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TITLE 3—THE PRESIDENT

PROCLAMATION 2974

TERMINATION OF THE NATIONAL EMERGENCIES PROCLAIMED ON SEPTEMBER 8, 1939, AND MAY 27, 1941

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS by Proclamation No. 2352 of September 8, 1939, the President proclaimed the existence of a national emergency in connection with and to the extent necessary for the proper observance, safeguarding, and enforcing of the neutrality of the United States of America and the strengthening of our national defense within the limits of peace-time authorizations; and

WHEREAS by Proclamation No. 2487 of May 27, 1941, the President proclaimed the existence of an unlimited national emergency, requiring that the military, naval, air, and civilian defenses of this country be put on the basis of readiness to repel any and all acts or threats of aggression directed toward any part of the Western Hemisphere; and

WHEREAS acts of aggression against the United States of America by Axis Powers subsequently led to declarations by the Congress of the existence of states of war between the United States of America and Japan, Germany, Italy, Hungary, Rumania and Bulgaria; and

WHEREAS the state of war between the United States of America and Japan, which was the last of the aforesaid states of war still existing, was terminated by the coming into force this day of the Treaty of Peace with Japan signed at San Francisco on September 8, 1951:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do proclaim that the national emergencies declared to exist by the proclamations of September 8, 1939, and May 27, 1941, terminated this day upon the entry into force of the Treaty of Peace with Japan.

Nothing in this proclamation shall be construed to affect Proclamation No. 2914, issued by the President on December 16, 1950, declaring that world conquest by communist imperialism is the goal of the forces of aggression that have been loosed upon the world, and proclaiming the existence of a national emergency requiring that the military, naval, air, and civilian defenses of this country be strengthened as speedily as possible to the end that we may be able to repel any and all threats against our national security and to fulfill our responsibilities in the efforts being made through the United Nations and otherwise to bring about lasting peace; and nothing herein shall be construed to affect the continuation of the said emergency of September 8, 1939, as specified in the Emergency Powers Interim Continuation Act, approved April 14, 1952 (Public Law 313—82d Congress), for the purpose of continuing the use of property held under the Act of October 14, 1940, ch. 862, 54 Stat. 1125, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-eighth day of April in the year of our Lord nineteen hundred [SEAL] and fifty-two, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 52-4919; Filed, Apr. 29, 1952; 11:58 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Dept. Reg. 108.151]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

APRIL 15, 1952.

Section 325.11, *Designation of differential posts*, effective as of the beginning of the first pay period following May 10, 1952, the designation of differential posts

(Continued on p. 3815)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

contained in this section is replaced by the following list. Each changed rate, with the exception of deletions, is marked with an asterisk.

(a) At the rate of 25 percent of basic compensation:

Addis Ababa, Ethiopia.
Afghanistan, all posts.
Basra, Iraq.
Belgian Congo, all posts except Elisabethville and Leopoldville.
Belem, Para, Brazil.
Brazil, all posts in states and territories of Acre, Amapa, Amazonas, Goias, Guapore, Maranhao, Mato Grosso, Para, Piaui, and Rio Branco.
*British Guiana, all posts except Georgetown.
Bucharest, Rumania.
Calama, Chile.
Calcutta, India.
Chiengmai, Thailand.
Cuddalore, India.
Dakar, French West Africa.
Dar-es-Salaam, Tanganyika.
Delhi, India.
Djakarta, Indonesia.
Elaziz, Turkey.
Eleuthera Island, Bahamas.
El Palmar, Mexico.
El Recreo, Nicaragua.
Entre Rios, Guatemala.
General Saavedra, Bolivia.
Gold Coast, all posts.
Grand Bahama Island, Bahamas.
Greenland, all posts except Narsarssuak.
Guanacaste Province, Costa Rica.
Hanoi, Vietnam.
Italian Somaliland, all posts.
Izatnagar, India.
Jidda, Saudi Arabia.
Kadhsiung, China.
Kenya, all posts except Kisumu, Mombasa, Nairobi, Naivasha, and Nakuru.
Korea, all posts.
Kuala Lumpur, Malaya.
Legaspi, Philippines.
Leon, Nicaragua.
Liberia, all posts except Harbel.
Los Diamantes, Costa Rica.
Madras, India.
Managua, Nicaragua.
Mandalay, Burma.
Manta, Ecuador.
Marfranc, Haiti.
Martinique, French West Indies.
Mayaguana Island, Bahamas.
Medan, Indonesia.
Meshed, Iran.
Moscow, U. S. S. R.
Nepal, all posts.
New Delhi, India.
Nigeria, all posts.
North Borneo, all posts.
Northern Rhodesia, all posts except Lusaka.
Noumea, New Caledonia.
Nyasaland, except Blantyre and Zomba.
*Pakistan, all posts except Lahore.
Paramaribo, Surinam.
Phnom Penh, Cambodia.
Pichilingue, Ecuador.
*Praha, Czechoslovakia.
Pucallpa, Peru.
Puntarenas Province, Costa Rica.
Rangoon, Burma.
Ruanda-Urundi, all posts.
Ryukyu Islands.
Saigon, Vietnam.
San Alijo, Tela, Honduras.
San Isidro del General, Costa Rica.
San Salvador, Bahamas.
Sarawak, all posts.
Sebaco, Nicaragua.
Sierra Leone, all posts.
Subic Bay, Philippines.
Surabaya, Indonesia.
Tabriz, Iran.
Tainan, China.
Taipei, China.
Tingo Maria, Peru.
Tubabao (Guiuan), Philippines.
Tuguegarao, Philippines.
Turrialba, Costa Rica.
Vientiane, Laos.
Villa Arteaga, Uruba, Colombia.
Villahermosa, Mexico.
*Warsaw, Poland.

(b) At the rate of 20 percent of basic compensation:

*Aden, Aden.
Babol, Iran.
*Baghdad, Iraq.
*Bangkok, Thailand.
*Belize, British Honduras.
Benguerir, Morocco.
Boulhaut, Morocco.
*Brazil, all posts in states and territories other than those named under Brazil in paragraph (a) of this section, except Araraquara, Belo Horizonte, Campinas, Fazenda Ipanema, Porto Alegre, Recife (Pernambuco), Rio de Janeiro, Salvador (Bahia), Santos, Sao Paulo, and Vitoria.
*Budapest, Hungary.
Colombia, all posts except Barranquilla, Bogota, Cali, Medellin, and Villa Arteaga.
Cuzco, Peru.
Dhahran, Saudi Arabia.
El Djemasahim, Morocco.
Fort Churchill, Canada.
*Georgetown, British Guiana.
*Haifa, Israel.
Hamadan, Iran.
Harbel, Liberia.
*India, all posts except Bombay, Calcutta, Cuddalore, Delhi, Izatnagar, Madras, and New Delhi.
Isfahan, Iran.
Kuwait, Kuwait.
*Lahore, Pakistan.
*La Paz, Bolivia.
Latacunga, Ecuador.
*Luanda, Angola.
Madagascar, all posts except Tananarive.
Nouasseur, Morocco.
*Philippines, all posts except Baguio City, Davao, Legaspi, Manila, Subic Bay, Tubabao (Guiuan), and Tuguegarao.
*Puerto La Cruz, Venezuela.
Sidi Slimane, Morocco.
Tanganyika, all posts except Dar-es-Salaam.
Tehran, Iran.
Turkey, all posts except Ankara, Elaziz, Istanbul, Izmir, and Konya.
Uganda, all posts.
Valles, Mexico.
*Yugoslavia, all posts.

(c) At the rate of 15 percent of basic compensation:

*Amman, Jordan.
Antofagasta, Chile.
*Asuncion, Paraguay.
Blantyre, Nyasaland.
*Bombay, India.
Colombo, Ceylon.
*Davao, Philippines.
Fazenda Ipanema, Brazil.
Goose Bay, Labrador, Canada.
*Guayaquil, Ecuador.
Guaymas, Mexico.
*Israel, all posts except Haifa.
Konya, Turkey.
*Lages Air Force Base, Azores.
*Leopoldville, Belgian Congo.
Lusaka, Northern Rhodesia.
*Manila, Philippines.
Merida, Mexico.
Mombasa, Kenya.
Narsarssuak, Greenland.
Port-au-Prince, Haiti.
*Port Said, Egypt.
*Quito, Ecuador.
Tampico, Mexico.
Veracruz, Mexico.
*Vitoria, Brazil.
Zomba, Nyasaland.

(d) At the rate of 10 percent of basic compensation:

Beguio City, Philippines.
Benghazi, Libya.
Cairo, Egypt.
Ciudad Trujillo, Dominican Republic.
Cochabamba, Bolivia.
Ernest Harmon Air Force Base, Newfoundland, Canada.
*Hong Kong, Hong Kong.
Japan, all posts on Honshu, Shikoku, Kyushu, and Hokkaido.
*Jerusalem, Palestine.
Keflavik, Iceland.
Lindholm Island, Denmark.
*Maracaibo, Venezuela.
Naval Station, Trinidad, B. W. I.
Nicaro, Cuba.
Patras, Greece.
Penang, Malaya.
Ponta Delgada, Azores.
Port-of-Spain, Trinidad, B. W. I.
Reykjavik, Iceland.
Salvador, Bahia, Brazil.
San Pedro Sula, Honduras.
Seaborne Radio Bases.
Shiraz, Iran.
Singapore, Singapore.
Tananarive, Madagascar.
Tegucigalpa, Honduras.
Tripoli, Libya.
Wheelus Air Force Base, Libya.

For the Secretary of State.

CARLISLE H. HUMELSINE,
Deputy Under Secretary.

[F. R. Doc. 52-4801; Filed, Apr. 29, 1952; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 913—MILK IN GREATER KANSAS CITY MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 913.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that;

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

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

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order, as amended, effective not later than May 1, 1952. This action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Accordingly, any further delay beyond this time, in the effective date of this order amending the order, as amended, will seriously impair the orderly marketing of milk in the Greater Kansas City marketing area. The provisions of the said amendatory order are well known to handlers—the public hearing having been held on February 18–19, 1952, and the decision having been executed by the Secretary on April 18, 1952. Reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237; 5 U. S. C.).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Greater Kansas City marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (January 1952) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 913.7 to read as follows:

§ 913.7 *Producer.* "Producer" means any person, other than a producer-handler, who (a) produces milk under a dairy farm permit or rating issued by the applicable health authority of the marketing area for the production of milk to be used for consumption as milk in the marketing area on a dairy farm subject to the regular inspection of such authority, which (1) is received at a pool plant, or (2) is caused to be diverted from a pool plant to a nonpool plant by a handler or cooperative association for the account of such handler or cooperative association, or (b) produces milk acceptable to agencies of the U. S. Government for fluid consumption in its institutions or bases as Type I; Type II, No. 1; or Type III, No. 1, which is received at a pool plant supplying Class I milk to such an institution or base in the marketing area. This definition shall not include a person with respect to milk produced by him which is received by a handler who is subject to another Federal marketing order and who is partially exempted from this part pursuant to the provisions of § 913.62. As used in this part "dairy farm permit or rating" means one issued by the health authority charged with the inspection of milk for fluid consumption in the part of the marketing area where such milk is sold or disposed of, or was sold or disposed of before being diverted.

2. Amend § 913.22 (j) (1) to read as follows:

(1) On or before the 10th day of each month the minimum price for Class I milk pursuant to § 913.51 (a) and the Class I butterfat differential pursuant to § 913.52 (a), both for the current delivery period; and on or before the 5th day of each month the minimum price for Class II milk pursuant to § 913.51 (b) and the Class II butterfat differential pursuant to § 913.52 (b), both for the delivery period immediately preceding; and

3. Delete § 913.51 (a) and substitute therefor the following:

§ 913.51 *Class prices.* * * *

(a) *Class I milk.* The basic formula price for the preceding delivery period plus $1.15 during each of the delivery periods of April, May, June and July, and plus $1.45 during all other delivery periods, plus or minus a "supply-demand" adjustment computed as follows:

(1) Divide the total gross volume of Class I milk (less interhandler transfers) in the first and second delivery periods immediately preceding by the total receipts of producer milk for the same delivery periods, multiply the result by 100, and round to the nearest whole number. The result shall be known as the Class I utilization percentage.

(2) Compute a "net utilization percentage" by subtracting from the Class I utilization percentage computed pursuant to subparagraph (1) of this paragraph, the percentage shown below for the delivery period:

Delivery period for which price applies	Delivery periods used in computation	Percentage
January	November–December	89
February	December–January	87
March	January–February	84
April	February–March	82
May	March–April	80
June	April–May	75
July	May–June	68
August	June–July	66
September	July–August	66
October	August–September	73
November	September–October	82
December	October–November	87

(3) For each plus percentage point in excess of 2 in the "net utilization percentage" the Class I price shall be increased 4 cents and for each minus percentage point in excess of 2 in the "net utilization percentage" the Class I price shall be decreased 4 cents: *Provided,*

That in no event shall an adjustment made pursuant to this subparagraph exceed 45 cents per hundredweight.

4. Amend § 913.71 (c) to read as follows:

(c) For each of the delivery periods of April, May, June and July, subtract an amount equal to 40 cents per hundredweight of the total amount of milk received by handlers from producers and included in these computations, to be retained in the producer-settlement fund for the purpose specified in § 913.86.

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

Issued at Washington, D. C., this 25th day of April 1952 to be effective on and after the 1st day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-4849; Filed, Apr. 29, 1952; 8:58 a. m.]

PART 943—MILK IN THE NORTH TEXAS MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the North Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

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

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order effective not later than May 1, 1952. This action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Accordingly, any further delay beyond this time, in the effective date of this order amending the order will seriously impair the orderly marketing of milk in the North Texas marketing area. The provisions of the said amendatory order are well known to handlers—the public hearing having been held on March 17–19, 1952, and the decision having been executed by the Secretary on April 18, 1952. Reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable, and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237; 5 U. S. C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order which is marketed within the North Texas marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that;

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance, and who during the determined representative period (February 1952) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the North Texas marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Delete § 943.43 (b) and substitute therefor the following:

(b) Any skim milk or butterfat classified as Class II milk shall be reclassified if such skim milk or butterfat is later disposed of by such handler or by another handler (whether in original or other form) as Class I milk.

2. Delete § 943.44 (a) and substitute therefor the following:

(a) As Class I milk if transferred or diverted in the form of milk, skim milk or cream to the approved plant of another handler (other than a producer-handler) except as:

(1) Utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 7th day after the end of the month within which such transaction occurred;

(2) The receiving handler has utilization in Class II of an equivalent amount of skim milk and butterfat, respectively; and

(3) Classification as Class II milk does not decrease the total volume of producer milk assigned pursuant to § 943.43 to Class I in the two plants: *Provided*, That this subparagraph shall not operate to classify as Class I milk any skim milk and butterfat transferred in the form of cream from ungraded sources for manufacturing purposes only from an approved plant at which ungraded milk is regularly received from dairy farmers.

3. Delete § 943.46 (a) and substitute therefor the following:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk determined pursuant to § 943.41 (b) (3);

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk received from other handlers in a form other than milk, skim milk or cream according to its classification to § 943.41;

(3) Subtract from the remaining pounds of skim milk in Class II the pounds of skim milk received as Class II milk in the form of cream from ungraded sources from the approved plant of another handler at which ungraded milk is regularly received from dairy farmers;

(4) Subtract from the remaining pounds of skim milk in Class II the pounds of skim milk in other source milk: *Provided*, That if the receipts of skim milk in other source milk are greater than the remaining pounds of skim milk in Class II, an amount equal to the difference shall be subtracted from the pounds of skim milk in Class I;

(5) Subtract from the remaining pounds of skim milk in each class the skim milk received from other handlers in the form of milk, skim milk or cream (other than that allocated pursuant to subparagraph (3) of this paragraph) according to its classification as determined pursuant to § 943.44 (a);

(6) Add to the remaining pounds of skim milk in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(7) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk received from producers, subtract such excess from the remaining pounds of skim milk in series beginning with Class II milk. Any amount so subtracted shall be called "overage."

4. In § 943.50 (c) delete the following: Fairmont Foods Company, Wichita Falls, Texas.

5. Delete § 943.51 (a) and substitute therefor the following:

(a) *Class I milk.* The basic formula price for the preceding month, plus $2.00 for each of the months of April, May and June and plus $2.20 for all other months, subject to the following:

(1) A supply-demand adjustment of not more than 50 cents computed as follows:

(i) For the second and third months preceding the month to which the price applies determine the total pounds of Class I milk (less interhandler transfers) for all handlers exclusive of producer-handlers and handlers partially exempt from this part pursuant to § 943.61;

(ii) For the same months determine the total pounds of milk received from producers by the same handlers;

(iii) Divide the result obtained in subdivision (ii) of this subparagraph by the result obtained in subdivision (i) of this subparagraph to obtain a "net utilization percentage," rounded to the nearest whole percent;

(iv) For each percentage point that the "net utilization percentage" is less than the minimum percentage listed below for such two-month period the Class I price shall be increased 2.5 cents, and for each percentage point that the "net utilization percentage" is more than the maximum percentage listed below for such two-month period the Class I price shall be decreased 2.5 cents.

Two-month period	Percentages		Month to which adjustment applies
	Minimum	Maximum	
January-February	108	118	April.
February-March	112	122	May.
March-April	115	125	June.
April-May	120	130	July.
May-June	125	135	August.
June-July	120	130	September.
July-August	115	125	October.
August-September	107	117	November.
September-October	100	110	December.
October-November	100	110	January.
November-December	102	112	February.
December-January	105	115	March.

(2) Except for adjustments pursuant to subparagraph (1) of this paragraph, such price for each of the months of October, November and December shall not be less than that for the preceding month, and such price for each of the months of April, May, and June shall not be more than that for the preceding month.

(3) For each month through September 1952, the Class I price shall not be less than $6.68, subject to any decrease pursuant to subparagraph (1) of this paragraph.

6. Delete § 943.51 (b) and substitute therefor the following:

(b) *Class II milk.* The price computed pursuant to § 943.50 (c) for the months of April, May, and June, and the higher of the prices computed pursuant to § 943.50 (b) or (c) for all other months.

7. Delete § 943.73 and substitute therefor the following:

§ 943.73 *Computation of uniform prices for base milk and excess milk.* For each of the months of April through June the market administrator shall compute the uniform prices per hundredweight for base milk and for excess milk, each of 4.0 percent butterfat content, received from producers at approved plants as follows:

(a) Compute the total value on a 4.0 percent butterfat basis of excess milk included in these computations by (1) multiplying the hundredweight of such milk by the price for Class II milk of 4.0 percent butterfat content, and (2) adding to the result the amount, if any, indicated in paragraph (c) of this section:

(b) Divide the total value of excess milk obtained in paragraph (a) of this section by the total hundredweight of such milk, and adjust to the nearest cent. The resulting figure shall be the uniform price for excess milk of 4.0 percent butterfat received from producers;

(c) The total value of base milk included in these computations shall be the lesser of:

(1) The aggregate value computed pursuant to § 943.71 less the value computed pursuant to paragraph (a) (1) of this section, or

(2) The hundredweight of such base milk multiplied by the price for Class I milk of 4.0 percent butterfat content plus 4 cents.

