



Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

CONTENTS—Continued

TITLE 31—MONEY AND FINANCE:	
TREASURY:	
Monetary Offices:	
Foreign exchange, etc., transactions:	Page
General License No. 78 (Hong Kong).....	6792
Public Circular No. 10.....	6792
TITLE 32—NATIONAL DEFENSE:	
Office of Price Administration:	
Price schedules, amendments, etc.:	
Brass mill scrap.....	6798
Carded grey and colored-yarn cotton goods.....	6799
Douglas fir doors.....	6798
Green coffee.....	6803
Paperboard sold east of Rocky Mountains.....	6799
Office of Production Management:	
Priorities orders, amendments, etc.:	
Chrome steel.....	6795
Fats and oils.....	6797
Imports of strategic materials.....	6796
Rubber (2 documents).....	6792
Zinc.....	6792
TITLE 33—NAVIGATION AND NAVIGABLE WATERS:	
Coast Guard, Department of Treasury:	
United States Coast Guard Reserve, amendments to regulations.....	6804
TITLE 49—TRANSPORTATION AND RAILROADS:	
Interstate Commerce Commission:	
Assignment of duties to Commissioners, amendment... ..	6807
Forms prescribed:	
Small steam roads.....	6807
Small switching and terminal companies.....	6807

CONTENTS—Continued

NOTICES

Department of Agriculture:	Page
Agricultural Marketing Service:	
St. Joseph Stock Yards Co., petition for modification, etc.....	6808
Department of the Interior:	
Bituminous Coal Division:	
Akron Coal Co., hearing postponed.....	6808
District Board 3, relief granted.....	6808
Luman, T. E., code membership restored.....	6808
Department of Labor:	
Wage and Hour Division:	
Hood Rubber Co., Inc., exception to record-keeping regulation.....	6810
Learner employment certificates, various industries.....	6809
Piedmont Cotton Mills, Inc., postponement of hearing.....	6810
Placer gold mining, open-cut, exemption from Fair Labor Standards Act.....	6810
Women's apparel industry, postponement of hearings on home work problem.....	6810
Federal Power Commission:	
First Iowa Hydro-Electric Co-operative, change of place of hearing.....	6811
Kansas City Power & Light Co., hearing postponed.....	6811
Federal Security Agency:	
Social Security Board:	
Colorado Employment Security Act, certification of findings.....	6812
Interstate Commerce Commission:	
Petition of railroads to increase rates, hearing.....	6812
Securities and Exchange Commission:	
Applications granted:	
Associated Gas and Electric Corp., and Northeastern Water and Electric Corp. Central U. S. Utilities Co., and Arkansas General Utilities Co.....	6813
Ogden Corp., and Litchfield and Madison Railway Co. Commonwealth Utilities Corp., filing notice.....	6815
Declarations effective:	
Cleveland Electric Illuminating Co., and Power & Light Building Co.....	6814
Kansas Power Co.....	6816
New Mexico Power Co., and Albuquerque Gas and Electric Co.....	6814
Massachusetts Mutual Life Insurance Co., extension of exemption.....	6812
Treasury Department:	
Bureau of Customs:	
Trading with the enemy Act, procedure for administering duties.....	6807

tive Order No. 8389 of April 10, 1940, as amended,¹ in the following respects:

(1) By changing the period at the end of subdivision (1) of section 3 of such Order to a semi-colon and adding the following new subdivision thereafter:

(m) June 14, 1941—
Hong Kong.

(2) By amending paragraph B of section 5 of such Order to read as follows:

B. The term "United States" means the United States and any place subject to the jurisdiction thereof, and the term "continental United States" means the states of the United States, the District of Columbia, and the Territory of Alaska; *provided, however*, that for the purposes of this Order the term "United States" shall not be deemed to include any territory included within the term "foreign country" as defined in paragraph D of this section.

(3) By substituting the following in lieu of subdivision (iii) of paragraph D of section 5:

(iii) Any territory which on or since the effective date of this Order is controlled or occupied by the military, naval or police forces or other authority of such foreign country;

(iv) Any person to the extent that such person is, or has been, or to the extent that there is reasonable cause to believe that such person is, or has been, since such effective date, acting or purporting to act directly or indirectly for the benefit or on behalf of any of the foregoing.

