Dated, September 3, 1963, to become effective at 12:01 a.m., September 16, 1963.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 63-9591; Filed, Sept. 6, 1963; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regs., 1963-Crop Barley Supp., Amdt. 2]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—1963 Crop Barley Loan and Purchase Agreement Program

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation (28 F.R. 6258 and 8273) with respect to barley produced in 1963 which contain specific requirements for the 1963-crop of barley are hereby amended as follows:

1. Section 1421.2204(a)(1) is amended to make barley grading No. 5 eligible for price support. The amended subparagraph reads as follows:

§ 1421.2204 Eligible barley.

* * * * *

(a) * * *

(1) The barley must be of any class grading No. 5 or better, except that Western Barley shall have a test weight of not less than 36 pounds per bushel. In addition, barley may have the following special grade designations: (i) Garlicky and (ii) in the State of Alaska only, "Tough." The provisions of subparagraph (3) of this paragraph pertaining to barley grading "Tough" are not applicable to barley produced in Alaska.

2. Section 1421.2206(c) is amended to extend the table of test weight adjustment factors to include barley with test weight as low as 36 pounds per bushel. The amended paragraph reads as follows:

§ 1421.2206 Determination of quantity.

* * * * *

(c) *Adjustment for test weight.* When the quantity is determined by measurement, a bushel shall be 1.25 cubic feet of barley testing 48 pounds per bushel. The quantity determined for barley of a different test weight shall be adjusted by the applicable percentage in the following table.

Test weight (pounds per bushel):	Percent
50 or over	104
49 or over, but less than 50	102
48 or over, but less than 49	100
47 or over, but less than 48	98
46 or over, but less than 47	96
45 or over, but less than 46	94
44 or over, but less than 45	92
43 or over, but less than 44	90
42 or over, but less than 43	88
41 or over, but less than 42	85
40 or over, but less than 41	83
39 or over, but less than 40	81
38 or over, but less than 39	79
37 or over, but less than 38	77
36 or over, but less than 37	75

3. Section 1421.2210(d) is amended to provide a discount of 15 cents per bushel for barley grading No. 5. The amended paragraph reads as follows:

§ 1421.2210 Support rates.

* * * * *

(d) *Discounts.* The applicable basic support rate shall be adjusted by discounts as follows:

Reason:	Discount (cents per bushel)
Class—Mixed Barley	2
Grade:	
No. 3	3
No. 4	6
No. 5	15
Other—Garlicky	10
Weed control laws (see § 1421.27)	10

NOTE: Discounts are cumulative except only one grade discount shall be applied. For the purpose of applying discounts, factors which cause barley of the subclass Malting Barley or Blue Malting Barley to have a lower numerical grade than if the barley were graded under a different subclass shall be disregarded.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072 secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 4, 1963.

H. D. GODFREY,
Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 63-9602; Filed, Sept. 6, 1963; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-WE-1]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airways and Associated Control Areas; Modification

On August 13, 1963, there were published in the FEDERAL REGISTER (28 F.R. 8282) amendments to the Federal Aviation Regulations which realigned VOR Federal airways Nos. 23 west alternate and 230 from the Los Banos, Calif., VOR to the relocated Fresno, Calif., VORTAC. These amendments were to become effective October 17, 1963.

Because of a delay in commissioning of the Fresno VORTAC until November 13, 1963, action is taken herein to alter Airspace Docket No. 63-WE-1 by postponing the effective date until November 14, 1963, the first aeronautical charting date after the relocated facility is commissioned. In addition, it has been determined that in VOR Federal airway No. 283, which is designated from Fresno to the intersection of Fresno 002° and Friant, Calif., 318° True radials, the Friant radial should be designated as the Friant 319° True radial.

Since the alteration of Victor 283 is editorial in nature, and since more than thirty days will elapse from the time of publication of the amendments as originally adopted to the new effective date, these changes are in compliance with section 4 of the Administrative Procedure Act.

In consideration of the foregoing, effective immediately, the following actions are taken:

1. Airspace Docket No. 63-WE-1 is amended as follows: "effective 0001, e.s.t., October 17, 1963," is deleted and "effective 0001, e.s.t., November 14, 1963," is substituted therefor.

2. Section 71.123 (27 F.R. 220-6, November 10, 1963) is amended as follows: In V-283 "Friant, Calif., 318° radials." is deleted and "Friant, Calif., 319° radials." is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on August 30, 1963.

MICHAEL J. BURNS,
Acting Chief, Airspace Utilization Division.

[F.R. Doc. 63-9569; Filed, Sept. 6, 1963; 8:45 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1931; Amdt. 611]

PART 507—AIRWORTHINESS DIRECTIVE

De Havilland Model DH 104 Dove Aircraft

Amendment 1, 22 F.R. 2417 (AD 56-15-5), as amended by Amendment 2, 22 F.R. 6047, requires inspection for cracks in the aileron, rudder and elevator hinge links and hinge brackets, as well as the tail upper attachment fitting on de Havilland Model DH 104 Dove aircraft. Since the issuance of AD 56-15-5, no cracks have been detected on the tail inspection and it is considered unnecessary to continue the special inspections of the tail attachment fittings. In addition, investigation substantiates increasing the inspection intervals for the modified control brackets. Accordingly, AD 56-15-5 is being superseded by a new directive to omit the inspection of the tail upper attachment fitting and to increase the inspection intervals for the control brackets, which have been modified.

Since this amendment relaxes a requirement and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective on the date of publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is amended by adding the following new airworthiness directive:

DE HAVILLAND. Applies to all Model DH 104 Dove aircraft.

Compliance required as indicated.

As a result of cracks in the aileron, rudder, elevator and flap hinge links and hinge brackets, accomplish the following:

(a) Hinge links and brackets not incorporating Modifications 841, 842 or 843 shall be inspected for cracks at intervals not exceeding 600 hours' time in service, or each 12 months, whichever occurs first. Remove the paint from the components before inspection, and reapply protective coating after inspection.

(b) Hinge links and brackets incorporating Modification 841, 842 or 843 shall be inspected for cracks at intervals not exceeding 1,800 hours' time in service.

(c) Replace cracked parts before further flight.

(De Havilland Service Technical News Sheet CT (104) No. 123, Issue 5 dated March 19, 1962, covers this subject.)

This supersedes Amendment 1, 22 F.R. 2417 (AD 56-15-5), as amended by Amendment 2, 22 F.R. 6047.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

This amendment shall become effective September 7, 1963.

Issued in Washington, D.C., on August 30, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63-9566; Filed, Sept. 6, 1963; 8:45 a.m.]

[Reg. Docket No. 1933; Amdt. 612]

PART 507—AIRWORTHINESS DIRECTIVES

Hiller Model UH-12E Helicopter

There have been failures of the tail rotor pinion gear on Hiller Model UH-12E helicopters. Failure of this pinion results in loss of power to the tail rotor and consequent loss of antitorque and directional control. Investigation has revealed that the failures have been confined to two particular heat treat lots. Accordingly, an airworthiness directive is being issued to require replacement of pinion gears with these heat treat lot numbers.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

HILLER. Applies to all Model UH-12E helicopters.

Compliance required as indicated.

A number of failures of the tail rotor pinion gear have been experienced. These failures have been confined to two particular gear heat treat lots and have occurred predominantly in helicopters incorporating rotor brakes. To preclude additional failures, accomplish the following:

(a) Within 50 hours' time in service after the effective date of this AD, visually inspect the tail rotor pinion gear, P/N 23522, in the main transmission for the heat treat lot number. The heat treat lot number is prefaced by the designation "VHI" and is etched on the gear. Remove any tail rotor pinion gear marked with heat treat lot number 325 or 342 and replace with gear of same P/N 23522 marked with VHI lot numbers other than 325 or 342, or replace with gear of P/N 23634 or 23634-3. Tail rotor pinion gears identified as P/N 23634-3 are satisfactory for unlimited service life on UH-12E helicopters with or without rotor brake installed.

(b) Tail rotor pinion gears, P/N 23522 with heat treat lot numbers other than 325 or 342, or pinion gears of P/N 23634 are satisfactory for an unlimited service life provided these gears have no history of operation on helicopters with a rotor brake installed. Any of these tail rotor pinion gears with any history of operation with a rotor brake installed shall be retired within 500 hours' total time in service on the pinion gear or within 50 hours' time in service after the effective date of this AD.

