FEDERAL REGISTER

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DONE at the City of Washington this 27" day of June in the year of our Lord nineteen hundred and [SEAL] forty and of the Independence of the United States of America, the one hundred and sixty-fourth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL
Secretary of State.

[No. 2412]

[F. R. Doc. 40-2639; Filed, June 28, 1940; 10:05 a. m.]

EXECUTIVE ORDER

DESIGNATING ADDITIONAL CONSTRUCTION AGENCIES AND PROVIDING FOR THE PLANNING AND PROGRAMING OF CONSTRUCTION UNDERTAKEN OR AIDED BY THE FEDERAL GOVERNMENT

By virtue of the authority vested in me by the Constitution and by the laws of the United States, including the Employment Stabilization Act of 1931 (46 Stat. 1084), the Budget and Accounting Act, 1921 (42 Stat. 20), and Reorganization Plan No. I, made effective July 1, 1939, by Public Resolution No. 20, 76th Congress, approved June 7, 1939, it is ordered as follows:

1. I hereby designate as "construction agencies", in addition to those agencies listed in section 2 (d) of the said Employment Stabilization Act of 1931, all departments, independent offices and establishments, bureaus, agencies, and divisions of the Federal Government, including Government-owned corporations, which now or may hereafter:

(a) Plan, initiate, undertake, or engage in construction financed in whole or in part by the Federal Government, by contract, force account, Government plant and hired labor, or other similar procedures (all such agencies being hereinafter referred to as "construction agencies (Class I)"), or

(b) Aid construction activity through grants-in-aid, loans, or other forms of financial assistance or through guaranties from the Federal Government (all such agencies being hereinafter referred to as "construction agencies (Class II)").

2. In order to facilitate and assist in the advance planning of construction undertaken by the Federal Government, all construction agencies (Class I) shall prepare and keep up-to-date, in accordance with section 8 of the Employment Stabilization Act of 1931, six-year advance plans and programs of their public-works construction, to be financed in whole or in part by the Federal Government, and shall submit reports on such plans and programs and on any such construction in the manner herein provided.

3. Beginning with the submission to the Bureau of the Budget in September 1940 of the estimates for the Budget for the fiscal year 1942, each construction agency (Class I) shall submit annually with its budget estimates, for the joint use of the Bureau of the Budget and the National Resources Planning Board, its six-year advance plan and program of public-works construction with a schedule of priorities for the projects assigned for construction to each of the six years.

4. Each construction agency (Class I) shall submit a report to the National Resources Planning Board, for the joint use of the Board and the Bureau of the Budget, when the agency undertakes any examination, survey, investigation, or research directed toward the preparation of any reports, plans, programs, or estimates of construction costs for any project proposed to be constructed and financed in whole or in part by the Federal Government.

5. Each construction agency (Class I) shall submit a report to the National Resources Planning Board, for the joint use of the Board and the Bureau of the Budget, when the agency completes any examination, survey, investigation, or research directed toward the preparation of any reports, plans, programs, or estimates of construction costs for any project to be constructed and financed in whole or in part by the Federal Government. Any subsequent revision by a construction agency (Class I) of an original report on any such examination, survey, investigation, or research shall be reported to the Board in the manner prescribed herein.

6. Each construction agency (Class I), in submitting any report to the Congress or to any committee or member thereof on the results of any examination, survey, investigation, or research directed toward the preparation of any reports, plans, programs, or estimates of construction costs for any project to be constructed and financed in whole or in part by the Federal Government, shall include therein a statement as to the relationship of such report to the program of the President. Such reports shall be submitted to the Bureau of the Budget before the agency submits them to the Congress or to any committee or member thereof, and the Bureau of the Budget shall advise the agency as to the relationship of such report to the program of the President.

7. Each construction agency (Class I) shall make such reports to the National Resources Planning Board, for the joint use of the Board and the Bureau of the Budget, as may be requested by the Board or required by the rules and regulations issued hereunder, on the status of any project being constructed and financed in whole or in part by the Federal Government.

8. Each construction agency (Class II) shall submit to the National Resources Planning Board, for the joint use of the Board and the Bureau of the Budget, such reports as the Board may request on any of its plans, programs, or estimates (including any examination, survey, investigation, or research directed toward the preparation of any reports, plans, programs, or estimates) of the cost of any construction for which financial aid, assistance, or guaranty is to be provided by such agency, or on the status of any construction activity receiving any financial aid, assistance, or guaranty from such agency.

9. The Director of the Bureau of the Budget and the Chairman of the National Resources Planning Board shall jointly make such detailed rules and regulations as may be necessary to provide for the effective operation of this Executive order, and whenever necessary shall jointly determine whether a particular agency is to be regarded as a construction agency (Class I) or as a construction agency (Class II).

10. If the Director of the Bureau of the Budget and the Chairman of the National Resources Planning Board shall jointly find that the immediate or future application of any or all of the provisions of this Executive order or of any rules and regulations issued hereunder is impracticable, they may, upon their own initiative or upon request from the chief of any construction agency, temporarily exempt any such agency or any project from such provisions.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 26, 1940.

[No. 8455]

[F. R. Doc. 40-2635; Filed, June 27, 1940; 3:15 p. m.]

REORGANIZATION PLAN NO. IV

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 11, 1940, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939.[1]

DEPARTMENT OF STATE

SECTION 1. *Transfer of Dominican Customs Receivership.* The functions of the Division of Territories and Island Possessions in the Department of the Interior relating to the Dominican Customs Receivership are transferred to the Department of State and shall be administered by the Secretary of State or under his direction and supervision by such agency in the Department of State as he shall designate.

DEPARTMENT OF THE TREASURY

SEC. 2. *Approval of compromises.* The functions of the Attorney General relating to the approval of compromises made in accordance with the provisions of section 7 of the Federal Alcohol Administration Act are transferred to the Secretary of the Treasury, to be exercised by him or under his direction and supervision by such officer in the Department of the Treasury as he shall designate: *Provided,* That exclusive jurisdiction to compromise cases arising under the Federal Alcohol Administration Act which are pending before the courts or which have been or may hereafter be referred to the Department of Justice for action shall be vested in the Attorney General, and may be exercised by him or by any officer in the Department of Justice designated by him.

