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TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter B—Federal Farm Loan System

PART 10—FEDERAL LAND BANKS GENERALLY

INTEREST RATES ON LOANS MADE THROUGH ASSOCIATIONS

In order to reflect a change in interest rate on loans closed through national farm loan associations by the Federal Land Bank of Houston, § 10.41 of Title 6 of the Code of Federal Regulations, as amended (21 F. R. 10167; 22 F. R. 133, 653, 1318, 1586, 2095, 3863, 6214, 7129, 7833, 8847; 23 F. R. 1547), is hereby further amended, effective February 26, 1958, by substituting "5" for "5½" in the line with "Houston" therein.

(Sec. 6, 47 Stat. 14, as amended; 12 U. S. C. 665. Interprets or applies secs. 12 "Second", 17, 39 Stat. 370, 375, as amended; 12 U. S. C. 771 "Second", 831)

[SEAL] HAROLD T. MASON,
Acting Governor,
Farm Credit Administration.

[F. R. Doc. 58-1782; Filed, Mar. 10, 1958; 8:46 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1957 C. C. C. Grain Price Support Bulletin 1, Supp. 3, Wheat]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1957-CROP WHEAT RESEAL LOAN PROGRAM

A reseal loan program has been announced for 1957-crop wheat. The 1957 C. C. C. Grain Price Support Bulletin 1 (22 F. R. 2321), issued by Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1957, supplemented by Supplements 1 and 2, Wheat (22 F. R. 2405, 5733, 7200, 8055 and 9511) containing the specific requirements for the 1957-crop wheat price support program, is hereby further supplemented as follows:

Sec.
421.2251 Applicable sections of 1957 C. C. C. Grain Price Support Bulletin 1, and Supplements 1 and 2, Wheat.
421.2252 Availability.
421.2253 Eligible producer.
421.2254 Eligible wheat.
421.2255 Approved storage.
421.2256 Approved forms.
421.2257 Quantity eligible for resealing.
421.2258 Additional service charges.
421.2259 Transfer of producer's equity.
421.2260 Storage and track-loading payments.
421.2261 Maturity and satisfaction.
421.2262 Support rates.

AUTHORITY: §§ 421.2251 to 421.2262 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421.

§ 421.2251 *Applicable sections of 1957 C. C. C. Grain Price Support Bulletin 1, and Supplements 1 and 2, Wheat.* The following sections of the 1957 C. C. C. Grain Price Support Bulletin 1, and Supplements 1 and 2, Wheat, published in 22 F. R. 2321, 2405, 5733, 7200, 8055, and 9511, shall be applicable to the 1957 Wheat Reseal Loan Program: § 421.2201 *Administration;* § 421.2208 *Liens;* § 421.2210 *Set-offs;* § 421.2211 *Interest rate;* § 421.2213 *Safeguarding the commodity;* § 421.2214 *Insurance on farm-storage loans;* § 421.2215 *Loss or damage to the commodity;* § 421.2216 *Personal liability of the producer;* § 421.2217 *Release of the commodity under loan;* § 421.2219 *Foreclosure;* § 421.2240 *Determination of quantity.* Other sections of the 1957 C. C. C. Grain Price Support Bulletin 1 and Supplements 1 and 2, Wheat, shall be applicable to the extent indicated in this subpart.

§ 421.2252 *Availability*—(a) *Area and scope.* The reseal loan program will be available in areas in the following States where ASC State committees determine that there may be a shortage of storage space, that wheat can be safely stored

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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.

on farms for the period of the reseal loan and that it will be advantageous to producers and CCC to permit producers to obtain reseal loans: Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming. This program provides, under certain circumstances, for the extension of 1957-crop farm-storage loans and the making of farm-storage loans on 1957-crop wheat covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available to producers under this program.

(b) *Time.* (1) The producer who desires to participate in the reseal loan program must file an application for a farm-storage reseal loan with the office of the county committee.

(2) In the case of a farm-storage loan, the producer will be required to apply for extension of his loan before the final date for delivery specified in the delivery instructions issued to him by the office of the county committee.

(3) The producer who signed a purchase agreement on farm-stored wheat is required, under the 1957 Wheat Price Support Program, to notify the office of the county committee not later than March 31, 1958, in the case of wheat stored in any of the States listed in paragraph (a) of this section if he intends to sell the wheat to CCC. If the producer has notified the county office, on or before March 31, 1958, of his intention to sell the wheat to CCC or to participate in this program, he may obtain a farm-storage loan on the wheat. The

loan documents must be executed by the producer on or before the final date for delivery specified in the delivery instructions or, on or before May 31, 1958, if the producer has not requested or received delivery instructions.

(c) *Source and disbursement of loans.* A producer desiring to participate in the reseal loan program should make application to the office of the ASC county committee which approved his loan or purchase agreement. Disbursements of loans completed on wheat covered by purchase agreements shall be made to producers by county offices by means of sight drafts drawn on CCC within 15 days after execution of the loan documents. The drawing of a draft shall constitute disbursement. Disbursement shall not be made unless the wheat is in existence and in good condition. If the wheat was not in existence and in good condition at the time of disbursement, the total amount disbursed under the loan shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized under this subpart, the producer shall be personally liable for repayment of the amount of such excess. Any farm-storage loans to be resealed which are held by approved lending agencies shall be purchased and transferred to county office custody before the reseal loans are approved.

§ 421.2253 *Eligible producer.* An eligible producer shall be an individual, partnership, association, corporation, estate, trust, or other business enterprise, or legal entity, and wherever applicable, a State, political subdivision of a State, or any agency thereof, producing wheat in 1957 as landowner, landlord, tenant, or sharecropper, who either completed a farm-storage loan or signed a purchase agreement covering wheat of the 1957 crop.

§ 421.2254 *Eligible wheat*—(a) *Requirements of eligibility.* The wheat (1) must meet the requirements set forth in § 421.2238 (a), (b), (c), and (d), and must not grade Tough, Weevily, Ergoty, or Treated and (2) must be under price support loan or purchase agreement.

(b) *Inspection*—(1) *Extended farm-storage loans.* If a producer makes application to extend his farm-storage loan, the commodity loan inspector shall inspect the wheat and the storage structure in which the wheat is stored, obtain a sample if the wheat and structure appear eligible, and submit it for grade analysis.

(2) *Wheat covered by purchase agreement.* If a producer makes application for a farm-storage loan on wheat covered by a purchase agreement, the commodity loan inspector shall inspect the wheat and storage structure in which the wheat is stored, obtain a sample if the wheat and structure appear eligible, and proceed in the regular manner for the inspection of the wheat to be placed under loan.

(c) *Determination of quality.* Quality determinations shall be made as set forth in § 421.2241.

§ 421.2255 *Approved storage.* Wheat covered by any loans extended and any new loans completed must be stored in structures which meet the requirements for farm-storage loans as provided in § 421.2206 (a). Consent for storage for any loans extended or new loans completed must be obtained by the producer for the period ending May 31, 1959, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to May 31, 1959.

§ 421.2256 *Approved forms.* (a) The approved forms, which together with the provision of this subpart govern the rights and responsibilities of the producer, shall consist of Producer's Note and Supplemental Loan Agreement, secured by a Commodity Chattel Mortgage, and such other forms and documents as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law. Loan documents executed by an administrator, executor or trustee will be acceptable only where legally valid.

(b) Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended. Where new forms are not completed, extension of the farm storage loan shall not affect the rights of CCC, including its right to accelerate the note, and the rights and responsibilities of the producer as set forth in this subpart and in the original approved forms completed by the producer.

§ 421.2257 *Quantity eligible for reselling.* (a) The quantity of wheat eligible for reseal on an extended farm-storage loan, will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

(b) A producer may obtain a loan on the quantity in store not in excess of the quantity of wheat specified in the purchase agreement, minus any quantity of the wheat under such purchase agreement (1) which has been previously placed under loan or (2) on which he exercises his option to sell to CCC.

§ 421.2258 *Additional service charges.* (a) When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

(b) At the time a farm-storage loan is made to the producer on wheat covered by a purchase agreement, the producer shall pay an additional service charge of ½ cent per bushel on the number of bushels placed under loan, or $1.50, whichever is greater. No refund of service charges will be made except if the amount collected is in excess of the correct amount.

§ 421.2259 *Transfer of producer's equity.* The producer shall not transfer either his remaining interest in or his right to redeem the wheat mortgaged as security for a loan under this program nor shall anyone acquire such interest or right. Subject to the provisions of § 421.2217 regarding partial redemption of loans, a producer who wishes to liquidate all or part of his loan by contracting for the sale of the wheat must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the wheat from storage when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

§ 421.2260 *Storage and track-loading payments*—(a) *Storage payment.* A reseal storage payment will be made as follows:

(1) *Storage payment for full reseal period.* A storage payment will be made to the producer on the quantity involved if he (i) redeems the wheat from the loan on or after March 31, 1959, (ii) delivers the wheat to CCC on or after March 31, 1959, or (iii) delivers the wheat to CCC prior to March 31, 1959, pursuant to demand by CCC for repayment of the loan solely for the convenience of CCC. Such storage payment will be computed at the rate of 16 cents per bushel in the States of Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington; 17 cents per bushel in the States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, New Mexico, New York, Ohio, Oklahoma, Texas, Wisconsin, and Wyoming.

(2) *Prorated storage payment.* (i) A storage payment determined by prorating such yearly rate according to the length of time the quantity of wheat involved was in store after May 31, 1958, will be made to the producer; (*a*) in the case of loss assumed by CCC under the provisions of the loan program; (*b*) in the case of wheat redeemed from the loan prior to March 31, 1959, and (*c*) in the case of wheat delivered to CCC prior to March 31, 1959, pursuant to CCC's demand and not solely for the convenience of CCC, or upon request of the producer and with the approval of CCC. The prorated storage payment will be computed at the rate of 0.00053 per bushel a day (but not to exceed 16 cents per bushel) in the States of Arizona, California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington; 0.00056 per bushel a day (but not to exceed 17 cents per bushel) in the States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, New Mexico, New York, Ohio, Oklahoma, Texas, Wisconsin, and Wyoming. In the case of losses assumed by CCC, the period for computing the storage payment shall end on the date of the loss; and in the case of redemptions, on the date of repayment.

(3) *No storage payments.* Notwithstanding the provision of this paragraph, in no case will any storage payment be made where the producer has made any false representation in the loan documents or in obtaining the loan, where the wheat has been abandoned, where there has been conversion on the part of the producer or where wheat delivered to CCC is damaged or otherwise impaired due to negligence on the part of the producer.

(b) *Track-loading payment.* A track-loading payment of 3 cents per bushel will be made to the producer on wheat delivered to CCC in accordance with instructions of the county committee on track at a country point.

§ 421.2261 *Maturity and satisfaction.* (a) Loans will mature on demand but not later than March 31, 1959. The producer must pay off his loan, plus interest, on or before maturity or deliver the mortgaged wheat in accordance with the instructions of the county committee. Credit will be given at the applicable settlement value according to grade and quality for the total quantity eligible for delivery. Delivery of wheat will be accepted only from bin(s) in which the wheat under reseal is stored. The provisions of §§ 421.2218 (a) and (d), and 421.2246 (a) (1), (b) (2), (3), (4) and (5), and (e) and (g) shall be applicable thereto.