Any amount by which the value computed pursuant to subparagraph (1) of this paragraph exceeds the value computed pursuant to subparagraph (2) of this paragraph shall be added to the total value of excess milk pursuant to paragraph (a) (2) of this section;

(d) Divide the amount obtained in paragraph (c) of this section by the total hundredweight of base milk included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (d) of this section. The resulting figure shall be the uniform price for base milk of 4.0 percent butterfat content received from producers.

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

Issued at Washington, D. C., this 28th day of April 1952, to be effective on and after the 1st day of May 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-4860; Filed, Apr. 29, 1952; 8:58 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5898; Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

MAKING AND FILING OF WRITTEN ELECTIONS BY SHAREHOLDERS

Regulations 111 (26 CFR Part 29) are amended as follows:

PARAGRAPH 1. Section 29.112 (b) (7)-3 as added by Treasury Decision 5356, approved April 19, 1944 is amended by inserting immediately after the second sentence thereof the following: "An election shall be considered as timely filed if it is placed in the mail on or before midnight of the 30th day after the adoption of the plan of liquidation, as shown by the postmark on the envelope containing the written election or as shown by other available evidence of the mailing date."

PAR. 2. Because the amendment made by this Treasury decision merely liberalizes the provisions of existing regulations relating to the filing of certain elections, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of such act.

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

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: April 24, 1952.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 52-4822; Filed, Apr. 29, 1952; 8:55 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 522—EMPLOYMENT OF LEARNERS

WOMEN'S APPAREL DIVISION OF APPAREL INDUSTRY

On March 7, 1952, the Administrator published in the FEDERAL REGISTER (17 F. R. 2021) notice of a proposed amendment of the regulations governing employment of learners in the women's apparel division of the apparel industry at wages lower than the minimum wage established in section 6 of the Fair Labor Standards Act of 1938, as amended. Such notice set forth proposed increases in minimum learner wage rates for certain occupations in this division of the apparel industry. Interested persons were given 15 days to submit data, views or arguments pertaining thereto.

All relevant matter submitted has been carefully considered. On the basis of all available information, the proposed changes in the regulations appear necessary and appropriate in the light of the standard set forth in section 14 of the act. In conjunction with the amendment of the regulations as proposed, I deem it advisable for purposes of clarity to eliminate the table contained in § 522.162 and to set forth the material contained therein in section and paragraph form, as provided below.

Accordingly, pursuant to authority under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214), this part is hereby amended as follows:

1. Section 522.162 is amended to read as follows:

§ 522.162 *Terms of special certificates.* Special learner certificates may be issued authorizing the employment of learners

in the divisions of the apparel industry specified in § 522.161 (a) subject to the following limitations as to occupation, duration of learning period, minimum rates of pay, and number or proportion:

(a) *Occupations for which certificates may be issued and duration of learning periods.* (1) Machine operating (except cutting), pressing, hand sewing, and finishing operations involving hand sewing—maximum learning period of 480 hours for any of these occupations,[1] but not more than a 320-hour learning period in such occupation if, within the previous two years, the worker has had 160 hours or more of experience in another of these occupations.

(2) Final inspection of assembled garments—maximum learning period of 160 hours.[1]

(b) *Minimum rates of pay.* (1) A learner employed in occupations for which a 480-hour learning period is authorized, shall be paid:

(i) Not less than 65 cents per hour for the first 320 hours and not less than 70 cents per hour for the next 160 hours, if employed in the women's apparel division of the apparel industry, as defined in § 522.161 (a) (1).

(ii) Not less than 60 cents per hour for the first 320 hours, and not less than 65 cents per hour for the next 160 hours, if employed in any of the other divisions of the apparel industry, as defined in § 522.161 (a) (2), (3), (4), (5), or (6).

(iii) An experienced worker in any one of the occupations shown in paragraph (a) (1) of this section who is being retrained in any other of the occupations shown in that paragraph shall be paid at wage rates not less than 65 cents per hour for the first 160 hours and not less than 70 cents per hour for the next 160 hours, if employed in the women's apparel division of the apparel industry, as defined in § 522.161 (a) (1); and at wage rates not less than 60 cents an hour for the first 160 hours and not less than 65 cents an hour for the next 160 hours, if employed in any of the other divisions of the apparel industry, as defined in § 522.161 (a) (2), (3), (4), (5), or (6).

(2) A learner employed in the occupation of final inspection of assembled garments, shall be paid not less than 65 cents per hour during the 160-hour authorized learning period.

(3) No experienced worker shall be employed under the terms of a special learner certificate, except as provided in subparagraph (1) (iii) of this paragraph.

(4) In establishments where experienced workers are paid on a piece rate basis, learners shall be paid the same piece rates that experienced workers engaged in the same occupations are paid and earnings shall be based on those piece rates if in excess of the subminimum rates authorized in the certificates.

[1] If, within the previous two years, the worker has been employed in any division of the industry for less than 480 hours in any occupation listed in paragraph (a) (1) of this section, or for less than 160 hours in the occupation of final inspection of assembled garments specified in paragraph (a) (2) of this section, and is being trained as a learner in the same occupation, the number of hours of previous employment should be deducted from the applicable maximum learning period.

(c) *Number or proportion of learners.* (1) The number of learners which any employer may be authorized to employ by any special certificate issued to meet normal labor turnover needs shall not exceed on any one workday ten percent of the total number of productive factory workers in the plant: *Provided*, That, in plants employing less than 100 workers a maximum of 10 learners may be authorized.

(2) Special certificates may be issued to new or expanding plants authorizing the employment of learners in authorized occupations to the extent of need.

2. New sections, designated §§ 522.163 and 522.164, are added as follows:

§ 522.163 *Employment of learners prohibited when experienced workers are available.* No worker shall be employed under a special learner certificate if at the time such employment begins an experienced worker who is capable of equaling the performance of a worker of ordinary or minimum skill is available for employment.

§ 522.164 *Effective period of certificates.* (a) Special certificates issued to meet normal labor turnover needs may be issued for a period of one year.

(b) Special certificates issued to new or expanding plants may be issued for a period not longer than necessary to complete the training of the total number of learners required by the new or expanding plant.

3. The present §§ 522.163, 522.164, 522.165, and 522.166 are redesignated §§ 522.165, 522.166, 522.167 and 522.168, respectively.

4. In the present § 522.161, the phrase "§§ 522.160 to 522.166" is changed to "§§ 522.160 to 522.168" wherever it occurs.

5. The present § 522.163 (c) is amended to read as follows:

§ 522.165 *Definitions of terms.* * * *

(c) "Experienced worker" means a person who has been employed in any occupation listed in paragraph (a) of § 522.162 for the respective learner periods authorized for those occupations listed in that paragraph. Previous employment will be considered experience under §§ 522.160 to 522.168 only if it has been had within the past two years in any division or branch of the apparel industry or in the manufacturing of men's and boys' underwear from any woven fabric in establishments in the knitted wear industry.

6. The present § 522.166 is amended to read as follows:

§ 522.168 *Applicability of general learner regulations.* (a) The employment of learners pursuant to the provisions of §§ 522.160 through 522.167 shall be subject to all provisions of the general regulations governing the employment of learners (§§ 522.1 through 522.14), except to the extent to which any provision of such general regulations is inconsistent with any provisions of §§ 522.160 through 522.167.

(Sec. 14, 52 Stat. 1068; 29 U. S. C. 214)

The above amendments shall become effective June 2, 1952.

Signed at Washington, D. C., this 25th day of April 1952.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 52-4823; Filed, Apr. 29, 1952; 8:55 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

PART 504—RELATIONS WITH AGENCIES OF PUBLIC CONTACT

Part 504 is revised to read as follows:

Sec.
504.1 Public information; responsibility.
504.2 Public information operations in the field.
504.3 Release of military information.
504.4 Community relations.

AUTHORITY: §§ 504.1 to 504.4 issued under R. S. 161; 5 U. S. C. 22.

SOURCE: §§ 504.1 to 504.4 contained in AR 360-5.

§ 504.1 *Public information; responsibility*—(a) *General.* (1) The United States Army is responsible for ensuring that information concerning its objectives and activities, not of a classified nature within the meaning of Part 505 of this subchapter, is made available to the public. This responsibility extends through all echelons to include all individuals and is an important function of command.

(2) Heads of administrative and technical services are responsible for establishing broad policies governing information pertaining to their national missions, and for effecting necessary coordination of the public information activities of class II installations and activities so far as they have a bearing on these national missions. They will also collect, develop, and prepare informational material pertaining to their activities for dissemination to the public. All such material will be channeled through the Office of the Chief of Information, except where public information media direct specific requests to the head of the service or project concerned. In such events, the requested information, if of a routine nature, will be prepared in duplicate by the office of technical information concerned and original released to the requesting media. The duplicate will be forwarded to the Office of the Chief of Information. Should the inquiry concern the United States Army as a whole or involve other services, or material in which there are questions of security, broad policy, or propriety, clearance for release will first be obtained through the Office of the Chief of Information.

(b) *Army Field Forces.* The public information responsibilities of the Chief of Army Field Forces include:

(1) Public information planning in connection with maneuvers and joint exercises under the jurisdiction of Army Field Forces.

(2) Furnishing public information advice to field commanders regarding pub-

lic information functions of the Office, Chief of Army Field Forces.

(3) Publicizing training plans and directives.

(4) General supervision of public information functions in the continental armies pertaining to training.

(5) Coordination and supervision of public information instruction at all Army schools involved in training individuals utilized by an army in the field.

(6) Security review of all material, for national release to the public, pertaining to the training of units and individuals of continental armies. Material involving the Department of the Army or the United States Army as a whole will be coordinated with the Office of the Chief of Information, Department of the Army.

(c) *Continental army commanders.* (1) Each army commander is responsible for the execution of a sound public information program concerning his command; the conduct of mutually profitable relations between subordinate elements of his command and neighboring civilian communities; and for the security review of material submitted for publication which concerns his command for which a policy has been established by the Department of the Army. Those matters for which an adequate policy does not exist will be referred to the Chief of Information for determination.

(2) Continental army commanders and the Commanding General, Military District of Washington, are responsible for the general coordination of public information activities at class II installations within the geographical limits of their commands.

(3) Heads of administrative and technical services are responsible for establishing those information policies pertaining to their assigned national missions as carried out by class II installations and activities under their jurisdiction and control. Such policies and coordination will be within the broad framework as established by the Chief of Information. Army commanders normally will have cognizance only of such public information matters at class II installations and activities within their area as may be a purely local or regional nature, having no bearing on the national missions of the heads of administrative and technical services.

(d) *Military District of Washington.* The Commanding General, Military District of Washington, will conduct public information activities within his command under the general supervision of and in coordination with the Office of the Chief of Information, Department of the Army.

(e) *Commanders of class II installations and activities.* Commanding officers of class II installations and activities will coordinate public information activities at their stations with the army commander concerned.

§ 504.2 *Public information operations in the field*—(a) *Objective.* (1) The United States Army has an obligation to report fully on its activities to the American people. In order that they may be thoroughly and continually informed of the activities and accomplishments of the Army, it is essential that consistent with military security the American people be given information relating to the:

(i) Objectives of the Army.

(ii) Progress made.

(iii) Army dollar and how it is used.

(iv) Teamwork within the Army.

(v) Role of the Army in warfare.

(vi) Role of the Army in peace.

(vii) Need for an Army.

(2) In accomplishing these objectives, sound principles of community relations, press relations, and public relations will be observed.

(b) *Public information officers; assignment and duties.* (1) Public information officers will be appointed to the staff of each installation and to the staffs of all commanders down to and including the regiment or unit of equivalent size. Those specifically provided for by organization tables will have the status of special staff officers when such is indicated as their primary duty. Others will perform their public information duties in addition to their other duties. In order to perform their duties, and to properly represent the commander, public information officers must be in frequent contact with the commander and have direct access to him at all times.

(2) The duties of a public information officer include the following:

(i) Advising the commander on public information matters, particularly on relations between the command and nearby communities.

(ii) Establishing liaison with local civilian groups, including the dissemination of information to local informational media.

(iii) Reviewing for security, under established policies, material concerning the local command for dissemination to the local public and to local informational media.

(iv) Advising the troop information and education officer on material for publication in unit newspapers and periodicals.

(v) Receiving all representatives of local informational media and assisting them in obtaining and clearing desired material relating to the local command.

(vi) Planning positive and continuing community relations programs, conducting press conferences, establishing friendly relations with the local news agencies, press, radio, and still motion picture services.

(vii) Attending staff conferences involving policy matters in order to determine whether such policies are in the public interest and warrant the support and confidence of the community.

(viii) Establishing and maintaining contact with local Reserve component organizations and when appropriate supplying advice and assistance in matters of mutual interest.

(3) When it is necessary to expedite the exchange of information, direct communication is authorized between commanders of installations and the Office of the Chief of Information, Department of the Army, in matters pertaining to public information. In the case of public information matters pertaining to the national mission of the head of an administrative or technical service, direct communication between the public information officers of class II installations and activities, and the offices of technical information maintained by the heads of administrative and technical services is authorized for purposes of policy guidance and coordination.

(c) *Contact with representatives of national media.* Except in specific instances, the Chief of Information, Department of the Army, does not delegate authority to Army installations or commands to contact distant national media such as magazines, feature syndicates, radio chains, news reels, or pictorial agencies; or to make suggestions directly to such news agencies; or to initiate public information projects of national scope.

(d) *Visits requested by media representatives.* (1) Representatives of informational media, whether at national or local levels, may be admitted to installations under Army jurisdiction by the proper public information office with the consent of the installation commander. Such action may be taken without reference to the Office of the Chief of Information, Department of the Army, subject to the following conditions:

(i) Requests for permission to visit Army installations generally originate with a responsible editor or executive of the informational media concerned. If a request is initiated in person by a reporter or other representative, the public information officer concerned must establish to his satisfaction that the applicant is a representative of a bona fide news agency, newspaper, or is a reputable free lance writer before providing the desired information.

(ii) No classified material within the meaning of Part 505 of this subchapter may be discussed with, shown to, or made available to informational media representatives. All requests for material in these categories for which there is no applicable policy should be referred to the Chief of Information, Department of the Army. The Army does not have authority to require media representatives to obtain security clearance of material for publication obtained by interview or press conference procedure.

(2) The conditions of subparagraph (1) (i) and (ii) of this paragraph are not intended to restrict the normal functions of the public information officer. Invitations to media representatives by the public information officer are encouraged and desirable when newsworthy events are scheduled.

§ 504.3 *Release of military information*—(a) *General.* (1) Within the bounds of security and Department of the Army policy, the writing of articles, books, and related material intended for publication, and the engaging public and private discussions on appropriate occasions by military personnel, on topics of military and professional interest, or general interest concerning the Army, or in support of the military policy of the United States, or in the interest of the national defense, is authorized and desirable.

(2) Public information personnel may engage in private literary efforts of their own, provided such activity does not in-

terfere with and is beyond the scope of their duty requirements. They will not use their official status to obtain, for such activity, information not available to civilian representatives of media. Questions of doubt will be referred to the Chief of Information.

(3) Individuals, in interviews with the press, are cautioned that they should reveal no classified information or details of Department of the Army policies not yet approved by the Chief of Staff as the public discussion thereof would be premature. During such interviews, individuals will confine themselves to "on-the-record" statements.

(b) *Army theme in commercial advertising.* (1) The Army theme may be used in commercial advertisements provided the advertisement does not disclose classified military information, bring discredit on the military service, or express or imply Army approval of or preference for the products advertised over like products of another company. Army personnel on active duty may not "endorse" commercial products. Other Army personnel may not "endorse" such products in such a way as to involve the Army uniform, or their title or rank, or other official Army connotation.

(2) In cooperating with an advertiser, the Department of the Army does not assume responsibility for accuracy of the advertiser's claim or for his compliance with laws protecting the rights of privacy of military personnel whose photographs, names, or statements appear in the advertisement.

(c) *Release of information concerning activities of manufacturers engaged in classified production for the Department of the Army.* (1) It is the individual responsibility of all Department of the Army personnel, both military and civilian, to refrain from releasing to individual business concerns or their representatives any preknowledge such personnel may possess or have acquired in any way concerning procurements or purchase of supplies by any procuring service of the Army. Such information will be released to all potential contractors simultaneously and only through appropriate designated agencies. All dissemination of information involving any phase of procurement action will be in accordance with existing authorized procedures therefor and only in connection with necessary and proper discharge of official duties.

(2) It is the responsibility of the manufacturer engaged in production of classified materials to protect classified military information and not to disclose the nature of their acivities to unauthorized individuals or agencies. See § 505.10 (a) of this subchapter.

(3) Manufacturers may release for publication unclassified information regarding their activities, but should be enjoined from publishing operating statements or other financial reports which would indicate rates of production, total production, or production processes without proper clearance.

(4) Manufacturers may show total earnings and total production by dollar value, subject to the following conditions:

(i) Production (actual, estimated, or approximate) by number, quantity, or dollar value of a particular article under a classified contract will not be disclosed. (It will be conclusively assumed that the approximate production rate of a particular article is shown if that article comprises more than 75 percent of the company's production.)

(ii) Future operational plans or intentions will not be directly disclosed.

(iii) Special restrictions on the publication of total production by dollar value have not been imposed by the responsible procurement agency because of the extreme secrecy of particular contracts.

(5) Procurement officers of the Department of the Army are directed to inform the contractors if the security classification of the contract(s) prohibits the publication of any or all of the following:

(i) Quarterly statements showing by total dollar value the following:

(*a*) Volume of unfilled orders at the beginning of the period.

(*b*) New orders booked during the period.

(*c*) Cancellations, adjustments, and cut-backs during the period.

(*d*) Order filled during the period.

(*e*) Volume of unfilled orders at the close of the period.

(*f*) Finished goods on hand.

(*g*) Work in progress.

(*h*) Raw materials and supplies (one item).

(ii) Quarterly statements of total earnings.

(d) *Visits of media representatives to military installations and manufacturing plants engaged in work for the Department of the Army.* Subject to the provisions of Part 505 of this subchapter (governing visitors), visits of media representatives, including those representing national distant media and representatives of advertisers, to military installations and plants engaged in work for the Department of the Army, may be authorized by the commanding officer and Department of the Army plant representatives concerned.

(e) *Public disclosures of accidents.* (1) It is the policy of the Department of the Army to reduce to the minimum over-all delay between the time of an accident and the release of information to the press.

(2) Within the continental United States it will be the responsibility of the commanding officer of the installation or base nearest to the scene of the accident to provide news media with all available releasable information as quickly as possible.

(3) Names and addresses of casualties occurring as the result of accidents in the continental United States will be released to news media 4 hours after dispatch of telegraphic notification of the casualty to the casualty's emergency addressee.

