

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 74]

PART 600—DESIGNATION OF CIVIL AIRWAYS
ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted to become effective when indicated in order to promote safety of the flying public, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.602 *Blue civil airway No. 2 (Montgomery, Ala., to Erie, Pa.)* is amended by changing the first portion to read: "From the intersection of the north course of the Crestview, Fla., radio range and the southeast course of the Craig, Ala., AFB, radio range via the intersection of the southeast course of the Craig, Ala., AFB, radio range and the south course of the Birmingham, Ala., radio range; Birmingham, Ala., radio range station;"

2. Section 600.6006 *VOR civil airway No. 6 (Oakland, Calif., to New York, N. Y.)* is amended by deleting "Iowa City omnirange 253° True" and by adding in lieu thereof "Iowa City omnirange 252° True".

3. Section 600.6008 *VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.)* is amended by deleting "Iowa City omnirange 253° True" and by adding in lieu thereof "Iowa City omnirange 252° True".

4. Section 600.6016 *VOR civil airway No. 16 (Los Angeles, Calif., to Nashville, Tenn.)* is amended between the Ontario, Calif., omnirange station and the El Paso, Tex., omnirange station to read: "That airspace over United States territory from the Ontario, Calif., omnirange station via the intersection of the Ontario omnirange 91° True and the Blythe omnirange 288° True radials; Blythe, Calif., omnirange station to the Hassayampa, Ariz., omnirange station. From the Tucson, Ariz., omnirange station via the Cochise, Ariz., omnirange station; Columbus, N. Mex., omnirange station; El Paso, Tex., omnirange station, including a north alternate;"

5. Section 600.6039 is amended by changing the caption to read: "*VOR civil airway No. 39 (Gordonsville, Va., to Boston, Mass.)*", and by adding the following last portion to read: "From the Gardner, Mass., omnirange station to the Boston, Mass., omnirange station."

6. Section 600.6097 *VOR civil airway No. 97 (Charleston, S. C., to Minneapolis, Minn.)* is amended between Lone Rock, Wis., omnirange station and Minneapolis, Minn., omnirange station to read: "Lone Rock, Wis., omnirange station, including a west alternate; LaCrosse, Wis., omnirange station to the Minneapolis, Minn., omnirange station."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001, e. s. t., August 19, 1952.

[SEAL]

F. B. LEE,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 52-8986; Filed, Aug. 13, 1952;
8:54 a. m.]

[Amdt. 79]

PART 601—DESIGNATION OF CONTROL
AREAS, CONTROL ZONES, AND REPORTING
POINTS

ALTERATIONS

The control area and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.1039 is amended to read:

§ 601.1039 *Control area extension (Portland, Oreg.)*. All that airspace within a 20-mile radius of the Portland, Oreg., radio range station lying within the southeast, southwest and northwest quadrants of the radio range including that airspace within 5 miles either side of the Portland, Oreg., ILS localizer course extending from the Sauvie Island non-directional radio beacon to a point 15 miles northwest of the non-directional beacon, and within 5 miles either side of the west course of the Portland, Oreg., radio range to a point 30 miles west of the radio range station.

2. Section 601.1294 is added to read:

§ 601.1294 *Control area extension (Everett, Wash.)*. All that airspace bounded on the north by a line 5 miles north of and parallel to the east course of the Everett, Wash., radio range, on the northeast by an arc of a circle 5 miles in radius centered on the intersection of the east course of the Everett, Wash., radio range and the northeast course of the Seattle, Wash., radio range, on the southeast by a line 5 miles southeast of and parallel to the northeast course of the Seattle, Wash., radio range, on the south by Green civil airway No. 2 and on the west by Amber civil airway No. 1.

3. Section 601.4016 *Green civil airway No. 6 (Laredo, Tex., to Norfolk, Va.)* is amended after "Palacios, Tex., radio range station;" by adding the following reporting point: "the intersection of the northeast course of the Galveston, Tex., radio range and the south course of the Beaumont, Tex., radio range;"

4. Section 601.4217 *Red civil airway No. 17 (St. Louis, Mo., to Baltimore, Md.)* is amended by deleting the following

reporting point: "Martinsburg, W. Va., radio range station;"

5. Section 601.4261 is amended to read:

§ 601.4261 *Red civil airway No. 61 (Butler, Pa., to Washington, D. C.)*. The intersection of the northwest course of the Arcola, Va., radio range and the west course of the Martinsburg, W. Va., radio range.

6. Section 601.6039 is amended to read:

§ 601.6039 *VOR civil airway No. 39 control areas (Gordonsville, Va., to Boston, Mass.)*. All of VOR civil airway No. 39.

7. Section 601.6097 is amended to read:

§ 601.6097 *VOR civil airway No. 97 control areas (Charleston, S. C., to Minneapolis, Minn.)*. All of VOR civil airway No. 97 including an east alternate and west alternates.

8. Section 601.7001 *VOR reporting points* is amended by adding the following reporting point: "Mt. Lola intersection: The intersection of the Reno, Nev., omnirange 288° True and the Sacramento, Calif., omnirange 40° True radials."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001, e. s. t., August 19, 1952.

[SEAL]

F. B. LEE,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 52-8987; Filed, Aug. 13, 1952;
8:54 a. m.]

[Amdt. 16]

PART 609—STANDARD INSTRUMENT
APPROACH PROCEDUREUSE OF RADIO RANGES REQUIRING
FLIGHT CHECK

The purpose of this amendment is to indicate that VHF radio ranges will be shut down when they are "ground checked only, awaiting flight check." The amendment of § 609.3 (d), published on December 22, 1951, in 16 F. R. 12865, provided that only the navigational feature of a VHF radio range would be shut down when the range had been ground checked only and was awaiting flight check. Transmission of the radio range identification was continued, and radio broadcasts and ground to air communication services remained operative. It developed that some pilots attempted to use these facilities for navigational guidance during the time the navigational feature was shut down and were misled by the indications they received. Complete shutdown of the radio range (consisting of the navigational, voice, and identification features) is therefore necessary.

This amendment is adopted to become effective when indicated in order to provide for the protection of air traffic. Compliance with the notice, procedures,

and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and therefore is not required.

Section 609.3 (d) is amended to read:

§ 609.3 Introduction. * * *

(d) *Use of radio ranges requiring flight check.* When a flight check of a radio range is required, the following will apply:

(1) If the radio range is a very high frequency type (112.1 through 117.9 mcs) range, the entire radio range (consisting of the navigational, voice, and identification features) will be shut down. A NOTAM will be issued stating: "QAROS (meaning 'radio range out of service for an unknown duration'), ground checked only, awaiting flight check."

