Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Orange Reg. 69, Amdt. 4]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Navel, Temple, and Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The recommendations by the committees reflect their appraisal of the Florida orange crop and the current and prospective market conditions during the period December 13, 1971, through January 9, 1972. The minimum grade and size requirements specified for Temple and Murcott Honey oranges are prescribed during the present stage of maturity to prevent the shipment of oranges of a lower quality or smaller size which could adversely affect the overall price structure for better quality fruit. The minimum grade and size requirements specified for oranges, other than Navel, Temple, and Murcott Honey oranges is consistent with the available supply of and demand for such oranges and reflects the good external appearance and size development of the fruit at the present stage of maturity.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective during the period herein specified. Domestic shipments of Florida oranges, except Temple oranges, Murcott Honey oranges, and Valencia, Lue Gim Gong and similar late maturing oranges of the Valencia type, are currently regulated pursuant to Orange Regulation 69 (36 F.R. 20215, 22054, 22666, 23353) and determinations as to the need for, and extent of, regulation of domestic shipments of Temple oranges, Murcott Honey oranges, and Valencia, Lue Gim Gong and similar late maturing oranges of the Valencia type must await the development of the crop and the availability of information on the demand for such fruit; the recommendations and supporting information for regulation of such orange shipments during the period December 13, 1971, through January 9, 1972, and in the manner herein provided, were promptly submitted to the Department after an assembled meeting of the Growers Administrative Committee on December 2, 1971, held to consider recommendations for regulation; the provisions of this regulation are identical with the aforesaid recommendations of the committee, and information concerning such provisions has been disseminated among handlers of such oranges; it is necessary to make this amendment effective, as hereinafter set forth, to preclude the shipment of Temple oranges, Murcott Honey oranges, and Valencia, Lue Gim Gong and similar late maturing oranges of the Valencia type which are immature or of an inferior quality and to otherwise effectuate the declared policy of the act; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

Order. In § 905.536 (Orange Regulation 69; 36 F.R. 20215, 22054, 22666, 23353) the provisions of paragraph (a) are revised by amending subparagraphs (1) and (2) thereof and adding thereto new subparagraphs (5) through (8) reading as follows:

§ 905.536 Orange Regulation 69.

(a) Except as otherwise provided in this section, during the period December 13, 1971, through January 9, 1972, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(1) Any oranges, except Navel, Temple, and Murcott Honey oranges, grown in the production area, which do not grade at least U.S. No. 1, except that such oranges shall meet the minimum external quality requirements prescribed by the Florida No. 1 grade for oranges;

(2) Any oranges, except Navel, Temple, and Murcott Honey oranges, grown in the production area, which are of a size smaller than $2\frac{8}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the U.S. Standards for Florida Oranges and Tangelos: *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2\frac{8}{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{14}{16}$ inches in diameter or smaller;

* * * * *

(5) Any Temple oranges, grown in the production area, which do not grade at least U.S. No. 1;

(6) Any Temple oranges, grown in the production area, which are of a size smaller than $2\frac{8}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said U.S. Standards for Florida Oranges and Tangelos;

(7) Any Murcott Honey oranges, grown in the production area, which do not grade at least U.S. No. 1; and

(8) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than $2\frac{15}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Murcott Honey oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said U.S. Standards for Florida Oranges and Tangelos.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: December 9, 1971.

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

[FR Doc.71-18267 Filed 12-10-71;8:51 am]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Exemption From Shipment Requirements

On November 23, 1971, notice was published in the FEDERAL REGISTER (36 F.R. 22240) that consideration was being given to proposed additions to the rules and regulations (Subpart—Rules and Regulations), pursuant to § 906.120 and other applicable provisions of the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas. This regulatory program is effective under applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This notice allowed interested persons 10 days during which they could submit written data, views, or arguments pertaining to these proposals. None were submitted.

The amendatory provisions hereinafter set forth will provide safeguards with respect to gift fruit shipments and establish the conditions for the exemption from pack requirements issued pursuant to the order for special purpose shipments.

After consideration of all relevant matter presented, including the proposals set forth in the aforesaid notice, which were submitted by the Texas Valley Citrus Committee (established pursuant to said amended marketing agreement and order as the agency to administer the provisions thereof), it is hereby found that the amendment, as hereinafter set forth, of said rules and regulations, is in accordance with the provisions of said amended marketing agreement and order and will tend to effectuate the declared policy of the act. Such amendment is hereby approved; and said rules and regulations are amended as follows:

§ 906.120 Fruit exempt from regulations.

* * * * *

(d) *Safeguards for gift fruit shipments.* Gift packages of fruit handled pursuant to § 906.41 shall be in containers stamped or marked with the handler's name and address.

(e) *Special purpose shipments and safeguards.* Fruit may be handled exempt from regulations issued pursuant to § 906.40(d), except as hereinafter provided, if the following conditions are met:

(1) The handler each fiscal period submits prior to any such handling, a written application containing the following information, to the committee requesting approval to so handle fruit:

(i) Name and address of handler; and

(ii) A description of the container or containers in which such fruit would be handled.

