	1,135.80	1,016.54
R. Latham and Ed Gilg, S.A.....	s/k 27-200322	154.76	138.51
Maison du Pasquier.....	s/k 27-200113	519.40	464.85
Menka G.m.b.H. (Vesting Order 10491).....	28-28201	109.84	98.31

2. Finding that foreign accounts receivable carried on the books of Japan Cotton Company are not presently collectible and that the remaining cash assets of Japan Cotton Company are insufficient to pay in full the amounts remaining unpaid on the liabilities listed above; and

3. Having determined that it is in the national interest of the United States that all remaining cash assets of the Company being in the amount of \$36,075.96 presently held in the above-mentioned reserve accounts, be distributed in payment of the Company's liabilities;

Hereby orders, That the officers and directors of the Company (to wit: Lewis M. Reed, President and Director, and Stanley B. Reid, Vice President and Director, and their successors, or any of them) complete the liquidation of Japan Cotton Company and distribute its assets as follows:

A. They shall first pay all current expenses and reimbursement to the Attorney General for all reasonable and necessary charges for monies advanced or services rendered to the Company by the Office of Alien Property in connection with the dissolution and winding up the affairs of the Company; and

B. They shall then pay all known Federal, State, and local taxes and fees, if any, owed by or accruing against the Company; and

C. They shall then apply all remaining cash of the Company to the pro rata payment of the amount remaining unpaid on each of the five creditors' claims listed in paragraph 1 above. Pro rata payment with respect to any claim due any of said creditors whose present whereabouts is unknown to the officers and directors of the Company may be made to a safekeeping account maintained by the Comptroller, Office of Alien Property, in the same manner and with the same effect as is specified in subparagraph e(4) of Dissolution Order No. 84, as amended; and

D. They shall then pay over, transfer, assign and deliver to the Attorney General all remaining assets or property of the Company of whatever kind or nature (including after-discovered assets or property and all claims and causes of action of whatever kind or nature), the net proceeds of same, if any, to be applied first, in pro rata payments on the balances owing on the above-listed creditors' claims, and second, as a liquidating dividend to the Attorney General of the United States as sole stockholder of the Company; and

Further orders, That all actions taken and done by the officers and directors of Japan Cotton Company pursuant to Dissolution Order No. 84, as amended, and this Supplement thereto, and the directions contained therein, shall be deemed to have been taken and done in reliance on and pursuant to section 5(b)(2) of the Trading With the Enemy Act, as amended (50 U.S.C. App. 5), and the acquittance and exculpation provided therein.

Except to the extent modified by this Supplement, all provisions of said Dissolution Order No. 84, as amended, are hereby confirmed.

Executed at Washington, D.C., on October 30, 1959.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 59-9634; Filed, Nov. 12, 1959;
8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[S.B.A. Pool Request No. 29]

REQUEST TO PRODUCTION RESEARCH ENGINEERING POOL TO OPERATE AS A SMALL BUSINESS DEFENSE PRODUCTION POOL, AND REQUEST TO CERTAIN COMPANIES TO PARTICIPATE IN THE OPERATIONS OF SUCH POOL

Pursuant to section 11 of the Small Business Act (85-536), and section 1 of Executive Order 10493, dated October 15, 1953, the Administrator of the Small Business Administration, after consultation with the Chairman of the Federal Trade Commission and the Attorney General of the United States has found that the voluntary agreement and proposed joint program of the Production Research Engineering Pool to operate as a small business defense production pool is in the public interest as contributing to the national defense, and will further the objectives of the Small Business Act.

Having also received the approval of the Attorney General of the United States as required by section 11 of the Small Business Act, the Administrator of Small Business Administration has approved the voluntary agreement and proposed joint program of Production Research Engineering Pool and has requested it to act in accordance with this agreement and proposed program as a small business defense production pool.

In accordance with the requirements of section 11 of the Small Business Act, there is set forth herewith a copy of the aforesaid request.