(2) If the radio range is a low frequency type (200 through 400 kcs) non-simultaneous range, the navigational feature will be shut down, and no utilization for navigational purposes will be authorized. A NOTAM will be issued stating: "Ground checked only, awaiting flight check."

(3) If the radio range is a low frequency type (200 through 400 kcs) simultaneous range, it may be used as a homing facility only. A NOTAM will be issued stating: "Ground checked only, awaiting flight check."

(i) In addition, this type of radio range may be used as an ADF approach aid by scheduled air carriers, provided that their operations specifications authorize an ADF instrument approach to the airport concerned.

(ii) Irregular air carriers and other operators may use this type of radio range as an ADF instrument approach aid if an ADF procedure for the airport concerned is prescribed by the Administrator, or if an approach is conducted using the same course for an ADF track as that specified in the approved range procedure and with identical altitudes as used in the range approach.

This paragraph shall not apply in the Territory of Alaska, including the Aleutian Islands, or in the central and western Pacific Islands under United States jurisdiction, including the Territory of Hawaii and the islands of Canton, Wake and Guam until further notice.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective September 1, 1952.

[SEAL]

F. B. LEE,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 52-8988; Filed, Aug. 13, 1952; 8:54 a. m.]

[Amdt. 2]

PART 612—AERONAUTICAL FIXED COMMUNICATIONS

ASSESSMENT OF FEES

This amendment reduces the rate for transmitting Category B messages, reduces the number of words in a message unit, and reduces the communications tax to be collected on national messages. A proprietary function of the Government is involved. Therefore, compli-

ance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Section 612.3 is revised to read:

§ 612.3 Assessment of fees. No fee shall be assessed for the transmission of a message which is of a type or types specified in § 612.2 (a) (1) through (7) or (b). A separate fee shall be assessed for the transmission to each addressee of a message which contains, in whole or in part, matter related to any of that described in § 612.2 (a) (8) or (c).

Transmission of such a message to an addressee may in some cases consist of receipt of the message from a non-CAA communications station and the forwarding of that message without additional use of the CAA communications system. Only one fee per addressee shall be assessed regardless of the number of CAA communications stations through which the message may be sent. Each fee shall be computed on the basis of twenty-five cents for each ten words or portion thereof contained in the text and signature of the message. If delivery of the message involves refiling with a non-CAA communications facility, such refiling will be accomplished on a "Collect" basis at no additional cost to, or assumption of liability by, the CAA. Local telecommunications facilities required for the acceptance or delivery of messages will be provided by the user without expense to the CAA.

NOTE: The Internal Revenue Code provides that there shall be imposed on the amount paid within the states of the United States, the Territories of Alaska and Hawaii, and the District of Columbia, for each telegraph, cable, or radio dispatch or message, a tax equal to (a) fifteen percent of the amount so paid, or (b) ten percent of the amount so paid in the case of an international communication. (Sec. 3797 (a) (9), 53 Stat. 469, Sec. 3465 (a) (1) (B), 56 Stat. 975; 26 U. S. C. 3797, 3465)

(Sec. 205, 52 Stat. 984, as amended, sec. 10, 62 Stat. 453; 49 U. S. C. and Sup. 425, 1159. Interpret or apply secs. 301, 302, 52 Stat. 985, sec. 606, 56 Stat. 1007; 49 U. S. C. 451, 452, 5 U. S. C. 606)

This amendment shall become effective September 1, 1952.

[SEAL]

F. B. LEE,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 52-8958; Filed, Aug. 13, 1952; 8:49 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

Subchapter E—Regulations Under Natural Gas Act [Docket No. R-120]

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT AS AMENDED

OPERATION, SALES, SERVICE, CONSTRUCTION, EXTENSION OR ACQUISITION FOR WHICH A CERTIFICATE IS REQUESTED

JULY 28, 1952.

In the matter of Amendment of Part 157 of Subchapter E, Regulations Under

Natural Gas Act, to prescribe requirements for form and filing of applications for certificates of public convenience and necessity under section 7 of the Natural Gas Act; Docket No. R-120.

In this proceeding the Commission has under consideration the amendment of Part 157, entitled "Applications for Certificates of Public Convenience and Necessity Under Section 7 of the Natural Gas Act as Amended" of Subchapter E, Regulations under Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations.

General public notice of the proposed rule-making in the above-entitled matter was given by publication of notice in the FEDERAL REGISTER on March 14, 1951 (16 F. R. 2400), and by mailing notices to interested persons, including natural-gas companies, and to State and Federal regulatory agencies. A supplemental notice of proposed rule-making was published in the FEDERAL REGISTER on May 14, 1952 (17 F. R. 4388), and similarly mailed to such interested persons.

In response to the original and supplemental notices numerous suggestions and comments were submitted by interested persons respecting the changes in the Commission's rules therein proposed. All such suggestions and comments have been carefully considered and, to the extent deemed pertinent and desirable, have been embodied in the amendments herein adopted.

The Commission finds:

(1) Adoption and promulgation of the proposed amendments, as revised, will effect needed changes in the requirements for form and filing of applications for certificates of public convenience under section 7 of the Natural Gas Act.

(2) The amendments as hereinafter adopted are necessary and appropriate to carry out the provisions of the Natural Gas Act.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, particularly sections 7 and 16 thereof (52 Stat. 824, 830; 15 U. S. C. 717f and 717o), orders:

(A) Part 157, Applications for Certificates of Public Convenience and Necessity Under Section 7 of the Natural Gas Act as Amended, Subchapter E, Regulations Under Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations, be and the same is hereby amended so that § 157.5 to 157.22 of Part 157 will read as set forth below.

(B) The new and amended rules and regulations herein prescribed be and they are hereby made effective on and after September 15, 1952.

(C) The Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT CONCERNING ANY OPERATION, SALES, SERVICE, CONSTRUCTION, EXTENSION, OR ACQUISITION

Sec.	
157.5	Purpose and intent of rules.
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 157.12 Dismissal of application.
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 157.17 Applications for temporary certificates in cases of emergency.
 157.20 General conditions applicable to certificates.
 157.22 Exemption of temporary acts and operations.

AUTHORITY: §§ 157.5 to 157.22 issued under sec. 16, 52 Stat. 830; 15 U. S. C. 717o. Interpret or apply sec. 7, 52 Stat. 824, as amended; 15 U. S. C. and Sup. 717f.