(2) The fruit grades at least U.S. No. 1.

(3) The fruit is handled in six-packs, 12-packs, or baskets of a capacity of 1 bushel or less, or any of the containers authorized under § 906.340: *Provided*, That if any of the containers, currently authorized under § 906.340 are so used to handle fruit, each such container shall be stamped or marked "special purpose shipment."

(4) The committee shall approve or deny each applicant's request to handle fruit under this provision and promptly notify such handler in writing of its decision: *Provided*, That if a handler's application to so handle fruit is approved, the committee shall issue a certificate of privilege, as provided in § 906.44, to so handle fruit: *Provided further*, That if a handler's application to so handle fruit is denied, he shall be advised why the application was denied.

(5) Each handler shall file a report with the committee within 1 business day after each shipment handled pursuant to this section. Such report shall contain the following:

(i) Name and address of the handler;

(ii) Date fruit is so handled;

(iii) The number and type of containers and packs in such shipment;

(iv) The inspection certificate numbers applicable to such shipment;

(v) Name and address of the purchaser; and

(vi) The license number of the truck, trailer, or automobile, as the case may be, in which the shipment was loaded.

(f) *Meaning of terms.* When used herein, the term "bushel" means a unit of measure equivalent to 2150.42 cubic inches; the term "six-pack" means any container with a capacity of one-eighth bushel; the term "12-pack" means any container with a capacity of one-fourth bushel; the term "basket" means any container made of interwoven material; and the term "U.S. No. 1" shall have the same meaning as given to such term in the U.S. Standards for Oranges (Texas and States other than Florida, California, and Arizona) designated as §§ 51.680-51.712 of this title, and the U.S. Standards for Grapefruit (Texas and States other than Florida, California, and Arizona) designated as §§ 51.620-51.653 of this title, as applicable.

It is hereby found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the handling of the aforementioned fruit is now in progress and to be of maximum benefit the provisions of this amendment should become effective as soon as possible, (2) notice of proposed rule making concerning this amendment was published in the FEDERAL REGISTER (36 F.R. 2240), and no objection to this amendment was received; and (3) the effective date hereof will not require of handlers any preparation that cannot be completed prior thereto.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated December 8, 1971, to become effective upon publication in the FEDERAL REGISTER (12-11-71).

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

[FR Doc.71-18178 Filed 12-10-71;8:48 am]

[Lemon Reg. 511]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.811 Lemon Regulation 511.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 36 F.R. 9061), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 7, 1971.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period December 12, through December 18, 1971, is hereby fixed at 200,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: December 9, 1971.

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

[FR Doc.71-18266 Filed 12-10-71;8:51 am]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed.

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

The first sentence of subparagraph (1) of paragraph (f) of § 235.1 *Scope of examination* is amended to read as follows:

(f) *Arrival-Departure Card, Form I-94*—(1) *Nonimmigrant applicants.* A completely executed Form I-94 endorsed to show date and place of admission, period of admission, and nonimmigrant classification shall be issued to each nonimmigrant alien admitted to the United States, except a nonimmigrant alien coming within the purview of § 212.1(a) of this chapter and 22 CFR 41.129(a) who is admitted as a visitor for business or pleasure or to proceed in direct transit through the United States; a nonimmigrant alien who has his residence in the British Virgin Islands and was admitted only to the U.S. Virgin Islands as a visitor for business or pleasure under the provision of § 212.1(b) of this chapter, and a Mexican national in possession of a valid Form I-186 who is admitted at a Mexican border port of entry as a border crosser or as a nonimmigrant visitor for a period of not more than 15 days to visit within the States of Texas, New Mexico, Arizona, or California. * * *

PART 238—CONTRACTS WITH TRANSPORTATION LINES

The listing of transportation lines in paragraph (b) *Signatory lines* of § 238.3 *Aliens in immediate and continuous transit* is amended by adding the following transportation lines in alphabetical sequence: "Dorado Wings" and "Puerto Rico International Airlines, Inc."

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

The first sentence of subparagraph (3) *Departure* of paragraph (a) *General* of § 245.2 *Application* is amended to read as follows: "The departure from the United States of an applicant under section 245 of the Act prior to decision in his case shall be deemed an abandonment of his application constituting grounds for termination thereof unless he had previously been granted permission by the Service for such absence and he was thereafter inspected upon his return, or it is determined by the officer having jurisdiction over his application that his departure was unintended or innocent and casual, that his absence was brief, and that he was inspected upon his return."

