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TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10512

REVOCATION OF EXECUTIVE ORDER NO. 9047, EXEMPTING CERTAIN OFFICERS AND EMPLOYEES OF THE GOVERNMENT FROM AUTOMATIC SEPARATION FROM THE SERVICE

WHEREAS by Executive Order No. 9047 of January 30, 1942, certain officers and employees in the executive branch of the Government were exempted from automatic separation from the service under the provisions of the Civil Service Retirement Act of May 29, 1930, as amended, for an indefinite period of time not extending beyond the duration of their appointment or term of service; and

WHEREAS, in my judgment, the public interest no longer requires the exemption of any of such officer or employee from automatic separation from the service:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 382, 404, and as President of the United States, it is ordered that the said Executive Order No. 9047 be, and it is hereby, revoked.

This order shall become effective at the close of business on March 31, 1954.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 19, 1954.

[F. R. Doc. 54-461; Filed, Jan. 20, 1954;
10:29 a. m.]

EXECUTIVE ORDER 10513

DESIGNATING CERTAIN OFFICERS TO ACT AS SECRETARY OF LABOR

By virtue of the authority vested in me by section 179 of the Revised Statutes of the United States (5 U. S. C. 6) and section 301 of title 3 of the United States Code, it is ordered as follows:

I hereby authorize and direct the Assistant Secretaries of Labor and the Solicitor of Labor, in the order designated

as hereinafter provided, to perform the duties of the office of the Secretary of Labor in case of the absence, sickness, resignation, or death of both the Secretary of Labor and the Under Secretary of Labor.

The Assistant Secretaries of Labor and the Solicitor of Labor shall act as Secretary of Labor as herein provided (1) in such order as the Secretary of Labor (or the Under Secretary when acting as Secretary) may by order designate from time to time, or (2) if no such designation order is in effect at the time, in the order of the respective dates of their commissions, or in the event that two or more of their commissions bear the same date, in the order in which they shall have taken their oath of office.

This order supersedes Executive Order No. 9968 of June 17, 1948, entitled "Designation of Certain Officers To Act as Secretary of Labor."

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 19, 1954.

[F. R. Doc. 54-462; Filed, Jan. 20, 1954;
10:29 a. m.]

EXECUTIVE ORDER 10514

REVOCATION OF EXECUTIVE ORDER NO. 2414 OF JUNE 30, 1916

By virtue of and pursuant to the authority vested in me by the act of March 12, 1914, 38 Stat. 305, and as President of the United States, and upon the recommendation of the Secretary of the Interior, it is ordered that Executive Order No. 2414 of June 30, 1916, prescribing regulations for hospital service in connection with the construction and operation of the Government railway in Alaska, now the Alaska Railroad, be, and it is hereby, revoked.

This order shall become effective at the close of business on December 31, 1953.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 19, 1954.

[F. R. Doc. 54-463; Filed, Jan. 20, 1954;
10:29 a. m.]

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¹ F. R. 629; 3 CFR, 1943 Cum. Supp.



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TITLE 14—CIVIL AVIATION Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 61]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter 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 the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft	75 m. p. h. or less	More than 75 m. p. h.
1	2	3	4	5	6	7	8	9	10	11
COLLEGE STATION, TEX. Elev. 300, 330' SEMRLZ-DTV-BYT Procedure No. 1, December 29, 1953.	CLL-VOR..... MEA, all directions.	117—2.0	1,400	W side of NW course, 215 outbound, 115 inbound, 1.7W within 25 miles.	1,100	114—11.8	T-4a C-4a A-4a	200-1 700-2 800-2	200-1 700-2 800-2	Within 11.8 miles climb to 1,500' on SE course within 25 miles or as directed by ATC.

2. The automatic direction finding procedures prescribed in § 609.9 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ADF instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft	75 m. p. h. or less	More than 75 m. p. h.
1	2	3	4	5	6	7	8	9	10	11
DUNKIRK, N. Y. Municipal Airport, 527 Elev. 100' Rbo D-K Procedure No. 1 February 1, 1953										
PROCEDURE CANCELED EFFECTIVE DECEMBER 21, 1953.										
LANCASTER, PA. Municipal MHW-LRP Procedure No. 1 January 21, 1954	Int. HAW VOR radial 137 and 065 bearing to LRP Rbo (final).	038—10	1,800	S side course: 235° outbound, 065° inbound, 1.8W within 10 miles.	1,800	033—4.5	T-4a C-4a S-4a A-4a	200-1 600-1 800-1 1,000-2 BCOB	200-1 600-1 800-1 1,000-2 BCOB	Within 4.5 miles, make a climbing left turn and return to LRP Rbo at 2,000'.

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn, (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h. or less	More than 75 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
LANSING, MICH. Capital City, 553' LOM-LA Procedure No. 1 December 30, 1953	Landing VOR.....	071-11.0	2,300	N side of course: 80 outbound; 273 inbound; 2,300' within 25 miles.	1,700	273-4.3	T-dn C-dn S-dn 27 A-dn	300-1 300-1 500-1 500-1 800-2	300-1 500-1 1/2 500-1 500-1 800-2	Within 4.3 miles, climb to 2,300' on W course LANS-1FR or on 280° course from LOM within 25 miles, or if directed by ATO make right climbing turn, climb to 2,000' and proceed NW on track of 340° within 25 miles of LOM. *Inbound do not descend below 1,600' until passing 180° bearing to Landing LFR. Tower 1,345' MSL 2.3 miles S of inbound course.
NEW YORK, N. Y. LaGuardia, 20' Rta EWC Procedure No. 1 February 1, 1953	PROCEDURE CANCELED EFFECTIVE JANUARY 4, 1954.									
NEW YORK, N. Y. LaGuardia, 20' LOM LG Procedure No. 2 February 1, 1953	PROCEDURE CANCELED EFFECTIVE JANUARY 4, 1954.									

PROCEDURE CANCELED EFFECTIVE JANUARY 4, 1954.

PROCEDURE CANCELED EFFECTIVE JANUARY 4, 1954.

3. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If an ILS instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specific routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below:

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Transition to ILS					Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums			If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance	Minimum altitudes (ft.)	Outer marker		Middle marker	Condition	Type aircraft			
									75 m.p.h. or less	More than 75 m. p. h.		
1	2	3	4	5	6	7	8	9	10	11	12	13
MINNEAPOLIS, MINN. Minneapolis-St. Paul International, 540' ILS MSP Back Course ILS Procedure No. 2 December 30, 1953	Radar terminal area transition altitude.	Back course ILS	All directions within 30 miles.	2,600	8 side NW course: 295 outbound, 115 inbound, 2,600' within 20 miles.	No glide slope.	No outer marker.	No middle marker.	T-dn C-dn S-dn 11R A-dn	300-1 500-1 500-1 500-1 800-2	300-1 500-1 ^{1/2} 500-1 500-1 800-2	On final approach within 3 miles after passing 3 mile radar fix, make right climbing turn, climb to 2,300' on SW course MSP LFR. This procedure not authorized when ASR is operative. *CAUTION: Do not descend below 1,700' MSL until radar controller has advised passing 1,085' tower 3 miles from approach end runway 11R.

ILS STANDARD INSTRUMENT APPROACH PROCEDURES—Continued

City and State; airport name, elevation, facility, class and identification; procedure No.; effective date	Transition to ILS			Procedure turn (-) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility (ft.)	Altitude of glide slope and distance to approach end of runway at—		Ceiling and visibility minimums		If visual contact not established upon descent to authorized landing minimums or if landing not accomplished
	From—	To—	Course and distance			Outer marker	Middle marker	Condition	Type aircraft 75 m.p.h. or less More than 75 m.p.h.	
1	2	3	4	5	6	7	8	9	10	11
TULSA, OKLA. Muskogee SW ILS-3 JUTL LOM-TUL Procedure No. 1 Combined ILS-ADF December 28, 1953	Int. SE course TUL and 200° bearing to LOM.	LOM	250-9	2,400	E side S course; 15° outbound, 35° inbound, 2,400' within 25 miles.	2,400	2,350-4.1	850-0.63	T-dn C-dn	200-1 300-1 300-1
WILKES-BARRE, PA. Wilkes-Barre-Scranton Airport, 906' ILS AVP Crystal Lake MHW-CYE Procedure No. 1 January 21, 1954	Int. E course AVP LFR and SW course ILS.	CYE Rbn	224-25	3,500	E side of SW course; 222° outbound, 042° inbound, 2,500' within 10 miles of Crystal Lake MHW.	3,500	2,250-4.6	1,180-0.7	FT-dn C-dn C-dn S-dn A-dn A-dn	600-1 900-1½ 1,000-2 1,300-2 600-2 1,200-2 1,200-2 1,300-3

4. The very high frequency omnirange procedures prescribed in § 609.15 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, bearings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is authorized in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation, facility, class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (-) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums	If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft 75 m.p.h. or less More than 75 m.p.h.
1	2	3	4	5	6	7	8	9
FORT WAYNE, IND. Star Field, 541' VOR-FWA Procedure No. 1 January 14, 1954	Fert Wayne LFR	432-7.0	2,200	W side of course; 317° outbound, 137° inbound, 2,000' within 10 miles, 2,100' within 25 miles.	1,800	137-4.0	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2
LANSING, MICH. Capital City, 586' VOR-LAN Procedure No. 1 January 21, 1954	Lansing LFR	247-6.0	2,300	S side of course; 224° outbound, 064° inbound, 2,000' within 25 miles.	1,800	064-4.0	T-dn C-dn S-dn A-dn	200-1 300-1 300-1 300-2

CAUTION: Tower 1,596' MSL located 7 miles NW of airport. Tower 1,120' MSL located 7½ miles W of airport. Sectional maps list other towers in vicinity.

Within 4.0 miles, climb to 2,000' on course of 137° magnetic within 25 miles, or if directed by ATIS, make right climbing turn, climb to 2,200' and return to Fert Wayne VOR.

Within 4.0 miles, climb to 2,000' on outbound course of 064° within 25 miles LAN VOR, or when directed by ATIS make right climbing turn to 2,000' and proceed to Landing LFR.

These procedures shall become effective on the dates indicated in Column 1 of the procedures.

(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)

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[P. R. Doc. 54-409; Filed, July 20, 1954;
8:50 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

FEDERAL TRADE COMMISSION

Effective upon publication in the FEDERAL REGISTER, the position listed below is added to § 6.330.

§ 6.330 Federal Trade Commission.

(h) One Secretary of the Federal Trade Commission.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 10440, Mar. 31, 1953, 18 F. R. 1823)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[P. R. Doc. 54-416; Filed, Jan. 20, 1954;
8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

PART 1103—AGRICULTURAL CONSERVATION; VIRGIN ISLANDS

SUBPART—1954

Foreword. Productive land is the main source of the food, clothing, and shelter for the American people. The conservation and improvement of this resource for sustained, productive use is an undertaking of vital concern to citizens of all walks of life.

The Agricultural Conservation Program is an important part, but only a part, of a coordinated effort to help landowners and operators attain soil conservation objectives. The total effort includes research, education, technical assistance, cost-sharing, and such indirect aids as credit.

The fundamental purpose of the Agricultural Conservation Program is to provide a means by which the public can share with landowners and operators the cost of carrying out needed conservation work over and above that which they would do with only their own resources. It is our sincere hope that the Agricultural Conservation Program will be carried out in such a manner that it will make a marked contribution toward attainment of conservation objectives.

General program principles. The 1954 Agricultural Conservation Program for the Virgin Islands has been developed and is to be carried out on the basis of the following general principles:

1. The program is confined to the conservation practices on which Federal cost-sharing is most needed in order to achieve the maximum conservation benefit.

2. The program is designed to encourage those conservation practices which provide the most enduring conservation benefits practicably attainable in 1954 on the lands where they are to be applied.

3. Costs will be shared with a farmer only on satisfactorily performed conservation practices for which Federal cost-sharing was requested by the farmer before the conservation work was begun.

4. Costs should be shared only on practices which it is believed farmers would not carry out to the needed extent without program assistance. Generally, practices that have become a part of regular farming operations on a particular farm should not be eligible for cost-sharing.

5. The rates of cost-sharing are the minimum required to result in substantially increased performance of needed practices.

6. The purpose of the program is to help achieve additional conservation on the land. Such of the available funds that cannot be wisely utilized for this purpose will be returned to the public treasury.

7. If the Federal Government shares the cost of the initial application of conservation practices which farmers otherwise would not perform but which are essential to the national interest, the farmers should assume responsibility for the upkeep and maintenance of those practices.