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT CONCERNING ANY OPERATION, SALES, SERVICE, CONSTRUCTION, EXTENSION, OR ACQUISITION

§ 157.5 Purpose and intent of rules.

(a) Applications under section 7 of the Natural Gas Act shall set forth all information necessary to advise the Commission fully concerning the operation, sales, service, construction, extension, or acquisition for which a certificate is requested. Some applications may relate to facilities which are additions to existing facilities or facilities of such character that an abbreviated application may be justified under the provisions of § 157.7. However, every applicant shall file all pertinent data and information necessary for a full and complete understanding of the proposed project as well as its effect upon applicant's present and future operations.

(b) Every requirement of this part shall be considered as a forthright obligation of the applicant which can only be avoided by a definite and positive showing that the information or data called for by the applicable rules is not necessary for the consideration and ultimate determination of the application.

(c) This part will be strictly applied to all applications as submitted and the burden of adequate presentation in intelligible form as well as justification for omitted data or information rests with the applicant.

§ 157.6 Applications; general requirements—(a) Applicable rules. Applications shall conform to the requirements of §§ 157.5 through 157.14, and other applicable requirements of the Commission's rules of practice and procedure, particularly §§ 1.5, 1.15, 1.16, and 1.17 of this chapter. Amendments to or withdrawals of applications shall conform to the requirements of § 1.11 of this chapter. If the application involves an acquisition of facilities, it shall conform to the additional requirements prescribed by §§ 157.15 and 157.16.

(b) **General content of application.** Each application filed shall set forth the following information:

(1) The exact legal name of applicant; its principal place of business; whether an individual, partnership, corporation, or otherwise; State under the laws of which organized or authorized; and the name, title, and mailing address of the person or persons to whom communica-

tions concerning the application are to be addressed.

(2) The facts relied upon by applicant to show that the proposed service, sale, operation, construction, extension, or acquisition is or will be required by the present or future public convenience and necessity.

(3) A concise description of applicant's existing operations.

(4) A concise description of the proposed service, sale, operation, construction, extension, or acquisition, including the proposed dates for the beginning and completion of construction, the commencement of operations and of acquisition, where involved.

(5) A full statement as to whether any other application to supplement or effectuate applicant's proposals must be or is to be filed by applicant, or any other person, with any other Federal, State, or other regulatory body; and if so, the nature and status of each such application.

(6) A table of contents which shall list all exhibits and documents filed in compliance with §§ 157.5 through 157.16, as well as all other documents and exhibits otherwise filed, identifying them by their appropriate titles and alphabetical letter designations: *Provided, however,* That alphabetical letter designations specified in §§ 157.14 and 157.16 must be strictly adhered to and extra exhibits submitted at the volition of applicant shall be designated in sequence under the letter X (X 1, X 2, X 3, etc.).

(c) **Requests for shortened procedure.** If shortened procedure is desired a request therefor shall be made in conformity with § 1.32 (b) of this chapter, and may be included in the application or filed separately.

§ 157.7 Abbreviated applications. When the operations, sales, service, construction, extensions, or acquisitions proposed by an application do not require all the data and information specified by §§ 157.5 through 157.16 to disclose fully the nature and extent of the proposed undertaking, an abbreviated application may be filed provided it contains all information and supporting data necessary to explain fully the proposed project, its economic justification, its effect upon applicant's present and future operations and upon the public proposed to be served, and is otherwise in conformity with the applicable requirements of §§ 157.5 through 157.16 regarding form, manner of presentation, and filing. Such an application shall (a) state that it is an abbreviated application; (b) specify which of the data and information required by §§ 157.5 through 157.16 are omitted; and (c) relate the facts relied upon to justify separately each such omission.

§ 157.8 Acceptance for filing or rejection of applications. Applications will be docketed when received and the applicant so advised. Any application which does not conform to the requirements of §§ 157.5 through 157.16 will be rejected by the Secretary as provided by § 1.14 of this chapter. All copies of a rejected application will be returned. An application which relates to an operation, sale, service, construction, ex-

tension, or acquisition, concerning which a prior application has been filed and rejected, shall be docketed as a new application. Such new application shall state the docket number of the prior rejected application.

§ 157.9 Notice of application. Notice of each application filed, except when rejected in accordance with § 157.8, will be published in the FEDERAL REGISTER and copies of such notice mailed to States affected thereby. Persons desiring to receive a copy of the notice of every application shall so advise the Secretary.

§ 157.10 Protests and interventions. Notices of applications, as provided by § 157.9, will fix the time within which any person desiring to participate in the proceeding or to file a protest regarding the application, may file a petition to intervene or protest, and within which any interested regulatory agency, as provided by § 1.8 of this chapter, desiring to intervene may file its notice of intervention. Failure to make timely filing will constitute ground for denial of participation, in the absence of extraordinary circumstances for good cause shown. See §§ 1.7, 1.8, 1.10, and 1.37 (f) of this chapter. A copy of each application, supplement, and amendment thereto, except exhibits required by §§ 157.14 and 157.16, shall upon request be promptly supplied by the applicant to anyone who has filed a petition for leave to intervene or given notice of intervention. A person entitled to receive a copy of the application, as herein provided, shall be promptly supplied by applicant with a copy of such of the exhibits required by §§ 157.14 and 157.16 as such person shall specifically request.

§ 157.11 Hearings—(a) General. The Commission will schedule each application for public hearing at the earliest date possible giving due consideration to statutory requirements and other matters pending, with notice thereof as provided by § 1.19 (b) of this chapter: *Provided, however,* That when an application is filed less than fifteen days prior to the commencement of a hearing theretofore ordered on a pending application and seeks authority to serve some or all of the markets sought in such pending application or is otherwise competitive with such pending application, the Commission will not schedule the new application for hearing until it has rendered its final decision on such pending application, except when, on its own motion, or on appropriate application, it finds that the public interest requires otherwise.

(b) **Shortened procedure.** If no protest or petition to intervene raises an issue of substance, the Commission may upon request of the applicant dispose of an application in accordance with the provisions of § 1.32 (b) of this chapter.

§ 157.12 Dismissal of application. Except for good cause shown, failure of an applicant to go forward on the date set for hearing and present its full case in support of its application will constitute ground for the summary dismissal of the application and the termination of the proceedings.

