

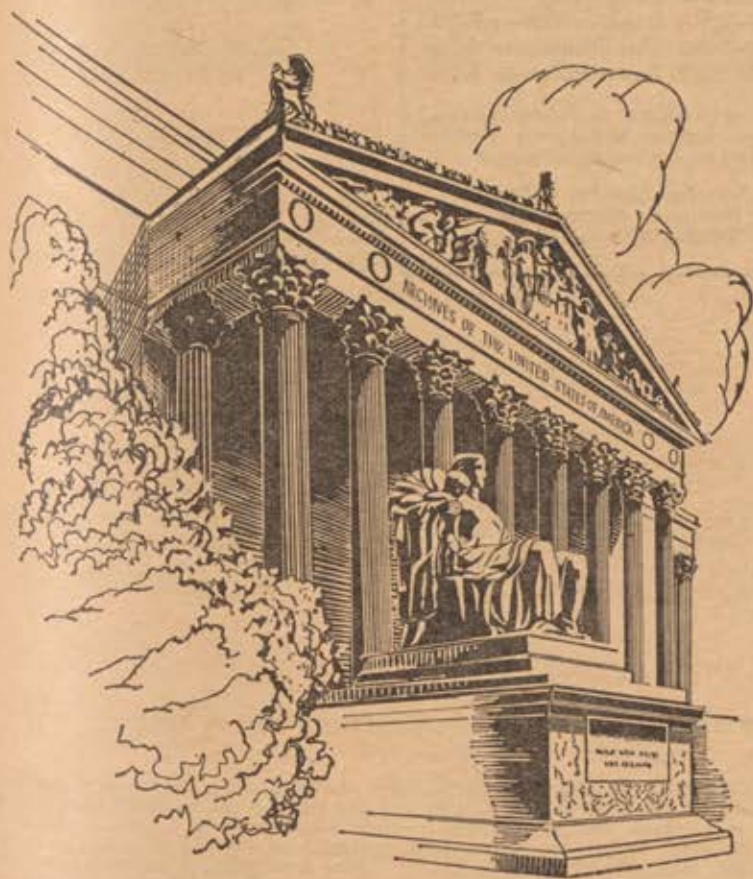
# FEDERAL REGISTER

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Presidential Documents

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

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# Rules and Regulations

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

#### SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 6411; Amdt. 410]

#### PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

##### Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

##### ADF STANDARD INSTRUMENT APPROACH PROCEDURES

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	500-1	500-1	NA
				C-dn.....	800-1	800-1	NA
				S-dn.....	NA	NA	NA
				A-dn.....	NA	NA	NA

Procedure turn N side of crs, 092° Outbnd, 272° Inbnd, 2500' within 10 miles.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 272°—4.4 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing Athens RBN, make right-climbing turn to 2500' on 092° heading. Return to Athens RBN. Hold E 1-minute right turns, 272° Inbnd.

NOTES: (1) Runway lights on request to Parkersburg, W. Va. radio. Communications with PEB radio at 1500'. (2) UNICOM available 122.8 mc. (3) No weather service on the field. (4) Facility owned by State of Ohio.

CAUTION: Terrain 400' higher than airport elevation within 2 miles all quadrants; 1666' lower 4 miles W of airport.

MRA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2300'; 180°-270°—2700'; 270°-360°—2200'.

City, Athens; State, Ohio; Airport name, Ohio University; Elev., 632'; Fac. Class., MHW; Ident., UOA; Procedure No. 1, Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No. Orig.; Dated, 9 May 64

Lakewood Int.....	OH LOM (final).....	Via OBK R-271 and 318° bearing from LOM.	2300	T-dn.....	300-1	300-1	200-1½
Warren Int.....	OH LOM.....	Direct.....	2300	C-dn.....	400-1	300-1	500-1½
Niles Int.....	OH LOM.....	Direct.....	2600	S-dn-14L.....	400-1	400-1	400-1
Deersfield Int.....	OH LOM.....	Direct.....	2600	A-dn.....	800-2	800-1	800-2
OBK-VOR.....	OH LOM.....	Direct.....	2500				

Radar vectoring authorized in accordance with approved patterns.

Procedure turn W side of NW crs, 318° Outbnd, 138° Inbnd, 2500' within 10 miles.

Minimum altitude over LOM on final approach crs, 2200'.

Crs and distance, facility to airport, 138°—5.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing OH LOM turn left to heading of 120° and climb to 1500', make left-climbing turn to 3500' and proceed to Evanston Int, via ORD R-075.

NOTES: Aircraft executing missed approach may be radar vectored after being reidentified. Runway 14R, LOM named "ROMEO"; Runway 14L, LOM named "LIMA".

CAUTION: Takeoffs on Runway 27, when weather is below 2000-3, will intercept ORD-VOR R-306 and climb to 2000' before proceeding westbound. Takeoffs on Runway 27L, when weather is below 2000-3, will intercept ORD-VOR R-306 and climb to 2000' before proceeding westbound. Deletes alternate missed approach procedure.

Other change: Transition from ORD-VOR deleted. Deletes alternate missed approach procedure.

MRA within 25 miles of facility: 000°-090°—2000'; 090°-180°—2500'; 180°-270°—2500'; 270°-360°—2200'.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., LOM; Ident., OH; Procedure No. 2, Amdt. 5; Eff. date, 30 Jan. 65; Sup. Amdt. No. 4; Dated, 18 Jan. 64



## ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CGT VOR	Stack Int.	Via CGT R-356 and bearing 138° from RV LOM.	3500	T-dn..... C-dn..... S-dn-32L..... A-dn.....	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1 1/2 400-1 800-2
API VOR	Stack Int. (final NA)	Direct.....	3500				
Niles Int.	Stack Int.	Via API R-088 and bearing 138° from RV LOM.	3500				
Stack Int.	RV LOM (final)	Direct.....	2300				
ORD VOR	Stack Int. (final NA)	Direct.....	3500				
OBK VOR	Stack Int. (final NA)	Direct.....	3500				
Lakewood Int.	ORD VOR	Via OBK VOR R-271 and ORD R-306.	3500				

Radar transitions to final approach crs authorized. Aircraft may be released for final approach Inbnd to RV LOM on final approach crs to cross RV LOM at 2300'.  
 Procedure turn E side of crs, 138° Outbnd, 318° Inbnd 3500' within 10 miles of Stack Int.  
 Minimum altitude over RV LOM on final approach crs, 2300', over Stack Int, 3500'.  
 Distance, RV LOM to airport, 5.6 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing BEG RBN, turn left to 300° heading, climb to 1500' then make left-climbing turn to 3500' and proceed direct to DPA VOR.  
 NOTES: 1. Functioning VOR receiver required unless a radar vector to final approach crs is obtained. 2. Aircraft executing missed approach may be radar controlled after radar identification. 3. VASI installed. 4. Runway 32L LOM named River Grove; Runway 32R RBN named Indian.  
 CAUTION: Takeoffs on Runway 27 when weather is below 2000-3 will intercept ORD VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L when weather is below 2000-3 will intercept ORD VOR R-306 and climb to 2000' before proceeding westbound.  
 Other change: Deletes note regarding motel sign.  
 MSA within 25 miles of facility: 000°-360°-2500'.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., LOM; Ident., RV; Procedure No. 4, Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No. Orig.; Dated, 11 Apr. 64

CGT VOR	Park Int.	Via CGT R-356 and bearing 138° from IDN RBN.	3500	T-dn..... C-dn..... S-dn-32R..... A-dn.....	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1 1/2 400-1 800-2
API VOR	Park Int. (final NA)	Direct.....	3500				
Niles Int.	Park Int.	Via API R-088 and bearing 138° from IDN RBN.	3500				
ORD VOR	Park Int. (final NA)	Direct.....	3500				
OBK VOR	Park Int. (final NA)	Direct.....	3500				
Park Int.	IDN RBN (final)	Direct.....	2300				
Lakewood Int.	ORD VOR	Via OBK R-271 and ORD VOR R-306.	3500				

Radar transitions on final approach crs authorized. Aircraft may be released for final approach Inbnd to IDN RBN on final approach to IDN RBN at 2300'.  
 Procedure turn E side of crs, 138° Outbnd, 318° Inbnd, 3500' within 10 miles of Park Int.  
 Minimum altitude over IDN RBN on final approach crs, 2300', over Park Int on final approach crs, 3500'.  
 Crs and distance, IDN RBN to airport, 318°-5.7 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles of IDN RBN, turn right to 335° heading, climb to 1500', then make right-climbing turn to 3500' and proceed to Evanston Int via ORD R-075.  
 NOTES: 1. Functioning VOR receiver required unless a radar vector to final approach crs is obtained. 2. Aircraft executing missed approach may be radar controlled after radar identification. 3. LOM 32L named River Grove; RBN 32R named Indian.  
 CAUTION: Takeoffs on Runway 27 when weather is below 2000-3 will intercept ORD VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L when weather is below 2000-3 will intercept ORD VOR R-306 and climb to 2000' before proceeding westbound.  
 Other change: Deletes note regarding motel sign.  
 MSA within 25 miles of facility: 000°-360°-2500'.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., MHW; Ident., IDN; Procedure No. 5, Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No. Orig.; Dated, 11 Apr. 64

Mt. Healthy Int.	SI LOM	Direct.....	2200	T-dn.....	300-1	300-1	200-1/2
New Baltimore Int.	SI LOM (final)	Direct.....	2000	C-dn.....	400-1	500-1	500-1 1/2
Union Int.	SI LOM	Direct.....	2300	S-dn-18.....	400-1	400-1	400-1
OVG VOR	SI LOM	Direct.....	2300	A-dn.....	800-2	800-2	800-2
LUK LFR	SI LOM	Direct.....	2700				

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn W side of crs, 360° Outbnd, 180° Inbnd, 2000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2000'.  
 Crs and distance, facility to airport, 180°-4.0 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing SI LOM, climb to 2000' on a heading of 180° to Union Int. Hold 5, 1-minute right turns, 360° Inbnd.  
 CAUTION: 1740' tower 9 miles NE of airport. 1167' tower 19 miles NNE of airport. 1120' tower 11 miles NW of airport. 1083' water tank 4 miles SE of airport.  
 MSA within 25 miles of facility: 000°-090°-2000'; 090°-180°-2800'; 180°-270°-2200'; 270°-360°-2300'.

City, Covington; State, Ky.; Airport name, Greater Cincinnati; Elev., 890'; Fac. Class., LOM; Ident., SI; Procedure No. 2, Amdt. 3; Eff. date, 30 Jan. 65; Sup. Amdt. No. 2; Dated, 11 Apr. 64



## ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Mt. Healthy Int.	HAO RBN	Direct	2000	T-dn	300-1	300-1	NA
Raymond Int.	HAO RBN	Direct	2000	C-dn	500-1	500-1	NA
New Baltimore Int.	HAO RBN	Direct	2000	S-dn	NA	NA	NA
Mason Int.	HAO RBN	Direct	2000	A-dn	NA	NA	NA
Middletown RBN	HAO RBN	Direct	2000				
Millville Int.	HAO RBN	Direct	2000				
Hamilton Int.	HAO RBN	Direct	2000				

Radar vectoring authorized in accordance with approved radar patterns.  
 Procedure turn S side of crs, 279° Outbnd, 099° Inbnd, 2000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 1600'.  
 Crs and distance, facility to airport, 099°—1.6 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.6 miles after passing HAO RBN, make right-climbing turn to 2000'; return to HAO RBN. Hold W, 1-minute right turns, 099° Inbnd.  
 NOTES: 1. Communications (UNICOM) 122.8 mc. 2. Facility owned and operated by city. 3. No weather service on field. 4. Contact Cincinnati approach control for clearance.  
 CAUTION: 968' tower 1.9 miles N of airport. 830' tower 1.3 miles SE of airport.  
 MSA within 25 miles of facility: 000°-090°—2000'; 090°-180°—2800'; 180°-270°—2200'; 270°-360°—2400'.  
 City, Hamilton; State, Ohio; Airport name, Hamilton Airport Inc.; Elev., 678'; Fac. Class., MHW; Ident., HAO; Procedure No. 1, Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No. Orig.; Dated, 25 Apr. 64

Hurt Int.	Evington RBN (final)	Direct	2900	T-dn-65 and 3..	500-1	500-1	500-1
Bedford Int.	Evington RBN	Direct	3000	T-dn-35, 24, 21, and 17.	300-1	300-1	200-1½
Lynchburg VOR	Evington RBN	Direct	2900				
Swethair Int.	Evington RBN	Direct	3000	C-dn	700-1	700-1	700-1½
Sycamore Int.	Evington RBN (final)	Direct	2900	S-dn-3	600-1	600-1	600-1
Concord Int.	Evington RBN	Direct	3000	A-dn	800-2	800-2	800-2
Maneta Int.	Evington RBN	Direct	3000				
Ellen Int.	Evington RBN	Direct	3000				

Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2900' within 10 miles. Beyond 10 miles not authorized.  
 Minimum altitude over Evington RBN on final approach crs, 2900'.  
 Crs and distance, facility to airport, 032°—7.2 miles.  
 Distance to approach end of runway at OM—3.8 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.2 miles after passing EVI RBN, make immediate left-climbing turn to 2900' direct to Evington RBN. Hold SW of Evington RBN, 032° Inbnd, 1-minute right turns. Alternate missed approach for VOR/DME equipped aircraft—within 7.2 miles after passing EVI RBN, climb to 3000' direct to Monroe Int, hold N, 307° Inbnd, 1-minute left turns.  
 NOTE: Procedure turn not required if Hurt Int or Sycamore Int is received.  
 CAUTION: Runways 6 and 3: 1350' terrain 1.5 miles NE of airport.  
 MSA within 25 miles of facility: 000°-090°—3000'; 090°-180°—3100'; 180°-270°—4000'; 270°-360°—6200'.  
 City, Lynchburg; State, Va.; Airport name, Lynchburg Municipal-Preston Glenn Field; Elev., 942'; Fac. Class., MHW; Ident., EVI; Procedure No. 1, Amdt. 3; Eff. date, 30 Jan. 65; Sup. Amdt. No. 2; Dated, 28 Mar. 64

## 2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

## VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.  
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Aberdeen LFR	ABR-VOR	Direct	2400	T-dn	300-1	300-1	200-1½
				C-dn	400-1	500-1	500-1½
				S-dn-30	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 121° Outbnd, 361° Inbnd, 2400' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2100'.  
 Crs and distance, facility to airport, 361°—2.7 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing ABR VOR, execute right-climbing turn to 3000' return to VOR and hold SE on R-121, 361° Inbnd, right turns.  
 NOTE: When authorized by ATC, ABR DME may be used to position aircraft for straight-in approach at 2900' between R-092 CW to R-222 via 6-mile DME arc with the elimination of procedure turn.  
 MSA within 25 miles of facility: 000°-090°—3200'; 090°-180°—3400'; 180°-270°—2900'; 270°-360°—2700'.  
 City, Aberdeen; State, S. Dak.; Airport name, Aberdeen Municipal; Elev., 1301'; Fac. Class., H-BVORTAC; Ident., ABR; Procedure No. 1, Amdt. 7; Eff. date, 30 Jan. 65; Sup. Amdt. No. 6; Dated, 26 Sept. 64



## VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
OLK VOR	Leo Int.	Direct	2600	T-d	300-1	300-1	300-1
PWA VOR	Parnell Int.	Direct	2600	T-n	NA	NA	NA
Parnell Int.	Leo Int. (final)	Direct	2600	C-d	700-1	700-1	700-1½
				C-n	NA	NA	NA
				A-dn	NA	NA	NA

Procedure turn E side of crs, 196° Outbnd, 016° Inbnd, 2600' within 10 miles of Leo Int.

Minimum altitude over Leo Int on final approach crs, 2600'.

Crs and distance, Leo Int to airport, 016°—5.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing Leo Int, make right turn, climb to 2600', return to Leo Int, or when authorized by ATC, make left turn, climbing 2600', proceed direct to OLK VOR.

Notes: 1. Radar vectoring to final approach crs by FWA Radar authorized in accordance with approved patterns. 2. Aircraft executing missed approach may be radar controlled after radar identification. 3. When authorized by ATC, DME may be used to position aircraft on final approach crs via the 10-mile DME arc of FWA VOR at 200' with the elimination of procedure turn. 4. No weather reporting service. 5. Dual VOR or VOR and DME required unless Leo Int identified by radar.

MSA within 25 miles of facility: 000°-090°—2700'; 090°-360°—2200'.

City, Auburn; State, Ind.; Airport name, Auburn DeKalb; Elev., 870'; Fac. Class., H-BVORTAC; Ident., FWA; Procedure No. 1, Amdt. Orig.; Eff. date, 30 Jan. 65

Niles Int.	OBK-VOR	Direct	2500	T-dn	300-1	300-1	300-1½
Warren Int.	OBK-VOR	Direct	2500	C-dn	400-1	500-1	500-1½
				S-dn-16	400-1	400-1	400-1
				A-dn	NA	NA	NA

Radar transitions to final approach crs authorized. Aircraft will be released for final approach without procedure turn on final approach Inbnd 3 miles from OBK-VOR.

Procedure turn N side of crs, 338° Outbnd, 158° Inbnd, 2500' within 10 miles.

Minimum altitude over facility on final approach crs, 1700'.

Crs and distance, facility to airport, 158°—4.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing OBK-VOR, make left turn climb to 2500' and proceed to OBK-VOR via OBK-VOR R-140.

Other change: Deletes transitions from Deerfield Int and Lakewood Int.

MSA within 25 miles of facility: 000°-090°—2000'; 090°-180°—2500'; 180°-270°—2500'; 270°-360°—2300'.

City, Chicago; State, Ill.; Airport name, Pal-Waukee; Elev., 646'; Fac. Class., BVORTAC; Ident., OBK; Procedure No. 1, Amdt. 7; Eff. date, 30 Jan. 65; Sup. Amdt. No. 6 Dated, 1 Dec. 62

MKG VOR	Holton Int.	Direct	2300	T-dn	300-1	300-1	300-1½
HIC VOR	Holton Int.	Direct	2600	C-dn	700-1	700-1	700-1½
				A-dn	NA	NA	NA

Procedure turn N side of crs, 338° Outbnd, 008° Inbnd, 2300' within 10 miles of Holton Int.

Minimum altitude over facility on final approach crs, 2300'.

Crs and distance, facility to airport, 008°—5.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Holton Int, climb to 2300' on HIC R-238 and return to Holton Int. Hold NE of Holton.

Notes: 1. No weather available. 2. Approaches controlled by Muskegon approach control. 3. Close flight plan with MKG approach control or radio, or by long distance; phone immediately upon landing.

MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2200'; 180°-270°—2800'; 270°-360°—2200'.

City, Fremont; State, Mich.; Airport name, Fremont Municipal; Elev., 800'; Fac. Class., BVOR; Ident., HIC; Procedure No. 1, Amdt. Orig.; Eff. date, 30 Jan. 65

Hurt Int.	Lynchburg VOR (final)	Direct	2200	T-dn-6 and 3* T-dn-35, 24, 21, and 17.	500-1 300-1	500-1 300-1	500-1 200-1½
				C-dn	700-1	700-1	700-1½
				S-dn-3	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 208° Outbnd, 025° Inbnd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 2200'.

Crs and distance, facility to airport, 025°—4.0 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing LYH-VOR, make a left-climb turn to 2900'. Hold SW of Lynchburg VOR R-205 1-minute right turns. Alternate missed approach for DME equipped aircraft: Within 4.0 miles after passing LYH VOR-TAC, climb to 3500' direct to Monroe Int, hold N, 267° Inbnd, 1-minute left turns.

Note: If Hurt Int is received procedure turn not required.

\*CAUTION NOTE: Runway 6-3—1350' terrain 1.5 miles NE of airport.

MSA: 000°-090°—4600'; 090°-180°—2100'; 180°-270°—3100'; 270°-360°—5300'.

City, Lynchburg; State, Va.; Airport name, Lynchburg Municipal-Preston Glenn Field; Elev., 942'; Fac. Class., BVORTAC; Ident., LYH; Procedure No. 1, Amdt. 4; Eff. date, 30 Jan. 65; Sup. Amdt. No. 3; Dated, 28 Mar. 64

COL VOR	Arlene Int.	Via COL R-046	2000	T-dn	300-1	300-1	300-1½
Arlene Int.	CRI VOR (final)	Via R-222#		LDIN-dn-13L%	800-2	800-2	800-2
				LDIN-dn-13R%	1000-3	1000-3	1000-3
			**1000	C-dn	NA	NA	NA
				A-dn	1000-3	1000-3	1000-3

Procedure turn not authorized.

Minimum altitude over facility on final approach crs, \*\*1000'.

Crs and distance, facility to lead-in lights, 042°—1.7 miles. Arc distance via lead-in lights to Runway 13L, 4.8 miles; 13R, 3.7 miles.

If visual contact not established upon descent to authorized landing minimums within 1.7 miles after passing CRI VOR, or if landing not accomplished, proceed direct to JFK VOR thence via JFK R-078 to DFK VOR climbing to 3000'. Hold E 1-minute left turns, Inbnd crs, 257°.

\*Radar vectors authorized in accordance with approved radar patterns.

%LDIN (Lead-in light system) must be operational to execute this procedure.

When visual reference established at 1.7 miles beyond CRI VOR, follow lead-in lights to Runway 13L or 13R.

Do not descend below 500' until runway threshold in sight.

\*\*When directed by ATC cross CRI VOR and/or JFK VOR R-280 between 1100' and 200'.

MSA within 25 miles of facility: 000°-090°—1900'; 090°-180°—1400'; 180°-270°—1600'; 270°-360°—2500'.

City, New York; State, N.Y.; Airport name, John F. Kennedy International; Elev., 12'; Fac. Class., TVOR-W; Ident., CRI; Procedure No. VOR-13L/13R, Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No. Orig.; Dated, 1 Oct. 64



## VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Chapel Int.	LAF VOR (final)	Direct	2300	T-dn*	300-1	300-1	300-1½
				C-dn	1000-1	1000-1	1000-1½
				C-n	1000-2	1000-2	1000-2
				A-dn	1000-2	1000-2	1000-2
				Following minimums apply for dual VOR equipped aircraft and Battle Int identified:			
				C-dn	600-1	600-1	600-1½
				A-dn	800-2	800-2	800-2

Procedure turn W side of final approach crs, 323° Outbnd, 143° Inbnd, 2300' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2300'.  
 Crs and distance, facility to airport, 143°—10.6 miles; Battle Int to airport, 143°—3.4 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10.6 miles after passing LAF VOR or 3.4 miles after passing Battle Int make right turn, climb to 2300' and return to LAF VOR.  
 NOTE: Aircraft departing Runway 10 eastbound climb to 1800' on heading 140°. Runway 5 departures eastbound climb to 1800' on runway heading before proceeding on crs.  
 CAUTION: 1300' tower 3.6 miles ESE of airport directly in line with Runway 10.  
 \*300-1 required for Runway 5.  
 MSA within 25 miles of facility: 000°-090°—2000'; 090°-180°—2400'; 180°-270°—2200'; 270°-360°—2100'.

City, West Lafayette; State, Ind.; Airport name, Purdue University; Elev., 600'; Fac. Class., BVORTAC; Ident., LAF; Procedure No. 1, Amdt. 11; Eff. date, 30 Jan. 65; Sup. Amdt. No. 10, Dated, 2 May 64

## 3. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

## TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
FN LOM	FNT VOR	Direct	2100	T-dn	300-1	300-1	300-1½
				C-dn	500-1	500-1	500-1½
				S-dn-9	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				If aircraft equipped with VOR and ADF or DME and Swartz Int identified, the following minimums apply:			
				C-dn	400-1	500-1	500-1½
				S-dn-9	400-1	400-1	400-1

Procedure turn S side of crs, 283° Outbnd, 103° Inbnd, 2100' within 10 miles of VOR or Swartz Int.  
 Minimum altitude over FNT VOR on final approach crs, 1300'.  
 Crs and distance, Swartz Int to airport, 103°—3.4 miles; Swartz Int to VOR 4.0 miles.  
 Crs and distance, Swartz Int to Runway 9, 091°—0.50 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.5 mile of FNT VOR make left-climbing turn and proceed to Davis Int via FNT R-071 at 2400' or when directed by ATC make climbing right turn and proceed direct to FN LOM at 2100'.  
 NOTE: When authorized by ATC, DME may be used to position aircraft on final crs at 2600' via 11-mile DME arc 172° clockwise to 340° with the elimination of procedure turn.  
 #400-1½ authorized except turbojet aircraft with operative high-intensity runway lights.  
 #400-1½ authorized except turbojet aircraft with operative ALS and high-intensity runway lights.  
 MSA within 25 miles of facility: 000°-090°—2200'; 090°-180°—2600'; 180°-270°—2200'; 270°-360°—2600'.

City, Flint; State, Mich; Airport name, Bishop; Elev., 781'; Fac. Class., BVORTAC; Ident., FNT; Procedure No. TerVOR-9, Amdt. 4; Eff. date, 30 Jan. 65; Sup. Amdt. No. 3, Dated, 18 July 64



4. By amending the following very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

# VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All radials between 320 and 241 radial inclusive.	241 radial on 12-mile arc	12-mile counter-clockwise arc.	1600	T-dn	300-1	300-1	300-1
10-mile DME Fix on R-241	5.4-mile DME Fix (final) on R-241	Direct	800	C-dn	700-1	700-1	700-1
				S-dn-5	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn not authorized. Radar vectoring or DME orbit transitions to final approach crs required.  
 Minimum altitude over 10-mile DME Fix on final approach crs, 1600'; over 5.4-mile DME Fix 1100'; over 5.4-mile DME Fix 800'.  
 Crs and distance, 10-mile DME Fix to 5.4-mile DME Fix, 091°—4.6 miles; 5.4-mile DME Fix to Runway 5, 042°—0.7 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 5.4-mile DME Fix, climb straight ahead to 1600' on R-241 and proceed to JAX VOR.  
 \*Final approach crs, 061°.  
 MSA within 25 miles of facility: 000°-090°—1200'; 090°-180°—1400'; 180°-270°—2100'; 270°-360°—1400'.

City, Jacksonville; State, Fla.; Airport name, Thomas Cole Imeson; Elev., 52'; Fac. Class., BVORTAC; Ident., JAX; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 30 Jan. 65

All radials between 320 and 252 radial inclusive.	252 radial on 12-mile arc	12-mile counter-clockwise arc.	1600	T-dn	300-1	300-1	300-1
10-mile DME Fix on R-252	5.1-mile DME Fix (final) on R-252	Direct	800	C-dn	700-1	700-1	700-1
				S-dn-9	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn not authorized. Radar vectoring or DME orbit transitions to final approach crs required.  
 Minimum altitude over 10-mile DME Fix on final approach crs, 1600'; over 5.1-mile DME Fix 1100'; over 5.1-mile DME Fix 800'.  
 Crs and distance, 10-mile DME Fix to 5.1-mile DME Fix, 072°—4.9 miles; 5.1-mile DME Fix to Runway 9, 089°—0.6 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 5.1-mile DME Fix, climb straight ahead to 1600' on R-252 and proceed to JAX VOR.  
 \*Final approach crs, 072°.  
 MSA within 25 miles of facility: 000°-090°—1200'; 090°-180°—1400'; 180°-270°—2100'; 270°-360°—1400'.