PART 248—CHANGE OF NONIMMIGRANT CLASSIFICATION

In § 248.2 *Ineligible classes* the second sentence is amended and a new sentence is added to read as follows: "An alien classified as a nonimmigrant under section 101(a)(15)(C) of the Act is not eligible for any change of nonimmigrant classification other than a change to classification under section 101(a)(15)(A) or (G) of the Act. An alien classified as a nonimmigrant under section 101(a)(15)(J) of the Act is not eligible for any change of nonimmigrant classification other than a change to classification under section 101(a)(15)(A) or (G) of the Act, or, if he is not subject to the foreign residence requirement of section 212(e) of the Act or has been granted a waiver thereof, a change to classification under section 101(a)(15)(H) or (L) of the Act, if otherwise qualified."

PART 316a—RESIDENCE, PHYSICAL PRESENCE AND ABSENCE

The listing of institutions of research in § 316a.2 *American institutions of research* is amended by adding in alphabetical sequence the following institution of research: "Brookhaven National Laboratory, Associated Universities, Inc."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER (12-11-71). Compliance with the provisions of section 553 of title 5 of the United States Code (80 Stat. 383), as to notice of proposed rule making and delayed effective date, is unnecessary in this instance and would serve no useful purpose because the amendment to § 235.1(f)(1) relates to agency procedure; the amendment to § 238.3(b) adds transportation lines to the listing; the amendment to § 245.2(a)(3) is technical in nature; the amendment to § 248.2 confers a benefit on persons affected thereby; and the amendment to § 316a.2 adds an institution of research to the listing.

Dated: December 7, 1971.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[FR Doc.71-18192 Filed 12-10-71;8:49 am]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Regs. G, T, U]

SECURITIES CREDIT

Maximum Loan Value of Stocks

Parts 207, 220, and 221 of Title 12 are amended as follows:

PART 207—SECURITIES CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS

1. Effective December 6, 1971, § 207.5 (a) (the Supplement to Regulation G) is amended to read as follows:

§ 207.5 Supplement.

(a) *Maximum loan value of margin securities.* For the purpose of § 207.1, the maximum loan value of any margin security, except convertible securities subject to § 207.1(d), shall be 45 percent of its current market value, as determined by any reasonable method.

* * * * *

PART 220—CREDIT BY BROKERS AND DEALERS

2. Effective December 6, 1971, § 220.8 (a)(1) and (d) (the Supplement to Regulation T) is amended to read as follows:

§ 220.8 Supplement.

(a) *Maximum loan value for general accounts.* The maximum loan value of securities in a general account subject to § 220.3 shall be:

(1) Of a registered nonequity security held in the account on March 11, 1968, and continuously thereafter, and of a margin equity security (except as provided in § 220.3(c) and paragraphs (b) and (c) of this section), 45 percent of the current market value of such securities.

* * * * *

(d) *Margin required for short sales.* The amount to be included in the adjusted debit balance of a general account, pursuant to § 220.3(d)(3), as margin required for short sales of securities (other than exempted securities) shall be 55 percent of the current market value of each security.

* * * * *

PART 221—CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS

3. Effective December 6, 1971, § 221.4 (a) (the Supplement to Regulation U) is amended to read as follows:

§ 221.4 Supplement.

(a) *Maximum loan value of stocks.* For the purpose of § 221.1, the maximum loan value of any stock, whether or not registered on a national securities exchange, shall be 45 percent of its current market value, as determined by any reasonable method.

* * * * *

4a. These amendments are issued pursuant to section 7(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78g(b)). The changes are to lower the margin requirements for purchasing or carrying stocks from 65 to 55 percent.

b. The requirements of section 553 of title 5, United States Code, with respect to notice, public participation, and deferred effective date were not followed in connection with these amendments because following such requirements would have prevented the Board's action from becoming effective as promptly as necessary in the public interest.

By order of the Board of Governors, December 3, 1971.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.71-18176 Filed 12-10-71;8:48 am]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle B—Regulations Relating to Commerce and Foreign Trade

Chapter XI—Office of the Special Representative for Trade Negotiations

REDESIGNATION

Pursuant to the provisions of section 401, 76 Stat. 902; 19 U.S.C. 1802, the regulations formerly appearing in this chapter are redesignated as Chapter XX of this title.

As redesignated and republished, Chapter XX appears simultaneously in this issue of the FEDERAL REGISTER.

Dated: December 7, 1971.

WILLIAM D. EBERLE,
Special Representative for Trade Negotiations.

[FR Doc.71-18170 Filed 12-10-71;8:47 am]

Subtitle C—Regulations Relating to Foreign Trade Agreements

Chapter XX—Office of the Special Representative for Trade Negotiations

FOREIGN TRADE AGREEMENTS

Redesignation and Republication

The regulations of the Office of the Special Representative for Trade Negotiations and of the Trade Information Committee are republished to remove obsolete references, update miscellaneous provisions and remove the former appendices dealing with hearing procedures relating to Kennedy Round tariff discussions. For convenience to the users of these regulations, Executive Order 11075, as amended, formerly codified in discontinued Title 48 of the Code of Federal Regulations, is carried as an Appendix A to this chapter.