§ 157.13 *Form of exhibits to be attached to applications.* Each exhibit attached to an application must conform to the following requirements:

(a) *General requirements.* Each exhibit shall contain a title page showing applicant's name, docket number (to be left blank), title of the exhibit, the proper letter designation of the exhibit, and, if of 10 or more pages, a table of contents, citing by page, section number or subdivision, the component elements or matters therein contained.

(b) *Reference to previous applications.* An application may refer to previous applications provided the docket number and the portions thereof referred to are specified with particularity and the exact page or exhibit numbers are stated, including the page numbers in any exhibit to which reference is made. No part of a rejected application may be incorporated by reference.

(c) *Interdependent applications.* When an application considered alone is incomplete and depends vitally upon information in another application, it will not be accepted for filing until the supporting application has been filed. When applications are interdependent, they shall be filed concurrently.

(d) *Measurement base and B. t. u. content.* All gas volumes shall be stated upon a uniform pressure of 14.73 psia, at 60° F. temperature, and shall also show the B. t. u. content by proper reference.

§ 157.14 *Exhibits—(a) To be attached to each application.* All exhibits specified shall accompany each application when tendered for filing.

(1) *Exhibit A—Articles of incorporation and bylaws.* If applicant is not an individual, a conformed copy of its articles of incorporation and bylaws, or other similar documents.

(2) *Exhibit B—State authorization.* For each State where applicant is authorized to do business, a statement showing the date of authorization, the scope of the business applicant is authorized to carry on and all limitations, if any, including expiration dates and renewal obligations. A conformed copy of applicant's authorization to do business in each State affected shall be supplied upon request.

(3) *Exhibit C—Company officials.* A list of the names and business addresses of applicant's officers and directors, or similar officials if applicant is not a corporation.

(4) *Exhibit D—Subsidiaries and affiliation.* If applicant or any of its officers or directors, directly or indirectly, owns, controls, or holds with power to vote, 10 percent or more of the outstanding voting securities of any other person or organized group of persons engaged in production, transportation, distribution, or sale of natural gas, or of any person or organized group of persons engaged in the construction or financing of such enterprises or operations, a detailed explanation of each such relationship, including the percentage of voting strength represented by such ownership of securities. If any person or organized group of persons, directly or indirectly, owns, controls, or holds with power to vote, 10 percent or more of the outstand-

ing voting securities of applicant—a detailed explanation of each such relationship.

(5) *Exhibit E—Corporate authorization.* A certified copy of the resolution or other instrument of the board of directors authorizing (i) the proposed project, and (ii) the filing of the application.

(6) *Exhibit F—Location of facilities.* A geographical map of suitable scale and detail showing, and appropriately differentiating between, all of the facilities proposed to be constructed or acquired and existing facilities of applicant, the operation or capacity of which will be directly affected by the proposed facilities, including:

(i) Location, length, and size of pipelines.

(ii) Location and size (rated horsepower) of compressor stations.

(iii) Location and designation of each point of connection of existing and proposed facilities with (a) main-line industrial customers, gas pipeline or distribution systems, showing towns and communities served and to be served at wholesale and retail, and (b) gas-producing and storage fields, or other sources of gas supply.

(7) *Exhibit G—Flow diagram showing daily design capacity and reflecting operation with proposed facilities added.* A flow diagram showing daily design capacity and reflecting operating conditions with proposed facilities and existing facilities in operation, including the following:

(i) Diameter, wall thickness, and length of pipe to be installed.

(ii) For each proposed new compressor station and existing station, the size, type and number of compressor units, horsepower required, horsepower to be installed, volume of gas to be used as fuel, suction and discharge pressures, and compression ratio.

(iii) Pressures and volumes of gas at the main-line inlet and outlet connections at each compressor station.

(iv) Pressures and volumes of gas at each intake and takeoff point and at the beginning and terminus of all proposed facilities.

(8) *Exhibit G-I—Flow diagram reflecting maximum capabilities.* If Exhibit G does not reflect the maximum deliveries of which applicant's existing and proposed facilities would be capable of achieving under most favorable operating conditions, without installation of any facilities in addition to those proposed in the application, include an additional diagram or diagrams to depict such maximum capabilities.

(9) *Exhibit G-II—Flow diagram data.* Exhibits G and G-I shall be accompanied by a statement of engineering design data in explanation and support of the diagrams and the proposed project, setting forth:

(i) Assumptions, bases, formulae, and methods used in the development and preparation of such diagrams and accompanying data.

(ii) A description of the pipe and fittings to be installed, specifying the diameter, wall thickness, yield point, ultimate tensile strength, method of fabrication, and methods of testing proposed.

(iii) When lines are looped, the length and size of the pipe in each loop.

(iv) Type, capacity, and location of each natural gas storage field or facility, and of each dehydration, desulphurization, natural gas liquefaction, hydrocarbon extraction, or other similar plant or facility directly attached to the applicant's system, indicating which of such plants are owned or operated by applicant, and which by others, giving their names and addresses.

(10) *Exhibit H—Total gas supply data.* A statement of the total gas supply committed to, controlled by, or possessed by applicant which is available to it for the acts and the services proposed, together with:

(i) The estimated total volume of proven reserves in place for each reservoir in each field from which applicant takes or proposes to take natural gas, giving names and location of fields (State, county, or parish).

(ii) The estimated total volumes of proven reserves available to applicant by fee or under lease, segregated by gas fields and reservoirs thereof, giving names and locations of fields (State, county, or parish).

(iii) The names and addresses of persons with whom applicant has gas purchase contracts, the effective dates and remaining terms in years of such contracts, and the estimated volumes of gas reserves applicant has available under each contract, segregated by gas fields and reservoirs thereof with names and locations of fields (State, county, or parish).

(iv) A deliverability study, showing the daily volumes of natural gas which can and are proposed to be obtained each year from each source of supply.

(v) A conformed copy of each gas purchase contract upon which applicant proposes to rely.

(vi) A legible and clearly lettered map or maps showing: The location of each gas field; the proven limits of each reservoir; acreage committed to applicant's project; volumes of gas which are or may be withdrawn from each reservoir under existing contracts and identity of pipeline companies or others receiving gas; and all pipelines and other facilities to be utilized to deliver gas to applicant's pipeline system, indicating ownership if other than by applicant. Information respecting different reservoirs in a gas field shall be shown on separate maps except when a single map will clearly show all required information without confusion.

(vii) A study of each proposed gas storage field showing: Location; geology; original and present reserves for each reservoir; original and present pressure of each reservoir; proposed top and base storage pressures; proposed top and base gas volumes to be stored; a deliverability study, including daily and annual injection and withdrawal rates and pressures; and maximum daily deliverability and maximum storage capacity under the proposed plan of development.