(4) Information on casualties resulting from accidents occurring outside the continental United States will be released to news media through the use of the same procedure as applies to combat casualties, which is prescribed in paragraph (f) of this section.

(5) In case of accidents to aircraft, assigned organically to the Army, the commanding officer of the installation or base nearest the scene of the accident will, without delay, make a complete report of the accident to the commanding officer of the home field of the aircraft involved. The commanding officer of the home field will then be charged with release of any further details or answering any subsequent inquiries by the press.

(6) In all accidents, prompt action will be taken to safeguard items of governmental property or projects which are classified. This responsibility should be discharged with minimum interference with reporters and photographers in the performance of their duties. Harmony and cooperation between public information officers and members of the press will promote fair and unsensational reporting of accident stories.

(f) *Release of information on combat casualties.* (1) The policy of the Department of the Army is to release information on combat casualties to news media as soon as possible after the emergency addresses have been notified.

(2) To accomplish this, the following method will be used:

(i) All Army combat casualties will be reported to The Adjutant General, Department of the Army, Washington 25, D. C.

(ii) If a casualty's emergency addressee does not reside within the reporting oversea command, The Adjutant General will make telegraphic notification to the emergency addressee.

(iii) The Adjutant General will make information concerning a casualty available to the Chief of Information for dissemination to news media, as follows:

(*a*) Immediately, if notification has been made by the oversea commander to the emergency addressee residing within the oversea command.

(*b*) In all other cases not less than 72 hours after dispatch of notification telegram by The Adjutant General.

§ 504.4 *Community relations*—(a) *Open house*—(1) *Definition.* "Open house" is defined as an occasion on which an installation acts as host to the general public.

(2) *Objective.* In order to establish and/or maintain cordial relationships between military installations and the civilian population of the areas surrounding them, the holding of annual open houses, preferably on Armed Forces Day, is desirable and authorized. Betterment of understanding by the general public of the mission and work of the Army may be obtained through close personal contacts between the military and civilian populations. The successful handling of open house arrangements requires the complete cooperation of all local commanders. Some principles to be observed are stated below.

(i) An open house should be conducted in such a manner as to give a true, clear picture of the installation at work and never be turned into an occasion for a side-show or carnival.

(ii) Security measures will not be impaired. Installations in which the work is entirely of a classified nature and in which the presentation of a clear idea of the mission of the installation would involve matters of security, will not conduct open house.

(iii) Arrangements should include an itinerary by means of which the overall, comprehensive picture of the post, its personnel, and its mission may be presented. The itinerary should be simple and avoid unnecessary detail.

(iv) The local commander will issue a general invitation to the public by means of a local press release announcing the holding of the open house and containing instructions concerning times, routes to follow, parking arrangements, and other pertinent information. Personal invitations to local civilian officials will be sent by the installation commander.

(v) Guides will be provided to escort groups of visitors according to the specified itinerary. Their running commentaries should point out the part played in the installation mission by each point visited and the role of the installation in the national defense picture.

(vi) Commanders on the day of the ceremony should be on hand to greet guests and make them welcome just as they would if the event were being held in their own homes.

(b) *Speaking engagements; participation.* (1) Active participation by military personnel in community life is an important contributing factor to a better understanding and appreciation of the service by the public as a whole. Acceptance of speaking engagements offers one of the most direct methods of informing the local public about the Army.

(2) Local commanders who receive requests from community organizations to speak, or to furnish speakers, for special occasions will be responsible for determining the appropriateness of the occasions and the advisability of having their commands participate.

(3) Every legitimate opportunity to "tell the Army story" and to emphasize the part of the Army on the "Defense Team" should be utilized.

(4) The local commander should form a panel or roster of officers and enlisted personnel to speak before civic associations, veterans' meetings, church groups, and similar organizations.

(5) Every talk or speech should contain, if practicable, a reference concerning the role of the Army installation in the community, and to national defense as a whole.

(6) News releases, containing highlights of speeches made by military personnel before local groups, should be prepared and sent to local informational media together with a copy of the complete text, when available.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-4819; Filed, Apr. 29, 1952; 8:54 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 142]

CPR 142—SOUTHERN CALIFORNIA USED WOODEN AGRICULTURAL CONTAINERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 142 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes dollars and cents ceiling prices for used wooden agricultural containers sold in the area adjacent to the cities of Los Angeles and San Diego, California. Approximately 630 wholesalers-growers, packers and shippers of fruits and vegetables—sell their products to retail stores, restaurants, hotels, hospitals and similar organizations in that area. All of these latter organizations for the purpose of this regulation are classified as retailers. The food products are packaged in wooden or partially wooden containers and when their contents are sold to the retailers, title to the containers is transferred to them. No definite or specific price is charged for the package. After the contents are removed, the containers, in varying states of disrepair, are sold to used containers dealers who maintain facilities to store, repair, recondition or rebuild them. There are approximately 127 used container dealers in the affected area.

The dealers purchase crates in small odd lots from a comparatively large number of retailers. They recondition the containers and accumulate them in their yards. They are sorted into the sizes and types commonly used by the wholesalers of fruits and vegetables and are sold to them for re-use in the handling of those products.

Because of the seasonal nature of the fruit and vegetable business ceiling prices under the General Ceiling Price Regulation were established during a period of fewest sales, and proved to be inadequate for a large segment of the used container industry, particularly the used container dealers.

The General Ceiling Price Regulation level of prices created an unbalanced condition in the cost-price relationship between the three classes of persons involved in this industry in the Los Angeles and San Diego areas and has impeded the free flow of containers which normally exists.

Because of the inadequacy of price data for dealers during the GCPR base period, figures were obtained from certain fruit and vegetable wholesalers who purchased used containers from dealers. From these figures and from the data obtained from dealers, a level of GCPR base period prices for dealers was projected. This regulation establishes dealers' ceiling prices at a level approximately 18 percent above the projected GCPR base period price level when the differentiation in grades of containers is taken into consideration. The level of ceiling prices for retailers was then set to reflect the historical differences between retailers' and dealers' prices. The increase over the GCPR base period prices was necessary since December and January are off-season in the produce growing period and prices for used fruit and vegetable containers are at a seasonally low level.

The practice in the used fruit and vegetable container industry has been to classify containers into various groups, and size variations within the group are not given consideration in pricing the commodity. That practice has been followed in this regulation.

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive, to those prevailing during the period January 25, 1951 through February 24, 1951, as well as the level of prices prevailing just before the issuance of this regulation; and to all relevant factors of general applicability.

In formulating this regulation, the Director has consulted with representatives of the industry, including trade association representatives, to the extent practicable under the circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.

SECTION 1. *What this regulation does.* (a) This regulation establishes dollars and cents ceiling prices for certain sales of used agricultural containers, constituent wooden parts thereof, when ready to be assembled into a container, and services supplied in connection with those containers. These ceiling prices apply to the transactions specified in paragraph (b) of this section.

(1) The term "agricultural container" means any box, crate, tray, lug, cup, hamper, basket, carrier or similar con-

tainer made of wood, or a combination of wood, solid fibre or corrugated board customarily used for picking, handling, storing, or shipping, fruits, vegetables, and other farm products.

(2) Expressly excluded from the provisions of this regulation are coopered products, veneer drums, ply-wood drums, and containers made entirely of solid fibre or corrugated board.

(b) This regulation applies to sales of the products and connected services specified in paragraph (a) of this section made by retailers with business establishments in the California counties of Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, and Ventura. It also applies to sales of such products and connected services made by dealers with business establishments located in the counties listed.

(c) This regulation supersedes the General Ceiling Price Regulation with respect to the transactions covered.

SEC. 2. *Ceiling prices for specified items.* If you are a retailer or dealer in used agricultural containers, your ceiling prices, for used agricultural containers and extra parts, f. o. b. place of loading, and for services supplied in connection with them, are the following:

Item	Container	Name	Retailer, as is (each)	Dealer, grade 1 (each)	Dealer, grade 2 (each)
1	Peach	Flat	$0.04	$0.07	$0.05
2	Avocado	Flat	.04	.07	.05
3	Strawberry	Tray	.04	.07	.05
4	Tomato	Flat	.07	.12	.09
5	L. A.	Lug	.07	.12	.09
6	Small	Lug	.07	.12	.08
7	Tomato	4-box crate	.04	.09	.06
8	Melon	Persian box	.04	.13	.09
9	Apple	N. W. box	.08	.13	.10
10	Apple	California box.	.08	.13	.10
11	Pear	Box	.06	.10	.08
12	Lemon	Box	.06	.12	.08
13	Orange and grapefruit.	Crate	.13	.20	.17
14	Celery	Sturdy box	.08	.15	.12
15	Melon	Jumbo crate	.06	.18	.10
16	Melon	Standard crate.	.06	.18	.10
17	Melon	Pony crate	.06	.18	.10
18	Cauliflower	Crate	.08	.19	.11
19	Lettuce	No. 1 crate	.13	.24	.18
20	Lettuce	No. 2 crate	.13	.20	.15
21	Wirebound	Crates	.06	.14	.10
22	Bushel	Basket	.06	.10	.07
23	½ bushel	Basket	.06	.10	.07
24	Cleats 1¼" wide extra per container.			.03	
25	Cleats ¾" wide extra per container.			.02	
26	Covers for all crates.			.03	

NOTES: 1. Additions by dealers for sanding boxes and crates at purchaser's request, may be made as follows:

Items 1 through 3—2 cents each.
Items 4 through 8—3 cents each.
Items 9 through 14—4 cents each.
Items 15 through 18—5 cents each.

2. Specifications:

Number 1 grade is a good, clean container, well constructed from sound lumber and shook, free from large knots, splits, checks and other defects which will weaken the container, or detract from its good appearance. There shall be no loose or broken slats, ends or bottoms, and the parts shall be securely nailed. The container shall be clean with all trademarks or papers sanded off, and shall be a usable container for the purpose intended.

Number 2 grade is a container with slight defects in material, construction or appearance, which do not affect the use of the container as a package for the picking, handling, storing, or shipping of fruits, vegetables, and other farm products. The container need not be sanded.

Number 1 grade and Number 2 grade containers which usually require cleats, shall have a cleat nailed to the top of each end piece, flush with the outside of the container and extending over the inside to hold the contents in place and to provide a means of handling the container.

NOTE: No charge may be made for the two cleats on containers which usually require cleats. A ceiling price established by this regulation may, however, be charged for extra cleats affixed to those containers, or for cleats affixed to containers which do not usually require them.

SEC. 3. *Ceiling prices for special containers, parts or services.* (a) If you desire to sell, in the manner specified in section 1 (b), any agricultural container, or extra part or service covered by this regulation for which you cannot determine a ceiling price under this regulation, you shall make application by registered mail, return receipt requested to either the Los Angeles, California, or San Diego, California, District Offices of the Office of Price Stabilization, for a ceiling price. The application must contain complete descriptions of the container, part or service, your proposed ceiling price, your method of arriving at that price, and the reasons why you think that your proposed ceiling price is in line with the level of ceiling prices otherwise established by this regulation. Your proposed ceiling price must be in line with the level of ceiling prices otherwise established by this regulation.

(b) You may not sell and deliver the container, part or service until a ceiling price has been approved by the Office of Price Stabilization. If the Office of Price Stabilization does not disapprove your proposed ceiling price within 20 days from receipt of your application, you may thereafter use your proposed ceiling price, subject to non-retroactive disapproval or modification at a later time, unless the Office of Price Stabilization requests further information. You shall supply the requested information by registered mail, return receipt requested. If the Office of Price Stabilization does not disapprove your proposed ceiling price within 20 days from receipt of the additional information, you may thereafter use your proposed ceiling price, subject to non-retroactive disapproval or modification at a later time.

SEC. 4. *Delivery charges.* If delivery is by common carrier or contract carrier the actual transportation costs paid or incurred by you may be added to the ceiling prices. If shipment is by truck owned or controlled by you, you may add to the ceiling prices transportation costs not in excess of the common carrier or contract carrier charge for a like shipment.

SEC. 5. *Records.* Every person who, in the manner specified in section 1 (b), sells used agricultural containers subject to this regulation shall make, keep, and preserve, and every person who in the regular course of trade or business buys used agricultural containers sold in the manner specified in section 1 (b) shall keep and preserve, for a period of two years after the date of each sale, for inspection by the Director of Price Stabilization, accurate records of each sale or purchase made after the effective date of this regulation. The records must show the date of the sale or purchase, the name and address of the seller and purchaser, and the price charged or paid, itemized by quantity and size. The records must indicate whether each purchase or sale is made on an f. o. b. or on a delivered basis, the shipping point, and transportation charges if any.

SEC. 6. *Adjustable pricing.* Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, sell or agree to deliver at a price to be adjusted upward in accordance with any increase in a ceiling price after delivery.

SEC. 7. *Petitions for amendment.* If you desire to have this regulation amended, you may file a petition for amendment, in accordance with the provisions of Price Procedural Regulation 1, Revised.

SEC. 8. *Interpretations.* If you want an official interpretation of this regulation, you should write to the District Counsel of the proper OPS District Office. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

SEC. 9. *Transfers of business or stock in trade.* If a business, assets, or stock in trade are sold or otherwise transferred after the effective date of this regulation and the transferee carries on the business or continues to deal in the same type of commodity in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and the transferee's obligation to keep records sufficient to verify such price shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 10. *Prohibitions and violations.* (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically, but not in limitation of the above, you shall not, regardless of any contract or other obligation, sell and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling

prices established by this regulation, and you and buyers from you shall keep, make, and preserve true and accurate records and reports required by this regulation.

(b) If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and actions for damages. Prices lower than the ceiling prices may be charged, paid, or offered.

(c) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his ceiling price, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 11. *Evasions.* Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation, or in concealing or falsely representing information as to which this regulation requires records to be kept, is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross-sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements, and trade understandings, as well as the omission from records of true data or the inclusion in records of false data.

SEC. 12. *Definitions.* This ceiling price regulation and the terms which appear in it shall be construed in the following manner, unless otherwise clearly required by the context:

(a) *Agricultural container.* This term is defined in section 1 of this regulation.

(b) *Dealer.* This term means a person who has facilities to store, repair, recondition or rebuild agricultural containers and who purchases them from retailers for resale.

(c) *Delivered.* A commodity shall be deemed to have been delivered if it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(d) *Office of Price Stabilization.* This term means the Director of Price Stabilization and also applies to any official (including officials of regional or district offices) to whom the Director of Price Stabilization delegates a function, power or authority referred to in this regulation.

(e) *Person.* This term includes any individual, corporation, partnership, association or any other organized group of persons or legal successors or representatives of the foregoing, and the United States or any other Government or their political subdivisions or agencies.

(f) *Records.* This term means books of accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other papers and documents.

(g) *Retailer.* This term means a person who purchases fresh, canned or dried fruits, veegtables, or other farm products in agricultural containers, empties the contents, and thereafter sells the containers. It includes, but is not limited to, grocery stores, canneries, restaurants, hotels, markets and institutions. It does not include Army and Navy establishments.

(h) *Sell.* This term includes sell, supply, dispose, barter, exchange, transfer and deliver, and also contracts and offers to do any of the foregoing. The term "buy" and "purchase" shall be construed accordingly.

(i) *You.* The pronoun "you" as used in this regulation means retailers and dealers subject to this regulation.

Effective date. The effective date of this regulation is May 5, 1952.

NOTE. The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 29, 1952.

[F. R. Doc. 52-4916; Filed, Apr. 29, 1952; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board

[General Salary Stabilization Regulation 4, Revised]

GSSR 4—STOCK OPTION AND STOCK PURCHASE PLANS

STATEMENT OF CONSIDERATIONS

Stock option and stock purchase plans for employees have long been an established corporate practice, and their special status has been recognized in State and Federal legislation, including the provisions of the Revenue Act of 1950.

Through a special Panel appointed to report to the Salary Stabilization Board, hearings were conducted at which industry representatives and others concerned with stock option plans were invited to appear. In connection with these hearings, various factors were presented, both orally and in writing. In addition, the Panel conducted an independent study of more than 150 stock option and stock purchase plans and submitted a report embodying its findings and recommendations.

General Salary Stabilization Regulation 4 was based upon considerations set forth in that report and incorporates its principal recommendations, adapted to administrative and other requirements of the salary stabilization program. The regulation became effective on November 16, 1951, and thereafter further hearings were held upon the regulation by the Panel. This revision of the regulation is based upon supplemental recommendations by the Panel in the light of such hearings.

Reports are required in connection with both stock option and stock purchase plans authorized by this regulation. Upon the basis of the data disclosed by these reports, the Salary Stabilization Board may later find it necessary to modify this regulation as to the future.

In the formulation of this regulation due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act, as amended; there has been consultation with industry representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *Scope of this regulation.* This regulation relates to any right to purchase stock granted to an employee under a stock option or stock purchase plan or agreement, if income (within the meaning of the revenue laws) or compensation is or may be received by the employee at the time the right is granted or exercised, at the time any interest in the stock is acquired pursuant thereto, at the time of the disposition of any of the stock acquired, or at any other time.

SEC. 2. *Restrictions applicable to certain stock options and stock purchase plans.* Except as authorized by this regulation, no stock option and no right to purchase stock at a price less than the fair market value of the stock at the time the right is granted, or to be paid for in installments or otherwise over a period of time, shall be granted to or received by an employee, or shall be exercised, transferred, sold, pledged or otherwise disposed of, without prior approval by the Office of Salary Stabilization.

SEC. 3. *Stock options that may be granted without approval.* A stock option may be granted to an employee, and

may be received and exercised, without prior approval by the Office of Salary Stabilization, if all the following conditions are met:

(a) The stock option is a "restricted stock option" within the meaning of section 130A of the Internal Revenue Code;

(b) The option is by its terms exercisable by the employee only while he is an employee of the corporation granting the option, or of a parent or subsidiary corporation of such corporation, or within three months after the date he ceases, otherwise than through death, retirement or permanent and total disability, to be an employee of any of such corporations;

(c) At the time the option is granted, the option price is at least 95 percent of the fair market value at such time of the stock subject to the option;

(d) The option is granted as an incentive and to encourage stock ownership by the employee in the manner contemplated by section 130A of the Internal Revenue Code, and not to provide an increase in compensation not otherwise permitted by general salary stabilization regulations or orders, as evidenced by a resolution to that effect of the board of directors of the corporation which granted the option.