DEPARTMENT OF JUSTICE

SEC. 3. *Disbursement functions of United States marshals.* All functions relating to disbursement by United States marshals which would otherwise become functions of the Treasury Department on July 1, 1940, by virtue of the provisions of Executive Order No. 6166 of June 10, 1933, as amended, are transferred to and vested in the Department of Justice to be exercised by United States marshals under the supervision of the Attorney General in accordance with existing statutes pertaining to such functions: *Provided,* That the Attorney General shall furnish the Secretary of the Treasury, when requested by him, such information as the Treasury Department may require with respect to the amounts of money received and disbursed by marshals and the procedure followed in connection therewith: *Provided further,* That upon the request of the Secretary of the Treasury, and with the approval of the Attorney General, the facilities of the Department of Justice may be utilized in the disbursement, or aiding in the disbursement, of public moneys of the United States available for expenditure by any agency of the Government.

POST OFFICE DEPARTMENT

SEC. 4. *Functions of postal disbursements.* All functions relating to the disbursement of the postal revenues and all other funds under the jurisdiction of the Post Office Department and the Postmaster General and the Board of Trustees of the Postal Savings System which would otherwise become functions of the Treasury Department on July 1, 1940, by virtue of Executive Order No. 6166 of June 10, 1933, as amended, are transferred to and vested in (a) the Board of Trustees of the Postal Savings System as to postal savings disbursements, and (b) the Post Office Department as to all other disbursements involved, and such functions shall be exercised by postmasters and other authorized disbursing agents of the Post Office Department and of the Postal Savings System in accordance with existing statutes pertaining to such functions: *Provided,* That the Postmaster General shall furnish to the Secretary of the Treasury, when requested by him, such information as the Treasury Department may require with respect to the amounts of money received and disbursed by the Post Office Department, its postmasters and other fiscal officers, and the procedure followed in connection therewith: *Provided further,* That upon request of the Secretary of the Treasury, and with the approval of the Postmaster General, the facilities of the Post Office Department may be utilized in the disbursement, or aiding in the disbursement, of public moneys of the United States available for expenditure by any agency of the Government.

SEC. 5. *Transfer of interbuilding messenger functions.* (a) Except as prohibited by section 3 (b) of the Reorganization Act of 1939, the function of regular interbuilding messenger service (including the transportation of mail) and the function of transportation of mail between Government agencies and the City Post Office, now exercised in the District of Columbia by agencies of the Government, are transferred from such agencies to and consolidated in the Post Office Department and shall be administered by the Postmaster General under such rules and regulations as the President shall prescribe: *Provided,* That this section shall not apply to the transportation of moneys and securities by armored truck or by other special services, or to messenger service between contiguous buildings.

(b) The Director of the Bureau of the Budget may waive the transfer of any motor vehicle coming within the purview of section 14 of this Plan where he finds that the retention of such vehicle is essential to the performance of functions other than those transferred by this section.

DEPARTMENT OF THE INTERIOR

SEC. 6. *Certain functions of the Soil Conservation Service transferred.* The functions of the Soil Conservation Service in the Department of Agriculture with respect to soil and moisture conservation operations conducted on any lands under the jurisdiction of the Department of the Interior are transferred to the Department of the Interior and shall be administered under the direction and supervision of the Secretary of the Interior through such agency or agencies in the Department of the Interior as the Secretary shall designate.

DEPARTMENT OF COMMERCE

SEC. 7. *Transfer of Civil Aeronautics Authority.* (a) The Civil Aeronautics Authority and its functions, the Office of the Administrator of Civil Aeronautics and its functions, and the functions

[1] Public Resolution No. 75, 76th Congress, approved, June 4, 1940, provides in part that "* * * the provisions of Reorganization Plan No. IV, submitted to the Congress on April 11, 1940, shall take effect on June 30, 1940, notwithstanding the provisions of the Reorganization Act of 1939."

of the Air Safety Board are transferred to the Department of Commerce.

(b) The functions of the Air Safety Board are consolidated with the functions of the Civil Aeronautics Authority, which shall hereafter be known as the Civil Aeronautics Board and which shall, in addition to its other functions, discharge the duties heretofore vested in the Air Safety Board so as to provide for the independent investigation of aircraft accidents. The offices of the members of the Air Safety Board are abolished.

(c) The Administrator of Civil Aeronautics, whose functions shall be administered under the direction and supervision of the Secretary of Commerce, and the Civil Aeronautics Board, which shall report to Congress and the President through the Secretary of Commerce, shall constitute the Civil Aeronautics Authority within the Department of Commerce: *Provided*, That the Civil Aeronautics Board shall exercise its functions of rule-making (including the prescription of rules, regulations, and standards), adjudication, and investigation independently of the Secretary of Commerce: *Provided further*, That the budgeting, accounting, personnel, procurement, and related routine management functions of the Civil Aeronautics Board shall be performed under the direction and supervision of the Secretary of Commerce through such facilities as he shall designate or establish.

SEC. 8. *Transfer of Weather Bureau.* The Weather Bureau in the Department of Agriculture and its functions are transferred to the Department of Commerce and shall be administered under the direction and supervision of the Secretary of Commerce: *Provided*, That the Department of Agriculture may continue to make snow surveys and to conduct research concerning: (a) relationships between weather and crops, (b) long-range weather forecasting, and (c) relationships between weather and soil erosion.

DEPARTMENT OF LABOR

SEC. 9. *Transfer of certain functions relating to enforcement of wage payments on public construction.* The functions of the Secretary of the Treasury and the Secretary of the Interior under section 2 of the Act of June 13, 1934, entitled "An Act to effectuate the purpose of certain statutes concerning rates of pay for labor, by making it unlawful to prevent anyone from receiving the compensation contracted for thereunder, and for other purposes" (48 Stat. 948), are transferred to the Secretary of Labor and shall be administered by him or under his direction and supervision by such agency in the Department of Labor as the Secretary shall designate.

UNITED STATES MARITIME COMMISSION

SEC. 10. *Transfer of nautical school functions.* The functions of the Secretary of the Navy with respect to furnishing, maintaining, and repairing vessels for the use of State marine or nautical schools and with respect to administering grants of funds for the support of such schools are transferred to and shall be administered by the United States Maritime Commission. Jurisdiction over vessels, apparel, charts, books, and instruments now loaned to State marine or nautical schools is transferred from the Secretary of the Navy to the United States Maritime Commission.