(11) *Exhibit I—Market data.* A system-wide estimate of the volumes of gas to be delivered during each of the first 3 full years of operation of the proposed facilities, and actual data of like import

for each of the 3 years next preceding the filing of the application, together with:

(i) Names and locations of customer companies and municipalities, showing the number of residential, commercial, firm industrial, interruptible industrial, residential space-heating, commercial space-heating, and other types of customers for each distribution system to be served at retail or wholesale; and the names and locations of each firm and interruptible direct industrial customer whose estimated consumption totals 10,000 Mcf or more in any calendar month or 100,000 Mcf or more per year.

(ii) Applicant's total annual and peak day gas requirements by classification of service in subdivision (i) of this subparagraph, divided as follows: Gas requirements (a) for each distribution area where gas is sold by applicant at retail; (b) for each wholesale customer; (c) for all main line direct industrial customers; and (d) company use and unaccounted-for gas, for both the applicant and each wholesale customer.

(iii) Total past and expected curtailments of service for both applicant and each wholesale customer, all to be listed by the classifications of service in subdivision (i) of this subparagraph.

(iv) Explanation of basic factors used in estimating future requirements, including, for example: Peak-day and annual degree-day deficiencies, annual load factors of applicant's system and of its deliveries to its proposed customers; individual consumer peak-day and annual consumption factors for each class of consumers, with supporting historical data; forecasted saturation of space-heating as related to past experience; and full detail as to all other sources of gas supply available to applicant and to each of its customers, including manufacturing facilities and liquid petroleum gas.

(v) Conformed copy of each contract for sale or transportation of natural gas by means of the proposed facilities.

(vi) A full description of all facilities, other than those covered by the application, necessary to provide service in the communities to be served, the estimated cost of such facilities, by whom they are to be constructed, and evidence of economic feasibility.

(vii) A copy of each market survey made within the past 3 years.

(viii) A statement showing the franchise rights of applicant or other person to distribute gas in each community in which service is proposed.

(ix) When an application requires a statement of total peak-day or annual market requirements of affiliates, whose operations are integrated with those of applicant, to demonstrate applicant's ability to provide the service proposed or to establish a gas supply, estimates and data required by this subparagraph shall also be stated in like detail for such affiliates.

(12) *Exhibit J—Conversion to natural gas.* If manufactured gas service exists in a community proposed to be served, submit with respect to each such community:

(i) Description of existing gas manufacturing facilities and their physical condition, including: the type, size, daily

output capacity, and installation date of each gas generating unit; daily sendout capacity of plant; and capacity of storage holders.

(ii) Statement of kind of gas proposed to be distributed; use proposed to be made of gas manufacturing facilities in connection with such service; estimated cost of converting gas manufacturing facilities to high B. t. u. gas production, showing B. t. u. content, whether such conversion of manufacturing facilities is planned, and estimated daily sendout capacity after conversion.

(iii) Study showing estimated cost of converting consumers' appliances to natural gas and the accounting proposed for such cost.

(iv) Description, location, and estimated cost of new facilities, if any, to be constructed for the receipt and distribution of natural gas.

(v) Study showing savings, if any, for each of the first 3 full years of proposed natural gas operation and the basis therefor.

(vi) Study showing any rate reduction and for improvement in service to the ultimate consumers.

(13) *Exhibit K—Cost of facilities.* A detailed estimate of total capital cost of the proposed facilities for which application is made, showing cost of construction by operating units such as compressor stations, main pipelines, laterals, measuring and regulating stations, and separately stating the cost of rights-of-way, damages, surveys, materials, labor, engineering and inspection, administrative overhead, fees for legal and other services, interest during construction, and contingencies.

(14) *Exhibit L—Financing.* Plans for financing the proposed facilities for which the application is filed, together with:

(i) A detailed description of applicant's outstanding and proposed securities and liabilities, showing amount (face value and number), interest or dividend rate, dates of issue and maturity, voting privileges, and principal terms and conditions applicable to each.

(ii) The manner in which applicant proposes to dispose of securities by private sale, competitive bidding or otherwise; the persons, if known, to whom they will be sold or issued, and if not known, the class or classes of such persons.

(iii) A statement showing for each proposed issue, by total amount and by unit, the estimated sale price and estimated net proceeds to the applicant.

(iv) An itemized statement of estimated expenses, fees, and commissions to be paid by applicant in connection with each proposed issue.

(v) A statement showing whether the consent of any holder of any security is necessary to permit the issuance of the additional securities proposed, and whether, as to the proposed issue of securities, a like restriction is to be made applicable to any securities issued thereafter.

(vi) Statement of anticipated cash flow, including provision during the period of construction and the first 3 full years of operation of proposed facilities

for interest requirements, dividends, and capital retirements.

(vii) Statement showing, over the life of each issue, the annual amount of securities which applicant expects to retire through operation of a sinking fund or other extinguishment of the obligation.

(viii) A balance sheet and income statement (12 months) of most recent date available.

(ix) Comparative pro forma balance sheets and income statements for the period of construction and each of the first 3 full years of operation, giving effect to the proposed construction and proposed financing of the project.

(x) Conformed copies of all agreements, contracts, mortgages, deeds of trust, indentures, agreements to advance materials or supplies or render services in return for applicant's securities, underwriting agreements, and any other agreements or documents of a similar nature.

(xi) Conformed copies of all reports, letters, or other documents, submitted by applicant to underwriters, insurance companies, or others regarding financing, including business studies, forecasts of earnings, and other similar financial or accounting reports, statements, or documents.

(xii) Conformed copies of all applications and supporting exhibits, registration statements, or other similar submittals, if any, to the Securities and Exchange Commission, including all supplements, changes or modifications of the above.

(xiii) Any additional data and information upon which applicant proposes to rely in showing the adequacy and availability to it of resources for financing its proposed project.

(15) *Exhibit M—Construction, operation, and management.* A concise statement setting forth arrangements for supervision, management, engineering, accounting, legal, or other similar service to be rendered in connection with the construction or operation of the project, if not to be performed by employees of applicant, including reference to any existing or contemplated agreements therefor, together with:

(i) A statement showing affiliation between applicant and any parties to such agreements or arrangements. See Exhibit D, paragraph a (4) of this section.

(ii) Conformed copies of all construction, engineering, management, and other similar service agreements or contracts in any way operative with respect to construction, operation, or financing of facilities which are the subject of the application or will be applicable under system operations.