INTRODUCTION

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Sec.
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AUTHORITY: §§ 1103.300 to 1103.373 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7-17, 49 Stat. 1148, as amended, sec. 348, 52 Stat. 59, as amended, Public Law 155, 83d Cong.; 7 U. S. C. 1348, 16 U. S. C. 590g-590q.

INTRODUCTION

§ 1103.300 *Introduction.* Through the 1954 Agricultural Conservation Program for the Virgin Islands (referred to in this subpart as the 1954 program), administered by the Department of Agriculture, the Federal Government will

share with farmers of the Virgin Islands the cost of carrying out approved conservation practices in accordance with the provisions contained herein, and such modifications thereof, as may hereafter be made. Approved practices will be deemed to have been carried out during the program year if started after the beginning of the program year and the ASC State Office determines that they were substantially completed by the end of the program year. However, no practice will be eligible for Federal cost-sharing until it has been completed in accordance with all applicable specifications and program provisions. The 1954 program was developed by the ASC State Office, the Director of the Soil Conservation Service for the Caribbean Area, the Forest Service official having jurisdiction of farm forestry in the Virgin Islands, and representatives of the Agricultural Extension Service.

CONTROL OF FUNDS

§ 1103.301 *Maximum Federal cost-share.* The maximum Federal cost-share for a farm shall be equal to the total of the cost-shares for all practices approved for the farm and carried out in accordance with the specifications for such practices.

§ 1103.302 *Adjustments.* If the total estimated earnings under the program exceed the total funds available, the Federal cost-shares will be reduced equitably.

§ 1103.303 *Allocation.* The amount of funds available for conservation practices under this program is \$9,000. This amount does not include the amount set aside for administrative expenses and the amount required for increase in small Federal cost-shares in § 1103.332.

SELECTION OF PRACTICES AND RESPONSIBILITY FOR TECHNICAL PHASES

§ 1103.306 *Selection of practices.* (a) This subpart contains a general description of the conservation practices in the 1954 program, the applicable specifications, and the rates of Federal cost-sharing for each practice. The practices included herein are those for which the ASC State Office, the Soil Conservation Service, and the Forest Service agree that the bearing by the Federal Government of a share of the cost is essential to permit accomplishment of needed conservation work which would not otherwise be carried out in the desired volume.

(b) Each farm operator shall be given an opportunity to request that the Federal Government share in the cost of those practices on which he considers he needs such assistance in order to permit their performance in adequate volume on his farm. Costs will be shared only for those practices for which cost-sharing is requested before performance of the practice is started. Any person who wishes to participate in the 1954 program must file a Cert. Form No. 39-54-V. I., Declaration of Intention, Request for Inspection and Certification of Conservation Needs, on or before September 15, 1954. In cases of hardship, such date may be extended by the ASC State Office. These forms may be ob-

tained and filed at any of the offices of the Soil Conservation Service (SCS), offices of the Extension Service and Farmers Home Administration. Prior approval of the ASC State Office is required for all practices. Such approval shall be conditioned upon carrying out the practices under the supervision of persons who have been designated to be responsible for the practices and must be obtained before performance of the practice is started unless otherwise approved by the ASC State Office.

§ 1103.307 *Responsibility for technical phases.* (a) The Soil Conservation Service is responsible for the technical phases of the practices contained in §§ 1103.315-1103.318 and 1103.321. This responsibility shall include (1) a finding that the practice is needed and practical on the farm, (2) necessary site selection, other preliminary work, and layout work of the practice, (3) necessary supervision of the installation, and (4) certification of performance (or application of the practice to the land).

(b) The Forest Service is responsible for the technical phases of the practices contained in §§ 1103.319 and 1103.320. This responsibility shall include (1) providing necessary specialized technical assistance, (2) development of specifications for forestry practices, and (3) working through the ASC State Office, determining compliance in meeting these specifications.

CONSERVATION PRACTICES AND MAXIMUM RATES OF COST-SHARING

§ 1103.311 *Practice 1: Initial establishment of permanent pasture for erosion control by seeding, sodding, or sprigging perennial grasses, or other approved forage plants.* Federal cost-sharing will be allowed for planting any of the following grasses, or similar approved grasses or forage plants: Guinea Grass, Molasses Grass, Para Grass, Barbados Sour Grass, Bermuda Grass, St. Augustine Grass, Sour Paspalum Grass, Merker Grass, Pangola Grass, and Carpet Grass. The varieties of grasses must be well adapted to conditions of the particular area to be planted. The land must be properly prepared by plowing, and harrowing if necessary, and furrowing along contour lines, and sufficient quantities of slips, cuttings, or seeds used to assure a good ground cover at maturity. Where pasture is established by using seed, the rate of seeding should be not less than 12 pounds per acre. Where pasture is established by using slips or cuttings, the distance between the rows must not be more than 3 feet. On land of 2 percent or more slope the planting and cultivating must be as near as practicable along contour lines.

Maximum Federal cost-share. \$4.50 per acre.

§ 1103.312 *Practice 2: Initial eradication of shrubs or trees for establishing new permanent pasture for erosion control.* (a) Federal cost-sharing will be allowed for eradicating any of the following shrubs or trees: Acacia, Soap Brush, Kanapp (Kennep), Sage, Guava, Logwood, Marigold, Tan Tan, Wild Cedar, Ginger Thomas, all varieties of Cactus, and Thibet (Tebit). All shrubs

or trees, except such as can be used for timber or shade, must be thoroughly uprooted either by hand labor or mechanical implements, and all shrubs, trees and roots must be removed from the land or may be burned thereon. Permanent pasture of the varieties specified under practice 1 (§ 1103.311) must be established as soon as practicable. Temporary use of the land for other crops may be permitted where the ASC State Office determines this is essential to establishing the grasses. Farmers must obtain prior approval from the ASC State Office of the area and acreage to be cleared before starting the practice.

(b) No Federal cost-sharing will be allowed for this practice on any area on which cost-sharing for this practice has been allowed under a previous program. Federal cost-sharing for carrying out this practice is limited to not more than 20 acres on any farm, as defined in § 1103.366. This practice is applicable only to St. Thomas and St. John Islands. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. (1) \$4.00 per acre on land with light growth where the shrubs or trees cover up to 30 percent of the area.

(2) \$7.00 per acre on land with medium growth where the shrubs or trees cover more than 30 percent and up to 60 percent of the area.