FEDERAL SECURITY AGENCY

SEC. 11. *Transfer of certain Interior Department institutions.*—(a) *Saint Elizabeths Hospital.* Saint Elizabeths Hospital in the Department of the Interior and its functions are transferred to the Federal Security Agency and shall be administered under the direction and supervision of the Federal Security Administrator. The annual report required to be submitted to the Congress by the superintendent of the Hospital shall be submitted through the Federal Security Administrator. The annual report required to be furnished to the Secretary of the Interior by the Board of Visitors shall be furnished to the Federal Security Administrator.

(b) *Freedmen's Hospital.* Freedmen's Hospital in the Department of the Interior and its functions are transferred to the Federal Security Agency and shall be administered under the direction and supervision of the Federal Security Administrator.

(c) *Howard University.* The functions of the Department of the Interior relating to the administration of Howard University are transferred to the Federal Security Agency and shall be administered under the direction and supervision of the Federal Security Administrator. The annual report required to be furnished to the Secretary of the Interior by the president and directors of the University shall be furnished to the Federal Security Administrator. The Office of Education shall continue to make its inspections of and reports on the affairs of Howard University in accordance with the provisions of existing law.

(d) *Columbia Institution for the Deaf.* The functions of the Department of the Interior relating to the administration of the Columbia Institution for the Deaf are transferred to the Federal Security Agency and shall be administered under the direction and supervision of the Federal Security Administrator. The annual report required to be furnished to the Secretary of the Interior by the president and directors of the Institution shall be furnished to the Federal Security Administrator, and the annual report of the superintendent of the Institution to the Congress shall be submitted through the Federal Security Administrator.

(e) *Federal Security Administrator.* The functions transferred by this section shall be administered under the direction and supervision of the Federal Security Administrator through such officers or subdivisions of the Federal Security Agency as the Administrator shall designate.

SEC. 12. *Transfer of Food and Drug Administration.* The Food and Drug Administration in the Department of Agriculture and its functions, except those functions relating to the administration of the Insecticide Act of 1910 and the Naval Stores Act, are transferred to the Federal Security Agency and shall be administered under the direction and supervision of the Federal Security Administrator. The Chief of the Food and Drug Administration shall hereafter be known as the Commissioner of Food and Drugs.

GENERAL PROVISIONS

SEC. 13. *Transfer of functions of heads of departments.* Except as otherwise provided in this Plan, the functions of the head of any department relating to the administration of any agency or function transferred from his department by this Plan, are transferred to, and shall be exercised by, the head of the department or agency to which such transferred agency or function is transferred by this Plan.

SEC. 14. *Transfer of records, property, and personnel.* Except as otherwise provided in this Plan, all records and property (including office equipment) of the several agencies, and all records and property used primarily in the administration of any functions, transferred by this Plan, and all personnel used in the administration of such agencies and functions (including officers whose chief duties relate to such administration and whose offices are not abolished) are transferred to the respective agencies concerned, for use in the administration of the agencies and functions transferred by this Plan: *Provided*, That any personnel transferred to any agency by this section found by the head of such agency to be in excess of the personnel necessary for the administration of the functions transferred to his agency shall be retransferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10 (a) of the Reorganization Act of 1939.

SEC. 15. *Transfer of funds.* So much of the unexpended balances of appropriations, allocations, or other funds available for the use of any agency in the exercise of any function transferred by this Plan, or for the use of the head of any agency in the exercise of any function so transferred, as the Director of the Bureau of the Budget with the approval of the President shall determine, shall be transferred to the agency concerned for use in connection with the exercise of the function so transferred. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

[F. R. Doc. 40-2636]

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

CHAPTER I—FARM CREDIT ADMINISTRATION

[F.C.A. 186]

THE FEDERAL LAND BANK OF COLUMBIA

APPRAISAL FEES

Section 23.1 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 23.1 *Appraisal fees.* The following appraisal fees shall be charged in connection with loan applications:

Amount of application:	*Appraisal fee*
$100–$5,000	$15
$5,100–$10,000	20
Exceeding $10,000	35

Additional fees shall be charged in the following cases:

(a) *Nonresident applicants.* If the applicant does not reside in the Third Farm Credit District an additional fee of $7.50 will be charged to cover the cost of securing an appraisal report from the district of his residence.

(b) *Reappraisal fee.* If a reappraisal is required because of delay of the applicant, or is made at the applicant's request, another appraisal fee, fixed in accordance with the above schedule, will be charged.

(c) *Loans on naval stores farms.* The regular schedule of fees will apply where the amount applied for does not exceed $10,000. If the amount exceeds $10,000, the regular schedule of fees increased by 50% will apply. If preliminary appraisal and review are made none of the fee will be refunded. If it is determined by the bank and the applicant, after perliminary appraisal and contact with the applicant, that the application is to be handled to a definite conclusion, an additional fee of 8¢ per acre for timber cruise will be charged, to be paid prior to the making of the cruise. If the cost of the cruise exceeds 8¢ per acre, the applicant will be charged the difference between this cost and the timber cruise fee previously collected. If the cost of the cruise is less than the timber cruise fee previously collected, the difference will be refunded to the applicant. (Sec. 13 "Ninth", 39 Stat. 372, sec. 1, 47 Stat. 1547, sec. 32, 48 Stat. 48, as amended; 12 U.S.C. 781 "Ninth", 723, 1016 (e), and Sup.; 6 CFR 19.4019) [Res. Bd. Dir., May 13, 1940]

[SEAL] THE FEDERAL LAND BANK OF COLUMBIA,
By JULIAN H. SCARBOROUGH,
President.