Therefore, pursuant to section 401, 76 Stat. 902; 19 U.S.C. 1802, the following amendments are made to title 15 of the Code of Federal Regulations:

1. Subtitle C is added to read as set forth above.

2. Former Parts 1101, 1102, and 1111 are hereby redesignated Parts 2001, 2002, and 2003, respectively, and republished to read as follows:

PART 2001—CREATION, ORGANIZATION, AND FUNCTIONS

AUTHORITY: The provisions of this Part 2001 issued under sec. 401, 76 Stat. 902; 19 U.S.C. 1802, EO. 11075, as amended (Appendix A).

§ 2001.0 Scope and purpose.

This chapter sets out the basic terms of reference of the Office of the Special Representative for Trade Negotiations and the procedures whereby it carries out its general responsibilities under the trade agreements program. One of the primary purposes of this chapter is to inform the public of the unit in the Office known as the Trade Information Committee, whose function is to afford an opportunity to interested parties to present oral and written statements concerning the trade agreements program and related matters.

§ 2001.1 Creation and location.

(a) The Office of the Special Representative for Trade Negotiations was established as an agency in the Executive Office of the President by section 2 of Executive Order No. 11075, as amended (Appendix A).

(b) The Office of the Special Representative for Trade Negotiations is located at 1800 G Street NW., Washington, D.C. 20506.

§ 2001.2 Organization.

(a) The Office of the Special Representative for Trade Negotiations is headed by the Special Representative for Trade Negotiations provided for in section 241 of the Trade Expansion Act of 1962 (76 Stat. 878; 19 U.S.C. 1871), who is directly responsible to the President. In addition, the Office consists of two Deputy Special Representatives for Trade Negotiations provided for in section 2 of Executive Order No. 11075, as amended (Appendix A), and a professional staff.

(b) Established by, and under the direction and control of the Special Representative for Trade Negotiations are three interagency committees, the Trade Executive Committee, the Trade Staff Committee, and the Trade Information Committee, provided for in Part 2002 of this chapter.

§ 2001.3 Functions.

(a) The Special Representative for Trade Negotiations (1) advises and assists the President in the administration of, and facilitates the carrying out of, the trade agreements program, and (2) advises the President with respect to nontariff barriers to international trade, international commodity agreements, and other matters which are related to the trade agreements program, as provided in section 3 of Executive Order 11075, as amended (Appendix A).

(b) The Special Representative for Trade Negotiations is Chairman of the Trade Expansion Act Advisory Committee established by section 4 of Executive Order 11075, as amended (Appendix A).

PART 2002—OPERATION OF COMMITTEES

AUTHORITY: The provisions of the Part 2002 issued under sec. 401, 76 Stat. 902; 19 U.S.C. 1802; secs. 9 and 11 of E.O. 11075, as amended (Appendix A), unless otherwise noted.

§ 2002.1 Trade Executive Committee.

(a) The Trade Executive Committee consists of the Deputy Special Representative for Trade Negotiations, as chairman, and of officials designated from their respective agencies by the Secretaries of Agriculture, Commerce, Defense, Interior, Labor, State, and Treasury, who are each in status not below that of an Assistant Secretary. The Special Representative for Trade Negotiations and each Secretary may designate from his respective agency an official, who is in status not below that of a Deputy Assistant Secretary, to serve as a member of the Committee in the event the regular member is unable to attend any meeting of the Committee.

(b) The Trade Executive Committee—

(1) Coordinates interagency activities concerning the trade agreements program and related matters;

(2) Recommends policies and actions, and transmits appropriate materials, to the Special Representative for Trade Negotiations concerning the trade agreements program and related matters, or, when appropriate, approves such policies and actions; and

(3) Performs such other functions as the Special Representative for Trade Negotiations may from time to time determine.

§ 2002.2 Trade Staff Committee.

(a) The Trade Staff Committee consists of a chairman designated by the Special Representative for Trade Negotiations from his Office, and of officials designated from their respective agencies by the Secretaries of Agriculture, Commerce, Defense, Interior, Labor, State, and Treasury, and by the Chairman of the Tariff Commission. The Special Representative for Trade Negotiations, each Secretary, and the Chairman of the Tariff Commission may designate from his respective agency an official to serve as a member of the Committee in the event the regular member is unable to attend any meeting of the Committee. The official from the Tariff Commission will be a nonvoting member of the Committee and will not participate in the discussion of any policy matter or in the consideration of any report submitted by the Tariff Commission.