§ 421.2262 *Support rates.* (a) The support rate for an extended farm-storage loan shall remain the same as for the original loan. The support rate for wheat covered by a purchase agreement placed under a farm-storage loan shall be the support rate established for the wheat in § 421.2243 (d) (2).

(b) Any discounts or premiums established for variation in quality as shown in § 421.2243 (d) (3) and (4) shall apply.

Issued this 5th day of March 1958.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 58-1803; Filed, Mar. 10, 1958; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 728—WHEAT

SUBPART—REGULATIONS PERTAINING TO FARM ACREAGE ALLOTMENTS FOR THE 1959 CROP OF WHEAT

Sec.

AUTHORITY: §§ 728.910 to 728.925 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 334, 52 Stat. 38, 53; 7 U. S. C. 1301, 1334.

§ 728.910 *Basis and purpose.* The regulations contained in §§ 728.910 to 728.925 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1959 farm acreage allotments for wheat. The purpose of the regulations in §§ 728.910 to 728.925 is to provide the procedure for establishing farm wheat acreage allotments for 1959. The provisions of section 334 (g) relating to preservation of wheat acreage upon application of the producer shall be inoperative for 1959, since Public Law 85-266 will provide for automatic preservation of the farm acreage allotments under the same conditions. Prior to preparing the regulations in this subpart, public notice (22 F. R. 9840) was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining to the regulations in §§ 728.910 to 728.925 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 728.911 *Definitions.* As used in the regulations in this subpart and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

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

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(c) "Director" means the Director of the Grain Division, Commodity Stabilization Service, United States Department of Agriculture.

(d) Committees:

(1) "Community committee" means the group of persons elected within a community as the community committee pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(2) "County committee" means the group of persons elected within a county as the county committee pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(3) "State committee" means the group of persons designated in a State by the Secretary as the Agricultural Stabilization and Conservation State committee under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(e) "Farm" means a farm as defined in regulations governing determination of acreage and performance (Part 718 of this chapter, 22 F. R. 3747, 7418).

(f) "Cropland" means cropland as defined in regulations governing determination of acreage and performance (Part 718 of this chapter, 22 F. R. 3747).

(g) "Acreage indicated by cropland" means the number of acres computed by multiplying the cropland acreage for a farm by the ratio of historical wheat acreage determined pursuant to § 728.917 for all farms in the community (i. e., the local administrative area determined pursuant to section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended), to the cropland acreage for all farms in the community: *Provided*, That if the county committee finds that the historical wheat acreage as determined for the community is abnormally low or high due to widespread abnormal weather, then the ratio for the community may be the ratio determined by the county committee subject to approval of, or on behalf of, the State committee on the basis of the average of the historical wheat acreages for such of the years 1954, 1955, 1956 as the county committee determines to be normal.

(h) "Person" means an individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and, wherever applicable, a State, a political subdivision of a State, the Federal Government, or any agency thereof.

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

(j) "Wheat cover crop" means the acreage of wheat which in compliance with applicable regulations did not reach maturity because it was, while still green, turned under, cut off or pastured off, to the extent that wheat did not mature as grain.

(k) "Wheat mixture" means a mixture of wheat and other small grains which (1) when seeded contained less than 50 percent of wheat by weight; and (2) when harvested produced less than 50 percent of wheat by weight. The seeding of any acreage of flax, Austrian winter peas, rough peas, or vetch with wheat or a mixture of wheat and other small grains will disqualify this acreage from the classification of wheat mixture. Volunteer infestations of flax, Austrian winter peas, rough peas, or vetch will not change the classification of a crop otherwise qualifying as a wheat mixture. Such volunteer flax, vetch, and peas shall be excluded in determining the percentage of wheat and other small grains in a mixture.

(l) "Wheat mixture counties" means counties in which the seeding of wheat mixtures has been determined to be a normal farming practice and are as follows: All counties in the States of Alabama, Arkansas, Georgia, Kentucky, Minnesota, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and Wisconsin; in the State of Idaho the counties of Ada, Bannock, Bingham, Blain, Boise, Bonneville, Butts, Camas, Canyon, Caribou, Cassia, Clark, Elmore, Fremont, Gem, Gooding, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, and Washington; in the State of Oregon the counties of Benton,

Clackamas, Douglas, Lane, Linn, Malheur, Marion, Polk, Washington and Yamhill; and in the State of West Virginia, Monroe County.

(m) "Wheat acreage" means any acreage of seeded wheat, or self-seeded (volunteer) wheat which reaches maturity, excluding any acreage (1) of a wheat mixture in wheat-mixture counties, or of a mixture of other grains and wheat in non-wheat-mixture counties which does not contain enough wheat to cause the grain to be graded as "mixed grain" under the Official Grain Standards of the United States (Part 26 of this title), (2) of wheat cover crop, (3) in case of a delayed notice of the acreage of wheat, of unharvested wheat plowed or disced under within 15 days after such notice has been mailed to the operator of the farm, and (4) of unharvested wheat seeded in excess of the allotment which is completely destroyed by some cause beyond the control of the operator (i) prior to 30 days before the date wheat harvest normally begins in the county or areas within the county (as determined and set out in applicable regulations) or (ii) within 15 days after a delayed notice of the acreage of wheat is mailed to the operator of the farm, (5) of wheat grown for experimental purposes only by or under contract to a publicly-owned agricultural experiment station, and (6) of wheat grown by any Federal or State wildlife refuge farm where all the wheat on the farm is produced solely for wildlife feed or seed for the production of wildlife feed on such wildlife refuge farm. Wheat acreage shall not include emmer, spelt, einkorn, Polish wheat, and poulard wheat.

(n) "Wheat history acreage" for the purpose of establishing 1959 allotments means for 1954, 1955, and 1956 the acreage determined for the farm as provided in §§ 728.811 (n) and 728.816 of the 1958 wheat acreage allotment regulations issued by the Secretary (22 F. R. 2337), and for 1957 the acreage determined for the farm as provided in § 728.917, except that for any year in which the State where the farm is located was not in the commercial wheat-producing area the wheat history acreage for the farm shall be the acreage of wheat seeded for harvest as grain on the farm.

(o) "Old farm" means any farm on which there was wheat acreage, including any acreage considered as wheat acreage under the provisions of section 106 (a) or 112 of the Soil Bank Act or section 377 of the Agricultural Adjustment Act of 1938 during any one or more of the three years 1956 through 1958, but excluding any farm in the 1958 commercial wheat-producing area on which there was no wheat acreage in 1956 or 1957 and on which wheat was produced without an allotment in 1958.

(p) "New farm" means any farm other than one defined under paragraph (o) of this section for which an allotment is requested for the production of wheat in 1959.

(q) "Commercial wheat-producing area" means all States in the United States exclusive of States for which the wheat acreage allotment for 1959 will be 25,000 acres or less and which are designated by the Secretary as being outside the commercial wheat-producing area.

§ 728.912 *Extent of calculations and rule of fractions.* All acreage determinations except the farm allotment shall be rounded to whole acres. The allotment determined for the farm shall be rounded to tenths of acres. For all computations other than the allotment fractional acres of fifty-one hundredths of an acre or more shall be rounded upward, and fractional acres of less than fifty-one hundredths of an acre shall be dropped. In computing the allotment for the farm fractional acres of fifty-one thousandths of an acre or more shall be rounded upward, and fractional acres of less than fifty-one thousandths shall be dropped.

§ 728.913 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Deputy Administrator for Production Adjustment, Commodity Stabilization Service.

§ 728.914 *Supervision, review and approval by State committees.* State committees shall have over-all responsibility for the administration of the regulations herein in their respective States. All acreage allotments shall be reviewed by the State committee or on behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman and the State committee may revise or require revision of any determination made under regulations in this subpart. All acreage allotments for wheat shall be approved by the State committee or on behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman and no official notice thereof shall be mailed until such allotment has been approved by or on behalf of the State committee.

§ 728.915 *Method of apportioning county allotments.* The county acreage allotment less reserves shall be apportioned to old farms in the county pro rata according to the farm base acreages which shall be established on the basis of past acreage of wheat, tillable acres, crop-rotation practices, type of soil and topography in accordance with regulations in this subpart.

§ 728.916 *Data for old wheat farms—*(a) *Reports by producers.* If requested by the county office manager, the owner, operator, or any other interested person shall furnish the following information regarding the farm in which he has an interest to the ASC county office of the county in which the farm is regarded as located if the farm is an old wheat farm:

(1) The names and addresses of the owner and operator.

(2) The total acreage of all land.

(3) The acreage of cropland.

(4) The wheat acreage seeded or considered seeded for the years 1954, 1955, 1956, 1957, and 1958, if available.

(5) The acreage of wheat mixtures seeded for harvest as grain for the years 1954, 1955, 1956, 1957, and 1958, if available.

(6) The acreage of wheat utilized for wheat cover crop for the years 1954, 1955, 1956, 1957, and 1958, if available.

(7) Other pertinent information relative to the operations of the farm.

(b) *Other available information.* Information not so furnished shall be determined or appraised by the county committees on the basis of records in the county office, available production and sales records, or other available information.

§ 728.917 (a) *Determination of base acreages for old farms.* The county committee shall, in accordance with the regulations in this subpart, determine a base acreage for each old farm which will reflect the factors of past acreage of wheat, tillable acres, crop-rotation practices, type of soil and topography. In arriving at the base acreage, consideration shall be given to the wheat history acreage on the farm during the years 1954 through 1957, tillable acres, type of soil, topography, the producer's crop-rotation system for the farm, including the equipment and other facilities available for carrying out such system of crop-rotation. Such base acreages shall be established as follows:

(b) *Historical average acreage.* The county committee shall establish for each farm a historical average acreage which shall be the average of the wheat history acreages on the farm for 1954, 1955, 1956, and 1957. The wheat history acreages for 1954, 1955, and 1956 shall be as provided in §§ 728.811 (n) and 728.816 (b) of the 1958 wheat acreage allotment regulations issued by the Secretary (22 F. R. 2337). The wheat history acreage for any farm for 1957 shall be the base acreage determined for the farm under § 728.716 of the 1957 farm wheat acreage allotment regulations (21 F. R. 1895, 6056), except as hereinafter provided in this paragraph. If the 1957 farm acreage allotment was knowingly overplanted, the wheat history acreage for 1957 for the farm shall be the wheat acreage for the farm. If the 1957 farm wheat acreage allotment was underplanted in 1957 for the purpose of reducing the amount of wheat of a prior crop which had been previously stored to postpone or avoid payment of a marketing quota penalty incurred by overplanting, the farm wheat acreage allotment in any year prior to 1957, the wheat history acreage for 1957 for the farm shall be the acreage obtained by multiplying the wheat acreage, including the acreage diverted under the acreage reserve and conservation reserve programs, by a diversion credit factor. In such cases, the diversion credit factor will be the reciprocal of a decimal fraction which is 100 per centum of the county proration factor as determined under said regulations. The acreage diverted from the production of wheat under a 1957 acreage reserve agreement on any farm in 1957 shall be the smaller of (1) the wheat acreage placed in the 1957 acreage reserve by agreement, or (2) the 1957 farm wheat acreage allotment minus the acreage actually devoted to

wheat on the farm. The acreage diverted from the production of wheat under a conservation reserve contract on any farm in 1957 shall be the smallest of (i) the acreage designated under the conservation reserve contract as conservation reserve at the regular rate, or (ii) the reduction in soil bank base crops from the farm's soil bank base, or (iii) the amount by which the wheat acreage allotment for the farm exceeds the sum of (*a*) the acreage of wheat on the farm, (*b*) the acreage, if any, credited to wheat on the farm under the acreage reserve program, and (c) that part of the acreage by which the farm wheat acreage allotment was underplanted which was used to remove from storage wheat of a prior crop stored to avoid or postpone marketing quota penalties.