Hong Kong shall be deemed to be a foreign country within the meaning of this subdivision.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
December 26, 1941.

[No. 89981]

[F. R. Doc. 41-9777; Filed, December 27, 1941; 11:14 a. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

OREGON

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, the following-described public land in the State of Oregon be, and it is hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

WILLAMETTE MERIDIAN

T. 5 N., R. 27 E., sec. 34, SE¼; containing 160 acres.

¹ 6 F.R. 2897, 3715, 6348.

This order shall be subject to the order of December 18, 1936, of the Secretary of the Interior, establishing Oregon Grazing District No. 7. After the present national emergency has been officially terminated, this order shall be without effect upon notice to the War Department by the Secretary of the Interior that the above-described land is needed for grazing or other uses by the Department of the Interior.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

December 26, 1941.

[No. 8999]

[F. R. Doc. 41-9767; Filed, December 27, 1941; 9:45 a. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

OREGON

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, the following-described public land, in the State of Oregon, be, and it is hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

WILLAMETTE MERIDIAN

T. 4 N., R. 24 E., sec. 22; containing 640 acres.

This order shall be subject to the order of December 18, 1936, of the Secretary of the Interior, establishing Oregon Grazing District No. 7. After the present national emergency has been officially terminated, this order shall be without effect upon notice to the War Department by the Secretary of the Interior that the above-described land is needed for grazing or other uses by the Department of the Interior.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

December 26, 1941.

[No. 9000]

[F. R. Doc. 41-9768; Filed, December 27, 1941; 9:45 a. m.]

EXECUTIVE ORDER

AUTHORIZING THE WAR DEPARTMENT, THE NAVY DEPARTMENT, AND THE UNITED STATES MARITIME COMMISSION TO PERFORM THE FUNCTIONS AND EXERCISE THE POWERS DESCRIBED IN TITLE II OF AN ACT APPROVED DECEMBER 18, 1941, ENTITLED "AN ACT TO EXPEDITE THE PROSECUTION OF THE WAR EFFORT", AND PRESCRIBING REGULATIONS FOR THE EXERCISE OF SUCH FUNCTIONS AND POWERS

The successful prosecution of the war requires an all-out industrial mobilization of the United States in order that the materials necessary to win the war

may be produced in the shortest possible time. To accomplish this objective it is necessary that the Departments of War and the Navy and the United States Maritime Commission cooperate to the fullest possible degree with the Office of Production Management in the endeavor to make available for the production of war material all the industrial resources of the Country. It is expected that in the exercise of the powers hereinafter granted, these Agencies and the Office of Production Management will work together to bring about the conversion of manufacturing industries to war production, including the surveying of the war potential of industries, plant by plant; the spreading of war orders; the conversion of facilities; the assurance of efficient and speedy production; the development and use of subcontracting to the fullest extent and the conservation of strategic materials.

TITLE I

1. By virtue of the authority in me vested by the Act of Congress, entitled "An Act to expedite the prosecution of the War effort", approved December 18, 1941, (hereinafter called "the Act") and as President of the United States and Commander-in-Chief of the Army and Navy of the United States, and deeming that such action will facilitate the prosecution of the war, I do hereby order that the War Department, the Navy Department, and the United States Maritime Commission be and they hereby respectively are authorized within the limits of the amounts appropriated therefor to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made, and to make advance, progress, and other payments thereon, without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts. The authority herein conferred may be exercised by the Secretary of War, the Secretary of the Navy, or the United States Maritime Commission respectively or in their discretion and by their direction respectively may also be exercised through any other officer or officers or civilian officials of the War or the Navy Departments or the United States Maritime Commission. The Secretary of War, the Secretary of the Navy, or the United States Maritime Commission may confer upon any officer or officers of their respective departments, or civilian officials thereof, the power to make further delegations of such powers within the War and the Navy Departments, and the United States Maritime Commission.

