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TITLE 7—AGRICULTURE

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

PART 988—MILK IN KNOXVILLE, TENN., MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "Act", and of the order, as amended (7 CFR Part 900), regulating the handling of milk in the Knoxville, Tennessee, marketing area, hereinafter referred to as the "order", it is hereby found and determined that:

1. The following provisions of § 988.93 will not tend to effectuate the declared policy of the act for the months of May, June and July 1956:

(a) For the months of March through July, subtract the Class II price, adjusted for Class II butterfat differential, from the Class I price, adjusted by the Class I butterfat differential and the Class I location differential.

(b) For the months of August through February * * *

2. Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof, are found to be impracticable, unnecessary, and contrary to the public interest in that:

(a) The information upon which this action is based did not become available in sufficient time for such compliance;

(b) This suspension order will relieve handler(s) who operate nonpool plant(s), distributing less than 15 percent of receipts of milk in the marketing area, of making payments for such milk distributed in the marketing area. Petitioner's producers are intermingled with producers supplying regulated handlers under this order. Petitioner has made payments required under § 988.93 (b) during the past several months and these payments have been sufficient during this period to maintain an orderly marketing situation. To increase such payments as required by § 988.93 (a) at this time would be disruptive of orderly marketing conditions;

(c) This suspension order is necessary to reflect current marketing conditions and to facilitate, promote, and maintain orderly marketing conditions in such marketing area; and

(d) This suspension order does not require of persons affected substantial or extensive preparation prior to its effective date.

Therefore, good cause exists for making this order effective for the period May, June and July 1956.

It is therefore ordered, That the following provisions of § 988.93 of the order be and hereby are suspended for May, June and July 1956;

(a) For the months of March through July, subtract the Class II price, adjusted for Class II butterfat differential, from the Class I price, adjusted by the Class I butterfat differential and the Class I location differential.

(b) For the months of August through February * * *

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

Done at Washington, D. C., this 23d day of April 1956, to be effective on and after May 1, 1956.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 56-3260; Filed, Apr. 26, 1956; 8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

PART 141a—SOLICITATION OF COMMERCIAL LIFE INSURANCE ON MILITARY INSTALLATIONS IN OVERSEA AREAS

This part is added to this chapter.

Sec.

141a.1 General.

141a.2 Application.

141a.3 DOD Life Insurance Board.

141a.4 Minimum requirements for companies.

141a.5 Announcement of findings.

141a.6 Change in status.

AUTHORITY: §§ 141a.1 to 141a.6 issued under sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 171a.

§ 141a.1 General. Pursuant to § 141.3 (d) of this subchapter, companies desir-

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CFR SUPPLEMENTS

(As of January 1, 1956)

The following Supplements are now available:

Title 16 (\$1.25)
Title 17 (\$0.60)
Title 20 (\$1.00)

Previously announced: Title 3, 1955 Supp. (\$2.00); Title 7: Parts 1-209 (\$1.25); Title 8 (\$0.50); Title 9 (\$0.70); Titles 10-13 (\$0.70); Title 14: Part 400 to end (\$1.00); Title 18 (\$0.50); Title 19 (\$0.50); Title 21 (Rev., 1955) (\$5.50); Titles 22 and 23 (\$1.00); Title 24 (\$0.75); Title 25 (\$0.50); Title 26: Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.30), Parts 183-299 (\$0.35), Part 300 to end, Ch. 1, and Title 27 (\$1.00); Titles 30 and 31 (\$1.25); Title 32: Parts 1-399 (\$0.60), Parts 700-799 (\$0.35), Parts 800-1099 (\$0.40), Part 1100 to end (\$0.35); Titles 40-42 (\$0.65); Title 49: Parts 1-70 (\$0.60), Parts 71-90 (\$1.00), Parts 91-164 (\$0.50), Part 165 to end (\$0.65)

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ing to sell commercial life insurance to members of the Armed Forces on military installations under United States jurisdiction in overseas areas may, on application, be authorized to do so in accordance with DOD Instruction 1344.1, dated December 15, 1955, subject: "Solicitation of Commercial Life Insurance on Military Installations." (FEDERAL REGISTER, Vol. 21, No. 14, January 21, 1956.)