(e) In the event that any shares of stock acquired through the exercise of the option are to be paid for over a period of time:

(1) No share of stock so acquired may be transferred, sold, pledged (except as collateral for payment of all or part of the purchase price of the stock) or otherwise disposed of by the employee until the employee has fully paid for such share and has the unrestricted right to sell or otherwise dispose thereof, free from any pledge or hypothecation of the stock as collateral for payment of its purchase price;

(2) All dividends declared upon shares of stock which the employee has so acquired are to be applied to the purchase price until such shares have been fully paid for;

(3) Full payment of the purchase price is to be made within ten years from the date of acquisition and the amount paid in each year (including the amount of dividends applied as above provided) shall be at least ten (10) percent of the total purchase price (exclusive of interest charges), the first installment to be paid not later than three months following the month in which the option was exercised; and

(f) The corporation which granted the option will not claim as a basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings any amount (exclusive of the cost of putting the stock option or plan or agreement into effect or of administering the stock option, plan or agreement) in respect of the transfer of the stock pursuant to the exercise of the option and the corporation files a warranty to that effect with the Office of Salary Stabilization.

The term "qualified stock option" as used in this regulation, means a stock option that may be granted without approval pursuant to the provisions of this section. The terms "patent corporation" and "subsidiary corporation" shall have the meaning ascribed to such terms by section 130A of the Internal Revenue Code.

SEC. 4. *Conditions for the granting of certain stock options.* A "restricted stock option" within the meaning of section 130A of the Internal Revenue Code which entitles the employee to purchase stock at less than 95 percent of its fair market value at the time the option is granted, may be granted an employee only if, at the time the option is granted, the employee is entitled to receive a "chargeable increase in compensation" in an amount at least equal to the difference between 95 percent of the fair market value at such time of the stock subject to the option and the option price of such stock. The term "chargeable increase in compensation", as used in this section 4, means an increase in salary or other compensation that may properly be granted an employee under other general salary stabilization regulations or orders, now or hereafter in effect, from an amount available for general or merit or length of service increases to a group of which the employee is a member. At the time the option is granted to the employee, the amount available for such an increase shall be charged with an amount equal to the difference between 95 percent of the fair market value at such time of the stock subject to the option and the option price of such stock, in the same manner and subject to the same provisions and limitations as if the employee had received an increase in compensation in such amount for a period of one year from the date when the option was granted.

SEC. 5. *Date of grant of stock option.* If the grant of a stock option is subject to approval by the stockholders, the date of grant of the option shall be determined for the purposes of this regulation as if the option had not been subject to such approval.

SEC. 6. *Stock options not to be used to provide unauthorized compensation.* Stock options authorized by this regulation are authorized only for use as incentives and to encourage stock ownership by employees in the manner contemplated by section 130A of the Internal Revenue Code and shall not be used to provide increases in compensation not otherwise authorized by other general salary stabilization regulations or orders. The use of a stock option to provide such an unauthorized increase in compensation shall constitute a violation of the Defense Production Act, as amended, and general salary stabilization regulations or orders issued pursuant thereto, subject to the penalties provided by law. In the event that the stock acquired upon exercise of a stock option is not transferred, sold, pledged (except as collateral for payment of all or part of the purchase price of stock subject to the option) or otherwise disposed of by the employee for at least two years from the date the stock option was granted and for at least six months after the option was exercised, there shall be a conclusive presumption that the stock option was neither granted nor received to provide an unauthorized increase in compensation.

SEC. 7. *Reports and record-keeping.* (a) Every corporation which subsequent to January 25, 1951, granted a stock option to any of its employees, or which may hereafter grant such a stock option, shall file a copy of the plan, if any, and of the contract pursuant to which the stock option was granted, with the Office of Salary Stabilization within thirty days after the date of the grant of the option or on May 30, 1952, whichever is the later, together with a copy of the resolution referred to in paragraph (d) and the warranty provided for in paragraph (f) of section 3 of this regulation. Not later than August 31, 1952, and quarterly thereafter, each such corporation shall file a report with the Office of Salary Stabilization containing such information pertinent to the grant and exercise of the stock option and in such form as the Office of Salary Stabilization may prescribe.

(b) In the event that an employer has granted a stock option under section 4 of this regulation, the employer shall comply with the record-keeping and summary statement requirements of the appropriate general salary stabilization regulation or order relating to the "chargeable salary increase" used for the purpose of granting such stock option.

SEC. 8. *Modification, extension or renewal of stock options.* For the purpose of this regulation, each modification, extension, or renewal of a stock option after January 25, 1951, shall be considered as the grant of a new stock option and shall be subject to the provisions of this regulation applicable to the grant of a stock option after January 25, 1951, except an amendment:

(a) Which conforms a stock option to this regulation; or

(b) Which does not affect the time within which a stock option may be exercised, the amount of the stock subject to the stock option, or the price to be paid for the stock, or which does not grant terms more favorable to the employee than those provided for in the stock option at the time of the amendment.

SEC. 9. *Provisions relating to stock options applicable to stock purchase plans and agreements.* For the purposes of sections 3 to 8, inclusive, of this regulation, the term "stock option" or "option" shall be deemed to include a right to purchase stock under a stock purchase plan or agreement, except that the provisions of paragraph (a) of section 3 shall be inapplicable to such a stock purchase plan or agreement.

SEC. 10. *Approval of certain stock offerings made to employees generally.* The Office of Salary Stabilization is authorized to approve employee stock plans where the employer has had a prior practice of raising capital through such employee stock plans, taking into account the following factors:

(a) That the right to purchase stock is offered to all or substantially all employees of the employer;

(b) That the purchase price for the stock shall be determined in accordance with the formula or method used by the employer in previous offerings of stock to employees during the five calendar years 1946 to 1950;

(c) That the period during which the employee may exercise the right to purchase the stock does not extend three months beyond the date of the employer's offer of the right to purchase;

(d) That, in the event that any shares of stock are to be paid for over a period of time,

(1) No share of stock so acquired may be transferred, sold, pledged (except as collateral for payment of all or part of the purchase price of the stock) or otherwise disposed of by the employee until the employee has fully paid for such share and has the unrestricted right to sell or otherwise dispose thereof, free from any pledge or hypothecation of the stock as collateral for payment of its purchase price;

(2) All dividends declared upon shares of stock which the employee has so acquired are to be applied to the purchase price until such shares have been fully paid for;

(3) Full payment of the purchase price is to be made within three years from the date of acquisition, in fixed installments payable every three months, or more frequently, and the amount paid in each year (including the amount of dividends applied as above provided) shall be at least one-third of the total purchase price (exclusive of interest charges), the first installment to be paid not later than three months following the month in which the right to purchase was exercised; and

(e) That the corporation will not claim as a basis either to increase price ceilings or to resist otherwise justifiable reductions in price ceilings any amount (exclusive of the cost of making the stock offering or administering the plan under which the offering is made) in respect of the sale of the stock, and the corporation files a warranty to that effect with the Office of Salary Stabilization.

SEC. 11. *Certain stock options and stock purchase planes not affected.* Nothing in this regulation shall affect:

(a) A stock option granted on or before January 25, 1951, and such a stock option may be exercised without approval by the Office of Salary Stabilization in accordance with its terms; or

(b) The right of an employer to sell or the right of an employee to purchase stock at its fair market value at the time of sale and purchase for which the employee makes payment in full at such time; or

(c) A stock purchase plan or agreement in effect on January 25, 1951, as to any stock which the employee had on or prior to that date elected to purchase, and any such employee may complete the purchase of such stock in accordance with the terms of the plan or agreement; or

(d) The right of an employer to extend the time of payment of an obligation, assumed by an employee on or before January 25, 1951, to purchase stock pursuant to a stock purchase plan or agreement.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Salary Stabilization Board April 8, 1952.

JUSTIN MILLER,
Chairman.

[F. R. Doc. 52-4803; Filed, Apr. 29, 1952; 8:50 a. m.]

[General Salary Stabilization Regulation 7]

GSSR 7—SALARIES AND OTHER COMPENSATION FOR PROFESSIONAL ATHLETES

STATEMENT OF CONSIDERATIONS

Special factors relating to professional sports make it impractical to apply existing salary stabilization regulations to the compensation of professional team players, coaches, and managers. Among such factors are the relatively short duration of professional careers and high turnover, the lack of identified levels of positions and wide differences in actual compensation depending upon ability, popularity and drawing power, the special methods of recruitment of new players, the rapid advancement to highly rewarded stardom of a limited number of players on the basis of outstanding performance, evidence by an objective scale of measurement, and the limitations upon the number of professional players that a club may employ.

Flexibility in the selection of a base period is permitted under the regulations to allow for fluctuations in aggregate compensation in the light of club standing and gate receipts.

This regulation applies to the various team sports organized in professional clubs. It excludes professional athletes who are not employees, but whose compensation is derived from such sources as purses, prizes or payments for individual contests.

In the formulation of this regulation due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act, as amended; there has been consultation with industry representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Scope of this regulation.
3. Applicability of General Salary Stabilization Regulations and Orders.
4. Ceiling on compensation.
5. Increase in ceiling on compensation.
6. Record keeping required.
7. Reports.

AUTHORITY: Sections 1 to 7 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *Definitions.* As used in this regulation:

(a) The term "player" means a team manager, coach, or player.

(b) The term "professional sports club" means an organization employing players to engage in team sport competitions.

SEC. 2. *Scope of this regulation.* (a) This regulation applies to compensation, other than that referred to in paragraphs (b) and (c) of this section, paid to its players by a professional sports club during the calendar year 1952 and subsequent calendar years, but does not apply to a payment made to any person to induce him to sign a first contract as a professional.

(b) A professional sports club competing in the "World Series" or in similar post-season inter-league or intra-league play-off games, may make payments to its players, including distribution of a portion of the gate receipts from such games, in accordance with the practice in effect on or before January 25, 1951.

(c) This regulation does not apply to compensation paid employees other than players.

SEC. 3. *Applicability of General Salary Stabilization Regulations and Orders.* The provisions of other General Salary Stabilization Regulations and Orders shall not be applicable to the compensation of players except the provisions of General Salary Orders 2 and 3 (relating to the exemption of compensation paid to employees in Puerto Rico, the Virgin Islands and the Panama Canal Zone).

SEC. 4. *Ceiling on compensation.* A professional sports club may pay compensation in an aggregate amount to its players in the calendar year 1952 or in any subsequent calendar year in an amount which does not exceed the total of the compensation paid by it to its players either:

(a) In any one of the five calendar years 1946 to 1950, increased by ten (10) percent of such amount; or

(b) In the calendar year 1951 in accordance with applicable General Wage or Salary Stabilization Regulations or Orders or written rulings issued thereunder by the Wage Stabilization Board or by the Office of Salary Stabilization.

SEC. 5. *Increase in ceiling on compensation.* The Office of Salary Stabilization is authorized to approve applications for an increase of the aggregate compensation paid by a professional sports club to its players in cases where the limitation contained in section 4 of this regulation is shown to be inequitable. The Office of Salary Stabilization shall give consideration to any unusual circumstances or facts not in existence in any of the base years from 1946 to 1951.

SEC. 6. *Record keeping required.* (a) A professional sports club paying compensation to its employees under this regulation shall keep its records in such manner as to be able to identify:

(1) The name and position (i. e. "team manager," "coach," or "player") of the player to whom compensation was paid under this regulation.

(2) The calendar or fiscal year of the club for which such compensation was paid.

(3) If the salary and other compensation of the player was increased over that paid him in the previous year, the amount thereof prior to such increase and the amount of the increase.

(b) The club shall keep the records required by this section in such a manner as shall clearly show the required data

and so that it can readily demonstrate compliance with this regulation or with any written approval of the Office of Salary Stabilization. If such data are clearly shown by the club's payroll or personnel records, such records shall be sufficient.

(c) The records required by this section shall be kept accessible for inspection authorized by the Office of Salary Stabilization or any governmental department or agency concerned therewith and shall be preserved as long as the Defense Production Act of 1950, as heretofore or hereafter amended, is in effect and for a period of two years thereafter.

SEC. 7. *Reports.* (a) Every professional sports club shall:

(1) File an initial report on or before May 31, 1952, setting forth the base year selected by the club and the total amount of compensation paid by it to its players in such year;

(2) Beginning with the year 1953, file on or before January 30 of each year an annual report setting forth the total compensation paid by it to its players for the preceding calendar year.

(b) Such report need not be filed on a prescribed form, but shall be clearly designated as: "Initial (or "Annual") Report of [Insert name of club], a Professional Sports Club."

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Salary Stabilization Board on April 8, 1952.

JUSTIN MILLER,
Chairman.

[F. R. Doc. 52-4802; Filed, Apr. 29, 1952; 8:50 a. m.]

[Salary Procedural Regulation 2]

SPR—PROCEDURAL REQUIREMENTS REGARDING ENFORCEMENT OF GENERAL SALARY STABILIZATION REGULATIONS, GENERAL SALARY ORDERS, AND DETERMINATIONS

Purpose. This regulation sets forth the procedures with respect to the enforcement of General Salary Stabilization Regulations and General Salary Orders issued by the Salary Stabilization Board, and of determinations of the Office of Salary Stabilization.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Investigations, inspection authorizations and subpoenas.
3. Preliminary letter, conferences and settlements.
4. Disallowance sanctions.
5. Enforcement by disallowance proceedings.
6. Appeals.
7. Disallowance certificate.
8. Criminal penalties for contraventions.
9. Injunctions and orders enforcing compliance.

AUTHORITY: Sections 1 to 9 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Definitions.* (a) "Act" means the Defense Production Act of 1950 and any amendments thereto.

(b) "Board" means the Salary Stabilization Board.

(c) "Office" means the Office of Salary Stabilization (which includes the National Office in Washington, D. C., and the Regional Offices).

(d) "Chairman of the Board" as used in this regulation means the Chairman of the Salary Stabilization Board and the head of the Office.

(e) "Vice Chairman" as used in this regulation means the Vice Chairman of the Salary Stabilization Board, who in the absence of the Chairman of the Board is the head of the Office.

(f) "Executive Director" means the Executive Director of the Office.

(g) "Chief Counsel" means the Chief Counsel of the Office.

(h) "Regulations" and "Orders" mean the General Salary Stabilization Regulations and General Salary Orders of the Board.

(i) "Determination" means the written decision of the Office upon an application for the approval of a proposed adjustment in the salary or other compensation of one or more employees subject to the jurisdiction of the Board.

(j) "Contravention" means a violation of the act or of any regulation, order or determination issued thereunder.

(k) "Respondent" means a person named in a complaint as an alleged contravener.

(l) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

SEC. 2. *Investigations, inspection authorizations and subpoenas*—(a) *Investigations.* (1) The National Office and each Regional Director within his area is authorized to make, or cause to be made, such investigations, inspections or inquiries as may be necessary or appropriate, in their discretion, relating to the enforcement of the act and the regulations, orders or determinations issued thereunder. No investigation, inspection or inquiry shall be made until the scope and purpose thereof have been defined by the Chairman of the Board or other competent authority and it is assured that no adequate and authoritative data are available from any Federal or other responsible agency.

(2) Whenever the National Office deems it appropriate to effectuate the policies of the act or the regulations and orders issued thereunder, it may itself assume or reassume the conduct of any investigation, inspection or inquiry.

(b) *Inspection authorizations and subpoenas.* (1) The Chairman of the Board, the Vice Chairman, the Executive Director, or the Chief Counsel may issue inspection authorizations and subpoenas in connection with any investigation or proceeding relating to enforcement of the act and regulations, orders and determinations issued thereunder. No inspection authorization or subpoena shall be issued until the scope and purpose thereof have been defined by the Chairman of the Board or other competent authority and it is assured that no adequate and authoritative data are available from any Federal or other responsible agency.

(2) A Hearing Officer designated under section 5 may issue such subpoenas as he may deem necessary and appropriate in connection with any hearing held before him.

SEC. 3. *Preliminary letter, conferences and settlements.* (a) Whenever there appears to be contravention, a preliminary letter shall be forwarded to the alleged contravener briefly setting forth the nature of the alleged contravention.

(b) Within ten (10) days from the date of receipt of the letter by the alleged contravener, the alleged contravener may request a conference concerning the alleged contravention.

(c) In the event that a conference is requested, the Office shall notify the alleged contravener of the time and place of such conference. At such conference the alleged contravener may appear in person or by attorney and may present appropriate information and arguments.

(d) The alleged contravener may submit a proposal for settlement at any time. Every settlement shall provide assurance of prompt and full compliance thereafter with the act and regulations and orders issued thereunder. All settlements shall be subject to approval by the Chief Counsel.

SEC. 4. *Disallowance sanctions.* (a) Whenever any salary or other compensation has been paid in contravention of the regulations and orders issued pursuant to the act, or determinations made thereunder, the salary or other compensation payment shall be disallowed for one or more of the purposes of:

(1) Calculating deductions or the basis for determining gain under the Revenue Laws of the United States;

(2) Determining costs and expenses under any contract made by or on behalf of the United States, either directly or indirectly;

(3) Establishing any maximum price pursuant to the act; and

(4) Determining the costs or expenses of any person for the purpose of any other law or regulation.

(b) The amount to be disallowed and disregarded shall be the entire amount of the salary or other compensation paid or accrued in violation of the act or regulations or orders issued pursuant thereto, or determinations made thereunder. Where extenuating and mitigating circumstances of the character described in paragraph (c) of this section are found to exist, less than the entire amount of such payments or accruals may be disregarded and disallowed; provided further that the general policy shall be to disallow and disregard an amount at least equal to that portion of any payment or accrual in excess of whatever payment was permissible under the governing regulation, order, or determination.

(c) Extenuating and mitigating circumstances which may be taken into account include:

(1) Prompt and voluntary disclosure of possible violation;

(2) Prompt and full cooperation with investigating and other officials;

(3) Prompt remedying of violation of applicable rules, regulations, or orders;

(4) The prompt adoption of adequate measures to prevent repetition of any violation of applicable rules, regulations, or orders;

(5) Inadvertent rather than intentional and wilful violations;

(6) Such other factors as may be appropriate in the particular case.

SEC. 5. *Enforcement by disallowance proceedings*—(a) *Disallowance proceedings.* Whenever it has been determined that any salary or other compensation has been paid in contravention of the regulations and orders issued under the act, the extent to which any such salary or other compensation payment shall be disregarded by the executive departments and other governmental agencies in determining the costs or expenses of any employer for the purposes of any other law or regulation shall be prescribed in accordance with the provisions of section 405 (b) of the act. Any salary or other compensation paid in contravention of the act, regulations, orders, and determinations issued thereunder may be disallowed in whole or in part for one or more of the purposes set forth in section 4 (a).

(b) *Institution of disallowance proceedings.* Whenever the Office has reason to believe that any person has paid salaries or other compensation in contravention of the act or regulations and orders issued pursuant thereto, or determinations made thereunder, it shall institute disallowance proceedings to ascertain whether a contravention has occurred, and to determine the amount to be certified to and disregarded by the executive departments and other government agencies.

(c) *Parties to disallowance proceedings.* Within the meaning of sections 5 and 6, the term "parties" shall mean the Chief Counsel, to whom a delegation of authority for this purpose is hereby made, or the representative of the Chief Counsel, the person alleged to have contravened the act or regulations and orders issued pursuant thereto, or determinations made thereunder, and to the extent permitted under this section the person intervening in any enforcement proceedings.