(3) \$10.00 per acre on land with heavy growth where the shrubs or trees cover more than 60 percent of the area.

§ 1103.313 *Practice 3: Initial eradication of hurricane grass for establishing permanent pasture for erosion control.* The eradication must be carried out by plowing or disking the whole area to a depth of at least 6 inches and double cuttings with heavy disk harrow at least twice at 30-day intervals. Permanent pasture of the varieties specified under practice 1 (§ 1103.311) must be established as soon as practicable after the hurricane grass has been eradicated. No Federal cost-sharing will be allowed for carrying out this practice on any acreage for which Federal cost-sharing for eradicating hurricane grass was allowed under a previous program.

Maximum Federal cost-share. \$3.00 per acre.

§ 1103.314 *Practice 4: Construction of permanent cross fences to obtain better distribution and control of livestock grazing and to promote proper grassland management for protection of the established forage resources.* Federal cost-sharing will be allowed for new fences constructed entirely of new materials. Hardwood or living tree posts shall be used. Posts must be spaced not more than 6 feet apart with corner posts adequately braced. Four strands of No. 12½ standard gage or heavier barbed wire must be used and tightly stretched. Federal cost-sharing will not be allowed for boundary fences, fences between pasture and other land, and the repair, replacement, or maintenance of existing fences.

Maximum Federal cost-share. \$2.20 per 100 linear feet.

§ 1103.315 Practice 5: Constructing wells for livestock water to obtain proper distribution of livestock, and encourage rotation grazing and better grassland management, as a means of protecting established vegetative cover. The wells should be constructed or drilled in an area of the farm where the providing of water will contribute to a better distribution of grazing. The necessary pumping equipment must be installed, except in connection with artesian wells. Adequate drinking troughs for animals also must be installed. Dug wells must have a minimum diameter of not less than 8 feet, including the stone lining which must have a thickness of not less than 12 inches. No Federal cost-sharing will be allowed for wells constructed or drilled at or for use at farm headquarters nor unless water is obtained.

Maximum Federal cost-share. (1) Constructing dug wells lined with stone, \$3.25 per cubic yard of well dug.

(2) Drilling wells:

(a) \$1.00 per linear foot of well for wells having a bore taking a casing of less than 4 inches in diameter, and artesian wells.

(b) \$2.00 per linear foot of well for wells having a bore taking a casing of 4 inches or more but less than 6 inches in diameter, excluding artesian wells.

(c) \$3.00 per linear foot of well for wells having a bore taking a casing of 6 inches or more in diameter, excluding artesian wells.

§ 1103.316 Practice 6: Installing pipelines for livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover. Federal cost-sharing will be allowed when the pipeline carries water to areas where no other water supply for livestock is available and proper drinking troughs for livestock have been provided. No Federal cost-sharing will be allowed for this practice if the cost is shared by the Virgin Islands Corporation under any other program.

Maximum Federal cost-share. (1) \$0.12 per linear foot when pipes of 1 inch diameter are used.

(2) \$0.18 per linear foot when pipes of 1½ inches diameter are used.

(3) \$0.25 per linear foot when pipes of 2 inches or more diameter are used.

§ 1103.317 Practice 7: Constructing concrete or rubble masonry watersheds (catchments) and/or storage tanks to collect rain water or for accumulating water from wells or springs for livestock or for irrigation purposes. Adequate pumping equipment and drinking troughs for animals must be installed. No Federal cost-sharing will be allowed for maintaining an existing structure.

Maximum Federal cost-share. (1) \$12.00 per cubic yard of concrete structure.

(2) \$7.00 per cubic yard of rubble masonry structure.

§ 1103.318 Practice 8: Constructing rock barriers to form bench terraces or to obtain or control the flow of water and check erosion on sloping land. The height of the barriers must not exceed 5 feet. The location and the distance between the barriers shall be in accordance with the recommendations of the Soil Conservation Service.

Maximum Federal cost-share. \$1.50 per cubic yard of rock used.

§ 1103.319 Practice 9: Planting adapted trees on farmland for farm woodlots, erosion control, or for forestry purposes. The trees must be planted, regardless of the slope of the land, in rows not less than 10 feet apart, with a distance of not less than 10 feet within the row, and must have been planted at least one year and only those living will be counted. All plantings must be protected from fire and grazing. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. \$5.00 per 100 trees.

§ 1103.320 Practice 10: Planting adapted trees on strips which have been cleared in areas of heavy brush, for erosion control and forestry purposes. All brush on the strips must be uprooted and the brush removed from the spaces where trees are to be planted. The trees must be planted on the strips cleared in this manner, and spaced not more than 10 feet apart. All plantings must be protected from fire and grazing. Necessary erosion preventive measures must be carried out. Federal cost-sharing will be allowed only for well-established trees, approximately 1 foot high and living at the time of inspection, and for not more than 200 trees per acre. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. (1) For clearing strips 3 feet wide at intervals of 20 feet, \$3.00 per acre.

(2) Planting trees such as mahogany or varieties suitable for timber, recommended by the Forest Service, \$0.05 per tree.

§ 1103.321 Practice 11: Planting fruit trees for erosion control in gullies. Trees must be planted on the contour and protected from fire and grazing. A permanent cover of grass, legumes, or mulch must be obtained under the trees. Federal cost-sharing will be allowed for not more than 200 trees on a farm. No Federal cost-sharing will be allowed for this practice if the Virgin Islands Corporation shared in the cost under any other program.

Maximum Federal cost-share. \$0.10 per tree.

FEDERAL COST-SHARES

§ 1103.331 Division of Federal cost-shares—(a) Federal cost-shares. Federal cost-shares shall be credited to the person who carried out the practices by which such Federal cost-shares are earned. If more than one person contributed to the carrying out of such practices, the Federal cost-share shall be divided among such persons in the proportion that the ASC State Office determines they contributed to the carrying out of the practices. In making this determination, the ASC State Office shall take into consideration the value of the labor, equipment or material contributed by each person toward the carrying out of each practice on a particular acreage and shall assume that each contributed equally unless it is established to the

satisfaction of the ASC State Office that their respective contributions thereto were not in equal proportion. The furnishing of land or the right to use water will not be considered as a contribution to the carrying out of any practice.

(b) *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended (Part 1108 of this chapter).