City, Jacksonville; State, Fla.; Airport name, Thomas Cole Imeson; Elev., 52'; Fac. Class., BVORTAC; Ident., JAX; Procedure No. VOR/DME No. 2, Amdt. Orig.; Eff. date, 30 Jan. 65

Kion Int.	LYH VORTAC R-027 15-mile DME Fix	CW 15-mile DME Arc.	3500	T-dn-6 and 3*	500-1	500-1	500-1
Sweetbriar Int.	Monroe Int.	CCW 20-mile DME Arc.	3500	T-dn-35, 24, 21 and 17.	300-1	300-1	300-1
Concord Int.	LYH VORTAC R-027 13-mile DME Fix	CCW 13-mile DME Arc.	3000	C-dn	700-1	700-1	700-1
				S-dn-21	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2

Procedure turn not authorized.  
 Minimum altitude on final approach crs (207°) 20-mile DME to 15-mile DME 3500'; 15-mile DME to 10-mile DME 2400'; 10-mile DME to 6-mile DME 1640'.  
 Crs to airport Runway 21—207°. Breakoff point to runway 0.8 NM—212'.  
 Minimum altitude 6 NM DME Fix R-027 Inbnd, 1640'.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6-mile DME Fix climb to 2900' direct to LYH VORTAC.  
 Hold SW of Lynchburg VORTAC R-305 1-minute right turn.  
 \*CAUTION NOTE: Runway 6-3 1340' terrain 1.5 miles NE of airport.  
 MSA within 25 miles of facility: 000°-090°—1200'; 090°-180°—1400'; 180°-270°—2100'; 270°-360°—1300'.

City, Lynchburg; State, Va.; Airport name, Lynchburg Municipal-Preston Glenn Field; Elev., 942'; Fac. Class., B-VORTAC; Ident., LYH; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. date, 30 Jan. 65

ORL VOR	Wilcox Int.	Direct	1600	T-dn	300-1	300-1	300-1
ORL LOM	Wilcox Int.	Direct	1700	C-dn	400-1	500-1	500-1
				S-dn-31	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn N side of crs, 121° Outbnd, 301° Inbnd, 1600' within 10 miles of Wilcox Int.  
 Minimum altitude over Wilcox Int on final approach crs, 1600'.  
 Crs and distance, Wilcox Int to airport, 301°—5.7 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing Wilcox Int, turn right and climb to 2000' on R-048 within 20 miles of ORL-VOR or when directed by ATC, climb to 2000' on the R-308 within 20 miles of ORL-VOR.  
 NOTE: When authorized by ATC, Orlando DME may be used for a 9-mile orbit from R-048 clockwise through R-230 at 1700' to position aircraft for a straight-in approach with the elimination of the procedure turn.

MSA within 25 miles of facility: 000°-090°—2100'; 090°-180°—1400'; 180°-270°—1800'; 270°-360°—1700'.  
 City, Orlando; State, Fla.; Airport name, Herndon; Elev., 113'; Fac. Class., H-BVORTAC; Ident., ORL; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. date, 30 Jan. 65  
 Sup. Amdt. No. 1; Dated, 12 Sept. 64

ORL VOR	Fairview Int.	Direct	1700	T-dn	300-1	300-1	300-1
ORL LOM	Fairview Int.	Direct	1700	C-dn	500-1	500-1	500-1
				S-dn-13	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn W side of crs, 316° Outbnd, 136° Inbnd, 1700' within 10 miles of Fairview Int.  
 Minimum altitude over Fairview Int on final approach crs, 1700'.  
 Crs and distance, Fairview Int to airport 136°—5.4 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing Fairview Int turn left and climb to 2000' on R-048 within 20 miles of ORL-VOR or when directed by ATC, climb to 2000' on R-122 within 20 miles of ORL-VOR.  
 NOTE: When authorized by ATC, Orlando DME may be used for a 9-mile orbit from R-230 clockwise through R-045 at 1700' to position aircraft for a straight-in approach with the elimination of the procedure turn.

MSA within 25 miles of facility: 000°-090°—2100'; 090°-180°—1400'; 180°-270°—1800'; 270°-360°—1700'.  
 City, Orlando; State, Fla.; Airport name, Herndon; Elev., 113'; Fac. Class., H-BVORTAC; Ident., ORL; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. date, 30 Jan. 65  
 Sup. Amdt. No. Orig.; Dated, 29 Aug. 64



## 5. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

## ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Ceiling and visibility minimums					
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lakewood Int.	OH LOM (final)	Via OBK R-271 and NW crs OHA ILS	2500	T-dn% C-dn S-dn-14L# A-dn	300-1 400-1 300-1/2 600-2	300-1 300-1 300-1/2 600-2	300-1/2 500-1 1/2 300-1/2 600-2
Niles Int.	ORD VOR	Direct	2500				
Warren Int.	LOM	Direct	2500				
Deerfield Int.	OH LOM	Direct	2500				
OBK-VOR	OH LOM	Direct	2500				

Radar vectoring authorized in accordance with approved patterns.

Procedure turn W side of NW crs, 318° Outbnd, 138° Inbnd, 2500' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2500'.

Altitude of glide slope and distance to approach end of runway at LOM, 2481'—5.7 miles; at LMM, 900'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn left to a heading of 120° and climb to 1500', make left climbing turn to 3000' and proceed to Evanston Int via ORD R-075.

NOTE: Runway 14R, LOM named "ROMEO"; Runway 14L, LOM named "LIMA"; no approach lights.

CAUTION: Takeoffs Runway 27 when weather is below 2000-3 will intercept ORD-VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs Runway 32L when weather is below 2000-3 will intercept ORD R-306 and climb to 2000' before proceeding westbound. When conducting a parallel approach, Parallel ILS 14R and L procedure must be used.

Other changes: Deletes alternate missed approach procedure, transition ORD VOR to OH LOM.

\*400-1 required when glide slope not utilized.

%Runway visual range 2000' also authorized for takeoff on Runways 14L, 14R, and 32L in lieu of 200-1/2 when 200-1/2 is authorized, provided high-intensity runway lights are operational.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I-OHA; Procedure No. ILS-14L, Amdt. 6; Eff. date, 30 Jan. 65; Sup. Amdt. No. 5; Dated, 18 Jan. 64

Lakewood Int.	OR LOM (final)	Via OBK R-271 and NW crs ORD ILS	2200	T-dn# C-dn S-dn-14R* A-dn	300-1 400-1 200-1/2 600-2	300-1 500-1 200-1/2 600-2	200-1/2 500-1 1/2 200-1/2 600-2
ORD VOR	OR LOM	Direct	2500				
Warren Int.	OR LOM	Direct	2500				
Elgin Int.	OR LOM	Direct	2500				
Niles Int.	ORD VOR	Direct	2500				
Deerfield Int.	OR LOM	Direct	2500				
OBK-VOR	OR LOM	Direct	2500				

Radar vectoring authorized in accordance with approved patterns.

Procedure turn W side of crs, 318° Outbnd, 138° Inbnd, 2500' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 2200'.

Altitude of glide slope and distance to approach end of runway at LOM, 2132'—5.3 miles; at LMM, 861'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right to a heading of 155° and climb to 1500', then make a right-climbing turn to 3500' and proceed to DPA-VOR via R-085 or, when directed by ATC (1) turn right to a heading of 155° and climb to 1500' then make climbing-right turn to 3000' and proceed to Du Page VOR via R-085 or as directed by ATC turn right to heading of 155° and climb to 1500' then make right-climbing turn to 2500' and proceed to Elgin Int via ORD R-271.

CAUTION: When conducting a parallel approach, Parallel ILS-14R and L procedure must be used.

NOTE: Aircraft executing missed approach may, after being reidentified be radar controlled.

NOTES: Final approach from holding pattern not applicable. Procedure turn required. Runway 14R, LOM named "ROMEO"; Runway 14L, LOM named "LIMA."

CAUTION: Takeoffs on Runway 27, when weather is below 2000-3, will intercept ORD VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000-3, will intercept ORD VOR R-306 and climb to 2000' before proceeding westbound.

\*400-1 required when glide slope not utilized.

%Runway visual range 2000' also authorized for landing on Runway 14R; provided, that all components of the ILS, high-intensity runway lights, approach lights, center-line lights, outer compass locator and all related airborne equipment are operating satisfactorily. Descent below the authorized landing minimum altitude of 867' shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

%Runway visual range 2000' also authorized for takeoff on Runways 14L, 14R, and 32L in lieu of 200-1/2 when 200-1/2 is authorized, providing high-intensity runway lights are operational.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I-ORD; Procedure No. ILS-14R, Amdt. 9; Eff. date, 30 Jan. 65; Sup. Amdt. No. 8; Dated, 18 Jan. 64

Papf Int.	LOM	Direct	2200	T-dn%	300-1	300-1	200-1/2
ORD VOR	LOM	Direct	2200	C-dn	400-1	500-1	500-1 1/2
OBK VOR	LOM	Direct	2200	S-dn-27*	200-1/2	200-1/2	200-1/2
Lakewood Int.	ORD VOR	Via OBK R-271 and ORD R-306	2500	A-dn	600-2	600-2	600-2
Niles Int.	LOM	Direct	2500				
Warren Int.	ORD VOR	Direct	2500				
Deerfield Int.	LOM	Direct	2200				

Radar vectoring authorized in accordance with approved patterns.

Procedure turn N side E crs, 088° Outbnd, 268° Inbnd, 2200'.

Minimum altitude at glide slope interception Inbnd, 2200'.

Altitude of glide slope and distance to approach end of runway at LOM, 2130'—4.5 miles; at MM, 860'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3500' on a crs of 268° and proceed direct to DPA VOR or climb to 2000' on crs of 268° and proceed to Elgin Int via ORD R-271 or, make right turn, climb to 2500' proceed to OBK VOR via OBK R-170.

NOTE: (1) Runway 27 LOM named "Taft." (2) Aircraft executing missed approach may after being reidentified be radar controlled.

CAUTION: Takeoffs on Runway 27, when weather is below 2000-3, will intercept ORD VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000-3, will intercept ORD VOR R-306 and climb to 2000' before proceeding westbound.

%Runway visual range 2000' also authorized for takeoff on runway 14L, 14R, and 32L in lieu of 200-1/2 when 200-1/2 is authorized, providing high-intensity runway lights are operational.

\*400-1 required when glide slope not utilized.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I-IAC; Procedure No. ILS-27, Amdt. 5; Eff. date, 30 Jan. 65; Sup. Amdt. No. 4; Dated, 1 Feb. 64



## ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CGT VOR	Stack Int.	Via CGT R-356 and SE crs RVG ILS.	3500	T-dn % C-dn S-dn-32L%	300-1 400-1 200-1/2	300-1 500-1 200-1/2	200-1/2 500-1/2 200-1/2
API VOR	Stack Int. (final NA)	Direct	3500	A-dn	600	600	600
Niles Int.	Stack Int.	Via API R-088 and SE crs RVG ILS.	3500				
ORD VOR	Stack Int. (final NA)	Direct	3500				
OBK VOR	Stack Int. (final NA)	Direct	3500				
Stack Int.	LOM (final)	Direct	2300				
Lakewood Int.	ORD VOR	Via OBK R-271 and ORD VOR R-306.	3500				

Radar transition to final approach crs authorized. Aircraft may be released for final approach inbound to LOM on final approach crs to cross LOM at 2300'.  
 Procedure turn E side of crs, 138° Outbd, 318° Inbd, 3500' within 10 miles of Stack Int.  
 Minimum altitude at glide slope interception Inbd 2300', over Stack Int 3500'.  
 Crs and distance, LOM to airport, 318°—5.6 miles.  
 Altitude of glide slope and distance to approach end of runway at LOM 2282'—5.6 miles; at MM 851'—0.6 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn left to 300° heading climb to 1500', then make left-climbing turn to 3500' and proceed direct to DPA VOR.  
 NOTES: 1. Functioning VOR receiver required unless a radar vector to final approach crs is obtained. 2. 400-1/2 required without glide slope. 3. VASI installed. 4. Aircraft executing missed approach may be radar controlled after radar identification. 5. Runway 32L LOM named River Grove. Runway 32R RBN named Indian. 6. 160' tower 5.5 miles W, 1413' tower 4.9 miles W.  
 CAUTION: Takeoffs on Runway 27 when weather is below 3000-3 will intercept ORD-VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L when weather is below 2000-3 will intercept ORD-VOR R-306 and climb to 2000' before proceeding westbound.  
 Other change: Note deleted regarding motel sign.  
 % Runway visual range of 2000' also authorized for landing on 32L provided that all components of the ILS, high-intensity runway lights, approach lights, condenser-discharge flashers, outer compass locator and all related airborne equipment are operating satisfactorily. Descent below authorized landing minimum altitude of 867' shall not be made unless visual contact with the approach lights has been established or aircraft is clear of clouds. Runway visual range 2000' also authorized for takeoff on Runways 14L, 14R, and 32L in lieu of 200-1/2 when 200-1/2 is authorized, providing high-intensity runway lights are operational.  
 City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I-RVG; Procedure No. ILS-32L, Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No., Orig.; Dated, 1 July 64

CGT VOR	Park Int.	Via CGT R-356 and SE crs OHA ILS.	3500	T-dn % C-dn S-dn-32R*	300-1 400-1 400-1	300-1 600-1 400-1	200-1/2 500-1/2 400-1
API VOR	Park Int. (final NA)	Direct	3500	A-dn	800-2	800-2	800-2
Niles Int.	Park Int.	Via API R-088 and SE crs OHA ILS.	3500				
ORD VOR	Park Int. (final NA)	Direct	3500				
OBK VOR	Park Int. (final NA)	Direct	3500				
Park Int.	IDN RBN (final)	Direct	2300				
Lakewood Int.	ORD VOR	Via OBK R-271 and ORD VOR R-306.	3500				

Radar transition to final approach crs authorized. Aircraft may be released for final approach inbound to IDN RBN on final approach crs to cross IDN RBN at 2300'.  
 Procedure turn E side of crs, 138° Outbd, 318° Inbd, 3500' within 10 miles of Park Int.  
 Minimum altitude over IDN RBN on final approach crs, 2300'; over Park Int, 3500'.  
 Crs and distance, IDN RBN to airport, 318°—5.7 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing IDN RBN, turn right to 330° heading, climb to 1500' then make right-climbing turn to 3500' and proceed to Evanston Int via ORD VOR R-075.  
 NOTES: 1. Functioning VOR receiver required unless a radar vector to final approach crs is obtained. 2. No glide slope, middle compass locator or approach lights. 3. Aircraft executing missed approach may be radar controlled after radar identification. 4. LOM 32L named River Grove, RBN 32R named Indian.  
 CAUTION: Takeoffs on Runway 27 when weather is below 3000-3 will intercept ORD VOR R-250 and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L when weather is below 2000-3 will intercept ORD VOR R-306 and climb to 2000' before proceeding westbound.  
 Other change: Deletes note regarding motel sign.  
 \*400-1/2 authorized except for turbojet aircraft, with operative high-intensity runway lights.  
 % Runway visual range of 2000' also authorized for takeoff on Runways 14L, 14R, and 32L in lieu of 200-1/2 when 200-1/2 authorized, providing high-intensity runway lights are operational.  
 City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., ILS; Ident., I-OHA; Procedure No. ILS-32R (back crs.), Amdt. 4; Eff. date, 30 Jan. 65; Sup. Amdt. No. 3; Dated, 7 Nov. 64

Mt. Healthy Int.	SI LOM	Direct	2200	T-dn	300-1	300-1	200-1/2
New Baltimore Int.	SI LOM (final)	Direct	2000	C-dn	400-1	500-1	500-1/2
Union Int.	SI LOM	Direct	2300	S-dn-18*	200-1/2	200-1/2	200-1/2
CVG VOR	SI LOM	Direct	2300	A-dn	600-2	600-2	600-2
LUK LFR	SI LOM	Direct	2700				

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn W side of crs, 360° Outbd, 180° Inbd, 2000' within 10 miles.  
 Minimum altitude at glide slope interception Inbd, 2000'.  
 Altitude of glide slope and distance to approach end of runway at OM, 1973'—4.0 miles; at MM, 1664'—0.5 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' on S crs of ILS to Union Int. Hold S, one-minute right turns, 360° Inbd.  
 CAUTION: 1746' tower 9 miles NE of airport; 1167' tower 19 miles NNE of airport; 1137' tower 11 miles NW of airport; 1083' water tank 4 miles SSE of airport.  
 \*400-1/2 required when glide slope not utilized.  
 City, Covington; State, Ky.; Airport name, Greater Cincinnati; Elev., 800'; Fac. Class., ILS; Ident., I-SIC; Procedure No. ILS-18, Amdt. 2; Eff. date, 30 Jan. 65; Sup. Amdt. No. 1; Dated, 11 Apr. 64



## ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Mt. Healthy Int.	SI LOM	Direct	2300	T-dn	300-1	300-1	300-1½
New Baltimore Int.	SI LOM (final)	Direct	3000	C-dn	400-1	300-1	300-1½
Union Int.	SI LOM	Direct	2300	S-dn-18#	400-1	400-1	400-1
Cincinnati VOR	SI LOM	Direct	2300	A-dn	800-2	800-2	800-2
LUK LFR	SI LOM	Direct	2700				

Radar vectoring authorized in accordance with approved patterns.  
 Procedure turn W side of N crs, 360° Outbnd, 180° Inbnd, 2000' within 10 miles.  
 Minimum altitude over facility on final approach crs, 2000'.  
 Crs and distance, facility to airport, 180°—4.0 miles.  
 No glide slope.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' on S crs of ILS, proceed to Union Int. Hold 8, one-minute right turns 360° Inbnd.  
 CAUTION: 1740' tower 9 miles NE of airport; 1167' tower 19 miles NNE of airport; 1120' tower 11 miles NW of airport; 1083' water tank 4 miles SSE of airport.  
 #400-3½ authorized, except for turbojet aircraft, with high-intensity runway lights.  
 #400-1½ authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.  
 City, Covington; State, Ky.; Airport name, Greater Cincinnati; Elev., 890'; Fac. Class., ILS; Ident., I-CVG; Procedure No. ILS-18(BC), Amdt. 1; Eff. date, 30 Jan. 65; Sup. Amdt. No. Orig.; Dated, 15 Feb. 64

DLH LOM	Clifton Int.	Direct	3000	T-dn	300-1	300-1	300-1½
DLH VOR	Clifton Int.	Direct	3000	C-dn	400-1	300-1	300-1½
				C-n	400-1½	300-1½	300-1½
				S-dn-27#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar vectoring to final approach crs authorized in accordance with approved patterns.  
 Procedure turn N side of crs, 088° Outbnd, 298° Inbnd, 3000' within 10 miles of Clifton Int.  
 Minimum altitude over Clifton Int., 2100'.  
 Crs and distance, Clifton Int. to airport, 298°—3.3 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.3 miles after passing Clifton Int., climb to 2700', proceed to DLH LOM.  
 CAUTION: 2040' tower 4.3 miles SE of airport.  
 NOTES: (1) Procedure authorized only for aircraft with dual omni receivers operating simultaneously or Clifton Int. identified by radar. (2) Aircraft on missed approach may be radar controlled after radar identification. (3) When authorized by ATC, DLH DME may be used to position aircraft for straight-in approach at 3000' between R-074 CW to R-194 via 11-mile DME are with elimination of procedure turn.  
 #400-3½ authorized, except for turbojet aircraft, with operative high-intensity runway lights.  
 City, Duluth; State, Minn.; Airport name, Duluth International; Elev., 1429'; Fac. Class., ILS; Ident., I-DLH; Procedure No. ILS-27 (back crs), Amdt. 2; Eff. date, 30 Jan. 65; Sup. Amdt. No. 1; Dated, 27 June 64

Camp Int.	McGregor Pt RBN	Via 5 crs of ILS	2700	T-dn#	300-1	300-1	300-1½
Harpoon Int.	Camp Int.	Direct	4000	C-dn	600-1	600-1	600-1½
Keel Int.	Camp Int.	Direct	4000	S-dn-2#	300-2½	300-2½	300-2½
Target Int.	Camp Int.	Direct	4000	A-dn	700-2	700-2	700-2
OGG VOR	McGregor Pt RBN	Direct	6500				
McGregor Pt RBN	Keel Int.	Direct	5000				

Procedure turn not authorized. Straight-in from McGregor Pt RBN only.  
 Crs McGregor Pt RBN to airport, 024°.  
 Altitude of glide slope and distance to approach end of runway at McGregor Pt RBN, 2700'—8.3 miles; at OM, 1295'—3.5 miles; at LMM, 289'—0.6 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000' on OGG-VOR R-027, reverse crs, climb to 3000' and return to VOR, or when directed by ATC, (1) climb to 7000' on OGG-VOR R-027, reverse crs and return to VOR or (2) climb to 1500' on OGG-VOR R-340, turn left, continue climb to 6000' and proceed to Forpoise Int.  
 CAUTION: 1. Precipitous terrain W of McGregor Pt RBN. Turbulence of varying intensities may be encountered. 2. 570' tower 4 miles W of airport; 252' stacks 1.6 miles SW on final. 3. Approach lights not installed.  
 When glide slope not utilized do not descend below 1700' until 3 miles past McGregor Point RBN and minimums are 500-1.  
 #Takeoff minimums Runways 23, 20, and 17 are 600-1, and all aircraft must cross airport under VFR conditions prior to departing on crs. Northeast- and northwestbound aircraft must comply with published Kahului SID's.  
 City, Kahului; Maui; State, Hawaii; Airport name, Kahului; Elev., 59'; Fac. Class., ILS; Ident., I-OGG; Procedure No. ILS-2, Amdt. 2; Eff. date, 30 Jan. 65; Sup. Amdt. No. 1; Dated, 1 Feb. 64

Hurt Int.	Evington RBN (final)	Direct	2900	T-dn-6* and 3..	500-1	500-1	500-1
Bedford Int.	Evington RBN	Direct	3000	T-dn-35, 24, 21	300-1	300-1	300-1½
Lynchburg VOR	Evington RBN	Direct	2900	and 17.	700-1	700-1	700-1½
Sweetbriar Int.	Evington RBN	Direct	3000	C-dn	700-1	200-1½	200-1½
Sycamore Int.	Evington RBN (final)	Direct	2900	S-dn-3#	700-2	700-2	700-2
Concord Int.	Evington RBN	Direct	3000	A-dn			
Moneta Int.	Evington RBN	Direct	3000				
Elon Int.	Evington RBN	Direct	3000				

Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 2900' within 10 miles. Beyond 10 miles not authorized.  
 Minimum altitude over Evington RBN on final approach crs, 2883'.  
 Minimum altitude at glide slope interception Inbnd, 2900'.  
 Crs and distance, Evington RBN to airport, 032°—7.2 miles.  
 Altitude of glide slope and distance to approach end of runway at OM, 1634'—3.8 miles; at MM, 1082'—0.6 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make immediate left-climbing turn to 2900' direct to Evington RBN, hold SW of Evington RBN, 032° Inbnd, one-minute right turns. Alternate missed approach for VOR/DME equipped aircraft, climb to 3000' direct to Monroe Int., hold N, 20° Inbnd, one-minute left turns.  
 NOTE: Procedure turn not required if Hurt Int or Sycamore Int is received.  
 \*Caution note: Runways 6 and 3: 1350' terrain 1.5 miles NE of airport.  
 #400-3½ required when glide slope not utilized.  
 City, Lynchburg; State, Va.; Airport name, Lynchburg Municipal-Preston Glenn Field; Elev., 942'; Fac. Class., ILS; Ident., I-LYH; Procedure No. ILS-3, Amdt. 2; Eff. date, 30 Jan. 65; Sup. Amdt. No. 1; Dated, 28 Dec. 63



## RULES AND REGULATIONS

## ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Sioux Falls RBN.....	Renner Int.....	Direct.....	2900	T-dn#.....	300-1	300-1	300-1½
Sioux Falls VOR.....	Renner Int.....	Direct.....	2900	C-dn.....	500-1	500-1	500-1½
Baltic Int.....	Renner Int (final).....	Direct.....	2900	S-dn-21.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 026° Outbnd, 206° Inbnd, 2900' within 10 miles of Renner Int.  
 No glide slope. Minimum altitude over Renner Int, 2600'. No outer marker. No middle marker.  
 Crs and distance, Renner Int to airport, 206°—4.2 miles.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing Renner Int, climb to 2700' on SW crs ILS, within 10 miles of LOM. Return to LOM and hold on 206° bearing.  
 NOTE: Procedure authorized only for those aircraft equipped to receive VOR and ILS simultaneously.  
 When authorized by ATC FSD DME may be used to position aircraft for straight-in approach at 3000' between R-295 clockwise to R-050 via 9-mile DME arc with the simulation of procedure turn.  
 #300-1 required for takeoff Runway 15.

City, Sioux Falls; State, S. Dak.; Airport name, Joe Foss Field; Elev., 1428'; Fac. Class., ILS; Ident., I-FSD; Procedure No. ILS-21 (back crs), Amdt. 6; Eff. date, 30 Jan. 63; Sup. Amdt. No. 5; Dated, 19 Dec. 64

PIE VOR.....	LOM.....	Direct.....	1400	T-dn#.....	300-1	300-1	300-1½
TPA RBN.....	LOM.....	Direct.....	1500	C-dn.....	500-1	500-1	500-1½
Wilson Int.....	LOM (final).....	Direct.....	1200	S-dn-18L*##.....	200-1½	200-1½	200-1½
				A-dn.....	600-2	600-2	600-2

Radar vectoring authorized in accordance with approved pattern.  
 Procedure turn W side of crs, 001° Outbnd, 181° Inbnd, 1400' within 10 miles.  
 Minimum altitude at glide slope interception Inbnd, 1300'.  
 Altitude of glide slope and distance to approach end of runway at LOM, 1171'—4.0 miles; at MM 215'—0.5 mile.  
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right to 225°, climb to 1600' on R-080/R-260 PIE-VOR within 20 miles or, when directed by ATC, climb to 1600' on S crs of ILS or 181° crs from LOM within 20 miles.  
 AIR CARRIER NOTES: 200-1½ absolute minimum for takeoff Runway 27.  
 CAUTION: 210' radio tower 1 mile WSW of airport.  
 Other change: Deletes Runway 14-32 restrictions.  
 #Runway visual range 2000' also authorized for takeoff on Runway 18L in lieu of 200-1½ when 200-1½ is authorized, provided high-intensity runway lights are operational.  
 ##Runway visual range 2000' also authorized for landing on Runway 18L, provided all components of the ILS, high-intensity runway lights, approach lights, centerline discharge flashers, outer compass locator, and all related airborne equipment are operating satisfactorily. Descent below 227' shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of the clouds.  
 \*200-1½ required when glide slope not utilized.

City, Tampa; State, Fla.; Airport name, Tampa International; Elev., 27'; Fac. Class., ILS; Ident., I-TPA; Procedure No. ILS-18L, Amdt. 20; Eff. date, 30 Jan. 63; Sup. Amdt. No. 19; Dated, 22 June 63



## 6. By amending the following radar procedures prescribed in § 97.19 to read:

## RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
268°	180°	0-20 miles	***2000	Surveillance approach			
180°	245°	0-15 miles	***2000	T-dn%*	300-1	300-1	200-1½
180°	245°	15-20 miles	***2800	C-dn-14L and R, 32L and R, 27, **22	400-1	500-1	500-1½
				C-dn-4	600-2	600-2	600-2
				S-dn-14L and R, 32L and R, 27, **22	400-1	400-1	400-1
				S-dn-4	600-2	600-2	600-2
				A-dn	800-2	800-2	800-2
				Precision approach			
				T-dn%*	300-1	300-1	200-1½
				C-dn	400-1	500-1	500-1½
				S-dn-14R, # 27, 32L	200-1½	200-1½	200-1½
				S-dn-22, 14L, 32R, 4	300-1½	300-1½	300-1½
				A-dn	600-2	600-2	600-2

All bearings are from radar site with sector azimuths progressing clockwise.  
 \*\*\* Radar control will provide 1000' vertical clearance within a 3-mile radius of towers 1187' 15 miles NW, 1460' 5.5 miles W, 1413' 4.9 miles W, 1508' 7.2 miles SW, 1185' 4.8 miles SW, 1120' 3.5 miles SW, 1504' 14.2 miles SE, 1260' 10 miles SSW, 1080' 14.3 miles SSW, and 1125' 3 miles SW.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished:  
 Runway 4: Climb straight ahead to 3500' and proceed to Evanston Int via ORD-VOR R-075 or, when directed by ATC, climb straight ahead to 2500' and proceed to OBK VOR via R-170.

