

# THE NATIONAL ARCHIVES

# FEDERAL REGISTER

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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

##### DEPARTMENT OF THE ARMY

Effective upon publication in the FEDERAL REGISTER, paragraph (c) (2) is added to § 6.105 as set out below.

§ 6.105 *Department of the Army.*

\*\*\*  
 (c) *Engineer Department.* \*\*\*  
 (2) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) on survey, construction, short-term maintenance, or floating plant operations located at sites outside District or Division Headquarters cities, where because of turnover, lack of housing facilities, mobility or work site, or remoteness of personnel servicing facilities, an adequate labor force can be recruited only by immediate gate-hiring on a local basis. This authority can be used only when the Commission has determined that it is specifically applicable to a given situation; and in no event can it be used for employment in Civil Service central office and regional and branch office cities or where there is a local Board of U. S. Civil Service Examiners to service the employing establishment.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F. R. Doc. 56-6738; Filed, Aug. 20, 1956; 8:49 a. m.]

## TITLE 7—AGRICULTURE

### Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

##### SUBPART—UNITED STATES STANDARDS FOR NORTHERN GROWN ONIONS

By virtue of the authority vested in me by the Secretary of Agriculture, I hereby

approve the publication in the FEDERAL REGISTER of the following United States Standards for Northern Grown Onions which have been in effect since July 31, 1944. These standards are currently in effect pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et. seq.).

#### INTRODUCTION

Sec. 51.2830 Introduction.

#### GRADES

51.2831 U. S. No. 1.  
 51.2832 U. S. Commercial.  
 51.2833 U. S. No. 1 Bollers.  
 51.2834 U. S. No. 1 Picklers.  
 51.2835 U. S. No. 2.

#### UNCLASSIFIED

51.2836 Unclassified.

#### DEFINITIONS

51.2837 Mature.  
 51.2838 Fairly firm.  
 51.2839 Fairly well shaped.  
 51.2840 Doubles.  
 51.2841 Bottlenecks.  
 51.2842 Scallions.  
 51.2843 Damage.  
 51.2844 Diameter.  
 51.2845 Badly misshapen.  
 51.2846 Serious damage.  
 51.2847 One type.

AUTHORITY: §§ 51.2830 to 51.2847 Issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

#### INTRODUCTION

§ 51.2830 *Introduction.* (a) The tolerances for the standards are on a container basis. However, not to exceed 10 percent of the individual packages in any lot may vary from the specified tolerances as stated below, provided the averages for the entire lot, based on sample inspection, are within the tolerances specified and provided further, that decay in any one package shall in no case exceed three times the tolerance.

(b) For a tolerance of 10 percent or more, individual packages in any lot may contain not more than one and one-half times the tolerance specified.

(c) For a tolerance of less than 10 percent, individual packages in any lot may contain not more than double the tolerance specified, provided at least one specimen which does not meet the requirements shall be allowed in any one package.

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6251

as in three of the certificates discussed in this section, without provision for withdrawal after notice upon the option of the depositor, the certificate must be regarded as maturing at the earliest fixed maturity and, if not withdrawn at that time or at any subsequent fixed maturity, as being automatically renewed until the date of the next following fixed maturity; and the maximum interest rate payable upon withdrawal at any fixed maturity would be the maximum rate applicable under the regulation to the period from the previous automatic renewal to the date of such withdrawal.

(Sec. 11, 38 Stat. 262; 12 U. S. C. 248. Interprets or applies secs. 19, 24, 38 Stat. 270, as amended; 273, as amended, sec. 8, 48 Stat. 168, as amended; 12 U. S. C. 371, 371a, 371b, 461)

BOARD OF GOVERNORS OF THE  
FEDERAL RESERVE SYSTEM,

[SEAL] S. R. CARPENTER,  
Secretary.

[F. R. Doc 56-6729; Filed Aug. 20, 1956;  
8:47 a. m.]