(d) *Complaint and answer.* (1) Whenever it appears that any person has contravened the act or regulations and orders issued pursuant thereto, or determinations made thereunder and the matter is not disposed of by settlement under section 3 (d) of this regulation, a complaint shall be served by the Chief Counsel on the alleged contravener.

(2) The complaint shall set forth (i) a concise statement of the nature of the alleged contravention, (ii) the sanctions applicable thereto, (iii) that the respondent has the right to submit a written answer, together with any pertinent documents in support thereof, (iv) that the respondent has the right to a hearing before a Hearing Officer as provided in paragraph (6) hereof, and (v) that where no answer to the complaint is filed the right to a hearing shall be deemed to have been waived.

(3) Within ten (10) days of receipt of the complaint, the respondent shall file a written answer with the Chief Counsel by registered mail. The answer shall be signed and sworn to by a responsible officer if the respondent is a corporation, one of the partners if the respondent is a partnership, or by the proprietor if the respondent is a sole proprietor. An original and two copies of the answer shall be filed with the Chief Counsel, as above provided.

(4) The answer shall specifically and separately admit or deny each allegation of the complaint. It shall also contain a concise statement of the facts which constitute the grounds of defense, if any, and shall state whether or not the salaries or other compensation alleged in the complaint to have been paid in contravention of the act, or any regulation, order or determination, have in fact been paid. If the answer admits that the salaries or other compensation were paid as alleged in the complaint, but alleges that such salaries or other compensation were not paid in contravention of the act, or any regulation, order or determination, the answer shall specify the provision or provisions of the act, regulation, order or determination pursuant to which such salaries or other compensation are alleged to have been authorized.

(5) If the respondent fails to file a timely answer as herein provided, he shall be deemed to have waived his right to a hearing as provided in paragraph (2) hereof. If no answer is filed, all allegations of the complaint shall be deemed to be admitted to be true. If an answer is filed, any allegation in the complaint not specifically denied in the answer shall be deemed to be admitted to be true.

(6) If the respondent desires to be heard on the issues of fact or law raised by the complaint and answer, he shall file with the Chief Counsel a request for hearing, together with his answer to the complaint, or in any event, not later than ten (10) days of receipt of the complaint.

(e) *Hearings*—(1) *Hearing Officers.* Hearing Officers shall be appointed by the Chairman of the Board. The Chairman of the Board may designate one of such officers as the Chief Hearing Officer who shall exercise the functions conferred upon him by this regulation and such other functions as from time to time may be delegated by the Chairman of the Board.

(2) *Request for hearing.* When a hearing has been requested, the Office of the Chief Counsel shall inform the Chief Hearing Officer of such request. The Chief Hearing Officer shall thereupon fix the time and place of hearing, and shall give not less than fifteen (15) days written notice thereof to the respondent and to the Office of the Chief Counsel. The notice shall set forth the time, place, nature of the hearing, legal authority and jurisdiction under which the hearing is to be held and the matters of fact and law to be asserted.

(3) *Assignment of Hearing Officer.* The Chief Hearing Officer shall either hold the hearing himself or shall assign a Hearing Officer to preside at the hearing.

(4) *Place of hearing.* Hearings shall be held in Washington, D. C., in the cities in which the Regional Offices are located, or in such other places as may be designated by the Chief Hearing Officer. The respondent may request a change of the place of hearing on the grounds of hardship. Such request shall be in writing and sent to the Chief Hearing Officer within five (5) days of receipt of notice of hearing. The granting of any request for a change of the place of hearing shall be in the discretion of the Chief Hearing Officer who shall inform all parties of his decision.

(5) *Appearances.* The respondent or any person atuhorized to intervene in the proceeding may appear in his own behalf or by a duly authorized representative.

(6) *Continuance.* Requests for continuance made prior to the commencement of the hearing shall be filed in triplicate with the Chief Hearing Officer at least five (5) days prior to the date of hearing. The Chief Hearing Officer shall send a copy of such request to each of the parties who shall be accorded opportunity to object to such continuance. The granting of any such continuance shall be at the discretion of the Chief Hearing Officer. After commencement of the hearing, the presiding Hearing Officer shall have discretion to continue the hearing from day to day or adjourn it to a later date or to a different place by announcement thereof at the hearing or by other appropriate notice.

(7) *Transcript.* An official reporter shall make a stenographic report of every hearing and the transcript of the hearing shall become part of the record of each case. Stenographic transcripts of the proceeding shall be paid for by the parties requesting them, at the regular cost per copy.

(8) *Stipulation of fact.* The Chief Counsel is authorized to enter into a stipulation with the respondent with respect to any relevant facts. Such stipulation may be offered at the hearing by the Chief Counsel or the respondent.

(9) *Conduct of hearings: evidence.* The hearings shall be conducted by a Hearing Officer in a fair and impartial manner and, so far as practicable, in accordance with the rules of evidence applicable in the district courts of the United States under the rules of civil procedure for the district courts of the United States, adopted by the Supreme Court of the United States pursuant to the Act of June 19, 1934. The Hearing Officer shall administer oaths and affirmations. Opportunity shall be afforded to all parties for the submission and consideration of facts and arguments and the examination and cross-examination of witnesses. Save to the extent required for the disposition of ex parte matters, no Hearing Officer shall consult any person or party on any fact in issue unless upon notice and opportunity for all parties to participate; nor shall such Officer

be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigative or prosecuting functions for the Office. No officer, employee or agent engaged in the performance of investigative or prosecuting functions for the Office in any case shall, in that or a factually related case, participate or advise in the decision, or in any review by the Office as provided in this regulation except as witnesses or counsel in public proceedings.

(10) *Exclusion from hearings.* Contemptuous conduct at any hearing shall be ground for exclusion from the hearing. The refusal of a witness at any hearing to answer any question which has been ruled to be proper shall, in the discretion of the Hearing Officer, be ground for disregarding all testimony previously given by such witness on related matters.

(11) *Request to intervene.* Any person having an interest in a disallowance proceeding in which a hearing is held under this section may request the Hearing Officer for the right to intervene. A request to intervene may be made orally or in writing and shall be made to the Hearing Officer at the earliest opportunity. Any such request shall state the grounds upon which intervention is sought. The Hearing Officer shall afford the other parties an opportunity to oppose the request for intervention. Decision upon a request to intervene shall be in the discretion of the Hearing Officer who shall determine the extent and terms thereof. The Hearing Officer shall inform all parties of his decision.

(f) *Failure to request hearing.* (1) In the event that the respondent has failed to answer the complaint and to request a hearing, the matter shall be presented to the Hearing Officer solely for determination of the sanction to be applied against the alleged contravener.

(2) In the event that the respondent has filed an answer to the complaint but has failed to request a hearing, the Chief Counsel shall, upon notice to the respondent, cause the matter to be set down for a hearing and the matter shall then be decided upon the record, which shall include the complaint, the answer of the respondent thereto and such other matter as the Chief Counsel may present. For good cause shown, the Hearing Officer may permit the respondent to participate in such hearing as a party notwithstanding his previous failure to request a hearing.

(g) *Findings and decision of the Hearing Officer.* (1) Proposed Findings of Fact and a recommended Decision may be submitted to the Hearing Officer by any party within fifteen (15) days after the conclusion of a hearing or such additional time as the Hearing Officer may prescribe at the conclusion of the hearing.

(2) As soon as feasible after the conclusion of the hearing, the Hearing Officer shall make his Findings of Fact and render his Decision. A copy thereof shall be sent to each of the parties. The Decision of the Hearing Officer shall be final unless amended or modified on rehearing or appeal.

(h) *Re-hearing.* (1) The respondent or the Chief Counsel may petition the Chief Hearing Officer to re-open the hearing on the basis of newly discovered facts which are relevant and material and which were not known and which could not have been reasonably discovered at the time of the hearing. Such petition shall be in writing and shall contain a summary of the newly discovered facts and a statement as to why such facts are believed to be relevant and material. The petition shall be supported by an affidavit or affidavits setting forth the reason why the facts in question were not available and could not have been reasonably discovered at the time of hearing.

(2) The petitioner shall send by registered mail with return receipt requested, two copies of the petition to the Chief Hearing Officer, and at the same time shall send one copy thereof to each of the other parties. The other parties may in writing oppose such petition within ten (10) days after receipt of a copy of the petition. The granting of any such petition shall be in the discretion of the Chief Hearing Officer.

(3) In the event the petition is granted the Chief Hearing Officer shall fix the time and place for re-hearing and notice thereof shall be given to the parties. The appropriate provisions of section 5 relating to the conduct of hearings shall be applicable to the re-hearing.

(4) In the event the petition is denied, a copy of the decision shall be sent to the respondent.

SEC. 6. *Appeals*—(a) *Right to appeal.* An appeal from the Findings of Fact and Decision of the Hearing Officer may be taken by any of the parties to the Chairman of the Board.

(b) *Form and contents of an appeal.* The appeal shall be in writing. It shall state in detail the objections to the Findings of Fact and Decision from which appeal is taken, and whether it is claimed (i) that the Findings of Fact and Decision are not supported by substantial evidence, (ii) that the decision is contrary to applicable law and general salary stabilization regulations and general salary orders, (iii) that the decision in whole or in part is arbitrary. No new evidence shall be considered on appeal.

(c) *Time and place of filing appeals.* An appeal may be taken within thirty (30) days after receipt by the parties of the Findings of Fact and Decision. The appeal and any memorandum or brief in support thereof shall be filed with the Chairman of the Salary Stabilization Board, Washington 25, D. C. and a copy thereof shall be sent to each of the other parties. If timely request is made to the Chairman of the Board, the time for filing an appeal may be extended. The extension of time for filing an appeal is solely within the discretion of the Chairman of the Board.

(d) *Submission of briefs on appeal.* Within ten (10) days from the filing of an appeal any other party may file a memorandum or brief with respect to any issues raised by the appeal. The original and one copy of any such memorandum or brief shall be filed with the Chairman of the Board and a copy thereof shall be sent to each of the other parties.

(e) *Oral argument on appeal.* The appellant may request oral argument on appeal at the time of the filing of the appeal. Any other party may request oral argument within seven (7) days after the filing of the appeal. Such requests shall be in writing and shall be addressed to the Chairman of the Board upon a showing that a proper consideration cannot otherwise be given to the appeal. The Chairman of the Board shall give timely notice of his decision in writing to all parties.

(f) *Decision on appeal.* (1) The Chairman of the Board will render his decision upon the entire record of the case including the record presented to the Hearing Officer at the hearing, the Findings of Fact and Decision of the Hearing Officer, and any memoranda or briefs submitted in connection with the appeal by any of the parties. The Chairman of the Board may affirm, modify or reverse the Findings of Fact and Decision of the Hearing Officer in whole or in part or he may remand the case for further hearing.

(2) Copies of the decision shall be sent to the alleged contravener by registered mail and copies shall be sent to each other party.

(3) The decision of the Chairman of the Board shall be final.

SEC. 7. *Disallowance certificate.* Whenever there has been a final decision in a disallowance proceeding imposing one or more of the disallowance penalties set forth in section 4 (a) of this regulation, a disallowance certificate shall be prepared setting forth the name and address of the contravener and the amounts which shall be disallowed and disregarded by any executive departments and other agencies of the government in determining the costs and expenses of the contravener. The certificate of disallowance shall be transmitted to the appropriate executive departments and other agencies of the government. The certificate of disallowance shall be conclusive for the purposes therein stated.

SEC. 8. *Criminal penalties for contraventions.* (a) Whenever the Office has reason to believe that any person has wilfully violated any provision of section 405, Title IV, of the act or any regulation or order issued pursuant to Title VII of the act, it may certify the facts to the Attorney General who may, in his discretion, cause appropriate proceedings to be brought. Any person who wilfully pays or receives any salary or other compensation in contravention of the act or any regulation or order issued pursuant thereto shall upon conviction thereof, be subject to a fine or to imprisonment or both as set forth in section 409 of the act.

(b) Whenever the Office believes that any person has wilfully performed any act prohibited or wilfully fails to perform any act required by the provisions of section 705, Title VII of the act, or any rule, regulation or order issued pursuant thereto concerning testimony, inspection or the production of books, records or other documentary evidence, it may certify the facts to the Attorney General

who may, in his discretion, cause appropriate proceedings to be brought. Any person who wilfully performs any act prohibited or willfully fails to perform any act required by the provisions of section 705, Title VII, of the act, or any rule, regulation or order issued pursuant thereto shall, upon conviction thereof, be subject to a fine or imprisonment, or both, as set forth in section 705.

SEC. 9. *Injunctions and orders enforcing compliance.* (a) Whenever any person has engaged in or is about to engage in any acts or practices which constitute or will constitute a violation of the act or a contravention of any of the regulations or orders issued pursuant to Title IV or Title VII of the act, application may be made to any district court of the United States or any United States court of any territory or other place subject to the jurisdiction of the United States, for an order enjoining such acts or practices or for an order enforcing compliance with the regulations and orders in question.

(b) Whenever the Office has reason to believe that any person has paid salaries or other compensation in contravention of the act or the regulations, orders and determinations made thereunder, it may certify the facts to the Attorney General who may, in his discretion, seek an order enjoining such acts or practices or an order enforcing compliance with the regulations, orders and determinations in question.

NOTE: Requirements of this regulation with respect to information to be supplied in connection with answers, petitions, etc., have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued: April 17, 1952.

JUSTIN MILLER,
Chairman.

[F. R. Doc. 52-4920; Filed, Apr. 29, 1952; 12:03 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-5, Amendment 1 of April 29, 1952]

M-5—ALUMINUM

MISCELLANEOUS AMENDMENTS

This amendment of NPA Order M-5 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by the Defense Production Act of 1950 as amended. In the formulation of the amendment of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-5, as amended January 23, 1952, is further amended in the following respects:

1. Section 7 is amended by the addition of a new paragraph (d) which reads as follows:

(d) After an authorized production schedule or production directive has been issued to a primary producer, secondary smelter, or independent fabricator in accordance with paragraph (b) or (c) of this section, NPA may from time to time issue directives to primary producers or secondary smelters with respect to the sale of aluminum production material to other primary producers or secondary smelters or to independent fabricators. In that event, NPA will notify such persons of the name of the person from whom he shall purchase the aluminum production material he requires to fulfill his authorized production schedule or to comply with his production directive.

2. Section 12 is hereby amended by deleting the figure "100" in the ninth line of paragraph (d) thereof and by inserting the figure "125" in lieu therefor; by deleting the period at the end of the first sentence thereof, substituting a comma therefor, and adding the following: "minus the quantity of aluminum he is required to produce or ship in that calendar quarter to fill orders carried over from a previous calendar quarter, unless otherwise specifically directed by NPA."

As so amended, paragraph (d) of section 12 reads as follows:

(d) Within the period of 75 to 60 days prior to the first day of the month in which delivery is requested, and subject to the provisions of paragraph (g) of this section, each producer of aluminum shall accept all authorized controlled material orders offered to him (subject to the provisions of CMP Regulation No. 3) until he has thereby committed 125 percent of the proposed production necessary to fulfill his authorized production schedule or production directive, minus the quantity of aluminum he is required to produce or ship in that calendar quarter to fill orders carried over from a previous calendar quarter, unless otherwise specifically directed by NPA. This requirement is subject to the provisions of section 20 of CMP Regulation No. 1.

3. Paragraph (f) of section 12 is hereby amended to read as follows:

(f) The percentages referred to in paragraphs (a) and (b) of this section shall be calculated by each aluminum producer for each calendar quarter on the basis of the authorized production schedule and production directives issued to him for that calendar quarter regardless of the quantities of aluminum he expects to produce or ship in that quarter to fill orders carried over from a previous calendar quarter.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This amendment shall take effect April 29, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-4917; Filed, Apr. 29, 1952; 11:32 a. m.]

[NPA Order M-75—Revocation]

M-75—STEEL SHIPPING DRUMS

REVOCATION

NPA Order M-75 (16 F. R. 12833) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-75 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

Steel shipping drums are subject to the provisions of NPA Reg. 1.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective April 29, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52-4918; Filed, Apr. 29, 1952; 11:32 a. m.]

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

[NSA Order 35 (OPR-2, Amdt. 1)]

NSA 35 (OPR-2)—VOYAGE DATA

IDLE STATUS PERIOD

Effective upon publication of this Amendment 1 in the FEDERAL REGISTER, paragraph (a) of section 5, *Idle status period* contained in NSA Order 35 (OPR-2) published in the FEDERAL REGISTER (16 F. R. 5950), is amended by adding the words "or deactivation" immediately following the word "reactivation" so that paragraph (a) shall read as follows:

(a) The General Agent shall place a vessel in idle status during the period of reactivation or deactivation notwithstanding the fifteen (15) day minimum period as provided for in paragraph (b) of this section.

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

Approved: April 23, 1952.

[SEAL] C. H. MCGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 52-4821; Filed, Apr. 29, 1952; 8:54 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 20—SPECIAL REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Subparagraph (3), paragraph (a) entitled *Fishing*, of § 20.24, entitled *Catoctin Recreational Demonstration Area*, is amended to read as follows:

(3) The open season for fishing shall be from April 15 to September 15, inclusive. Fishing is permitted only between the hours of 5:30 a. m. and 8:00 p. m.

2. Section 20.45, entitled *Everglades National Park*, is amended by the addition of paragraph (h), reading as follows:

(h) The feeding, touching, teasing, or molesting of any crocodile or alligator is prohibited.

3. A new § 20.12 is added to Part 20, reading as follows:

§ 20.12 *Kennesaw Mountain National Battlefield Park*—(a) *Speed.* Speed of automobiles and other vehicles except ambulances and Government cars on emergency trips on Keenesaw Mountain Road is limited to 25 miles per hour.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 24th day of April 1952.

OSCAR L. CHAPMAN,
Secretary of the Interior.

[F. R. Doc. 52-4784; Filed, Apr. 29, 1952; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Office of the Secretary

[31 CFR Part 54]

GOLD REGULATIONS ISSUED BY THE SECRETARY OF THE TREASURY

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Secretary of the Treasury proposes to amend the Gold Regulations (31 CFR Part 54) as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting their views and data or arguments in writing to the Director of the Mint, Treasury Department, Washington 25, D. C., prior to May 30, 1952. All communications should be submitted in quadruplicate.