(Hiller Service Information Letter 3036A dated August 12, 1963, covers this same subject.)

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

This amendment shall become effective September 7, 1963.

Issued in Washington, D.C., on August 30, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63-9567; Filed, Sept. 6, 1963; 8:45 a.m.]

[Reg. Docket No. 1935; Amdt. 613]

PART 507—AIRWORTHINESS DIRECTIVE

Lockheed Model 1329 Aircraft

Amendment 600, 28 F.R. 8285 (AD 63-17-4), imposes a restriction on the use of speed brakes during flight except in an emergency for all Lockheed Model 1329 aircraft. Subsequent to the issuance of the AD, the manufacturer has substantiated the structure for the use of speed brakes at speeds below 250 knots and at altitudes below 30,000 feet. Accordingly, Amendment 600 is being amended to incorporate the new limitation.

Since this amendment relaxes a requirement and imposes no additional burden on any persons, notice and public procedure hereon are unnecessary, and the amendment may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is amended as follows:

Amendment 600, 28 F.R. 8285, AD 63-17-4, Lockheed Model 1329 aircraft, is amended by changing (a)(2) to read:

(a)(2) "Do not extend speed brake during flight at speeds above 250 knots EAS or at altitudes above 30,000 feet except in an emergency."

This amendment shall become effective September 7, 1963.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on August 30, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63-9568; Filed, Sept. 6, 1963; 8:45 a.m.]

[Reg. Docket No. 725; Amdt. 68]

PART 514—TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS AND APPLIANCES

Individual Flotation Devices—TSO-C72

This rule establishes the minimum performance standards for individual flotation devices for use on civil aircraft of the U.S. Section 4b.647 of the Civil Air Regulations requires an approved flotation means for each occupant if the airplane is not equipped with life preservers. The substance of this amendment was set forth in a notice of proposed rule making published in 27 F.R. 10854, and circulated as Regulations of the Administrator Draft Release No. 62-46 dated October 29, 1962.

Interested persons have participated in the making of the amendment by submitting comments in response to the draft release. A complete record of the disposition of comments is available in the docket of this TSO on file with the Federal Aviation Agency, Washington, D.C. Pertinent recommendations, none of which increased the severity of the tests or procedures set forth in the draft release, have been incorporated into the performance standards. Among the most significant are: paragraph 2.2, Instruction for Use, rewritten to indicate that instructions when required, shall be provided; also the term "dim cabin lighting" changed to "emergency lighting" since the Agency is establishing intensity limits under their emergency evacuation program; paragraph 3, Definitions, revised to include the definition for corrosion resistant; paragraph 4.1.2, Miscellaneous Design Features, changed by deleting the requirement that the device not be capable of upsetting or supporting the wearer in a face down position as this requirement may add unnecessarily to the complexity of some types of flotation devices; and paragraph 5.0.2, Time to Render Functional, changed by deleting the specific time limit and adding a more objective requirement. Other minor changes were made for clarity and consistency. The recommended revisions which were not incorporated are discussed herein.

It was recommended that two gas tight chambers be required for inflatable devices either of which would provide the buoyancy required by the standard. Dual buoyancy chambers are not necessary for devices of the inflatable type. Individual flotation devices are not intended to be the equivalent of TSO-C13c life preservers but only to provide the minimum of buoyancy when rescue is close at hand.

The need for paragraph 4.0.2, Fungus Protection, was questioned. It was suggested instead that an inspection procedure be substituted to detect possible fungus growth. Inspections, even repetitive inspections, do not provide the continuing safeguards which result from the use of materials which do not support fungus growth, or prevent such growth. In addition, an inspection requirement, if desirable, is properly the subject of an operating rule, not a technical standard order.

It was suggested that paragraph 4.0.3, Corrosion Protection, be revised to indicate that only metallic parts which may be exposed to sea water need be corrosion resistant. Metal parts which are exposed to the atmosphere are also subject to corrosion and, therefore, adequate protection against corrosion must be considered if the part is exposed to the atmosphere regardless of whether it will be subjected to sea water when used. Therefore, no change has been made in that paragarph.

There was an objection to the 14 pounds of buoyancy requirement specified in paragraph 5.0.1, Buoyancy, stating that such a requirement could not be met unless inflatable devices were used. The Agency considers 14 pounds of buoyancy the absolute minimum from the standpoint of safety and has conducted tests which show that 10 inch by 14½ inch typical airline pillows will provide from 12 to 15 pounds of buoyancy if enclosed in a waterproof cover and a seat cushion provided 14 pounds of buoyancy for a period of over 90 hours. Open cell materials which would lose buoyancy when compressed would have to be covered with waterproof covers.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), Part 514 of the regulations of the Administrator (14 CFR Part 514) is hereby amended by adding § 514.78 as follows:

§ 514.78 Individual flotation devices—TSO–C72.

(a) *Applicability.* Minimum performance standards are hereby established for individual flotation devices for use on civil aircraft of the United States. New models of individual flotation devices manufactured on or after the effective date of this section shall meet the standards specified in the Federal Aviation Agency Standard, "Individual Flotation Devices",[1] dated July 15, 1963.

(b) *Marking.* The markings specified in § 514.3(d) shall be shown except that the weight need not be included.

(c) *Data requirements.* In addition to the data specified in § 514.2, the manufacturer shall furnish to the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Agency, in the region in which the manufacturer is located, the following technical data:

(1) Six copies of the descriptive information on the device;

(2) Six copies of the manufacturers' equipment operating instructions and limitations;

(3) Six copies of the applicable installation instructions indicating any restrictions or other conditions pertinent to installation;

(4) One copy of the manufacturers' test report; and

(5) One copy of the manufacturers' special cleaning and maintenance instructions.

(Secs. 313(a), 601, 72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421)

Effective date. December 9, 1963.

Issued in Washington, D.C., on August 30, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63-9570; Filed, Sept. 6, 1963; 8:45 a.m.]

[1] Copies may be obtained upon request addressed to Publishing and Graphics Branch, Inquiry Section, HQ-440, Federal Aviation Agency, Washington, D.C.

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55985]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Unaccompanied Articles

The issuance of customs Form 6059, 6063, or 6063–B, used in permitting a returning resident to declare unaccompanied articles, does not afford any substantial assistance in the administration of the law since it is a repetition of information already obtained in the letter of request. The letter of request, therefore, may be used in lieu of customs Form 6059, 6063, or 6063–B.

Section 10.17(k) is accordingly amended to read as follows:

(k) *Unaccompanied articles.* It is not necessary that articles accompany a resident at the time of his return to the United States to be within such exemptions as are applicable. See § 10.20(b). However, customs officers shall apply the exemptions only to articles before them for examination, and the application of an exemption to unaccompanied articles shall be finally determined only after they have been imported and the importer has performed the acts required of him for their customs clearance. If any allowance of the exemptions is to be claimed in respect of any articles not cleared at the time of a resident's return, whether such articles have already arrived, will arrive later, or are being shipped in bond to another port, they must be declared in writing to a customs officer. Such declaration of articles accompanying the resident shall be made at the time of the resident's return to the United States. A declaration for articles not accompanying the resident on his return should be made by him in writing at the time and place of his return, but if satisfactory reasons are given to the collector for failure to so declare such articles, a written declaration may be accepted, either at the port of clearance of the articles or at the port of the resident's return, for such articles within one year after the return. An application to make such supplemental declaration either by letter or on customs Form 6059, 6063 or 6063–B, appropriately modified, shall be accompanied by any invoices, receipts, and any other available pertinent data to aid the collector in determining whether the articles were acquired abroad by the claimant as an incident of a journey made by him and are for his personal or household use.

(Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

Approved: August 29, 1963.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 63-9599; Filed, Sept. 6, 1963; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

MISCELLANEOUS AMENDMENTS

1. In § 3.3, paragraphs (b)(2)(ii), (c)(2) and (d)(2)(ii) are amended to read as follows:

§ 3.3 Pension.