[F. R. Doc. 40-2657; Filed, June 28, 1940; 11:43 a. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

PART 1—POLICIES

The Commission, on May 8, 1940, amended its statement of policy to read as follows:

§ 1.1 *Status of applicant or complainant.* The so-called "applicant" or complaining party has never been regarded as a party in the strict sense. The Commission acts only in the public interest. It has always been and now is the rule not to publish or divulge the name of an applicant or complaining party, and such party has no legal status before the Commission except where allowed to intervene as provided by the statute. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46) [Stmt., May 8, 1940]

§ 1.2 *Policy as to private controversies.* It is the policy of the Commission not to institute proceedings against alleged unfair methods of competition or unfair or deceptive acts or practices where the alleged violation of law is a private controversy redressable in the courts, except where said practices tend to affect the public. In cases where the alleged injury is one to a competitor only and is redressable in the courts by an action by the aggrieved competitor and the interest of the public is not involved, the proceeding will not be entertained. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46) [Stmt., May 8, 1940]

§ 1.3 *Settlement of cases by stipulation.* Whenever the Commission shall have reason to believe that any person has been or is using unfair methods of competition or unfair or deceptive acts or practices in commerce, and that the interest of the public will be served by so doing, it may withhold service of complaint and extend to the person opportunity to execute a stipulation satisfactory to the Commission, in which the person, after admitting the material facts, promises and agrees to cease and desist from and not to resume such unfair methods of competition or unfair or deceptive acts or practices. All such stipulations shall be matters of public record, and shall be admissible as evidence of prior use of the unfair methods of competition or unfair or deceptive acts or practices involved in any subsequent proceeding against such person before the Commission. It is not the policy of the Commission to thus dispose of matters involving intent to defraud or mislead; false advertisement of food, drugs, devices, or cosmetics which may be injurious to health; suppression or restraint of competition through conspiracy or monopolistic practices; violations of the Clayton Act; or where the Commission is of the opinion that such procedure will not be effective in preventing continued use of the unlawful method, act, or practice. The Commission reserves the right in all cases, for any reasons which it regards as sufficient, to withhold this privilege. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46) [Stmt., May 8, 1940]

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 8, 1940.

By direction of the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-2649; Filed, June 28, 1940; 11:38 a. m.]

PART 2—RULES OF PRACTICE

The Commission, on May 8, 1940, amended its rules of practice to read as follows:

§ 2.1 *The Commission.* Offices. The principal office of the Commission is at Washington, D. C.

All communications to the Commission must be addressed to: Federal Trade Commission, Washington, D. C., unless otherwise specifically directed.

Branch offices are maintained at New York, Chicago, San Francisco, Seattle, and New Oreans.

Their addresses are: Federal Trade Commission, room 509, 45 Broadway, New York, N. Y.; Federal Trade Commission, 1118 New Post Office Building, 433 West Van Buren Street, Chicago, Ill.; Federal Trade Commission, 548 Federal Office Building, San Francisco, Calif.; Federal Trade Commission, 801 Federal Building, Seattle, Wash.; Federal Trade Commission, 217 Custom House, New Orleans, La.

Hours. Offices are open on each business day, except Saturday, from 9 a. m. to 4:30 p. m., and on Saturdays from 9 a. m. to 1 p. m.

Sessions. The Commission may meet and exercise all its powers at any place, and may, by one or more of its members, or by such examiners as it may designate, prosecute any inquiry necessary to its duties in any part of the United States.

Sessions of the Commission for hearings will be held as ordered by the Commission.

Sessions of the Commission for the purpose of making orders and for transaction of other business, unless otherwise ordered, will be held at the principal office of the Commission, at Washington, D. C., on each business day at 10 a. m.

Quorum. A majority of the members of the Commission shall constitute a quorum for the transaction of business.*†

§ 2.2 *The Secretary.* The Secretary is the executive officer of the Commission and shall have the legal custody of its seal, papers, records and property; and all orders of the Commission shall be signed by the Secretary or such other person as may be authorized by the Commission.*†

§ 2.3 *Service.* Complaints, orders, and other processes of the Commission, and briefs for the Commission, will be served by the secretary of the Commission by registered mail, except when service by other method shall be specifically ordered by the Commission, by registering and mailing a copy thereof addressed to the person, partnership, or corporation to be served at his or its principal office or place of business. When proceeding under the Federal Trade Commission Act service may also be made at the residence of the person, partnership, or corporation to be served.

When service is not accomplished by registered mail, complaints, orders, or other processes of the Commission, and briefs for the Commission, may be served by anyone duly authorized by the Commission, or by any examiner of the Commission,

(a) By delivering a copy of the document to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or

(b) By leaving a copy thereof at the principal office or place of business of such person, partnership, or corporation. When proceeding under the Federal Trade Commission Act service may also be made at the residence of the person, partnership, or corporation to be served.

The return post-office receipt for said complaint, order, or other process or brief registered and mailed as aforesaid, or the verified return by the person serving such complaint, order, or other process or brief, setting forth the manner of said service, shall be proof of the service of the document.*†

§ 2.4 *Appearance.* Any individual or member of a partnership which is a party to any proceeding before the Commission may appear for himself or such partnership upon adequate identification, and a corporation or association may be represented by a bona fide officer of such corporation or association upon a showing of adequate authorization therefor.

A party may also appear by an attorney at law possessing the requisite qualifications, as hereinafter set forth, to practice before the Commission.

Attorneys at law who are admitted to practice before the Supreme Court of the United States, or the highest court of any State or Territory of the United States, or the United States Court of Appeals for the District of Columbia, or the District Court of the United States for the District of Columbia, may practice before the Commission.

No register of attorneys who may practice before the Commission is maintained. No application for admission to practice before the Commission is required. A written notice of appearance on behalf of a specific party or parties in the particular proceeding should be submitted by attorneys desiring to appear for such specific party or parties, which notice shall contain a statement that the attorney is eligible under the provisions of this rule. Any attorney practicing before the Commission or desiring so to practice may, for good cause shown, be disbarred or suspended from practicing before the Commission, but only after he has been afforded an opportunity to be heard in the matter.

No former officer, examiner, attorney, clerk, or other former employee of this Commission shall appear as attorney or counsel for or represent any party in any proceeding resulting from any investigation, the files of which came to the personal attention of such former officer, examiner, attorney, clerk, or other former employee during the term of his service or employment with the Commission.*†

§ 2.5 *Intervention.* Any person, partnership, corporation, or association desiring to intervene in a contested proceeding shall make application in writing, setting out the grounds on which he or it claims to be interested.

The Commission may, by order, permit intervention by counsel or in person to such extent and upon such terms as it shall deem just.*†

§ 2.6 *Documents—Filing.* All documents required to be filed with the Commission in any proceeding shall be filed with the Secretary of the Commission.

Title. Documents shall clearly show the docket number and title of the proceeding.

Copies. Documents, other than correspondence, shall be filed *in triplicate*, except as otherwise specifically required by these rules.