The proposed amendments will provide in substance that:

1. The Gold Regulations are issued under the authority vested in the President in section 5 (b) of the act of October 6, 1917 (40 Stat. 415) as amended (sec. 2, 48 Stat. 1; sec. 301, 55 Stat. 839; 12 U. S. C. 95 (a)) and delegated to the Secretary of the Treasury in E. O. 6260, August 28, 1933 (31 CFR Part 50); E. O. 6359, October 25, 1933; E. O. 9193, July 6, 1942, as amended (7 F. R. 5205; 3 CFR 1943 Cum. Supp.), the authority contained in sections 3, 8, 9, and 11 of the Gold Reserve Act of 1934 (48 Stat. 340, 341, 342; 31 U. S. C. 442, 733, 734, 822b) and the authority with respect to the approval of regulations delegated to the Secretary of the Treasury in E. O. 10289, September 17, 1951 (16 F. R. 9499). The issuance of the Gold Regulations explicitly under the authority of section 5 (b) of the act of October 6, 1917, as amended, E. O. 6260, E. O. 6359, and E. O. 9193, as well as the other authority cited is merely for the purpose of setting forth in detail existing law, e. g., that the prohibitions contained in said act and orders are still in full force and effect, that authorizations contained in the Gold Regulations or in licenses issued thereunder constitute authorizations under said act and orders, and that the penal provisions of said act and orders are applicable to violations of any provision of the Gold Regulations, of any license issued thereunder, or of any ruling, regulation, order, direction, or instruction issued by or pursuant to the direction of the Secretary of the Treasury pursuant to the Regulations in 31 CFR Part 54 or otherwise under section 5 (b) of the act of October 6, 1917, as amended.

2. For the purpose of determining whether gold is fabricated or semi-processed, the total domestic value of the processed or manufactured gold shall be based upon the cost to the owner and not the selling price. In the case of a manufacturer or processor, the allowable elements of such value are the cost of material in the article, labor performed on the article, and processing losses and overhead applicable to the manufacture or processing of such article. In the case of a dealer or other person who holds or disposes of gold without further processing, the total domestic value is the net purchase price paid by such person, including transportation costs, if any, incurred in obtaining delivery of such article to his usual place of business. This provision merely sets forth in detail in the regulations what has already been established by administrative interpretation.

3. The Director of the Mint may exclude particular persons or classes thereof from the operation of any section of the Gold Regulations, from any privileges conferred therein, or licenses issued thereunder, such action to be binding upon all persons receiving actual or constructive notice, thereof. Any violation of the provisions of the Gold Regulations or of any license issued thereunder shall constitute grounds for such exclusion.

4. Gold coin which, prior to April 5, 1933, was of recognized special value to collectors of rare and unusual coin, may be acquired and held, transported within the United States or imported without the necessity of holding a license therefor. Gold coin of foreign issue minted subsequent to April 5, 1933, will be presumed not to be of recognized special value to collectors of rare and unusual coin.

5. Every person acquiring, holding or disposing of gold pursuant to the authorizations contained in 31 CFR §§ 54.18 and 54.21 shall keep full and accurate records of all his operations with respect to gold. Such records shall include the name, address, and Treasury Gold License number of each person from whom gold is acquired or to whom gold is delivered and the amount, date, and description of each such acquisition and delivery. If the person from whom gold is acquired or to whom gold is delivered does not have a Treasury Gold License, such records shall show the section of the Gold Regulations pursuant to which such gold was held or acquired by such person. In addition, all such records, including those now required to be kept by every person holding a Treasury Gold License, shall show the purchase and sales price of every acquisition and delivery of gold and all costs and expenses entering into the computation of the total domestic value of articles of fabricated or semiprocessed gold. All such records shall be available for examination by a representative of the Treasury Department until the end of the third calendar year (or if such person's accounts are kept on a fiscal year basis, until the end of the third fiscal year) following such operations or transactions with respect to gold. The Director of the Mint, officers and employees of the Bureau of the Mint specifically designated by the Director, or any department or agency charged with the enforcement of the Gold Regulations or the acts and orders pursuant to which said regulations are issued may require any person to permit the inspection of inventories and the inspection and copying of records required to be kept under any section of the Gold Regulations and, to the extent that the production of such information is necessary to the enforcement of said acts, orders, and regulations, of any other records, and documents, and papers.

6. Quarterly reports by holders of Treasury Gold Licenses shall be made for the quarterly periods ending on the last days of March, June, September, and December, respectively, instead of the quarterly periods ending on the last days of January, April, July, and October.

At the time the amendments set forth herein are adopted, it is contemplated that a number of additional amendments, consisting of minor changes in rules of organization, procedure and practice, and relaxations of existing restrictions, will also be adopted.

The proposed amendments are to be issued under the authority contained in sections 3 and 11 of the Gold Reserve Act of 1934, 48 Stat. 340, 342; 31 U. S. C. 442, 822b; section 5 (b), 40 Stat. 415, as amended; sec. 2, 48 Stat. 1; sec. 301, 55 Stat. 839; 12 U. S. C. 95 (a); E. O. 6260, August 28, 1933, 31 CFR. Part 50; E. O. 6359, October 25, 1933; E. O. 9193, July 6, 1942, as amended, 7 F. R. 5205; 3 CFR 1943 Cum. Supp.; E. O. 10289, September 17, 1951, 16 F. R. 9499.

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 52-4770; Filed, Apr. 29, 1952; 8:45 a. m.]

NOTICES

COMMITTEE FOR RECIPROCITY INFORMATION

IMPORTATION OF FRESH TOMATOES DURING THE WINTER SEASON

SUBMISSION OF INFORMATION

Closing date for applications to be heard May 20, 1952. Closing date for submission of briefs May 20, 1952. Public hearings open May 27, 1952.

The Committee for Reciprocity Information hereby gives notice that a public hearing will be held in reference to the importation of fresh tomatoes during the winter season. The purpose of the hearing is to enable the interdepartmental trade agreement organization to obtain the views of all interested persons with respect to the desirability and practicability of entering into trade-agreement negotiations with a view to the modification of trade-agreement obligations so as to permit changes in the existing tariff treatment of fresh tomatoes imported into the United States during the winter season and of regulating imports in such a way as to minimize the uneconomic effects of temporary gluts that might otherwise arise in connection with the marketing of such tomatoes.

The present rate of duty on fresh tomatoes imported from countries other than Cuba is 1.5 cents per pound when entered during the period from November 15 to the end of the following February, and 2.1 cents per pound during the periods from March 1 to July 14, inclusive, and from September 1 to November 14, inclusive. On imports from Cuba, the comparable seasonal rates are 1.2 cents and 1.8 cents per pound, respectively.

The Committee has received a proposal for the regulation of marketings of fresh tomatoes during the winter season as formulated by a group of domestic growers and certain foreign growers. Copies of this proposal will be supplied upon request to the Committee for Reciprocity Information.

All applications for oral presentation of views and all information and views in writing in regard to the foregoing matter shall be presented to the Committee for Reciprocity Information not later than 12:00 noon, May 20, 1952. Such communications shall be addressed to the Chairman, Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C. Eleven copies of written statements either typed, printed or duplicated shall be submitted, one of which shall be sworn to.

Public hearings will be held before the Committee for Reciprocity Information at which oral statements will be heard. Hearings will open at 10:00 a. m. on May 27, 1952, in the auditorium of the Department of Commerce, Fourteenth and Constitution Avenue NW., Washington, D. C.

Statements made at public hearings shall be under oath.

If as a result of these hearings and of other considerations it should be decided that trade-agreement negotiations shall be undertaken for the purposes stated in the initial paragraph of this notice, formal public announcement of intention to undertake such negotiations will be given together with hearings by the Committee for Reciprocity Information and the Tariff Commission, in accordance with established procedure. However the views and information submitted in connection with the hearing opening May 27 will be available to the trade-agreements organization during any further consideration of the proposal.

By direction of the Committee for Reciprocity Information this 28th day of April 1952.

EDWARD YARDLEY,
Secretary, Committee for Reciprocity Information.

[F. R. Doc. 52-4886; Filed, Apr. 29, 1952; 8:51 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority No. 65]

DIRECTOR OF REGIONAL OFFICE NO. XII

DELEGATION OF AUTHORITY TO ACT UNDER SECTION 3 OF CEILING PRICE REGULATION 142.

By virtue of the authority vested in me as Director of Price Stabilization, pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 65 Stat. 131), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2, as amended (16 F. R. 738, 11626), this delegation of authority is hereby issued.

1. Authority is hereby delegated to the Director of Region XII, Office of Price Stabilization, to issue orders establishing or denying ceiling prices, and to request further information concerning proposed ceiling prices, under the provisions of section 3 of Ceiling Price Regulation 142.

2. The authority herein delegated may be redelegated to the Directors of the District Offices of the Office of Price Stabilization at Los Angeles, California and San Diego, California.

This delegation of authority shall take effect on May 5, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 29, 1952.

[F. R. Doc. 52-4915; Filed, Apr. 29, 1952; 4:00 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9341]

TAMPA BROADCASTING CO. (WALT)

ORDER DELETING ISSUES

In re application of W. Walter Tison, tr/as Tampa Broadcasting Company (WALT), Tampa, Florida, Docket No. 9341, File No. BP-6537; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration a petition requesting reconsideration and grant without hearing of the above-entitled application for construction permit to change frequency from 1110 kc to 920 kc, increase hours of operation to unlimited, increase daytime power to 5 kw, change transmitter and install a directional antenna system for day and night use at Station WALT, Tampa, Florida.

It appearing, that this application was designated for hearing on June 9, 1949, on engineering issues only but that issues regarding the applicant's technical, financial and other qualifications and his proposed program plans were included when two competing applications were joined in the hearing to make a consolidated proceeding; and

It further appearing, that both of the competing applicants in this comparative proceeding subsequently obtained dismissals of their respective applications so that the hearing is no longer comparative; and

It further appearing, that the applicant is legally, technically, financially and otherwise qualified to construct and operate Station WALT as proposed; and

It further appearing, that neither the above-entitled application nor the aforesaid petition have satisfied the Commission that there will be compliance with the rules and Standards of Good Engineering Practice with respect to service to the Tampa-St. Petersburg metropolitan district at night nor with respect to the ratio of population losing service within the normally protected contour to the population actually served;

It is ordered, That the said petition is denied;

It is further ordered, That the issues regarding the applicant's qualifications and proposed program service which were included by the order of February 1, 1950, in this proceeding are deleted on the Commission's own motion.

Commissioner Hyde dissenting and voting for reconsideration.

Released: April 24, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4825; Filed, Apr. 29, 1952; 8:56 a. m.]

[Docket No. 10175]

DR. EUGENE RODIN

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Dr. Eugene Rodin, application for a license to operate a

Special Emergency radio station; Docket No. 10175, File No. 6261-B5-ML-E.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the application of Dr. Eugene Rodin for a license to operate a Special Emergency radio station;

It appearing, that section 451 (a) (3) of Part 10, "Public Safety Radio Services" limits the eligibility of physicians for Special Emergency radio station licenses to physicians normally practicing in remote areas where communication facilities are not available;

It further appearing, that the applicant has requested a hearing for the purpose of resolving the question of his eligibility to operate a Special Emergency radio station under the provisions of that rule;

It further appearing, That upon examination of the above-captioned application, the Commission is unable to determine that the public interest, convenience, or necessity would be served by the granting thereof:

It is ordered, Under the authority contained in section 309 (a) of the Communcations Act of 1934, as amended, that the application of Dr. Eugene Rodin for a Special Emergency radio station (File No. 6261-B5-ML-E) be designated for hearing before a Commission Examiner, at a time and place to be hereafter specified, upon the following issues:

1. To determine the applicant's eligibility under the provisions of subparagraph (3) of § 10.451 (a) of the "Public Safety Radio Services" for a Special Emergency radio station license.

2. To determine whether the applicant operated a radio station without a valid authorization in violation of the Communications Act of 1934, as amended.

3. To determine whether, during the time the applicant was authorized to operate a radio station, such station was operated in a manner contrary to the Communications Act or the rules and regulations of the Commission.

4. To determine the applicant's qualifications to operate the radio station for which he has requested authorization.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4826; Filed, Apr. 29, 1952; 8:56 a. m.]

[Docket No. 10179]

DONALD WINFRED HAWKINS

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Donald Winfred Hawkins, Brownsville, Texas, suspension of Radiotelephone and Radiotelegraph Operator Licenses; Docket No. 10179.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

It appearing, that acting in accordance with the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, Donald Winfred Hawkins, P. O. Box 1747, Brownsville, Texas, filed with the Commission within the time provided therefor an application requesting a hearing on the Commission's order of February 13, 1952, suspending for a period of three months his radiotelegraph second class operator license No. T-9-671 and his radiotelephone first class operator license P-9-1358; and

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

It is ordered, That the matter of the suspension of the radiotelegraph second class operator license and radiotelephone first class operator license of Donald Winfred Hawkins is hereby designated for hearing at a time and place to be specified by subsequent order of the Commission upon the following issues:

1. To determine whether Hawkins wilfully engaged in the unlawful operation of an unlicensed radio station on board the vessel AJAX on or about February 10, 1951, in violation of section 301 of the Communications Act of 1934, as amended.

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

It is further ordered, That a copy of this order be transmitted by registered mail, return receipt requested, to Donald Winfred Hawkins, P. O. Box 1747, Brownsville, Texas.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4827; Filed, Apr. 29, 1952; 8:56 a. m.]

[Docket 10181]

MCLENNAN BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of L. E. Richards, doing business as McLennan Broadcasting Company, Waco, Texas, Docket No. 10181, File No. BP-8031; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 920 kc, with 500 w power, daytime only, using a directional antenna, at Waco, Texas,

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order upon the following issues:

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

2. To determine whether the operation of the proposed station would involve objectionable interference with Station KRRV, Sherman, Texas; KTLW, Texas City, Texas; KCLW, Hamilton, Texas, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Red River Valley Broadcasting Corp., licensee of Station KRRV, Sherman, Texas; J. G. Long, trading as Texas City Broadcasting Service, licensee of Station KTLW, Texas City, Texas; and Clyde Weatherby, trading as Hamilton Broadcasting Co., licensee of Station KCLW, Hamilton, Texas, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4828; Filed, Apr. 29, 1952; 8:56 a. m.]

[Docket No. 10182]

ISRAEL PUTNAM BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of The Israel Putnam Broadcasting Company, Putnam, Connecticut, Docket No. 10182, File No. BP-8264; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Putnam, Connecticut,

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the proposed operation may involve interference with one or more existing stations;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be specified by subsequent order, upon the following issues:

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

2. To determine whether the operation of the proposed station would involve objectionable interference with station WNBH, New Bedford, Massachusetts, and any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference, with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That, E. Anthony & Sons, Inc., licensee of station WNBH, New Bedford, Massachusetts, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4829; Filed, Apr. 29, 1952; 8:57 a. m.]

[Docket No. 10183]

SUSSEX COUNTY BROADCASTERS

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Simon Geller, Robert Mensel, William Fairclough and Elizabeth Fairclough, doing business as Sussex County Broadcasters, Newton, New Jersey, Docket No. 10183, File No. BP-8368; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1230 kc, with 100 w power, unlimited time, at Newton, New Jersey.

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station but that the application may involve interference with one or more existing stations;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order;

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

2. To determine whether the operation of the proposed station would involve objectionable interference with Stations WCDL, Carbondale, Pennsylvania; WFAS, White Plains, New York, or any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That, Carbondale Broadcasting Co., Inc., licensee of Station WCDL, Carbondale, Pennsylvania; and Westchester Broadcasting Corporation, licensee of Station WFAS, White Plains, New York, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4830; Filed, Apr. 29, 1952; 8:57 a. m.]

[Docket Nos. 10184, 10185]

KNOXVILLE RA-TEL, INC. AND DICK BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Knoxville Ra-Tel, Inc., Knoxville, Tennessee, Docket No. 10184, File No. BP-8319; James A. Dick and Marilyn M. Dick doing business as Dick Broadcasting Company, Knoxville, Tennessee, Docket No. 10185, File No. BP-8344; for construction permits.

At a session of the Federal Communication Commission held at its offices in Washington, D. C., on the 17th day of April 1952;

The Commission having under consideration the above-entitled applications requesting construction permits for new standard broadcast stations, each to operate on 860 kc, with 1 kw power, daytime only, at Knoxville, Tennessee,

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and its partners and the corporate applicant, its officers, directors and stockholders to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4831; Filed, Apr. 29, 1952; 8:57 a. m.]

[Docket Nos. 9847, 9848]

TELANSERPHONE, INC. AND ROBERT C. CRABB

ORDER SCHEDULING ORAL ARGUMENT

In re applications of Telanserphone, Inc., Los Angeles, California, Docket No. 9847, File No. 7241-C2-P-E; Robert C. Crabb, Los Angeles, California, Docket No. 9848, File No. 7750-C2-P-E; for construction permits in the Domestic Public Land Mobile Radio Service at Los Angeles, California.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of April, 1952;

The Commission having under consideration the exceptions to the Initial Decision herein, the reply to said excep-

tions, and the request of applicant Robert C. Crabb that 30 minutes time be allowed for oral argument;

It is ordered, That oral argument before the Commission en banc is scheduled for May 22, 1952, at the offices of the Commission in Washington, D. C., and that each participant therein is allowed 30 minutes time for oral argument.

Released: April 23, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4833; Filed, Apr. 29, 1952; 8:57 a. m.]

[Docket No. 7760]

CHESAPEAKE BROADCASTING CO., INC.

ORDER SCHEDULING ORAL ARGUMENT

In re application of Chesapeake Broadcasting Company, Inc., Bradbury Heights, Maryland, Docket No. 7760, File No. BP-4698; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of April, 1952;

The Commission having under consideration the Examiner's initial decision herein, released on August 23, 1951; the exceptions thereto and memorandum of law in support thereof filed by the applicant, Chesapeake Broadcasting Company, Inc., on September 11, 1951; and the reply to said exceptions and memorandum of law in support thereof, filed by the Chief of the Commission's Broadcast Bureau on September 21, 1951;

It appearing, that neither of the above participants has requested oral argument herein, but that the Commission is of the opinion, because of the nature of the questions involved in the proceeding, that oral argument should be held;

It is ordered, On the Commission's own motion, that oral argument before the Commission en banc in the above-entitled proceeding is scheduled for June 9, 1952, in the offices of the Commission in Washington, D. C.

Released: April 23, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4834; Filed, Apr. 29, 1952; 8:57 a. m.]

[Docket Nos. 9227, 9228, 9515, 9535, 9678, 10017, 10018, 10066]

MATHESON RADIO CO., INC. (WHDH) ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Monday, June 23, 1952, the Commission will hear oral argument in Room 6121, on the following matters in the order indicated:

ARGUMENT No. 1

Docket No.			
9227	Matheson Radio Co., Inc. (WHDH), Boston, Mass.		Petition.
9228	National Broadcasting Co., Inc. (KOA), Denver, Colo.		Do.
9515 BMP-4580	Champlain Valley Broadcasting Corp. (WXKW), Albany, N. Y.	Mod. of C. P.	850 kc, 10 kw, night 10 kw, day DA-1 unlimited.

ARGUMENT No. 2

9535 BP-6805	Capitol Broadcasting Corp. (WCAW), Charleston, W. Va.	C. P.	1300 kc, 1 kw, night 1 kw, day DA-2 unlimited.
9678 BP-7614	Kanawha Valley Broadcasting Co. (WGKV), Charleston, W. Va.	C. P.	1300 kc, 1 kw, night 1 kw, day DA-1 unlimited.