Runway 27: Climb to 3500' on a crs of 268° and proceed to DPA-VOR via R-068 or, when directed by ATC, climb to 3500' on ORD-VOR R-271 and proceed to Elgin Int via ORD-VOR R-271.

Runway 22: Climb to 3500' on a crs of 220° and proceed to DPA-VOR via R-073 or, when directed by ATC, make left-climbing turn to 3500' and proceed to Evanston Int via ORD-VOR R-073.

Runway 14R: Turn right to heading 155°, climb to 1500', then make right-climbing turn to 3500' and proceed to DPA-VOR via R-085 or, when directed by ATC, turn right to heading 155°, climb to 1500', make climbing right turn to 3500' and proceed to Elgin Int via ORD-VOR R-271.

Runway 32R: Turn right to heading 335°, climb to 1500', then make right-climbing turn to 3500' and proceed to Evanston Int via ORD R-075.

Runway 32L: Turn left to heading of 120° and climb to 1500', then make climbing left turn to 3500' and proceed direct to DPA VOR.

Runway 14L: Turn left to heading of 120° and climb to 1500', make left-climbing turn to 3500' and proceed to Evanston Int via ORD R-075.

Note: Aircraft executing missed approach may after being reidentified be radar vectored.

Caution: 1460' tower 5.5 miles W, 1413' tower 4.9 miles W.

\*Takeoffs on Runway 27 when weather is below 2000-3 will intercept ORD-VOR R-250 and climb to 2000' before proceeding westbound.

Takeoffs on Runway 32L, when weather is below 2000-3, will intercept ORD-VOR R-306 and climb to 2000' before proceeding westbound.

\*\*Do not descend below 1200' until radar advises passing 920' tower 4.2 miles from end of Runway 22.

#Runway visual range 2000' also authorized for landing on 14R and 32L provided that all components of the PAR, high-intensity runway lights, condenser discharge flashers, outer compass locator and all related airborne equipment are operating satisfactorily. Descent below 800' shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

%Runway visual range of 2000' also authorized for takeoff on Runways 14R/14L and 32L in lieu of 200-1½ when 200-1½ is authorized, provided high-intensity runway lights are operational.

\*Runways 14R and 32L: 400-1½ authorized except for turbojet aircraft, with operative ALS and high-intensity runway lights. Runways 14R and L and 32R and L: 400-1½ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class. and Ident., O'Hare Radar; Procedure No. 1, Amdt. 11; Eff. date, 30 Jan. 65; Sup. Amdt. No. 10; Dated, 17 Oct. 64

Transition				Surveillance approach			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	180°	Within 40 miles	#2500	Surveillance approach			
000°		Between 40 and 60 miles	2500	T-dn%*	300-1	300-1	200-1½
				C-dn	400-1	500-1	500-1½
				S-dn-All*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2
				Precision approach			
				T-dn%*	300-1	300-1	200-1½
				C-dn	400-1	500-1	500-1½
				S-dn-4**	200-1½	200-1½	200-1½
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, all runways: Climb to 3000' and proceed via R-285 of Shelbyville to Shelbyville VOR or, when directed by ATC, (1) Climb to 3000' on NE crs ILS and proceed to Castleton Int; (2) Climb to 2500' and proceed direct to IND-VOR.

Note: Aircraft executing missed approach may be radar controlled after radar identification.

\*2500' within 3 miles of two 1849' towers NE of airport; 2000' within 3 miles of 1852' tower E and NE of airport; 3100' within 3 miles of 2190' tower 20.5 miles SSE.

\*\*400-1½ authorized, except for turbojet aircraft, with operative high-intensity runway lights. 400-1½ authorized for Runway 4, except for turbojet aircraft, with operative ALS and high-intensity runway lights.

%Runway visual range 2000' also authorized for landing on Runway 4; provided that all components of the PAR, high-intensity runway lights, approach lights, condenser discharge flashers, outer compass locator and all related airborne equipment are operating satisfactorily. Descent below the authorized landing minimum altitude of 997' shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

%Runway visual range 2000' also authorized for takeoff on Runway 4 in lieu of 200-1½ when 200-1½ is authorized, provided high-intensity runway lights are operational.

City, Indianapolis; State, Ind.; Airport name, Indianapolis Municipal (Weir-Cook); Elev., 797'; Fac. Class. and Ident., Weir Cook Radar; Procedure No. 1, Amdt. 14; Eff. date, 30 Jan. 65; Sup. Amdt. No. 13; Dated, 26 Dec. 64







to the Secretary (Intergroup Relations) in the Office of the Secretary, has been changed to Assistant to the Secretary (Civil Rights and Equal Opportunity in Employment and Housing). Effective upon publication in the FEDERAL REGISTER, subparagraph (17) of paragraph (a) of section 213.3313 is amended as set out below.

§ 213.3313 Department of Agriculture.

(a) Office of the Secretary. \* \* \*

(17) One Assistant to the Secretary (Civil Rights and Equal Opportunity in Employment and Housing).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,

Executive Assistant to the Commissioners.

[F. R. Doc. 65-715; Filed, Jan. 21, 1965; 8:50 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—Agricultural Research Service, Department of Agriculture

#### SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

#### PART 74—SCABIES IN SHEEP

##### Interstate Movement

Pursuant to the provisions of sections 4 through 7 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 1 through 4 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), §§ 74.2 and 74.3 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended (29 F.R. 14053, 15077, 15943), are hereby further amended in the following respects:

1. Subparagraph (1) of § 74.2(a) is hereby amended and a new subparagraph (6) is added to read as follows:

§ 74.2 Designation of free and infected areas.

(a) \* \* \*

(1) Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Virgin Islands of the United States, Washington, Wisconsin, and Wyoming;

(6) All counties in Texas except (1) that portion of Carson, Gray, Hutchinson, and Roberts Counties surrounding a point northeast of the town of White Deer in Carson County, Tex., lying within the area bounded by a line beginning at

a point where Texas Farm Road 293 intersects Texas State Highway 70; thence running in a northerly direction along Highway 70 for a distance of approximately 55 miles through the town of Pampa to the Canadian River; thence running in a southwesterly direction along the Canadian River for approximately 45 miles to Texas Highway 15; thence running in a southerly direction along Highway 15 for approximately 28 miles through the town of Borger to the town of Panhandle; thence running in an easterly direction along Texas Farm Road 293 to the point of beginning, where Farm Road 293 intersects with Highway 70; and (ii), that portion of Coke, Nolan, Runnels, and Taylor Counties surrounding the town of Wilmet in Runnels County, Tex., herein described as beginning at a point in Coke County, Tex., 2½ miles south of the Colorado River on Highway 277; thence running in a southeasterly direction along a dirt road that follows the general course of the Colorado River, south bank, for a distance of 12 miles; thence running east 6 miles on same dirt road to the intersection of FM 2133; thence running in an easterly direction along FM 2133 to its intersection with Highway 83, which intersection lies 3 miles south of the town of Ballinger in Runnels County; thence running north along Highway 83 to its intersection with Highway 382 in the town of Ballinger; thence running along Highway 382 in a northeasterly direction for 5 miles to its intersection with FM 2647; thence running northerly along FM 2647 and across FM 1770, at which point an unnamed dirt road begins; thence running along said dirt road in a northerly direction to the town of Bradshaw in Taylor County, which town lies 1½ miles north of the Runnels-Taylor County line; thence running from the town of Bradshaw 15 miles westerly on FM 1085 to Happy Valley in Taylor County; thence running from Happy Valley northwesterly 1 mile on FM 1086 to the intersection of same with FM 1170; thence running 15 miles southwesterly on FM 1170 through the town of Hylton in Nolan County to the town of Blackwell in Nolan County; thence running from the town of Blackwell 5 miles south on Highway 70 to the intersection of same with Highway 277; thence running south on Highway 277 through the town of Bronte in Coke County 17 miles to the Colorado River; thence running 2½ miles south of Colorado River to point of beginning.

2. A new subparagraph (6) of § 74.3(a) is hereby added to read:

§ 74.3 Designation of eradication areas.

(a) \* \* \*

(6) The following portions of counties in Texas: (i) That portion of Carson, Gray, Hutchinson, and Roberts Counties surrounding a point northeast of the town of White Deer in Carson County, Tex., lying within the area bounded by a line beginning at a point where Texas Farm Road 293 intersects Texas State Highway 70; thence running in a northerly direction along Highway 70 for a distance of approximately 55 miles through the town of Pampa to the Canadian

River; thence running in a southwesterly direction along the Canadian River for approximately 45 miles to Texas Highway 15; thence running in a southerly direction along Highway 15 for approximately 28 miles through the town of Borger to the town of Panhandle; thence running in an easterly direction along Texas Farm Road 293 to the point of beginning, where Farm Road 293 intersects with Highway 70; and (ii), that portion of Coke, Nolan, Runnels, and Taylor Counties surrounding the town of Wilmet in Runnels County, Tex., herein described as beginning at a point in Coke County, Tex., 2½ miles south of the Colorado River on Highway 277; thence running in a southeasterly direction along a dirt road that follows the general course of the Colorado River, south bank, for a distance of 12 miles; thence running east 6 miles on same dirt road to the intersection of FM 2133; thence running in an easterly direction along FM 2133 to its intersection with Highway 83, which intersection lies 3 miles south of the town of Ballinger in Runnels County; thence running north along Highway 83 to its intersection with Highway 382 in the town of Ballinger; thence running along Highway 382 in a northeasterly direction for 5 miles to its intersection with FM 2647; thence running northerly along FM 2647 and across FM 1770, at which point an unnamed dirt road begins; thence running along said dirt road in a northerly direction to the town of Bradshaw in Taylor County, which town lies 1½ miles north of the Runnels-Taylor County line; thence running from the town of Bradshaw 15 miles westerly on FM 1086 to Happy Valley in Taylor County; thence running from Happy Valley northwesterly 1 mile on FM 1086 to the intersection of same with FM 1170; thence running 15 miles southwesterly on FM 1170 through the town of Hylton in Nolan County to the town of Blackwell in Nolan County; thence running from the town of Blackwell 5 miles south on Highway 70 to the intersection of same with Highway 277; thence running south on Highway 277 through the town of Bronte in Coke County 17 miles to the Colorado River; thence running 2½ miles south of Colorado River to point of beginning.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

**Effective date.** The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

The amendments add certain portions of the Counties of Carson, Coke, Gray, Hutchinson, Nolan, Roberts, Runnels, and Taylor, in the State of Texas to the list of infected and eradication areas; and delete such portions of such Counties from the list of free areas as sheep scabies is known to exist therein. After the effective date of these amendments, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will apply to such areas.



The amendments impose certain restrictions necessary to prevent the spread of scabies, a communicable disease of sheep, and must be made effective immediately in order to accomplish their purpose in the public interest. Accordingly, under Section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the *FEDERAL REGISTER*.

Done at Washington, D.C., this 15th day of January 1965.

B. T. SHAW,  
Administrator,  
Agricultural Research Service.

[F.R. Doc. 65-664; Filed, Jan. 21, 1965;  
8:48 a.m.]

## Title 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

[Release No. 34-7508, 33-4753]

#### PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EX- CHANGE ACT OF 1934

#### PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

##### Registration Form, Proxy Rules

On October 21, 1964 the Securities and Exchange Commission in Securities Exchange Act Release No. 7447 (Securities Act Release No. 4728) (29 F.R. 14857, October 31, 1964) invited public comments on a proposed amendment to Rule 14a-3 (17 CFR 240.14a-3) of its proxy rules and proposed amendments to Form 8-A (listed and described as 17 CFR 249.208a) under the Securities Exchange Act of 1934. The Commission has adopted amendments to the rule and form as described below.

**Rule 14a-3.** Rule 14a-3 (§ 240.14a-3) relates to the information to be furnished to security holders in connection with the solicitation of proxies by issuers subject to the Commission's proxy rules. Heretofore the rule applied only to issuers having securities listed and registered on a national securities exchange. On December 7, 1964 the Commission published in Securities Exchange Act Release No. 7481 (29 F.R. 18386, December 24, 1964) proposed amendments to its proxy rules which would, among other things, make those rules applicable to issuers having securities registered pursuant to the recently enacted section 12(g) of the Act.

The rule provides, in part, that where the management of an issuer solicits proxies at an annual meeting of security holders for the purpose of electing directors, its proxy statement shall be accompanied or preceded by an annual report to such security holders containing such financial statements for the last fiscal year as will in the opinion of man-

agement adequately reflect the financial position and operations of the issuer. The Commission has amended the rule to require companies which have not previously submitted to their security holders an annual report pursuant to the rules and regulations under section 14 of the Act to include in their first annual report submitted to security holders pursuant to such regulations such information as to their business operations during the past fiscal year as will, in the opinion of management, indicate the general nature and scope of the business of the issuer and its subsidiaries. The proposal as published for comment would have required unlisted companies to include a description of their business in each annual report to security holders. Further consideration of this proposal has been deferred until the Commission has gained further experience in regard to the practices followed by unlisted companies.

**Form 8-A.** Form 8-A (§ 249.208a) as previously in effect was an optional short form which could be used for registration on a national securities exchange of an additional class of securities of an issuer which had one or more other classes so registered. The amended form expands the rule as to the use of the form so that it may be used under certain other circumstances where an issuer has already filed with the Commission the basic information and documents required for the registration of securities pursuant to the new section 12(g) of the Act. The circumstances under which the amended form may be used are as follows:

1. An issuer which has one or more classes of securities registered on an exchange may use the form for the registration of an additional class of securities on that exchange.

2. An issuer which has one or more classes of securities registered on a national securities exchange pursuant to section 12(b) or registered with the Commission pursuant to section 12(g) may use the form for the registration of any class of security pursuant to section 12(g).

3. An issuer which has registered securities under the Securities Act of 1933 may use the form for registration of any class of securities pursuant to section 12(g) if such registration will become effective within one year after the end of the last fiscal year for which certified financial statements were included in the registration statement under the Securities Act.

4. An issuer which has registered securities under the Securities Act of 1933 and is required to file reports pursuant to section 15(d) of the Securities Exchange Act of 1934 may use the form for the registration of any class of securities pursuant to section 12(g).

5. An issuer which would be required to file reports pursuant to section 15(d) of the Securities Exchange Act of 1934, but for the fact that by virtue of section 12(f)(6) of the Act such security is deemed to be registered on a national securities exchange and therefore has become subject to the reporting requirements of section 13 instead of those of

section 15(d), may use the form for the registration of any class of securities pursuant to section 12(g).

6. An issuer which has securities listed on an exempt exchange and, pursuant to the order exempting such exchange, is required to file annual and other reports comparable to those required by section 13 of the Act may use the form to register any class of securities pursuant to section 12(g).

In the situations specified in paragraphs 4, 5 and 6 above the issuer must have filed, or must file concurrently, an annual report for its last fiscal year ending prior to the filing date of the registration statement on Form 8-A (§ 249.208a). The purpose of this requirement is to avoid a hiatus in its annual reporting to the Commission.

In the form the term "registration statement" is used to refer to both an application for registration of securities on a national securities exchange and a registration statement filed pursuant to section 12(g) of the Act. It is proposed to include in the general rules and regulations a definition of the quoted term which will make the applicability of the term clear.

The amended form calls only for a description of the securities to be registered, specimens or copies of such securities, and copies of the constituent instruments defining the rights of the holders of such securities. The instructions provide that if a description of the securities comparable to that required by the form is contained in any other filing with the Commission such description may be incorporated by reference to such other filing. Any of the required exhibits which have been previously filed with the Commission or with an exchange may also be incorporated by reference. Material contracts required by amended section 12(b) are not required to be filed as exhibits to registration statements on Form 8-A (§ 249.208a). Such contracts, however, will be required to be filed as exhibits to the issuer's annual report to the Commission.

The facing sheet of the amended form asks for the registrant's I.R.S. tax number. This information is requested solely for purposes of identification in connection with the Commission's proposed automatic data processing program.

**Commission action.** The Securities and Exchange Commission hereby amends § 240.14a-3 and 249.208a as follows:

#### § 240.14a-3 Information to be furnished security holders.

(b) If the solicitation is made on behalf of the management of the issuer, and relates to an annual meeting of security holders at which directors are to be elected, each proxy statement furnished pursuant to paragraph (a) shall be accompanied or preceded by an annual report to such security holders as follows:

(1) The report shall contain such financial statements for the last fiscal year as will in the opinion of the management adequately reflect the financial position and results of operations of the issuer. Consolidated financial statements of the



issuer and its subsidiaries shall be included in the report if they are necessary to reflect adequately the financial position and results of operations of the issuer and its subsidiaries, but in such case the individual statements of the issuer may be omitted, even though they are required to be included in reports to the Commission. Any differences, reflected in the financial statements in the report to security holders, from the principles of consolidation or other accounting principles or practices, or methods of applying accounting principles or practices, applicable to the financial statements of the issuer filed or proposed to be filed with the Commission, which have a material effect on the financial position or results of operations of the issuer, shall be noted and the effect thereof reconciled or explained in such report. Financial statements included in the report may, however, omit such details or employ such condensation as may be deemed suitable by the management, provided that such statements, considered as a whole in the light of other information contained in the report shall not by such procedure omit any material information necessary to a fair presentation or to make the financial statements not misleading under the circumstances. The financial statements included shall be certified by independent public or certified public accountants, unless (i) the corresponding statements included in the issuer's annual report filed or to be filed with the Commission for the same fiscal year are not required to be certified, or (ii) the Commission finds in a particular case that certification would be impracticable or would involve undue effort or expense. Subject to the foregoing requirements with respect to financial statements, the annual report to security holders may be in any form deemed suitable by the management, and

(2) If the issuer has not previously submitted to its security holders an annual report pursuant to the rules and regulations under section 14 of the act the report shall also contain such information as to the business done by the issuer and its subsidiaries during the fiscal year as will, in the opinion of the management, indicate the general nature and scope of the business of the issuer and its subsidiaries.

This paragraph shall not apply, however, to solicitations made on behalf of the management before the financial statements are available if solicitation is being made at the time in opposition to the management and if the management's proxy statement includes an undertaking in bold-face type to furnish such annual report to all persons being solicited, at least twenty days before the date of the meeting.

§ 249.208a Form 8-A, for registration of certain classes of securities pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.

#### GENERAL INSTRUCTIONS

A. Rule as to use of Form 8-A. This form may be used for registration of the following

securities pursuant to the Securities Exchange Act of 1934:

(a) For registration on a national securities exchange pursuant to section 12(b) of the Act of any class of securities of an issuer which has one or more other classes of securities so registered on the same securities exchange;

(b) For registration pursuant to section 12(g) of the Act of any class of securities of an issuer which has one or more other classes of securities registered pursuant to either section 12 (b) or (g) of the Act.

(c) For registration pursuant to section 12(g) of the Act of any class of securities of an issuer which has filed under the Securities Act of 1933 a registration statement which has become effective and is not subject to any proceeding under section 8 of that Act or to an order issued pursuant thereto; *Provided:*

(1) the registration statement on this form will become effective within one year after the end of the last fiscal year for which certified financial statements were included in the registration statement under the Securities Act of 1933, or in a post-effective amendment thereto which has become effective; or

(2) the registrant is required to file reports pursuant to section 15(d) of the Securities Exchange Act of 1934 and has filed or concurrently files, an annual report pursuant to such section for the last fiscal year ending prior to the date of filing the registration statement on this form; or

(3) the registrant would be required to file reports pursuant to section 15(d) of the Securities Exchange Act of 1934 but for the first sentence of section 12(f) (6) of that Act and has filed, or concurrently files, an annual report pursuant to section 13 of that Act for the last fiscal year ending prior to the date of filing the registration statement on this form.

(d) For registration pursuant to section 12(g) of the Act of any class of securities of any issuer which (i) has securities listed on an exchange exempted from registration as a national securities exchange, (ii) is required by the order exempting such exchange to file with the Commission reports equivalent to those required by section 13 and the rules and regulations thereunder and (iii) has filed, or concurrently files, an annual report pursuant to section 13 for the last fiscal year ending prior to the date of filing the registration statement on this form.

B. *Application of general rules and regulations.* (a) The general rules and regulations under the Act contain certain general requirements which are applicable to registration on any form. These general requirements should be carefully read and observed in the preparation and filing of registration statements on this form.

(b) Particular attention is directed to Regulation 12B (17 CFR 240.12b-1 to 240.12b-36) which contains general requirements regarding matters such as the kind and size of paper to be used, legibility, information to be given whenever the title of securities is required to be stated, incorporation by reference and the filing of the registration statement. The definitions contained in Rule 12b-2 (17 CFR 240.12b-2) should be especially noted.

C. *Preparation of registration statement.* This form is not to be used as a blank form to be filled in, but only as a guide in the preparation of the registration statement on paper meeting the requirements of Rule 12b-12 (17 CFR 240.12b-12). The registration statement shall contain the item numbers and captions, but the text of the items may be omitted provided the answers thereto are prepared in the manner specified in Rule 12b-13 (17 CFR 240.12b-13).

D. *Signature and filing of registration statement.* Three complete copies of the

registration statement, including exhibits and all papers and documents filed as a part thereof, shall be filed with the Commission. At least one complete copy shall be filed with each exchange on which registration is applied for. At least one of the copies filed with the Commission and one filed with each such exchange shall be manually signed. Unsigned copies shall be conformed.

#### SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

#### FORM 8-A

FOR REGISTRATION OF CERTAIN CLASSES OF SECURITIES PURSUANT TO SECTION 12 (b) OR (g) OF THE SECURITIES EXCHANGE ACT OF 1934

(Exact name of registrant as specified in its charter)

(State of incorporation or organization)

(IRS tax number)

(Address of principal executive offices) (Zip Code)

Securities to be registered pursuant to section 12(b) of the Act:

Title of each class to be so registered	Name of each exchange on which each class is to be registered

Securities to be registered pursuant to Section 12(g) of the Act:

(Title of class)

(Title of class)

#### INFORMATION REQUIRED IN APPLICATION OR STATEMENT

Item 1. *Capital Stock to be Registered.* If capital stock is to be registered hereunder, state the title of the class and furnish the following information (See Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) pre-emptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions, and (8) liability to further calls or to assessment by the registrant.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the registrant while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other filing with the Commission, such description may be incorporated by reference to such other filing in answer to this item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the application filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of



any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

**Item 2. Debt Securities to be Registered.** If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

**Instruction.** Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(e) The name of the trustee and the nature of any material relationship with the registrant or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

**Instruction.** The instructions to Item 1 shall also apply to this item.

**Item 3. Other Securities to be Registered.** If securities other than those referred to in Items 1 and 2 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

**Instruction.** The instructions to Item 1 shall also apply to this item.

**Item 4. Exhibits.** List below all exhibits filed as a part of the registration statement:

#### SIGNATURE

Pursuant to the requirements of Section 12 of the Securities Exchange Act of 1934, the registrant has duly caused this registration statement to be signed on its behalf by the undersigned, thereto duly authorized.

(Registrant)

By \_\_\_\_\_

(Signature)\*

Date \_\_\_\_\_

\*Print the name and title of the signing officer under his signature.

#### INSTRUCTIONS AS TO EXHIBITS

Subject to Rule 12b-32 (17 CFR 240.12b-32) regarding the incorporation of exhibits by reference, the following exhibits shall be filed as a part of the registration statement. Such exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may be referred to by the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits called for under Item 4.

1. Specimens or copies of each security to be registered hereunder.

2. Copies of all constituent instruments defining the rights of the holders of each class of such securities, including any contracts or other documents which limit or qualify the rights of such holders.

(Secs. 12, 14, 23; 48 Stat. 892, 895 and 901, as amended; 15 U.S.C. 78i, 78n, 78w)

**Effective dates.** Section 240.14a-3 (Rule 14a-3), as amended, shall apply to annual reports to security holders covering any fiscal year ending on or after December 31, 1964. In view of the fact that the fiscal year of certain issuers has ended since July 1, 1964 and such issuers are required to file a registration statement within 120 days after the end of such fiscal year, § 249.208a (Form 8-A), as amended, shall become effective January 15, 1965. However, any issuer required to file a registration statement prior to such effective date may file such statement within 30 days thereafter.

By the Commission, January 14, 1965.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 65-640; Filed, Jan. 21, 1965;  
8:46 a.m.]

[Release No. 34-7511]

## PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

### Certified Mail

The Securities and Exchange Commission has amended paragraphs (g) and (i) of § 240.24b-2 (17 CFR Part 240) to provide for the use of certified mail in addition to registered mail. The amended paragraphs read as follows:

§ 240.24b-2 Nondisclosure of information filed with the Commission and with an exchange.

(g) If such hearing either (1) shall not have been requested, or (2) if requested, shall have been held, and the Commission shall have determined that disclosure of the confidential portion is in the public interest, a finding and determination to that effect will be entered and notice of the finding and determination will be sent by registered or certified mail to the person or his agent for service.

(1) The confidential portion shall be made available to the public at the time and according to the conditions specified in subparagraphs (1)-(3) of this paragraph:

(1) Upon the lapse of fifteen days after the dispatch of notice by registered or certified mail of the finding and determination of the Commission described in paragraph (g) of this section, if prior to the lapse of such fifteen days the person shall not have filed a written statement that he intends in good faith to seek judicial review of the finding and determination;

(2) Upon the lapse of sixty days after the dispatch of notice by registered or certified mail of the finding and deter-

mination of the Commission, if the statement described in subparagraph (1) of this paragraph shall have been filed and if a petition for review shall not have been filed within such sixty days; or

(3) If such petition for review shall have been filed within such sixty days, upon final disposition adverse to the person, of the judicial proceedings.

The Commission finds that the foregoing amendments involve matters of agency organization or procedure and that notice and subsequent procedure pursuant to subsections 4 (a) and (b) of the Administrative Procedure Act are not required. The Commission also finds that the provisions of subsection 4(c) of the Administrative Procedure Act regarding postponement of the effective date are inapplicable inasmuch as the foregoing amendments are not of a substantive nature. Accordingly, the foregoing amendments are effective forthwith (January 15, 1965).

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

JANUARY 15, 1965.

[F.R. Doc. 65-642; Filed, Jan. 21, 1965;  
8:46 a.m.]

## Title 26—INTERNAL REVENUE

### Chapter I—Internal Revenue Service, Department of the Treasury

#### SUBCHAPTER A—INCOME TAX

[T.D. 6793]

### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

#### Place for Filing Returns or Other Documents

In order to provide for the filing of certain income tax returns with the directors of service centers paragraph (a) of § 1.6091-4 of the Income Tax Regulations (26 CFR Part 1), relating to filing of returns in exceptional cases, is amended to read as follows:

#### § 1.6091-4 Exceptional cases.

(a) *Permission to file in district other than required district.* (1) The Commissioner may permit the filing of any income tax return required to be made under the provisions of subtitle A or F of the Code, or the regulations in this part, in any internal revenue district, notwithstanding the provisions of paragraphs (1) and (2) of section 6091(b) and §§ 1.6091-1 to 1.6091-3, inclusive.

(2) In cases where the Commissioner authorizes (for all purposes except venue) a director of an internal revenue service center to receive returns, such returns pursuant to instructions issued with respect thereto, may be sent directly to the director and are thereby filed with him for all purposes except as a factor in determining venue. However, after initial processing all such returns shall be forwarded by the director of a service center to the office with which such re-



turns are, without regard to this subparagraph, required to be filed. For the sole purpose of determining venue, such returns are filed only with such office.

