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TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

PART 165—FORMAL PETITIONS AND APPLICATIONS

PETITION FOR NONQUOTA OR PREFERENCE QUOTA IMMIGRATION VISA

MARCH 30, 1948.

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER of January 24, 1948 (13 F. R 352) pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C., 1003) and which stated in full the terms of proposed amendments to Parts 110 and 165, Title 8, Chapter I, Code of Federal Regulations, relating to petitions for nonquota or preference quota immigration visas. The rules are hereby adopted as stated below.

1. Paragraph (a) of § 110.36, *Nonquota status; by relationship to citizen or by former citizenship,* is amended by striking out the second sentence, which reads as follows: "The alien will be excluded if subsequent to issuance of the visa the alien has obtained a divorce from the citizen petitioner; or, if subsequently widowed, has remarried; or, if beneficiary is a child, has subsequently married."

2. A cross reference as follows is added immediately following § 110.36 (a)

CROSS REFERENCE: For approval of nonquota or preference quota status and for revocation of such approval, see 8 CFR 165.1–165.3.

3. The third proviso (which is the last proviso) to paragraph (a) of § 165.1, *Petition for nonquota or preference quota immigration visa; requirements,* is amended to read as follows: "*And provided further* That if the petitioner claims to have derived United States citizenship through the naturalization or resumption of citizenship of a parent or parents or by virtue of the United States citizenship of his parent or parents at the time of his birth outside the United States, the petitioner shall file with his petition such documentary evidence of his citizenship as he has in his possession, and, if such evidence is found unsatisfactory, additional evidence may be required before approval of the petition."

4. Section 165.2 is amended to read as follows:

§ 165.2 *Petition for nonquota or preference quota status; where submitted; initial action; decision.* The executed petition on Form I-133 shall, if the petitioner is in the United States, be submitted by the petitioner to the immigration and naturalization office prescribed in § 60.30 (a) of this chapter. The petitioner may obtain advice at an office of the Immigration and Naturalization Service in preparing the required typewritten petition on Form I-133. If the petitioner is abroad, he may obtain advice as to the execution of the petition from an American consular officer and may execute the petition before such officer in accordance with the applicable provisions of section 9 of the Immigration Act of 1924 (43 Stat. 157, 50 Stat. 164; 8 U. S. C. 209) and with the applicable consular regulations. If the petitioner is abroad, he should transmit the completed petition directly to the Commissioner of Immigration and Naturalization. In all cases where the beneficiary of the petition is an unmarried child approaching the age of 21 years, the petition should be submitted to the immigration and naturalization field office prescribed in § 60.30 (a) of this chapter, or to the Commissioner, in sufficient time for action to be completed on the petition and for the child to obtain the immigration visa and reach the United States before the date on which he will attain the age of 21 years. On the receipt in a proper immigration and naturalization field office of a petition on Form I-133, such petition shall be examined in the field office as to execution and as to adequacy of the supporting documentary evidence. If the petition is improperly executed or if the supporting evidence is inadequate, it may be returned by the field office to the petitioner with instructions as to corrective action. Where appropriate, the petitioner shall be interviewed in the field office relative to the petition. On receipt in a field office of a properly executed application and on completion of any questioning of the petitioner, the petition shall be endorsed to show that it has been examined

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TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS

PENICILLIN TROCHES

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463 and 61 Stat. 11, 21 U. S. C., Sup. 357) the regulations for certification of batches of penicillin- or streptomycin-containing drugs (12 F R. 2231) as amended, are hereby further amended by deleting the period at the end of the second sentence of § 146.30 (a) substituting a comma therefor, and adding the following phrase: "except that if flavorings are omitted and it contains crystalline penicillin in a base of not less than 50 percent gelatin by weight, its moisture content is not more than 2 percent."

This order, which provides for an alternative preparation for penicillin troches, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the penicillin industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to the public interest, and I so find, since it was drawn in collaboration with interested members of the affected industry, and since it would be against public interest to delay providing for an alternative preparation for penicillin troches.

(52 Stat. 1040, as amended; 21 U. S. C. Sup. 357)

Dated: April 29, 1948.