REQUEST TO PRODUCTION RESEARCH ENGINEERING POOL

4474 Vineland Avenue

North Hollywood, California

Following consultation with the Attorney General of the United States and the Chairman of the Federal Trade Commission, I find that the voluntary agreement and proposed program of the Production Research Engineering Pool to operate as a small business defense production pool is in the public interest as contributing to the national defense and will further the objectives of the Small Business Act.

Having also received the approval of the Attorney General of the United States as re-

quired by section 11 of the Small Business Act, I, in accordance with this section, approve your voluntary agreement and proposed joint program and request the pool to act in accordance with said agreement and proposed joint program as a defense production pool.

Although your proposed program has reference to research and development work, this approval extends only to contracts for research and development which are related to defense production. However, this approval of the Production Research Engineering Pool to act as a defense production pool is without prejudice to any further application by the Production Research Engineering Pool to act also as a small business research and development pool under section 9 of the Small Business Act after appropriate amendments have been made to the charter, agreement and proposed joint program.

The immunity from the prohibition of the antitrust laws and the Federal Trade Commission Act, as granted in section 11 of the Small Business Act, is limited to activities engaged in between the pool and its members and does not extend to subcontracting with companies who are not members of the pool. This should not be interpreted, however, as meaning that such contracting would necessarily be in violation of the antitrust laws or the Federal Trade Commission Act. The immunity granted herein will cease upon withdrawal by the Attorney General of the United States or myself of the above findings, approval, or request.

Please inform me as to whether the pool will act in accordance with my request.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

REQUEST TO MEMBERS OF PRODUCTION RESEARCH ENGINEERING POOL

Following consultation with the Attorney General of the United States and the Chairman of the Federal Trade Commission, I find that the voluntary agreement and proposed program of the Production Research Engineering Pool to operate as a small business defense production pool is in the public interest as contributing to the national defense and will further the objectives of the Small Business Act.

Having also received the approval of the Attorney General of the United States as required by section 11 of the Small Business Act, I, in accordance with this section, approve your voluntary agreement and proposed joint program and request the pool to act in accordance with said agreement and proposed joint program as a defense production pool.

Although your proposed program has reference to research and development work, this approval extends only to contracts for research and development which are related to defense production. However, this approval of the Production Research Engineering Pool to act as a defense production pool is without prejudice to any further application by the Production Research Engineering Pool to act also as a small business research and development pool under section 9 of the Small Business Act after appropriate amendments have been made to the charter, agreement and proposed joint program.

The immunity from the prohibition of the antitrust laws and the Federal Trade Commission Act, as granted in section 11 of the Small Business Act, is limited to activities engaged in between the pool and its members and does not extend to subcontracting with companies who are not members of the pool. This should not be interpreted, however, as meaning that such contracting would neces-

sarily be in violation of the antitrust laws or the Federal Trade Commission Act. The immunity granted herein will cease upon withdrawal by the Attorney General of the United States or myself of the above findings, approval, or request.

Please inform me as to whether you will participate in the program of the Production Research Engineering Pool.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

The immunity from the prohibitions of the antitrust laws of the Federal Trade Commission Act as granted by section 11 of the Small Business Act, will cease upon withdrawal by the Attorney General of the United States or the Administrator of the Small Business Administration of the above findings, approval or request.

The above letter was sent to the following companies:

Aluminum Castings Co., 3754 Durango Avenue, Los Angeles 34, Calif.
 Audio-Sonics Corp., 7235 Alabama Avenue, Canoga Park, Calif.
 A. W. C., Inc., 2721 Empire Avenue, Burbank, Calif.
 BEA-MAC Tool Services, 3021 East Century Boulevard, South Gate, Calif.
 Calcor Corp., 1010 West Philadelphia Street, Whittier, Calif.
 Dyanco, Inc., 1850 Belcroft Avenue, El Monte, Calif.
 Electro-Mechanical Engineering Co., Inc., 1516 South Long Beach Boulevard, Compton, Calif.
 Gardner & McCall, Inc., 1280 East 32d Street, Long Beach 7, Calif.
 Heuvel Profiling Corp., 1020 West Hillcrest Boulevard, Inglewood 1, Calif.
 The Hunt Precision Co., 8919 National Boulevard, Los Angeles 3, Calif.
 Ind-X-Ray Laboratories, Inc., 3490 Union Pacific Avenue, Los Angeles 23, Calif.
 Metallurgical Consultants, Inc., 4935 East Slauson Avenue, Maywood, Calif.
 Metal Treathers, 414 West Florence Avenue, Inglewood 1, Calif.
 Modern Plating Co., 5400 West 104th Street, Los Angeles 45, Calif.
 National Sandblasting Co., 6627 McKinley Avenue, Los Angeles 1, Calif.
 Randall Co., 8479 Figuera Street, Culver City, Calif.
 Randall Engineering Corp., 5933 Bowcraft Street, Los Angeles 16, Calif.
 Rasmussen Screw Products, 11916 Woodruff Avenue, Downey Calif.
 Sanford Process Co., 6920 South Central Avenue, Los Angeles 1, Calif.
 Tool Builders Company, Inc., 1515 South Santa Fe Avenue, Compton, Calif.