(3) Notwithstanding the provisions of other sections of this chapter or any rule issued under this chapter—

(i) In cases where, in accordance with subparagraph (2) of this paragraph, a return is filed with the director of a service center, the authority of the district director with whom such return would, without regard to such subparagraph, be required to be filed shall remain the same as if the return had been so filed;

(ii) Unless a return or other document is a proper attachment to, or is, a return which the director of a service center is expressly authorized to receive, such return or other document shall be filed as if all returns sent directly to the service centers, in accordance with subparagraph (2) of this paragraph, were filed in the office where such returns are, without regard to such subparagraph, required to be filed; and

(iii) Unless the performance of an act is directly related to the sending of a return directly to the director of a service center, such act shall be performed as if all returns sent directly to the service centers, in accordance with subparagraph (2) of this paragraph, were filed in the office where such returns are, without regard to such subparagraph, required to be filed.

(4) The application of subparagraphs (2) and (3) of this paragraph may be illustrated by the following examples:

*Example (1).* The Commissioner has authorized the Director, Internal Revenue Service Center, Chamblee, Georgia (for all purposes except venue), to receive Forms 1040 and 1040A. A, a resident of Greensboro, North Carolina, is required to file his Form 1040 for the calendar year 1964 with the District Director, Greensboro, North Carolina. In addition, A is required to file his declaration of estimated tax, Form 1040ES, for the calendar year 1965, which under paragraph (c) of § 1.6073-1 must be filed with the district director for the district in which A expects to file his income tax return. Under subparagraph (2) of this paragraph A may send his Form 1040 to either the director of the service center or to his district director. However, since his Form 1040ES is not a proper attachment to his income tax return, he shall send his Form 1040ES to his district director (with whom he is, without regard to subparagraph (2) of this paragraph, required to file his income tax return).

*Example (2).* Assume the same facts as in Example (1), and in addition, that A is required to attach copies of his Forms W-2 to his income tax return, Form 1040. Therefore, A must attach copies of his Forms W-2 to his Form 1040 and send both to either his district director or the director of the service center.

*Example (3).* Assume the facts in Example (1) and in addition, that A sends his Form 1040 to the director of the service center. Assume further that A is entitled to file a claim under section 6421 for refund of certain taxes paid for gasoline used for certain nonhighway uses. Under paragraph (c) of § 48.6421(c)-1 of this chapter the claim on Form 843 shall be filed with the district director with whom the claimant filed his latest income tax return. Since Form 843 is not a proper attachment to A's Form 1040, the claim shall be sent to A's district director since his is the office with

which A would, without regard to subparagraph (2) of this paragraph, be required to file his Form 1040.

*Example (4).* Taxpayer B sends his Form 1040 to the director of a service center. B wishes to apply for an extension of the period of replacement for involuntarily converted property pursuant to section 1033 of the Code. Under paragraph (c)(3) of § 1.1033(a)-2 of this chapter such application is to be made to the district director for the internal revenue district in which the income tax return is filed for the first taxable year during which any of the gain from the involuntary conversion is realized. Pursuant to subparagraph (3) of this paragraph, B shall apply to the district director for the internal revenue district in which such income tax return is, without regard to subparagraph (2) of this paragraph, required to be filed. Such district director is authorized to grant or withhold such extension of the period of replacement.

*Example (5).* Taxpayer C sends his return directly to the director of a service center. C wishes to receive certain information concerning the value of a reversionary interest with respect to his charitable contribution under section 170 of the Code. Under paragraph (d)(2) of § 1.170-2 of this chapter, C may upon request, obtain the information from the district director with whom he files his income tax return. Under subparagraph (3) of this paragraph, C shall request such information from the district director with whom he would, without regard to subparagraph (2) of this paragraph, be required to file his return.

Because this Treasury decision relates to regulations which constitute a general statement of policy and establishes rules of Departmental practice and procedures, it is found that it is unnecessary to issue these regulations with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] **BERTRAND M. HARDING,**  
Acting Commissioner  
of Internal Revenue.

Approved: January 15, 1965.

**STANLEY S. SURREY,**  
Assistant Secretary  
of the Treasury.

[P.R. Doc. 65-684; Filed, Jan. 21, 1965;  
8:49 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### SUBCHAPTER I—MILITARY PERSONNEL

#### PART 882—DECORATIONS AND AWARDS

##### Subpart A—Decorations

##### MISCELLANEOUS AMENDMENTS

##### § 882.3 [Amended]

1. Section 882.3(a) is amended by the addition of a new medal, Combat Readiness Medal, which is inserted between the Air Medal and the Air Force Commendation Medal.

##### 2. In § 882.6:

a. Present paragraphs (b) (1) (iv) and (2) are deleted and new material is inserted therefor.

b. In paragraph (d) a Note is added to subparagraph (4) (i).

c. In paragraph (f) (2), a new subdivision (iii) is added; and present subparagraph (3) and the Note are deleted and new material inserted therefor.

d. In paragraph (g) a new subparagraph (7) is added.

As amended § 882.6 reads as follows:

##### § 882.6 Preparing, submitting, and processing recommendations.

(b) \* \* \*

(1) \* \* \*

(iv) Commanders and supervisors will be especially alert concerning the need to afford appropriate recognition to personnel being retired from the Air Force. Awarding authorities should be particularly responsive to recommendations for award of appropriate decorations to such personnel. Airmen retiring after 20 years or more of active service, and who have served with distinction in their terminal tours, should be considered for award of the Air Force Commendation Medal concurrently with their retirement. Individual records should be reviewed and performance evaluated by the appropriate commander at the time application for retirement is submitted, or when retirement is directed. Officers retiring mandatorily for length of service, and who have continued to perform meritoriously to the end of their careers, should be considered for an appropriate decoration. Services of officers terminated by voluntary early retirement require the careful weighing of all related facts to insure that the award of a decoration is fully justified. Services of any person involuntarily released under an Air Force quality control program require detailed evaluation of all related facts before a decoration is recommended or awarded.

(2) *Meritorious service.* A recommendation based on meritorious service for award of the Distinguished Service Medal or Legion of Merit must be for a completed period of service. A recommendation for award of the Air Force Commendation Medal based on meritorious service may be submitted at any time but normally will be for a completed period of service. For clarity and consistency of action, general guidance is provided as follows:

(i) Recommendations for award of the Air Force Commendation Medal based on meritorious service, which may be submitted at any time rather than upon a completed period of service, must:

(a) Relate to personnel whose services have been clearly outstanding and unmistakably exceptional for an extended period, and

(b) Clearly indicate that there is no clear-cut projected or reasonably foreseeable termination date of the current job assignment.

NOTE: This provision relating to the Air Force Commendation Medal was established



primarily to recognize aircrew members whose stability of assignment is dictated by their retention in aircrew duties for an extended period of time; however, it may be applied to others when deemed appropriate by the awarding authority.

(ii) A completed period of service is normally indicated by the reassignment and movement of an individual from one base or geographical location to another. This does not preclude an award for a completed period of service when the individual is reassigned from one unit to another on the same base, or from one office or duty section to another located at the same headquarters or base. When reassignment does not involve permanent change of station, the new assignment must place the individual under a different supervisor and normally should be markedly different from the previous duty in order to meet the intent of the completed period of service requirement. This guidance relating to a completed period of service does not apply to the Combat Readiness Medal.

(3) \* \* \*

(d) \* \* \*

(4) \* \* \*

(f) \* \* \*

NOTE: The provisions of this subparagraph are also applicable to recommendations for award of nonmilitary decorations to civilians of friendly foreign nations.

(f) \* \* \*

(2) \* \* \*

(iii) Recommendations for award of the Department of Defense Medal for Distinguished Public Service will indicate whether the person recommended is receiving any form of remuneration, such as consultant fees, for the services cited. If the person recommended is receiving remuneration, specific comments will be included to clarify the individual's status with the U.S. Government. Recommendations for award of the Exceptional Service Award and the Air Force Scroll of Appreciation will contain a comment that the person recommended is not receiving any form of remuneration for the services cited.

(3) *Citation.* Citations must be prepared in accordance with the instructions contained in attachment 5, AFR 900-7 and in the format prescribed in attachment 6, AFR 900-7. The citation must agree with the recommendation as to date of the act or inclusive dates of the achievement or service, and the duty position and assignment of the individual. Citations are frequently published in news media and subsequently become valued personal mementoes of the recipients (see § 882.7). Accordingly, citations should be in good taste and of a quality that will give the recipients a high degree of lasting prestige. A final citation for each person recommended must accompany each recommendation requiring Department of the Air Force approval and must arrive at the USAF Military Personnel Center (AFPMPE) in seven, single-spaced copies. Citations normally are not revised or retyped by Headquarters USAF. For approved

awards, Headquarters USAF affixes the Air Force Seal to the citation as submitted, and returns the citation for presentation along with other elements of the award.

Note [Deleted].

(g) *Processing Recommendations.* \* \* \*

(7) Recommendations based on technical or scientific accomplishments will be reviewed by each intermediate headquarters for scientific correctness and technical adequacy prior to being forwarded to the USAF Military Personnel Center (AFPMPE). Each forwarding indorsement will contain a statement that this has been done.

§§ 882.9; 882.10; 882.13; 882.14; 882.18; 882.23 [Amended]

3. In the introductory portion of § 882.9(a) and in (b); the introduction of §§ 882.10; 882.13(b)(2); 882.14(c); the introductory portion of § 882.18(a); and in § 882.23 "Hq USAF (AFPMPE)" is amended to read "USAF Mil Pers Cen (AFPMPE)."

4. Present § 882.19(b) is deleted and the following substituted therefor:

§ 882.19 *Applicability.*

(b) All members of Reserve components of the Air Force whether or not on active duty.

5. In § 882.26:

a. Paragraph (a) is revised.

b. In column 8 of the chart in paragraph (b), the last paragraph is deleted and new material substituted therefor.

c. A new column 10 is added to chart in paragraph (b).

d. Present columns 10 and 11 of the chart in paragraph (b) are redesignated columns 11 and 12. In new column 11, the opening word "meritorious" in the first paragraph under "Awarded to" is amended to "Outstanding." And in new column 12, in the second paragraph of "Definitions and Criteria," the date is deleted; and in the third paragraph the symbol is amended. As amended § 882.26 reads as follows:

§ 882.26 *Military decorations.*

(a) The following chart describes the military decorations awarded by, or upon the recommendation of, the Air Force, and explains how individuals must distinguish themselves to receive them. It also tells who has the authority to approve and disapprove recommendations for awards.

(b) \* \* \*

8. *Bronze Star Medal.*

A copy of the General Order announcing the award of the Combat Infantryman Badge should be inclosed with each application together with a statement as to whether approval of the award will duplicate any previous award for the same period of service. If a copy of the general order is not available, the specific authority for the badge must be indicated in each application. Applications will be forwarded directly to Awards Branch, Personnel Actions Division, The Adjutant

General, Department of the Army, Washington, D.C., 20330. Conversion of an award of the Bronze Star Medal will terminate the individual's authority to wear the Combat Infantryman or Medical Badge on the Air Force uniform.

10. *Combat Readiness Medal.*

*Awarded to—*

Military		Civilian	
U.S.	Foreign	U.S.	Foreign
X			

*Awarded for—*

Completion of an aggregate of four years of sustained professional performance as a USAF combat ready aircrew member. During this period, the aircrew member must have been:

1. Designated and/or certified as combat (operationally) ready in accordance with USAF and major air command qualification criteria; and

2. Serving in a rated AFSC position as an aircrew member; and

3. Assigned as an aircrew member of a manned weapons system whose primary wartime mission will require the delivery of weapons against hostile targets.

Note: A break in combat (operationally) ready status (requalification, PCS, sickness, or other cause not attributed to any instance of nonprofessionalism) will be considered as qualifying service for award of the Combat Readiness Medal, provided the break does not exceed 120 days and the individual returns to combat (operationally) ready status. The award of the Combat Readiness Medal will not be automatic. A written recommendation will be required to justify the award.

Initial award: All qualifying service from August 1, 1960.

Subsequent awards: A bronze oak-leaf cluster for each additional four years of qualifying service. A silver oak-leaf cluster is worn in lieu of five bronze oak-leaf clusters.

11. *Air Force Commendation Medal.*

12. *Purple Heart.*

*Definitions and Criteria:* \* \* \*

A person who is wounded, injured, or killed as a result of a parachute jump from an aircraft disabled by enemy or hostile fire, or who is wounded, injured or killed by his captors while in a prisoner of war status, is considered to have received such wounds or injuries as a result of direct enemy, hostile, or opposing force actions. A sworn statement from a released prisoner of war outlining circumstances and extent of injury, including date and place injury was incurred, must be submitted and considered in conjunction with other evidence. Further, a wound for which the award is made must have required treatment by a medical officer, and the records of medical treatment for wounds or injuries received under the conditions described above, must have been made a matter of official record. In those instances where medical records are not available for injuries or wounds received while a prisoner of war, a statement must be submitted by a medical officer that examination reveals that the person apparently received injuries or wounds while in a prisoner of war status, and that such injury or wound should have received medical treatment.



Application: Any person who believes himself eligible for the Purple Heart, but through unusual circumstances no award was made, may submit available facts and evidence to the USAF Military Personnel Center (AFPM-PPE), Randolph AFB, Tex., for evaluation and awarding action, if appropriate.

6. In § 882.27:  
a. In column 3 of the chart in paragraph (b) the symbol is amended in the last paragraph. This paragraph is set forth as amended.  
b. In column 4 the last two paragraphs are deleted and new material is substituted therefor. As amended § 882.27 reads as follows:

§ 882.27 Nonmilitary decorations.

3. National Security Medal.

Each recommendation must show the exact status of the individual at the time he performed the act or service, including information regarding his citizenship and employment. Recommendations will be submitted to USAF Military Personnel Center (AFPM-PPE) for transmittal to the Executive Secretary of the National Security Council by the Secretary of the Air Force.

4. The Presidential Medal of Freedom.

Recommendations will be submitted through command channels to the USAF Military Personnel Center (AFPM-PPE) for processing.

7. In § 882.28(b) the words "takes precedence above" are amended and the column entitled "Awarded for" is revised as follows:

§ 882.28 Joint Service Commendation Medal (Department of Defense).

(b) Air Force personnel awarded this decoration will wear it in accordance with AFM 35-10. The Joint Service Commendation Medal takes precedence with the Air Force Commendation Medal, but before the AFM when worn.

Awarded for—

Meritorious achievement or service which distinguished the member while serving in any assignment specified in item (3) of column 1. The required achievement or service, while of lesser degree than that required for award of the Legion of Merit (see § 882.26, column 5), must nevertheless have been accomplished with distinction. The Joint Service Commendation Medal shall not be awarded to any individual for a period of service for which the Air Force Commendation Medal, or the Commendation Medal of other services, has been awarded.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012) [AFR 900-7B, June 16, 1964; AFR 900-7C, November 20, 1964]

By Order of the Secretary of the Air Force.

FREDERICK A. RYKER,  
Lieutenant Colonel, U.S. Air  
Force, Chief, Special Activities  
Group, Office of The  
Judge Advocate General.

[F.R. Doc. 65-649; Filed, Jan. 21, 1965; 8:46 a.m.]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 6—VEHICLE, GUIDE, ADMISSION, AND MISCELLANEOUS FEES

##### Motor Vessel Transportation Rates, Isle Royale National Park, Mich.

On pages 14888 and 14889 of the FEDERAL REGISTER of November 3, 1964, there was published a notice and text of a proposed amendment to § 6.11 of Title 36, Code of Federal Regulations. The purpose of the amendment is to revise the motor vessel transportation rates at Isle Royale National Park, Mich. so as to: (1) Provide an equitable differential in the amounts charged for different size boat categories; (2) provide for reduced rates for children in the teen-age group; (3) provide for a family-group rate; and (4) to establish specific rates for transporting baggage, camping gear, supplies and equipment.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received, and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

STEWART L. UDALL,  
Secretary of the Interior.

JANUARY 15, 1965.

#### § 6.11 Motor vessel transportation.

(a) Isle Royale National Park. (1) Transportation services between Houghton, Michigan, and Isle Royale National Park, Michigan, rendered aboard Government-owned vessels, shall be charged for at the following rates:

Personal transportation—one way only	\$7.50
Personal transportation—round trip	15.00
Transportation of boats up to 14 feet in length—one way only	5.00
Transportation of boats up to 14 feet in length—round trip	10.00
Transportation of boats over 14 feet but not exceeding 17 feet in length—one way	10.00
Transportation of boats over 14 feet but not exceeding 17 feet in length—round trip	20.00
Transportation of boats over 17 feet but limited to 20 feet in length—one way	15.00
Transportation of boats over 17 feet but limited to 20 feet in length—round trip	30.00
Canoes—round trip:	
Transported on regular passage	3.00
Transported without one regular passage	5.00
Outboard motors ¼ h.p. to 10 h.p.—round trip	3.00
Outboard motors over 10 h.p. but not exceeding 25 h.p.—round trip	5.00
Outboard motors over 25 h.p.—round trip	7.50

(2) Personal transportation for children between the ages of five and twelve, inclusive, will be one-half of the rates mentioned in subparagraph (1) of this paragraph for comparable service. Personal transportation for children between the ages of thirteen and eighteen, inclusive, will be two-thirds of the rates mentioned in subparagraph (1) of this paragraph for comparable service. No charge will be made for children under the age of five. Family groups consisting of parents (or a parent) and children shall be entitled to a special group rate not to exceed three times the amount of the individual adult fee.

(3) The rates for personal transportation mentioned in subparagraph (1) of this paragraph include the transportation of usual hand baggage and camping gear not exceeding 100 lbs. per person. Any baggage in excess of the 100 lbs. per person allowance will be subject to an additional charge of \$1.00 per 100 lbs. or any part thereof.

(4) Shipment of baggage, supplies and equipment by persons not traveling aboard Government-owned vessels shall be subject to a rate of \$1.00 per 100 lbs. or any part thereof for a one-way shipment.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

[F.R. Doc. 65-670; Filed, Jan. 21, 1965; 8:49 a.m.]

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration

#### PART 17—MEDICAL

##### Prosthetic and Similar Appliances

In § 17.115(a), subparagraphs (1) and (2) are amended and subparagraph (5) is added; paragraph (b) is amended; and paragraph (c) is added so that the added and amended material reads as follows:

#### § 17.115 Prosthetic and similar appliances.

##### (a) \* \* \*

(1) Outpatients eligible under the provisions of § 17.60(a) (1) through (5), (7) (ii) and (iii), (8), and (b), upon determination of entitlement, feasibility, and medical need.

(2) Hospitalized patients, when medically held needed for treatment of (i) a service-connected condition; (ii) an associated disease or injury held to be aggravating disability from a service-connected disorder (adjunct treatment); (iii) a disease or injury not attributed to military or naval service, for which hospitalization had been authorized; or (iv) a condition, also not service connected, that is associated with and held to be aggravating the disease or injury for which the patient had been admitted to hospital (auxiliary treatment). Notwithstanding the provisions of this subparagraph, a veteran may not be authorized hospitalization for the sole purpose of



providing prosthetic or similar appliances.

(5) Nursing home care patients in facilities under the exclusive jurisdiction of the Veterans Administration when determined medically necessary.

(b) Invalid lifts may be furnished to, or repaired for:

(1) Outpatients enumerated in paragraph (a) (1) of this section.

(2) Any veteran in receipt of pension based upon the need for regular aid and attendance, when determined feasible and medically needed for a disability which results in the loss, or loss of use, of both lower extremities combined with the loss, or loss of use, of at least one upper extremity to the extent that the patient is medically determined incapable of moving himself from bed to wheelchair, or vice versa, without being lifted bodily by an attendant. "Loss of use," as used in this paragraph, is not limited to paralysis or other actual loss of muscle power, but may include all cases in which the veteran either cannot use his extremities or is medically prohibited from doing so because of a serious systemic condition.

(c) Therapeutic or rehabilitative devices and other medical equipment and supplies (excluding medicines), if medically indicated, may be furnished to any veteran who is eligible to receive an invalid lift under the provisions of paragraph (b) (2) of this section, or who would be so eligible but for the fact that he has such a lift. Such devices, equipment, and/or supplies shall be limited to those items specifically approved by the Chief Medical Director or enumerated by him in departmental directives. (Sec. 617, title 38, United States Code, as amended by sec. 6, Pub. Law 88-450.)

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

This VA Regulation is effective the date of approval.

Approved: January 15, 1965.

By direction of the Administrator.

[SEAL] A. H. MONK,  
Acting Deputy Administrator.

[F.R. Doc. 65-666; Filed, Jan. 21, 1965; 8:48 a.m.]

## Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

### PART 33—SPORT FISHING

Cold Springs National Wildlife Refuge, Oregon

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

#### OREGON

##### COLD SPRINGS NATIONAL WILDLIFE REFUGE

Sport fishing on the Cold Springs National Wildlife Refuge, Oreg., is permitted only on the area designated by signs as open to fishing. This open area, comprising 1,550 acres, is delineated on maps available at the refuge headquarters, McNary National Wildlife Refuge, Burbank, Wash., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge extends from April 20, 1965, through April 19, 1966, except closed from September 15, 1965, to the next day following the closing date of the migratory waterfowl hunting season or until December 31, 1965, whichever shall be the later date.

(2) Boats without motors only may be used for fishing.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to April 20, 1966.

PAUL T. QUICK,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

JANUARY 13, 1965.

[F.R. Doc. 65-656; Filed, Jan. 21, 1965; 8:47 a.m.]

### PART 33—SPORT FISHING

McKay Creek National Wildlife Refuge, Oregon

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

#### OREGON

##### MCKAY CREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the McKay Creek National Wildlife Refuge, Oreg., is permitted only on the area designated by signs as open to fishing. This open area, comprising 660 acres, is delineated on maps available at the refuge headquarters, McNary National Wildlife Refuge, Burbank, Wash., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge is as follows: Waters above

dam—Open entire year except closed during migratory waterfowl hunting season, except that from the end of the waterfowl season to the opening of the Oregon general trout season the face of the dam and the west bank of the reservoir from the dam to McKay Landing will be open to bank fishing only. Concurrent with opening of the Oregon general trout season the entire area will be open. Waters below dam—April 1 through October 31, 1965.

(2) Boats with motors may be used for fishing from opening date of Oregon general trout season through September 7, 1965 only.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to March 31, 1966.

PAUL T. QUICK,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

JANUARY 13, 1965.

[F.R. Doc. 65-657; Filed, Jan. 21, 1965; 8:47 a.m.]

### PART 33—SPORT FISHING

McNary National Wildlife Refuge, Washington

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations: sport fishing; for individual wildlife refuge areas.

#### WASHINGTON

##### M McNARY NATIONAL WILDLIFE REFUGE

Sport fishing on the McNary National Wildlife Refuge, Wash., is permitted only on the area designated by signs as open to fishing. This open area, comprising 400 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The sport fishing season on the refuge extends from April 18 through September 30, 1965.

(2) The use of boats or floating devices of any description is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to November 1, 1965.

PAUL T. QUICK,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

JANUARY 13, 1965.

[F.R. Doc. 65-658; Filed, Jan. 21, 1965; 8:47 a.m.]



# Proposed Rule Making

## FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 64-CE-95]

### CONTROL ZONE AND TRANSITION AREA

#### Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations to establish controlled airspace in the Yankton, S. Dak., terminal area.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Yankton, S. Dak., terminal area, proposes to take the following airspace actions:

1. Designate a control zone at Yankton, S. Dak., to comprise that airspace within a 5-mile radius of Yankton Municipal Airport (latitude 42°54'45" N., longitude 97°23'15" W.); within 2 miles each side of the Yankton VOR 321° and 140° radials, extending from the 5-mile radius zone to 8 miles NW and SE of the VOR. This control zone shall be effective during the times established by a Notice to Airmen and continuously published in the Airman's Information Manual.

2. Designate a transition area at Yankton, S. Dak., comprising that airspace extending upward from 700 feet above the surface within a 5-mile radius of Yankton Municipal Airport (latitude 42°54'45" N., longitude 97°23'15" W.); within 2 miles each side of the Yankton VOR 140° radial, extending from the 5-mile radius area to 8 miles SE of the VOR; and within 5 miles NE and 8 miles SW of the Yankton VOR 321° radial, extending from the VOR to 12 miles NW; and that airspace extending upward from 1,200 feet above the surface within 5 miles SW and 8 miles NE of the Yankton VOR 140° radial extending from the VOR to 12 miles SE.

Two special instrument approach procedures, restricted to airline use, presently exist at Yankton, S. Dak. There is at present no approved public approach. The Federal Aviation Agency plans to establish a public-use VOR instrument approach procedure at Yankton and, as a prerequisite, necessary controlled airspace must be designated.

The proposed 5-mile radius control zone and transition area provide sufficient area for aircraft executing departures and missed approach procedures to reach an altitude of 1,200 feet above the surface. The proposed control zone extension provides the required controlled airspace for the Special ADF No. 2 procedures and the proposed VOR procedure. The 700-foot transition area within a 5-mile radius at Yankton Mu-

nicipal Airport and the extension 2 miles each side of the Yankton VOR 140° radial is necessary for the period when the control zone is not designated. The proposed transition area provides the necessary controlled airspace for holding and transitioning for both the Special ADF No. 2 and proposed VOR procedures.

The weather reporting service at Yankton Municipal Airport is provided by North Central Airlines. Since the hours during which this reporting service will be available depend on airline schedules they may be subject to change. Consequently, the hours during which the control zone will be effective will be subject to change. At the present time the weather reporting service is available from 0800 hours to 1900 hours local time daily. Any change in these hours resulting from changes in the airline schedules will be published in the Airman's Information Manual. Normally thirty days notice will be given for any change in the hours of operation.

Specific details of the changes to procedures and minimum instrument flight rule altitudes that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, ATTN: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public Docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued at Kansas City, Mo., on January 11, 1965.

EDWARD C. MARSH,  
Director, Central Region.

[F.R. Doc. 65-636; Filed, Jan. 21, 1965;  
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 64-WE-5]

### CONTROL ZONE, CONTROL AREA EXTENSION AND TRANSITION AREA

#### Proposed Alteration, Revocation and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the controlled airspace in the Pueblo, Colo., terminal area.

The following controlled airspace is presently designated in the Pueblo terminal area:

1. The Pueblo control zone is designated within a 5-mile radius of Pueblo Memorial Airport (latitude 38°17'30" N., longitude 104°30'00" W.); within 2 miles either side of the Pueblo VORTAC 081° radial extending from the 5-mile radius zone to 8 miles E of the VORTAC and within 2 miles either side of the Pueblo ILS localizer E course extending from the 5-mile radius zone to 11 miles E of the localizer.

2. The Pueblo control area extension is designated as that airspace within a 21-mile radius of the Pueblo VORTAC, excluding the portion N of a line 10 miles N of and parallel to the Pueblo VORTAC 275° and 093° radials and within a 34-mile radius of the Pueblo VORTAC extending clockwise from the 229° radial to the 360° radial of the Pueblo VORTAC, excluding the portion N of a line 10 miles N of and parallel to the Pueblo VORTAC 275° radial.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Pueblo, Colo., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

1. Redesignate the Pueblo control zone as that airspace within a 5-mile radius of Pueblo Memorial Airport (latitude 38°17'30" N., longitude 104°30'00" W.); within 2 miles each side of the Pueblo VORTAC 080° True radial, extending from the 5-mile radius zone to 8 miles E of the VORTAC; within 2 miles each side of the Pueblo ILS localizer E course, extending from the 5-mile radius zone to 11 miles E of the localizer and within 2 miles each side of the Pueblo ILS localizer W course, extending from the 5-mile radius zone to 1 mile E of the ILS-LOM.