(c) *Adjusted acreage.* (1) The county committee shall adjust the historical average acreage for any farm by eliminating from the period of years used in determining the historical average acreage the year or years for which it finds that the wheat history acreage was:

(i) Abnormally low due to excessive wet weather or flood.

(ii) Abnormally low due to drought.

(iii) Abnormally high because in previous years wheat or other crops failed or could not be planted.

(iv) No longer representative because of a change in operations which results in a substantial change in the established crop-rotation system for the farm.

(v) Not appropriate for 1959 because of a definitely established crop-rotation system being carried out on the farm.

(2) When one or more of the years are eliminated in accordance with the provisions of subparagraph (1) (i) through (v) of this paragraph, the average of the years not so eliminated shall be considered as the adjusted average acreage. If all four years are eliminated the adjusted acreage shall be zero.

(3) The county committee may further adjust the historical average or the adjusted average acreage, as the case may be, so as to make such acreage comparable with those acreages for other farms which are similar with respect to tillable acres, type of soil and topography, and which are similarly operated with respect to the rotation of crops, within the following limitations:

(i) If such acreage is abnormally low, it may be adjusted upward not to exceed 25 percent. If the adjusted average acreage is zero because one or more of the years in the applicable period was eliminated under subparagraph (1) (i), (ii), (iii), or (iv) of this paragraph, the twenty-five percent limitation will not apply and the adjusted average acreage may be adjusted upward. In no event shall the adjustments made herein exceed the acreage indicated by cropland. If all the years in the applicable period are eliminated under subparagraph (1) (v) of this paragraph, the adjusted average acreage may be adjusted upward but not above the acreage of cropland for the farm.

(ii) If such acreage is excessively high, it may be adjusted downward not to exceed 25 percent. Such adjustment may not result in an acreage below the acreage indicated by cropland.

(d) *1959 base acreage.* The 1959 base acreage shall be that acreage determined under paragraphs (a) through (c) of this section. A base acreage of greater than zero must be established for each old wheat farm unless it is determined that under the definitely established crop-rotation system there will be no acreage seeded to wheat for harvest in 1959.

§ 728.918 *Determination of acreage allotments for old farms.* The 1959 county acreage allotment, less reserves for appeals, correction of errors and missed farms shall be apportioned by the county committee pro rata among all farms within the county on the basis of the base acreages determined under § 728.917.

§ 728.919 *Determinaton of base acreages for new farms.* (a) The county committee shall determine a base acreage for use in establishing a wheat acreage allotment for each eligible new farm for which an acreage allotment is requested in writing prior to July 1, 1958, in the winter wheat area, and March 1, 1959, in the spring wheat area. The spring wheat area shall include any area where spring wheat is normally grown, even though winter wheat is also grown in such area. Each request for such allotment shall be made by the owner or operator, and shall contain statements as to the location and identification of the farm, the names and addresses of the owner and operator, if known, the total acreage of land, the identification and location of any other farms in which the operator will have an interest in 1959, the location of the farm or farms and the wheat acreage in which the operator had an interest during the years 1954 through 1958, the acreage of wheat planned for 1959 under the crop-rotation system for the farm, the reason for requesting a wheat allotment, the reason there was no wheat history acreage on the farm for 1956, 1957, or 1958, and a statement that the operator expects to derive fifty percent or more of his livelihood from farming operations on the farm.

(b) Eligibility for new farm allotments shall be conditioned upon the following:

(1) The application must be filed on or before the closing date; and

(2) The committee determines that the land for which the allotment is requested will ordinarily produce a good crop of wheat without appreciable erosion; and

(3) The producer establishes to the satisfaction of the county committee that:

(i) The system of farming has changed or is changing to the extent that wheat rather than other small grains will be included in such system for 1959, the operator will not operate any other farm for which a 1959 wheat acreage allotment will be determined, and the operator expects to derive 50 percent or more of his livelihood from farming operations on the farm covered by the application; or

(ii) The established rotation system followed on the farm will include wheat for 1959.

(c) In determining the base acreage for each new farm, the county committee shall take into consideration the tillable acres, crop-rotation practices, type of soil, topography and the farming system to be followed by the operator, including the equipment and other facilities available for the production of wheat under such system: *Provided*, That the base acreage so established shall not exceed the wheat acreage for the farm for 1959 under the planned crop-rotation system. Without prior approval of the State committee, the base acreage recommended by the county committee shall not exceed 100 percent of the acreage indicated by cropland where the operator of the farm has been planting wheat on the farm in regular rotation; 80 percent of the acreage indicated by cropland where the operator has had actual wheat production in previous years; 65 percent of the acreage indicated by cropland where the operator has had no opportunity to establish wheat history for himself; and 25 percent of the acreage indicated by cropland where the applicant could have established wheat history but has not done so, and in all other cases. The State committee when requested may grant approval in excess of the limits established above if such limitation would result in an inequitable base acreage due to the fact that the type of farming operations carried out generally in the community or county is not representative of the type of farming operations to be carried out on the new farm.

§ 728.920 *Determination of acreage allotments for new farms.* The county committee shall, after approval by the State committee of the base acreages established for new wheat farms, determine a 1959 wheat acreage allotment for each new farm by multiplying the base acreage so established by a pro rata adjustment factor which shall be the smaller of the factor determined under § 728.918 or a factor obtained by dividing the State reserve for new farms by the sum of the base acreages determined for new farms under § 728.919. If the 1959 wheat acreage is less than the allotment established under this section, the wheat allotment for the farm shall be reduced to the acreage classified as wheat acreage on the farm, and the acreage resulting from such reductions in each county shall be transferred to the reserve available to the county committee for appeals, correction of errors and missed farms. The sum of all new farm acreage allotments in the State shall not exceed the State reserve set aside for new farms.

§ 728.921 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any farm which is removed from agricultural production by acquisition in 1950 or thereafter by a United States agency for national defense purposes shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or acquired by the owners displaced because of acquisition of their farms by the United States. Upon

application to the county committee any owner so displaced shall be entitled to have an allotment for any other farm owned or acquired by him equal to an allotment which shall be comparable to the allotments established for other farms in the same area which are similar except for the past acreage of wheat.

§ 728.922 *Mailing of allotment notices.* Notice of the farm acreage allotment bearing the actual or facsimile signature of a member of the county committee shall be mailed by the county committee to the operator of the farm and if so determined by the State committee to each other producer indicated by the records of the county committee as having an interest in the wheat crop. The facsimile signature may be affixed by the county committeeman or by an employee of the county office. Insofar as practicable all allotment notices shall be mailed in time to be received prior to the date on which the referendum to determine whether farmers who would be subject to farm marketing quotas favor or oppose such quotas may be held. All allotment notices in a county, insofar as practicable, shall be mailed on the same date. A copy of each allotment notice approved shall be maintained for not less than thirty days in a conspicuous place in the county office and shall thereafter be permanently kept available for public inspection in the office of the county committee.

§ 728.923 *Farms divided or combined.* The provision relating to divided or combined farms will be added to these regulations by amendment at a later date.

§ 728.924 *Review*—(a) *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm may, within 15 days after mailing of the official notice of the farm acreage allotment and marketing quota, file application in writing with the county office manager of the county from which the notice was received to have such allotment reviewed by a review committee appointed by the Secretary.

(b) *Procedure for review.* The procedure governing the review of farm acreage allotments and marketing quotas is contained in the regulations issued by the Secretary (Part 711 of this chapter) which are available at the office of the county committee.

§ 728.925 *Applicability of §§ 728.910 to 728.925.* Sections 728.910 to 728.925 shall govern the establishment in the commercial wheat-producing area of farm acreage allotments for the 1959 crop of wheat for use in connection with farm price support programs, farm marketing quotas if applicable to the 1959 crop of wheat, and the 1959 soil bank program.

The regulations in this subpart are contingent upon the proclamation of a national acreage allotment of wheat for 1959 by the Secretary pursuant to section 333 of the Agricultural Adjustment Act of 1938, as amended.

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

Done at Washington, D. C., this 6th day of March 1958. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-1805; Filed, Mar. 10, 1958; 8:50 a. m.]

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

[Lemon Reg. 728, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.835 (Lemon Regulation 728; 23 F. R. 1266) are hereby amended to read as follows:

(ii) District 2: 218,550 cartons.

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

Dated: March 6, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-1801; Filed, Mar. 10, 1958; 8:49 a. m.]

TITLE 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 70—SPECIAL NUCLEAR MATERIAL

ELIMINATION OF REQUIREMENT FOR SIGNATURE UNDER OATH OR AFFIRMATION

This amendment to Title 10, Chapter I, Part 70, "Special Nuclear Material," eliminates the requirement that applications for licenses and statements must be signed under oath or affirmation. Because this amendment eliminates a present procedural requirement, the Atomic Energy Commission has found that general notice of proposed rule making and public procedure thereon are unnecessary and would be contrary to the public interest; and that good cause exists why this amendment should be made effective without the customary 30-day period of notice.

Paragraph (b) of § 70.22 is amended by deleting the words "under oath or affirmation."

(Sec. 161, 68 Stat. 948; 42 U. S. C. 2201)

Dated at Washington, D. C., this 28th day of February 1958.

For the Atomic Energy Commission.

K. E. FIELDS,
General Manager.

[F. R. Doc. 58-1776; Filed, Mar. 10, 1958; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[DMS Reg. 1, Amdt. 2 of March 10, 1958]

DMS REG. 1—BASIC RULES OF THE DEFENSE MATERIALS SYSTEM

ACQUISITION OF PRIMARY NICKEL BY CONTROLLED MATERIALS PRODUCERS

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

Paragraph (c) of section 23 of DMS Regulation No. 1, as amended by Amendment 1 of January 20, 1958, is further amended to require a controlled materials producer to use his customer's allotment number in placing rated orders to obtain primary nickel as production material.

Paragraph (c) of section 23 of DMS Regulation No. 1 is hereby further amended to read as follows:

(c) Except where otherwise specifically provided by BDSA, a controlled materials producer may, by self-authorization and without filing any application, use the rating DO-B-5 in obtaining

production materials consisting of products and materials other than controlled materials needed to fill orders for controlled materials which he is required to accept by this regulation, or by any other regulation, order, or directive of BDSA: *Provided, however,* That a controlled materials producer must use the rating DO followed by the allotment number that accompanied the order for controlled materials received by him from his customer in obtaining primary nickel as production material to fill such order or to replace in inventory primary nickel which he has used to fill such order. For example, if he receives an authorized controlled material order bearing the allotment number A-6 he must use the rating DO-A-6. He need not place separate purchase orders for primary nickel needed to fill each order for controlled materials but may combine his requirements in one or more purchase orders. If the requirements for filling orders for controlled materials bearing different allotment numbers are combined in one rated order, it must show the amount of primary nickel to which each allotment number applies. For the purposes of this paragraph, "primary nickel" means nickel in the following forms or shapes:

Electrolytic cathodes.
Ingots.
Pigs.
Rondelles.
Cubes and pellets.
Shot.
Oxide (including sintered oxide).
Salts.
Chemicals.
Powder.