§ 141a.2 Applications. (a) Applications will be submitted to the Department of Defense May 1 to June 30, each year. They will not be accepted or considered at any other time. Applications will be in letter form and appropriately documented. They must be signed by the President or Vice President of the company and attested to. The corporate seal must be affixed to the application by an authorized official. The application must furnish the following information:

(1) Foreign countries and commands (e. g., Army, Europe, Air Force, Europe; Navy, Far East; Air Force, Northeast; etc.) where it is desired to solicit on military bases or installations.

(2) Plans for control of and supervision to be exercised by the company over its agents.

(3) List of States and jurisdictions in which the company is licensed and dates of such licensing.

(4) Information from each of the last five annual statements to include:

(i) Admitted assets.
(ii) Net reserve.
(iii) Combined paid up capital and surplus, or surplus.
(iv) Insurance in force, reported by classes.

(5) A statement that the company has complied with or will comply with the applicable laws of the country or countries wherein it proposes to solicit (By "laws of the country" is meant all national, provincial, city or country laws or ordinances of any country, as applicable), and upon being authorized to do business in such country or countries, a statement to that effect.

(6) Rate of lapse of policies sold to military personnel, including only life insurance, but excluding group life insurance, for each of the last five years and an explanation of the methods or formulae used in computing.

(7) An authenticated copy of the current annual statement as sworn to by authorized company officials and filed with the insurance department of the state of domicile.

(8) An authenticated copy of a current convention or "association type" report of examination if the company is licensed by more than one state, otherwise, a current report of one insurance department.

(9) A sworn statement covering the following items:

(i) That the policies to be offered adhere to the standards prescribed by § 141a.4 of this subchapter (Paragraph VB, DOD Instruction 1344.1, December 15, 1955).

(ii) The amount of unassigned surplus and paid up capital or only surplus if a non-stock company. In computing

the amount of unassigned surplus, include as liabilities all debts due or to become due, contingent or otherwise as provided in the Life Insurance Act of the District of Columbia Act of June 19, 1934; C 672, 48 Stat. 1125, as amended.

(iii) That the policies to be offered for sale (a) do not contain other than standard provisions such as those prescribed by the Life Insurance Act of the District of Columbia (cited in subdivision (ii) of this subparagraph), and (b) do not provide for a variation in the amount of death benefit depending upon the length of time the policy has been in force.

(iv) That none of its officers, directors, or principal stockholders, or any members of his immediate family, receives or has any contract to receive commissions, directly or indirectly, from military business currently transacted by the company, or if the company cannot so attest, a disclosure and justification for such contracts.

(v) That the company has not made any loan (except policy loans) to any director, officer, or principal stockholder, or any member of his immediate family, within the last year, and there is not currently outstanding any loan to such person made prior to that period.

(vi) That the company will be responsible for the acts of its agents actually connected with the sale of insurance to military personnel.

(10) The ratio of military business to total business (including only life insurance, but excluding group life insurance) annually for the last five years computed on the basis of the following:

(i) Number of policy holders.
(ii) Insurance in force.
(iii) Premium income.

(11) Name, age, legal residence, citizenship and present address of each agent who will solicit overseas, the state or states in which such agents are licensed; the date of licensing, expiration dates, and the area in which each agent will solicit.

(b) Any explanatory remarks that will assist the Department of Defense in evaluating applications are invited.

(c) Applications and any correspondence relating thereto should be addressed to:

Chairman, Life Insurance Board, Department of Defense, The Pentagon Building, Washington 25, D. C.

§ 141a.3 Department of Defense Life Insurance Board. (a) The Department of Defense Life Insurance Board is hereby established to act as principal advisor to the Secretary of Defense on all matters pertaining to the sale of commercial life insurance to servicemen.

(b) Duties and functions. In addition it shall be the duty and function of the Board to:

(1) Recommend final action on applications received from Insurance Companies to solicit commercial life insurance on overseas bases and installations under U. S. jurisdiction.

(2) Maintain a current list of agents representing life insurance companies authorized to solicit on military installations overseas.

(3) Receive and review reports of violations of regulations governing solicitation on bases and installations.

(4) Recommend final penalty action against companies for cause to include the withdrawal of soliciting privileges.

(5) Perform such other related functions as may be directed.