Form. Documents not printed shall be typewritten, on one side of paper only; letter size, eight (8) inches by ten and one-half (10½) inches; left margin, one and one-half (1½) inches; right margin, one (1) inch.

Documents may be printed, in ten (10) or twelve (12) point type, on good, unglazed paper, of the dimensions and with the margins above specified.

Documents shall be bound at *left side only*.

The originals of all answers, briefs, motions, and other documents shall be signed in ink, by the respondent or his duly authorized attorney. Where the respondent is an individual or a partnership, the originals of said documents shall be signed by said individual or by one of the partners, or by his or its attorney. Where the respondent is a corporation, the originals of said documents shall be signed under the corporate name by a duly authorized official of such corporation, or by its attorney. Where the respondent is an association, the originals of said documents shall be signed under the association name for said association by a duly authorized official of such association, or by its attorney.

Answers shall be signed in quadruplicate. One copy of a brief or other document required to be printed may be signed as the original.*†

§ 2.7 *Applications for complaint.* Any person, partnership, corporation, or association may apply to the Commission to institute a proceeding in respect to any violation of law over which the Commission has jurisdiction.

Such application for complaint shall be in writing, signed by or in behalf of the applicant, and shall contain a short and simple statement of the facts constituting the alleged violation of law and the name and address of the applicant and of the party complained of.*†

§ 2.8 *Complaints.* Whenever the Commission shall have reason to believe that there is a violation of law over which the Commission has jurisdiction, and, in case of violation of the Federal Trade Commission Act, if it shall appear to the Commission that a proceeding by it in respect thereof would be to the interest of the public, the Commission shall issue and serve upon the party complained of a complaint stating its charges and containing a notice of a hearing upon a day and at a place

*§§ 2.1 to 2.27, inclusive, issued under the authority contained in sec. 6, 38 Stat. 721; 15 U.S.C. 46.

†In §§ 2.1 to 2.27, inclusive, the numbers to the right of the decimal point correspond with the respective rule numbers (I to XXVII) in the Rules of Practice, Federal Trade Commission, May 8, 1940.

therein fixed at least 30 days after the service of said complaint.*†

§ 2.9 *Answers.* In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Four copies of answers shall be furnished. All answers shall be signed, in ink, by the respondent or by his attorney at law, or by a duly authorized agent with appropriate power of attorney affixed, and shall show the office and post-office address of the signer.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true, and if in the judgment of the Commission such facts admitted constitute a violation of law or laws as charged in the complaint, to make and serve findings as to the facts and an order to cease and desist from such violations. Upon application in writing made contemporaneously with the filing of such answer, the respondent, in the discretion of the Commission, may be heard on brief, in oral argument, or both, solely on the question as to whether the facts so admitted constitute the violation or violations of law charged in the complaint.*†

§ 2.10 *Motions.* Motions before the Commission or the trial examiner shall state briefly the purpose thereof and all supporting affidavits, records, and other papers, except such as have been previously filed, shall be filed with such motions and clearly referred to therein.

Motions in any proceeding before a trial examiner which relate to the introduction or striking of evidence shall be made to the trial examiner and shall be ruled on by the trial examiner. Exception to any such ruling must be noted before the trial examiner in order to be urged before the Commission. All other motions in any proceeding before a trial examiner, except as otherwise provided in these rules, shall be reserved and shall be ruled upon by the Commission.*†

§ 2.11 *Continuances and extensions of time.* Except as otherwise expressly provided by law, the Commission, for cause shown, may extend any time limits prescribed for filing any papers, and may continue or adjourn any hearing. A hearing before a trial examiner shall begin at the time and place ordered by the Commission, but thereafter may be adjourned from time to time by the trial examiner or the Commission.

Applications for continuances and extensions of time should be made prior to the expiration of time prescribed by these rules.*†

§ 2.12 *Hearings on complaints.* All hearings before the Commission or trial examiners on complaints issued by the Commission shall be public, unless otherwise ordered by the Commission.

Hearings shall be stenographically reported by the official reporter of the Commission and a transcript thereof shall be made which shall be a part of the record of the proceeding. The record so made shall be the sole official record. Transcripts will be supplied to a respondent or respondents and to the public by the official reporter at rates not to exceed the maximum rates fixed by contract between the Commission and the reporter.

Upon the joining of issue in a proceeding upon complaint issued by the Commission, the taking of evidence therein shall proceed with all reasonable diligence and with the least practicable delay.

Not less than five (5) days' notice of the time and place of the intial hearing before the Commission, a Commissioner, or a trial examiner, shall be given by the Commission to counsel of record or to parties.*†

§ 2.13 *Hearings on investigations.* When a matter for investigation is referred to a single Commissioner, or examiner, for examination or report, such Commissioner, or examiner, if authorized by the Commission, may conduct or hold conferences or hearings thereon, and reasonable notice of the time and place of such hearings shall be given to parties in interest and posted.

The chief counsel, or such attorney as shall be designated by him, or by the Commissioner, or by the Commission, shall attend such hearings and prosecute the investigation, which hearings shall be public, unless otherwise ordered by the Commission.*†

§ 2.14 *Trial examiners.* When evidence is to be taken in a proceeding upon complaint issued by the Commission, a trial examiner may be designated for that purpose by the Commission.

It shall be the duty of the trial examiner to complete the taking of evidence with all due dispatch.

The trial examiner shall state the place, day, and hour to which the taking of evidence may from time to time be adjourned.

The trial examiner is charged with the duty of conducting a fair and impartial hearing and of maintaining order in form and manner consistent with the dignity of the Commission. He will note on the record any disregard by counsel of his rulings on matters of order and procedure and where he deems it necessary shall make special written report thereof to the Commission. In the event that counsel for the Commission or for any respondent shall be guilty of disrespectful, disorderly, or contumacious language or conduct in connection with any hearing, the trial examiner may suspend the proceeding and submit to the Commission his report thereon, together with his recommendations as to whether any rule should be issued to show cause why such counsel should not be suspended or disbarred pursuant to Rule IV or subjected to other appropriate action in respect thereto. A copy of such trial examiner's report shall be furnished to any counsel upon whose language or conduct such report is made, and the Commission will take disciplinary action only after an opportunity for hearing has been accorded such counsel.*†

§ 2.15 *Subpoenas.* Subpoenas requiring the attendance of witnesses from any place in the United States, at any designated place of hearing, may be issued by any member of the Commission. Application therefor may be made either to the Secretary or to the presiding trial examiner.