Ratings must be used in accordance with the provisions of this regulation and of BDSA Reg. 2 (formerly NPA Reg. 2).

(Sec. 704, 64 Stat. 816, as amended, 70 Stat. 408; 50 U. S. C. App. 2154)

This amendment shall take effect March 10, 1958.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
H. B. McCOY,
Administrator.

[F. R. Doc. 58-1837; Filed, Mar. 7, 1958; 4:09 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 703, 710]

[Administrative Order 503]

MEN'S AND BOYS' CLOTHING AND RELATED PRODUCTS INDUSTRY, AND CORSETS, BRASSIERES, AND ALLIED GARMENTS INDUSTRY IN PUERTO RICO

APPOINTMENT TO INVESTIGATE CONDITIONS AND RECOMMEND MINIMUM WAGES; NOTICE OF HEARING

Pursuant to authority under the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Reorganization Plan No. 6 of 1950 (64 Stat. 1263, 3 CFR, 1950 Supp., p. 165), I hereby appoint, convene, and give notice of the hearings of Industry Committee No. 38-A for the Corsets, Brassieres, and Allied Garments Industry in Puerto Rico, and Industry Committee No. 38-B for the Men's and Boys' Clothing and Related Products Industry in Puerto Rico.

Industry Comittee No. 38-A is composed of the following representatives:

For the public: Leo C. Brown, Chairman, St. Louis, Mo.; David M. Helfeld, Rio Piedras, P. R. (an additional mainland public member to be appointed).

For the employees: Richard J. Brazier, St. Louis, Mo.; Robert Gladnick, Rio Piedras, P. R.; Louis Stulberg, New York, N. Y.

For the employers: Benedict Berkowitz, White Plains, N. Y.; Bernard Rashkin, Guaynabo, P. R.; Stanley L. Mayer, Rio Piedras, P. R.

For the purpose of this order, the corsets, brassieres, and allied garments industry in Puerto Rico is defined as follows:

The manufacture of corsets, brassieres, brassiere pads, girdles, foundation garments, sanitary belts, surgical or abdominal supports, and all similar body-supporting garments.

Industry Committee No. 38-B is composed of the following representatives:

For the public: Leo C. Brown, Chairman, St. Louis, Mo.; David M. Helfeld, Rio Piedras, P. R.; (an additional mainland public member to be appointed).

For the employees: Richard J. Brazier, St. Louis, Mo.; Robert Gladnick, Rio Piedras, P. R.; Lazare Teper, New York, N. Y.

For the employers: Benedict Berkowitz, White Plains, N. Y.; Edwin A. Pearlman, Guaynabo, P. R.; Josef S. Weinberger, Guaynabo, P. R.

For the purpose of this order, the men's and boys' clothing and related products industry in Puerto Rico is defined as follows:

The manufacture from any material of men's and boys' clothing, furnishings, accessories, and related products: *Provided, however,* That the industry shall not include the manufacture of handmade straw hats, gloves, hosiery, footwear, belts (except fabric), sweaters, handkerchiefs, scarves, mufflers, or any product or activity included in the Children's Dress and Related Products Industry in Puerto Rico (29 CFR Part 610, 22 F. R. 6657), or in the Women's and Children's Underwear and Women's Blouse and Neckwear Industry in Puerto Rico (29 CFR Part 609, 22 F. R. 6592).

I hereby refer to each of the above mentioned industry committees the question of the minimum wage rate or rates to be fixed under section 6 (c) of the act for the industry. Each such industry committee shall investigate conditions in its industry, and the committee, or any authorized sub-committee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the act.

Industry Committee No. 38-A shall commence its hearing on March 31, 1958, at 2 p. m. in the office of the Wage and Hour Division, United States Department of Labor, New York Department Store Building, Fortaleza and San Jose Streets, San Juan, Puerto Rico. Following the hearing of Industry Committee No. 38-A, Industry Committee No. 38-B will hold its hearing at the same place.

Each committee will meet at the same place before its hearing to make its investigation and appropriate decisions concerning its forthcoming hearing. Industry Committee No. 38-A will meet at 10 a. m. on March 31, 1958, and Industry Committee No. 38-B will meet at an hour to be designated by the committee chairman.

In order to reach as rapidly as is economically feasible the objective of the minimum wage prescribed in paragraph (1) of section 6 (a) of the act, each industry committee shall recommend to the Administrator the highest minimum wage rate or rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside the Puerto Rico, the Virgin Islands, and American Samoa. Where an industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products in the industry, the industry committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set out here which will not substantially curtail employment in such classifications and will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within the industry, in making such classifications, and in determining the minimum wage rates for such classifications, the committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) the wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) the wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report for each committee containing such data as he is able to assemble pertinent to the matters herein referred to that committee. Copies of each such report may be obtained at the national and the Puerto Rican offices of

the United States Department of Labor as soon as they are completed and prior to the hearings. Each committee will take official notice of the facts stated in the economic report to the extent they are not refuted at the hearings.

The procedure of these industry committees will be governed by Part 511 of Title 29, Code of Federal Regulations. As a prerequisite to participation as witnesses or parties these regulations require, among other things, that interested persons in the present matters shall file a prehearing statement containing certain specified data, not later than March 21, 1958.

Signed at Washington, D. C., this 6th day of March 1958.

JAMES T. O'CONNELL,
Acting Secretary of Labor.

[F. R. Doc. 58-1818; Filed, Mar. 7, 1958; 4:09 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 4]

[Docket No. 11696; FCC 58-206]

EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST SERVICES

REMOTE BROADCAST STATIONS

In the matter of amendment of Part 4 of the Commission's rules and regulations relating to remote broadcast stations.

1. The Commission has before it for consideration its notice of proposed rule making (FCC 56-391, Mimeo No. 30495) issued in this proceeding on May 3, 1956. As set forth in that notice, the Commission proposed to add a paragraph (f) to § 4.432 of its rules to provide for the licensing of low-powered radio transmitters which may be installed in a studio or on a set and used to cue, prompt and direct participants who wear compact, battery-powered receivers and inconspicuous hearing-aid ear pieces, thus providing greater freedom of movement than possible through the use of conventional telephonic apparatus and cumbersome extension cords.

2. The new paragraph (f) of § 4.432 of the rules, as proposed in the aforementioned notice, reads as follows:

(f) Remote pickup broadcast stations will be licensed for the purpose of providing one-way communication within studios of broadcast stations for cueing production personnel and participants in broadcast programs, and preparation therefor: *Provided*, That transmitters employed for this purpose will not be authorized to operate at a power output in excess of 1 watt. Such cueing transmitters shall comply in all respects with the rules governing remote pickup base stations.

3. Comments were filed by the National Association of Radio and Television Broadcasters (NARTB) and by the National Broadcasting Company (NBC), and joint comments were filed by counsel for Albuquerque Broadcasting Company, California Inland Broadcasting Company, General-Times Television Corporation, Modern Broadcasting Company of Baton Rouge, Inc., RKO Teleradio Pictures, Inc., San Francisco-Oakland Television, Inc., WCAU, Incorporated, WDSU Broadcasting Corporation, WEAT-TV, Inc., WGR Corporation and WKY Radiophone Company.

4. All of the comments favor adoption of the proposed rule. The NARTB and the joint comments, however, suggest that the rule be rephrased to permit operation of cueing transmitters in outdoor areas adjoining studios and at remote pickup locations in addition to enclosed studio spaces. NBC asks that the new cueing equipment meet a frequency tolerance of 0.02 percent. The network also urges the Commission to relax the log-keeping and station identification requirements applicable to auxiliary broadcast operations.

5. The Commission is of the view that the aforementioned comments are meritorious and that rules should be adopted to cover the use of "wireless microphones" and similar low-powered devices which can be used in studios and locations outside studios to direct, cue, or prompt participants and production personnel in the preparation and broadcast of programs. We also believe that the licensing and operating requirements of such devices should be kept as simple as possible and that special rules should be provided in the Broadcast Auxiliary Rules to govern this type of operation.

6. In view of the above, it is proposed to add a new § 4.437 to the remote pickup rules in Part 4 of the rules and regulations, as follows:

§ 4.437 *Special rules relating to low-powered broadcast auxiliary stations.* (a) A license for a low-powered broadcast auxiliary station will be issued only to the licensee of a standard, FM or television broadcast station. The license of a low-powered broadcast auxiliary station authorizes the transmission of cues and orders to production personnel and participants in broadcast programs and the preparation thereof, and the transmission of program material by means of a wireless microphone worn by a participant in a broadcast program. Such transmissions shall be intended for reception at a receiving point within the same studio, building, stadium, or similarly limited indoor or outdoor area. Such stations will normally be licensed for use within a particular studio or group of studios within the same building but may be operated at other locations from time-to-time as provided in paragraph (d) of this section.

(b) An application for a new low-powered broadcast auxiliary station or for change in an existing authorization shall specify the studio or building within which it is to be principally used. One or more transmitting units may be specified in a single application, provided that such transmitting units are designed for operation in a common frequency band and will be operated normally in the same studio or building.

(c) The operation of low-powered broadcast auxiliary stations will be authorized only in the bands 26.10-26.48 Mc. and 450-451 Mc. Transmitting units may be operated on any frequency within the band of frequencies for which the station is licensed, provided that the emissions are confined to the authorized band. Transmitting units are not required to maintain a constancy of frequency beyond that necessary to assure compliance with the above requirement.

(d) Low-powered broadcast auxiliary stations may be operated at locations other than the licensed locations: *Provided, however*, That if such operation is to be conducted over a consecutive period of more than one day, the Engineer in charge of the radio district in which the station is to be operated shall be notified at least 2 days in advance of such operation and of the expected duration.

(e) Low-powered broadcast auxiliary stations will not be licensed for a power input to the plate of the final radio frequency amplifier in excess of 1 watt and all operation thereof is subject to the condition that no harmful interference is caused to remote pickup broadcast base and mobile stations. Unusual transmitting antennas or antenna elevations shall not be used to extend the range of these low-powered devices beyond the limited areas defined in paragraph (a) of this section.

(f) No operator's license is required of the person actually using a low-powered broadcast auxiliary transmitting unit, provided that an operator holding any commercial radio operator license or permit, except an aircraft radiotelephone operator authorization or a temporary radiotelegraph second-class operator license, is on duty at the place where the transmitting unit is being operated who shall take immediate steps to correct any condition of improper operation observed. Any adjustments or changes that could affect the proper operation of transmitting units shall be made by or under the immediate supervision of an operator holding a valid first- or second-class radiotelephone license.

(g) Call signs will not be assigned to low-powered broadcast auxiliary stations. In lieu thereof, an announcement shall be made at the beginning and end of each period of operation at a single location, over the transmitting unit being operated, identifying the type of transmitting unit, its location, and the call sign of the broadcast station with which it is being used. Transmitting units will normally fall into one of two types; a cueing transmitter or a wireless microphone. A period of operation may consist of a continuous transmission or intermittent transmissions in connection with a single program.