ARGUMENT No. 3

10017 179-C2-P-51	Bennett Thornton Kennedy, doing business as K9 Patrol by Kennedy Detective Agency, Miami, Fla.	C. P.	Base: 152.15 mc, 120 w, 40F3 emission. Mobile: 158.61 mc, 120 w, 40F3 emission.
10018 971-C2-R-51	Rolfe Armored Truck Service, Inc., Miami, Fla. (KIA956)	Renewal of license	Do.
10066 170-C2-P-52	Roy C. Jones, Fort Lauderdale, Fla.	C. P.	Base: 152.21 mc, 120 w, 40F3 emission. Mobile: 158.67 mc, 30 w, 40F3 emission.

Dated: April 17, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4832; Filed, Apr. 29, 1952; 8:57 a. m.]

[Docket No. 9907]

S. H. PATTERSON (KJAY)

ORDER SCHEDULING ORAL ARGUMENT

In re application of S. H. Patterson (KJAY), Topeka, Kansas, Docket No. 9907, File No. BP-7770; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of April 1952;

The Commission having under consideration the exceptions to the initial decision herein, and the request of the applicant S. H. Patterson that 30 minutes time be allowed for oral argument;

It is ordered, That oral argument before the Commission en banc is scheduled for June 10, 1952, at the offices of the Commission in Washington, D. C., and that the participants each are allowed 30 minutes time for oral argument.

Released: April 23, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4835; Filed, Apr. 29, 1952; 8:58 a. m.]

[Docket Nos. 9383, 9701]

JORDAPHONE CORP. OF AMERICA ET AL.

ORDER SCHEDULING ORAL ARGUMENT

In the matter of Jordaphone Corporation of America and Mohawk Business Machines Corporation, complainants, vs. American Telephone and Telegraph Company et al., defendants, The Electronic Secretary, Inc. and Electronic Secretary Industries, Inc., Telemaster Company, Daphne Investment Trust, intervenors; Docket No. 9383.

In the matter of use of telephone answering devices in connection with interstate and foreign telephone service, Docket No. 9701.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of April 1952;

The Commission having under consideration the exceptions to the initial decision herein, and the reply thereto; and the oral argument to be held thereon;

It is ordered, That oral argument before the Commission en banc is scheduled for June 24, 1952, at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m., and that the participants listed below are allowed time for oral argument as follows:

	Minutes
Jordaphone Corp. of America and Mohawk Business Machines Corp.	30
American Telephone & Telegraph Co. et al	30
The Electronic Secretary, Inc., and Electronic Secretary Industries, Inc.	30
Telemaster Co	30
Daphne Investment Trust	30
United States Independent Telephone Association	30
Chief, Commission's Common Carrier Bureau	30

Released: April 23, 1952.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 52-4836; Filed, Apr. 29, 1952; 8:58 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6407]

U. S. DEPARTMENT OF INTERIOR SOUTHWESTERN POWER ADMINISTRATION

NOTICE OF ORDER CONFIRMING AND APPROVING RATES FOR SALE OF ELECTRIC POWER AND ENERGY

APRIL 24, 1952.

Notice is hereby given that on April 23, 1952, the Federal Power Commission issued its order entered April 23, 1952, confirming and approving rates for sale of electric power and energy in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4808; Filed, Apr. 29, 1952; 8:52 a. m.]

[Docket No. E-6415]

GULF STATES UTILITIES CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE OF SECURITIES

APRIL 24, 1952.

Notice is hereby given that on April 23, 1952, the Federal Power Commission issued its order entered April 22, 1952, authorizing issuance of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4809; Filed, Apr. 29, 1952; 8:52 a. m.]

[Docket No. E-6422]

EL PASO ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SHORT-TERM PROMISSORY NOTES

APRIL 24, 1952.

Notice is hereby given that on April 23, 1952, the Federal Power Commission issued its order entered April 23, 1952, authorizing issuance of short-term promissory notes in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4810; Filed, Apr. 29, 1952; 8:52 a. m.]

[Doc. No. E-6425]

KANSAS GAS AND ELECTRIC CO.

NOTICE OF APPLICATION

APRIL 24, 1952.

Take notice that on April 23, 1952, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Kansas Gas and Electric Company, a corporation organized under the laws of the State of West Virginia, and doing business in the State of Kansas, with its principal business office at Wichita, Kansas, seeking an order authorizing the issuance of 200,000 shares of Common Stock and $12,000,000 principal amount of First Mortgage Bonds, ____ Percent Series due 1982. Applicant proposes to issue the common stock and bonds by competitive bidding. The proposed bonds will be dated June 1, 1952, and will mature June 1, 1982; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 14th day of May 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4814; Filed, Apr. 29, 1952; 8:53 a. m.]

[Docket No. G-1880]

UNITED GAS PIPE LINE CO.

NOTICE OF FINDINGS AND ORDER

APRIL 24, 1952.

Notice is hereby given that on April 23, 1952, the Federal Power Commission issued its order entered April 22, 1952, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4811; Filed, Apr. 29, 1952; 8:52 a. m.]

[Project No. 1930]

SOUTHERN CALIFORNIA EDISON CO.

NOTICE OF ORDER AMENDING LICENSE (MAJOR)

APRIL 24, 1952.

Notice is hereby given that on February 14, 1952, the Federal Power Commission issued its order entered February 12, 1952, amending license (Major) in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4812; Filed, Apr. 29, 1952; 8:53 a. m.]

[Docket No. G-1938]

TEXAS-OHIO GAS CO.

NOTICE OF APPLICATION

APRIL 24, 1952.

Take notice that on April 14, 1952, Texas-Ohio Gas Company, a Delaware corporation having its principal place of business at Houston, Texas, filed an application pursuant to section 3 of the Natural Gas Act for authorization to import natural gas from Mexico, as hereinafter set forth.

Applicant proposes to purchase gas from Petroleos Mexicanos, a corporation organized, owned, and controlled by the Republic of Mexico, by virtue of a contract under which Petroleos Mexicanos would deliver 200 million cubic feet of gas per day to Applicant at a point near Reynosa, Mexico.

Said gas would be transported by Applicant through its proposed pipe line to extend from Texas to West Virginia, which line is the subject of the application in Docket No. G-1810, In the Matter of Texas-Ohio Gas Company. Applicant asks that its application herein be consolidated with its application in Docket No. G-1810.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 14th day of May 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4815; Filed, Apr. 29, 1952; 8:53 a. m.]

[Docket No. G-1939]

TEXAS-OHIO GAS CO.

NOTICE OF APPLICATION

APRIL 24, 1952.

Take notice that on April 14, 1952, Texas-Ohio Company, a Delaware corporation having its principal place of business at Houston, Texas, filed an application pursuant to Executive Order No. 8202, dated July 13, 1939, for a Presidential Permit to construct, maintain, and operate facilities from a point of connection at the International Boundary between Mexico and the United States with facilities to be constructed by Petroleos Mexicanos, an agency of the federal government of The Republic of Mexico, for the purpose of importing natural gas into the United States.

Said connection would be at a point in the Rio Grande River near Reynosa, Mexico. Applicant would transport said gas through its proposed pipeline which would extend from Texas to West Virginia, and which is the subject of the application in Docket No. G-1810, In the Matter of Texas-Ohio Gas Company. Applicant asks that its application herein be consolidated with its application in Docket No. G-1810.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 14th day of May 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52-4816; Filed, Apr. 29, 1952; 8:53 a. m.]

[Project No. 2069; Docket No. E-6385]

ARIZONA POWER CO. ET AL.

NOTICE OF ORDERS

APRIL 24, 1952.

In the matters of the Arizona Power Company, the Valley National Bank of Phoenix, as trustee, Northern Arizona Light & Power Company, and Central Arizona Light and Power Company, Project No. 2069; Northern Arizona Light &

Power Company and Central Arizona Light and Power Company, Docket No. E–6385.

Notice is hereby given that on January 10, 1952, the Federal Power Commission issued its order entered January 3, 1952, in the above-entitled matters, approving transfer of license (Major), part of "Agreement and Declaration of Trust," and lease of project properties, and disclaiming jurisdiction under Part II of the Federal Power Act, as modified by order entered March 4, 1952, granting petition for rehearing by modifying order of January 3, 1952.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 52–4813; Filed, Apr. 29, 1952; 8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26994]

RUBBER HOSE FROM WILMINGTON, DEL., AND BUCYRUS, OHIO, TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

APRIL 25, 1952.

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

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariffs I. C. C. Nos. 4300 and 4367 and Agent C. W. Boin's tariff I. C. C. No. A–911.

Commodities involved: Hose, rubber, carloads.

From: Wilmington, Del., and Bucyrus, Ohio.

To: Points in southern territory.

Grounds for relief: Rail competition, circuity, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. C. Schuldt's tariff I. C. C. No. 4367, Supp. 26; L. C. Schuldt's tariff I. C. C. No. 4300, Supp. 44; L. C. Schuldt's tariff I. C. C. No. A–911, Supp. 43.

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

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–4804; Filed, Apr. 29, 1952; 8:51 a. m.]

[4th Sec. Application 26995]

GRAIN BETWEEN CHICAGO AND PEORIA, ILL., AND POINTS IN IOWA

APPLICATION FOR RELIEF

APRIL 25, 1952.

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

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A–3866 and other tariffs named in the application.

Commodities involved: Grain, grain products, and related articles, carloads.

Between: Chicago and Peoria, Ill., and points grouped therewith, on the one hand, and points in Iowa, on the other.

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

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

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–4805; Filed, Apr. 29, 1952; 8:51 a. m.]

[4th Sec. Application 26996]

SODIUM (SODA) FROM POINTS IN WEST VIRGINIA, TO POINTS IN NORTH CAROLINA

APPLICATION FOR RELIEF

APRIL 25, 1952.

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

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Sodium (soda), caustic (sodium hydroxide), in tank-car loads.

From: Charleston, Elk, Owens, South Charleston, and South Ruffner, W. Va.

To: Cooleemee, Kannapolis, and Raleigh, N. C.

Grounds for relief: Circuitous routes.

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

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52–4806; Filed, Apr. 29, 1952; 8:51 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 67, Amdt. 1]

RAILROADS SERVING MISSOURI RIVER AND MISSISSIPPI RIVER AREAS

REROUTING OR DIVERION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 67 and good cause appearing therefor: *It is ordered*, That: King's I. C. C. Order No. 67 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., May 25, 1952, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., April 25, 1952, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., April 24, 1952.

INTERSTATE COMMERCE COMMISSION, HOMER C. KING, *Agent.*

[F. R. Doc. 52–4807; Filed, Apr. 29, 1952; 8:51 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA 50]

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES ACT OF 1951

APRIL 29, 1952.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and in-

stallations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Republic-Curlew, Washington, Area. (The area consists of Census County Divisions 2 and 3, including the unincorporated village of Curlew and the Town of Republic, in Ferry County, Washington.)

JOHN R. STEELMAN,
Acting Director of Defense Mobilization.

[F. R. Doc. 52-4905; Filed, Apr. 29, 1952; 10:24 a. m.]

[RC 43; No. 352]

SUMTER, SOUTH CAROLINA, AREA

DETERMINATION AND CERTIFICATION OF CRITICAL DEFENSE HOUSING AREA

APRIL 29, 1952.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Sumter, South Carolina, Area. (The area consists of Sumter County, South Carolina.)

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
JOHN R. STEELMAN,
Acting Director of Defense Mobilization.

[F. R. Doc. 52-4906; Filed, Apr. 29, 1952; 10:24 a. m.]

[RC 44; No. 178]

CURLEW, WASHINGTON, AREA

DETERMINATION AND CERTIFICATION OF CRITICAL DEFENSE HOUSING AREA

APRIL 29, 1952.

Upon specific data which has been prescribed by and presented to the Secretary of Defense and the Director of Defense Mobilization and on the basis of other information available in the discharge of their official duties, the undersigned find that the conditions required by section 204 (1) of the Housing and Rent Act of 1947, as amended, exist in the area designated as

Curlew, Washington, Area. (The area consists of Census County Divisions 2 and 3, including the unincorporated village of Curlew and the Town of Republic, in Ferry County, Washington.)

Therefore, pursuant to section 204 (1) of the Housing and Rent Act of 1947, as amended, and Executive Order 10276 of July 31, 1951, the undersigned jointly determine and certify that the aforementioned area is a critical defense housing area.

ROBERT A. LOVETT,
Secretary of Defense.
JOHN R. STEELMAN,
Acting Director of Defense Mobilization.

[F. R. Doc. 52-4907; Filed, Apr. 29, 1952; 10:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-574]

EQUITABLE SECURITIES CORP. ET AL.

ORDER EXTENDING EXEMPTION OF HOLDING COMPANY

APRIL 24, 1952.

In the matter of Equitable Securities Corporation, T. J. Raney & Sons, and Womeldorff & Lindsey; File No. 31-574.

The Commission, on September 6, 1950, having issued its Findings and Opinion and Order pursuant to section 3 (a) (4) of the Public Utility Holding Company Act of 1935 granting to Equitable Securities Corporation, T. J. Raney & Sons and Womeldorff & Lindsey ("Equitable Group"), exemption from the provisions of the act applicable to them as a holding company, without prejudice, however, to the right of the Equitable Group to apply for an extension of the time during which such order shall be effective (see Holding Company Act Release No. 10077); and

The Commission, upon the application of the Equitable Group, having by order dated October 26, 1951, extended to April 26, 1952, the date upon which such exemption should terminate; and

T. J. Raney & Sons and Womeldorff & Lindsey, the remaining members of the Equitable Group, who hold approximately 29 percent of the outstanding common stock of MidSouth Gas Company, a gas utility company, having filed an application requesting a further extension of the time during which said order of September 6, 1950, shall be effective; and

The Commission having considered such application and deeming it appropriate in the public interest and in the interest of investors and consumers to grant such applications

It is ordered, that the time during which said order of September 6, 1950, shall be effective be, and hereby is, extended to and including October 26, 1952, subject, however, to all of the terms and conditions of the said order of September 6, 1950.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-4787; Filed, Apr. 29, 1952; 8:47 a. m.]

[File No. 54-173]

PHILADELPHIA CO. AND STANDARD GAS AND ELECTRIC CO.

ORDER EXTENDING TIME TO MODIFY PLAN

APRIL 24, 1952.

Standard Gas and Electric Company ("Standard"), a registered holding company, having filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the simplification of the corporate structure of the system of Philadelphia Company, its subsidiary and also a registered holding company;

The Commission having issued its findings and opinion dated April 7, 1952, concluding that the aforesaid plan may be approved if within 15 days from the date of service of said findings and opinion or such additional time as may be granted upon a proper showing the aforesaid plan is modified in accordance with the views expressed in said findings and opinion;

Standard, in a letter of April 18, 1952, having stated that it received said findings and opinion on April 14, 1952, and having requested, in view of the nature of the issues presented, an extension of the period in which it may modify the plan to May 14, 1952;

The Commission having considered Standard's request and having concluded that an extension of time may appropriately be granted;

It is ordered, That the time within which an amendment may be filed to modify the aforesaid plan in accordance with the views expressed in said findings and opinion dated April 7, 1952, be and hereby is extended to May 14, 1952.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-4785; Filed, Apr. 29, 1952; 8:46 a. m.]

[File No. 70-2571]

UNITED GAS CORP.

ORDER RELEASING JURISDICTION WITH RESPECT TO FEES AND EXPENSES

APRIL 24, 1952.

The Commission on March 1, 1951, having issued its Order granting the application and permitting the declaration of United Gas Corporation ("United") to become effective, which application and declaration concerned the modification of the Mortgage and Deed of Trust of United; and

Said order having reserved jurisdiction concerning the fees and expenses to be paid in connection with the transactions and especially with respect to

the services of Dillon Read & Co., Inc., in connection with solicitation of proxies of United's bondholders; and

The record having been further completed with respect to such fees and expenses and Dillon Read & Co., Inc., having filed an application in File No. 70–2667 for compensation for its services as financial adviser to United in its over-all financing program; and

The Commission finding that the requested compensation to counsel in the amount of $13,500 to Baker, Botts, Andrews & Parish and $3,500 to Milbank, Tweed, Hope & Hadley is not inappropriate:

It is ordered, That jurisdiction heretofore reserved with respect to the payment of fees and expenses to Baker, Botts, Andrews & Parish and Milbank, Tweed, Hope & Hadley be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–4790; Filed, Apr. 29, 1952; 8:48 a. m.]

[File No. 70–2767]

UNITED GAS CORP. AND UNITED GAS PIPELINE CO.

ORDER RELEASING JURISDICTION WITH RESPECT TO FEES AND EXPENSES

APRIL 24, 1952.

The Commission having heretofore granted the application and permitted the declaration to become effective of United Gas Company and United Gas Pipeline Company concerning the issuance and sale by United Gas Corporation of $50,000,000 principal amount of First Mortgage and Collateral Trust Bonds and related transactions; the Commission having reserved jurisdiction over fees and expenses incurred in connection with such transactions; the record having been completed with respect to these matters, and the Commission finding that the fees and expenses proposed to be paid are not inappropriate, including the following fees of counsel:

Baker, Botts, Andrews & Parish (counsel for the company)	$13,500
Reid & Priest (counsel for the company)	12,150
Milbank, Tweed, Hope & Hadley (counsel for the underwriters) (fee to be paid by the purchaser)	14,000

The Commission further finding that the requested compensation of Dillon Read & Co., Inc., in the amount of $40,000 for its services as financial adviser to United Gas Corporation in connection with the modification of the mortgage (File No. 70–2571), the issuance and sale of $50,000,000 principal amount of first mortgage bonds and 1,065,330 shares of common stock (File No. 70–2637) is not inappropriate:

It is ordered, That jurisdiction heretofore reserved with respect to the fees and expenses incurred in connection with these transactions and the fees and expenses of Dillon Read & Co., Inc. in connection with the transactions herein set forth be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–4789; Filed, Apr. 29, 1952; 8:48 a. m.]

[File No. 70–2784]

NATIONAL FUEL GAS CO. ET AL.

NOTICE REGARDING PROPOSED ISSUANCE OF DEBENTURES BY PARENT HOLDING COMPANY, AND OF PROPOSED CREDIT AGREEMENTS PROVIDING FOR ISSUANCE OF NOTES BY SUBSIDIARIES TO PARENT

APRIL 24, 1952.

In the matter of National Fuel Gas Company, United Natural Gas Company, Iroquois Gas Corporation, Pennsylvania Gas Company, The Sylvania Corporation; File No. 70–2784.