* * * * *

(b) *Service pension; Indian and Spanish-American Wars.* * * *

(2) *Spanish-American War.* Basic entitlement exists if the veteran:

* * * * *

(ii) Was discharged or released from such service for a disability service connected without benefit of presumptive provisions of law, or at the time of discharge had such a service-connected disability, shown by official service records, which in medical judgment would have justified a discharge for disability. (38 U.S.C. 512)

(c) *Disability pension; World War I and later wars.* Basic entitlement exists if the veteran:

* * * * *

(2) Was discharged or released from such service for a disability service connected without benefit of presumptive provisions of law, or at the time of discharge had such a service-connected disability, shown by official service records, which in medical judgment would have justified a discharge for disability; and

* * * * *

(d) *Death pension.* * * *

(2) *Spanish-American War.* Basic entitlement exists for the widow or child of a deceased veteran if the veteran:

* * * * *

(ii) Was discharged or released from such service for a disability service connected without benefit of presumptive provisions of law, or at the time of discharge had such a service-connected disability, shown by official service records, which in medical judgment would have justified a discharge for disability. (38 U.S.C. 536, 537)

* * * * *

2. In § 3.314(a), subparagraphs (1)(i) and (2)(i) are amended and subparagraph (2)(iv) is revoked; in paragraph (b), subparagraph (4) is amended and subparagraph (5) is added so that the added and amended portions read as follows:

§ 3.314 Basic pension and eligibility determinations.

(a) *Pension*—(1) *Prior to World War I.* * * *

(i) Claims based on service of less than 90 days in the Spanish-American War require a rating determination as to whether the veteran was discharged or released from service for a service-connected disability or had at the time of separation from service a service-connected disability, shown by official service records, which in medical judgment would have warranted a discharge for disability. Eligibility in such cases requires a finding that the disability was incurred in or aggravated by service in line of duty without benefit of presumptive provisions of law or Veterans Administration Regulation. (38 U.S.C. 512)

* * * * *

(2) *World War I and subsequent wars.* * * *

(i) Claims based on service of less than 90 days may require a determination as to whether the veteran was discharged or released from service for a service-connected disability or had at the time of separation from service a service-connected disability, shown by official service records, which in medical judgment would have warranted a discharge for disability. Eligibility in such cases requires a finding that the disability was incurred in or aggravated by service in line of duty without benefit of presumptive provisions of law or Veterans Administration Regulations (38 U.S.C. 521 (f)(2)) unless, in the case of death pension, the veteran was, at the time of his death, receiving (or entitled to receive) compensation or retirement pay based upon a wartime service-connected disability. (38 U.S.C. 541(a) and 542(a))

* * * * *

(iv) [Revoked]

(b) *Eligibility—widower, dependent husband; "child" over 18, educational benefits and loans.* * * *

(4) *Educational benefits.* Where there was less than 90 days' service, eligibility of veterans of the Korean conflict for educational benefits under chapter 33, Title 38, United States Code, requires a rating determination that the veteran was discharged or released because of a service-connected disability or that the official service department records show that he had at the time of separation from service a service-connected disability which in medical judgment would have warranted a discharge for disability. The disability must have been actually incurred in or aggravated by service, without resort to any presumptions of incurrence or aggravation.

(5) *Loans.* Where there was less than 90 days' service, eligibility of veterans of World War II or the Korean conflict for home, farm and business loans under chapter 37, Title 38, United States Code requires a determination that the veteran was discharged or released because of a service-connected disability or that the official service department records show that he had at the time of separation from service a service-connected disability which in medical judgment would have warranted a discharge for disability. These determinations are subject to the presumptions of incurrence or aggravation under §§ 3.304(b) and 3.306(b). The provisions of this subparagraph are also applicable, regardless of length of service, in determining eligibility to the maximum period of entitlement based on discharge or release for a service-connected disability.

(72 Stat. 1114; 38 U.S.C. 210)

These Veterans Administration Regulations are effective the date of approval.

Approved: September 4, 1963.

By direction of the Administrator.

[SEAL] W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 63-9596; Filed, Sept. 6, 1963; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 50—Division of Public Contracts, Department of Labor

PART 50-204—SAFETY AND HEALTH STANDARDS FOR FEDERAL SUPPLY CONTRACTS

Radiation; Postponement of Effective Date

On August 9, 1963, a document was published in the FEDERAL REGISTER establishing radiation safety and health standards for application to Federal supply contracts (28 F.R. 8208). This document provides that these regulations are to become effective September 8, 1963. Upon further consideration, I have decided to, and do hereby, postpone this effective date to January 6, 1964, for the purpose of giving consideration to requests for changes that have been received.

Signed at Washington, D.C., this 5th day of September 1963.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 63-9632; Filed, Sept. 6, 1963; 8:48 a.m.]

Chapter 60—The President's Committee on Equal Employment Opportunity

PART 60-1—OBLIGATIONS OF CONTRACTORS AND SUBCONTRACTORS

Part 60-1 was originally issued by the President's Committee on Equal Employment Opportunity for the purpose of implementing Executive Order 10925 (26 F.R. 1977) which provides for the promotion and insurance of equal employment opportunity on Government contracts for all qualified persons without regard to race, creed, color or national origin. The Committee now hereby revises this part in order to implement, in addition, Executive Order 11114 (28 F.R. 6485) which provides certain amendments to Executive Order 10925 and extends its requirements to certain contracts for construction financed with assistance from the Federal Government. This revision also incorporates amendments previously made to this part, and effects other miscellaneous changes. As revised, Part 60-1 reads as follows:

Subpart A—Preliminary Matters; Equal Opportunity Clause; Exemptions; Compliance Reports

Sec.
60-1.1 Purpose and application.
60-1.2 Definitions.
60-1.3 Equal opportunity clause.
60-1.4 Exemptions.
60-1.5 Duties of agencies.
60-1.6 Compliance reports.
60-1.7 Compliance by labor unions.
60-1.8 Use of compliance reports.

Subpart B—General Enforcement; Complaint Procedure

60-1.20 Compliance review by the agency.
60-1.21 Who may file complaints.
60-1.22 Where to file.
60-1.23 Contents of complaint.
60-1.24 Processing of matters by agencies.
60-1.25 Assumption of jurisdiction by the Executive Vice Chairman over matters before an agency.
60-1.26 Processing of matters by the Executive Vice Chairman.
60-1.27 Hearings.
60-1.28 Opportunity to achieve compliance before referrals to the Department of Justice or contract termination.
60-1.29 Contract ineligibility list.
60-1.30 Notification of Comptroller General in cases of contract ineligibility or contract termination.
60-1.31 Reinstatement of ineligible contractors or subcontractors.

Subpart C—Certificates of Merit

60-1.40 By the Committee on its own initiative.
60-1.41 By the Executive Vice Chairman upon agency recommendation.
60-1.42 Suspension or revocation.

Subpart D—Ancillary Matters

60-1.60 Solicitations or advertisements for employees.
60-1.61 Access to records of employment.
60-1.62 Rulings and interpretations.
60-1.63 Reports to the Committee.
60-1.64 Existing contracts and subcontracts.

AUTHORITY: §§ 60-1.1 to 60-1.64 issued pursuant to sec. 306, E.O. 10925 (26 F.R. 1977) and sec. 105, E.O. 11114 (28 F.R. 6485).

Subpart A—Preliminary Matters; Equal Opportunity Clause; Exemptions; Compliance Reports

§ 60-1.1 Purpose and application.

The purpose of the regulations in this part is to achieve the aims of Part III of Executive Order 10925 and Executive Order 11114 for the promotion and insuring of equal opportunity for all qualified persons, without regard to race, color, creed or national origin, employed or seeking employment with Government contractors or with contractors performing under federally assisted construction contracts. These regulations apply to all contracting agencies of the Federal Government and to contractors and subcontractors who perform under Government contracts, to the extent set forth in this part. These regulations also apply to all agencies of the Federal Government administering programs involving Federal financial assistance which may involve a construction contract, and, to the extent set forth in this part, to all contractors and subcontractors performing under construction contracts which are related to any such programs. The rights and remedies of the Government hereunder are not exclusive and do not affect rights and remedies provided elsewhere by law, regulation, or contract; neither do the regulations limit the exercise by the Committee or by any other Government agencies of powers not herein specifically set forth, but granted to them by Executive Orders 10925 and 11114.