§ 1103.332 Increase in small Federal cost-shares. The Federal cost-share computed for any person with respect to any farm shall be increased as follows: *Provided, however,* That in the event legislation is enacted which repeals or amends the authority for making such increases, the Secretary may in such manner and at such time as is consistent with such legislation discontinue such increases:

(a) Any Federal cost-share amounting to \$0.71 or less shall be increased to \$1.

(b) Any Federal cost-share amounting to more than \$0.71, but less than \$1, shall be increased by 40 percent.

(c) Any Federal cost-share amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of cost-share computed:	Increase in cost-share
\$1 to \$1.99	\$0.40
\$2 to \$2.99	.80
\$3 to \$3.99	1.20
\$4 to \$4.99	1.60
\$5 to \$5.99	2.00
\$6 to \$6.99	2.40
\$7 to \$7.99	2.80
\$8 to \$8.99	3.20
\$9 to \$9.99	3.60
\$10 to \$10.99	4.00
\$11 to \$11.99	4.40
\$12 to \$12.99	4.80
\$13 to \$13.99	5.20
\$14 to \$14.99	5.60
\$15 to \$15.99	6.00
\$16 to \$16.99	6.40
\$17 to \$17.99	6.80
\$18 to \$18.99	7.20
\$19 to \$19.99	7.60
\$20 to \$20.99	8.00
\$21 to \$21.99	8.40
\$22 to \$22.99	8.80
\$23 to \$23.99	9.20
\$24 to \$24.99	9.60
\$25 to \$25.99	10.00
\$26 to \$26.99	10.40
\$27 to \$27.99	10.80
\$28 to \$28.99	11.20
\$29 to \$29.99	11.60
\$30 to \$30.99	12.00
\$31 to \$31.99	12.40
\$32 to \$32.99	12.80
\$33 to \$33.99	13.20
\$34 to \$34.99	13.60
\$35 to \$35.99	14.00
\$36 to \$36.99	14.40
\$37 to \$37.99	14.80
\$38 to \$38.99	15.20
\$39 to \$39.99	15.60
\$40 to \$40.99	16.00
\$41 to \$41.99	16.40
\$42 to \$42.99	16.80
\$43 to \$43.99	17.20
\$44 to \$44.99	17.60
\$45 to \$45.99	18.00
\$46 to \$46.99	18.40
\$47 to \$47.99	18.80
\$48 to \$48.99	19.20
\$49 to \$49.99	19.60
\$50 to \$50.99	20.00
\$51 to \$51.99	20.40

Amount of cost-share computed:	Increase in cost-share
\$52 to \$52.99	\$13.20
\$53 to \$53.99	13.30
\$54 to \$54.99	13.40
\$55 to \$55.99	13.50
\$56 to \$56.99	13.60
\$57 to \$57.99	13.70
\$58 to \$58.99	13.80
\$59 to \$59.99	13.90
\$60 to \$185.99	14.00
\$186 to \$199.99	(¹)
\$200 and over	(²)

¹ Increase to \$200.² No increase.

§ 1103.333 *Federal cost-shares limited to \$1,500.* (a) The total of all Federal cost-shares under the 1954 program to any person with respect to farms, ranching units, and turpentine places in United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands) shall not exceed the sum of \$1,500.

(b) All or any part of any Federal cost-share which otherwise would be due any person under the 1954 program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, designed to evade, or which has the effect of evading, the provisions of this section.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

§ 1103.336 *Maintenance of practices.* The sharing of costs, by the Federal Government, for the performance of approved conservation practices on any farm under the 1954 program will be subject to the condition that the person with whom the costs are shared will maintain such practices in accordance with good farming practices as long as the land on which they are carried out is under his control.

§ 1103.337 *Practices defeating purposes of programs.* If the ASC State Office finds that any person has adopted or participated in any practice which tends to defeat the purpose of the 1954 or any previous program, including, but not limited to, failure to maintain in accordance with good farming practices, practices carried out under a previous program, it may withhold, or require to be refunded, all or any part of the Federal cost-share which otherwise would be due him under the 1954 program.

§ 1103.338 *Depriving others of Federal cost-share.* If the ASC State Office finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of the Federal cost-share due that person under the program, it may withhold, in whole or in part, from the person participating in, or employing such a scheme or device, or require him to refund in whole or in part, the Federal cost-share which otherwise would be due him under the 1954 program.

§ 1103.339 *Filing of false claims.* If the ASC State Office finds that any person has knowingly filed claim for pay-

ment of the Federal cost-share under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible for any Federal cost-sharing under the program and shall refund all amounts that may have been paid to him under the program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 1103.340 *Federal cost-shares not subject to claims.* Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances (except as provided in § 1103.341, and except for indebtedness to the United States subject to set-off under orders issued by the Secretary); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 1103.341 *Assignments.* Any person who may be entitled to any Federal cost-share under the 1954 program may assign his right thereto, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1954. No assignment will be recognized unless it is made in writing on Form ACP-69 and in accordance with the instructions in ACP-70-Insular Region.

§ 1103.342 *Compliance with regulatory measures.* Persons who carry out conservation practices under the 1954 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The person with whom the cost of the practice is shared shall be responsible to the Federal Government for any losses it may sustain because he infringes on the rights of others or fails to comply with applicable laws or regulations.

§ 1103.344 *Practices carried out with State or Federal aid.* The Federal share of the cost for any practice shall not be reduced because it is carried out with materials or services furnished through the program or by any agency of a State to another agency of the same State, or with technical advisory services furnished by a State or Federal agency. In other cases of State or Federal aid, the total Federal cost-share computed on the basis of the total number of units of the practice performed shall be reduced by the value of the aid, as determined by the ASC State Office, in computing the amount of the Federal cost-share to be paid for performance of the practice. Materials or services furnished or used by a State or Federal agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this section.

§ 1103.345 *Excess cotton acreage.* (a) Any person who makes application

for payment of cost-shares with respect to any farm located in a county in which any kind of cotton is planted in 1954 shall file with such application a statement that he has not knowingly planted any kind of cotton or caused any kind of cotton to be planted during 1954 on any farm in which he has an interest in excess of the 1954 acreage allotment established for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended.