(h) The licensee of each low-powered broadcast auxiliary station shall maintain adequate records of the periods of operation and the place of such operation and other pertinent remarks concerning transmission.

7. Authority for the issuance of the proposed amendments is contained in sections 4 (i), 303 (a), (b), (c), (e), (f), (g) and (r) of the Communications Act of 1934, as amended.

8. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be

adopted in the form set forth herein, may file with the Commission on or before April 15, 1958, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last date for filing said original comments or briefs. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider such comments before taking final action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

9. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: March 5, 1958.

Released: March 6, 1958.

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

[F. R. Doc. 58-1793; Filed, Mar. 10, 1958; 8:48 a. m.]

NOTICES

FEDERAL POWER COMMISSION

SECRETARY AND ACTING SECRETARY

DELEGATION OF FINAL AUTHORITY

MARCH 5, 1958.

Pursuant to section 3 (a) (1) of the Administrative Procedure Act, notice is hereby given that the Commission delegated final authority to the Secretary, or in his absence the Acting Secretary, to take the following action on certificate and rate schedule filings of independent producers, where the sales involved are not of an interstate character, or where proposed interstate sales were never made:

(1) Upon request of the filing party, vacate the order previously issued granting a certificate of public convenience and necessity; and

(2) Cancel the prior acceptance of and permit withdrawal of the related rate schedule upon request of the filing party or where the certificate application is concurrently being or has previously been withdrawn.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-1778; Filed, Mar. 10, 1958; 8:45 a. m.]

[Docket No. E-6803]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

MARCH 5, 1958.

Take notice that on February 28, 1958, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Montana-Dakota Utilities Co. ("Applicant"), a corporation organized under the laws of the State of Delaware and doing business in the States of Minnesota, Montana, North Dakota, South Dakota and Wyoming with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of $10,000,000 in principal amount of Promissory Notes. Applicant proposes to issue said Promissory Notes to the First National City Bank of New York, dated as of the dates of their respective issue, which will be not later than December 31, 1958, to be due not more than one year after the dates of their respective issue but not later than June 30, 1959, each bearing interest at the prime commercial bank rate in effect at the date it is issued. The Northwestern National Bank of Minneapolis will have a 25 percent participation in each note and the First National Bank of Minneapolis will have a 20 percent participation in each note. The purpose of issuing these notes is to renew $2,500,000 of notes due in 1958 now outstanding and to provide temporary financing for part of the cost of additions to Applicant's facilities during the year 1958.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 26th day of March 1958, file with the Federal Power Commission, Washington 25, D. C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-1786; Filed, Mar. 10, 1958; 8:47 a. m.]

[Docket No. G-13588 etc.]

TENSAS GAS GATHERING CORP. ET AL

NOTICE OF APPLICATIONS AND DATE OF HEARING

MARCH 5, 1958.

In the matters of Tensas Gas Gathering Corporation, Docket No. G-13588; Olin Gas Transmission Corporation, Docket No. G-13589 and G-13666; Midstates Oil Corporation, Docket No. G-13668; Renwar Oil Corporation, Docket No. G-13795; Magnolia Petroleum Company, Docket No. G-14246; Southwest Gas Producing Company, Inc., Docket No. G-14257; Georesearch, Inc. (Operator), et al., Docket No. G-14289; Southern Natural Gas Company, Docket No. G-14300; Phillips Petroleum Company, Docket No. G-14323; The Atlantic Refining Company, Docket No. G-14402.

Take notice that on October 28, 1957, Tensas Gas Gathering Corporation (Tensas), a newly formed gas company, filed in Docket No. G-13588 an application, as amended on January 23, 1958, for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of a natural gas pipeline system consisting of approximately 36.61 miles of pipeline varying from 2 inches to 8 inches in diameter, extending from a point in the Rodney Field in Mississippi westerly across the Mississippi River to a connection with Olin Gas Transmission Company's existing pipeline in Tensas Parish, Louisiana, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant also proposes to build three compressor stations and certain field boosters having a total of 2,000 horsepower and located in the North Locust Ridge Field, the South Locust Ridge Field and Lake St. John Field, in Tensas and Concordia Parishes, Louisiana.

The estimated capital cost of Tensas' entire project is $855,413. This amount is to be financed through the sale of not more than $712,500 of first mortgage 6 percent bonds to W. C. Feazel et al. In addition, 990 shares of common stock of Tensas, for an aggregate amount of $224,000, have been contracted to be sold to J. H. Hoag, President of Tensas.

On October 28, 1957, Olin Gas Transmission Corporation (Olin) filed in Docket No. G-13589 an application, pursuant to section 7 (c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of a proposed tap and measuring station on its Holly Ridge Field 6-inch pipeline in Tensas Parish, Louisiana, for the purpose of purchasing and receiving natural gas from Tensas. The estimated cost of construction of these proposed facilities is $6,548, which will be financed out of current working funds.

On November 8, 1957, Olin filed in Docket No. G-13666 an application, pursuant to section 7 (c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of approximately 4.7 miles of 8-inch pipeline from a point on Olin's Fowler-Baton Rouge line some 16 miles north of Baton Rouge in the vicinity of St. Francisville, Louisiana, extending to the site of a paper mill to be constructed by the St. Francisville Paper Company, for the purpose of transporting natural gas for the sale of up to 10,000 Mcf per day of natural gas to Crown Zellerbach Corporation for use as fuel in the paper mill which

Crown Zellerbach will manage and operate and which is expected to be placed in operation on or about November 1, 1958. The estimated cost of the proposed 4.7 miles of 8-inch line and metering and appurtenant facilities for which authorization is also sought herein is $184,000, which will be supplied from Olin's current working funds. Both of Olin's applications aforementioned are on file with the Commission and open to public inspection.

Related applications for authorization to sell natural gas to Tensas have been filed in the dockets and on the dates indicated as follows:

Midstates Oil Corporation, Docket No. G-13668, filed November 6, 1957, and supplemented on January 24, 1958.

Renwar Oil Corporation, Docket No. G-13795, filed November 25, 1957, and supplemented on February 5, 1958.

Magnolia Petroleum Company, Docket No. G-14246, filed January 14, 1958.

Southwest Gas Producing Company, Inc., Docket No. G-14257, filed January 15, 1958.

Georesearch, Inc. (Operator) et al., Docket No. G-14289, filed January 20, 1958.

Southern Natural Gas Company, Docket No. G-14300, filed January 21, 1958.

Phillips Petroleum Company, Docket No. G-14323, filed January 24, 1958.

The Atlantic Refining Company, Docket No. G-14402, filed February 4, 1958.

All of the foregoing independent producer applications are on file with the Commission and open to public inspection.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 27, 1958, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 25, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-1787; Filed, Mar. 10, 1958; 8:47 a. m.]

[Docket No. G-13920]

PHILLIPS PETROLEUM CO.

ORDER AMENDING ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

MARCH 5, 1958.

By order issued herein on December 19, 1957, the Commission suspended Supplement No. 5 to Phillips Petroleum Company's (Phillips) FPC Gas Rate Schedule No. 40 and Supplement No. 5 to Phillips' FPC Gas Rate Schedule No. 65, deferred the use thereof until May 25, 1958, and ordered that a public hearing be held concerning the lawfulness of the proposed increased rates and charges contained in the said supplements.

On February 5, 1958, Phillips tendered for filing Supplement No. 6 to its FPC Gas Rate Schedule No. 40 and Supplement No. 6 to its FPC Gas Rate Schedule No. 65 and requested that such supplements be accepted for filing to supersede Supplement No. 5 to its FPC Gas Rate Schedule No. 40 and Supplement No. 5 to its FPC Gas Rate Schedule No. 65, respectively. Phillips also requested termination of this suspension proceeding and asked that the increased rates set forth in each of the later filings made on February 5, 1958, be made effective as of January 1, 1958.

An analysis of the four rate schedule filings designated above discloses that good cause exists to permit Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 40 to become effective thirty days after the date of filing, i. e., March 8, 1958. However, Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 65 should be accepted for filing to supersede Supplement No. 5 to that schedule and suspended until May 25, 1958.

The Commission finds:

(1) Good cause exists to permit the filing of Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 40 to supersede Supplement No. 5 thereto and to permit the said Supplement No. 6 to become effective on March 8, 1958.

(2) Good cause exists to permit the filing of Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 65 to supersede Supplement No. 5. It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate set forth in Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 65 and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 40 is accepted for filing to supersede Supplement No. 5 to that schedule and the said Supplement No. 6 shall become effective on March 8, 1958. The suspension order heretofore issued in this proceeding on December 19, 1957, is hereby vacated insofar as it pertains to Supplement No. 5 to Phillips' FPC Gas Rate Schedule No. 40.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 65.

(C) Pending such hearing and decision thereon, Supplement No. 6 to Phillips' FPC Gas Rate Schedule No. 65 hereby is suspended and the use thereof deferred until May 25, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) The suspension order heretofore issued in this proceeding on December 19, 1957, hereby is vacated insofar as it pertains to Supplement No. 5 to Phillips' FPC Gas Rate Schedule No. 65.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-1788; Filed, Mar. 10, 1958; 8:47 a. m.]

[Docket No. G-13921]

PHILLIPS PETROLEUM CO.

ORDER AMENDING ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

MARCH 5, 1958.

By order issued herein on December 19, 1957, the Commission suspended Supplement No. 3 to Phillips Petroleum Company's (Phillips) FPC Gas Rate Schedule No. 151, deferred the use thereof until May 25, 1958, and ordered that a public hearing be held concerning the lawfulness of the proposed increased rate and charge contained in the said supplement.

On February 5, 1958, Phillips tendered for filing Supplement No. 4 to its FPC Gas Rate Schedule No. 151, requesting that said Supplement No. 4 be accepted for filing to supersede Supplement No. 3 heretofore suspended by the order issued in this proceeding on December 19, 1957.

The Commission finds: Good cause exists to permit the filing of Supplement No. 4 to Phillips' FPC Gas Rate Schedule No. 151, to supersede Supplement No. 3 to that schedule. It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate set forth in the said Supplement No. 4 and that such supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Phillips' FPC Gas Rate Schedule No. 151.

(B) Pending such hearing and decision thereon, the said supplement hereby is suspended and the use thereof deferred until May 25, 1958, and until such

further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) The suspension order heretofore issued in this proceeding on December 19, 1957, hereby is vacated.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-1789; Filed, Mar. 10, 1958; 8:47 a. m.]

[Docket No. G-13716]

KANSAS-COLORADO UTILITIES, INC.

ORDER PERMITTING SUBSTITUTION OF TARIFF SHEETS SUBJECT TO HEARING AND SUSPENSION

MARCH 5, 1958.

Kansas-Colorado Utilities, Inc. (Kansas-Colorado) on February 3, 1958, tendered for filing Original Sheets Nos. 4-A and 4-B, First Revised Sheets Nos. 13, 14, 16 and 17 and Second Revised Sheet No. 4 with the request that said sheets be substituted for First Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1. By means of this tender, Kansas-Colorado requests permission to substitute a revised Rate Schedule G-1 and a new Rate Schedule G-2 for the Rate Schedule G-1 tendered for filing on November 12, 1957, which was suspended by order issued herein on November 15, 1957, until May 5, 1958, and until such further time as it may be made effective in the manner prescribed by the Natural Gas Act. All sales by Kansas-Colorado subject to the Commission's jurisdiction are made to its affiliate Plateau Natural Gas Company.