Subpoenas for the production of documentary evidence will be issued only upon application in writing to the Commission. The application must specify, as exactly as possible, the documents desired, and show their competency, relevancy, and materiality. An application by a respondent shall be verified by oath or affirmation.*†

§ 2.16 *Witnesses.* Witnesses shall be examined orally, except that for good and exceptional cause for departing from the general rule the Commission may permit their testimony to be taken by deposition.

Witnesses summoned by the Commission shall be paid the same fees and mileage as are paid witnesses in the courts of the United States.

Witnesses whose depositions are taken, and the persons taking such depositions, shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

Witness fees and mileage, and fees for depositions, shall be paid by the party at whose instance witnesses appear.*†

§ 2.17 *Evidence — Documentary.* Where relevant and material matter offered in evidence is embraced in a document containing other matter not material or relevant and not intended to be put in evidence, such immaterial or irrelevant parts shall be excluded, and shall be segregated insofar as practicable.

Objections. Objections to the evience before a trial examiner, a Commissioner or the Commission shall be in short form, stating the grounds of objections relied upon, and the transcript shall not include argument or debate thereon except as ordered by the trial examiner, a Commissioner or the Commission. Rulings on such objections shall be a part of the transcript.*†

§ 2.18 *Depositions.* The Commission may order evidence to be taken by deposition in any proceeding or investigation pending at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the Commission and having power to administer oaths.

Unless notice be waived, no deposition shall be taken except after at least five (5) days' notice to the parties within the United States, and fifteen (15) days' notice when deposition is to be taken elsewhere.

Any party desiring to take the deposition of a witness shall make application in writing, setting out the reasons why such deposition should be taken, and stating the time when, the place where, and the name and post-office address of the person before whom it is desired the deposition be taken, the name and post-office address of the witness, and the subject matter or matters concerning which the witness is expected to testify. If good cause be shown, the Commission will make and serve upon the parties, or their attorneys, an order wherein the Commission shall name the witness whose deposition is to be taken and specify the time when, the place where, and the person before whom the witness is to testify, but such time and place, and the person before whom the deposition is to be taken, so specified in the Commission's order, may or may not be the same as those named in said application to the Commission.

The testimony of the witness shall be reduced to writing by the officer before whom the deposition is taken, or under his direction, after which the deposition shall be subscribed by the witness and certified in usual form by the office. After the deposition has been so certified, it shall, together with three additional copies thereof made by such officer or under his direction, be forwarded by such officer under seal in an envelope addressed to the Commission at its office in Washington, D. C. Such deposition, unless otherwise ordered by the Commission for good cause shown, shall be filed in the record in said proceeding and a copy thereof supplied to the party upon whose application said deposition was taken, or his attorney.

Depositions shall be typewritten, on one side of paper only; letter size, eight (8) inches by ten and one-half (10½) inches; left margin, one and one-half (1½) inches; right margin, one (1) inch.

Depositions shall be bound at *left side only.**†

§ 2.19 *Admission of facts and of genuineness of documents.* At any time after answer has been filed, the trial attorney for the Commission may serve upon any respondent, or counsel for a respondent may serve upon the Commission's trial attorney, a written request for admission of the genuineness of any relevant documents described in and exhibited with the request, or of the truth of any relevant matters of fact set forth in such documents.

Copies of the documents shall be delivered with the request unless copies have already been furnished. Each of the matters on which an admission is so requested shall be deemed admitted unless, within a period designated within the request, not less than ten days after service thereof or within such further time as the Commission or the trial examiner may allow on motion and notice, the party so served serves upon the party making the request a sworn statement either denying specifically the matters of which an admission is requested, or setting forth in detail the reasons why he can neither truthfully admit nor deny those matters. Service required hereunder may be made upon a respondent either by registering and mailing or by delivering a copy of the documents to be served to the respondent or his attorney, or by leaving a copy at the principal office or place of business of either. Service upon the Commission's trial attorney may be either by registering and mailing or by delivering a copy of the documents to be served to such attorney.*†

§ 2.20 *Trial examiner's report.* The trial examiner shall, within fifteen (15) days after receipt by him of the complete stenographic transcript of all testimony in a proceeding, make his report upon the evidence.

A copy of such report shall forthwith be served upon each attorney for the Commission, upon each attorney for respondents, and upon each respondent not represented by counsel.

The trial examiner's report is not a report or finding of the Commission. Such report is advisory only and is not binding upon the Commission. It is for the use only of the Commission, the respondent or respondents, and counsel; and shall not be included in a transcript of the record.*†

§ 2.21 *Exceptions.* Attorneys or other persons served with a copy of the report of the trial examiner may, within ten (10) days after receipt of such copy of report, file, in writing, their exceptions, if any, to the report.

They shall specify the particular part or parts of the report to which exception is made, and the exceptions shall include any additional facts which the person filing the exception may deem proper.

Citations to the record shall be made in support of the exceptions.

Seven (7) copies of the exceptions, signed, in ink, shall be filed.

A copy of such exceptions shall forthwith be served upon each of the other attorneys and respondents who were served with a copy of the trial examiner's report.

If exceptions are to be argued, they shall be argued at the time of final argument upon the merits.

Exceptions are not a part of the formal record in the proceeding and are not to be included in a transcript of the record.*†

§ 2.22 *Statements of facts.* When, in the opinion of the trial examiner engaged in taking evidence in any proceeding upon complaint issued by the Commission, the size of the transcript, or complication or importance of the issues involved warrants, he may, of his own motion, or at the request of counsel, at the close of taking of evidence, announce to attorneys for the Commission and for respondents that the trial examiner will receive, within such time as he shall fix, a statement in writing from attorneys for the Commission and attorneys for respondents setting forth, in concise outline, the contentions of each as to the facts proved in the proceeding. The time so fixed shall not change the times limited in Rule XX for filing report by the trial examiner or Rule XXIII for the filing of briefs.

Copy of any such statements shall be furnished to opposing counsel by the party filing the statement, but such statements are not to be argued before the trial examiner, and are not a part of the record of the proceeding.*†

§ 2.23 *Briefs—Filing.* Any party to a proceeding may file a brief with the Secretary of the Commission, in support of his contentions, within the time limits fixed by these rules.