## TITLE 22—FOREIGN RELATIONS

### Chapter I—Department of State

[Dept. Reg. 108.294]

PART 41—VISAS: DOCUMENTATION OF NON-IMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT

PART 42—VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT

#### FORMER EXCHANGE VISITORS

Parts 41 and 42 of Chapter I, Title 22 of the Code of Federal Regulations, are hereby amended in the following respects:

1. Part 41 of Chapter I, Title 22 of the Code of Federal Regulations, is amended by the addition of the following new section immediately after § 41.101:

§ 41.102 *Former exchange visitors.*  
(a) No alien who was admitted into the United States subsequent to June 4, 1956, as an exchange visitor, or who otherwise acquired the status of an exchange visitor subsequent to June 4, 1956, including any alien granted an extension of the period of his temporary admission subsequent to the effective date of this regulation, shall be eligible to apply for and receive a visa as a nonimmigrant under the provisions of section 101 (a) (15) (H) of the act notwithstanding the approval of a petition as provided in section 214 (c) of the act unless (1) the consular officer is satisfied that such alien has resided and been physically present abroad for an aggregate of at least two years since his departure from the United States following the termination of his exchange-visitor status in a country or countries cooperating in the exchange-visitor program, or (2) the requirements of this paragraph are waived as provided in section 201 (b) of the United States Information and Educational Exchange Act of 1948, as amended. (See paragraph (c) of § 42.42 of this chapter in cases of former exchange visitors who apply for immigrant visas.)

(b) Notwithstanding the provisions of paragraph (a) of this section, the requirement of a two-year residence and physical presence abroad shall not apply in the case of an alien who was in the United States as an exchange visitor on or before June 4, 1956, who proceeded abroad temporarily on a personal visit or for reasons related to his exchange-visitor program, and who was readmitted into the United States subsequent to June 4, 1956, for the remainder of the period of authorized stay granted prior to the effective date of this regulation to continue his participation in the exchange-visitor program with which he was connected at the time of his departure from the United States.

2. Section 42.42 is amended by the addition of the following paragraph (c) at the end thereof:

(c) *Former exchange visitors.* (1) No alien who was admitted into the United States subsequent to June 4, 1956, as an exchange visitor, or who otherwise acquired the status of an exchange visitor subsequent to June 4, 1956, including any alien granted an extension of the period of his temporary admission subsequent to the effective date of this regulation, shall be eligible to apply for and receive an immigrant visa notwithstanding the provisions of section 203 (b), (c), or (d) of the act, or the provisions of § 42.25 unless (i) the consular officer is satisfied that such alien has resided and been physically present abroad for an aggregate of at least two years since his departure from the United States following the termination of his exchange-visitor status in a country or countries cooperating in the exchange-visitor program, or (ii) the requirements of this subparagraph are waived as provided in section 201 (b) of the United States Information and Educational Exchange Act of 1948, as amended. (See § 41.102 in cases of former exchange visitors who apply for nonimmigrant "H" visas.)

(2) Notwithstanding the provisions of subparagraph (1) of this paragraph, the requirement of a two-year residence and physical presence abroad shall not apply in the case of an alien who was in the United States as an exchange visitor on or before June 4, 1956, who proceeded abroad temporarily on a personal visit or for reasons related to his exchange-visitor program, and who was readmitted into the United States subsequent to June 4, 1956, for the remainder of the period of authorized stay granted prior to the effective date of this regulation to continue his participation in the exchange-visitor program with which he was connected at the time of his departure from the United States.

The regulations contained in this order shall become effective thirty days after their publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regula-

tions contained therein involve foreign affairs functions of the United States.

(Sec. 104, 66 Stat. 174; 8 U. S. C. 1104)

Dated: August 10, 1956.

ROBERT F. CARTWRIGHT,  
Acting Administrator, Bureau of  
Security and Consular Affairs.

[F. R. Doc. 56-6730; Filed, Aug. 20, 1956;  
8:48 a. m.]

## TITLE 25—INDIANS

### Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter Q—Leasing and Permitting of Restricted Indian Lands and Other Lands Administered by the Bureau of Indian Affairs for Farming, Farm Pasture, Business, and Other Purposes

#### PART 171—LEASING AND PERMITTING

#### PART 177—AGRICULTURAL AND GRAZING LEASES, OSAGE NATION, OKLAHOMA

#### MISCELLANEOUS AMENDMENTS

1. Section 171.6 (c) and (e) is revised and new paragraph (g) is added to § 171.6 to read as follows:

§ 171.6 *Duration of leases and permits of restricted land.* \* \* \*

(c) Farming leases not requiring such investment or development may be executed for a term of not to exceed five years for dry-farming lands or ten years for irrigable lands.