The new proposal would establish two rate zones and rates instead of the suspended system-wide 28 cents per Mcf rate. The first zone, covered by Rate Schedule G-1, would comprise the Ulysses, Kansas, area which is located in the vicinity of the company's producing gas wells. The second zone, covered by Rate Schedule G-2, would consist of the remainder of the company's 160-mile transmission system. The proposed rate for the first zone is a 16.5 cents per Mcf straight rate, while the second zone rate is a two-part rate of $1.06 per Mcf of demand and 23.74 cents per Mcf of commodity. The company's estimated overall revenues from the new proposal are $1,272 more than proposed under the suspended rate schedule, and total $740,637.

Kansas-Colorado relies upon the cost data previously submitted for the suspended 28 cents per Mcf straight rate as a basis for the substitute zone rates now proposed. In support of the 16.5 cents per Mcf rate for the Ulysses area, the company has segregated plant investment, reserves and direct operating expenses applicable to that zone and has allocated general costs between the two zones. The company claims that none of the gas from its main transmission system flows into the Ulysses area and that the Ulysses area is supplied at all times from wells separate and distinct from those feeding the main system.

The overall levels of the proposed substitute rates have the same questionable aspects in cost support which required suspension of the system-wide rate. Additionally, the costs allocated to the Ulysses area and the method of segregation of such costs require verification.

The Commission finds: Good cause has been shown for permitting Kansas-Colorado to substitute Original Sheets Nos. 4-A and 4-B, First Revised Sheets Nos. 13, 14, 16, and 17 and Second Revised Sheet No. 4 in the place of First Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, subject, in all respects, to this proceeding and orders issued herein as though originally filed in lieu of said First Revised Sheet No. 4.

The Commission orders: Original Sheets Nos. 4-A and 4-B, First Revised Sheets Nos. 13, 14, 16, and 17, and Second Revised Sheet No. 4 are hereby substituted in the place of First Revised Sheet No. 4 to Kansas-Colorado Utilities, Inc., F. P. C. Gas Tariff, Original Volume No. 1, subject, in all respects, to this proceeding and orders issued herein as though originally filed in lieu of said First Revised Sheet No. 4, and said substituted tariff sheets are hereby suspended and the use thereof deferred until May 5, 1958, and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-1790; Filed, Mar. 10, 1958; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Denver 052830]

COLORADO

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

MARCH 4, 1958.

Pursuant to authority delegated to me by the Colorado State Supervisor of the Bureau of Land Management, effective February 19, 1958 (23 F. R. 1098), the following described lands reconveyed to the United States in an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended, are hereby restored to disposition under the applicable public land laws as hereinafter indicated:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 S., R. 99 W.,
Sec. 21, SE¼SE¼;
Sec. 22, SW¼, SW¼SE¼;
Sec. 27, NE¼NE¼, NW¼SE¼, SE¼SW¼, S½SE¼;
Sec. 28, NE¼, S½NW¼, N½SW¼, N½SE¼;
Sec. 34, NE¼NW¼, N½NE¼.
T. 12 S., R. 103 W.,
Sec. 7, E½SE¼;
Sec. 8, W½SW¼;
Sec. 9, S½SE¼;
Sec. 16, N½NE¼, SE¼.
T. 12 S., R. 104 W.,
Sec. 11, NE¼SE¼;
Sec. 12, NW¼SE¼, N½SW¼;
Sec. 14, NE¼, E½NW¼, NW¼NW¼;
Sec. 28, W½SW¼;
Sec. 29, S½;
Sec. 31, lots 2, 3, and 4;
Sec. 32, N½NW¼, SW¼NW¼, NW¼SW¼.
T. 13 S., R. 103 W.,
Sec. 6, SE¼SW¼ and SW¼SE¼;
Sec. 7, E½W½, NW¼SE¼, W½NE¼;
Sec. 8, E½NW¼, SW¼NE¼, NE¼SW¼;
Sec. 18, lots 1 and 2, E½NW¼, W½NE¼, and SE¼NE¼.

The area described totals 3,316.61 acres of public land.

Nine hundred sixty (960) acres of this land is in western Rio Blanco County; the remainder is in Mesa County, near the western edge of Colorado. The lands in Rio Blanco County are rolling to rough; those in Mesa County are rough and mountainous. The land supports only native range vegetation of pinon and juniper trees, sagebrush, and other shrubs, weeds and grasses. All of the lands are in a low rainfall belt. None of the land is suitable for agriculture.

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

Subject to any existing valid rights and the requirements of applicable law, the lands described above are hereby opened to filing of applications and selections in accordance with the following:

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

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

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or the Korean Conflict, and by others entitled to preference rights under the Act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, presented prior to 10:00 a. m., on April 9, 1958, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m., on July 9, 1958, will be governed by the time of filing.

(3) All valid applications and selections under the non-mineral public land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m., on July 9, 1958, will be considered as simultaneously filed at that hour. Rights under such applica-

tions and selections filed after that hour will be governed by the time of filing.

Persons claiming veteran's preference rights under paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 371 New Custom House, P. O. Box 1018, Denver 1, Colorado.

J. ELLIOTT HALL,
Lands and Minerals Officer.

[F. R. Doc. 58-1777; Filed, Mar. 10, 1958; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

MARCH 1958 MONTHLY SALES LIST

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F. R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on sales made in March under the Export Credit Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 3⅛ percent per annum.

For periods over 6 months up to and including 18 months, 3⅝ percent per annum.

For periods over 18 months up to and including 36 months, 4⅛ percent per annum.

The Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas. Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list.

Commodity Credit Corporation also reserves the right to amend, from time to time, any of its announcements, which amendments shall be applicable to and be made a part of the sales contracts thereafter and entered into.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered promptly upon appearance by public notice issued by the appropriate CSS Commodity Office and therefore generally they do not appear in the Monthly Sales List.

MARCH 1958 MONTHLY SALES LIST

NOTICE TO BUYERS

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer (1) shall be regularly engaged in the business of buying or selling commodities and, for this purpose, shall maintain a bona fide business office in the United States, its Territories, or possessions and therein have a person, principal or resident agent, upon whom service of judicial process may be had, and (2) shall submit a financial statement, bank advice, surety bond or other evidence of financial responsibility as may be required by CCC.

Commodity	Sales price or method of sale
Dairy products	All sales are under LD-26. All sales are in carlots only. As many as 3 buyers may participate in purchasing a single carlot. Domestic price: For unrestricted use price is "in store" [1] at storage locations of products. For restricted use price is on the basis of delivery f. o. b. cars at point of use named in offer. CCC will convert to "in store" price as provided in LD-26. Export prices are on the basis of delivery f. a. s. vessel or at buyer's option f. o. b. cars point of export. If delivery is to be "in store" CCC will convert to "in store" price as provided in LD-26. Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Butter (as available)	Domestic, unrestricted use: 63.5 cents per pound, New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 62.75 cents per pound, Washington, Oregon, and California. All other States 62.5 cents per pound. Domestic—restricted use: For use as an extender for cocoa butter in the manufacture of chocolate and in such a manner as will not displace other dairy products from use in the manufacture of chocolate or in the manufacture of other products made from chocolate, 39 cents per pound. Export—unrestricted use: 39 cents per pound.
Nonfat dry milk (spray, roller)—as available.	Domestic—unrestricted use: Spray process, U. S. Extra Grade; in barrels and drums, 17 cents per pound; in bags, 16.15 cents per pound. Roller process, U. S. Extra Grade; in barrels and drums, 15 cents per pound; in bags, 14.15 cents per pound. Domestic—restricted use (animal and poultry feed): In barrels and drums, 11.5 cents per pound; in bags, 10.65 cents per pound. Export—unrestricted use: Spray or roller process, U. S. Extra Grade; in barrels and drums, 9.9 cents per pound; in bags, 9.05 cents per pound.
Cheddar cheese, cheddar, flats, twins, and rindless blocks (standard moisture basis), 158 million pounds.	Domestic: 38 cents per pound, for New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific and Gulf of Mexico. All other States 37 cents per pound. Export: 22 cents per pound. Cheese prices are subject to usual adjustments for moisture content.
Cotton, upland	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-5, Revision 1, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcements CN-EX-4 and NO-C-9, as amended.
Cotton, extra long staple	Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-6, as amended, and NO-C-10, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC. Export: Competitive bid and under the terms and conditions of Announcement NO-C-6, as amended, and NO-C-10, as amended. Catalogs for Upland and Extra Long Staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office.
Peanuts	Domestic (for crushing) or export: Competitive bid basis for limited quantities announced by Peanut Cooperative Associations under CCC Peanut Announcement 1, as amended. Available Dallas CSS Commodity Office.
Wheat, bulk	Domestic—Commercial wheat-producing area: Market price, basis in store,[2] but not less than the 1957 applicable loan rate, plus (1) 30 cents per bushel if received by truck, or (2) 25 cents per bushel if received by rail or barge. Examples of the foregoing minimum price per bushel (exrail or barge): Chicago, No. 1 RW, $2.57; Minneapolis, No. 1 DNS, $2.61; Kansas City, No. 1 HW, $2.57; Portland, No. 1 SW, $2.47. Noncommercial wheat-producing area: Market price, basis in store,[2] but not less than 133 percent of applicable 1957 county loan rate plus (1) 30 cents per bushel if received by truck, or (2) 25 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Export (as wheat): Under Announcement GR-261 revised, as amended, for application to certain barter contracts and specially approved credit sales only, at prices determined daily, and under Announcement GR-212 revised, as amended, for specific offerings as announced. Disposals under special export program under Announcement GR-345.[3] Available Dallas, Chicago, Minneapolis, Kansas City, and Portland CSS Commodity Offices for domestic or export sale, except under GR-345 at Dallas and Chicago, and Portland when announced.
Corn, bulk	Domestic: Commercial corn-producing area: Market price, basis in store,[2] but not less than the 1957 applicable loan rate for corn produced in compliance with 1957 acreage allotments plus: (1) a markup of 18 cents per bushel for corn in storage at point of production, (2) a markup of 20 cents per bushel and the rail freight (including transportation tax) from point of production to the present point of storage for corn in storage at other than point of production. Examples of the foregoing minimum price per bushel for No. 2 yellow corn, 13.3 percent moisture and 1.4 percent foreign material including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively: Chicago, $1.78¾; Minneapolis, $1.68¾. Noncommercial corn-producing area: Market price, basis in store,[2] but not less than 110 percent of the applicable 1957 loan rate plus markups as above. Available Chicago, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices. Sample grade and weevily corn (as available) through the above offices. Export: Competitive bid basis as announced by the Portland, Dallas, Chicago, Minneapolis, and Kansas City CSS Commodity Offices.[3]

See footnotes at end of table.