Notice is hereby given that National Fuel Gas Company ("National"), a registered holding company, and its subsidiaries, United Natural Gas Company ("United"), Iroquois Gas Corporation ("Iroquois"), Pennsylvania Gas Company ("Pennsylvania"), and The Sylvania Corporation ("Sylvania"), have filed a joint application-declaration pursuant to sections 6, 7, 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935, and Rules U-43 and U-50 promulgated thereunder, regarding the following proposed transactions:

National proposes to issue and sell, by a public offering through underwriters, $18,000,000 principal amounts of its __ Percent Sinking Fund Debentures, due 1977. Such Debentures are proposed to be issued under the competitive bidding procedures prescribed by Rule U-50. Of the proceeds of the Debentures, $11,000,000 are proposed to be used to repay outstanding loans of National due to the Chase National Bank of the City of New York, and the remaining $7,000,000 are to be loaned by National to four of its subsidiaries, in the following respective amounts: United, $3,500,000; Iroquois, $1,800,000; Pennsylvania, $1,200,000; and Sylvania, $500,000.

National proposes to enter into a Credit Agreement with each of its four above named subsidiaries, under which each such subsidiary will issue and sell to National, from time to time during the year 1952, installment promissory notes in the aggregate principal amounts set forth above. Such notes will be unsecured and will mature on various dates from 1954 and 1977, inclusive. Interest rates upon such installment promissory notes will be fixed in such manner that the interest cost to each subsidiary on its outstanding notes will be substantially equivalent to the interest rate on National's 1952 Debenture issue.

The proposed security issues by United and by Pennsylvania will be submitted to and subject to the approval of the Pennsylvania Public Utility Commission, and the proposed security issue by Iroquois will be submitted to and subject to the approval of the Public Service Commission of the State of New York.

Notice is further given that any interested person may, not later than May 9, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 9, 1952, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] OVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–4786; Filed, Apr. 29, 1952; 8:47 a. m.]

[File No. 70–2637]

UNITED GAS CORP.

ORDER RELEASING JURISDICTION WITH RESPECT TO FEES AND EXPENSES

APRIL 24, 1952.

The Commission having heretofore granted the application and permitted the declaration to become effective of United Gas Corporation concerning the issuance and sale of $50,000,000 principal amount of First Mortgage and Collateral Trust Bonds and 1,065,330 additional shares of common stock pursuant to a rights offering; the order of the Commission having reserved jurisdiction over the fees and expenses incurred in connection with said transactions; and the record having been completed with respect to said matters; and the Commission finding that it is appropriate to release jurisdiction heretofore reserved with respect to all fees and expenses incurred in said transactions, including the fees of counsel as follows:

Baker, Botts, Andrews & Parish, counsel for the company	$31,500
Reid & Priest, counsel for the company	24,300
Milbank, Tweed, Hope & Hadley, counsel for the underwriters (fee to be paid by the purchaser)	18,000

It is ordered, That jurisdiction reserved with respect to the fees and expenses incurred in connection with the transactions be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52–4788; Filed, Apr. 29, 1952; 8:47 a. m.]

[File No. 70-2838]

ATLANTIC CITY ELECTRIC CO.

ORDER CONCERNING PROPOSED ACQUISITION OF SECURITIES OF UTILITY COMPANY

APRIL 24, 1952.

Atlantic City Electric Company ("Atlantic City"), a public utility company and a holding company, having an exemption by reason of its filing of Form U-3A-2, having filed an application and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a) (2), 10 and 12 (g) thereof with respect to the following proposed transactions:

Atlantic City is a public utility company organized in and operating in the State of New Jersey, and a holding company by reason of its ownership of certain securities of Deepwater Operating Company, also a New Jersey corporation.

Atlantic City proposes to acquire all of the outstanding securities of Millville Electric Light Company ("Millville Electric") and Millville Water Company ("Millville Water"), both corporations organized and operating in the State of New Jersey, by offering to the holders of those securities, shares of common stock of Atlantic City as follows:

11.46 shares of Common Stock of Atlantic City for each 1 share of Common Stock of Millville Electric;

50 shares of Common Stock of Atlantic City for each $1000 Bond of Millville Electric, with all unmatured interest coupons attached;

6.32 shares of Common Stock of Atlantic City for each 1 share of Common Stock of Millville Water; and

50 shares of Common Stock of Atlantic City for each $1000 Bond (income debenture) of Millville Water, with all unmatured interest coupons attached.

This will result in the issuance, if the offering is entirely accepted, of 43,102 shares of the common stock of Atlantic City.

The principal stockholders of Millville Electric and Millville Water are three charitable corporations which also own all of the bonds of Millville Electric and all of the income debentures of Millville Water. The application states that these charitable corporations are unwilling to exchange their holdings of Millville Electric without at the same time exchanging their holding of the bonds of that company and the securities of Millville Water.

The properties of Millville Electric and Millville Water are located in areas contiguous to the areas now served by Atlantic City. Millville Electric owns no generating facilities. It is dependent upon Atlantic City for its energy and it is stated that the proposed acquisition will result in greater efficiency and benefit to the customers of Millville Electric.

Promptly after the acquisition of the securities, Atlantic City proposes to dissolve Millville Electric and to transfer the assets to Atlantic City. Dissolution will be accomplished by Atlantic City's causing Millville Electric to retire all of its outstanding bonds and Atlantic City's acquiring the assets of Millville Electric and assuming its liabilities.

The application states that the properties of Millville Electric are carried on its books at original cost and that the consideration for the issuance of common stock by Atlantic City will be stated at this amount. It is further stated that upon dissolution of Millville Electric and acquisition of the assets by Atlantic City, the properties will be stated on the books of Atlantic City at original cost.

Atlantic City states that it is its intention in the event that it acquires the securities of Millville Water to dispose of its interest in that company as soon as is reasonably practicable after such acquisition.

Said application having been filed on March 26, 1952, an amendment thereto having been filed on April 24, 1952, notice of said filing having been given in the form and manner required by Rule U-25 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions have been specifically authorized by the Board of Public Utility Commissioners of the State of New Jersey, the State in which Atlantic City was organized and is doing business; the Commission also finding that the proposed transactions are in accordance with the applicable standards of the act, and that no adverse findings are necessary thereunder; and the Commission deeming it appropriate to grant said application, as amended, without the imposition of terms or conditions:

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

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F R. Doc. 52-4791; Filed, Apr. 29, 1952; 8:48 a. m.]

[File No. 70-2850]

CENTRAL VERMONT PUBLIC SERVICE CORP.

NOTICE OF PROPOSED ISSUANCE AND SALE OF FIRST MORTGAGE BONDS AND COMMON STOCK

APRIL 24, 1952.

Notice is hereby given that an application, and an amendment thereto, have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Central Vermont Public Service Corporation ("Central Vermont"), a public utility subsidiary of New England Public Service Company ("NEPSCO"), a registered holding company. Applicant has designated the third sentence of section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than May 8, 1952 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 8, 1952, said application, as filed or as further amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application, as amended, which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central Vermont proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $1,500,000 principal amount of First Mortgage __ Percent Bonds, Series H, due 1982. The bonds will be issued under and secured by a Mortgage to Old Colony Trust Company, as Trustee, dated as of October 1, 1929, as supplemented by various supplemental indentures, including a proposed Supplemental Indenture to be dated as of May 1, 1952. The interest rate, the public offering price and other pertinent details will be supplied by amendment.

Central Vermont also proposes to issue and sell 108,900 additional shares of Common Stock, $6 par value. The Commission, by Order dated April 15, 1952, authorized the company, among other things, to amend its Articles of Association by changing its authorized common stock without par value to $6 par value and to solicit its common stockholders in favor of the adoption of the amendment at its annual meeting to be held May 6, 1952, or any adjournment thereof (Holding Company Act Release No. 11182). It is contemplated that prior to the issuance and sale of the additional shares of such stock the company's common stock will be changed from shares without par value to shares with a par value of $6 per share. The shares of common stock will first be offered to holders of the company's common stock by the issuance of transferable subscription warrants evidencing the right to subscribe for one share of additional common stock for each six shares of common stock then held by them. It is stated that the period for exercising the subscription warrants will be approximately 14 days. No fractional shares of additional common stock will be issued but fractional share warrants may be combined with other warrants so as to represent in the aggregate the right to purchase one or more shares of additional common stock.

NEPSCO, holder of 35.5 percent of Central Vermont's outstanding common stock, has advised Central Vermont that it will waive its subscription right and surrender its subscription warrant to the company for cancellation, thereby making 38,611 shares of the additional common stock available for delivery to the successful bidders prior to the expiration date of the warrants. The price to be

paid to the company for the unsubscribed shares and the shares for which NEPSCO has waived its right, which shall also be the subscription price to the above stockholders, and the amount of compensation to be paid the underwriters will be determined at competitive bidding under Rule U-50.

The applicant requests that the ten-day period for publicly inviting bids for the purchase of the bonds and common stock, specified in Rule U-50, be shortened to a period of not less than 6 days.

The application states that the bonds and common stock will be offered for sale separately and that in no case will the sale of the particular security be subject to or contingent upon the sale of the other security.

The net proceeds to be received from the sale of the common stock and bonds (after deducting $1,000,000 to be deposited in the first instance with the Trustee under the Mortgage) will be used for construction expenditures, including reduction of short-term indebtedness incurred for the interim financing thereof. It is expected that the cash initially deposited with the Trustee will be withdrawn before December 31, 1952, and short-term indebtedness (aggregating $1,050,000 as at April 30, 1952) will have been reduced to $250,000 by that date.

It is represented that the Vermont Public Service Commission has jurisdiction over the proposed transactions and that a copy of the order of that Commission authorizing the transactions will be supplied by amendment. Fees and expenses (exclusive of underwriting commissions and expenses) to be incurred by Central Vermont in connection with the proposed transactions are estimated at $23,530 for the bonds and $24,845 for the common stock, including legal fees of $12,000. It is requested that the Commission's order herein become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4792; Filed, Apr. 29, 1952; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18853]

GEORGE TANAKA

In re: Rights of George Tanaka under Insurance Contracts. File Nos. F-39-4533-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George Tanaka, whose last known address is 19 Kitanoyama Kawanishicho Kawabegun, Hyogoken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies Nos. 10800289 and 11359616 issued by the New York Life Insurance Company, New York, New York, to George Tanaka, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of Mrs. Amy Y. Miura, a resident of the United States, and of the aforesaid New York Life Insurance Company, together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, owing to, or which is evidence of ownership or control by George Tanaka, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 52-4776; Filed, Apr. 25, 1952; 12:37 p. m.]

[Vesting Order 18854]

TAMOTSU MURAYAMA ET AL.

In re: Rights of Tamotsu Murayama and others under insurance contract. File No. F-39-6568-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tamotsu Murayama, whose last known address is 4 Yoshikubo Chs, Meguro Ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That his wife or his mother or the domiciliary personal representatives, heirs-at-law, next of kin, legatees and distributees, names unknown of Tamotsu Murayama, who there is reasonable cause to believe, are residents of Japan and nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,267,162 issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Sun Life Assurance Company of Canada, together with the right to demand, enforce, receive and collect the same (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 52-4840; Filed, Apr. 25, 1952; 4:42 p. m.]

[Vesting Order 18855]

MINORU NAKAMURA

In re: Rights of Minoru Nakamura under insurance contract. File No. F-39-6740-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Minoru Nakamura, whose last known address is 248 Sugita Cho Isogo Ku, Yokohama Shi, Honshu, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 11 102 611 issued by the New York Life Insurance Company, New York, New York, to Minoru Nakamura, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on

account of, or owing to, or which is evidence of ownership or control by, Minoru Nakamura, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4841; Filed, Apr. 25, 1952; 4:42 p. m.]

[Vesting Order 18856]

KIKUYO WATANABE

In re: Rights of Kikuyo Watanabe under insurance contract.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kikuyo Watanabe, whose last known address is 405 Izumi-cho, Suginami-ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 2063700 issued by the John Hancock Mutual Life Insurance Company, Boston, Massachusetts, to Kikuyo Watanabe, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kikuyo Watanabe, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4842; Filed, Apr. 25, 1952; 4:43 p. m.]

[Vesting Order 18851]

K. TATSUMI ET AL.

In re: Stock owned by K. Tatsumi and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are listed below:

Name	Address	OAP file Nos.
K. Tatsumi	Kiyosaki, Kameyama-Mura, Inukami-gun, Shiga-ken, Japan.	F-39-7089-D-1
Kano Tatsumi	do	F-39-7090-D-1
Mitsutaro Tatsumi	do	F-39-7091-D-1

are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: Nine thousand one hundred and thirty-two (9,132) shares of $1.00 par value common capital stock of Carbon Dioxice & Chemical Co., 1431 First Avenue, Seattle 1, Washington, a corporation organized under the laws of the State of Delaware, evidenced by the certificates listed on Exhibit A, attached hereto and by reference made a part hereof registered in the names of the persons and for the number of shares listed opposite each such certificate, together with all declared and unpaid dividends thereon.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, K. Tatsumi, Kano Tatsumi, and Mitsutaro Tatsumi, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 24, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT No.

Registered owner	Stock certificate No.	Number of shares
K. Tatsumi	2037	207
	2046	200
	2053	200
	2054	500
Kano Tatsumi	1758	100
	1759	100
	1760	100
	1781	500
	1811	200
	1838	5
	1843	75
	1844	50
	1854	500
	1931	400
	1953	100
	1956	150
	1949	250
	1957	150
	1994	250
	1967	210
	2003	100
	2004	150
	2025	200
	2027	5
	2028	300
	2031	100
	2032	300
	2058	500
Mitsutaro Tatsumi	1517	50
	1526	100
	1536	100
	1561	50
	1613	100
	1629	300
	1822	100
	1825	200
	1835	200
	1853	110
	1867	170
	1875	70
	1880	150
	1887	100
	1891	50
	1898	50
	1899	100
	1903	500
	1911	200
	2024	100
	2045	200
	2050	100

[F. R. Doc. 52-4774; Filed, Apr. 25, 1952; 12:37 p. m.]

[Vesting Order 18857]

GEORGE S. FUJIMOTO

In re: Rights of George S. Fujimoto now known as George S. Nakagawa under insurance contract. File No. F-39-4853-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to

law, after investigation, it is hereby found:

1. That George S. Fujimoto now known as George S. Nakagawa, whose last known address is Oze Mura, Kugagun, Yamaguchi Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 301939 issued by the California-Western States Life Insurance Company, Sacramento, California, to George S. Jujimoto now known as George S. Nakagawa, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, George S. Fujimoto now known as George S. Nakagawa, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4843; Filed, Apr. 25, 1952; 4:43 p. m.]

[Vesting Order 18858]

NOBUKO HAMAOKA

In re: Bonds and bank account owned by Nobuko Hamaoka. F-39-395-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nobuko Hamaoka, whose last known address is Osaka, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Fifteen (15) Tokyo Dento Kabushiki Kaisha (Tokyo Electric Light Company, Limited), Dollar Series First Mortgage 6 percent Bearer Gold Bonds, due June 1953, of $1,000 face value each bearing the numbers 9126, 17809, 19202, 23506, 24106, 24176, 24177, 24180, 28983, 33330, 37624, 37625, 54634, 59010, and 65639, and presently in the custody of the Trustees for Creditors and Stockholders of the Pacific Bank, in Dissolution, P. O. Box 1200, Honolulu, T. H., together with any and all rights thereunder and thereto, and

b. That certain debt or other obligation owing to Nobuko Hamaoka, by Pacific Bank, in Dissolution, P. O. Box 1200, Honolulu, T. H., arising out of a savings account, Account Number 33697, entitled Nobuko Hamaoka, evidenced by Receiver's Liability Number 2893, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4844; Filed, Apr. 25, 1952; 4:43 p. m.]

[Vesting Order 18859]

YUKIO AND MASANOUKE TOMITA

In re: Property of Yukio Tomita and Masanouke Tomita.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yukio Tomita and Masanouke Tomita, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: All debts and other property in the United States of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Yukio Tomita and Masanouke Tominta, and which on or since June 14, 1941, has been in the possession or under the direct or indirect control of Manzuichi Hashimoto, Honolulu, Territory of Hawaii, including particularly but not limited to the following: A portion of funds on deposit with the Bank of Hawaii, Honolulu, Territory of Hawaii, in a blocked account in the name of Manzuichi Hashimoto, and representing payments received by said Manzuichi Hashimoto in behalf of Yukio Tomita and Masanouke Tomita, together with any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4845; Filed, Apr. 25, 1952; 4:43 p. m.]

[Vesting Order 18860]

YUKIO AND MASANOUKE TOMITA

In re: Property of Yukio Tomita and Masanouke Tomita.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yukio Tomita and Masanouke Tomita, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: All debts and other property in the United States of any nature whatsoever owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evi-

dence of ownership or control by Yukio Tomita and Masanouke Tomita, and which on or since June 14, 1941, has been in the possession or under the direct or indirect control of Shigeru Fujimori, 1291-A Nuuanu Avenue, Honolulu, Territory of Hawaii,

is property within the United States owned or controlled by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4846; Filed, Apr. 25, 1952; 4:43 p. m.]

[Vesting Order 18861]

YOKOHAMA SPECIE BANK, LTD.

In re: Debt owing to Yokohama Specie Bank, Ltd.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Yokohama Specie Bank, Ltd., the last known address of which is Yokohama, Japan, is a corporation, partnership, association or other business organization organized under the laws of Japan, which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation, evidenced by a demand note executed May 20, 1941, by H. Katada, 920 South West Third Avenue, Portland, Oregon, payable to the order of the Yokohama Specie Bank, Ltd., or order, in the amount of $1,500 with interest at the rate of 5½ percent per annum, said note presently in the custody of the Attorney General of the United States, together with any and all accruals to the aforesaid debt or obligation and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid note,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Yokohama Specie Bank, Ltd., the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 52-4847; Filed, Apr. 25, 1952; 4:43 p. m.]

[Vesting Order P 856]

YUTAKA MORI ET AL.

In re: Rights of Yutaka Mori and others under insurance contract.

Under the authority of the Trading With the Enemy Act, as amended (50 U. S. C. App. and Sup. 1-40); the Philippine Property Act of 1946, as amended (22 U. S. C. Sup. 1382; Executive Order 9193, as amended by Executive Order 9567 (3 CFR 1943 Cum. Supp.; 3 CFR 1945 Supp.); Executive Order 9788 (3 CFR 1946 Supp.); Executive Order 9818 (3 CFR 1947 Supp.); Executive Order 10254 (16 F. R. 5829, June 19, 1951), and pursuant to law, after investigation, it is hereby found:

1. That Yutaka Mori, who is a citizen of Japan, and who there is reasonable cause to believe is a resident of Japan, is a national of a designated enemy country (Japan);

2. That the domiciliary personal representatives, heirs-at-law, next of kin, legatees and distributees, names unknown of Yutaka Mori, or of Teizo Mori, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

3. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 3,033,335 issued by the Sun Life Assurance Company of Canada (Philippines Branch), Wilson Building, Juan Luna, Manila, Philippine Islands, to Teizo Mori, together with the right to demand, receive and collect said net proceeds, is property within the Philippines, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy (Japan).

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, in accordance with the provisions of said Trading With the Enemy Act, as amended, the said Philippine Property Act of 1946, as amended.

The terms "nationals" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1952.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

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