(e) Unless otherwise provided by the Commissioner or his authorized representative, the rental on leases granted for more than five years shall be subject to adjustment at not more than five year intervals.

(g) With the exception set forth in paragraph (a) of this section there shall be no provision for renewal in the leases.

2. Section 171.7 (c) is revised to read as follows:

§ 171.7 *Power of superintendent to grant leases or permits for restricted lands of individual Indians.* \* \* \*

(c) Where the majority interest in land being leased is owned by Indians authorized to negotiate their leases as provided for in § 171.8 and such Indians have agreed to and executed a lease on terms satisfactory to the superintendent, the superintendent is authorized to execute the lease in behalf of undetermined presumptive heirs owning the minority interest in such lands and in behalf of such Indians whose lands he is authorized to lease under paragraphs (a) and (b) of this section, without advertising such minority interest and without the limitation as to term as provided for in § 171.6 (f).

3. Section 171.9 (a) is revised to read as follows:

§ 171.9 *Negotiation of tribal leases and permits.* (a) Tribes, acting through their tribal councils or their authorized representatives, may negotiate on forms approved by the Secretary or his duly

authorized representative and subject to the approval of the Secretary or his authorized representative, leases or permits with respect to tribal lands, at not less than the appraised value. A lease or permit may provide for the payment of rentals direct to the lessor when a tribe is organized and has facilities for handling its own funds, including an acceptable bonded officer to receipt for funds. Otherwise, the lease or permit shall provide for the payment of rentals to the superintendent for deposit to the credit of the tribe in the United States Treasury.

4. Section 171.17 is revised to read as follows:

§ 171.17 *Special mandatory provisions.* All leases or permits issued under this part shall contain provisions as follows:

(a) Nothing contained in this lease shall operate to delay or prevent a termination of Federal trust responsibilities with respect to the land during the term of this lease; however, such termination shall not serve to abrogate this lease. In the event of such termination, all powers, duties, or other functions of the Secretary of the Interior or his authorized representative shall terminate, and the responsibility for enforcing compliance with the covenants of this lease shall be assumed by the lessor, his heirs, devisees, executors, administrators, or assigns.

(b) In the event of termination of Federal supervision, the lessor and lessee, or their successors in interest, shall have a period of 30 days from the anniversary date provided for in the lease for adjustment of the rental within which to agree upon the rental adjustment or to agree upon a commercial appraiser to determine the fair annual rental value. If no agreement can be reached at the end of 30 days, the lessor and lessee, or their successors, shall each appoint an appraiser and the two appraisers shall select a third appraiser. The three appraisers so selected shall constitute the appraisal board to reevaluate the fair annual rental.

(c) The lessee (permittee) further agrees that he will not use or permit to be used any part of said premises for any unlawful conduct or purpose whatsoever; that he will not use or permit to be used any part of said premises for the manufacture, sale, gift, transportation, drinking or storage of intoxicating liquors or beverages in violation of existing laws relating thereto, and that any violation of this clause by the lessee (permittee) or with his knowledge, shall render this lease voidable at the option of the superintendent.

5. Section 171.24 (c) is revised to read as follows:

§ 171.24 *Crow Reservation.* \* \* \*

(c) The approval of the superintendent of the Crow Agency shall not be required under § 171.8 with respect to leases or permits which are issued by Indian allottees whose names appear as competent on the rolls completed in accordance with the provisions of section 3 of the act of June 4, 1920 (41 Stat. 751), as

supplemented by the acts of May 19, 1926 (44 Stat. 566), May 2, 1928 (45 Stat. 482), March 15, 1948 (62 Stat. 80), and September 8, 1949 (63 Stat. 695), and which cover their own allotments or the allotments of their minor children for farming or grazing purposes except that leases other than farming and grazing made pursuant to the provisions of the act of August 9, 1955 (69 Stat. 539), all leases made by adult Crow Indians not classified as competent, and leases on heirship lands of Crow Indians having more than five competent devisees or heirs require the approval of the superintendent. Leases or permits requiring the approval of the superintendent shall provide that all rentals are to be paid by the lessee or permittee to the superintendent for the benefit of the Indian owners. Copies of all leases and permits that do not require the approval of the superintendent shall be filed promptly with the superintendent of the Crow Agency. Such filing shall impart constructive notice to all persons of its contents. No such lease which has not been so filed shall be recognized by the superintendent or by the Bureau as against lessees, purchasers, or encumbrancers of the same land in good faith for value and without notice. Any Crow Indian classified as competent shall have the full responsibility of obtaining compliance with the terms of any lease made by him pursuant to this section.