MARCH 1958 MONTHLY SALES LIST—Continued

Commodity	Sales price or method of sale
Oats, bulk	Domestic: market price, basis in store,[1] but not less than the 1957 applicable loan rate plus (1) a markup of 19 cents per bushel for oats in storage at point of production, (2) a markup of 21 cents per bushel and the rail freight (including transportation tax) from point of production to present point of storage for oats in storage at other than the point of production. Examples of the foregoing minimum prices per bushel, including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis, respectively: Chicago, No. 3 oats or better, $0.89¾; Minneapolis, No. 3 oats or better, $0.84. Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Minneapolis, Portland, and Dallas CSS Commodity Offices.[3]
Barley, bulk	Domestic: Market price in store,[2] but not less than the 1957 applicable loan rate plus (1) 23 cents per bushel if received by truck, or (2) 20 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis, No. 2 barley, $1.38. Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Minneapolis and Portland CSS Commodity Offices.[3]
Rye, bulk	Domestic: Market price basis in store,[2] but not less than the 1957 applicable loan rate, plus (1) 26 cents per bushel if received by truck or (2) 21 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis, No. 2 or better, $1.61. Available Chicago, Kansas City, Minneapolis, Portland and Dallas CSS Commodity Offices.[3] Export: Competitive bid as announced by the Chicago, Dallas, and Portland CSS Commodity Offices.[3]
Grain sorghums, bulk	Domestic: Market price, basis in store,[2] but not less than the 1957 applicable loan rate plus (1) 47 cents per cwt. if received by truck, or (2) 38 cents per cwt. if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per cwt. (exrail or barge): Kansas City, No. 2 or better, $2.69. Available Dallas, Portland, and Kansas City CSS Commodity Offices. Export: Competitive bid as announced by Dallas and Portland CSS Commodity Offices.[3]
Soybeans, bulk (as available)	Domestic (for crushing) or export: Market price basis in store but not less than the 1957 basic loan rate for No. 2 grade, basis point of production plus 5 cents per bushel. Market discounts for quality factors will be applied to the basic price to determine the actual minimum sales prices. If delivery is outside the area of production, applicable freight and out-elevation charges at country loading point and in-elevation charges at subterminal or terminal storage point will be added to the above price. Available Chicago, Kansas City, and Minneapolis CSS Commodity Offices.
Rice, milled 1956 crop (as available).	Domestic—unrestricted use (1956 crop): Market price but not less than equivalent 1957 loan rate for rough rice by varieties and grades plus 5 percent adjusted for milling, plus 61 cents per cwt. basis in store. Prices and quantities available by varieties and grade may be obtained from Dallas CSS Commodity Office. Example of minimum prices of milled rice per cwt., at mills:

	U. S. No. 3	U. S. No. 4	U. S. No. 5
Blue Bonnet	$11.04	$10.19	$9.26
Century Patna	10.21	9.36	8.54

Rice, rough, 1957 crop	Export: Competitive bid under DL-MR-400/57 as announced by Dallas CSS Commodity Office. Special export: Competitive bid on "as is" basis, under DL-MR/53 as announced by Dallas CSS Commodity Office. Domestic—unrestricted: Market price but not less than the 1957 applicable loan rate plus 5 percent, plus 46 cents per hundredweight basis in store. Prices and quantities available by varieties may be obtained from Dallas CSS Commodity Office or from Portland CSS Commodity Office for Pearl and Calrose. Export: For export as milled rice. Competitive bid as announced by Portland CSS Commodity Office.
Gum rosin	Domestic or export: Offer and acceptance basis "as is," in galvanized metal drums (averaging 517 pounds net) in the stated quantities and on the designated storage yards, subject to the prices, terms and conditions of Announcement TB-21 (revised) and supplements thereto which will be issued monthly. Available through the American Turpentine Farmers' Association Cooperative, Valdosta, Ga.
Gum turpentine	Domestic or export: Offer and acceptance basis, "as is," bulk in tanks in the stated quantities and in the designated storage tanks subject to the prices, terms and conditions of Announcement TB-21 (revised) and supplements thereto which will be issued monthly. Available through American Turpentine Farmers' Association Cooperative, Valdosta, Ga.

[1] At the processor's plant or warehouse but with any prepaid storage and out-handling charges for the benefit of the buyer.

[2] In those counties in which grain is stored in CCC bin sites, delivery will be made f. o. b. buyer's conveyance at bin site without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements with the warehouse for storage documents.

[3] Sales of grains other than wheat made under Title I, Pub. Law 480, may be made on terms and conditions of GR-301 revised. Other commodities under the announcement indicated.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U. S. C. 1427, sec. 208, 63 Stat. 901)

Issued: March 6, 1958.

[SEAL]

WALTER C. BERGER,
Executive Vice-President,
Commodity Credit Corporation.

[F. R. Doc. 58-1804; Filed, Mar. 10, 1958; 8:50 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ADMINISTRATIVE CONTROL OF APPROPRIATIONS WITHIN THE DEPARTMENT

MISCELLANEOUS AMENDMENTS

The following changes have been made to DOD Directive 7200.1 to comply with section 3 of Public Law 863, 84th Congress, section 1401 of Public Law 170, 85th Congress, and Bureau of the Budget Circular A-34. Changes, pursuant to these authorities, appearing in sections I.B., II, III, IV, XII.B.(2) (a), (b), (d), (h), (i), and D., now read as follows:

I. *Purpose.* * * *

B. The purpose of this directive is to (a) prescribe Department of Defense regulations designed to restrict obligations and/or expenditures against each appropriation or other fund to the amount available therein, and, where apportionments or reapportionments of appropriations are required to be made, to the amounts of such apportionments or reapportionments, and (b) enable the Assistant Secretary of Defense (Comptroller) to fix responsibility for the creation of any obligation or the making of any expenditure in excess of an appropriation, apportionment, reapportionment, or subdivision thereof.

II. *Authority.* This directive is issued pursuant to section 3679 of the Revised Statutes, as amended (31 U. S. C. 665), and relates to apportionments and control of appropriations and other funds. All officers and employees of the Department of Defense who are authorized to obligate or expend Federal funds should be cautioned to become thoroughly acquainted with the provisions of section 3679 of the Revised Statutes, as amended.

III. *Scope.* The provisions of this directive are applicable to all components of the Department of Defense to which appropriations or other funds are made available. When used in this directive, the term components of the Department of Defense means the military departments and the Office of the Secretary of Defense (including therein Boards, Offices, and Agencies subject to supervision by the Secretary of Defense).

IV. *Definitions.* * * *

I. Other terminology and concepts used in this directive may be found in current Budget Circular A-34.

* * * * *

XII. *Violations.* * * *

B. (2) The report should set forth the following data, preferably in the sequence named:

(a) The title and symbol (including the fiscal year) of the appropriation or other fund account involved and whether apportioned or nonapportioned funds.

(b) Location of installation or allottee where each violation occurred.

* * * * *

(d) In case of each authorization (or directive) to overobligate, overobligation and/or overexpenditure, state whether the amount was in excess of the allotment, allocation, apportionment or ap-

propriation. In case of overallocation or overallotment, state whether the amunt was in excess of the apportionment or appropriation, or the allocation, as the case may be.

* * * * *

(h) A statement of the administrative discipline imposed and any further steps taken with respect to the officer or employee, or an explanation as to why no disciplinary action is considered necessary.

(i) A statement of any additional action taken by, or at the direction of, the head of the component, including any action taken with regard to the overallocation, overallotment, authority (or directive) to overobligate, overobligation and/or overexpenditure, and any procedural changes or new safeguards provided to prevent recurrence of that type of violation.

* * * * *

D. It shall be the responsibility of the Assistant Secretary of Defense (Comptroller) to review immediately reports of violations and the administrative disciplinary action taken, and prepare promptly reports, as required under section 3679, Revised Statutes, and Budget Circular A-34, for submission by the Secretary of Defense to the President and the Congress. When deemed necessary, he shall make recommendations to the Attorney General for prosecution.

MAURICE W. ROCHE,
Administrative Secretary.

[F. R. Doc. 58-1792; Filed, Mar. 10, 1958; 8:48 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MISSISSIPPI SHIPPING CO., INC., ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

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

(1) Agreement No. 7644-2, between Mississippi Shipping Company, Inc., Waterman Steamship Corporation, and Waterman Steamship Corporation of Puerto Rico, modifies approved transhipment Agreement No. 7644, as amended, covering the transportation of cargo under through bills of lading from Argentina, Brazil and Uruguay to Puerto Rico, with transhipment at Mobile, or New Orleans;

(2) Agreement No. 7872-1, between Th. Brovig (Mexican Line), Waterman Steamship Corporation, and Waterman Steamship Corporation of Puerto Rico, modifies approved transhipment Agreement No. 7872, covering the transportation of general cargo under through bills of lading from Mexico to Puerto Rico, with transhipment at New Orleans;

(3) Agreement No. 7978-1, between Th. Brovig (Mexican Line), Waterman Steamship Corporation, and Waterman Steamship Corporation of Puerto Rico, modifies approved transhipment Agreement No. 7978, covering the transportation of cargo under through bills of lading from Puerto Rico to Mexico, with transhipment at New Orleans;

(4) Agreement No. 8078-1, between Northern Pan America Line (Nopal Line), Waterman Steamship Corporation and Waterman Steamship Corporation of Puerto Rico, modifies approved transhipment Agreement No. 8078, covering the transportation of cargo under through bills of lading from Argentina, Brazil and Uruguay to Puerto Rico, with transhipment at Mobile, or New Orleans; and

(5) Agreement No. 8242-1, between Mississippi Shipping Company, Inc., Waterman Steamship Corporation, and Waterman Steamship Corporation of Puerto Rico, modifies approved transhipment Agreement No. 8242, covering the transportation of cargo under through bills of lading from West Africa to Puerto Rico, with transhipment at Mobile, or New Orleans.

Each of these modifications provide for the substitution of Waterman Steamship Corporation of Puerto Rico in place of Waterman Steamship Corporation as a party to the respective agreements.

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

Dated: March 5, 1958.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-1783; Filed, Mar. 10, 1958; 8:46 a. m.]

GENERAL STEAM NAVIGATION CO., LTD., OF GREECE ET AL.

NOTICE OF AGREEMENT FILED FOR APPROVAL

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

Agreement No. 8277, between General Steam Navigation Co., Ltd., of Greece, Transatlantic Shipping Corp., Neptunia Shipping Co., S. A., and Arcadia Steamship Corporation, provides for the maintenance of a service or services under the trade name "Greek Line", in the trade between ports in the Canadian provinces of Quebec and Nova Scotia and United States Atlantic ports, on the one hand, and ports in Europe and the Mediterranean, on the other hand.

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

Dated: March 6, 1958.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-1784; Filed, Mar. 10, 1958; 8:46 a. m.]

ZIM ISRAEL AMERICA LINES AND AMERICAN EXPORT LINES, INC.

NOTICE OF AGREEMENT FILED FOR APPROVAL

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

Agreement No. 8420, between the carriers comprising the Zim Israel America Lines joint service and American Export Lines, Inc., provides for the creation of a conference to be known as the Israel/U. S. North Atlantic Ports Westbound Freight Conference, for the establishment and maintenance of agreed rates, charges and practices, for or in connection with the transportation of cargo in the trade from Mediterranean ports of Israel to North Atlantic ports of the United States (Hampton Roads/Portland, Maine range).

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

Dated: March 5, 1958.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-1785; Filed, Mar. 10, 1958; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11588, 11999; FCC 58M-206]

JOSEPH M. RIPLEY, INC., AND DAN RICHARDSON

ORDER CONTINUING HEARING

In re applications of Joseph M. Ripley, Inc., Jacksonville, Florida, Docket No. 11588, File No. BP-9788; Dan Richardson, Orange Park, Florida, Docket No. 11999, File No. BP-10697; for construction permits.