(b) The Trade Staff Committee—

(1) Obtains information and advice from agencies and other sources concerning any proposed trade agreement, and furnishes summaries of such information and advice, together with recommendations of action, to the Trade Executive Committee;

(2) Reviews summaries of information concerning any proposed trade agreement furnished by the Trade Information Committee, and transmits such summaries, together with recommendations of action, to the Trade Executive Committee;

(3) Reviews summaries of information concerning foreign import restrictions furnished by the Trade Information Committee, and transmits recommendations of action, through the Trade Executive Committee to the Trade Expansion Act Advisory Committee;

(4) Reviews reports concerning tariff adjustment submitted by the Tariff Commission, and transmits such reports, together with recommendations of action, through the Trade Executive Committee to the Trade Expansion Act Advisory Committee;

(5) Reviews all materials required by section 5 of Executive Order 11075, as amended (Appendix A) to be furnished by the Tariff Commission to the President through the Special Representative for Trade Negotiations, and transmits such materials, together with recommendations of action, to the Trade Executive Committee, except as provided in subparagraph (4) of this paragraph;

(6) Recommends policies and actions to the Trade Executive Committee concerning the trade agreements program and related matters, or, when appropriate, approves such policies and actions;

(7) Keeps regularly informed of the operation and effect of the trade agreements program and related matters; and

(8) Performs such other functions as the Special Representative for Trade Negotiations may from time to time determine.

§ 2002.3 Trade Information Committee.

(a) The Trade Information Committee consists of a chairman designated by the Special Representative for Trade Negotiations from his Office, and of officials designated from their respective agencies by the Secretaries of Agriculture, Commerce, Defense, Interior, Labor, State, and Treasury. The Special Representative for Trade Negotiations and each Secretary may designate from his respective agency an official to serve as a member of the Committee in the event the regular member is unable to attend any meeting of the Committee.

(b) The Trade Information Committee—

(1) Provides an opportunity, by the holding of public hearings and by such other means as it deems appropriate, for any interested party to present an oral or written statement concerning any proposed trade agreement, and furnishes summaries of such hearings and other pertinent information so received to the Trade Staff Committee;

(2) Provides an opportunity, by the holding of public hearings, upon request by an interested party, and by such other means as it deems appropriate, for any interested party to present an oral or written statement concerning foreign import restrictions, and furnishes summaries of such hearings and other pertinent information so received to the Trade Staff Committee;

(3) Provides an opportunity, by such means as it deems appropriate, for any interested party to present an oral or written statement concerning any other aspect of the trade agreements program and related matters, and furnishes summaries of pertinent information so received to the Trade Staff Committee;

(4) Issues regulations governing the conduct of its public hearings and the performance of such of its other functions as it deems necessary; and

(5) Performs such other functions as the Special Representative for Trade Negotiations may from time to time determine.

§ 2002.4 Participation by other agencies.

Each committee may invite the participation in its activities of any other agency when matters of interest to such agency are under consideration.

PART 2003—REGULATIONS OF TRADE INFORMATION COMMITTEE

AUTHORITY: The provisions of this Part 2003 issued under § 2002.3(b) of this chapter; secs. 223, 252(d), 76 Stat. 875, 880; 19 U.S.C. 1843, 1882(d).

§ 2003.1 Office, mailing address, telephone number, and hours.

(a) The Office of the Trade Information Committee (hereinafter referred to as the Committee) is at 1800 G Street NW., Washington, DC 20506.

(b) All communications to the Committee should be addressed to the "Chairman, Trade Information Committee, Office of the Special Representative for Trade Negotiations, 1800 G Street NW., Washington, DC 20506."

(c) The telephone number of the office of the Committee is area code 202, 395–3434.

(d) The regular hours of the office of the Committee are from 9 a.m. to 5:30 p.m. on each business day, Monday through Friday.

§ 2003.2 Notice of public hearings.

The Committee shall publish in the FEDERAL REGISTER a notice of a proposed public hearing, the subject matter of the proposed public hearing, the period during which written briefs may be submitted, the period during which requests may be submitted to present oral testimony, and the time and place of the proposed public hearing, in the following instances—

(a) Upon publication of a list of articles by the President under section 221(a) of the Trade Expansion Act of 1962 (hereinafter referred to as the Act), as a result of which public hearings are required to be held by section 223 of the Act with respect to any matter relevant to a proposed trade agreement.

(b) Upon the granting by the Committee of a request, made by an interested party in accordance with § 2003.3 for a public hearing under section 252(d) of the Act with respect to a foreign import restriction, or

(c) Upon instructions of the Special Representative for Trade Negotiations.

§ 2003.3 Requests for public hearings under section 252(d).

(a) A request by an interested party for a public hearing under section 252(d) of the Act may be submitted in writing at any time. Such request will be granted only if it identifies with particularity the foreign import restriction complained of, states the reasons why the restriction is believed to be of the kind covered by section 252 of the Act, and describes concisely the effect of the restriction upon U.S. commerce.

(b) A request for a public hearing under section 252(d) of the Act shall be submitted in not less than fifteen (15) copies, which shall be legibly typed, printed, or duplicated.

(c) After receipt and consideration of a request for a public hearing under section 252(d) of the Act, the Committee will notify the applicant whether the request is granted, and if so, will take action under § 2003.2, and if not, will give the reasons for the denial.

§ 2003.4 Submission of written briefs.

(a) Participation by an interested party in a public hearing announced under § 2003.2 shall require the submission of a written brief before the close of the period announced in the public notice for its submission. Such brief may be, but need not be, supplemented by the presentation of oral testimony in accordance with § 2003.5.