2. The contracts hereby authorized to be made include agreements of all kinds (whether in the form of letters of intent, purchase orders, or otherwise) for all types and kinds of things and services necessary, appropriate or convenient for the prosecution of war, or for the invention, development, or production of, or research concerning any such things, including but not limited to, aircraft,

buildings, vessels, arms, armament, equipment, or supplies of any kind, or any portion thereof, including plans, spare parts and equipment therefor, materials, supplies, facilities, utilities, machinery, machine tools, and any other equipment, without any restriction of any kind, either as to type, character, location or form.

3. The War Department, the Navy Department, and the United States Maritime Commission may by agreement modify or amend or settle claims under contracts heretofore or hereafter made, may make advance, progress, and other payments upon such contracts of any percentum of the contract price, and may enter into agreements with contractors and/or obligors, modifying or releasing accrued obligations of any sort, including accrued liquidated damages or liability under surety or other bonds, whenever, in the judgment of the War Department, the Navy Department, or the United States Maritime Commission respectively the prosecution of the war is thereby facilitated. Amendments and modifications of contracts may be with or without consideration and may be utilized to accomplish the same things as any original contract could have accomplished hereunder, irrespective of the time or circumstances of the making of or the form of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights which may have accrued under the contract, or the amendments or modifications thereof.

4. Advertising, competitive bidding, and bid, payment, performance or other bonds or other forms of security, need not be required.

TITLE II

Pursuant to Title II of the Act and for the protection of the interests of the United States, I do hereby prescribe the following regulations for the exercise of the authority herein conferred upon the War Department, the Navy Department, and the United States Maritime Commission.

1. All contracts and all purchases made pursuant to the Act and this Executive Order shall be reported to the President of the United States. Such reports shall be made at least quarter-annually, provided, however, that purchases or contracts of less than \$100,000 may be consolidated in such reports with other such purchases and need not be separately set forth. In case the War Department, the Navy Department, or the United States Maritime Commission shall deem any purchase or contract to be restricted, confidential, or secret in its nature by reason of its subject matter, or for other reasons affecting the public interest, such purchases or contracts shall not be included with those described in the report just mentioned, but shall be included in a separate report containing such restricted, confidential, or secret purchases or contracts. The Secretary of War, the Secretary of the Navy, and the United

States Maritime Commission shall make public so much of such reports (other than those reports covering restricted, confidential, or secret contracts or purchases) as they shall respectively deem to be compatible with the public interest.

2. Notwithstanding anything in the Act or this Executive Order the War Department, the Navy Department, and the United States Maritime Commission shall not discriminate in any act performed thereunder against any person on the ground of race, creed, color or national origin, and all contracts shall be deemed to incorporate by reference a provision that the contractor and any subcontractors thereunder shall not so discriminate.

3. No claim against the United States arising under any purchase or contract made under the authority of the Act shall be assigned except in accordance with the Assignment of Claims Act, 1940 (Public No. 811, 76th Congress, approved October 9, 1940).

4. Advance payments shall be made hereunder only after careful scrutiny to determine that such payments will promote the national interest and under such regulations to that end as the Secretary of War, the Secretary of the Navy, or the United States Maritime Commission may prescribe.

5. Every contract entered into pursuant to this order shall contain a warranty by the contractor in substantially the following terms:

The contractor warrants that he has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract, or, in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business.

6. Nothing herein shall be construed to authorize the cost-plus-a-percentage-of-cost system of contracting.

7. Nothing herein shall be construed to authorize any contracts in violation of existing law relating to limitation of profits, or the payment of a fee in excess of such limitation as may be specifically set forth in the act appropriating the funds obligated by a contract. In the absence of such limitation, the fixed fee to be paid the Contractor as a result of any cost-plus-a-fixed-fee contract entered into under the authority of this Order shall not exceed seven per centum of the estimated cost of the contract (exclusive of the fee as determined by the Secretary of War, the Secretary of the Navy, or the United States Maritime Commission, as the case may be).