[SEAL] OSCAR R. EWING, *Administrator*

[F R. Doc. 48-3959; Filed, May 4, 1948; 8:58 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter R—Leases and Sale of Minerals, Restricted Indian Lands

[Order 2423]

PART 180—LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

PART 186—LEASING OF TRIBAL LANDS FOR MINING

PART 195—LEASING OF LANDS IN CROW INDIAN RESERVATION, MONTANA, FOR MINING

1. Section 180.38 is amended to read as follows:

§ 180.38 *Limitation.* There is no limitation to the number of acres any lessee may acquire, by lease or assignment, for oil mining purposes on the Osage Indian Reservation. (34 Stat. 543, 45 Stat. 1478.)

2. Paragraph (a) (4) of § 186.9 *Acreage limitation,* is amended to read as follows:

(4) For oil or gas, as follows:

(i) State of Oklahoma—no limitation.

(ii) States other than Oklahoma—not to exceed 25,000 acres on any one Indian reservation.

(iii) Leases on restricted Indian lands outside of the geographic boundaries of any Indian reservation and leases operated under a cooperative or unit plan approved or prescribed by the Secretary of the Interior shall not be considered in determining holdings under this subparagraph.

(52 Stat. 347; 25 U. S. C. 396a-396f)

3. Paragraph (d) of § 195.10 *Lease acreage,* is amended to read as follows:

(d) The provisions of 25 CFR 186.9, as amended, are applicable to oil and gas leases under Part 195.

(41 Stat. 753, 44 Stat. 659)

J. A. KRUG, *Secretary of the Interior*

APRIL 28, 1948.

[F. R. Doc. 48-3940; Filed, May 4, 1948; 8:46 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 87, Amdt. 13]

PART 95—CAR SERVICE

DEMURRAGE ON COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 29th day of April A. D. 1948.

Upon further consideration of Service Order No. 87 (7 F R. 8066) as amended (7 F R. 8434; 11 F R. 4737, 8451, 11 F R. 12726, 14650; 12 F R. 259, 2093, 2131, 4886; 13 F R. 452, 525, 1170) and good cause appearing therefor:

It is ordered, That Service Order No. 87, as amended (codified as § 95.500) be, and it is hereby, further amended by substituting the following paragraph (a) for paragraph (a) thereof:

§ 95.500 *Suspension of demurrage rules, Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751 coal.* (a) The operation of demurrage rule contained in Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751, and supplements thereto or reissues thereof, is hereby suspended, to the extent that the free time allowed on cars loaded with bituminous and cannel coal and the coal products described in said tariff exceeds six days; that the average free time on cars delivered to storage plants for subsequent delivery to vessels exceeds three days; subject to the exception shown below, that the settlement period for the average account exceeds two months; and that the operation of all of the provisions of said tariff inconsistent with this order is hereby suspended.

Exception. Any excess debits accruing at any point specified in the above named tariff in the account of any particular consignor or consignee during the settlement periods ending 7:00 a. m., March 1, 1948, and 7:00 a. m., May 1, 1948, which are not offset by credits accruing to the same party during that same period at the same point because sufficient such credits have not accrued to the particular consignor or consignee due to the frozen condition of coal delaying or preventing unloading during the settlement period ending March 1, 1948, and due to the curtailment of coal production during the settlement period ending May 1, 1948, may be offset by excess credits accruing at the same point to the same consignor or consignee in the settlement period ending at 7:00 a. m., July 1, 1948.

It is further ordered, This amendment shall become effective at 7:00 a. m., May 1, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U. S. C. 1 (10)-(17))

By the Commission.

[SEAL] W. P BARTEL, *Secretary.*

[F. R. Doc. 48-3949; Filed, May 4, 1948; 8:48 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 69, Revocation]

PART 500—CONSERVATION OF RAIL EQUIPMENT

RESTRICTIONS ON PASSENGER AND SPECIAL TRAIN SERVICE

Pursuant to Executive Orders 8989, as amended, 9729, as amended, and 9919; *It is hereby ordered.*

That General Order ODT 69, as amended, §§ 500.115 to 500.119, inclusive (13 F. R. 1481, 1999, 2045) be, and it is hereby, revoked effective at 11:59 o'clock p. m. Eastern Standard Time, April 30, 1948.

(E. O. 8989, Dec. 18, 1941, 6 F R. 6725, E. O. 9389, Oct. 18, 1943, 8 F R. 14183, E. O. 9729, May 23, 1946, 11 F R. 5641, E. O. 9919, Jan. 3, 1948, 13 F R. 59)

Issued at Washington, D. C., this 29th day of April 1948.

J. M. JOHNSON, *Director, Office of Defense Transportation.*

[F. R. Doc. 48-3946; Filed, May 4, 1948; 8:47 a. m.]

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