§ 60–1.2 Definitions.

(a) "Committee" means the President's Committee on Equal Employment Opportunity.

(b) "Chairman" means the Chairman of the Committee.

(c) "Vice Chairman" means the Vice Chairman of the Committee.

(d) "Executive Vice Chairman" means the Executive Vice Chairman of the Committee.

(e) "Order" means Executive Order 10925 of March 6, 1961 (26 F.R. 1977), as amended by Parts II and III of Executive Order 11114 of June 22, 1963 (28 F.R. 6485).

(f) "Orders" means those parts of Executive Order 10925 of March 6, 1961 relating to Government contracts and Executive Order 11114 of June 22, 1963.

(g) "Contract" means any Government contract or any federally assisted construction contract.

(h) "Government contract" means any binding legal agreement or modification thereof between the Government and a contractor for supplies or services, including construction, or for the use of Government property, in which the parties, respectively, do not stand in the relationship of employer and employee.

(i) "Federally assisted construction contract" means any binding legal agreement or modification thereof between an applicant and a contractor for construction work which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to any Federal program involving a grant, contract, loan, insurance or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance or guarantee; or any approved application or modification thereof for a grant, contract, loan, insurance or guarantee under which the applicant itself performs construction work other than through the permanent work force directly employed by an agency of government.

(j) "Modification" means any written alteration in the terms and conditions of a contract accomplished by bilateral action of the parties to the contract, including supplemental agreements and amendments.

(k) "Subcontract" means any agreement made or purchase order executed by a prime contractor where a material part of the supplies or services covered by such agreement or purchase order is being obtained for use in the performance of a contract.

(l) "Prime contractor" means any person holding a contract.

(m) "Subcontractor" means any person holding a subcontract. "First-tier subcontractor" refers to a subcontractor holding a subcontract with a prime contractor. "Second-tier subcontractor" refers to a subcontractor holding a subcontract with a first-tier subcontractor.

(n) "Agency" means any contracting or any administering agency.

(o) "Contracting agency" means any department (including the Departments of the Army, Navy, and Air Force), agency and establishment in the Executive Branch of the Government, including any wholly owned Government corporation, which enters into contracts.

(p) "Administering agency" means any department (including the Departments of the Army, Navy and Air Force), agency and establishment in the Executive Branch of the Government, including any wholly owned Government corporation, which administers a program involving federally assisted construction contracts.

(q) "Applicant" means an applicant for Federal assistance or, as determined by regulation of an administering agency, other program participant, with respect to whom an application for any grant, contract, loan, insurance or guarantee, or change therein, is not finally acted upon prior to July 22, 1963, and it includes such an applicant after becoming a recipient of such Federal assistance.

(r) "Equal opportunity clause" means the contract provisions of section 301 of the Order.

(s) "Rules, regulations and relevant orders" of the Committee as used in paragraph 4 of the equal opportunity clause mean rules, regulations and relevant orders issued pursuant to the Orders and in effect at the time the particular contract subject to the Orders was entered into.

(t) "United States" as used herein shall include the Commonwealth of Puerto Rico, the Panama Canal Zone and the possessions of the United States.

(u) "Standard commercial supplies" means an article:

(1) Which in the normal course of business is customarily maintained in stock by the manufacturer or any dealer, distributor, or other commercial dealer for the marketing of such article; or

(2) Which is manufactured and sold by two or more persons for general commercial or industrial use or which is identical in every material respect with an article so manufactured and sold.

(v) "Construction work" means the construction, rehabilitation, alteration, conversion, extension, demolition or repair of buildings, highways, or other changes or improvements to real property, including facilities providing utility services.

(w) "Site of construction" means the physical location of any building, highway or other change or improvement to real property which is undergoing construction, rehabilitation, alteration, conversion, extension, demolition, or repair and any temporary location or facility established by a contractor or subcontractor specifically to meet the demands of his contract or subcontract.

§ 60–1.3 Equal opportunity clause.

(a) *Government contracts.* Each contracting agency shall include the equal opportunity clause in each of its Government contracts (including modifications thereof) which is not exempt from the requirements of the clause. Government bills of lading may incorporate by reference the equal opportunity clause.

(b) *Federally assisted construction contracts.* (1) Each administering agency shall require the inclusion of the following language as a condition of any grant, contract, loan, insurance or guarantee involving a federally assisted construction contract which is not exempt from the requirements of the equal opportunity clause:

The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the rules and regulations of the President's Committee on Equal Employment Opportunity, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance or guarantee, the following equal opportunity clause:

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, color or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. 10925 of March 6, 1961, as amended by Executive Order 11114 of June 22, 1963, and of the rules, regulations and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

(5) The contractor will furnish all information and reports required by Executive Order 10925 of March 6, 1961, as amended by Executive Order 11114 of June 22, 1963, and by the rules, regulations and orders of the said Committee, or pursuant thereto, and will permit access to his books, records and accounts by the administering agency and the Committee for purposes of investigation to ascertain compliance with such rules, regulations and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations or orders, this contract may be cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, as amended by Executive Order 11114 of June 22, 1963, and such other sanctions may be imposed and remedies invoked as provided in the said Executive Order or by rule, regulation or order of the President's Committee on Equal Employment Opportunity, or as otherwise provided by law.

(7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations or orders of the President's Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order 10925 of March 6, 1961, as amended by Executive Order 11114 of June 22, 1963, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: *Provided, however,* That in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause in any federally assisted construction work which it performs itself other than through the permanent work force directly employed by an agency of government.

The applicant agrees that it will cooperate actively with the administering agency and the President's Committee on Equal Employment Opportunity in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations and relevant orders of the Committee, that it will furnish the administering agency and the Committee such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance. The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11114 with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to Part III, Subpart D of Executive Order 10925 and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Committee pursuant to Part III, Subpart D of Executive Order 10925. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings the administering agency may cancel, terminate or suspend in whole or in part this grant [contract, loan, insurance, guarantee], may refrain from extending any further assistance under any of its programs subject to Executive Order 11114 until satisfactory assurance of future compliance has been received from such applicant, or may refer the case to the Department of Justice for appropriate legal proceedings.

(2) In any case in which the administering agency makes a determination that inclusion of the language prescribed in § 60–1.3(b)(1) for applicants would be inconsistent with law, the agency shall notify the Executive Vice Chairman of the determination and the reasons therefor. The Executive Vice Chairman shall request a ruling from the Attorney General regarding such determination and shall report thereon to the Committee.

(c) *Prime contractors and subcontractors.* Each nonexempt prime contractor and subcontractor shall include the equal opportunity clause in each of their nonexempt subcontracts, provided that except upon special order of the contracting agency or the Executive Vice Chairman, and except in the case of subcontracts for the performance of construction work at the site of construction, the clause shall not be required to be inserted in subcontracts below the second tier. Subcontracts may incorporate by reference the equal opportunity clause.

(d) *Adaptation of language.* Such necessary changes in language may be made in the equal opportunity clause, and in the clause prescribed by paragraph (b)(1) of this section, as shalll be appropriate to identify properly the parties and their undertakings.

§ 60–1.4 Exemptions.

(a) *General*—(1) *Transactions of $10,000 or under.* Contracts and subcontracts not exceeding $10,000, other than Government bills of lading, are exempt from the requirements of the equal opportunity clause. In determining the applicability of this exemption to any federally assisted construction contract, or subcontract thereunder, the amount of such contract or subcontract rather than the amount of the Federal financial assistance shall govern.

(2) *Standard commercial supplies and raw materials.* Contracts and subcontracts not exceeding $100,000 for standard commercial supplies or raw materials are exempt from the requirements of the equal opportunity clause, except that the Executive Vice Chairman may, whenever he finds it necessary or appropriate to achieve the purposes of the Orders, withdraw such exemption in whole or in part with regard to any specified articles or raw materials. No agency, contractor or subcontractor shall procure supplies or materials in less than usual quantities to avoid applicability of the equal opportunity clause.

(3) *Contracts outside the United States.* Contracts and subcontracts under which work is to be or has been performed outside the United States and where no recruitment of workers within the United States is involved are exempt from the requirements of the equal opportunity clause. To the extent that work pursuant to such contracts is done within the United States the equal opportunity clause shall be applicable.