The Hearing Examiner having under consideration a "Motion for Continuance" filed this date on behalf of counsel for Joseph M. Ripley, Inc., for a continuance of the hearing herein presently scheduled for March 5, 1958;

It appearing, that counsel for Ripley will be engaged in another case set for

trial in the Circuit Court of Duval County, Florida, on March 5, 1958;

It further appearing, that good cause exists why said Motion for Continuance should be granted and there is no opposition thereto;

It further appearing, that counsel for all parties have consented to a waiver of § 1.43 of the Commission's rules;

It is therefore ordered, This 4th day of March 1958, that the hearing in this proceeding now scheduled to commence on March 5, 1958 be, and the same is hereby, scheduled to commence on April 2, 1958, at 10 o'clock a. m. at the Commission's offices in Washington, D. C.

Released: March 4, 1958.

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

[F. R. Doc. 58-1794; Filed, Mar. 10, 1958; 8:48 a. m.]

[Docket No. 11945; FCC 58M-207]

BOROUGH OF LEMOYNE, PA.

ORDER CONTINUING HEARING

In re application of Borough of Lemoyne, Pennsylvania, Lemoyne, Pennsylvania, Docket No. 11945, File No. 9350-PF-P/L-L; for authorization in the fire radio service.

The Hearing Examiner having under consideration a motion for continuance filed by the Chief of the Safety and Special Radio Services Bureau on March 3, 1958, requesting that the hearing in the above-entitled proceeding presently scheduled to begin March 4, 1958, be continued without date; and

It appearing, that the applicant, Borough of Lemoyne, Pennsylania, and the protestant, Cumberland County, Pennsylvania, have entered into an agreement "compromising and settling their differences relative to the issues" in this proceeding; and

It further appearing, that on February 28, 1958, the protestant filed a motion before the Commission requesting approval of the above agreement, withdrawal of its protest, and that "no further proceeding be had"; and

It further appearing, that all parties to this proceeding have agreed to the requested continuance and that good cause has been shown therefor,

It is ordered, This 3d day of March 1958, that the above motion for continuance is granted and that the hearing presently scheduled for March 4, 1958, is continued without date pending Commission action upon the motion to withdraw protest.

Released: March 5, 1958.

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

[F. R. Doc. 58-1795; Filed, Mar. 10, 1958; 8:48 a. m.]

[Docket Nos. 11786, 11787; FCC 58-201]

WEST SHORE BROADCASTING CO. AND WESTPORT BROADCASTING CO.

ORDER AMENDING ISSUES

In re applications of Samuel Babbit, Samuel Dresner, Leonard Wechsler, Alfred Dresner, Fred Schottland and Robert Gessner, d/b as West Shore Broadcasting Company, Beacon, New York, Docket No. 11786, File No. BP-9821; Westport Broadcasting Company, Westport, Connecticut, Docket No. 11787, File No. BP-9972; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of March 1958;

The Commission having under consideration (1) the matters of record in the above-entitled proceeding involving the applications of West Shore Broadcasting Company, Beacon, New York, and The Westport Broadcasting Company, Westport, Connecticut, for construction permits for new standard broadcast stations; (2) the Memorandum Opinion and Order of the Commission, released December 9, 1957, granting The Westport Broadcasting Company's Motion of September 24, 1957 for leave to amend its application to change its transmitter site and modifying the orientation of its towers; (3) the applicants' Joint Petition to Enlarge Issues, filed December 12, 1957; and (4) the Broadcast Bureau's Comments on Petition to Enlarge Issues, filed December 23, 1957;

It appearing, that good cause is shown why the Joint Petition to Enlarge Issues was not filed within 15 days after the first publication of the issues in the FEDERAL REGISTER, as provided by § 1.389 (now § 1.141) of the Commission's rules;

It further appearing, that upon a review of the matters of record, grant of the Joint Petition to Enlarge Issues is fully warranted in the public interest;

It is ordered, That the Joint Petition to Enlarge Issues, filed December 12, 1957, is granted, and the Commission's Order of Designation in the above-entitled proceeding, released July 27, 1956, specifying the issues upon which the designated consolidated hearing shall be held, is amended in the following respects:

(a) Delete issues 7 and insert therefor the following:

7. To determine the nature and extent of the objectionable interference and operations proposed by West Shore Broadcasting Company and The Westport Broadcasting Company would cause to each other, the populations and areas affected thereby, whether, because of the said interference, the proposed operations would comply with the provisions of § 3.28 (c) of the Commission's rules, and, if not, whether circumstances exist which would warrant waiver of the rule,

and (b) by addition of Issue 8, as follows:

8. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether both the West Shore and the Westport applications should be granted, and, if not, which, if either, of the applications should be granted.

Released: March 6, 1958.

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

[F. R. Doc. 58-1796; Filed, Mar. 10, 1958; 8:49 a. m.]

[Docket No. 12291; FCC 58M-209]

GRANITE STATE BROADCASTING CO., INC. (WKBR)

ORDER CONTINUING HEARING

In re application of Granite State Broadcasting Company, Inc. (WKBR), Manchester, New Hampshire, Docket No. 12291, File No. BP-10857; for construction permit.

Upon oral motion made by counsel for Granite State Broadcasting Company, Inc. (WKBR), at the prehearing conference held on March 5, 1958, and with the agreement of counsel for the Broadcast Bureau, the hearing in the above-entitled proceeding presently scheduled to commence March 17, 1958, be and the same is hereby continued to April 8, 1958, at 10 o'clock a. m., in Washington, D. C.

Dated, this 5th day of March 1958.

Released: March 6, 1958.

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

[F. R. Doc. 58-1797; Filed, Mar. 10, 1958; 8:49 a. m.]

[Docket Nos. 12338, 12339; FCC 58M-211]

ORCHARDS COMMUNITY TELEVISION ASSOCIATION, INC.

ORDER SCHEDULING HEARING

In re applications of Orchards Community Television Association, Inc., Lewiston, Idaho, Docket No. 12338, File No. BPTT-24; Orchards Community Television Association, Inc., Lewiston, Idaho, Docket No. 12339, File No. BPTT-25; for construction permits for new television broadcast translator stations.

It is ordered, This 5th day of March 1958, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 21, 1958, in Washington, D. C.

Released: March 6, 1958.

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

[F. R. Doc. 58-1798; Filed, Mar. 10, 1958; 8:49 a. m.]

[FCC 58-207]

[Amdt. 0-39]

CHIEF, FIELD ENGINEERING AND MONITORING BUREAU

DELEGATION OF AUTHORITY WITH RESPECT TO WAIVING ENGLISH LANGUAGE REQUIREMENTS IN CASE OF CERTAIN SPANISH-SPEAKING APPLICANTS FOR COMMERCIAL RADIO OPERATOR LICENSES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 5th day of March 1958;

The Commission having under consideration the means of expediting the licensing of commercial radio operators;

It appearing, that §§ 13.22 and 13.23 of the Commission's rules provide, among other matters, that applicants for the various classes of commercial radio operator licenses shall have the "ability to transmit and receive spoken messages in English" and that "written examination shall be in English"; and

It further appearing, that the Commission, in the public interest, has waived from time to time the foregoing English language provision in the case of applicants in Puerto Rico and vicinity who are unable to meet the English language requirement but are proficient in Spanish; and

It further appearing, that acting on requests for a waiver of these provisions is a function which should be delegated to the staff in the interest of expediting commercial radio operator licensing procedures; and

It further appearing, that the amendment herein ordered relates to internal Commission organization and procedure and that publication of Notice of Proposed Rule-Making pursuant to section 4 (a) of the Administrative Procedure Act is not required; and

It further appearing, that authority for the proposed amendment is contained in sections 4 (i) and 5 (d) (1) of the Communications Act of 1934, as amended.

It is ordered, That, effective March 5, 1958, section 0.271 of the Commission's Statement of Delegations of Authority is amended by adding subparagraph (a) (6) to read as follows:

(6) To act on requests for a waiver of the English language provisions of §§ 13.22 and 13.23 of the Commission's rules in the case of Spanish-speaking applicants in Puerto Rico and vicinity, and to issue licenses bearing appropriate restrictions to those applicants found qualified.

Released: March 6, 1958.

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

[F. R. Doc. 58-1799; Filed, Mar. 10, 1958; 8:49 a. m.]

[Mexican List 208]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

FEBRUARY 9, 1958.

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

List of changes, proposed changes, and corrections in assignments of Mexican broadcast stations modifying the appendix containing assignments of Mexican broadcast stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
		820 kilocycles				
XEKG	Fortin de las Flores Veracruz (change in call letters from XEJW).	1D	ND	D	II	Feb. 9, 1958
		1,060 kilocycles				
XEGE	Mexicali, Baja Calif. (delete assignment)	1	ND	D	II	
		1,390 kilocycles				
XEOG	Ojinaga, Chihuahua (change in call letters from XEKP).	0.5D/0.1N	ND	U	IV	Feb. 9, 1958
		1,340 kilocycles				
XEKZ	Colima, Colima (new)	1	ND	D	IV	Aug. 9, 1958
		1,450 kilocycles				
XEPP	Orizaba, Veracruz (Increase daytime power).	1D/0.25N	ND	U	IV	Apr. 9, 1958
XEJW	Chilpancingo, Guerrero (change in call letters from XEKG).	1D/0.25N	ND	U	IV	Feb. 9, 1958
		1,570 kilocycles				
XEGE	Mexicali, Baja Calif. (change in frequency from 1060 kc).	1	ND	D	II	Aug. 9, 1958

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

[F. R. Doc. 58-1800; Filed, Mar. 10, 1958; 8:45 a. m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of Authority 330]

SECRETARY OF HEALTH, EDUCATION, AND WELFARE

DELEGATION OF AUTHORITY WITH RESPECT TO NEGOTIATION OF CONTRACTS FOR PROFESSIONAL SERVICES

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, herein called the act, authority is hereby delegated to the Secretary of Health, Education, and Welfare to negotiate, without advertising, under section 302 (c) (4) of the act, contracts for architectural and engineering services in connection with the administration of construction programs of the Department of Health, Education, and Welfare.

2. This delegation of authority shall be subject to all applicable provisions of Title III of the act with respect to negotiated contracts, and to all other provisions of law, and shall be limited to projects not exceeding an estimated construction cost of $200,000.

3. The authority herein delegated may be redelegated to any officer or official of the Department of Health, Education, and Welfare.

4. This delegation shall be effective as of the date hereof, and shall not extend beyond June 30, 1958.

Dated: March 4, 1958.

FRANKLIN FLOETE,
Administrator.

[F. R. Doc. 58-1779; Filed, Mar. 10, 1958; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-863]

MIDLAND-ROSS CORP.

NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

MARCH 5, 1958.

In the matter of Midland-Ross Corporation, common stock; File No. 1-863.

The above named issuer, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1(b) promulgated thereunder, has made application to withdraw the specified security from listing and registration on the Midwest Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The stock is listed on the New York Stock Exchange. The distribution of shares and number of holders appear insufficient to support additional listings. The Midwest Stock Exchange has waived

the voting requirement of its delisting rule.

Upon receipt of a request, on or before March 21, 1958, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 58-1780; Filed, Mar. 10, 1958; 8:46 a. m.]