(b) Any person who knowingly plants any kind of cotton or causes any kind of cotton to be planted on his farm in 1954 in excess of the 1954 acreage allotment for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended, shall not be eligible for any payment of cost-shares whatsoever on that farm or on any other farm under 1954 programs authorized by sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. Cotton of any kind shall not be deemed to have been planted on any farm in excess of the farm acreage allotment for such kind of cotton if, after the acreage originally planted to such kind of cotton has been determined and notice thereof sent to the operator of the farm, the acreage planted to such kind of cotton is adjusted to the farm acreage allotment for such kind of cotton in the period allowed under the notice. If the operator is notified that the acreage allotment for any kind of cotton has been exceeded and the acreage planted to such kind of cotton is not adjusted to such acreage allotment in the period allowed under the notice, the acreage allotment for such kind of cotton shall be deemed to have been knowingly exceeded by all producers having an interest in such kind of cotton on the farm. Notice of overplanting to the operator of the farm shall be deemed to be notice to all persons sharing in the production of any kind of cotton on the farm.

(c) For the purposes of this section "kind of cotton" shall be upland cotton or extra long staple cotton.

APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

§ 1103.351 *Persons eligible to file application.* Any person who, as landlord, tenant, or sharecropper on a farm, bore a part of the cost of an approved conservation practice is eligible to file an application for payment of the Federal cost-share due him.

§ 1103.352 *Time and manner of filing application and information required.* Payment of Federal cost-shares will be made only upon application submitted on the prescribed form to the offices of the Soil Conservation Service Work Unit at St. Thomas or St. Croix not later than February 28, 1955, except that the ASC State Office may accept an application filed after February 28, 1955, but not later than December 31, 1955, in any case where the failure to timely file was not the fault of the applicant. If an application for a farm is filed within the time prescribed, any person on the farm who did not sign the application may subsequently file an application, provided he

does so on or before December 31, 1955. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any form which such person is operating or renting to another. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the ASC State Office within the time fixed by the Administrator, ACPS, which time shall be not later than December 31, 1955. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, and any time limit fixed shall afford a full and fair opportunity to those eligible, to file the form or information within the period prescribed. Such notice shall be given by mailing notice to the SCS Work Unit offices and making copies available to the press.

APPEALS

§ 1103.356 *Appeals.* Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the ASC State Office in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his Federal cost-shares with respect to the farm. The ASC State Office shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the ASC State Office, he may, within 15 days after its decision is forwarded to or made available to him, request the Administrator, ACPS, to review the decision of the ASC State Office. The decision of the Administrator, ACPS, shall be final. Written notice of any decision rendered under this section by the ASC State Office shall also be issued to each other landlord, tenant, or sharecropper on the farm who may be adversely affected by the decision.

BULLETINS, INSTRUCTIONS, AND FORMS

§ 1103.361 *Bulletins, instructions, and forms.* The Administrator, ACPS, is authorized to make determinations and to prepare and issue bulletins, instructions, and forms containing detailed information with respect to the 1954 program as it applies to the Virgin Islands, and forms will be available in the State and district ASC offices. Producers wishing to participate in the program should obtain all information needed from the offices mentioned herein.

DEFINITIONS

§ 1103.366 *Definitions.* For the purposes of the 1954 program:

(a) "Secretary" means the Secretary of the United States Department of Agriculture or the officer of the Department acting in his stead pursuant to delegated authority.

(b) "Administrator, ACPS," means the Administrator of the Agricultural Conservation Program Service.

(c) "State" means the Virgin Islands.

(d) "ASC State Office" means the Caribbean Area Agricultural Stabilization and Conservation Office, San Juan, Puerto Rico.

(e) "Person" means an individual, partnership, association, corporation,

estate, or trust, or other business enterprise, or other legal entity (and, wherever applicable, a State, a political subdivision of a State, or any agency thereof) that, as landlord, tenant, or sharecropper, participates in the operation of a farm.

(f) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also (1) any other adjacent or nearby farm or range land which the ASC State Office, in accordance with instructions issued by the Administrator, ACPS, determines is operated by the same person as part of the same unit in producing livestock or with respect to the rotation of crops, and with work stock, machinery, and labor substantially separate from that for any other land; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops. A farm shall be regarded as located in the municipality in which the principal dwelling is situated or, if there is no dwelling thereon, it shall be regarded as located in the municipality in which the major portion of the farm is located.

(g) "Cropland" means farmland which in 1953 was tilled or was in regular crop rotation, excluding (1) bearing orchards (except the acreage of cropland therein), and (2) plowable noncrop open pasture.

(h) "Orchards" means the acreage in planted fruit trees, nut trees, coffee trees, vanilla plants, and banana plants.

(i) "Pastureland" means farmland, other than rangeland, on which the predominant growth is forage suitable for grazing and on which the spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

(j) "Rangeland" means nonirrigated land growing, without cultivation, native perennial grasses and forage plants primarily, and used for grazing by domestic livestock.

(k) "Program Year" means the period from January 1, 1954, through December 31, 1954.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

§ 1103.371 *Authority.* The program contained in this subpart is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148; 16 U. S. C. 590g-590q), and the Department of Agriculture Appropriation Act, 1954.

§ 1103.372 *Availability of funds.* (a) The provisions of the 1954 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares provided in this subpart is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation.

(b) The funds provided for the 1954 program will not be available for paying Federal cost-shares for which applications are filed in the SCS Work Unit Offices after December 31, 1955.

§ 1103.373 *Applicability.* (a) The provisions of the 1954 program contained in this subpart are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) grazing lands owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act), or the Fish and Wildlife Service of the United States Department of the Interior; and (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it.

(b) The program is applicable to (1) privately owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Reconstruction Finance Corporation, the Federal Farm Mortgage Corporation, the United States Department of Defense, or by any other Government agency designated by the Administrator, ACPS, and (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it.

Done at Washington, D. C., this 18th day of January 1954.

[SEAL]

EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 54-399; Filed, Jan. 20, 1954; 8:48 a. m.]

PART 1106—NAVAL STORES CONSERVATION PROGRAM

SUBPART—1954

EXCESS COTTON ACREAGE

Pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act and section 348 of the Agricultural Adjustment Act of 1938, as amended, the 1954 Naval Stores Conservation Program, issued August 15 1953 (18 F. R. 4885) is amended by adding a new § 1106.527a to read as follows:

§ 1106.527a *Excess cotton acreage.* (a) Any person who makes application for payment of cost-shares with respect to any farm located in a county in which any kind of cotton is planted in 1954 shall file with such application a state-

ment that he has not knowingly planted any kind of cotton or caused any kind of cotton to be planted during 1954 on any farm in which he has an interest in excess of the 1954 acreage allotment established for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended.