(4) *Sales contracts.* Contracts providing for the sale of Government real and personal property where no appreciable amount of work is involved are exempt from the requirements of the equal opportunity clause.

(5) *Contracts and subcontracts for an indefinite quantity.* Contracts and subcontracts for an indefinite quantity (including, without limitation, open-end contracts, requirement-type contracts, Federal Supply Schedule contracts, "call-type" contracts, and purchase notice agreements) which are not to extend for more than one year are exempt from the requirements of the equal opportunity clause if the purchaser determines that the amounts to be ordered under any such contract or subcontract are not reasonably expected to exceed $100,000 in the case of contracts or subcontracts for standard commercial supplies and raw materials, or $10,000 in the case of all other contracts and subcontracts. When not so determined to be exempt from the requirements of the equal opportunity clause, such contracts or subcontracts shall be subject to those requirements even though the amounts actually ordered do not exceed the appropriate dollar limitation. With respect to contracts or subcontracts for an indefinite quantity which are to extend for more than one year or continue indefinitely, the equal opportunity clause shall be included unless the purchaser knows in advance that the amounts to be ordered in any year under such contract or subcontract will not exceed the appropriate dollar limitation. When so included in any contract the applicability of the equal opportunity clause shall be determined by the purchaser at the time of award for the first year, and at the end of each year for the succeeding year, based upon the amounts that are reasonably expected to be ordered during such year, and the purchaser shall notify the contractor or subcontractor in writing when the equal opportunity clause is so determined to be applicable. Once the equal opportunity clause is determined to be applicable, the contract or subcontract shall continue for its duration to be subject to such clause, regardless of the amounts ordered, or reasonably expected to be ordered, in any succeeding year. Whenever it has been determined in accordance with the provisions of this subparagraph (5) that a contract or subcontract for an indefinite quantity is exempt from the requirements of the clause, or that such requirements are not to be applicable in any one year, such determination shall be controlling even though the amounts actually ordered exceed the appropriate dollar limitation.

(b) *Specific contracts and facilities*—(1) *Specific contracts.* The Executive Vice Chairman may, with the approval of the Vice Chairman, exempt an agency from requiring the inclusion of any or all of the equal opportunity clause in any specific contract, or subcontract, when he deems that special circumstances in the national interest so require. The Executive Vice Chairman may also, with the approval of the Vice Chairman, exempt groups or categories of contracts of the same type where he finds it impracticable to act upon each request individually or where group exemptions will contribute to convenience in the administration of the Orders.

(2) *Facilities not connected with contracts.* The Executive Vice Chairman may, with the approval of the Vice Chairman, exempt from the requirements of the equal opportunity clause any of a contractor's or subcontractor's facilities which he finds to be in all respects separate and distinct from activities of the contractor or subcontractor related to the performance of the contract or subcontract: *Provided*, That he also finds that such an exemption will not interfere with or impede the effectuation of the Orders.

(3) *Review of exemptions.* The Executive Vice Chairman shall report periodically to the Committee for its review any exemptions granted under subparagraphs (1) and (2) of this paragraph.

(c) *Effect of exemption.* Notwithstanding the inclusion in any contract or subcontract of the equal opportunity clause, the contractor or subcontractor shall be exempt from compliance therewith if the contract or subcontract containing such clause is exempt.

(d) *Withdrawal of exemption.* When any contract or subcontract is of a class exempted under this section, the Executive Vice Chairman may withdraw the exemption for a specific contract or subcontract or group of contracts or subcontracts when in his judgment such action is necessary or appropriate to achieve the purposes of the Orders. Such withdrawal shall not apply to any contracts or subcontracts entered into prior to the effective date of the withdrawal.

§ 60-1.5 Duties of agencies.

(a) *General responsibility.* The head of each agency shall be primarily responsible for obtaining compliance with the equal opportunity clause, the Orders, the regulations in this part, and any relevant orders of the Committee. Each agency shall furnish the Committee such information and assistance as it may require in the performance of its functions under the Orders.

(b) *Contracts Compliance Officers and Deputy Contracts Compliance Officers; designations; duties.* The head of each agency shall appoint from among its personnel a Contracts Compliance Officer, who shall be subject to the immediate supervision of the head of the agency for carrying out the responsibilities of the agency under this part. The head of the agency or the Contracts Compliance Officer may also designate, when appropriate, Deputy Contracts Compliance Officers to assist the Contracts Compliance Officer in the performance of his duties. The name of each Contracts Compliance Officer and any Deputy Contracts Compliance Officers, their addresses, telephone numbers, and any changes made in their designation shall be furnished to the Executive Vice Chairman.

(c) *Regulations.* (1) The head of each agency may prescribe, subject to the prior approval of the Executive Vice Chairman, regulations not inconsistent with those in this part for the administration of the provisions of the Orders.

(2) Each administering agency shall prescribe, subject to the prior approval of the Executive Vice Chairman, regulations or other appropriate instructions requiring that applicants for Federal assistance shall undertake and agree to the clause set forth in § 60-1.3(b)(1), and indicating that the agency shall be primarily responsible for compliance.

(3) Prior to the receipt of the approval of the Executive Vice Chairman, current agency regulations, and proposed regulations or instructions relating to applicants, may be enforced to the extent that they are not inconsistent with the regulations in this part and with the Orders.

§ 60-1.6 Compliance reports.

(a) *Requirements for contractors and subcontractors.* (1) Each agency shall require each nonexempt contractor to file, and each nonexempt contractor and subcontractor shall cause their nonexempt subcontractors to file timely, complete and accurate compliance reports in accordance with, and to the extent required by, the instructions attached to the official compliance report forms, as well as to furnish such other pertinent information as may be requested by the agency, the applicant, or the Executive Vice Chairman.

(2) Compliance reports shall be filed at the times specified by the instructions attached to such forms or at such other times as may be required by the agency or the Executive Vice Chairman. The agency, with the approval of the Executive Vice Chairman, may, in appropriate cases, extend the time for the filing of compliance reports.

(3) Compliance report forms may be obtained from the agency, the applicant or from the prime contractor. Among other things, the forms shall provide that whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or other representative of employees, information shall be furnished as to the labor union or other workers' representative's practices and policies affecting compliance, and in connection therewith, the contractor or subcontractor shall request the union or workers' representative for any necessary data within its possession. Where such information is within the exclusive possession of a labor union or other workers' representative and the labor union or other workers' representative shall fail or refuse to furnish such information, the contractor or subcontractor shall so certify in his report and shall set forth what efforts he has made to obtain such information. When such failure or refusal is certified to an agency, it shall immediately advise the Executive Vice Chairman.

(4) Failure to file timely, complete and accurate compliance reports as required constitutes noncompliance with the contractor's obligations under the equal opportunity clause and is ground for the imposition by the agency or the Committee of any of the sanctions available under the Orders.

(b) *Requirements of bidders or prospective contractors*—(1) *Compliance reports.* Each agency shall require any bidder or prospective contractor, or any of their proposed subcontractors, to state as an initial part of the bid or negotiations of the contract whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and, if so, whether it has filed with the Committee or agency all compliance reports due under applicable instructions. In any case in which a bidder or prospective contractor or proposed subcontractor which has participated in a previous contract or subcontract subject to the equal opportunity clause has not filed a compliance report due under applicable instructions, such bidder, prospective contractor or proposed subcontractor shall be required by the agency to submit a compliance report prior to the award of the proposed contract or subcontract. In all other cases, the agency may, or upon the direction of the Executive Vice Chairman, shall, require the submission of a compliance report by a bidder or prospective contractor, or proposed subcontractor, prior to the award of the contract or subcontract. When a determination has been made to award a contract to a specific contractor, such contractor may be required, prior to award, to furnish such other pertinent information regarding its own employment policies and practices as well as of its proposed subcontractors as the agency, the applicant, or the Executive Vice Chairman may require.