6. All of Part 177 is hereby revoked. (R. S. 161; 5 U. S. C. 22)

FRED A. SEATON,  
Secretary of the Interior.

AUGUST 15, 1956.

[F. R. Doc. 56-6715; Filed, Aug. 20, 1956; 8: 45 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Department of the Navy

#### Subchapter E—Claims

#### PART 750—NAVY GENERAL CLAIMS

#### PART 753—FOREIGN, NONCOMBAT CLAIMS

#### MISCELLANEOUS AMENDMENTS

a. Change § 750.18 to read as follows:

§ 750.18 *Statutory authority.* The first section of the act of December 28, 1945 (59 Stat. 662; 31 U. S. C. 223d), makes applicable to the Navy the act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), as amended by the act of May 29, 1945 (59 Stat. 225; 31 U. S. C. 223b), the act of June 28, 1946 (60 Stat. 332; 31 U. S. C. 223b), the act of July 26, 1947 (61 Stat. 501; 31 U. S. C. 223b), the joint resolution of July 3, 1952 (66 Stat. 334; 31 U. S. C. 223b), the joint resolution of March 31, 1953 (67 Stat. 18; 31 U. S. C. 223b), the joint resolution of June 30, 1953 (67 Stat. 131; 31 U. S. C. 223b), and the act of March 29, 1956 (70 Stat. 60; 31 U. S. C. 223b). Pursuant to, and subject to the limitations of, this authority, as amended, the Secretary of the Navy and, subject to appeal to the Secretary of the Navy, such other officer or officers as he may designate for such

purposes and under such regulations as he may prescribe, are authorized to consider, ascertain, adjust, determine, settle, and pay in an amount not in excess of \$1,000 where accepted by the claimant in full satisfaction and final settlement, any claim against the United States arising on or after May 27, 1941, when such claim is substantiated in such manner as the Secretary of the Navy may by regulation prescribe, for damage to or loss or destruction of property, real or personal, or for personal injury or death caused by military personnel or civilian employees of the Navy while acting within the scope of their employment, of otherwise incident to noncombat activities of the Navy, including claims for damage to or loss or destruction, by criminal acts, of registered or insured mail while in the possession of the military authorities, claims for damage to or loss or destruction of personal property bailed to the Government and claims for damage to real property incident to the use and occupancy thereof, whether under a lease, express or implied, or otherwise.

b. Amend § 750.19 in the following respects:

§ 750.19 *Scope of the act of December 28, 1945, as amended.* (a) Subject to the exceptions set forth in paragraph (b) of this section, claims not in excess of \$1,000, arising on or after May 27, 1941, for damage to or loss or destruction of real or personal property, or for personal injury or death caused by military personnel or civilian employees of the Navy while acting within the scope of their employment, or otherwise incident to noncombat activities of the Navy, including claims for damages to or loss or destruction, by criminal acts, of registered or insured mail while in the possession of the military authorities, claims for damage to or loss or destruction of personal property bailed to the Government and claims for damage to real property incident to the use and occupancy thereof, whether under a lease, express or implied, or otherwise, are payable by the Secretary of the Navy or his designees under the act of December 28, 1945, as amended, and §§ 750.17 to 750.27.

(b) The provisions of the act of December 28, 1945, as amended, and §§ 750.17 to 750.27 do not apply to:

(3) Any claim for personal injury or death incurred on or before March 29, 1956, other than for reasonable medical, hospital, and burial expenses actually incurred as a result thereof.

c. Change § 750.21 to read as follows:

§ 750.21 *Claims in excess of \$1,000.* Claims in excess of \$1,000, if otherwise within the scope of the act of December 28, 1945, as amended, and §§ 750.17 to 750.27, may be reported by the Secretary of the Navy to Congress for its consideration. Such claims, if found to be meritorious, will ordinarily be reported to Congress in a deficiency appropriation bill, obviating the claimant's initiation of private relief legislation.