Briefs not filed on or before the time fixed in the rules will be received only by special permission of the Commission.

Appearance of additional counsel in a case will not constitute grounds for extending time for filing briefs.

Time. Opening brief in support of the complaint shall be filed by the trial attorney of the Commission within twenty (20) days after service upon him of copy of the report of the trial examiner.

Brief on behalf of respondent shall be filed within twenty (20) days after service upon respondent or respondent's attorney of copy of brief in support of the complaint.

Reply briefs in support of the complaint, if any, shall be filed within ten (10) days after filing of brief on behalf of respondent.

Number. Twenty (20) copies of each brief shall be filed.

Contents. Briefs, except the reply brief in support of the complaint, shall contain, in the following order:

(a) A concise abstract or statement of the case;

(b) A brief of the argument, exhibiting a clear statement of the points of fact or law to be discussed, with references to the pages of the record and the authorities relied upon in support of each point;

(c) The exceptions, if any, to the report of the trial examiner.

Index. Briefs comprising more than ten (10) pages shall contain on their top fly leaves a subject index with page references. The subject index shall be supplemented by an alphabetical list of all cases referred to, with references to pages where references are cited.

Reply briefs. Reply brief in support of the complaint shall be filed only with permission of the Commission, and shall be strictly in answer to brief on behalf of respondent.

No further reply brief on behalf of respondent shall be filed.

Form. Briefs on behalf of respondent shall be printed or lithographed on good unglazed white paper in type not smaller than ten (10) point double leaded, citations and quotations single leaded; footnotes not less than eight (8) point single leaded. Type page shall not be more than twenty-nine (29) picas wide by approximately forty-eight (48) picas deep and trimmed page shall be seven (7) inches by ten (10) inches, with an inside margin of not less than one (1) inch.*†

§ 2.24 *Oral argument.* Oral arguments shall be had only as ordered by the Commission, on written application of the chief counsel of the Commission, or of the respondent, or of attorney for respondent, filed within fifteen (15) days after filing of brief on behalf of respondent.

Appearance of additional counsel in a case will not constitute grounds for extending time for oral argument.*†

§ 2.25 *Reports showing compliance with orders and with stipulations.* In every case where an order to cease and desist is issued by the Commission for the purpose of preventing violations of law and in every instance where the Commission approves and accepts a stipulation in which a party agrees to cease and desist from the unlawful methods, acts, or practices involved, the respondents named in such orders and the parties so stipulating shall file with the Commission, within sixty days of the service of such order and within sixty days of the approval of such stipulation, a report, in writing, setting forth in detail the manner and form in which they have complied with said order or with said stipulation: *Provided, however,* That where the order prevents the use of a false advertisement of a food, drug, device, or cosmetic, which may be injurious to health because of results from such use under the conditions prescribed in the advertisement, or under such conditions as are customary or usual, or if the use of such advertisement is with intent to defraud or mislead, an interim report stating whether and how respondents intend to comply shall be filed within ten days.

Within its sound discretion, the Commission may require any respondent upon whom such order has been served and any party entering into such stipulation, to file with the Commission, from time to time thereafter, further reports in writing, setting forth in detail the manner and form in which they are complying with said order or with said stipulation.

Reports of compliance shall be signed in ink by respondents or by the parties stipulating.*†

§ 2.26 *Reopening proceedings.* In any case where an order to cease and desist or an order dismissing a proceeding has been issued by the Commission, the Commission may (a) in the case of an order to cease and desist, at any time until the transcript of the record in the proceeding has been filed in a circuit court of appeals of the United States upon a petition for review or enforcement, or after the expiration of the statutory time for filing of a petition for review where no such petition has been filed, or (b) in the case of an order dismissing a proceeding at any time thereafter, give reasonable notice to all respondents and to all intervenors, if any, of a hearing as to whether the said proceeding should be reopened. If after said hearing the Commission shall have reason to believe that conditions of fact or of law have so changed since the said order was made as to require, or that the public interest requires, the reopening of such proceeding, the Commission will issue an order for the reopening of the same.*†

§ 2.27 *Trade practice conference procedure*—(a) *Purpose.* The trade practice conference procedure has for its purpose the establishment, by the Commission, of trade practice rules in the interest of industry and the purchasing public. This procedure affords opportunity for voluntary participation by industry groups or other interested parties in the formulation of rules to provide for elimination or prevention of unfair methods of competition, unfair or deceptive acts or practices and other illegal trade practices. They may also include provisions to foster and promote fair competitive conditions and to establish standards of ethical business practices in harmony with public policy. No provision or rule, however, may be approved by the Commission which sanctions a practice contrary to law or which may aid or abet a practice contrary to law.

(b) *When authorized.* Trade practice conference proceedings may be authorized by the Commission upon its own motion or upon application therefor whenever such proceedings appear to the Commission to be in the interest of the public. In authorizing proceedings, the Commission may consider whether such proceedings appear to have possibilities (1) of constructively advancing the best interests of industry on sound competitive principles in consonance with public policy, or (2) of bringing about more adequate or equitable observance of laws under which the Commission has jurisdiction, or (3) of otherwise protecting or advancing the public interest.

(c) *Application.* Applications for a trade practice conference may be filed with the Commission by any interested party or group. Such application shall be in writing and be signed by the applicant or the duly authorized representative of the applicant or group desiring such conference. The following information, to the extent known to the applicant, shall be furnished with such application or in a supplement thereto:

(1) brief prescription of the industry, trade, or subject to be treated.

(2) The kind and character of the products involved.

(3) The size or extent and the divisions of the industry or trade groups concerned.

(4) The estimated total annual volume of production or sales of the commodities involved.

(5) List of membership of the industry or trade groups concerned in the matter.

(6) A brief statement of the acts, practices, methods of competition or other trade practices desired to be considered, or drafts of suggested trade practice rules.

(7) Evidence of authority to so act, where the application is signed by a person or organization acting in behalf of others.

(d) *Informal discussions with members of the Commission's staff.* Any interested party or group may, upon request, be granted opportunity to confer in respect to any proposed trade practice conference with the Commission's trade practice conference division, either prior or subsequent to the filing of any such application. They may also submit any pertinent data or information which they desire to have considered. Such submission shall be made during such period of time as the Commission or its duly authorized official may designate.