(b) Any person who knowingly plants any kind of cotton or causes any kind of cotton to be planted on his farm in 1954 in excess of the 1954 acreage allotment for the farm for such kind of cotton under the Agricultural Adjustment Act of 1938, as amended, shall not be eligible for any payment of cost-shares whatsoever on that farm or on any other farm under 1954 programs authorized by sections 7-17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. Cotton of any kind shall not be deemed to have been planted on any farm in excess of the farm acreage allotment for such kind of cotton if, after the acreage originally planted to such kind of cotton has been determined and notice thereof sent to the operator of the farm, the acreage planted to such kind of cotton is adjusted to the farm acreage allotment for such kind of cotton in the period allowed under the notice. If the operator is notified that the acreage allotment for any kind of cotton has been exceeded and the acreage planted to such kind of cotton is not adjusted to such acreage allotment in the period allowed under the notice, the acreage allotment for such kind of cotton shall be deemed to have been knowingly exceeded by all producers having an interest in such kind of cotton on the farm. Notice of overplanting to the operator of the farm shall be deemed to be notice to all person sharing in the production of any kind of cotton on the farm.

(c) For the purposes of this section "kind of cotton" shall be upland cotton or extra long staple cotton.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interprets or applies secs. 7-17, 49 Stat. 1148, as amended, sec. 348, 52 Stat. 59, as amended, Public Law 156, 83d Cong.; 7 U. S. C. 1348, 16 U. S. C. 590g-590q)

Done at Washington, D. C. this 18th day of January 1954.

[SEAL]

EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 54-421; Filed, Jan. 20, 1954;
8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Sections 536.31 and 536.32 are rescinded and the following substituted therefor:

§ 536.31 *Policy.* (a) Persons or agencies apprehending and detaining or delivering absentees or deserters to military control will be rewarded or reimbursed by:

(1) Payment of a reward of \$15 for the apprehension and detention of absentees, deserters, or escaped military prisoners until the military authorities take them under control;

(2) Payment of a reward of \$25 for the apprehension and delivery to military control of absentees, deserters, or escaped military prisoners; or

(3) Reimbursement for actual expenses incurred incident to apprehension and detention or delivery not to exceed \$25 under circumstances when rewards are not payable.

(b) The amount of reward or reimbursement for actual expenses incurred incident to apprehension and detention or delivery will be charged against the absentee, deserter, or escaped military prisoner including a prisoner sentenced to discharge, whose discharge has not been executed.

(c) The costs of reward or reimbursement will not be charged against an absentee, deserter, or escaped military prisoner who was mentally irresponsible at the time of commencement of absence.

§ 536.32 *Definitions.* For the purpose of §§ 536.31 to 536.35, the following definitions apply:

(a) *Service member.* A commissioned officer, warrant officer, or enlisted member of the Army.

(b) *Absent without leave.* The status of a service member subject to military law who, without proper authority, fails to go to an appointed place of duty at the time prescribed, or goes from that place, or absents himself, or remains absent from his unit, organization, or other place of duty at which he is required to be at the time prescribed.

(c) *Absentee.* A service member who is absent without leave.

(d) *Desertion.* Absence without leave accompanied with the intention not to return, or to avoid hazardous duty, or to shirk important service.

(e) *Military prisoner.* A prisoner, whether detained, arraigned, or sentenced, or unsentenced.

(f) *Return to military control.* The physical turn-over or delivery of an absentee, deserter, or escaped military prisoner to the military authorities authorized to receive such persons.

§ 536.33 *Payment of reward.* Persons or agencies (except any salaried officer or employee of the Federal government or service member) may be paid a reward for the apprehension and detention or delivery of absentees, deserters, or escaped military prisoners under the following circumstances, provided that the persons or agencies are in receipt of DD Form 553 (Absentee Wanted By The Armed Forces), or have been notified by military authorities, or Federal law enforcement officers that the person was absent and that his return to military control is desired. Payment of the reward will be made to the person or agency who turns over or delivers to military control an absentee, deserter, or an escaped military prisoner. Such payments will be in full satisfaction of all expenses of apprehending, keeping and delivering the absentee, deserter, or

escaped military prisoner. If two or more persons join in performing these services, payment will be made only to the person or agency recognized and designated by the military authority, at the time the service member is received, as having returned the member to military control. Payment of reward will be made when absentees, deserters, or escaped military prisoners voluntarily surrender to persons or agencies, other than salaried officers or employees of the Federal government or service members, and such persons or agencies take them into custody and detain or deliver them to military control. However, payment of a reward will not be made to an attorney on whose advice the absentee, deserter, or escaped military prisoner surrenders himself. Payment will not be made merely for information leading to an apprehension, or for an apprehension not followed by the return to military control of the service member apprehended.

(a) A reward of \$15 may be paid for the apprehension and detention of absentees, deserters, or escaped military prisoners until the military authorities take them under control. The person or agency must notify the proper military authorities and detain the absentee, deserter, or escaped military prisoner until the military authorities physically take over control.

(b) A reward of \$25 may be paid for the apprehension and delivery to military control of absentees, deserters, or escaped military prisoners. The delivery must be to a military installation where actual physical control may be assumed by military authorities.

(c) One reward only may be paid for any particular apprehension and detention or delivery. The reward may be divided by the payee among several participants in the apprehension and detention or delivery. However, payment will be made only to one person or agency.

(d) In the event the apprehension and detention or delivery is effected jointly by a salaried officer or employee of the Federal Government or service member and a person or agency qualified to receive a reward, payment of the full reward will be made to the person or agency so qualified.

§ 536.34 *Reimbursement for actual expenses.* (a) Reimbursement for actual expenses incurred may be made not to exceed \$25 in those cases when the absentee, deserter, or escaped military prisoner has been physically turned over to military control and when no reward has been offered or when conditions for payment of a reward cannot otherwise be met. Reimbursement of actual expenses may be made to a person or agency ineligible to receive rewards, a salaried officer or employee of the Federal Government, a service member, or an attorney on whose advice the absentee, deserter, or escaped military prisoner surrenders himself to military authorities. Reasonable expenses for which reimbursement may be made include the following:

(1) Travel performed by privately owned conveyance at the rate of 7 cents

a mile, on a round trip basis, from either place of apprehension or civil police headquarters to place of return to military control.