2. Revoke the Pueblo control area extension.

3. Designate the Pueblo transition area as that airspace extending upward from 700 feet above the surface within a 9-mile radius of the Pueblo VORTAC; within 2 miles each side of the Pueblo ILS localizer W course, extending from the



9-mile radius area to 4 miles W of the Pueblo ILS LOM; within 2 miles each side of the Pueblo VORTAC 080° True radial, extending from the 9-mile radius area to 13 miles E of the VORTAC and within 2 miles each side of the Pueblo ILS localizer E course, extending from the 9-mile radius area to 15 miles E of the localizer; that airspace extending upward from 1,200 feet above the surface bounded by a line extending from latitude 38°30'00" N., longitude 104°52'00" W., to latitude 38°30'00" N., longitude 104°04'00" W., to latitude 38°07'00" N., longitude 104°04'00" W., thence west along latitude 38°07'00" N., to the west boundary of V-210, thence southwest along the west boundary of V-210 to latitude 38°00'00" N., to latitude 38°07'00" N., longitude 104°43'00" W., to latitude 38°07'00" N., longitude 105°00'00" W., to latitude 38°25'00" N., longitude 105°00'00" W., to latitude 38°25'00" N., longitude 104°52'00" W., thence to point of beginning.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floor of the transition area.

The actions proposed herein would, in part, enlarge the Pueblo control zone by the addition of an extension west of Pueblo to provide protection for aircraft executing AL-334-ADF-1 approach procedure and for aircraft climbing west-bound until these aircraft reach 700 feet above the surface.

The portion of the Pueblo transition area with a floor of 700 feet above the surface would provide protection for aircraft executing the portions of prescribed instrument approach and departure procedures conducted beyond the limits of the Pueblo control zone and below the floor of the proposed 1,200-foot floor area. The portion of the proposed transition area with a floor of 1,200 feet above the surface would provide protection for aircraft executing approach, departure and holding procedures conducted 1,500 feet or more above the surface.

At a future date, after adjacent terminal areas have been examined under the CAR 60-21/60-29 implementation program, it is planned that the floors of VOR airways connecting with Pueblo will be raised to 1,200 feet or more above the surface.

Certain minor revisions to the prescribed instrument approach procedures would accompany the action proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details relating to these changes may be examined by contacting the Chief, Air Traffic Division, Federal Aviation Agency, Western Region, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box

90007, Airport Station, Los Angeles, Calif., 90009. All communications received within forty-five days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 5651 West Manchester Avenue, Los Angeles, Calif., 90045.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on January 12, 1965.

JOSEPH H. TIPPETS,  
Director, Western Region.

[F.R. Doc. 65-637; Filed, Jan. 21, 1965;  
8:45 a.m.]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 64-AL-17]

### FEDERAL AIRWAYS AND REPORTING POINTS

#### Proposed Alteration, Designation and Revocation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations to alter VOR Federal airways Nos. 438, 444, 488, 504, and 480, to designate the Fairbanks, Alaska VOR as a low altitude reporting point and to revoke the Glacier, Alaska Intersection and Fairbanks ILS middle marker as low altitude reporting points.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. All communications received within 45 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The following airways are designated in the vicinity of Fairbanks, Alaska:

Victor 438 is designated in part from Talkeetna, Alaska, via Nenana, Alaska, to Fort Yukon, Alaska. The airspace within R-2206 is excluded.

Victor 444 is designated from the intersection of Big Delta, Alaska 313° and Nenana 064° radials via Big Delta to the intersection of the Big Delta 121° radial and the Northway, Alaska radio range.

Victor 480 is designated in part from Nenana to the Fairbanks, Alaska, ILS middle marker.

Victor 488 is designated in part from Tanana, Alaska, to Nenana.

Victor 504 is designated from Nenana to Bettles, Alaska.

A VOR is scheduled to be commissioned on or about January 15, 1965, near Fairbanks, Alaska, at approximately latitude 64°48' N., longitude 148°01' W. The FAA proposes to realign portions of the following airways on this VOR to provide more direct routings and to improve navigational guidance.

1. V-438 would be aligned from Talkeetna, Alaska, via Fairbanks to Fort Yukon including a standard east alternate from Fairbanks to Fort Yukon.

2. V-444 would be aligned from Bettles via Fairbanks to Big Delta.

3. V-480 would be aligned from Nenana to the Fairbanks VOR.

4. V-488 would be aligned from Tanana to Fairbanks.

5. V-504 would be aligned from Bettles via the intersection of the Bettles 160° and Nenana 334° radials; Nenana; to the intersection of the Nenana 154° and the Fairbanks 201° radials.

Since alteration of the airways, as proposed, would negate the requirements for the Fairbanks ILS middle marker and the Glacier Intersection as low altitude reporting points, they would be revoked. In consonance with this action, the Fairbanks VOR would be designated as a low altitude reporting point.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on January 14, 1965.

H. B. HELSTROM,  
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-638; Filed, Jan. 21, 1965;  
8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### [ 7 CFR Part 927 ]

### CERTAIN VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

#### Proposed Expenses and Fixing of Rate of Assessment for 1964-65 Fiscal Year

Consideration is being given to the following proposals submitted by the Control Committee, established pursuant to the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter



Nells, Doyenne du Comice, Buerre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California; effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That expenses not to exceed \$41,971.20 will be necessarily incurred during the fiscal year ending June 30, 1965, for the maintenance and functioning of the committee established under the aforesaid amended marketing agreement and order, and (2) that there be fixed, as the pro rata share of such expenses which each handler who first handles pears shall pay in accordance with the aforesaid amended marketing agreement and order during the aforesaid fiscal year, the rate of assessment at one cent (\$0.01) per standard western pear box of pears, or an equivalent quantity of pears handled by him as the first handler thereof during said fiscal year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: January 18, 1965.

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

[P.R. Doc. 65-683; Filed, Jan. 21, 1965; 8:49 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-7512]

### PROXY RULES; DISTRIBUTION OF INFORMATION TO SECURITY HOLDERS

#### Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed new Regulation 14C relating to the distribution of information pursuant to section 14(c) of the Securities Exchange Act of 1934. This section of the Act provides that issuers of securities registered on a national securities exchange and issuers of equity securities registered with the Commission pursuant to the new section 12(g) of the Act shall transmit to security holders from whom proxies are not solicited in connection with meetings of security holders information comparable to that which would be furnished in proxy material if proxies were solicited as prescribed by rules and regulations of the Commission.

Regulation 14C provides that in connection with every annual or other meeting of holders of a class of securities registered pursuant to Section 12 of the Act the issuer shall transmit a written information statement to every security holder who is entitled to vote in regard to any matter to be acted upon at the meeting and from whom a proxy is not solicited on behalf of the management. Such information statement would be required to contain substantially the same information as that which would be required in a proxy statement if proxies were solicited. In the case of an annual meeting the issuer would also be required to transmit to security holders an annual report including financial statements certified by independent public or certified public accountants, similar to the annual report required to be transmitted by issuers which solicit proxies.

One of the proposed rules, designated Rule 14c-7 (§ 240.14c-7), would require the issuer to make inquiry of any broker, dealer, bank, voting trustee or other record holder of securities held for the benefit of other persons as to the number of copies of the information statement and the annual report necessary to send such material to the beneficial owners, and to supply such reasonable number of copies as may be requested for this purpose. The issuer would defray the reasonable expenses of such record holder in connection with forwarding such material to the beneficial owners.

The Commission also has under consideration the adoption of a similar provision under its proxy rules which would require the transmission of the proxy soliciting material and the annual report to such beneficial owners. The proposed requirement would be in the form of a new paragraph (d), to be added to Rule 14a-3 (§ 240.14a-3), which would read as follows:

#### § 240.14a-3 Information to be furnished security holders.

(d) The issuer shall make inquiry of each broker, dealer, bank, voting trustee or other record holder who, to the knowledge of the issuer, holds securities for the benefit of other persons as to the number of copies of the proxy statement and, in the case of an annual meeting at which directors are to be elected, of the annual report to security holders, necessary to supply such material to the beneficial owners, and the issuer shall supply such record holder with additional copies in such reasonable quantities as may be requested in order to furnish one copy of each to each beneficial owner of securities held of record by such broker, dealer, bank, voting trustee or other record holder and shall, upon the request of such record holder, defray his reasonable expenses in connection with forwarding such material to the beneficial owners.

(Sec. 14, 48 Stat. 895, as amended, 15 U.S.C. 78n)

Three preliminary copies of the information statement would have to be filed with the Commission at least ten days before the statement is sent to security

holders, or such shorter period as the Commission may authorize. Eight copies of the information statement in definitive form would have to be filed. Four copies would be kept in the Commission's principal office for the use of the staff and for public inspection. It is proposed that the additional copies would be placed in the principal regional offices of the Commission and the regional office for the region in which the issuer has its principal office. This would make the information contained in the information statement more readily available to interested persons, in line with recommendations of the Special Study of Security Markets.

A copy of the proposed Regulation 14C (§§ 240.14c-1 to 240.14c-101) is attached hereto.

All interested persons are invited to submit their views and comments on the proposed regulation, in writing, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before February 18, 1965. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission, January 18, 1965.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

#### DISTRIBUTION OF INFORMATION PURSUANT TO SECTION 14(c)

##### § 240.14c-1 Definitions.

Unless the context otherwise requires, all terms used in this regulation have the same meanings as in the Act or elsewhere in the general rules and regulations thereunder. In addition, the following definitions apply unless the context otherwise requires:

(a) *Associate*. The term "associate" used to indicate a relationship with any person, means (1) any corporation or organization (other than the issuer or a majority-owned subsidiary of the issuer) of which such person is an officer or partner or is, directly or indirectly, the beneficial owner of 10 percent or more of any class of equity securities, (2) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar fiduciary capacity, and (3) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person or who is a director or officer of the issuer or any of its parents or subsidiaries.

(b) *Information statement*. The term "information statement" means the statement required by § 240.14c-2 (Rule 14c-2), whether or not contained in a single document.

(c) *Issuer*. The term "issuer" means the issuer of a class of securities registered pursuant to section 12 of the Act.

(d) *Last fiscal year*. The term "last fiscal year" of the issuer means the last fiscal year of the issuer ending prior to the date of the meeting with respect to which an information statement is required to be distributed.

(e) *Proxy*. The term "proxy" includes every proxy, consent or authorization within the meaning of section 14(a) of the Act. The consent or authoriza-



tion may take the form of failure to object or to dissent.

#### § 240.14c-2 Distribution of information statement.

(a) In connection with every annual or other meeting of the holders of a class of securities registered pursuant to section 12 of the Act, the issuer of such securities shall transmit a written information statement containing the information specified in § 240.14c-101 (Schedule 14C) to every such security holder who is entitled to vote in regard to any matter to be acted upon at the meeting and from whom a proxy is not solicited on behalf of the management of the issuer: *Provided*, That in the case of a class of securities in unregistered or bearer form, such statement need be transmitted only to those security holders whose names and addresses are known to the issuer.

(b) The information statement shall be sent or given at least 20 days prior to the meeting date.

#### § 240.14c-3 Annual report to be furnished security holders.

(a) If the information statement relates to an annual meeting of security holders at which directors are to be elected, it shall be accompanied or preceded by an annual report to such security holders as follows:

(1) The report shall contain such financial statements for the last fiscal year as will in the opinion of the management adequately reflect the financial position and results of operations of the issuer. Consolidated financial statements of the issuer and its subsidiaries shall be included in the report if they are necessary to reflect adequately the financial position and results of operations of the issuer and its subsidiaries, but in such case the individual statements of the issuer may be omitted, even though they are required to be included in reports to the Commission. Any differences, reflected in the financial statements in the report to security holders, from the principles of consolidation or other accounting principles or practices, or methods of applying accounting principles or practices, applicable to the financial statements of the issuer filed or proposed to be filed with the Commission, which have a material effect on the financial position or results of operations of the issuer, shall be noted and the effect thereof reconciled or explained in such report. Financial statements included in the report may, however, omit such details or employ such condensation as may be deemed suitable by the management, provided that such statements, considered as a whole in the light of other information contained in the report shall not by such procedure omit any material information necessary to a fair presentation or to make the financial statements not misleading under the circumstances. The financial statements included shall be certified by independent public or certified public accountants, unless (i) the corresponding statements included in the issuer's annual report filed or to be filed with the Commission for the same

fiscal year are not required to be certified, or (ii) the Commission finds in a particular case that certification would be impracticable or would involve undue effort or expense. Subject to the foregoing requirements with respect to financial statements, the annual report to security holders may be in any form deemed suitable by the management, and

(2) If the issuer has not previously submitted to its security holders an annual report pursuant to the rules and regulations under Section 14 of the Act, the report shall also contain such information as to the business done by the issuer and its subsidiaries during the fiscal year as will, in the opinion of the management, indicate the general nature and scope of the business of the issuer and its subsidiaries.

(b) Four copies of each annual report sent to security holders pursuant to this rule shall be mailed to the Commission, solely for its information, not later than the date on which such report is first sent or given to security holders or the date on which preliminary copies of the information statement are filed with the Commission pursuant to § 240.14c-5 (Rule 14c-5), whichever date is later. The annual report is not deemed to be "filed" with the Commission or otherwise subject to this regulation or to the liabilities of Section 18 of the Act, except to the extent that the issuer specifically requests that it be treated as a part of the information statement or incorporates it therein by reference.

#### § 240.14c-4 Presentation of information in information statement.

(a) The information included in the information statement shall be clearly presented and the statements made shall be divided into groups according to subject matter and the various groups of statements shall be preceded by appropriate headings. The order of items and sub-items in the schedule need not be followed. Where practicable and appropriate, the information shall be presented in tabular form. All amounts shall be stated in figures. Information required by more than one applicable item need not be repeated. No statement need be made in response to any item or sub-item which is inapplicable.

(b) Any information required to be included in the information statement as to terms of securities or other subject matter which from a standpoint of practical necessity must be determined in the future may be stated in terms of present knowledge and intention. Subject to the foregoing, information which is not known to the issuer and which it is not reasonably within the power of the issuer to ascertain or procure may be omitted, if a brief statement of the circumstances rendering such information unavailable is made.

(c) All printed information statements shall be set in roman type at least as large as 10-point modern type except that to the extent necessary for convenient presentation financial statements and other statistical or tabular matter may be set in roman type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

#### § 240.14c-5 Filing of information statement.

(a) Three preliminary copies of the information statement shall be filed with the Commission at least 10 days prior to the date definitive copies of such statement are first sent or given to security holders, or such shorter period prior to that date as the Commission may authorize upon a showing of good cause therefor.

(b) Eight definitive copies of the information statement, in the form in which it is furnished to security holders, shall be filed with, or mailed for filing to, the Commission not later than the date it is first sent or given to any security holders. Three copies thereof shall at the same time be filed with, or mailed for filing to, each national securities exchange upon which any security of the issuer is registered.

(c) All copies of material filed pursuant to paragraph (a) of this section shall be clearly marked "Preliminary Copies" and shall be for the information of the Commission only, except that such material may be disclosed to any department or agency of the United States Government and the Commission may make such inquiries or investigation in regard to the material as may be necessary for an adequate review thereof by the Commission. All material filed pursuant to paragraph (a) or (b) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be, or have been, released to security holders.

(d) Where any information statement filed pursuant to this rule is amended or revised, two of the copies of such amended or revised material filed pursuant to this rule (or in the case of investment companies registered under the Investment Company Act of 1940, three of such copies) shall be marked to indicate clearly and precisely the changes effected therein. If the amendment or revision alters the text of the material the changes in such text shall be indicated by means of underscoring or in some other appropriate manner.

NOTE: Where preliminary copies of material are filed with the Commission pursuant to this rule, the printing of definitive copies for distribution to security holders should be deferred until the comments of the Commission's staff have been received and considered.

#### § 240.14c-6 False or misleading statements.

(a) No information statement shall contain any statement which, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or which omits to state any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the same meeting or subject matter which has become false or misleading.

(b) The fact that an information statement has been filed with or examined by the Commission shall not be deemed a finding by the Commission that



such material is accurate or complete or not false or misleading, or that the Commission has passed upon the merits of or approved any statement contained therein or any matter to be acted upon by security holders. No representation contrary to the foregoing shall be made.

**§ 240.14c-7 Providing additional copies of material for certain beneficial owners.**

The issuer shall make inquiry of each broker, dealer, bank, voting trustee or other record holder who, to the knowledge of the issuer, holds securities for the benefit of other persons as to the number of copies of the information statement and, in the case of an annual meeting at which directors are to be elected, of the annual report to security holders, necessary to supply such material to the beneficial owners, and the issuer shall supply such record holder with additional copies in such reasonable quantities as may be requested in order to furnish one copy of each to each beneficial owner of securities held of record by such broker, dealer, bank, voting trustee or other record holder and shall, upon the request of such record holder, defray his reasonable expenses in connection with forwarding such material to the beneficial owners.

**§ 240.14c-101 Schedule 14C. Information required in information statement.**

**NOTES.** 1. Where any item calls for information with respect to any matter to be acted upon and such matter involves other matters with respect to which information is called for by other items of this schedule, the information called for by all applicable items shall be given. For example, if action is to be taken with respect to any merger, consolidation or acquisition, specified in Item 14 which involves the election of directors, Item 6 and 7 shall be answered.

2. Where any item, other than Item 23, calls for information with respect to any matter to be acted upon at the meeting, such item need be answered only with respect to proposals to be made by the management of the issuer.

**Item 1. Statement that proxies are not solicited.** The following statement shall be set forth on the first page of the information statement in bold-face type:

WE ARE NOT ASKING YOU FOR A PROXY AND YOU ARE REQUESTED NOT TO SEND US A PROXY. IF A PROXY IS SENT TO US, IT WILL NOT BE VOTED.

**Item 2. Date, time and place of meeting.** State the date, time and place of the meeting of security holders, unless such information is otherwise disclosed in material furnished to security holders with the information statement.

**Item 3. Dissenters' rights of appraisal.** Outline briefly the rights of appraisal or similar rights of dissenters with respect to any matter to be acted upon and indicate any statutory procedure required to be followed by dissenting security holders in order to perfect such rights. Where such rights may be exercised only within a limited time after the date of adoption of a proposal, the filing of a charter amendment or other similar act, state whether security holders will be notified of such date.

**Instruction.** Indicate whether a security holder's failure to vote against a proposal will constitute a waiver of his appraisal or similar rights and whether a vote against a proposal will be deemed to satisfy any notice requirements under State law with respect to appraisal rights.

**Item 4. Interest of certain persons in or opposition to matters to be acted upon.** (a) Describe briefly any substantial interest, direct or indirect, by security holdings or otherwise, of each of the following persons in any matter to be acted upon, other than elections to office:

(1) Each person who has been a director or officer of the issuer at any time since the beginning of the last fiscal year.

(2) Each nominee for election as a director of the issuer.

(3) Each associate of the foregoing persons.

(b) Give the name of any director of the issuer who has informed the management in writing that he intends to oppose any action to be taken by the management at the meeting and indicate the action which he intends to oppose.

**Instruction.** Paragraph (a) of this item shall not apply to any interest arising from the ownership of securities of the issuer where the security holder receives no extra or special benefit not shared on a pro rata basis by all other holders of the same class.

**Item 5. Voting securities and principal holders thereof.** (a) State as to each class of voting securities of the issuer entitled to be voted at the meeting, the number of shares outstanding and the number of votes to which each class is entitled.

(b) Give the date as of which the record of security holders entitled to vote at the meeting will be determined. If the right to vote is not limited to security holders of record on that date, indicate the conditions under which other security holders may be entitled to vote.

(c) If action is to be taken with respect to the election of directors and if the persons entitled to vote have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

(d) If to the knowledge of the issuer, any person owns or beneficially more than 10 percent of the outstanding voting securities of the issuer name such person, state the approximate amount of such securities owned of record but not owned beneficially and the approximate amount owned beneficially by such person and the percentage of outstanding voting securities represented by the amount of securities so owned in each such manner.

(e) If a change in control of the issuer has occurred since the beginning of its last fiscal year, state the name of the person or persons who acquired such control, the basis of such control, the date and a description of the transaction or transactions in which control was acquired and the percentage of voting securities of the issuer now owned by such person or persons.

**Instruction.** Include a description of any financing arrangements, the operation of the terms of which may at a subsequent date affect control of the issuer, directly or indirectly, including any pledge of securities of the issuer or any of its parents or subsidiaries.

(f) If to the knowledge of the issuer any securities of the issuer or any of its parents have been pledged or optioned under such terms that a change in control of the issuer may result, state the nature of the transaction, the names of the parties thereto and the title and amount of securities involved.

**Item 6. Nominees and directors.** (a) If action is to be taken with respect to the election of directors, furnish the following information, in tabular form to the extent practicable, with respect to each person nominated or to be nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(1) Name each such person, state when his term of office or the term of office for which he is a nominee will expire, and all other positions and offices with the issuer presently

held by him, and indicate which persons are nominees for election as directors at that meeting.

(2) State his present principal occupation or employment and give the name and principal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of security holders at a meeting for which proxies were solicited under Regulation 14A (§§ 240.14a-1 to 240.14a-102).

(3) If he is or has previously been a director of the issuer, state the period or periods during which he has served as such.

(4) State, as of the most recent practicable date, the approximate amount of each class of equity securities of the issuer or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by him. If he is not the beneficial owner of any such securities, make a statement to that effect.

(5) If more than 10 percent of any class of securities of the issuer or any of its parents or subsidiaries are beneficially owned by him and his associates, state the approximate amount of each class of such securities beneficially owned by such associates, naming each associate whose holdings are substantial.

(b) If any nominee for election as a director is proposed to be elected pursuant to any arrangement or understanding between the nominee and any other person or persons, except the directors and officers of the issuer acting solely in that capacity, name such other person or persons and describe briefly such arrangement or understanding.

**Item 7. Remuneration and other transactions with management and others.** Furnish the information called for by this item if action is to be taken with respect to (i) the election of directors, (ii) any bonus, profit sharing or other remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the issuer will participate, (iii) any pension or retirement plan in which any such persons will participate, or (iv) the granting or extension to any such person of any options, warrants or rights to purchase any securities, other than warrants or rights issued to security holders, as such, on a pro-rata basis.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the issuer and its subsidiaries during the issuer's last fiscal year to the following persons for services in all capacities:

(1) Each director of the issuer whose aggregate direct remuneration exceed \$30,000, and each of the three highest paid officers of the issuer whose aggregate direct remuneration exceeded that amount, naming each such director and officer.

(2) All directors and officers of the issuer as a group, stating the number of persons in the group without naming them.

(A)	(B)	(C)
Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate direct remuneration

**Instructions.** 1. Except as provided in Instruction 2, paragraph (a) of this item applies to any person who was a director or officer of the issuer at any time during the period specified. However, information need not be given for any portion of the period during which such person was not a director or officer of the issuer.

2. Paragraph (a) (1) of this item does not apply to any person who was not named as



a director or officer of the issuer in the first registration statement filed on Form 10 for the registration of a class of securities pursuant to section 12 of the Act, provided (i) such person has not been a director or officer of the issuer since the filing of such statement and (ii) the same information is not otherwise required to be disclosed in material filed with the Commission.

3. The information is to be given on an accrual basis if practicable. The tables required by this paragraph (a) and paragraph (b) below may be combined if the issuer so desires.

4. Do not include remuneration paid to a partnership to which any director or officer was a partner, but see paragraph (f) below.

(b) Furnish the following information, in substantially the tabular form indicated, as to all pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the issuer or any of its subsidiaries to each director or officer named in answer to paragraph (a) (1):

(A)	(B)	(C)
Name of individual	Amount set aside or accrued during issuer's last fiscal year	Estimated annual benefits upon retirement

*Instructions.* 1. The term "plan" in this paragraph and in paragraph (c) includes all plans, contracts, authorizations or arrangements, whether or not set forth in any formal document.

2. Column (B) need not be answered with respect to payments computed on an actuarial basis under any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

3. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

4. In the case of any plan (other than those specified in instruction 2) where the amount set aside each year depends upon the amount of earnings of the issuer or its subsidiaries for such year or a prior year, or where it is otherwise impracticable to state the estimated annual benefits upon retirement, there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date, unless it is impracticable to do so, in which case there shall be stated the method of computing such benefits.

(c) Describe briefly all remuneration payments (other than payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the issuer or any of its subsidiaries pursuant to any existing plan or arrangement to (i) each director or officer named in answer to paragraph (a) (1), naming each such person, and (ii) all directors and officers of the issuer as a group, without naming them.

*Instruction.* Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization or similar group payments or benefits. If it is impracticable to state the amount of remuneration payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments shall be stated, together with an explanation of the basis for future payments.

(d) Furnish the following information as to all options to purchase securities, from the issuer or any of its subsidiaries, which were granted to or exercised by the following persons since the beginning of the issuer's last fiscal year: (i) each director or

officer named in answer to paragraph (a) (1), naming each such person; and (ii) all directors and officers of the issuer as a group, without naming them.

(1) As to options granted, state (i) the title and amount of securities called for; (ii) the prices, expiration dates and other material provisions; (iii) the consideration received for the granting thereof; and (iv) the market value of the securities called for on the granting date.

(2) As to options exercised, state (i) the title and amount of securities purchased; (ii) the purchase price; and (iii) the market value of the securities purchased on the date of purchase.

*Instructions.* 1. The term "options" as used in this paragraph (d) includes all options, warrants or rights other than those issued to security holders as such on a pro rata basis.

2. The extension of options shall be deemed the granting of options within the meaning of this paragraph.

3. (i) Where the total market value on the granting dates of the securities called for by all options granted during the period specified does not exceed \$10,000 for any officer or director named in answer to paragraph (a) (1), or \$30,000 for all officers and directors as a group, this item need not be answered with respect to options granted to such person or group. (ii) Where the total market value on the dates of purchase of all securities purchased through the exercise of options during the period specified does not exceed \$10,000 for any such person or \$30,000 for such group, this item need not be answered with respect to options exercised by such person or group.

4. The information for all directors and officers as a group regarding market value of the securities on the granting date of the options and on the purchase date, may be given in the form of price ranges for each calendar quarter during which options were granted or exercised.

(e) State as to each of the following persons who was indebted to the issuer or its subsidiaries at any time since the beginning of the last fiscal year of the issuer, (i) the largest aggregate amount of indebtedness outstanding at any time during such period, (ii) the nature of the indebtedness and of the transaction in which it was incurred, (iii) the amount thereof outstanding as of the latest practicable date, and (iv) the rate of interest paid or charged thereon:

- (1) Each director or officer of the issuer;
- (2) Each nominee for election as a director; and,
- (3) Each associate of any such director, officer or nominee.

*Instructions.* 1. See instruction 1 to paragraph (a). Include the name of each person whose indebtedness is described and the nature of the relationship by reason of which the information is required to be given.

2. This paragraph does not apply to any person whose aggregate indebtedness did not exceed \$10,000 or 1 percent of the issuer's total assets, whichever is less, at any time during the period specified. Exclude in the determination of the amount of indebtedness all amounts due from the particular person for purchases subject to usual trade terms, for ordinary travel and expense advances and for other transactions in the ordinary course of business.

(f) Describe briefly any transactions since the beginning of the issuer's last fiscal year or any proposed transactions, to which the issuer or any of its subsidiaries was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the issuer, the nature of his interest in the transaction and, where practicable, the amount of such interest:

- (1) Any director or officer of the issuer;
- (2) Any nominee for election as a director;
- (3) Any security holder named in answer to Item 5(d); or
- (4) Any relative or spouse of any of the foregoing persons, or any relative of such spouse, who has the same home as such person or who is a director or officer of any parent or subsidiary of the issuer.