(2) *Union statement.* Each agency may as a part of the bid or negotiation of the contract, or upon the direction of the Executive Vice Chairman, shall, direct any bidder or prospective contractor, or any of their proposed subcontractors, to file a statement in writing (signed by an authorized officer or agent of any labor union or other workers' representative with which the bidder or prospective contractor or subcontractor, deals or has reason to believe he will deal in connection with performance of the proposed contract), together with supporting information, to the effect that the said labor union's or other workers' representative's practices and policies do not discriminate on the grounds of race, color, creed, or national origin, and that the labor union or other workers' representative either will affirmatively cooperate, within the limits of its legal and contractual authority, in the implementation of the policy and provisions of the Orders or that it consents and agrees that recruitment, employment and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the Orders. In the event the union or other workers' representative fails or refuses to execute

such a statement, the bidder or prospective contractor shall so certify, and state what efforts have been made to secure such a statement. When such failure or refusal has been certified, the agency shall immediately advise the Executive Vice Chairman.

§ 60-1.7 **Compliance by labor unions.**

(a) The Executive Vice Chairman shall use his best efforts, directly and through agencies, contractors, subcontractors, applicants, State and local officials, public and private agencies, and all other available instrumentalities, to cause any labor union, recruiting agency or other representative of workers who are or may be engaged in work under contracts to cooperate with, and to comply in the implementation of, the purposes of the Orders.

(b) In order to effectuate the purposes of paragraph (a) of this section, the Executive Vice Chairman may hold hearings, public or private, with respect to the practices and policies of any such labor organization.

(c) The Executive Vice Chairman may also notify any Federal, State, or local agency of his conclusions and recommendations with respect to any such labor organization which in his judgment has failed to cooperate with the Committee, agencies, contractors, subcontractors, or applicants in carrying out the purposes of the Orders.

§ 60-1.8 **Use of compliance reports.**

The agency and the Committee shall use compliance reports only in connection with the administration of the Orders or the furtherance of their purposes.

Subpart B—General Enforcement; Complaint Procedure

§ 60-1.20 **Compliance review by the agency.**

(a) *General.* The purpose of compliance reviews shall be to ascertain the extent to which the Orders are being implemented by the creation of equal employment opportunity for all qualified persons in accordance with the national policy. They are not intended to interfere with the responsibilities of employers to determine the competence and qualifications of employees and applicants for employment. Both routine and special reviews shall be conducted by agencies to ascertain the extent to which contractors and subcontractors are complying with the Orders, and to furnish information that may be useful to agencies and the Committee in carrying out their functions under the Orders. If a contractor or subcontractor has contracts or subcontracts involving more than one agency, the agency having the predominant interest shall normally conduct compliance reviews. The agency under which the contractor or subcontractor holds the largest aggregate dollar value of contracts or subcontracts at the time of filing of the most recent compliance report shall be deemed to have the predominant interest in any proceeding under this part, unless otherwise provided by the Executive Vice Chairman.

(b) *Routine compliance review.* A routine compliance review consists of a general review of the practices of the contractor or subcontractor to ascertain compliance with the requirements of the Order. A routine compliance review shall be considered a normal part of contract administration.

(c) *Special compliance review.* A special compliance review consists of a comprehensive review of the employment practices of the contractor or subcontractor with respect to the requirements of the Order. Special compliance reviews shall be conducted by the Executive Vice Chairman; or the agency (1) from time to time, (2) when special circumstances, including complaints which are processed under § 60-1.24, warrant, or (3) when requested by the Executive Vice Chairman. The agency shall report the results of any special compliance review conducted by it to the Executive Vice Chairman.

§ 60-1.21 **Who may file complaints.**

Any employee of any contractor or subcontractor or applicant for employment with such contractor or subcontractor who believes himself to be aggrieved under the equal opportunity clause, may, by himself or by an authorized representative, file in writing a complaint of alleged discrimination. Such complaint must be filed not later than 90 days from the date of the alleged discrimination, unless the time for filing is extended by the agency or the Executive Vice Chairman upon good cause shown.

§ 60-1.22 **Where to file.**

Complaints may be filed with the agency or with the Committee. Those filed with the Committee may be referred to the agency for processing, or they may be processed in accordance with § 60-1.26. Where complaints are filed with the agency, the Contracts Compliance Officer shall transmit a copy of the complaint to the Executive Vice Chairman within ten days after the receipt thereof and shall proceed with a prompt investigation of the complaint. When a complaint is filed against a contractor or subcontractor who has contracts involving more than one agency, the agency having the predominant interest in such contracts shall normally conduct the investigation and make such findings and determinations as shall be appropriate for the administration of the Orders.

§ 60-1.23 **Contents of complaint.**

(a) The complaint should include the following information: The name and address (including telephone number) of the complainant; the name and address of the contractor or subcontractor committing the alleged discrimination; a description of the acts considered to be discriminatory; and any other pertinent information which will assist in the investigation and resolution of the complaint. The complaint shall be signed by the complainant or his authorized representative.

(b) Where a complaint contains incomplete information, the agency or the Executive Vice Chairman (when acting pursuant to § 60-1.26), shall seek promptly the needed information from the complainant. In the event such information is not furnished to the agency or the Executive Vice Chairman within 60 days of the date of such request, the case may be closed.

§ 60-1.24 **Processing of matters by agencies.**

(a) *Investigations.* (1) The agency shall institute a prompt investigation of each complaint filed with it or referred to it, and shall be responsible for developing a complete case record. The investigation should include, where appropriate, a review of the pertinent personnel practices and policies of the contractor or subcontractor, the circumstances under which the alleged discrimination occurred, and other factors relevant to a determination as to whether the contractor or subcontractor has complied with the equal opportunity clause.

(2) Whenever a compliance review, report or other procedure indicates the possible violation of the equal opportunity clause, the agency shall institute such investigation as shall be necessary and shall be responsible for developing a complete case record.

(b) *Resolution of matters.* (1) If the investigation by the agency pursuant to paragraph (a) of this section shows no violation of the equal opportunity clause, the agency shall so inform the Committee. The Executive Vice Chairman shall review the findings and upon concurrence therewith he shall so advise the agency, which shall in turn notify the applicant, if any, the appropriate contractors and subcontractors, and the complainant, if any, and the case shall be closed. If upon review, the Executive Vice Chairman does not concur with the findings of the agency, he may request further investigation by the agency or may undertake such investigation by the Committee as he may deem appropriate.

(2) If any investigation under paragraph (a) of this section indicates the existence of an apparent violation of the equal opportunity clause, the matter should be resolved by informal means whenever possible.

(3) If a matter in which the investigation has shown apparent discrimination is not resolved by informal means, the agency may afford the contractor or subcontractor an opportunity for a hearing before reporting its findings and recommendations to the Executive Vice Chairman, as provided in paragraph (c) of this section. If the agency's decision is that a violation of the equal opportunity clause has taken place, the agency may make recommendations to the Executive Vice Chairman, may cause the cancellation, termination, or suspension of the contract or subcontract pursuant to section 312 of the Order, or may with the approval of the Executive Vice Chairman impose such other sanctions as seem necessary and appropriate to carry out the purposes of the Orders. No case shall be referred to the Department of Justice under section 312(b) of the Order and no contract or subcontract shall be cancelled or terminated in whole or in part under section 312(d) of the

Order without compliance with § 60-1.28. Whenever debarment from contracts under section 312(e) of the Order may be proposed by the agency, it shall afford the contractor or subcontractor an opportunity for a hearing before the head of the agency or his authorized representative in accordance with § 60-1.27. When a contractor or subcontractor, without a hearing, shall have complied with the recommendations or orders of an agency or the Executive Vice Chairman and believes such recommendations or orders to be erroneous, he shall upon filing a request therefor within 10 days of such compliance be afforded an opportunity for a hearing and review of the alleged erroneous action by the agency or the Executive Vice Chairman as the case may be.

(c) *Report to the Executive Vice Chairman.* (1) Within 60 days from receipt of a complaint by the agency, or within such additional time as may be allowed by the Executive Vice Chairman for good cause shown, the agency shall process the complaint and submit to the Executive Vice Chairman the case record and a summary report containing the following information:

(i) Name and address of the complainant;

(ii) Brief summary of findings, including a statement as to the agency's conclusions regarding the contractor's compliance or noncompliance with the requirements of the Order;

(iii) A statement of the disposition of the case, including any corrective action taken and any sanctions or penalties imposed or, whenever appropriate, the recommended corrective action and sanctions or penalties.