(b) A written brief by an interested party concerning any aspect of the trade agreements program or any related matter not subject to paragraph (a) of this section and submitted pursuant to a public notice shall be submitted before the close of the period announced in the public notice for its submission.

(c) A written brief by an interested party concerning any aspect of the trade agreements program or any related matter not subject to paragraph (a) or paragraph (b) of this section may be submitted at any time.

(d) A written brief shall state clearly the position taken and shall describe with particularity the evidence supporting such position. It shall be submitted in not less than twenty (20) copies which shall be legibly typed, printed, or duplicated.

(e) In order to assure each party equal opportunity to contest the information provided by other interested parties, the

Committee will entertain rebuttal briefs filed by any party within 1 week after the close of hearings on a particular schedule. Rebuttal briefs shall conform, in form and number, to the provisions of paragraph (d) of this section. Rebuttal briefs should be strictly limited to demonstrating errors of fact or analysis not pointed out in the briefs or hearing and should be as concise as possible.

§ 2003.5 Presentation of oral testimony at public hearings.

(a) A request by an interested party to present oral testimony at a public hearing shall be submitted in writing before the close of the period announced in the public notice for its submission, and shall state briefly the interest of the applicant and the position to be taken by the applicant. Such request will be granted only if a written brief has been prepared and submitted in accordance with § 2003.4.

(b) After receipt and consideration of a request to present oral testimony at a public hearing, the Committee will notify the applicant whether the request is granted, and if so, the time and place for his appearance and the amount of time alloted for his oral testimony, and if not, the reasons for the denial.

(c) The interested party may briefly summarize and should supplement the information contained in the written brief, and should be prepared to answer questions relating to such information.

(d) A stenographic record shall be made of every public hearing.

§ 2003.6 Presentation of oral testimony at informal conferences.

(a) A request by an interested party to present oral testimony to the Committee concerning any aspect of the trade agreements program or any related matter at an informal conference may be submitted in writing at any time.

(b) After receipt and consideration of a request to present oral testimony to the Committee at an informal conference, the Committee will notify the applicant whether the request is granted, and if so, the time and place for his appearance and the amount of time alloted for his oral testimony, and if not, the reasons for the denial.

(c) At an informal conference the interested party may briefly summarize and should supplement the information contained in the written brief, if any, and should be prepared to answer questions relating to such information.

(d) A request to present oral testimony to the Committee at an informal conference will not be granted if the Committee determines that the subject matter of the proposed oral testimony comes within the subject matter of a contemporaneous public hearing as announced by a public notice.

§ 2003.7 Information open to public inspection.

With the exception of information covered by § 2003.8, an interested party may, upon request, inspect at the office of the Committee—

(a) Any written request, brief, or similar submission of information.

(b) Any stenographic record of a public hearing.

(c) Other public written information concerning the trade agreements program and related matters.

§ 2003.8 Information exempt from public inspection.

(a) The Committee shall exempt from public inspection business information submitted by an interested party if the Committee determines that such information concerns or relates to the trade secrets, processes, operations, style or work, or apparatus, or the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or association, the disclosure of which is not authorized by law or by the interested party furnishing such information.

(b) A party requesting that the Committee exempt from public inspection business information submitted in writing shall clearly mark each page "For Official Use Only" at the top. A party may request that the Committee exempt from public inspection business information submitted orally at an informal conference.

(c) The Committee may deny a request that it exempt from public inspection any particular business information if it determines that such information is not entitled to exemption. In the event of such denial, the party submitting the particular business information will be notified of the reasons for the denial and will be permitted to withdraw his submission.

§ 2003.9 Information available to U.S. Government agencies.

All information received by the Committee shall be available to the agencies of the U.S. Government represented on the Committee.

3. Former appendices A, B, and C to Chapter XI of this title are hereby deleted.

Effective date. This redesignation and republication is effective on the date of publication in the FEDERAL REGISTER (12-11-71). Compliance with 5 U.S.C. 553 is unnecessary since these regulations are merely restatements in a new codified form of regulations formerly issued by the Special Representative for Trade Negotiations.

Dated: December 7, 1971.

WILLIAM D. EBERLE,
Special Representative for Trade Negotiations.

[Executive Order No. 11075, As Amended]

APPENDIX A

ADMINISTRATION OF THE TRADE AGREEMENTS PROGRAM

Text of Executive Order No. 11075 of January 15, 1963 (28 F.R. 473), as amended by Executive Order No. 11106 of April 18, 1963 (28 F.R. 3911), and Executive Order No. 11113 of June 13, 1963 (28 F.R. 6183).

By virtue of the authority vested in me by the Trade Expansion Act of 1962 (Public Law 87-794, approved October 11, 1962; 76 Stat. 872), and by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. *Definitions.* (a) As used in this order the term "the Act" means the Trade Expansion Act of 1962 (Public Law 87-794), approved October 11, 1962), exclusive, however, of chapters 2, 3, and 5 of title III thereof.