(16) *Exhibit N—Revenues—Expenses—Income.* Pro forma statements for each of the first 3 full years of operation of the proposed facilities, showing:

(i) Gas system annual revenues and volumes of natural gas related thereto, subdivided by classes of service, and further subdivided by sales to direct industrial customers, sales to other gas utilities, and other sales, indicating billing quantities used for computing charges, e. g., actual demands, billing demands, volumes, heat-content adjust-

ment or other determinants. In addition, if enlargement or extension of facilities is involved, the revenues attributable solely to the proposed facilities shall be stated separately, and the basis and data used in such computation shall be clearly shown.

(ii) Gas system annual operating expenses classified in accordance with the Commission's Uniform System of Accounts for Natural Gas Companies; the annual depreciation, depletion, taxes, utility income, and resulting rate of return on net investment in gas plant, including working capital. In addition, if enlargement or extension of facilities is involved, the cost of service attributable solely to the proposed facilities shall be stated separately with supporting data.

(17) *Exhibit O—Depreciation and depletion.* Depreciation and depletion rates to be established, the method of determination and the justification therefor.

(18) *Exhibit P—Tariff.* (i) A statement of the rates to be charged for the proposed sales or service, including: (a) Identification of the applicable presently effective rate schedules, when no additional tariff filings will be required, or (b) when changes are required in applicant's presently effective tariff, or if applicant has no tariff, pro forma copies of appropriate changes in or additions to the effective tariff or a pro forma copy of the new gas tariff proposed.

(ii) When new rates or changes in present rates are proposed or when the proposed facilities will result in a material change in applicant's average cost of service, such statement shall be accompanied by supporting data showing:

(a) System cost of service for the first calendar year of operation after the proposed facilities are placed in service.

(b) An allocation of such costs to each particular service classification, with the basis for each allocation clearly stated.

(c) The proposed rate base and rate of return.

(d) Gas operating expenses, segregated functionally by accounts.

(e) Depletion and depreciation.

(f) Taxes with the basis upon which computed.

(b) *Additional exhibits.* Applicant shall submit additional exhibits necessary to support or clarify its application. Such exhibits shall be identified and designated as provided by § 157.6 (b) (6).

(c) *Additional information.* Upon request by the Secretary, prior to or during hearing upon the application, applicant shall submit such additional data, information, exhibits, or other detail as may be specified. Such additional information shall conform to the requirements of §§ 1.15, 1.16, and 1.17 of the rules of practice and procedure unless otherwise directed by the Secretary.

§ 157.15 *Requirements for applications covering acquisitions.* An application for a certificate authorizing acquisition of facilities, in addition to complying with the applicable provisions of §§ 157.5 through 157.14, shall include a statement showing:

(a) The exact legal name of the vendor, lessor, or other party in interest (hereinafter referred to as "vendor"), the State or other laws under which vendor was organized, location of vendor's principal place of business, and a description of the business, operation or property of vendor covered by the application.

(b) Any certificate from the Commission, held by vendor, relating directly to the facilities which applicant seeks to acquire, citing the order, date thereof, docket designation, and title of the proceeding; reference to and designation of any companion applications by vendor for permission and approval pursuant to section 7 (b) of the Natural Gas Act.

(c) The manner in which the facilities are to be acquired, the consideration to be paid, the method of arriving at the amount thereof, and anticipated expenses in addition to the consideration.

(d) The facilities to be acquired, their present use, their proposed use after acquisition, and whether they constitute all of vendor's facilities.

(e) Any franchise, license, or permit respecting the facilities involved, showing expiration date thereof, and the effect of the proposed acquisition thereon.

§ 157.16 *Exhibits relating to acquisitions.* In addition to complying with the applicable requirements of § 157.14, every application involving acquisition of facilities shall be accompanied by the following exhibits:

(a) *Exhibit Q—Effect of acquisition on existing contracts and tariffs.* A statement showing the effect of the proposed transaction upon any agreements for the purchase, sale, or interchange of natural gas, and upon any rate schedules or tariffs on file with this Commission, together with pro forma rate schedule sheets, notices of cancellation, or other tariff filings required to be made with this Commission.

(b) *Exhibit R—Acquisition contracts.* A summary statement of all contracts, agreements or undertakings relating to the proposed acquisition, including:

(1) A conformed copy of each contract or other agreement covering or relating to the acquisition of the facilities.

(2) The names and addresses of all persons employed or to be employed concerning the transaction, including engineering, financial accounting, legal, or other services, and the compensation, fees, or other payments, paid or payable, to such persons.

(3) A disclosure of affiliation between applicant and vendor or between either of them and any other party in interest in the proposed acquisition. See Exhibit D, § 157.14 (a) (4).

(c) *Exhibit S—Accounting.* A statement showing:

(1) The amounts recorded upon the books of the vendor as being applicable to the facilities to be acquired, and the related depreciation, depletion, and amortization reserves.

(2) The original cost of the facilities to be acquired, segregated by accounts prescribed in the Commission's Uniform System of Accounts for Natural Gas Companies; the method by which the

original cost was determined; and whether such statement of original cost has been approved by any regulatory body.

(3) If the original cost has not been determined, an estimate thereof, based upon records or data of vendor or its predecessors, together with an explanation of the manner in which such estimate was made and the name and address of the present custodian of all existing pertinent records and data.

(4) The depreciation, depletion, and amortization reserve requirements applicable to the original cost of the facilities to be acquired, estimated service lives, the approximate average age of the facilities to which the depreciation reserve applies, the amortization period, and the depletion rates and estimated gas reserves upon which accruals to the depletion reserve are based.

(5) The amount at which applicant proposes to record the facilities upon its books; the amount of the original cost to be recorded, the depreciation, depletion, and amortization reserves; and the acquisition adjustments, if any, together with applicant's proposed disposition of all adjustments.

(6) Duplicate facilities to be acquired and retired, property which must be extensively rehabilitated, including a clear description of such property, the additional costs to be incurred, and the accounting therefor proposed.

(7) A balance sheet of the company to be acquired as of the most recent date available, if the acquisition involved is by purchase of capital stock and liquidation of the acquired company.

(8) A pro forma consolidating balance sheet, as of the date of the merger if the acquisition is by merger, showing the merging of the accounts and the adjustments relating thereto.