*Instructions.* 1. This paragraph (f) applies to any person who held any of the positions or relationships specified at any time during the period specified. However, information need not be given for any portion of the period during which such person did not hold any such position or relationship.

2. No information need be given in answer to this paragraph as to any remuneration or other transaction reported in response to Item 7(a), (b), (c), (d) or (e).

3. No information need be given in answer to this paragraph (f) as to any transaction where—

(a) The rates or charges involved in the transaction are fixed by law or determined by competitive bids;

(b) The transaction involves services as a bank depositary of funds, transfer agent, registrar, trustee under a trust indenture, or similar services;

(c) The amount involved in the transaction, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed \$30,000;

(d) The transaction involves only the purchase of products or services from the issuer or its subsidiaries in the ordinary course of business on terms not more favorable than those available to persons other than those specified in subparagraphs (1) through (4) above and the aggregate amount of such purchases during the issuer's last fiscal year did not exceed 15 percent of the total sales of the particular class of products or services by the issuer and its subsidiaries during such fiscal year; or

(e) The interest of the specified person arises solely from the ownership of securities of the issuer, the specified person receives no extra or special benefit not shared on a pro rata basis by all holders of securities of the class, and not more than 25 percent of the outstanding securities of such class is owned beneficially, in the aggregate by all of the persons specified in subparagraphs (1) through (4) of this paragraph (f).

4. It should be noted that this paragraph calls for disclosure of indirect, as well as direct, material interests in transactions. A person who has a position or relationship with a firm, corporation, or other entity, which engages in a transaction with the issuer may have an indirect interest in such transaction by reason of such position or relationship. However, a person shall be deemed not to have a material indirect interest in a transaction within the meaning of this paragraph (f) where—

(a) The interest arises only (i) from such person's position as a director of another corporation which is a party to the transaction, or (ii) from the direct or indirect ownership by such person and all other persons specified in subparagraphs (1) through (4) above, in the aggregate, of less than a 10 percent interest in another person which is a party to the transaction, or (iii) from both such position and ownership; or

(b) The interest of such person arises solely from an interest in another person which is a party to the transaction with the issuer or any of its subsidiaries and the transaction is not material to such other person.

5. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate



amount of the interest, the approximate amount involved in the transaction shall be indicated.

6. In describing any transaction involving the purchase or sale of assets by or to the issuer or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and, if acquired by the seller within two years prior to the transaction, the cost thereof to the seller.

**Item 8. Selection of auditors.** If action is to be taken with respect to the selection or approval of auditors, or if it is proposed that particular auditors shall be recommended by any committee to select auditors for whom votes are to be cast, name the auditors and describe briefly any direct financial interest or any material indirect financial interest in the issuer or any of its parents or subsidiaries, or any connection during the past 3 years with the issuer or any of its parents or subsidiaries in the capacity of promoter, underwriter, voting trustee, director, officer or employee.

**Item 9. Bonus, profit sharing and other remuneration plans.** If action is to be taken with respect to any bonus, profit sharing or other remuneration plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will participate therein, indicate the approximate number of persons in each such class and state the basis of such participation.

(b) State separately the amounts which would have been distributable under the plan during the last fiscal year of the issuer (1) to directors and officers and (2) to employees if the plan had been in effect.

(c) State the name and position with the issuer of each person specified in Item 7(a), who will participate in the plan and the amount which each such person would have received under the plan for the last fiscal year of the issuer if the plan had been in effect.

(d) Describe the benefits received or to be received pursuant to all remuneration or incentive plans, now in effect or in effect within the last five years, by (1) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (2) all directors and officers as a group, if any of such directors or officers may participate in the plan; and (3) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders, to increase the cost thereof to the issuer or to alter the allocation of the benefits as between the groups specified in (b), state the nature of the amendments which can be so made.

**Instructions.** 1. The term "plan" as used in this item means any plan as defined in Instruction 1 to Item 7(b).

2. Paragraph (d) applies to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation or other remuneration or incentive plans.

3. If the plan is set forth in a written document, three copies thereof shall be filed with the Commission at the time preliminary copies of the information statement are filed pursuant to paragraph (a) of § 240.14c-5 (Rule 14c-5).

**Item 10. Pension and retirement plans.** If action is to be taken with respect to any pension or retirement plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will be entitled to participate therein, indicate the approximate number of persons in each such class and state the basis of such participation.

(b) State (1) the approximate total amount necessary to fund the plan with respect to past services, the period over which such amount is to be paid and the estimated annual payments necessary to pay the total amount over such period, (2) the estimated annual payment to be made with respect to current services and (3) the amount of such annual payments to be made for the benefit of (i) directors and officers and (ii) employees.

(c) State (1) the name and position with the issuer of each person specified in Item 7(a) who will be entitled to participate in the plan, (2) the amount which would have been paid or set aside by the issuer and its subsidiaries for the benefit of such person for the last fiscal year of the issuer if the plan had been in effect, and (3) the amount of the annual benefits estimated to be payable to such person in the event of retirement at normal retirement date.

(d) Describe the benefits received or to be received pursuant to all remuneration or incentive plans, now in effect or in effect within the last five years, by (1) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (2) all directors and officers as a group, if any of such directors or officers may participate in the plan; and (3) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost thereof to the issuer or alter the allocation of the benefits as between the groups specified in (b) (3), state the nature of the amendments which can be so made.

**Instructions.** 1. The term "plan" as used in this item means any plan as defined in Instruction 1 to Item 7(b).

2. The information called for by paragraph (b) (3) or (c) (2) need not be given as to payments made on an actuarial basis pursuant to any group pension plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years in service.

3. Instruction 2 to Item 9 shall apply to paragraph (d) of this item.

4. Copies of the plan described in answer to this item, if set forth in a written document, shall be filed in accordance with Instruction 3 to Item 9.

**Item 11. Options, warrants or rights.** If action is to be taken with respect to the granting or extension of any options, warrants or rights to purchase securities of the issuer or any subsidiary, furnish the following information:

(a) State (i) the title and amount of securities called for or to be called for by such options, warrants or rights; (ii) the prices, expiration dates and other material conditions upon which the options, warrants or rights may be exercised; (iii) the consideration received or to be received by the issuer or subsidiary for the granting or extension of the options, warrants or rights; (iv) the market value of the securities called for or to be called for by the options, warrants or rights as of the latest practicable date; and (v) in the case of options, the tax consequences of the issuance and exercise of such options to the recipient and to the issuer.

(b) State separately the amount of options, warrants or rights received or to be received by the following persons, naming each such person: (i) each director or officer named in answer to Item 7(a); (ii) each nominee for election as a director of the issuer; (iii) each associate of such directors, officers or nominees; and (iv) each other person who received or is to receive five percent or more of such options, warrants or rights. State also the total amount of such options, warrants or rights received or to be

received by all directors and officers of the issuer as a group, without naming them.

(c) Describe the benefits received or to be received pursuant to all remuneration or incentive plans, now in effect or in effect within the last five years, by (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all directors and officers as a group, if any of such directors or officers may participate in the plan; and (iii) all employees, if employees may participate in the plan.

**Instructions.** 1. The term "plan" as used in this item means any plan as defined in Instruction 1 to Item 7(b).

2. Paragraphs (b) and (c) do not apply to warrants or rights to be issued to security holders as such on a pro rata basis.

3. Instruction 2 to Item 9 shall also apply to paragraph (c) of this item.

4. Include in the answer to paragraph (c) as to each director or officer named in answer to Item 7(a) and as to all directors and officers as a group (i) the amount of securities acquired during the past five years through the exercise of options granted during the period or prior thereto, (ii) the amount of securities sold during such period of the same class as those acquired through the exercise of such options, and (iii) the amount of securities subject to all unexercised options held as of the latest practicable date.

5. Copies of the plan described in answer to this item, if set forth in a written document, shall be filed in accordance with Instruction 3 to Item 9.

**NOTE.** The Commission should be informed, as supplemental information, when the information statement in preliminary form is filed, as to when the options, warrants or rights and the shares called for thereby will be registered under the Securities Act of 1933, or if such registration is not contemplated the section of the Act or rule of the Commission under which exemption from such registration is claimed and the facts relied upon to make the exemption available.

**Item 12. Authorization or issuance of securities otherwise than for exchanges.** If action is to be taken with respect to the authorization or issuance of any securities otherwise than for exchange for outstanding securities of the issuer, furnish the following information:

(a) State the title and amount of securities to be authorized or issued.

(b) Furnish a description of the securities such as would be required by the appropriate form for their registration pursuant to section 12 of the Act. If the securities are additional shares of common stock of a class outstanding, the description may be omitted except for a statement of the pre-emptive rights, if any.

(c) Describe briefly the transaction in which the securities are to be issued, including a statement as to (1) the nature and approximate amount of consideration received or to be received by the issuer, and (2) the approximate amount devoted to each purpose so far as determinable for which the net proceeds have been or are to be used. If it is impracticable to describe the transaction in which the securities are to be issued, state the reason, indicate the purpose of the authorization of the securities, and state whether further authorization for the issuance of the securities by a vote of security holders will be solicited prior to such issuance.

(d) If the securities are to be issued otherwise than in a general public offering for cash, state the reasons for the proposed authorization or issuance and the general effect thereof upon the rights of existing security holders.



**Item 13. Modification or exchange of securities.** If action is to be taken with respect to the modification of any class of securities of the issuer, or the issuance or authorization for issuance of securities of the issuer in exchange for outstanding securities of the issuer, furnish the following information:

(a) If outstanding securities are to be modified, state the title and amount thereof. If securities are to be issued in exchange for outstanding securities, state the title and amount of securities to be so issued, the title and amount of outstanding securities to be exchanged therefor and the basis of the exchange.

(b) Describe any material differences between the outstanding securities and the modified or new securities in respect of any of the matters concerning which information would be required to be included in the description of the securities by the appropriate form for their registration pursuant to section 12 of the act.

(c) State the reasons for the proposed modification or exchange and the general effect thereof upon the rights of existing security holders.

(d) Furnish a brief statement as to arrears in dividends or as to defaults in principal or interest in respect of the outstanding securities which are to be modified or exchanged and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(e) Outline briefly any other material features of the proposed modification or exchange. If the plan of proposed action is set forth in a written document, file copies thereof with the Commission in accordance with § 240.14c-5 (Rule 14c-5).

**Item 14. Mergers, consolidations, acquisitions and similar matters.** Furnish the following information if action is to be taken with respect to any plan for (i) the merger or consolidation of the issuer into or with any other person or of any other person into or with the issuer, (ii) the acquisition by the issuer or any of its security holders of securities of another issuer, (iii) the acquisition by the issuer of any other going business or of the assets thereof, (iv) the sale or other transfer of all or any substantial part of the assets of the issuer, or (v) the liquidation or dissolution of the issuer:

(a) Outline briefly the material features of the plan. State the reasons therefor and the general effect thereof upon the rights of existing security holders. If the plan is set forth in a written document, file three copies thereof with the Commission at the time preliminary copies of the information statement are filed pursuant to § 240.14c-5 (Rule 14c-5).

(b) Furnish the following information as to the issuer and each person (other than totally-held subsidiaries of the issuer) which is to be merged into the issuer or into or with which the issuer is to be merged or consolidated or the business or assets of which are to be acquired or of which is the issuer of securities to be acquired by the issuer in exchange for all or a substantial part of its assets or to be acquired by security holders of the issuer. What is required is information essential to an investor's appraisal of the action proposed to be taken.

(1) Describe briefly the business of such person. Information is to be given regarding pertinent matters such as the nature of the products or services, methods of production, markets, methods of distribution and the sources and supply of raw materials.

(2) State the location and describe the general character of the plants and other important physical properties of such person. The description is to be given from an economic and business standpoint, as distinguished from a legal standpoint.

(3) Furnish a brief statement as to dividends in arrears or defaults in principal or interest in respect of any securities of the

issuer or of such person, and as to the effect of the plan thereon and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(4) Furnish a tabulation in columnar form showing the existing and the pro forma capitalization.

(5) Furnish in columnar form for each of the last five fiscal years an historical summary of earnings and show per share amounts of net earnings, dividends declared for each year and book value per share at the end of the latest year.

(6) Furnish in columnar form for each of the last five fiscal years a combined pro forma summary of earnings, as appropriate in the circumstances, indicating the aggregate and per-share earnings for each such year and the pro forma book value per share. If the transaction establishes a new basis of accounting for assets of any of the persons included therein, the pro forma summary of earnings shall be furnished only for the most recent fiscal year.

(c) As to each class of securities of the issuer, or of any person specified in paragraph (b), which is admitted to dealing on a national securities exchange or with respect to which a market otherwise exists, and which will be materially affected by the plan, state the high and low sale prices (or in the absence of trading in a particular period, the range of the bid and asked prices) for each quarterly period within two years. This information may be omitted if the plan involves merely the liquidation or dissolution of the issuer.

**Item 15. Financial statements.** (a) If action is to be taken with respect to any matter specified in Item 12, 13 or 14 above, furnish certified financial statements of the issuer and its subsidiaries such as would currently be required in an original registration statement for the registration of securities of the issuer under the Act. All schedules other than the schedule of supplementary profit and loss information may be omitted.

**Instruction.** Such statements shall be prepared and certified in accordance with Regulation S-X (17 CFR Part 240).

(b) If action is to be taken with respect to any matter specified in Item 14(b), furnish financial statements for each person specified therein, other than the issuer whose financial statements are required by Item 15(a), such as would currently be required in an original registration statement filed by such person for registration of securities pursuant to Section 12 of the Act. Such statements shall be certified if practicable, but all schedules other than the schedules of supplementary profit and loss information may be omitted. However, such statements may be omitted for (i) a totally-held subsidiary of the issuer which is included in the consolidated statement of the issuer and its subsidiaries, or (ii) a person which is to succeed to the issuer and one or more of its totally-held subsidiaries under such circumstances that Form 8-B would be appropriate for registration of securities of such person issued in exchange for listed securities of the issuer.

**Instruction.** Such statements shall be prepared in accordance with Regulation S-X and, if certified, shall be certified in accordance with that regulation.

(c) The Commission may, upon the request of the issuer, permit the omission of any of the statements herein required where such statements are not necessary for the exercise of prudent judgment in regard to any matter to be acted upon, or may permit the filing in substitution therefor of appropriate statements of comparable character. The Commission may also require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate pres-

entation of the financial condition of any person whose financial statements are required, or whose statements are otherwise material for the exercise of prudent judgment in regard to any matter to be acted upon. In the usual case, financial statements are deemed material to the exercise of prudent judgment where the matter to be acted upon is the authorization or issuance of a material amount of senior securities, but are not deemed material where the matter to be acted upon is the authorization or issuance of common stock, otherwise than in an exchange, merger or consolidation.

(d) The information statement may incorporate by reference any financial statements contained in an annual report sent to security holders pursuant to § 240.14c-3 (Rule 14c-3) with respect to the same meeting as that to which the information statement relates, provided such financial statements substantially meet the requirements of this item.

**Item 16. Acquisition or disposition of property.** If action is to be taken with respect to the acquisition or disposition of any property, furnish the following information:

(a) Describe briefly the general character and location of the property.

(b) State the nature and amount of consideration to be paid or received by the issuer or any subsidiary. To the extent practicable, outline briefly the facts bearing upon the question of the fairness of the consideration.

(c) State the name and address of the transferor or transferees, as the case may be, and the nature of any material relationship of such person to the issuer or any affiliate of the issuer.

(d) Outline briefly any other material features of the contract or transaction.

**Item 17. Restatement of accounts.** If action is to be taken with respect to the restatement of any assets, capital, or surplus account of the issuer, furnish the following information:

(a) State the nature of the restatement and the date as of which it is to be effective.

(b) Outline briefly the reasons for the restatement and for the selection of the particular effective date.

(c) State the name and amount of each account (including any reserve accounts) affected by the restatement and the effect of the restatement thereon. Tabular presentation of the amounts shall be made when appropriate, particularly in the case of recapitalizations.

(d) To the extent practicable, state whether and the extent, if any, to which the restatement will, as of the date thereof, alter the amount available for distribution to the holders of equity securities.

**Item 18. Action with respect to reports.** If action is to be taken with respect to any report of the issuer or of its directors, officers or committees or any minutes of meeting of its stockholders, furnish the following information:

(a) State whether or not such action is to constitute approval or disapproval of any of the matters referred to in such reports or minutes.

(b) Identify each of such matters which it is intended will be approved or disapproved, and furnished the information required by the appropriate item or items of this schedule with respect to each such matter.

**Item 19. Matters not required to be submitted.** If action is to be taken with respect to any matter which is not required to be submitted to a vote of security holders, state the nature of such matter, the reasons for submitting it to a vote of security holders and what action is intended to be taken by the management in the event of a negative vote on the matter by the security holders.

**Item 20. Amendment of charter, bylaws or other documents.** If action is to be taken



with respect to any amendment of the issuer's charter, bylaws or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment.

**Item 21. Other proposed action.** If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter in substantially the same degree of detail as is required by Items 5 to 20, inclusive, above.

**Item 22. Vote required for approval.** As to each matter which is to be submitted to a vote of security holders, other than elections to office, state the vote required for its approval.

**Item 23. Proposals by security holders.** If any security holder entitled to vote at the meeting shall submit to the issuer a reasonable time before the information statement is to be transmitted a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, briefly state the nature of such proposal unless the management intends to rule it out of order. A proposal so submitted with respect to an annual meeting more than 60 days in advance of a day corresponding to the date of mailing a proxy statement or information statement in connection with the last annual meeting of security holders shall prima facie be deemed to have been submitted a reasonable time before the information statement is to be transmitted. This rule shall not apply, however, to elections to office.

[P.R. Doc. 65-643; Filed, Jan. 21, 1965; 8:46 a.m.]

# [ 17 CFR Part 240 ]

[Release 34-7507]

## RULES RELATING TO OVER-THE-COUNTER MARKETS

### Ratio of Aggregate Indebtedness to Net Capital

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to amend its Rule 15c3-1 (17 CFR § 240.15c3-1) under the Securities Exchange Act of 1934 ("Exchange Act"). This rule now provides that no broker or dealer subject to its provisions shall permit his "aggregate indebtedness" to exceed 20 times his "net capital" as these terms are defined in the rule. The proposed amendments, which would be adopted under the provisions of the Exchange Act, and particularly Sections 15(c)(3) and 23(a) thereof, would impose minimum capital requirements, provide additional safeguards with respect to the financial responsibilities of brokers and dealers, and clarify various provisions of the rule. The proposed amendments are discussed below:

**1. Minimum net capital requirements.** The Report of the Special Study of Securities Markets recommended a minimum net capital requirement as an essential qualification for any broker or dealer entering the securities business.<sup>1</sup> Among the reasons cited by the Study were the following: First, the securities business involves dealing with other people's funds, and no firm handling or having custody of customers' funds and securities should have such a small

amount of its own resources in the business that customers' assets may, in fact, become the principal working capital of the firm. Secondly, the smooth and speedy functioning of market mechanisms requires members of the financial community to have confidence in each other's stability and responsibility and this in turn requires each of such persons to have sufficient capital to have adequate personnel, resources and equipment so that each may rely upon the other's ability to do business responsibly. Third, if the liability to customers resulting from violations of state and federal law is to be a deterrent to improper conduct by broker-dealers they should not be judgment proof, but rather should have a substantial financial stake in their business. Finally, a fundamental consideration underlying all of the above reasons is that those entering the securities business should have such a sense of commitment and obligation to their business as to produce responsible, reliable operations.

The Study noted that while net capital ratio rules are desirable and necessary, the existing minimum capital and bonding requirements imposed by various exchanges and the States,<sup>2</sup> and the experience of the Commission, all point to the conclusion that these ratio rules are not sufficient. For example, the Study observed that a disproportionately large number of violations of Commission rules has occurred among broker-dealers with limited capital; that firms with low capital were involved in a high proportion of revocation proceedings and that firms with net capital smaller than \$5,000 may have a significantly higher chance of falling into net capital difficulties under the Commission's ratio rule than those with a greater amount.

In its letter dated April 19, 1963 to Congressman Oren Harris, Chairman of the House Committee on Interstate and Foreign Commerce, the Commission stated that it agreed with the recommendation of the Study with respect to the imposition of minimum capital requirements and indicated that it would also provide in its legislative proposals that the NASD have the power to adopt rules relating to the financial responsibility of its members.<sup>3</sup> It appears to the

<sup>1</sup> Many States have imposed capital or bonding requirements on broker-dealers and adoption of a minimum capital requirement by the Commission would in no way supplant these requirements.

<sup>2</sup> The NASD in 1942 proposed an amendment to its by-laws to require a minimum net capital of \$5,000 for members who deal directly with customers, and \$2,500 for members who do not effect certain transactions directly with members of the public. The Commission disapproved the proposal on the ground that a requirement for minimum net capital did not constitute an appropriate basis for determination of membership under Section 15A(b)(3) of the Exchange Act. See In the Matter of National Association of Securities Dealers, Inc., 12 SEC 322 (1942). A provision of the Securities Acts Amendments of 1964 (Section 15A(b)(5)) was specifically designed to permit the NASD to impose financial responsibility requirements on its members. See Senate Report No. 379, 88th Cong., 1st Sess., July 24, 1963, p. 82; House Report No. 1418, 88th Cong., 2d Sess., May 19, 1964, pp. 25-26.

Commission that a minimum capital requirement should be generally applicable to all broker-dealers and should be a rule of the Commission rather than of the NASD. The fact that many broker-dealers are not members of the NASD, and that the NASD does not have the power to move promptly to enjoin violators, indicate that the rule should be a rule of the Commission. The NASD has indicated that it agrees with this approach; particularly since this does not and is not intended to preclude the NASD from adopting other appropriate financial responsibility standards.<sup>4</sup>

The proposed amendment of paragraph (a) of Rule 15c3-1 (17 CFR § 240.15c3-1) would require broker-dealers engaged in the general securities business to have and maintain a minimum net capital of \$5,000.<sup>5</sup> In line with the Special Study's recognition of the fact that the minimum net capital need not be uniform for all broker-dealers, and that in appropriate cases the minimum net capital requirement could be scaled to reflect the fact that certain limited broker-dealer activities might require less minimum net capital, paragraph (a) would also provide that the minimum net capital requirement would be \$2,500 for a broker-dealer who does not hold customers' funds or securities, and whose business is limited to the sale and redemption of redeemable shares of registered investment companies (mutual funds), the sale of securities for a customer to obtain funds for immediate reinvestment in mutual funds, and the solicitation of accounts for certain insured savings and loan associations.

The Special Study also recommended that a broker-dealer engaged in the general securities business be required to have and maintain additional net capital of \$2,500 for each branch office, and \$500 for each salesman.<sup>6</sup> Serious consideration was given to imposing these additional requirements, but discussions with interested groups and persons in the securities business raise serious questions as to whether it is appropriate to impose additional minimum net capital requirements based on the number of branch offices or the number of salesmen. It was contended that a fixed amount for each branch office was arbitrary and impossible to justify when considering the vast differences in size and activities of the different branch offices of different firms. It was also asserted that the "salesman" factor would result in a complex constantly-changing requirement which would be difficult to enforce, and would tend to discourage broker-dealers from using their capital to train and supervise such persons (one of the purposes of the re-

<sup>4</sup> Under the authority granted by Section 15A(b)(5) of the Securities Exchange Act, as amended, the NASD can, of course, adopt capital requirements for special categories of members, such as underwriters or market makers, and impose other types of financial responsibility requirements on its members or types of members.

<sup>5</sup> This would be in addition to the provision that a broker-dealer shall not permit his aggregate indebtedness to exceed 2,000 per centum of his net capital.

<sup>6</sup> See Special Study Report, Pt. 1, pp. 161-162.

<sup>1</sup> See Report of Special Study of Securities Markets, Pt. 1, pp. 83-93, 152-153, 160-162.



quirement) because the use of the funds for this purpose might result in impairment of the firm's capital position.

The Commission contemplates that a substantial period of time, such as six months, would be permitted to elapse between the adoption of any minimum net capital requirement and its effectiveness, so that broker-dealers who do not have the \$5,000 (or \$2,500) when the rule is adopted would have adequate time to bring themselves into compliance with the rule. It is also expected that after the minimum net capital requirements have been in effect for a reasonable period the adequacy of such requirements would be given further study to determine whether it is necessary for the protection of investors to modify or increase such requirements, and if so, to what extent.

2. *Reserve requirements for customers' commodity accounts.* Rule 15c3-1 (17 CFR § 240.15c3-1) now provides that in computing the "net capital" of the broker-dealer there shall be deducted from "net worth" 30 percent of the market value of all long and all short future commodity contracts carried in the capital and proprietary accounts of the broker-dealer, but it does not contain special provisions to afford protection against the risks incurred by brokers who buy and sell commodities futures contracts for customers. As evidenced by the *Ira Haupt & Co.* case, there appear to be situations in which, either because of the nature of trading in commodities futures or the limited amount of margin required to be obtained from customers under the rules of various commodities exchanges, brokers who effect futures commodities transactions for customers may incur liabilities which create additional risks to the funds and securities of securities customers.

The New York Stock Exchange and other national securities exchanges whose members handle the vast majority of commodities futures transactions have imposed, as a result of the insolvency of *Ira Haupt & Co.*, additional capital requirements on those members who conduct such a business, and it appears that some specific reserve requirement should be incorporated into Rule 15c3-1 (17 CFR § 240.15c3-1) to require broker-dealers not subject to such exchange requirements to have additional capital if they wish to carry futures commodities contracts for customers.<sup>7</sup> Accordingly, it is proposed that Rule 15c3-1 (17 CFR § 240.15c3-1) would provide that in computing net capital there be deducted from net worth an amount equal to 1½ percent of the market values of the total long or total short futures contracts in each commodity, whichever is greater, carried for all customers. This provision is similar to one of the provisions recently made applicable to members by the New York Stock Exchange and other exchanges.

3. *Subordinated debt and subordination agreements.* Subparagraphs (c) (1)

(ix) and (c) (2) (vi) of the rule contain provisions which have the effect of excluding from "aggregate indebtedness" and including as a part of "net capital" subordinated loans made to the broker-dealer pursuant to a "satisfactory subordination agreement" as that term is defined in paragraph (c) (7). It is proposed that this provision be amended to clarify certain of its provisions, and to require the filing of two copies of any such agreement with the regional office of the Commission for the region in which the broker-dealer has his principal place of business, together with information identifying the lender and disclosing his business relationship to the broker-dealer.<sup>8</sup> Since subordinated lenders are in effect contributing capital to the broker-dealer firm it is also proposed to provide that to be a satisfactory subordination agreement the lender should not be subject to any of the statutory disqualifications enumerated in section 15(b) (5) of the Act as recently amended; that is, he could not be a person who has committed any act or omission enumerated in clause (A), (D) or (E), who has been convicted within 10 years of any offense specified in clause (B), who is enjoined from any action, conduct or practice specified in clause (C), or who is subject to any order specified in clause (F), of paragraph (5) of subsection (b) of Section 15 of the Act.

4. *The exemptions from the rule.* Rule 15c3-1 (17 CFR § 240.15c3-1) now contains two paragraphs providing exemptions from its provisions. Paragraph (b) (1) exempts a broker whose securities business is limited to acting as agent for an issuer in soliciting subscriptions for securities of the issuer, who promptly transmits all funds and promptly delivers all securities received in connection therewith, and who does not otherwise hold funds or securities for, or owe money or securities to, customers. It is proposed that this exemption be deleted. It has been suggested that if a minimum net capital requirement is considered to be necessary as a qualification requirement, as discussed above, as well as for the protection of customers' funds and securities, the rule should not afford any blanket exemption for any group or class of broker-dealers who are not otherwise subject to similar or more stringent capital requirements; that rather, if anyone is to be exempted from its provisions it should be because, on the basis of particular facts, the Commission is satisfied that it is not inconsistent with the public interest to permit an exemption.