Dated: November 6, 1959.

WENDELL B. BARNES,
Administrator.

[F.R. Doc. 59-9626; Filed, Nov. 12, 1959; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 221]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 9, 1959.

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

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

No. MC-FC 35346. By order of November 6, 1959, The Transfer Board approved the lease to Alaska Northern Express, Inc., Seattle, Wash., of Certificates Nos. MC 96612, MC 96612 Sub 2, and MC 96612 Sub 3, issued September 15, 1958, January 10, 1952, and July 27, 1954, respectively, in the name of Alaska Freight Lines, Inc., Seattle, Wash., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, and various specified commodities, between points in Washington; between points in Washington on the one hand, and, on the other, ports of entry on United States-Canada Boundary line; between points in Washington, on the one hand, and, points restricted to traffic destined to or originating at points in Alaska; ammunition, and engine assembly and tank parts, from and to points in Washington; dynamite, aircraft parts and household goods, banded and boxed, and aviation gasoline samples, from points in Washington to ports of entry on the United States-Canada Boundary line; and temporary authority extended indefinitely in MC 96612 Sub 4TA, authorizing general commodities excluding commodities in bulk, but including household goods, between Anchorage, Seward, and Valdez, Alaska, on the one hand, and, on the other, points in Alaska. George R. Labissoniere, 654 Central Building, Seattle 4, Wash., for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-9633; Filed, Nov. 12, 1959; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 9, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35811: *Iron and steel articles—Lake Charles and New Orleans, La., to points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 369), for interested rail carriers. Rates on iron and steel articles, carloads, from Lake Charles and New Orleans, La., applicable on import traffic to specified points in Texas.

Grounds for relief: Port competition with Houston, Tex., and other Texas Gulf ports.

Tariff: Supplement 41 to Texas-Louisiana Freight Bureau, Agent, I.C.C. 896.

FSA No. 35812: *Sugar from and to points in western trunk line territory.* Filed by Western Trunk Line Committee, Agent (No. A-2094), for interested rail carriers. Rates on sugar, beet, or cane, carloads from Chaska, Minn., and Mason City, Iowa to specified points in Illinois, Iowa, and Wisconsin.

Grounds for relief: Market competition at destinations with producing points in Colorado, Idaho, Kansas, and in other states.

Tariff: Supplement 205 to Western Trunk Line Committee, Agent, tariff I.C.C. No. A-3790.

FSA No. 35813: *Soda products from central territory to North Atlantic ports.* Filed by Traffic Executive Association-Eastern Railroads, Agent (CTR No. 2416), for interested rail carriers. Rates on bicarbonate of soda, carbonate of soda, soda ash, caustic soda (sodium hydroxide), sulphate of ammonia, and calcium chloride, in packages carloads from points in states in central territory named and described in the application to Baltimore, Md., Boston, Mass., Newport News and Norfolk, Va., New York, N.Y., and Philadelphia, Pa., and other export ports in the United States and Canada grouped with the named ports as taking same rates applicable on export traffic.

Grounds for relief: Rates constructed on so-called McGraham formula and departures at origins resulting therefrom.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-9632; Filed, Nov. 12, 1959; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

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