(2) Actual and necessary expenses including taxicab fare or bus fare when necessary for travel performed by the person or agency representative and prisoner.

(3) Cost of all necessary meals consumed by the prisoner, provided the cost was actually incurred by the apprehending, detaining, or delivering person or agency representative.

(4) Telephone and telegraph communication costs in connection with the apprehension or detention or delivery of the prisoner to military authority.

(5) Damages to the apprehending, detaining, or delivering persons or agencies property whenever such damages are caused directly by the prisoner.

(6) Any other reasonable expenses incurred in the actual apprehension or detention or delivery of the prisoner as may be deemed justifiable and reimbursable by the certifying officer.

(b) Reimbursement may be made to more than one person or agency listed in paragraph (a) of this section for the expenses incurred by each in apprehending, detaining, or delivering the absentee, deserter, or escaped military prisoner when more than one person or agency is involved in the actual return of the individual to military control, provided the total reimbursement does not exceed \$25 for the return of any individual. However, the absentee, deserter, or escaped military prisoner must actually be returned to military control before reimbursement may be made to any of the persons or agencies involved in the apprehending, detaining, or delivering of the individual.

(c) Reimbursement will not be made for transportation performed by official vehicles or for personal services of delivering person or agency representative.

(d) Both reward and reimbursement may not be paid for the same apprehension and detention or delivery.

§ 536.35 Cost of confinement of military prisoners in nonmilitary facilities.

(a) Civil authorities may be reimbursed for the cost of confinement of absentees, deserters, or escaped military prisoners detained for safekeeping at the request of the appropriate military authority after the member has been turned over to military control, provided the military authority has authorized such further detention.

(b) When the use of nonmilitary confinement facilities is contracted for by the appropriate military authority for the reason that military confinement facilities are not available at the military installation for prisoners, civil authorities may be paid for the costs of such confinement.

[AR 35-1570, May 14, 1953, and C2, AR 35-1570, December 30, 1953] (R. S. 161; 5 U. S. C. 22)

(SEAL) WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-408; Filed, Jan. 20, 1954; 8:50 a. m.]

Subchapter E—Organized Reserves

PART 561—ARMY RESERVE

MISCELLANEOUS AMENDMENTS

1. In § 561.31, paragraph (g) is rescinded and the following substituted therefor:

§ 561.31 Eligibility. . . .

(g) *Dependents.* Male applicants having dependents are eligible for enlistment if otherwise qualified, only if entitled to enlist in grade E-4 or higher, or in circumstances equivalent to those prescribed in §§ 571.1 to 571.5 of this chapter governing enlistment in the Regular Army of male applicants with dependents, including enlistment of Selective Service registrants classified 1A, except that applicants without prior active service who have four or more dependents are not eligible for enlistment. Applicants for immediate reenlistment who have dependents and who have had not less than 3 years' service may be reenlisted (without regard to grade) but, if in grade lower than E-4, will be required to sign a waiver, as shown below, of any deferment from active duty.

State of _____ ss:

City, town, or military post _____

I, _____, applicant for enlistment as a reservist of the Army, understanding that if enlisted I am subject to being ordered to active duty, do hereby waive any right I might have to deferment from active duty.

(Signature)

Sworn to and subscribed before me this _____ day of _____, 19____

(Signature (Army Reserve recruiting officer or other administering oath))

2. In § 561.22, paragraph (a) is rescinded and the following substituted therefor:

§ 561.22 Ineligibility. . . .

(a) Any person who has been ordered to report for preinduction physical and mental examinations under the Universal Military Training and Service Act, as amended, except for immediate reenlistment and concurrent order to active duty and except for those instances where deferment from induction has been granted and is of such length or character that the training which the enlistee could reasonably be expected to undergo would be of advantage to the individual and to the Army. A registrant currently classified 1-A-P is not eligible.

3. In § 561.33 a new paragraph (a-1) is added as follows:

§ 561.33 Grade. . . .

(a-1) Former noncommissioned officers of the Army last discharged from active duty in grades E-7, E-6, or E-5 who apply for enlistment after 180 days but within 12 months from date of discharge will be enlisted in a grade one grade lower than that in which discharged. Those who apply for enlistment within the period from 12 to 24 months after date of discharge will be enlisted in a grade two grades lower than that in which discharged. Those enlisting after the expiration of 24 months

may be enlisted in grade as authorized in pertinent special regulations.

4. Section 561.36 is rescinded and the following substituted therefor:

§ 561.36 Report of separation from the Armed Forces of the United States required for enlistment or reenlistment. Persons applying for enlistment or reenlistment as reservists of the Army for service in the Army Reserve who have had prior military service will present their last Report of Separation from the Armed Forces of the United States (DD Form 214) to the recruiting officer who will enter thereon the date, place, and period of the new enlistment. In the event that the applicant has lost or misplaced his last report of separation or when otherwise necessary, verification of his Army service will be obtained by the recruiting officer from The Adjutant General, or from the station or organization from which discharge is claimed, prior to accomplishing enlistment or reenlistment. For duty other than in the Army, verification will be obtained by the recruiting officer from proper officials of the service concerned prior to accomplishing enlistment or reenlistment.

[C2, SR 140-107-1, December 24, 1953] (66 Stat. 481)

(SEAL) WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 54-407; Filed, Jan. 20, 1954; 8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order VI-3]

DMO VI-3—ESTABLISHMENT OF AN INDUSTRIAL DEFENSE COMMITTEE

By virtue of the authority vested in me by Executive Order 10461 of June 17, 1953 and Reorganization Plan No. 3 of June 12, 1953, and in order to facilitate the development and insure the coordination and effectiveness of Federal policies, programs and activities for reducing and overcoming the effects of attack damage on the Continental United States, it is hereby ordered:

1. There is established in the Office of Defense Mobilization the Industrial Defense Committee which shall consist of a representative of the Office of Defense Mobilization who is hereby designated as Chairman, and a representative designated by the head of each of the following agencies:

Department of the Treasury.
Department of Defense.
Department of the Interior.
Department of Agriculture.
Department of Commerce.
Department of Labor.
Department of Health, Education and Welfare.
Federal Civil Defense Administration.
Federal Reserve System.
General Services Administration.
Housing and Home Finance Agency.
Small Business Administration.