(2) As to any other matter processed by the agency involving an apparent violation of the Orders, the agency shall submit to the Executive Vice Chairman a report containing a brief summary of the findings, including a statement as to the agency's conclusions regarding the contractor's compliance or noncompliance with the requirements of the Order, and a statement of the disposition of the case, including any corrective action taken and any sanctions or penalties imposed or, whenever appropriate, the recommended corrective action and sanctions or penalties.

§ 60-1.25 Assumption of jurisdiction by the Executive Vice Chairman over matters before an agency.

The Executive Vice Chairman may inquire into the status of any matter pending before an agency, including complaints and matters arising out of reports, reviews, and other investigations, and where he considers it necessary or appropriate to the achievement of the purposes of the Orders he may assume jurisdiction over the matter and proceed as provided in § 60-1.26.

§ 60-1.26 Processing of matters by the Executive Vice Chairman.

(a) The Executive Vice Chairman may process matters over which he assumes jurisdiction under § 60-1.25 or other matters, including complaints and matters arising out of special compliance reviews conducted or ordered by the Executive Vice Chairman. Whenever the Executive Vice Chairman processes any matter he may conduct, or have conducted, such investigations, hold such hearings, make such findings, issue such recommendations and directives and order such sanctions and penalties as may be necessary or appropriate to achieve the purposes of the Orders.

(b) No case shall be referred to the Department of Justice under section 312 of the Order and no contract shall be cancelled or terminated in whole or in part under section 312(d) of the Order without compliance with § 60-1.28. Whenever debarment from contracts under section 312(e) of the Order may be proposed, the Executive Vice Chairman shall afford the contractor an opportunity for a hearing in accordance with § 60-1.27.

(c) The Executive Vice Chairman shall promptly notify the agency of any corrective action to be taken or any sanctions to be imposed by the agency. The agency shall take such action, and report the results thereof to the Executive Vice Chairman within the time specified in individual cases.

§ 60-1.27 Hearings.

(a) *General hearing procedure*—(1) *Notice.* Whenever a hearing is to be held pursuant to Subpart B of this part reasonable notice of such hearing shall be given by registered mail, return receipt requested, to the contractor or subcontractor complained against. Such notice shall include (i) a convenient time and place of hearing, (ii) a statement of the provisions of the Order and regulations pursuant to which the hearing is to be held, and (iii) a concise statement of the matters pursuant to which the action forming the basis of the hearing has been taken or is proposed to be taken.

(2) *Hearings.* The Executive Vice Chairman, the head of the agency, or such other official or officials designated as hearing officers shall regulate the course of the hearing. Hearings shall be informally conducted. Every party shall have the right to counsel, and a fair opportunity to present his case or defense including such cross-examination as may be appropriate in the circumstances. Hearing officers shall make their proposed findings and recommended conclusions upon the basis of the record before them.

(b) *Contract ineligibility cases.* When hearings are held pursuant to section 310(b) of the Order to declare a contractor or subcontractor ineligible for further contracts, the procedure provided in paragraph (a) of this section shall be followed except as hereinafter set forth.

(1) *Notice of proposed ineligibility.* Before any determination is made to declare any contractor or subcontractor ineligible for further contracts or subcontracts under sections 301 and 312 of the Order, a notice of proposed determination in writing and signed by the Executive Vice Chairman or head of the agency, or his authorized representative, as the case may be, shall be sent to the last known address of the contractor or subcontractor, return receipt requested.

(2) *Hearing request.* Whenever a contractor or subcontractor has been notified by an agency of a proposed determination of contract ineligibility under the Orders, such contractor or subcontractor shall be entitled to request an opportunity to be heard by the agency. When such notice is received from the Executive Vice Chairman, a request for an opportunity to be heard may be made to the Committee. The letter to the Executive Vice Chairman or the head of the agency, or his authorized representative, as the case may be, may include a request for a written statement specifying charges in reasonable detail. The request for an opportunity to be heard shall be made within ten days from the date of receipt of notice of the proposed determination. If at the end of such ten day period, no request has been received, the Executive Vice Chairman or the head of the agency, or his authorized representative, may assume that an opportunity to be heard is not desired, and the Executive Vice Chairman may enter an order declaring such contractor or subcontractor ineligible for further contracts, or extensions or other modifications of existing contracts, until such contractor or subcontractor shall have satisfied the Committee that he has established and will carry out personnel and employment policies in compliance with the provisions of the Orders.

(3) *Hearing, time and place.* Upon receipt of a request for an opportunity to be heard, the Executive Vice Chairman or the head of the agency, or his authorized representative, shall arrange a timely hearing. The hearing shall be conducted by the head of the agency or his authorized representative or by a panel of the Committee consisting of not less than three members thereof appointed by the Chairman or Vice Chairman of the Committee. When the hearing is conducted by an agency, no decision by the head of the agency, or his authorized representative, shall be final without the prior approval of a panel of the Committee.

§ 60-1.28 Opportunity to achieve compliance before referrals to the Department of Justice or contract termination.

No case shall be referred to the Department of Justice under section 312(b) of the Order and no contract shall be terminated in whole or in part under section 312(d) of the Order until the expiration of at least ten days from the mailing of notice of such proposed referral or contract termination to the contractor or subcontractor involved, affording him an opportunity to comply with the provisions of the Orders. Reasonable efforts to persuade the contractor or subcontractor to comply with the provisions of the Orders and to take such corrective action as may be appropriate shall be made during this period.

§ 60-1.29 Contract ineligibility list.

The Executive Vice Chairman shall distribute periodically a list to all executive departments and agencies giving the names of contractors and subcontractors who have been declared ineligible under these regulations and the Orders. The Executive Vice Chairman may also publish such a list together with a list of those contractors for subcontractors who may have reestablished their eligibility in such form and in such places as he may deem appropriate.

§ 60–1.30 Notification of Comptroller General in cases of contract ineligibility or contract termination.

Whenever a contract or subcontract is terminated or whenever a contractor or subcontractor is declared ineligible from receiving further contracts or subcontracts because of noncompliance with the equal opportunity clause, the Executive Vice Chairman shall notify the Comptroller General of the United States.

§ 60–1.31 Reinstatement of ineligible contractors and subcontractors.

Any contractor or subcontractor declared ineligible for further contracts or subcontracts under the Orders may request reinstatement in a letter directed to the Executive Vice Chairman. In connection with the reinstatement proceeding, the contractor or subcontractor shall be required to show that it has now complied with the Orders or that it has a program of compliance acceptable to the Executive Vice Chairman.

Subpart C—Certificates of Merit

§ 60–1.40 By the Committee on its own initiative.

The Committee acting through the Chairman or Vice Chairman may award United States Government Certificates of Merit to employers or employee organizations which are or may hereafter be engaged in work under contracts, if the Committee is satisfied that the personnel and employment practices of the employer, or that the personnel, training, apprenticeship, membership, grievance and representation, upgrading, and other practices and policies of the employee organization conform to the purposes and provisions of the Order.

§ 60–1.41 By the Executive Vice Chairman upon agency recommendation.

The Committee, acting through the Executive Vice Chairman, may award a United States Government Certificate of Merit upon the recommendation of an agency. The recommendation should include a statement in sufficient detail to inform the Executive Vice Chairman of the basis for the proposed award.

§ 60–1.42 [Deleted]

§ 60–1.43 Suspension or revocation.

The Committee acting through the Chairman or Vice Chairman may at any time review the continued entitlement of any employer or employee organization to a United States Government Certificate of Merit, and may suspend or revoke in the public interest the Certificate if the holder thereof, in the judgment of the Executive Vice Chairman, is no longer in compliance with the provisions of the regulations and those of the Order. The Executive Vice Chairman shall notify all agencies of such suspension or revocation of the Certificate of Merit.

Subpart D—Ancillary Matters

§ 60–1.60 Solicitations or advertisements for employees.