8. No contract or modification or amendment thereof shall be exempt from the provisions of the Walsh-Healey Act (49 Stat. 2036) because of being entered into without advertising or competitive bidding, and the provisions of

such act, the Davis-Bacon Act, as amended (49 Stat. 1011), the Copeland Act, as amended (48 Stat. 948), and the Eight Hour Law, as amended by the Act of September 9, 1940 (Public No. 781, 76th Congress) if otherwise applicable shall apply to contracts made and performed under the authority of this Order.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

December 27, 1941.

[No. 9001]

[F. R. Doc. 41-9798; Filed, December 29, 1941; 11:11 a. m.]

Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FARMING PRACTICES TO BE CARRIED OUT IN CONNECTION WITH THE PRODUCTION OF SUGARCANE DURING THE CROP YEAR 1941, FOR THE TERRITORY OF HAWAII, PURSUANT TO THE SUGAR ACT OF 1937, AS AMENDED (REVISED)

Pursuant to the provisions of section 301 (e) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.33c *Farming practices in connection with the production of the 1941 crop of sugarcane in the Territory of Hawaii—*
(a) *Application of fertilizer.* The requirements of section 301 (e) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to a farm in the Territory of Hawaii if fertilizer is applied as follows:

(1) *Amount.* There shall be applied to land on which sugarcane is growing during 1941 sufficient chemical fertilizer to provide an average quantity of plant food per acre fertilized equal to not less than the greater of either 100 pounds or 60 percent of the average quantity of plant food contained in the chemical fertilizer applied to similar land in 1939 or 1940, whichever is smaller, but any amount by which such 60 percent exceeds 250 pounds shall not be considered.

(2) *Acreage requirement.* The number of acres on which fertilizer is applied in 1941 shall be not less than 80 percent of the number of acres on the farm on which sugarcane is planted, or a ratoon crop of sugarcane is started, at any time during 1941.

(b) *Definitions.* "Chemical fertilizer" means commercial chemical fertilizer of which not less than 15 percent of the gross weight consists of plant food. "Plant food" means the aggregate amount of nitrogen, available phosphoric acid and water-soluble potash.

This determination supersedes the "Determination of Farming Practices to be

Carried Out in Connection with the Production of Sugarcane During the Crop Year 1941, for the Territory of Hawaii, Pursuant to the Sugar Act of 1937, as Amended", issued April 8, 1941. (Sec. 302, 50 Stat. 910; 7 U.S.C. 1132)

Done at Washington, D. C., this 27th day of December 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 41-9792; Filed, December 29, 1941; 10:53 a. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I—CIVIL AERONAUTICS BOARD

[Amendments 20-24 to 20-30, incl., Civil Air Regulations]

PART 20—PILOT RATING

AERONAUTICAL SKILL AND EXPERIENCE REQUIREMENTS FOR A PILOT CERTIFICATE ON TWO-CONTROL NON-SPINNABLE AIRPLANES WITH NOSE WHEEL TYPE LANDING GEAR

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 23rd day of December 1941.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 601 and 602 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of, and to exercise and perform its powers and duties under, said Act, the Civil Aeronautics Board amends the Civil Air Regulations as follows:

Effective January 1, 1942, Part 20 of the Civil Air Regulations is amended as follows:

1. By amending § 20.107 to read as follows:

§ 20.107 No requirement is prescribed.

2. By amending § 20.126 to read as follows:

§ 20.126 *Aeronautical experience.* Applicant shall have logged at least 35 hours of solo flight time; *Provided*, That an applicant seeking a rating limited to two-control non-spinnable airplanes with nose wheel type landing gear shall have logged at least 25 hours of solo flight time. As part of the foregoing applicant shall have logged at least 5 hours within the 60 days immediately preceding the date of filing the application, and at least 5 hours of cross-country flying of which at least 3 hours shall be solo, which shall include at least one flight over a course of not less than 50 miles with at least two full-stop landings at different points along the course. Such experience shall be certified to by some person, other than the applicant, having direct knowledge thereof. A graduate of the private pilot course of a certificated flying school will be deemed to have met the above