A new paragraph (b) (1) would provide that the Commission may, upon written application, exempt from the rule, either

<sup>7</sup> One of the problems frequently encountered by the regional offices of the Commission in connection with subordination agreements is that marginal firms may on occasion seek to raise capital from customers through such agreements. There is a risk in such cases unsophisticated customers may be overreached. This problem has been brought to the attention of the NASD and it has agreed as part of its financial responsibility program to screen such agreements of members subject to the rule to determine whether there has been overreaching of customers.

unconditionally or on specified terms and conditions, any broker or dealer who satisfies the Commission that the nature of its business is such that an exemption is consistent with the public interest and the protection of investors, and that the safeguards of the firm with respect to financial responsibility are adequate for the protection of customers' funds and securities.

It is contemplated that paragraph (b) (2) would continue to provide an exemption for members of specified exchanges which are able to satisfy the Commission that all of their rules and settled practices impose requirements more comprehensive than the requirements of the rule and that their inspection and other procedures are adequate to insure enforcement of their rules. The language of this paragraph would be clarified, however, to make it clear that the exemption is available only to members subject to specific capital requirements under the rules of the particular exchange, and only when they are members in good standing. Paragraph (b) (2) has been construed so that the exemption is unavailable to a suspended member during the period of suspension.

The nature and substance of the proposed amendments to the rule are indicated below:

*Proposed Revision of Rule 15c3-1 (17 CFR § 240.15c3-1).* (a) No broker or dealer shall make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, any security (other than an exempted security or commercial paper, bankers' acceptances or commercial bills), otherwise than on a national securities exchange, unless:

(1) The aggregate indebtedness of such broker or dealer does not exceed 2,000 per centum of the net capital of such broker or dealer; and

(2) Such broker or dealer has and maintains net capital of not less than \$5,000: *Provided, however,* That a broker or dealer who meets all of the following conditions shall be required to have and maintain net capital of not less than \$2,500:

(i) his dealer transactions (as principal for his own account) are limited to the purchase, sale and redemption of redeemable shares of registered investment companies;

(ii) his transactions as broker (agent) are limited to: (a) the sale and redemption of redeemable securities of registered investment companies; (b) the solicitation of share accounts for savings and loan associations insured by an instrumentality of the United States; and (c) the sale of securities for the account of a customer to obtain funds for immediate reinvestment in redeemable securities of registered investment companies; and

(iii) he promptly transmits all funds and delivers all securities received in connection with his activities as a broker or dealer, and does not otherwise hold funds or securities for, or owe money or securities to, customers.

(b) *Exemptions.* (1) The Commission may, upon written application, exempt from the provisions of this section, either unconditionally or on specified terms and

<sup>8</sup> It should be pointed out that the great majority of broker-dealers subject to the Commission's net capital rule do not deal in commodities contracts.



conditions, any broker or dealer who satisfies the Commission that, because of the special nature of his business, his financial position, and the safeguards he has established for the protection of customers' funds and securities, it is not necessary in the public interest or for the protection of investors to subject the particular broker or dealer to the provisions of this section.

(2) Any member in good standing of (exchanges to be specified) whose capital rules are applicable to such member and whose rules, settled practices and applicable regulatory procedures are deemed by the Commission to impose requirements more comprehensive than the requirements of this section: *Provided, however,* That the exemption as to the members of any exchange may be suspended or withdrawn by the Commission at any time, by sending ten (10) days written notice to such exchange, if it appears to the Commission to be necessary or appropriate in the public interest or for the protection of investors so to do.

(c) Introductory clause; no change.

(1) No change.

(i) No change.

(ii) No change.

(iii) No change.

(iv) No change.

(v) No change.

(vi) No change.

(vii) No change.

(viii) No change.

(ix) No change.

(c) (2) Introductory clause; no change.

(i) No change.

(ii) No change.

(iii) No change.

(iv) No change.

(v) No change.

(vi) Deducting an amount equal to 1½ percent of the market values of the total long or total short futures contracts in each commodity, whichever is greater, carried for all customers.

(vii) Same as the present (c) (2) (vi).

(viii) Same as present (c) (2) (vii).

(c) (3) No change.

(c) (4) No change.

(c) (5) No change.

(c) (6) No change.

(c) (7) The term "satisfactory subordination agreement" shall mean a written agreement duly executed by the broker or dealer and the lender, which agreement is binding and enforceable in accordance with its terms upon the lender, his creditors, heirs, executors, administrators, and assigns, and which agreement satisfies all of the following conditions:

(i) It effectively subordinates any right of the lender to demand or receive payment or return of the cash or securities loaned to the claims of all present and future creditors of the broker or dealer;

(ii) The cash or securities are loaned for a term of not less than one year;

(iii) It provides that the agreement shall not be subject to cancellation by either party, and that the loan shall not be repaid and the agreement shall not be terminated, rescinded or modified by mutual consent or otherwise if the effect thereof would be to make the agreement inconsistent with the conditions of this section or to reduce the net capital of the broker or dealer below the amount required by this section;

(iv) It provides that no default in the payment of interest or in the performance of any covenant or condition by the broker or dealer shall have the effect of accelerating the maturity of the indebtedness;

(v) It provides that any notes or other written instruments evidencing the indebtedness shall bear on their face an appropriate legend stating that such notes or instruments are issued subject to the provisions of a subordination agreement which shall be adequately referred to and incorporated by reference;

(vi) It provides that any securities or other property loaned to the broker or

dealer pursuant to its provisions may be used and dealt with by the broker or dealer as part of his capital and shall be subject to the risks of the business;

(vii) The loan is not made by any person who has committed any act or omission enumerated in clause (A), (D) or (E), who has been convicted within ten years of any offense specified in clause (B), who is enjoined from any action, conduct or practice specified in clause (C), or who is subject to any order specified in clause (F), of paragraph (5) of subsection (b) of Section 15 of the Act; and

(viii) Two copies of such agreement, and of any notes or written instruments evidencing the indebtedness, are filed, within 10 days after such agreement is entered into, with the Regional Office of the Commission for the region in which the broker or dealer maintains his principal place of business, together with a statement of the full name and address of the lender, the business relationship of the lender to the broker or dealer, and whether the broker or dealer carried funds or securities for the lender at or about the time the agreement was entered into.

(8) No change.

(Secs. 15(c) (3), 23(a), 48 Stat. 895, 901, as amended, 15 U.S.C. 78o, 78w)

All interested persons are invited to submit their views and comments on the above proposal, in writing, to the Securities and Exchange Commission, Washington, D.C., 20549, on or before March 1, 1965. Except where it is requested that such communications not be disclosed they will be considered available for public inspection.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

JANUARY 14, 1965.

[F.R. Doc. 65-641; Filed, Jan. 21, 1965; 8:46 a.m.]



# Notices

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

### CONTINENTAL VENDING MACHINE CORP.

#### Order Suspending Trading

JANUARY 15, 1965.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976, being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 17, 1965, through January 26, 1965, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 65-644; Filed, Jan. 21, 1965; 8:46 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 499]

### ALASKA

#### Declaration of Disaster Area

Whereas, it has been reported that during the month of December 1964, because of the effects of certain disasters, damage resulted to residences and business property located in the Copper Center area in the State of Alaska;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid area, suffered damage or destruction resulting from floods and accompanying conditions in the month of December 1964.

#### OFFICES

Small Business Administration Regional Office, 506 Second Avenue, Seattle, Wash.  
Small Business Administration Regional Office, Fifth and D Streets, Anchorage, Alaska.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1965.

Dated: January 6, 1965.

IRVING MANESS,  
Acting Administrator.

[P.R. Doc. 65-639; Filed, Jan. 21, 1965; 8:45 a.m.]

## DELAWARE RIVER BASIN COMMISSION

### COMPREHENSIVE PLAN

#### Notice of Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, January 27, 1965. The hearing will be on

the proposal to amend section IX of the Comprehensive Plan by the addition thereto of three proposed water resources projects. A brief description of these projects is attached to this notice, and detailed information about them may be examined at the office of the Commission.

The hearing will take place in Room 1306 of the Pennsylvania State Office Building, Broad and Spring Garden Streets in Philadelphia, Telephone: 609-883-9500, beginning at 2 p.m. All persons wishing to testify are requested to register in advance with the Secretary to the Commission.

W. BRINTON WHITALL,  
Secretary.

JANUARY 15, 1965.

[P.R. Doc. 65-685; Filed, Jan. 21, 1965; 8:50 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### ASH FLAT LIVESTOCK AUCTION CO. ET AL.

#### Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

ARKANSAS	
Original name of stockyard, location, and date of posting	Current name of stockyard and date of change in name
Ash Flat Livestock Auction Co., Ash Flat, Mar. 18, 1960.	Ash Flat Livestock Auction, Oct. 30, 1964.
GEORGIA	
Milan Livestock Barn, Milan, Aug. 27, 1959-----	Milan Livestock Market, Inc., July 1, 1964.
ILLINOIS	
Woodford County Livestock Commission Co., Inc., El Paso, Nov. 20, 1959.	El Paso Livestock Auction Market, Nov. 17, 1964.
IOWA	
Corning Auction Co., Inc., Corning, May 16, 1959--	Corning Auction Co., Nov. 12, 1964.
NEBRASKA	
B. & B. Commission Co., Ravenna, February 8, 1950.	Ravenna Livestock Commission Co. Dec. 1, 1964.
OKLAHOMA	
Temple Auction Sales Co., Temple, April 7, 1959--	Temple Auction Sale, Dec. 5, 1964.
TEXAS	
Trinity County Livestock Commission Co., Groveton, Jan. 21, 1960.	Trinity County Auction, Nov. 2, 1964.
WYOMING	
Gillette Livestock Auction Co., Gillette, May 18, 1951.	Gillette Livestock Exchange, Inc. May 19, 1964.

Done at Washington, D.C., this 15th day of January 1965.

K. A. POTTER,  
Acting Chief, Rates, Services and Facilities Branch, Packers  
and Stockyards Division, Agricultural Marketing Service.

[P.R. Doc. 65-662; Filed, Jan. 21, 1965; 8:47 a.m.]



# WENTZ BROTHERS LIVESTOCK AUCTION ET AL.

## Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and were, therefore, subject to the Act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name and location of stockyard; date of posting

### ARIZONA

Wentz Brothers Livestock Auction, Tucson, Dec. 5, 1964.

### KANSAS

Moline Auction Co., Moline, Dec. 10, 1964.

### KENTUCKY

Gibson Livestock Co., Inc., Marion, Jan. 6, 1965.

Ohio Valley Producers Livestock Association, Inc., Bowling Green, Jan. 7, 1965.

### MISSOURI

Puxico Stockyards and Auction Co., Inc., Puxico, Dec. 22, 1964.

### NORTH DAKOTA

Carrington Livestock Auction, Inc., Carrington, Dec. 10, 1964.

Done at Washington, D.C., this 15th day of January 1965.

K. A. POTTER,  
Acting Chief, Rates, Services and  
Facilities Branch, Packers and  
Stockyards Division, Agricultural  
Marketing Service.

[F.R. Doc. 65-663; Filed, Jan. 21, 1965;  
8:47 a.m.]

## Commodity Credit Corporation SALES OF CERTAIN COMMODITIES

### January Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during January 1965 are as announced by the U.S. Department of Agriculture. The following commodities are available: Butter, cheddar cheese, nonfat dry milk, dry beans, cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, peanuts, flax, and soybeans.

There is no change in the commodities available from the December list, except that red kidney beans have been

withdrawn from sale because supplies are exhausted.

Corn, oats, barley or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Interest rates per annum under the CCC Export Credit Sales Program for January 1965 are 4½ percent for periods up to and including 12 months, and 5 percent for periods from over 12 months up to a maximum of 36 months. All commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export under the CCC Export Credit Sales Program as provided under specific commodity listings.

The following commodities are available for programming under Title IV, P.L. 480, private trade agreements: Wheat, corn, rye, rice, grain sorghum, upland and extra long staple cotton, tobacco from CCC loan stocks, butter, cheese, and nonfat dry milk. In addition, other surplus agricultural commodities are also eligible for Title IV programming. A list of all commodities available under this program, and current information on interest rates and other phases of the program are being sent separately to recipients of the CCC Monthly Sales List.

The following commodities are currently available for barter: Barley, cotton, tobacco, wheat, corn, and grain sorghum. (In addition, free market stocks of cottonseed and soybean oils are eligible for barter programming.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within

a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C., 20250, with respect to all commodities or—for specified commodities—within the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offeror to meet contract obligations of the type contemplated in this announcement. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offeror of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offeror will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in quantities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.



Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

**Notice to exporters.** The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities (except absorbent cotton and sterilized gauze and bandages with respect to Cuba only) under this program to Cuba, the Soviet Bloc, or Communist-controlled area of the Far East including Communist China, North Korea and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves \$10,000 or more and exportation is to be made to a Group R country, obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, §§ 371.4 and 371.8) against sales or resale for re-export of said commodities, or any part thereof, without express Commerce Department authorization, to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Cuba, and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by the Secretary of Agriculture or CCC. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirements for obtaining the signed acknowledgment from the foreign purchaser.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

Commodity		Sales price or method of sale			
Barley, bulk.....		Domestic or export, unrestricted use: A. Redemption of domestic payment-in-kind certificates: Such CCC dispositions of barley as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1964 price-support loan rate for the class, grade, and quality of the corn, plus the amount shown in C below applicable to the type of carrier involved. B. General sales: <sup>1</sup> 1. Storable: Such CCC dispositions of storable barley, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent * of the applicable 1964 price support rate (published price-support loan rate plus 12 cents per bushel) for the class, grade, and quality of the barley, plus the amount shown in C below, applicable to the type of carrier involved. Examples of these formula minimum prices are shown in C below. If delivery is outside the area of production, applicable freight will be added. Examples of these formula minimum prices are shown below. CCC will normally make general sales of barley when dispositions of such barley are not being made against domestic payment-in-kind certificates. 2. Nonstorable: At not less than market price as determined by CCC. Markups and Agricultural Act of 1949 formula price examples (per bushel)			
		Markup in cents received by			
		Examples of in-store <sup>2</sup> formula minimum prices for No. 2 or better barley (ex-rail or barge in dollars)			
		Truck	Rail or barge	Terminal	General sales price
		Cents	Cents		
		14	9	Minneapolis, Minn.....	\$1.30
				Kansas City, Mo.....	1.32
		Availability information: For information on CCC barley sales from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain office listed at the end of this sales list.			
		Export announcement sales: (1) Under Announcement GR-368 (Revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved CCC barley and credit sales. CCC reserves the right to determine the class, grade, quality, and quantity to be made available for the sales under these announcements. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105% of the applicable price-support rate plus the adjustment referred to in above table. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at barter and credit sales prices. Available: Evanston and Kansas City ASCS offices. Stocks in Duluth or Minneapolis will be available through the Minneapolis ASCS grain office.			
Corn, bulk.....		Domestic or export—Unrestricted use: A. Redemption of domestic payment-in-kind certificates: Such CCC dispositions of corn, as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which corn shall be valued for such dispositions shall be the highest of (a) market price as determined by CCC, (b) a minimum price for such corn as determined by CCC and, (c) the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1964 price-support loan rate for the class, grade, and quality of the corn, plus the amount shown in C below applicable to the storage point involved. B. General sales: <sup>1</sup> 1. Storable: Such CCC dispositions of storable corn, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent * of the applicable 1964 price support rate (published price-support loan rate plus 15 cents per bushel) for the class, grade, and quality of the corn, plus the amount shown in C below, applicable to the storage point involved. Examples of these formula minimum prices are shown in C below. For corn in store at other than the point of production the freight from point of production to the present point of storage will also be added. CCC will normally make general sales of corn when dispositions of such corn are not being made against domestic payment-in-kind certificates. 2. Nonstorable: Such dispositions of nonstorable corn as CCC may designate as general sales will be made at not less than market price, as determined by CCC. C. Markups and Agricultural Act of 1949 formula price examples (per bushel).			
		Markup in cents in-store at			
		Example of in-store <sup>2</sup> formula minimum prices for No. 2 yellow corn (14 percent MT. and 2 percent F.M.) (ex-rail or barge in dollars)			
		Production point	Other points	Terminal	General sales price
		Cents	Cents		
		4½	6	Minneapolis, Minn. <sup>3</sup> .....	\$1.394
				Chicago, Ill. <sup>3</sup> .....	1.38
		D. Availability information: For information on CCC corn sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanston, Kansas City, Minneapolis or Portland ASCS grain office listed at the end of this sales list.			

See footnotes at end of table.



Commodity	Sales price or method of sale	Commodity	Sales price or method of sale
Corn, bulk—(Continued)	Export announcement sales: Under Announcement GR-212 (Revised 2, Jan. 9, 1961) for application to announcements for export and import of CCC credit, export and import of GR-212 (Unrestricted) credit, and other designated sales) and under Announcement GR-398. CCC reserves the right to determine the class, grade, quality, and quantity to be made available for sale under any export announcement. The statutory minimum price referred to in the price adjustment provisions of Announcement GR-212 is 100% of the applicable price support rate plus the adjustment referred to in subparagraph C above. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates, if any, are deducted in arriving at credit and barrier sales prices.  Available: Evanston, Kansas City, Minneapolis, and Portland, ASCS grain offices.  Domestic or export, unrestricted use: Competitive bid under the terms and conditions of Announcement NO-C-16, as amended (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price support programs will be sold at the highest price offered but in no event at less than the higher of (a) 85 percent of the current loan rate for such cotton, plus reasonable carrying charges, or (b) the market price for such cotton, as determined by CCC.  Competitive offers under the terms and conditions of Announcement NO-C-36, as amended (Disposition of Upland Cotton—for exchange of PIR certificates or rights in the certificate pool for upland cotton). Upland cotton may be acquired at its domestic market price which shall be the highest price offered but not less than the minimum price determined by CCC.  Export, CCC Sales for Export: Competitive bid under the terms and conditions of Announcement CN-EX-25 (Cotton Export Program—Sales—1964-65 Marketing Year) and NO-C-36, as amended (Sale of Upland Cotton—1964-65 Marketing Year).  Export, CCC Credit Sales and Barrier Sales: Competitive bid under the terms and conditions of Announcement CN-EX-26 (Purchase of Upland Cotton for Export under the Export Credit Sales Program). Announcement CN-EX-29 (Acquisition of Upland Cotton for Export under the Barrier Program) and Announcement NO-C-38 (Sale of Upland Cotton—CCC Credit and Barrier Program—1964-65 Marketing Year).  Domestic or export, unrestricted use: Competitive bid under the terms and conditions of Announcements NO-C-4 (Revised July 21, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.  Export, CCC Sales for Export: Competitive bid under the terms and conditions of Announcements CN-EX-29 (Foreign-Grown Extra Long Staple Cotton Export Program) and NO-C-40 (Sale of Foreign-Grown Extra Long Staple Cotton). Competitive bid under the terms and conditions of Announcements CN-EX-25 (Extra Long Staple Cotton Export Program) and NO-C-27, as amended (Sale of Extra Long Staple Cotton).  Available: Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from the office.  Sales are in carlots only in-store at storage location of products.  Submission of offers: Submit offers to the Minneapolis ASCS Commodity Office.  Domestic or export: Unrestricted use: Announced prices, under LD-29, as amended: 61.0 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 61.25 cents per pound—Washington, Oregon, and California. All other States 61.0 cents per pound.  Export: Payment-in-kind under SM-8 as amended. Competitive bid under Announcement MP-10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office.  Domestic or export: Unrestricted use: Announced prices, under LD-29, as amended: 61.75 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 59.75 cents per pound.  Export: Competitive bid under Announcement MP-10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP-10: Any cheese offered but not sold under the invitation to bid issued pursuant to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Tuesday.  Domestic or export: Unrestricted use: Announced prices, under LD-29, as amended: Syrup process, U.S. Extra Grade, 16.40 cents per pound.  Export: Payment-in-kind under SM-8, as amended. Competitive bid, under MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office.	Dry edible beans (haggled)  Flaxseed, bulk	
Cotton, upland	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.	Grain sorghum, bulk	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.
Cotton, extra long staple	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.		Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.
Dairy products	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.		Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.
Butter	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.		Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.
Cheddar cheese (standard moisture basis)	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.		Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.
Nonfat dry milk	Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.		Domestic or export: Unrestricted use: Domestic market price but not less than the following minimum price per cwt for U.S. No. 1 f.o.b. indicated point of production. Amount of paid-in-freight to be added as applicable. For other grades and locations adjust by applicable 1964 price support differential.

See footnotes at end of table.

See footnotes at end of table.



Commodity	Sales price or method of sale	Commodity	Sales price or method of sale
Grain sorghum, bulk (continued)	Domestic and export, unrestricted use—Continued C. Markups and Agricultural Act of 1946 formula price examples (per hundredweight)	Peanuts, shelled or unshelled (farmers' stock as available). Rice, rough.	Domestic for crushing or export: Competitive bid under CCC Peanut Announcement 1 (Revised Jan. 4, 1967), as amended and supplemented March 2, 1964. Domestic or export: Unrestricted use. Market price but not less than 1964 loan rate plus 5 percent; plus 28 cents per cwt., basis in store. Export: As milled or brown under Announcement GR-369, Revision II, Rice Export Program—Payment-to-kind, and under GR-379, Revision I, for approved credit sales. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.
Markups in cents received by	Examples of in-store formula minimum prices for No. 2 or better grain sorghum (ex-rail or barge in dollars)	Available.	Domestic or export, unrestricted use: Storable: Market price, as determined by CCC, but not less than the Agricultural Act of 1946 formula price which is 100 percent of the applicable 1964 price support rate for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to the above.
Truck	Rail or barge	Eye, bulk	Per bushel markup received by
Cents 25	Terminal	Available.	Truck
Cents 15	Kansas City, Mo.	Eye, bulk	Cents 15
General sales price	Terminal	Eye, bulk	Cents 9
\$2.53	Kansas City, Mo.	Eye, bulk	Class and grade
	Terminal	Eye, bulk	Price
	Kansas City, Mo.	Eye, bulk	No. 2 or better (for No. 3 on TW only).
	Terminal	Eye, bulk	\$1.45
	Kansas City, Mo.	Eye, bulk	
	Terminal	Eye, bulk	
	Kansas City, Mo.	Eye, bulk	
	Terminal	Eye, bulk	
	Kansas City, Mo.	Eye, bulk	
	Terminal	Eye, bulk	
	Kansas City, Mo.	Eye, bulk	

See footnotes at end of table.



Commodity	Sales price or method of sale				
Wheat, bulk.....	<p>Domestic or export, unrestricted use:</p> <p>A. Storable: The minimum price for such wheat shall be the highest of (a) market price as determined by CCC, (b) a minimum price for such wheat determined by CCC, or, (c) the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1964 price support loan rate for the class, grade, and quality of the wheat plus the amount shown in C below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to such formula price.</p> <p>B. Nonstorable: Such dispositions of nonstorable wheat as CCC may designate will be made at not less than market price, as determined by CCC.</p> <p>C. Markups and formula minimum price examples.</p>				
	Per bushel markup received by	Examples of per bushel formula minimum price basis in-store <sup>2</sup> ex-rail or barge			
	Truck	Rail or barge	Terminal	Class and grade	Price
	Cents 15	Cents 9	Chicago.....	No. 1 RW.....	\$1.74
			Kansas City.....	No. 1 HW.....	1.70
			Portland.....	No. 1 SW.....	1.64
<p>D. Availability information: Storable Northern Spring Wheat sales for unrestricted use have been suspended until further notice. For information on CCC wheat sales from bin sites, contact ASCS State or county offices. For information on the disposition of wheat from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS grain office listed at the end of this sales list.</p> <p>Export announcement sales:</p> <p>(1) Under Announcement GR-345 (Revised August 25, 1964) as amended for export under the wheat export payment-in-kind program except that (a) durum wheat will not be eligible for P.L. 480, Title I sales, and (b) hard winter wheat exports through West Coast ports will not be eligible for Title I, P.L. 480 sales, (2) under Announcement GR-261 (Rev. 2, Jan. 9, 1961, as amended and supplemented) for export as wheat and under Announcement GR-262 (Rev. 2, Jan. 9, 1961 as amended) for export as flour for application under arrangements for barter and approved CCC credit sales only at prices determined daily. Hard winter wheat will not be sold through West Coast ports under Announcements GR-261 or GR-262.</p> <p>Available: Evanston, Kansas City, Minneapolis and Portland ASCS grain offices. (See above for limited availability of hard winter wheat through west coast ports.)</p>					

<sup>1</sup> Such dispositions shall be for domestic unrestricted use or for export.

<sup>2</sup> The delivery basis for these examples is "in-store", and market prices will be on the same basis. The formula price delivery basis for bin site sales will be f.o.b.

<sup>3</sup> To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight.

<sup>4</sup> On sales made on a protein basis, the loan rate shall be increased by the applicable market or loan bulletin protein premium for the protein content of the wheat, whichever is higher. On sales made on a sedimentation basis, the loan rate shall be increased by the applicable loan bulletin sedimentation premium for the sedimentation value of the wheat. On sales made on a combined sedimentation and protein basis, the loan rate shall be adjusted by the applicable loan bulletin sedimentation and protein premiums and discounts for the respective sedimentation value and protein contents of the wheat.

<sup>5</sup> Woodford County, Ill., origin.

<sup>6</sup> Redwood County, Minn., origin.

#### USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

##### GRAIN OFFICES

Evanston ASCS Commodity Office, 2201 Howard Street, Evanston, Ill., 60202. Telephone: Long distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).

Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn., 55415. Telephone: 334-2031.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo., 64141. Telephone: Emerson 1-0860.

Alabama, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street,

Portland, Oreg., 97205. Telephone: 226-3361.

Alaska, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington (Domestic and Export Sales), Arizona and California (Export sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif., 94704. Telephone: Thornwall 1-5121.

Arizona and California (Domestic sales only).

##### PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue, South Minneapolis, Minn., 55410. Telephone: 334-3200.

##### COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112. Telephone: 529-2411.

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y., 10013. Telephone: Rector 2-8000.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif., 94111. Telephone: 556-6185.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply Sec. 407, 63 Stat. 1066; Sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; Secs. 303, 306, and 307, 76 Stat. 614-617; 7 U.S.C. 1427; and 1441 (note).)

Signed at Washington, D.C., on January 15, 1965.

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

[F.R. Doc. 65-629; Filed, Jan. 21, 1965; 8:48 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### NEVADA

### Notice of Filing of Nevada Protraction Diagrams

JANUARY 13, 1965.

Notice is hereby given that effective at and after 10:00 a.m. February 15, 1965, the following protraction diagrams are officially filed of record in the Nevada Land Office. In accordance with Title 43, Code of Federal Regulations, these protractions will become the basic record for describing the land for all authorized purposes. Until this date and time the diagrams have been placed in open files and are available to the public for information only.

#### NEVADA PROTRACTION DIAGRAMS

(Nos. 146 through 151)

##### MOUNT DIABLO MERIDIAN

No. 146	T. 40 N., R. 37 E.
No. 147	T. 36 N., R. 30 E.
	T. 37 N., R. 31 E.
	T. 36 N., R. 32 E.
	T. 37 N., R. 32 E.
No. 148	T. 35 N., R. 31 E.
No. 149	T. 39 N., R. 34 E.
	T. 40 N., R. 34 E.
No. 150	T. 37 N., R. 33 E.
	T. 38 N., R. 33 E.
	T. 38 N., R. 34 E.
No. 151	T. 38 N., R. 30 E.
	T. 39 N., R. 30 E.
	T. 38 N., R. 31 E.
	T. 39 N., R. 31 E.
	T. 39 N., R. 32 E.