(e) *Industry conferences.* Reasonable public notice of the time and place of any such authorized conference shall be issued by the Commission. A member of the Commission or of its staff shall have charge of the conference and shall conduct the conference pursuant to direction of the Commission and in such manner as will facilitate the proceeding and afford appropriate consideration of matters properly coming before the conference. A transcript of the conference proceedings shall be made, which, together with all rules, resolutions, modifications, amendments or other matters offered, shall be filed in the office of the Commission and submitted for its consideration.

(f) *Public hearing on proposed rules.* Before final approval by the Commission of any rules, and upon such reasonable public notice as to the Commission seems appropriate, further opportunity shall be afforded by the Commission to all interested persons, corporations or other organizations, including consumers, to submit in writing relevant suggestions or objections and to appear and be heard at a designated time and place.

(g) *Promulgation of rules.* When trade practice rules shall have been finally approved and received by the Commission, they shall be promulgated by official order of the Commission and published, pursuant to law, in the FEDERAL REGISTER. Said rules shall become effective upon such promulgation and publication or thereafter at such time as may be specified. Copies of the final rules shall be made available at the office of the Commission to the public and to the members of the industry. Under the procedure of the Commission a copy of the trade practice rules as promulgated by the Commission is sent to each member of the industry whose name and address is available, together with an acceptance form providing opportunity to such member to signify his intention to observe the rules in the conduct of his business.

(h) *Violations.* Complaints as to the use, by any person, corporation or other organization, of any act, practice or method inhibited by the rules may be made to the Commission by anyone having information thereof. Such complaints, if warranted by the facts and the law, will receive the attention of the Commission in accordance with the law. In addition, the Commission may act upon its own motion in proceeding against the use of any act, practice or method contrary to law.*†

Promulgated as of this date in pursuance of the action of the Federal Trade Commission under date of May 8, 1940.

By direction of the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-2695; Filed, June 28, 1940; 11:38 a. m.]

TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

[T.D. 50181]

AIRPORTS OF ENTRY

CERTAIN AIRPORTS REDESIGNATED AS AIRPORTS OF ENTRY FOR A PERIOD OF ONE YEAR[1]

JUNE 27, 1940.

To Collectors of Customs and Others Concerned:

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U.S.C. title 49, sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name	Location	Date of redesignation
Bangor Municipal Airport.	Bangor, Maine	June 26, 1940
Burlington Municipal Airport.	Burlington, Vt.	June 29, 1940
Niagara Falls Municipal Airport.	Niagara Falls, N. Y.	July 2, 1940
Fort Yukon Airfield	Fort Yukon, Alaska.	July 6, 1940

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C., 177 (b))

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 40-2643; Filed, June 28, 1940; 11:34 a. m.]

[1] This document affects the tabulation in 19 CFR 4.13.

TITLE 22—FOREIGN RELATIONS

CHAPTER I—DEPARTMENT OF STATE

PART 55C—TRAVEL

§ 55C.4 *American vessels in combat areas—(c) Vessels authorized to evacuate American citizens and those under direction of American Red Cross—(2) The S. S. "Washington."*[1] The S. S. *Washington* has, by arrangement with the appropriate authorities of the United States Government, been commissioned to proceed into and through the combat area defined by the President in his proclamation numbered 2394, of April 10, 1940,[2] in order to evacuate citizens of the United States who are in imminent danger to their lives as a result of combat operations incident to the present war. Therefore, in accordance with paragraph (4)[3] of the regulations which the Secretary of State issued on November 6, 1939, and amended on April 10, 1940,[4] the provisions of the President's proclamation of April 10, 1940, do not apply to the voyage which the S. S. *Washington* has been commissioned to undertake for the aforesaid purpose. (Sec. 3, Public Res. 54, 76th Cong., 2d sess., Nov. 4, 1939; Proc. No. 2394, April 10, 1940.)

CORDELL HULL,
Secretary of State.

JUNE 27, 1940.

[F. R. Doc. 40-2660; Filed, June 28, 1940; 11:45 a. m.]

[1] For a previous voyage of the S. S. *Washington*, see 5 F.R. 2093.
[2] 5 F.R. 1399.
[3] This regulation, which appeared as paragraph (4) in "Regulations under section 3 of the joint resolution of Congress approved November 4, 1939" (4 F.R. 4510), has been designated as § 55C.4(c) under Title 22 for codification purposes.
[4] 5 F.R. 1401.

TITLE 24—HOUSING CREDIT

CHAPTER IV—HOME OWNERS' LOAN CORPORATION

PART 406—LEGAL DEPARTMENT

[Administrative Order No. 666]

GARNISHMENT CASES

A new paragraph is added to § 406.03-1 and reads as follows:

Garnishment cases. When a garnishment process is served on any officer or representative of the Corporation, in addition to notice to the Legal Department, as provided in the preceding section, immediate notice thereof by wire shall be given to the Treasurer in Washington, together with any pertinent information available as to the location and status of the garnishment debtor. Notice of such cases is important in order that checks payable to the garnishment debtor may be withheld and not delivered, in compliance with the garnishment process.

(Effective date July 1, 1940)

(Above procedure promulgated by the General Counsel, with the approval of the General Manager, pursuant to authority vested in them by the Federal Home Loan Bank Board acting pursuant to secs. 4 (a), 4 (k) of Home Owners' Loan Act of 1933, 48 Stat. 129, 132, as amended by section 13 of the Act of April 27, 1934, 48 Stat. 647; 12 U.S.C. 1463 (a), (k)).

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 40-2641; Filed, June 28, 1940; 10:24 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

CHAPTER I—MONETARY OFFICES

PART 149—AMENDMENT TO GENERAL LICENSE NO. 19 UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

General License No. 19 is hereby amended to read as follows:

A general license is hereby granted authorizing banking institutions within the United States to make all payments, transfers and withdrawals from accounts in the name of any of the following: Banco Holandés Unido, Buenos Aires, Argentina, Carácas and Maracaibo, Venezuela; Banco Hollandez Unido, Rio de Janeiro, Santos and Sao Paulo, Brazil; and the branches of the Hollandsche Bank-Unie in Willemstad, Curacao and Oranjestad, Aruba.

Banking institutions within the United States making such payments, transfers or withdrawals shall file promptly with the appropriate Federal Reserve bank