In solicitations or advertisements for employees placed by or on behalf of a contractor or subcontractor, the requirements of paragraph (2) of the equal opportunity clause shall be satisfied whenever the contractor or subcontractor complies with any of the following:

(a) States expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin;

(b) Uses display or other advertising, and the advertising includes an appropriate insignia prescribed by the Committee. The use of the insignia is considered subject to the provisions of 18 U.S.C. 701;

(c) Uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, creed, color, or national origin;

(d) Uses single advertisement in which appears in clearly distinguishable type the phrase "an equal opportunity employer."

§ 60–1.61 Access to records of employment.

Each contractor and subcontractor shall permit access during normal business hours to his books, records, and accounts pertinent to compliance with the Orders, and all rules and regulations promulgated pursuant thereto, by the agency, the Committee, the Executive Vice Chairman, and the Secretary of Labor for purposes of investigation to ascertain compliance with the Orders and the rules, regulations, and relevant orders of the Committee. Information obtained in this manner shall be used only in connection with the administration of the Orders.

§ 60–1.62 Rulings and interpretations.

The Executive Vice Chairman shall have authority to issue rulings and interpretations regarding the contracts portion of the Orders and the regulations contained in this part. The rulings and interpretations of the Executive Vice Chairman, unless and until modified or revoked, shall be authoritative.

§ 60–1.63 Reports to the Committee.

The Executive Vice Chairman shall make periodic reports to the Committee and such other reports as may be requested by the Chairman or Vice Chairman of the Committee.

§ 60–1.64 Existing contracts and subcontracts.

All Government contracts and subcontracts in effect prior to April 5, 1961, which are not subsequently modified shall be administered in accordance with the nondiscrimination provisions of any prior applicable Executive Orders. Any Government contract or subcontract modified on or after April 5, 1961, but before June 22, 1963, shall be subject to Executive Order 10925. Any Government contract or subcontract modified on or after June 22, 1963, shall be subject to the Order, and shall include as part of such modification the equal opportunity clause contained in Part II of Executive Order 11114. All federally assisted construction contracts in effect prior to July 22, 1963, which are not subsequently modified shall be administered in accordance with the provisions of any prior applicable agency regulations or instructions. Any federally assisted construction contract or subcontract modified on or after July 22, 1963, shall be subject to Executive Order 11114. Complaints received by, and violations coming to the attention of agencies regarding contracts and subcontracts not subject to either Executive Order 10925 or 11114 shall be reported to the Executive Vice Chairman. The agency shall, upon its own initiative or upon the request of the Executive Vice Chairman, investigate such complaints or alleged violations and take such other action as may be appropriate.

Effective date. Because the requirements of this chapter concern matters excepted from the provisions of section 4 of the Administrative Procedure Act and because of the desirability of prompt implementation of the provisions of Executive Orders 10925 and 11114, this revision of Part 60–1 shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 30th day of August 1963.

HOBART TAYLOR, Jr.,
Executive Vice Chairman.

[F.R. Doc. 63–9598; Filed, Sept. 6, 1963; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3206]

[Wyoming 059320]

WYOMING

Partial Revocation of Public Land Order No. 2278 of February 27, 1961

By virtue of the authority vested in the President and pursuant to the Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 2278 of February 27, 1961, which withdrew national forest lands in Wyoming for use of the Forest Service as administrative sites is hereby revoked so far as it affects the following-described lands:

SIXTH PRINCIPAL MERIDIAN

MEDICINE BOW NATIONAL FOREST

Shingle Mill Administrative Site

T. 15 N., R. 85 W.,
Sec. 28, SW¼SW¼, and W½SE¼SW¼;
Sec. 33, N½NW¼NE¼NW¼, and N½N½NW¼NW¼.

Rambler Administrative Site

T. 14 N., R. 86 W.,
Sec. 26, SE¼NW¼SW¼, E½SW¼SW¼, and SW¼SE¼SW¼.

Trail Administrative Site

T. 13 N., R. 88 W.,
Sec. 17, N½NE¼.

Deep Creek Administrative Site

T. 14 N., R. 88 W.,
Sec. 12, N½NW¼.

The areas described aggregate 275 acres.

2. At 10:00 a.m. on October 5, 1963, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 30, 1963.

[F.R. Doc. 63-9578; Filed, Sept. 6, 1963; 8:46 a.m.]

[Public Land Order 3207]

[Nevada 054561]

NEVADA

Partial Revocation of Reclamation Withdrawal, Washoe Lake Reservoir Site

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The Departmental Order of July 18, 1940, which withdrew lands for reclamation purposes under the Act of June 17, 1902, supra, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 16 N., R. 19 E.,
Sec. 26, NE¼SW¼.
T. 17 N., R. 19 E.,
Sec. 34, W½NE¼, N½NW¼ and SE¼NW¼.
T. 16 N., R. 20 E.,
Sec. 20, E½, SW¼SW¼, E½SW¼;
Sec. 27, S½;
Sec. 33, W½SW¼.

The areas described aggregate 960 acres of public land, and 120 acres of national forest land in the Toiyabe National Forest.

2. The lands are located north of Carson City, Nevada. Topography is generally rough, with rocky, sandy, and sandy loam soils.

3. At 10:00 a.m. on October 5, 1963, the national forest lands shall be open to such forms of disposition as may by law be made of national forest lands.

4. Subject to any valid existing rights and equitable claims, the requirements of applicable law, and the provisions of any existing withdrawals, the public lands are hereby opened to filing of applications and selections. All valid applications and selections under the nonmineral public land laws presented at or prior to 10:00 a.m. on October 5, 1963, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. The lands have been open to applications and offers under the mineral leasing laws. They will be opened to location under the United States mining laws at 10:00 a.m. on October 5, 1963.

6. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nevada.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 30, 1963.

[F.R. Doc. 63-9579; Filed, Sept. 6, 1963; 8:46 a.m.]

[Public Land Order 3208]

[1966031]

ALASKA

Partial Revocation of Public Land Order No. 537 of December 15, 1948

By virtue of the authority contained in section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 537 of December 15, 1948, so far as it reserved for public purposes, lot 1, U.S. Survey No. 2707, Paxsons Lake, latitude 62°55′ N., longitude 145°30′ W., containing 4 acres, is hereby revoked.

2. Until 10:00 a.m. on November 30, 1963, the State of Alaska shall have a preferred right to select the land in accordance with the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR Part 76.

3. This order shall not otherwise become effective to change the status of the land until 10:00 a.m. on November 30, 1963. At that time the land shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State received at or prior to 10:00 a.m. on October 5, 1963, shall be considered as simultaneously filed at that time.

4. The land has been open to applications and offers under the mineral leasing laws and to location for metalliferous minerals. It will be open to location for nonmetalliferous minerals under the United States mining laws at 10:00 a.m. on November 30, 1963.

5. Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 30, 1963.

[F.R. Doc. 63-9580; Filed, Sept. 6, 1963; 8:46 a.m.]

[Public Land Order 3209]

[Riverside 03011]

CALIFORNIA

Partial Revocation of Public Land Order No. 431 of December 19, 1947

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 431 of December 19, 1947, which withdrew certain lands in California for the use of the Navy Department as a Naval Ordnance Testing Center and proving range, is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 25 S., R. 38 E.,
Sec. 2, W½ of lots 1 and 2 of NE¼, and the SE¼.
T. 26 S., R. 39 E.,
Sec. 6, SW¼NE¼SE¼.

The areas described aggregate approximately 251 acres, of which about 170 acres are patented. The W½ lots 1 and 2 is public land.

2. Subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the public lands are hereby opened to filing of applications, selections and locations in accordance with the following:

a. Until 10:00 a.m. on March 1, 1964, the State of California shall have a preferred right of application to select the lands as provided by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 852).

b. All other valid applications and selections under the nonmineral public land laws, and applications and offers under the mineral leasing laws presented at or prior to 10:00 a.m. on October 5, 1963, will be considered as simultaneously filed at that hour. Rights under such applications, and selections filed after that hour will be governed by the time of filing.

c. The lands will be open to location under the United States mining laws beginning at 10:00 a.m. on March 1, 1964.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Riverside, California.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 30, 1963.

[F.R. Doc. 63-9581; Filed, Sept. 6, 1963; 8:46 a.m.]

[Public Land Order 3210]

[Los Angeles 0143391]

CALIFORNIA

Partial Revocation of Public Water Reserve No. 56

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order