§ 157.17 *Applications for temporary certificates in cases of emergency.* In cases of emergency and pending the determination of an application on file with the Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, application may be made for a temporary certificate authorizing the construction and operation of such extensions of existing facilities and such interconnections of pipeline systems as may be required to assure maintenance of adequate service, or to serve particular customers. Such application shall be submitted in writing, shall be subscribed and verified by a responsible officer of applicant having knowledge of the facts, and shall state clearly and specifically the exact character of the emergency, the proposed method of meeting it, and the facts claimed to warrant issuance of a temporary certificate.

§ 157.20 *General conditions applicable to certificates.* Except as otherwise specifically ordered by the Commission, such of the following terms and conditions, among others, as the Commission shall find is required by the public convenience and necessity, shall attach to the issuance of each certificate and to the exercise of the rights granted thereunder.

(a) The certificate shall be void and without force or effect unless accepted in writing by applicant within 30 days from the issue date of the order issuing such certificate: *Provided, however*, That when an application for rehearing of such order is filed in accordance with section 19 of the Natural Gas Act, such acceptance shall be filed within 30 days from the issue date of the order of the Commission upon the application for rehearing or within 30 days from the date on which such application may be deemed to have been denied when the Commission has not acted on such application within 30 days after it has been filed: *Provided further*, That when a petition for review is filed in accordance with the provisions of section 19 of the Natural Gas Act, such acceptance shall be filed within 30 days after final disposition of the judicial review proceedings thus initiated.

(b) Any authorized construction, extension, or acquisition shall be completed and in actual operation by applicant and any authorized operation, service, or sale shall be actually undertaken and regularly performed by applicant within (period of time to be specified by the Commission in each order) from the issue date of the Commission's order issuing the certificate.

(c) Applicant shall file with the Commission, in writing and under oath, an original and four conformed copies of the following: (1) Within 10 days after the bona fide beginning of construction, notice of the date of such beginning; (2) each 3 months after the date of the issuance of the order granting the certificate, a progress report showing the exact status of authorized construction; (3) within 10 days after authorized facilities have been constructed and placed in service or any authorized operation, sale, or service has commenced, notice of the date of such placement and commencement; and (4) within 6 months after authorized facilities have been constructed and placed in service and authorized operations have commenced, a statement showing the actual cost of constructing authorized facilities by operating units, and showing separately the actual cost of labor, materials, rights-of-way, damages, surveys, engineering, inspection, overhead, interest during construction, contingencies, and all other items of cost, together with a statement showing and explaining the cause for any difference between actual cost and estimates of cost relied upon by applicant in the proceeding in which the certificate is issued.

(d) With respect to an acquisition authorized by the certificate, applicant shall file with the Commission, in writing and under oath, an original and four conformed copies of the following: (1) Each 3 months after the issue date of the Commission's order issuing this certificate, a progress report showing the exact status of the acquisition; (2) within 10 days after acquisition and the beginning of authorized operations, notice of the dates of acquisition and the beginning of operations; and (3) within 6 months after consummation of the acquisition, a statement showing and explaining the cause for any differences

between the actual cost of the facilities acquired and the estimates of cost relied upon by applicant in the proceeding in which the certificate is issued.

(e) The certificate issued to applicant is not transferable in any manner and shall be effective only so long as applicant continues the operations authorized by the order issuing such certificate and in accordance with the provisions of the Natural Gas Act, as well as applicable rules, regulations, and orders of the Commission.

§ 157.22 Exemption of temporary acts and operations. Public interest does not require the issuance of a certificate for the construction and operation of facilities necessary to assure maintenance of adequate natural-gas service where interruption or serious curtailment of service exists or is threatened because of failure of facilities or failure or curtailment of supply or unusual and unexpected demand on such facilities or supply, and where such acts and operations are limited to a single period of not more than sixty days: *Provided, however*, That:

(a) Every person undertaking any such construction or operation shall immediately advise the Commission and within ten days file a full statement, in writing and under oath, together with four (4) conformed copies thereof, setting forth the purpose and character of the facilities, sales or services involved, a description of the operation and specific facilities constructed, and the anticipated duration of the emergency.

(b) Emergency operations thus undertaken without a certificate shall be discontinued upon expiration of the 60-day period, and all facilities installed for such temporary acts or operations shall be promptly removed and the Commission so advised in writing and under oath within 10 days following expiration of such 60-day period.

Date of Issuance: August 11, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8952; Filed, Aug. 13, 1952;
8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XVII—Federal Civil Defense Administration

PART 1709—OFFICIAL FEDERAL CIVIL DEFENSE ADMINISTRATION SEAL

The following regulations, which consist of Part 1709, Official Federal Civil Defense Administration Seal, are hereby issued.

- Sec.
1709.1 Purpose.
1709.2 Description of official seal.
1709.3 Uses of official seal.
1709.4 Manufacture or reproduction of official seal.
1709.5 Violations.

AUTHORITY: §§ 1709.1 to 1709.5 issued under sec. 204, 64 Stat. 1254; 50 U. S. C. App. Sup. 2253.

§ 1709.1 Purpose. The purpose of this part is to describe the official seal

of the Federal Civil Defense Administration and to prescribe its uses.

§ 1709.2 Description of official seal. (a) The official seal of the Federal Civil Defense Administration, approved by the President by Executive Order 10350, dated May 14, 1952, is described as follows: On a disk of defenders blue a white triangle superimposed by a shield of the coat of arms of the United States proper, all encircled by a white band edged in defenders blue containing the inscription "Federal Civil Defense Administration" in scarlet letters.

(b) The seal may be reproduced in the above colors, in black and white, or in the color of the surface upon which reproduced and one other color.

§ 1709.3 Uses of official seal. (a) The official seal shall be used on all official documents requiring a seal.

(b) Where appropriate, it may be used as follows:

(1) On official reports, publications, documents and letterheads of the Administrator.

(2) On materials, supplies, and equipment of the Federal Civil Defense Administration.

(3) As an identification device by employees of the Federal Civil Defense Administration and such other persons performing emergency civil defense services at the Federal level as the Administrator may deem desirable.

(c) It shall have such additional uses as the Administrator may direct.

§ 1709.4 Manufacture or reproduction of official seal. No manufacture or reproduction, or sale of the official seal, or any colorable imitation thereof, shall be made except upon order of the Administrator.

§ 1709.5 Violations. Whoever shall manufacture, possess, or wear the official seal of the Federal Civil Defense Administration, or any colorable imitation thereof, except as authorized under this part, shall be subject to a fine of not more than \$1,000 or imprisonment of not more than one year, or both.

These regulations shall be effective on August 14, 1952.