(b) As used in this order the term "the trade agreements program" includes all activities consisting of, or related to, the negotiation or administration of trade agreements (other than treaties), concluded pursuant to the authority vested in the President by the Constitution, section 350 of the Tariff Act of 1930, as amended, or the Act.

SEC. 2. *Office of Special Representative.* (a) There is hereby established in the Executive Office of the President an agency which shall be known as the Office of the Special Representative for Trade Negotiations.

(b) There shall be at the head of the said Office the Special Representative for Trade Negotiations provided for in section 241 of the Act (hereinafter referred to as the Special Representative), who shall be directly responsible to the President.

(c) There shall be in the said Office two officers, each of whom shall have the title "Deputy Special Representative for Trade Negotiations", with the rank of Ambassador. The principal functions of each shall be to conduct negotiations under title II of the Act, and each shall perform such additional duties as the Special Representative may direct.

SEC. 3. *Functions of Special Representative.* (a) The Special Representative shall have the functions conferred upon him by the Act, the functions delegated or otherwise assigned to him by the provisions of this order, and such other functions as the President may from time to time direct.

(b) The Special Representative shall advise and assist the President in the administration of, and facilitate the carrying out of, the trade agreements program. In addition, the Special Representative shall advise the President with respect to nontariff barriers to international trade, international commodity agreements, and other matters which are related to the trade agreements program.

(c) As he may deem to be necessary for the proper administration and execution of the trade agreements program and of this order, the Special Representative (1) shall draw upon the resources of Federal agencies, and of bodies established by or under the provisions of this order, in connection with the performance of his functions, and (2) except as may be otherwise provided by this order or by law, may assign to the head of any such agency or body the performance of duties incidental to the administration of the trade agreements program.

(d) In connection with the performance of his functions, the Special Representative shall, as appropriate and practicable, consult with Federal agencies.

(e) The Special Representative shall from time to time furnish the President lists of articles proposed for publication and transmittal to the Tariff Commission by the President under the provisions of section 221(a) of the act.

(f) The functions conferred upon the President by section 222 of the Act are hereby delegated to the Special Representative.

(g) The functions conferred upon the President by the first sentence of section 223 of the Act are hereby delegated to the Special Representative. The Special Representative is hereby designated to perform the functions prescribed by the second sentence of that section.

(h) After the President has entered into a trade agreement which provides for any new tariff concession, the Special Representative shall submit to the President, for transmission by him to each House of Congress, copies of such trade agreement, together with a draft of the statement relating thereto provided for in section 226 of the Act. In addition, the Special Representative shall transmit to each House of Congress copies of agreements supplementary to trade agreements which do not provide for any new tariff concession, and of such other documents relating to the trade agreements program as he considers appropriate, together with a brief statement describing each such supplementary agreement or other document.

(i) The Special Representative shall make arrangements under which the committee established by section 4 of this order shall provide for public hearings in pursuance of the second sentence of section 252(d) of the Act. The functions conferred upon the President by the first sentence of that section are hereby delegated to the Special Representative.

(j) Advice furnished by the Secretaries of Commerce and Labor under section 351(c) of the Act shall be transmitted by the respective Secretaries to the President through the Special Representative.

(k) Subject to available financing, the Special Representative may employ such personnel as may be necessary to assist him in the performance of his functions.

(l) The Special Representative shall prepare or have prepared for consideration by the President, in a form suitable for inclusion in Title 48 of the Code of Federal Regulations, any proclamation which relates wholly or primarily to the trade agreements program. Any such proclamation shall be subject to the provisions of Executive Order No. 11030 of June 19, 1962 (27 F.R. 5847), except that such proclamation need not be submitted for approval to the Director of the Bureau of the Budget as provided in section 2 (a) and (b) of that order but may be transmitted directly to the Attorney General for his consideration as to both form and legality.

SEC. 4. *Trade Expansion Act Advisory Committee.* (a) There is hereby established the Trade Expansion Act Advisory Committee (hereinafter referred to as the Committee). The Committee shall be composed of the Special Representative, who shall be its chairman, and the following other members: The Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor.

(b) Each Secretary referred to in section 4(a) of this order may designate an official from his department, who is in status not below that of an Assistant Secretary of an executive or military department, to serve as a member of the Committee in lieu of the designating Secretary when the latter is unable to attend any meeting of the Committee. In corresponding circumstances, the Special Representative may designate the Deputy Special Representative for Trade Negotiations, for a corresponding purpose. Except for his accountability to his designating authority, any pesron while so serving shall have in all respects the same status, as a member of the Committee, as do other members of the Committee.

(c) The Special Representative may from time to time designate any member of the Committee (including any person serving as a member of the Committee under the provisions of section 4(b) hereof) to act as chairman of the Committee when the Special Representative is unable to attend any meeting of the Committee.

(d) The Committee shall have the functions conferred by the Act upon the interagency organization referred to in section 242 of the Act and shall also perform such other functions as the President may from time to time direct.