§ 141a.4 Minimum requirements for companies. (a) The Department of Defense will require, among other things, that the following minimum standards be met by companies authorized to solicit on overseas bases and installations:

(1) The company must have demonstrated continuous successful operation in the life insurance business within the continental limits of the United States or the territories or possessions for a period of five years, immediately preceding the date of application.

(2) The company affirms its intentions and ability to comply with the applicable laws of the country or countries wherein it proposes to engage in business.

(3) The company must be licensed to do business by any twelve (or more) of the states, territories, or the District of Columbia; or must comply with the following:

(i) Be licensed to do business in at least one of the states, territories, or the District of Columbia.

(ii) Meet minimum standards for initial licensing under current laws where domiciled even though presently doing business under statutes previously enacted.

(iii) Have unassigned surplus and paid up capital (or surplus, if a non-stock company) at least equal to the average required by all the states and the District of Columbia when computed by the method prescribed by the Life Insurance Act of the District of Columbia as cited in § 141a.2 (a) (9) (ii).

(b) In making its recommendation the Board will also consider the integrity and stability of the company's management as evidenced by the information submitted in § 141a.2 and such other relevant information as may be officially brought to its attention.

§ 141a.5 Announcement of findings.

(a) Final action upon applications for authorization will be forwarded by registered mail. Approvals shall not be construed or interpreted as Department of Defense indorsement of any company.

(b) In the event the finding is unfavorable, specific reasons for such finding shall be included.

(c) Upon receipt of notification of an unfavorable finding, the company shall have 30 days in which to file an appeal for reconsideration. Such appeals will be accompanied by substantiating evidence.

§ 141a.6 Change in status. (a) It is incumbent on companies to maintain with the Department of Defense a current list of agents, together with areas in which doing business. Changes must be promptly reported. Failure to report such change will result in non-acceptance of the agents credentials by overseas commanders.

(b) Material changes affecting the company's status as certified to in ac-

cordance with § 141a.2 must be reported promptly. The Department of Defense reserves the right to withdraw authorization for failure to report such changes when such change is material to the original authorization.

CARTER L. BURGESS,
Assistant Secretary of Defense,
(Manpower, Personnel and Reserve).

[F. R. Doc. 56-3246; Filed, Apr. 25, 1956;
9:44 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order IX-2]

DMO IX-2—CREATING A TELECOMMUNICATIONS ADVISORY BOARD

By virtue of the authority vested in me pursuant to the National Security Act of 1947, as amended; Reorganization Plan No. 3, effective June 12, 1953; the Defense Production Act of 1950, as amended; Executive Order 10460 of June 16, 1953 and Executive Order 10480 of August 15, 1953, it is hereby ordered:

1. There is established in the Office of Defense Mobilization a Telecommunications Advisory Board which shall consist of the Assistant to the Director for Telecommunications as Chairman, and a representative from each of the following departments and agencies: Department of State, Department of Defense, Department of Commerce, Central Intelligence Agency, Federal Civil Defense Administration, Federal Communications Commission.

2. The Telecommunications Advisory Board shall be called upon to furnish advice and guidance to the Director of the Office of Defense Mobilization with regard to:

(a) The relationship of national telecommunication policies to specific national mobilization plans.

(b) The compatibility of national telecommunication policies and programs with other policies and programs involving the national security.

(c) Such other related national telecommunication matters as may be requested.

3. This order shall take effect April 23, 1956.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMING,
Director.

[F. R. Doc. 56-3218; Filed, Apr. 25, 1956;
8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

TUOLUMNE RIVER PROJECT, CALIF.; HETCH HETCHY, CHERRY VALLEY, AND DON PEDRO DAMS AND RESERVOIRS

Pursuant to the provisions of section 7 of the act of Congress approved Decem-

ber 22, 1944 (58 Stat. 890; 33 U. S. C. 709), and of contract no. DA-04-167-Eng-38 dated August 29, 1949 between the United States of America and the City and County of San Francisco, California, the Turlock Irrigation District, Turlock, California, and the Modesto Irrigation District, Modesto, California, § 208.82 is hereby prescribed to govern the use and operation jointly of Hetch Hetchy Dam and Reservoir, Cherry Valley Dam and Reservoir, and Don Pedro Dam and Reservoir, all on Tuolumne River and tributaries, California, for flood-control purposes:

§ 208.82 *Hetch Hetchy, Cherry Valley, and Don Pedro Dams and Reservoirs.* The Turlock Irrigation District and Modesto Irrigation District, acting jointly, hereinafter called the Districts, shall operate Don Pedro Dam and Reservoir in the interest of flood control, and the City and County of San Francisco, hereinafter called the City, shall operate Hetch Hetchy Dam and Reservoir and Cherry Valley Dam and Reservoir in the interest of flood control all as follows:

(a) Storage space in Don Pedro Reservoir shall be kept available for flood-control purposes in accordance with the Flood-Control Storage Reservation Diagram currently in force for that reservoir, except when storage of floodwater is necessary as prescribed in paragraph (d) of this section. The Flood-Control Storage Reservation Diagram in force as of the promulgation of this section is that dated 4 April 1956, File No. TU-1-26-7, and is on file in the Office of the Chief of Engineers, Department of the Army, Washington, D. C., in the office of the Turlock Irrigation District, Turlock, California, and in the office of the Modesto Irrigation District, Modesto, California. Revisions of the Flood-Control Storage Reservation Diagram may be developed from time to time as necessary by the Corps of Engineers and the Districts. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and by the presidents of the Districts and from that date until replaced shall be the Flood-Control Storage Reservation Diagram currently in force for the purpose of this section. Copies of the Flood-Control Storage Reservation Diagram currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, the office of the Turlock Irrigation District, Turlock, California, and the office of the Modesto Irrigation District, Modesto, California.

(b) Storage space in Hetch Hetchy Reservoir shall be kept available for flood-control purposes in accordance with the Flood-Control Storage Reservation Diagram for that reservoir currently in force, except when storage of floodwater is necessary as prescribed in paragraph (e) of this section. The Flood-Control Storage Reservation Diagram in force as of the promulgation of this section is that dated April 4, 1956, File No. TU-3-26-1, and is on file in the Office, Chief of Engineers, Department of the Army, Washington, D. C., and in the office of the Public Utilities Commission of the City and County of San

Francisco, California. Revisions of the Flood-Control Storage Reservation Diagram may be developed from time to time as necessary by the Corps of Engineers and the City. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and by the Public Utilities Commission of the City and County of San Francisco, California, and from that date until replaced shall be the Flood-Control Storage Reservation Diagram currently in force for the purpose of this section. Copies of the Flood-Control Storage Reservation Diagram currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, and the office of the Public Utilities Commission of the City and County of San Francisco, California.

(c) Storage space in Cherry Valley Reservoir shall be kept available for flood-control purposes in accordance with the Flood-Control Storage Reservation Diagram currently in force for that reservoir except when storage of floodwater is necessary as prescribed in paragraph (e) of this section. The Flood-Control Storage Reservation Diagram in force as of the promulgation of this section is that dated April 4, 1956, File No. TU-2-26-6, and is on file in the Office, Chief of Engineers, Corps of Engineers, Department of the Army, Washington, D. C., and in the office of the Public Utilities Commission of the City and County of San Francisco, California. Revisions of the Flood-Control Storage Reservation Diagram may be developed from time to time as necessary by the Corps of Engineers and the City. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and by the Public Utilities Commission of the City and County of San Francisco, California, and from that date until replaced shall be the Flood-Control Storage Reservation Diagram currently in force for the purpose of this section. Copies of the Flood-Control Storage Reservation Diagram currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, and the office of the Public Utilities Commission of the City and County of San Francisco, California.

(d) Any water temporarily stored in the flood-control space indicated by the Flood-Control Storage Reservation Diagram currently in force for Don Pedro Reservoir shall be released as rapidly as can be accomplished without causing flows in Tuolumne River below LaGrange Dam to exceed 7,000 c. f. s. during rain floods or to exceed 9,000 c. f. s. at all other times.

(e) Any water temporarily stored in the flood-control space indicated by the Flood-Control Storage Reservation Diagrams currently in force for Hetch Hetchy and Cherry Valley Reservoirs shall be released as rapidly as can be accomplished without exceeding the respective safe channel capacities, and without materially contributing to major encroachment into the flood-control space at Don Pedro Reservoir. Such releases shall be proportioned between