J. J. WADSWORTH,
Acting Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 52-8968; Filed, Aug. 13, 1952;
8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Manpower Policy 7]

EMPLOYMENT OF OLDER WORKERS IN THE DEFENSE PROGRAM

Preface. This policy has been recommended by the interagency Manpower Policy Committee and by the national Labor-Management Manpower Policy Committee of the Office of Defense Mobilization. It is issued for information and guidance to labor and management concerned with defense production; and

assigns to Government agencies the responsibility for providing assistance and leadership in the fields of action required of them.

I. Introduction. Approximately 3½ million additional workers will be needed by the end of 1953 to meet defense production requirements and expected levels of civilian output. Older workers, here considered to be men and women over 45 years, constitute the largest potential source of needed additions to the labor force, with the largest single reserve being among women of these ages.

Traditional employment preference has been for younger workers despite the fact that the proportion of persons in our population who are between 16 and 34 years of age has progressively declined from 1900 to 1950. Obstacles to the employment of available and qualified older workers increase competition for the preferred and less available younger groups, contribute to unnecessary migration and turnover, and other types of community problems, and add unnecessarily to the adjustment problem of older peoples and to the burden of providing financial support for them.

In the field of employment, the older worker's problem is two-fold: first, the most serious, finding a new job once he becomes unemployed; and second, compulsory retirement at an arbitrary age. Older workers who become unemployed often suffer excessively long periods of unemployment as is indicated by a much higher proportion of older workers unemployed for periods of 20 weeks and over and exhausting unemployment insurance benefits. Studies by the Department of Labor show that older workers are at a heavy disadvantage in competition with younger workers. This is true in practically all occupational categories and in all types of labor markets, including tight labor markets. Orders placed with local employment offices restrict referrals of applicants by some maximum age limitation, usually 45 for men and 35 for women, in about 50-70 percent of the cases, depending upon the local area. These data contrast with the common assumption that high employment, with the attendant competition for workers, offers a complete solution to the problems of older workers. Restrictive conditions are found in areas of tight and surplus labor supply. To the extent that employment policies and practices stand as barriers to the recruitment and effective utilization of older workers, such policies and practices are undesirable from the point of view of employers, employees, and the public as a whole.

II. Purpose. It is the purpose of this Manpower Policy to direct attention to the importance of employing and effectively utilizing older workers and to stimulate voluntary action by labor, management, and Government to modify unnecessary restrictions which limit the employment and utilization of older workers in both private and public employment.

III. Statement of policy. It is the policy of the Federal Government:

1. To promote the employment and effective utilization of older workers in public employment.

2. To encourage labor and management to adopt policies and practices

which will promote the employment and effective utilization of older workers in private employment.

To aid in achieving increased employment opportunity and more effective utilization of older workers, it is recommended that the following policies be adopted and applied as rapidly as possible:

1. That selection of workers for employment or for training be made on the basis of individual ability and qualifications to perform the job, regardless of age.

2. That older women be given equal consideration with men for employment, on the basis of individual ability and qualifications to perform the job.

3. That, when their services are needed, older workers now employed who are eligible for retirement be encouraged to continue working at jobs for which they are qualified and able, and that retired workers who possess needed skills in critical occupations be encouraged to return to work to the greatest extent possible.

4. That workers who are subject to retirement or dismissal upon reaching a specified age be offered, where practicable, an opportunity to continue working at their regular jobs if they are still qualified to perform such jobs; that workers not qualified and able to continue their regular jobs be offered an opportunity to work at less exacting jobs wherever practicable.

5. That good labor standards, including health and safety measures and equal pay for comparable work be maintained as effective means of increasing the employment and effective utilization of older workers.

IV. Assignment of responsibility. It is recognized that labor and management share the primary responsibility for action designed to achieve the objectives of this policy. However, the Federal Government, through its appropriate agencies and in cooperation with labor, management, and other private groups, can promote the employment and utilization of older workers by providing assistance and leadership in the following fields of required action:

A. The Civil Service Commission shall:

1. In cooperation with other appropriate agencies of the Federal Government, explore the possibilities of: (a) Further modifying or eliminating maximum age provisions in required qualifications for civilian positions in the Federal Government; and (b) measures designed to increase the opportunities in Federal employment of qualified older workers.

2. With the cooperation of appropriate agencies of the Federal Government, investigate and make recommendations regarding the possibilities of re-employing retired workers whenever such employment would be of value to the Government.

B. The Federal Security Agency shall:

1. In cooperation with other concerned Federal agencies, continue to explore and make recommendations with respect to retirement insurance programs provided for by Federal legislation other than those systems covering Federal employees exclusively as to whether revisions are needed in such legislation to further the policy of the Federal Government to

promote the employment and effective utilization of older workers when their services are needed.

2. Working with States and community groups, extend and improve rehabilitation of older workers, including the provision of assistance, encouragement, and retraining to older persons who have important skills which are in short supply (such as nurses and other health personnel, certain types of teachers, etc.).

3. In collaboration with other Federal agencies, primarily through the occupational health program of the U. S. Public Health Service, continue to exercise leadership in the promotion of high levels of health for older workers.

C. The Department of Labor and the Federal Security Agency shall:

1. Provide available information on pertinent provisions of collective bargaining agreements and related pension plans to management and unions desiring to make appropriate changes in private pension plans.

D. The Department of Labor shall:

1. With the cooperation of the Civil Service Commission, the Department of Commerce (National Production Authority), the Department of Defense, and the Federal Security Agency, collect and disseminate widely facts concerning the employment and utilization of older workers to employers and labor groups, and to Federal, state, and local public agencies.

2. Extend and improve counseling, placement and job analysis programs for older workers who are seeking work, are poorly adjusted in work, or are facing compulsory retirement. Special attention should be given to counseling older workers on ways and means of re-entering the labor market.

3. Encourage, provide technical assistance, and undertake studies designed to establish facts regarding the performance of older workers in paid employment and problems arising in connection with their employment. The fields requiring comprehensive study include: Productivity, turnover, absenteeism, accident rates, and mobility.

V. This policy shall take effect on August 14, 1952.

OFFICE OF DEFENSE
MOBILIZATION,
JOHN R. STEELMAN,
Acting Director.

[F. R. Doc. 52-9004; Filed, Aug. 12, 1952;
1:21 p. m.]

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Supplementary Regulation 31]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 31—ADJUSTMENTS IN CEILING PRICES OF MIXED FERTILIZERS ON BASIS OF INCREASED FREIGHT RATES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Sup-