(e) The recommendations made by the Committee under section 242(b)(1) of the Act, as approved or modified by the President, shall guide the administration of the trade agreements program.

(f) Before making recommendations to the President under section 242(b)(2) of the Act, the Committee shall, through the Special Representative, request the advice of the Adjustment Assistant Advisory Board, created by the provisions of section 361 of the Trade Expansion Act of 1962, concerning the feasibility of adjustment assistance to workers and firms.

(g) The functions conferred upon the President by the second sentence of section 242(c) of the Act, to the extent that they are in respect of procedures, are hereby delegated to the Committee.

SEC. 5. *Tariff Commission.* (a) The U.S. Tariff Commission is requested to determine the ad valorem equivalent, and, for this purpose, the authority conferred upon the President by the provisions of section 256(7) of the Act is hereby delegated to the Commission.

(b) Reports required to be made, and transcripts of hearings and briefs required to be furnished, by the Tariff Commission under the provisions of section 301(f)(1) of the Act (1) shall, in respect of investigations made by it under section 301(c)(1) of the Act, be transmitted by the Commission to the President through the Secretary of Commerce, and (2) shall, in respect of investigations made by it under section 301(c)(2) of the Act, be transmitted to the President through the Secretary of Labor.

(c) All other reports, findings, advice, hearing transcripts, briefs, and information which, under the terms of the Act, the Tariff Commission is required to furnish, report, or otherwise deliver to the President shall be transmitted to him through the Special Representative.

(d) Advice of the Tariff Commission under section 221(b) of the Act shall not be released or disclosed in any manner or to any extent not specifically authorized by the President or by the Special Representative.

SEC. 6. *Secretary of the Treasury.* There is hereby delegated to the Secretary of the Treasury the authority to issue regulations, conferred upon the President by the provisions of section 352(b) of the Act.

SEC. 7. *Secretary of Commerce.* The authority to certify, conferred upon the President by the provisions of section 302(c) of the Act, to the extent that such authority is in respect of firms, is hereby delegated to the Secretary of Commerce.

SEC. 8. *Secretary of Labor.* There are hereby delegated to the Secretary of Labor the authority to certify, conferred upon the President by the provisions of section 302(c) of the Act, to the extent that such authority is in respect of groups of workers, and the authority conferred upon the President by the provisions of section 302(e) of the Act.

SEC. 9. *Committees and task forces.* To perform assigned duties in connection with functions under the Act or this order and as may be permitted by law, the Special Representative may from time to time cause to be constituted appropriate committees or task forces made up in whole or in part of representatives or employees of interested agencies, of representatives of the committee established by the provisions of section 4 of this order, or of other persons. Assignments of personnel from agencies, in connection with the foregoing, and assignments of duties to them, shall be made with the consent of the respective heads of agencies concerned.

SEC. 10. *Threat of impairment of national security.* Executive Order No. 11051 of September 27, 1962, is hereby amended by striking from section 404(a) thereof the text "section 2 of the Act of July 1, 1954 (68 Stat. 360; 19 U.S.C. 1352a)" and inserting in lieu of the stricken text the following: "Section 232 of the Trade Expansion Act of 1962".

SEC. 11. *Redelegation.* Delegations of authority made by this order to the Special Representative, the Secretary of Commerce, and the Secretary of Labor, and other assignments of authority made by this order to the Special Representative, shall be deemed to include the power of successive redelegation.

SEC. 12. *References.* Except as may for any reason be inappropriate, references in this order to any other Executive order or to the Act or to the Trade Expansion Act of 1962 or to any other statute, and references in this order or in any other Executive order to this order, shall be deemed to include references thereto, respectively, as amended from time to time.

SEC. 13. *Prior bodies and orders.* (a) The pending business, and the records and property of the Trade Policy Committee, Trade Agreements Committee, and the Committee for Reciprocity Information (now existing under orders referred to in section 13(b) below) shall be completed or transferred as the Special Representative, consonant with law and with the provisions of this order, shall direct; and the said committees are abolished effective as of the 30th day following the date of this order.

(b) Subject to the foregoing provisions of this section, the following are hereby superseded and revoked:

(1) Executive Order No. 10082 of October 5, 1949.

(2) Executive Order No. 10170 of October 12, 1950.

(3) Executive Order No. 10401 of October 14, 1952.

(4) Executive Order No. 10741 of November 25, 1957.

JOHN F. KENNEDY.

THE WHITE HOUSE,
January 15, 1963.

[FR Doc.71-18169 Filed 12-10-71;8:47 am]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. IC-6866]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

Contractual Plans for Mutual Fund Shares and Variable Annuities; Correction

On June 10, 1971, in Release No. IC-6559, which was published in the FEDERAL REGISTER for June 14, 1971 at 36 F.R. 11645, the Commission announced, among other things, an amendment to § 270.27a-3 of Chapter II of Title 17 of the Code of Federal Regulations to include therein a reference to paragraph (5) of section 27(h) of the Investment Company Act of 1940.