Copies of these diagrams are for sale at one dollar (\$1.00) each by the Nevada Land Office, Bureau of Land Management, Post Office Box No. 1551, Reno, Nev.

DANIEL P. BAKER,  
Manager.

[F.R. Doc. 65-650; Filed, Jan. 21, 1965; 8:46 a.m.]

[Misc. NM 12]

#### NEW MEXICO

### Order Providing for Opening of Public Lands

JANUARY 14, 1965.

1. In exchange of lands made under the provisions of section 8 of the Act of



June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following described land has been reconveyed to the United States:

NEW MEXICO PRINCIPAL MERIDIAN  
NEW MEXICO

T. 17 S., R. 24 E.,  
Sec. 29, SW ¼.

The area described contains 160 acres. 2. The land is located approximately 15 to 16 miles west of Artesia, N. Mex. and about 1½ to 2 miles south of State Highway 83. The land is very rolling to level; the predominant forage is grama grass with tobasa, three awn and dropseed grasses with creosote, blackbrush mesquite, snakeweed and cacti. The soils are rocky to fine calcareous loams intermingled with caliche. The average rainfall is approximately 12 inches and the growing season is 200 days.

3. Pursuant to authority delegated to me by Bureau Order No. 701 of July 23, 1964, section 1.5c, the land affected by this order is hereby restored to the operation of the public land laws, subject to any valid rights, the provisions of existing withdrawals, and the requirements of applicable law, rules and regulations, as of 10:00 a.m., March 5, 1965.

4. The United States did not acquire minerals in the lands described herein.

5. Inquiries and applications concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Post Office Box 1449, Santa Fe, N. Mex., 87501.

W. J. ANDERSON,  
Acting State Director.

[F.R. Doc. 65-651; Filed, Jan. 21, 1965;  
8:46 a.m.]

#### Bureau of Reclamation

[No. 19]

#### GILA IRRIGATION PROJECT, ARIZONA; YUMA MESA DIVISION, SOUTH GILA VALLEY UNIT

#### Public Notice of Water Service and Charges Prior to Designation of Irrigation Block and Start of Development Period

DECEMBER 17, 1964.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented.)

1. *Water service.* Irrigation water will be furnished to lands in the above-designated Unit, when available, to the extent that progress of construction of works contemplated under contract of July 23, 1962 (No. 14-06-300-1270) between the United States and the Yuma Irrigation District will permit and subject to the provisions of the prescribed form of water service application. Such water service will begin January 1, 1965, and continue until such time as an irrigation block is designated and a development period starts pursuant to said contract or until further notice.

2. *Charges and terms of payment.* Charges for water service hereunder shall be payable in advance of the delivery of water, as follows:

(a) For lands furnished water before July 1, 1965, the minimum charge shall

be \$9.00 for each acre of land for which water service is requested. Payment of this minimum charge in full and approval of the application will entitle the applicant to the delivery of a basic quantity equal to 5 acre-feet of water per acre during calendar year 1965 and to purchase additional water for delivery to the same lands prior to January 1, 1966, at the rate of \$3.00 per acre-foot, subject to the provisions of the application.

(b) The making of a water service application, payment of one-half of the minimum charge prior to July 1, 1965, and approval of the application will entitle the applicant to receive, prior to July 1, 1965, as much as but not more than one-half the basic quantity of water applied for under subdivision (a) above. No part of the other one-half of the basic quantity applied for nor any additional water shall be delivered until the other one-half of the minimum charge has been paid in full.

(c) If water service hereunder begins on or after July 1, 1965, the minimum charge shall be \$6.00 for each acre of land for which water service is applied for and approved. Payment of this minimum charge will entitle the applicant to delivery of a basic quantity equal to 2½ acre-feet of water per acre prior to January 1, 1966, and to purchase additional water for delivery to the same lands during the same period at the rate of \$3.00 per acre-foot, subject to the provisions of the application.

3. *Refund or credit.* No refund or credit will be given for any part of a basic quantity of water paid for but not used during calendar year 1965, except that any amount paid by an applicant during calendar year 1965 for additional water which remains undelivered at the end of that year will, at the option of the United States, either be refunded to the applicant or credited against the minimum charge payable by such applicant for the following calendar year.

4. *Acreage limitation.* Except as otherwise provided in the Reclamation Law (Act of June 17, 1902, 32 Stat. 388, as amended or supplemented), no water will be delivered hereunder to any lands which constitute "excess lands" within the meaning of said laws and the aforesaid contract of July 23, 1962.

5. *Eligibility.* Water service applications may be made by the landowner, by his duly authorized representative, or by anyone who presents evidence satisfactory to the Project Manager, Yuma Projects Office, Yuma, Arizona, that he is the tenant or lessee of the land for which water is requested.

6. *Application and payment.* The prescribed form of water service application, hereinabove referred to, may be examined at the office of the Project Manager, Yuma Projects Office, Yuma, Arizona. Completed water service applications and the required payments will be received at that office.

A. B. WEST,  
Regional Director.

JANUARY 15, 1965.

[F.R. Doc. 65-652; Filed, Jan. 21, 1965;  
8:47 a.m.]

#### Office of the Secretary

GLENN J. HALL

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) None.

(2) FMC Corporation, Howe Sound Co., Morrison-Knudsen Company, General Electric Co., Amalgamated Sugar Co., Idaho Power Co., First Security Bank Corp., Union Carbide Corp., West Coast Airlines, Pacific Power & Light Co., Utah Power & Light Co., Portland General Electric Co., Washington Water Power Co., Montana Power Co., Westinghouse Electric Co.

(3) None.

(4) None.

This statement is made as of January 11, 1965.

Dated: January 11, 1965.

GLENN J. HALL

[F.R. Doc. 65-671; Filed, Jan. 21, 1965;  
8:49 a.m.]

#### MAX R. LLEWELLYN

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.

(2) Arizona Public Service Co., Dividend Shares, U.S. Savings Bonds Series E, Bank Deposits, Safeway Stores, Phoenix Gema, Del Webb Warrants, Arizona Bank.

(3) No change.

(4) No change.

This statement is made as of December 23, 1964.

Dated: December 23, 1964.

MAX R. LLEWELLYN

[F.R. Doc. 65-672; Filed, Jan. 21, 1965;  
8:49 a.m.]

#### JOHN LAWRENCE McNEALEY

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

(1) No change.

(2) No change.

(3) No change.

(4) No change.



This statement is made as of January 11, 1965.

Dated: January 11, 1965.

J. L. McNEALEY,

[F.R. Doc. 65-673; Filed, Jan. 21, 1965; 8:49 a.m.]

## DEPARTMENT OF COMMERCE

### Office of the Secretary

#### RECONSTITUTION OF AMERICAN LUMBER STANDARDS COMMITTEE

Notice is hereby given of a proposed amendment to Simplified Practice Recommendation 16-53, American Lumber Standards for Softwood Lumber (SPR 16-53) for the purpose of revising the constitution of the American Lumber Standards Committee. Any person wishing to comment on the proposed amendment must submit his comments, in writing, to the Secretary of Commerce within 30 days of the date of publication hereof.

This proposed action has three purposes. First, we wish to strengthen the existing means for voluntary compliance with industry standards by broadening the base of the Committee and the procedures for appointment of members. Second, it is desirable that the Committee reflect more accurately a representative cross section of industry views in the development of any future revisions of lumber standards. Third, we believe it is necessary to distinguish between the Committee's voluntary compliance and inspection mechanisms and its function of proposing substantive revisions to the voluntary standards.

On September 17, 1964, the Department of Commerce first proposed a preliminary plan for reconstituting the Committee. After considering the recommendations of members of the present American Lumber Standards Committee and reviewing the published hearings on lumber standards, which were held before the Roosevelt Subcommittee of the House Select Committee on Small Business, and the report by that Subcommittee, the Department proposes an amendment<sup>1</sup> to SPR 16-53. Tables attached to the proposal compare the present structure with that proposed and compare the balance between various segments on the Committee.

Nominations for membership on the reconstituted Committee will be received after the proposed amendment becomes final. It is intended that members serving on the date the amendment becomes final will continue on the Committee until the end of their present terms or until the Secretary of Commerce appoints their successors, whichever is sooner.

Dated: January 14, 1965.

LUTHER H. HODGES,  
Secretary of Commerce.

[F.R. Doc. 65-675; Filed, Jan. 21, 1965; 8:50 a.m.]

<sup>1</sup> Filed as part of the original document.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration SYNTEX LABORATORIES, INC.

#### Notice of Filing of Petition for Food Additive Chlormadinone Acetate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 5D1634) has been filed by Syntex Laboratories, Inc., 701 Welch Road, Palo Alto, Calif., proposing the issuance of a regulation to provide for the safe use of chlormadinone acetate (6-chloro- $\Delta^4$ -17-acetoxyprogesterone) in animal feeds, as follows:

Principal ingredient	Quantity	Limitations	Indications for use
Chlormadinone acetate.	10 mg. per head per day.	For beef and dairy heifers and beef cows; animals not to be slaughtered within 28 days of last dosage.	For synchronization of estrus (heat).

Dated: January 15, 1965.

MALCOLM R. STEPHENS,  
Assistant Commissioner  
for Regulations.

[F.R. Doc. 65-674; Filed, Jan. 21, 1965; 8:49 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-183]

### GENERAL ELECTRIC CO.

#### Notice of Issuance of Facility License Amendment

Please take notice that, no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 2 to Provisional Operating License No. DR-10. The amendment authorizes an increase in the operating power level of the ESADA-Vallecitos Experimental Superheat Reactor from 12.5 megawatts (thermal) to 17 megawatts (thermal). The reactor is located near Pleasanton, Calif.

The amendment, as issued, was substantially as set forth in the Notice of Proposed Issuance of Facility License Amendment published in the FEDERAL REGISTER December 11, 1964, 29 F.R. 17003.

Dated at Bethesda, Md., this 13th day of January 1965.

For the Atomic Energy Commission.

R. L. DOAN,  
Director,  
Division of Reactor Licensing.

[F.R. Doc. 65-633; Filed, Jan. 21, 1965; 8:45 a.m.]

[Docket No. 50-234]

### GENERAL DYNAMICS CORP.

#### Notice of Application for Construction Permit and Facility License

Please take notice that General Dynamics Corporation, Post Office Box 608, San Diego, Calif., 92112, under section 104C of the Atomic Energy Act of 1954, as amended, has filed an application, dated December 8, 1964, for a license to construct and operate a critical assembly at the applicant's John Jay Hopkins Laboratory for Pure and Applied Science in San Diego, Calif. The proposed facility is to be used primarily in obtaining information for determining the neutronic feasibility of an isotopically enriched tungsten, water moderated reactor for use as a nuclear rocket.

A copy of the application is available for public inspection in the AEC Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 13th day of January 1965.

For the Atomic Energy Commission.

ROGER S. BOYD,  
Chief, Research and Power  
Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 65-634; Filed, Jan. 21, 1965; 8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14650; FCC 65M-59]

### DOMESTIC TELEGRAPH SERVICE

#### Notice of Further Hearings Following Filing of Cost Study

*Order.* The Examiner having under consideration the fact that this investigation has progressed as far as it can go at the present time, and that further hearings will be necessary and appropriate some months from now, following the filing of the American Telephone and Telegraph Co.'s cost study which is in preparation; and

It appearing, that it is feasible and desirable separately and independently to consider the matters already developed in the record herein, without waiting for such matters as may be developed following the filing of the aforesaid cost study;

*It is ordered,* This 15th day of January 1965, that further hearings herein be held in abeyance, subject to further order; and

*It is further ordered,* That leave is hereby given to all participants to submit for the record, within 60 days from the date hereof, such further exhibits as have been authorized upon the record in this proceeding, provided that such exhibits are first served upon all record participants together with notice of the proposed tender of such exhibits for the record and advice that any participant desiring to object to the receipt of such



exhibit may serve upon all other participants, and file with the Examiner, such objection and the reasons therefor, within 10 days after the date of service of the proposed exhibit; and the Examiner will, in any event, rule upon the admissibility of each such proffered exhibit and issue appropriate formal orders reflecting the dispositions made thereof; and

*It is further ordered*, That each of the participants herein shall serve and file, with respect to the Report to be issued herein, such written recommendations and briefs as it may deem appropriate, by May 3, 1965, and that replies thereto shall be served and filed by July 2, 1965; and

*It is further ordered*, That The American Telephone and Telegraph Co. and Western Union Telegraph Co., respectively, shall submit legal briefs on the following specific matters:<sup>1</sup>

(a) Does the Federal Communications Commission now have legal authority to require a divestment by AT&T of its domestic TWX facilities and/or services to Western Union?

(b) Does the Federal Communications Commission now have legal authority to require and maintain a separation of voice from record domestic communications services and/or facilities and to allocate to AT&T the right or privilege to provide only voice facilities or services, while allocating to Western Union the exclusive right or privilege to provide record services or facilities?

(c) Does the Federal Communications Commission now have legal authority to require AT&T to offer and provide domestic record public message service (what is described in this proceeding as Western Union PMS), assuming Western Union is, for any reason, prevented from providing such service?

(d) Does AT&T have any obligation or responsibility to provide Western Union, upon reasonable demand and at reasonable charges, with leased domestic circuits and/or facilities?

(e) Does the Federal Communications Commission have legal authority to require AT&T to lease to Western Union, upon reasonable demand and at reasonable charges, domestic circuits and/or facilities?

(f) As to each of the foregoing questions, if it be concluded that the Federal Communications Commission is presently lacking in legal authority, can the Congress constitutionally enact appropriate enabling legislation?

Released: January 18, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-679; Filed, Jan. 21, 1965;  
8:49 a.m.]

<sup>1</sup> While the carrier principals are directed to file such briefs, all other participants are permitted so to do, and they are assured that their views will be welcomed. It is especially hoped that the Commission staff will give these questions their attention and make their views known in formal filings on the initial exchange of pleadings.

[Docket Nos. 15745, 15746; FCC 65M-50]

**MIDWEST TELEVISION, INC. (WMBD-FM) AND PEORIA JOURNAL STAR, INC.**

**Postponement of Prehearing Conference**

In re applications of Midwest Television, Inc. (WMBD-FM), Peoria, Ill., Docket No. 15745, File No. BPH-4277; the Peoria Journal Star, Inc., Peoria, Ill., Docket No. 15746, File No. BPH-4351; for construction permits.

It appearing, that on January 12, 1965, the applicants filed a "Joint Request for Approval of Agreement" looking toward the amendment of Journal Star's application so as to specify a different frequency and its return to the processing line, with reimbursement to Journal Star by Midwest for the expenses incurred in connection with the amendment;

It further appearing, that the time for the filing of responsive pleadings by the parties will not expire until after the heretofore scheduled date of January 21, 1965, for the prehearing conference, and that the issues specified for hearing by the Commission's designation order could be significantly affected by the disposition made of the aforementioned Joint Request and thus it would be premature to hold the prehearing conference on January 21;

Accordingly, it is ordered, This 13th day of January 1965, on the Hearing Examiner's own motion, that the prehearing conference heretofore scheduled for January 21, 1965, is postponed to a later date to be fixed by further order.

Released: January 14, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-680; Filed, Jan. 21, 1965;  
8:49 a.m.]

[Docket No. 14611; FCC 65M-48]

**PROGRESS BROADCASTING CORP. (WHOM)**

**Order Continuing Prehearing Conference**

In re application of Progress Broadcasting Corp. (WHOM), New York, N.Y., Docket No. 14611, File No. BP-13915; for construction permit.

Pursuant to verbal request by counsel for the applicant and with the concurrence of other counsel: *It is ordered*, This 14th day of January 1965, that the hearing conference now scheduled for January 19, 1965, be and the same is hereby rescheduled for January 22, 1965, 9:00 a.m., in the Commission's Offices, Washington, D.C.

Released: January 14, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-681; Filed, Jan. 21, 1965;  
8:49 a.m.]

[Docket Nos. 15703, 15704; FCC 65M-51]

**WTWV RADIO AND PROGRESSIVE BROADCASTING CO.**

**Order Continuing Hearing**

In re applications of Frank K. Spain tr/as WTWV Radio, Tupelo, Miss., Docket No. 15703, File No. BP-15527; James D. Anderson and Frank F. Hinton d/b as The Progressive Broadcasting Co., Corinth, Miss., Docket No. 15704, File No. BP-15528; for construction permits.

*It is ordered*, This 14th day of January 1965, that request of the Broadcast Bureau, filed January 13, 1965, for a two day postponement of the hearing (from February 2 to February 4), due to a conflicting hearing engagement of Bureau counsel, counsel for the other parties having consented, is hereby granted; and that the hearing is hereby rescheduled to commence at 10 a.m., on Thursday, February 4, 1965, at the Commission's offices, Washington, D.C.

Released: January 14, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-682; Filed, Jan. 21, 1965;  
8:49 a.m.]

[Docket Nos. 14154, 15011; FCC 65-21]

**AMERICAN TELEPHONE AND TELEGRAPH CO.**

**Memorandum Opinion and Order**

In the matter of American Telephone and Telegraph Co., Docket No. 14154, regulations and charges for developmental line switched service; Docket No. 15011, charges, practices, classifications, and regulations for and in connection with Teletypewriter Exchange Service.

1. On March 13, 1963, by order FCC 63-261 published at 28 F.R. 2873 the Commission instituted an investigation into the lawfulness of American Telephone and Telegraph Co. Long Lines Department Tariff F.C.C. No. 133 including amendments thereto and successive issues thereof. This is the tariff governing the offering of teletypewriter exchange (TWX) service. In its order the Commission directed that the investigation it was then instituting be consolidated with the investigation then pending concerning American Telephone and Telegraph Co.'s developmental line switched service and in which the Commission was simultaneously issuing its initial decision officially reported at 35 F.C.C. 166, Docket No. 14154.

2. The Commission has been informed that American Telephone and Telegraph Co. will discontinue all services it now provides pursuant to its tariff schedules for developmental line switched service and the proceeding in Docket No. 14154 may then be closed. There is no longer any useful purpose to be served by continuing to maintain the two proceedings in Docket No. 14154 and Docket No. 15011 on a consolidated status. A separation of the two proceedings will not affect any substantive rights of any persons.



Accordingly, it is ordered, That the proceeding in Docket No. 14154 and the proceeding in Docket No. 15011 which were consolidated by FCC 63-261 published at 28 F.R. 2873 are separated and are no longer to be treated as consolidated proceedings.

Adopted: January 13, 1965.

Released: January 15, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-654; Filed, Jan. 21, 1965;  
8:47 a.m.]

[Docket No. 15650]

## EAGLE WHARF AND TOWING CO.

### Notice of Place of Hearing

In the matter of Eagle Wharf and Towing Co., St. Louis, Mo., Docket No. 15650; order to show cause why the license for Radio Station WP-8577 aboard the vessel "Charles H. West" should not be revoked.

The hearing on the above-entitled matter presently scheduled for Wednesday, February 10, 1965 will be held at 10:00 a.m., in Room 313, Court Room No. 4, U.S. Court & Custom House, 1114 Market Street, St. Louis, Mo.

Dated: January 15, 1965.

Released: January 15, 1965.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 65-655; Filed, Jan. 21, 1965;  
8:47 a.m.]

## FEDERAL MARITIME COMMISSION

### A. E. NYDEGGER & CO., INC., ET AL.

#### Notice of Agreements Subject to Cancellation

Notice is hereby given that the following independent ocean freight forwarder cooperative working agreements approved by the Commission pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814) are scheduled for cancellation; inasmuch as one of the parties to the agreement is no longer subject to the Shipping Act, 1916.

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301. Comments with reference to an agreement may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any comment should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments to the Commission should indicate that this has been done.

One of the parties to each agreement has ceased to be licensed as an inde-

pendent ocean freight forwarder and is no longer eligible to carry on the business of forwarding. Accordingly, the following agreements are scheduled for cancellation.

A. E. Nydegger & Co., Inc., New York, N.Y., who is no longer licensed as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

H. L. Ziegler, Inc., Houston, Tex.	8125
Schenkers International, Inc., Chicago, Ill.	8526
Westfield Brothers Forwarders Inc., New Orleans, La.	8818
Berry & McCarthy Shipping Co., Inc., San Francisco, Calif.	9081
Seaport Shipping Co., Seattle, Wash.	FF-146
Brito Forwarding Co., Brownsville, Tex.	FF-156
P. B. Vandegrift & Co., Inc., Philadelphia, Pa.	FF-157
R. G. Hobelmann & Co., Inc., Baltimore, Md.	FF-158
P. H. Shallos Co. Forwarder, Baltimore, Md.	FF-159
H. L. Ziegler, Inc., Galveston, Tex.	FF-160
Humphrey & McGregor, Inc., Tampa, Fla.	FF-161
Charleston / Overseas Forwarders, Inc., Charleston, S.C.	FF-162
N. D. Cunningham & Co., Mobile, Ala.	FF-163
Seaport Shipping Co., Portland, Oreg.	FF-197
Sunshine Forwarders, Inc., Jacksonville, Fla.	FF-1398

Baltimore Dispatch Corp., Baltimore, Md., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

Afro-Asian Forwarding Co., Inc., New York, N.Y.	FF-801
J. B. Wood Shipping Co., Inc., New York, N.Y.	FF-852
Gerard P. Tujague, Inc., New Orleans, La.	FF-1161

Glaessel Shipping Corp., New York, N.Y., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

Berry & McCarthy Shipping Co., Inc., San Francisco, Calif.	9076
Seaport Shipping Co., Seattle, Wash.	FF-173

Humphrey & McGregor, Inc., Tampa, Fla., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

Arthur J. Fritz & Co., San Francisco, Calif.	FF-107
Freedman & Slater, Inc., New York, N.Y.	FF-227
John H. Faunce, New York, N.Y.	FF-580
Trans World Shipping Corp., New York, N.Y.	FF-877
J. E. Bernard & Co., Inc., Chicago, Ill.	FF-1040
John H. Faunce Philadelphia, Inc., Philadelphia, Pa.	FF-1189

Metro Shipping Corporation, New York, N.Y., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

J. G. R. Williams, Inc., New Orleans, La.	FF-1467
Admiral Shipping Corp., Houston, Tex.	FF-1468

Garrett Forwarding Co., Inc., New York, N.Y., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

Dixie Forwarding Co., Houston, Tex.	8223
Transoceanic Shipping Co., New Orleans, La.	8229
Latin American Air Cargo Expeditors, Inc., Miami, Fla.	8273

Markley Export Corp., Philadelphia, Pa., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

Stone Forwarding Co. Inc., Houston, Tex.	8194
Schenkers International, Inc., Chicago, Ill.	8518

General Export Forwarding Co., Chicago, Ill., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

G. S. Green and Co., New Orleans, La.	FF-1579
G. S. Green and Co., New York, N.Y.	FF-1580

Chary Company Inc., New York, N.Y., who is no longer eligible to operate as an independent ocean freight forwarder is party to each of the following agreements. The other parties are:

Southern Traffic Association, Mobile, Ala.	FF-966
Del Mar Shipping Corp., San Francisco, Calif.	FF-1112
Hugo Zanelli & Co., Houston, Tex.	FF-1141

Matthew Shipping Co., Inc., New York, N.Y., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement 8774 with George M. Leininger Co. Inc., New Orleans, La.

Markley Export Corporation, New Orleans, La., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement 8579 with Schenkers International Forwarders, Inc., New York, N.Y.

Springmeier Shipping Co., St. Louis, Mo., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement FF-488 with W. R. Keating & Co., Inc., New York, N.Y.

West Coast Traffic Bureau, Stockton, Calif., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement FF-923 with Loretz & Co., Los Angeles, Calif.

United Forwarders Service, Miami, Fla., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement FF-1142 with Gulf Florida Terminal Co., Tampa, Fla.

General Export Forwarding Co., Chicago, Ill., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement FF-1143 with Meisner Shipping Service, New York, N.Y.

Intero Shipping Corp., Tampa, Fla., is no longer eligible to operate as an independent ocean freight forwarder and is party to agreement FF-1170 with Wall Shipping Co., Washington, D.C.; New York, N.Y., and Baltimore, Md.

J. Berns, New York, N.Y., is no longer eligible to operate as an independent ocean freight forwarder and is party to



agreement FF-1339 with John J. Moylan & Co., Los Angeles, Calif.

Dated: January 15, 1965.

THOMAS LISI,  
Secretary.

[P.R. Doc. 65-653; Filed, Jan. 21, 1965;  
8:47 a.m.]

## MID BRAZIL/UNITED STATES- CANADA FREIGHT CONFERENCE

### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Wilbur Van Emburgh, Filing Agent,  
Mid Brazil/United States-Canada Freight  
Conference,  
17 Battery Place,  
New York, N.Y. 10004.

Agreement 7630-7 between the member lines of the Mid Brazil/United States-Canada Freight Conference, has been filed with the Commission for approval to modify its self-policing system, pursuant to General Order 7 (46 CFR Part 528).

Dated: January 18, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 65-676; Filed, Jan. 21, 1965;  
8:49 a.m.]

## NORTH BRAZIL/UNITED STATES- CANADA FREIGHT CONFERENCE

### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW.,

Room 301; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Wilbur Van Emburgh, Filing Agent,  
North Brazil/United States-Canada Freight  
Conference,  
17 Battery Place,  
New York, N.Y. 10004.

Agreement 7640-7 between the member lines of the North Brazil United-Canada Freight Conference, has been filed with the Commission for approval to modify its self-policing system, pursuant to General Order 7 (46 CFR Part 528).

Dated: January 18, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[P.R. Doc. 65-677; Filed, Jan. 21, 1965;  
8:49 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CP65-209]

### ARKANSAS LOUISIANA GAS CO.

#### Notice of Application

JANUARY 14, 1965.

Take notice that on January 8, 1965, Arkansas Louisiana Gas Co. (Applicant), Shreveport, La., filed in Docket No. CP65-209 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to continue the sale of up to 20,000 Mcf per day of natural gas to Mississippi River Transmission Corp. (Mississippi) between October 15 and April 15, authorized in Docket No. G-15187, as amended.

Applicant proposes to deliver gas to Mississippi at existing interconnecting facilities previously used to deliver similar volumes between the parties.

The application states that no new facilities are required in order to provide the proposed service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 10, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and

15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTHRIE,  
Secretary.

[P.R. Doc. 65-645; Filed, Jan. 21, 1965;  
8:46 a.m.]

[Project 2062]

## PUBLIC UTILITY DISTRICT NO. 1; OKANOGAN COUNTY, WASHING- TON

### Notice of Postponement of Hearing

JANUARY 14, 1965.

Upon consideration of the motion filed on January 11, 1965, by counsel for Public Utility District No. 1 of Okanogan County for postponement of the hearing presently scheduled in the above-designated matter for 10:00 a.m., on January 20, 1965, by notice issued on December 11, 1964 (29 F.R. 18023);

Notice is hereby given that said hearing is postponed to 10:00 a.m., on April 6, 1965.

JOSEPH H. GUTHRIE,  
Secretary.

[P.R. Doc. 65-646; Filed, Jan. 21, 1965;  
8:46 a.m.]

[Docket No. RI65-460 etc.]

### E. K. EDMISTON ET AL.

#### Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Sub- ject to Refund<sup>1</sup>

JANUARY 14, 1965.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.



that the supplements herein be suspended and their use be deferred as ordered below.

**The Commission orders:**

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however, That the supplements to the rate schedules filed*

by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and

undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 3, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
R35-490	E. K. Edmiston (Operator), et al., First National Bank Building, Wichita, Kans.	2	1	Cities Service Gas Co. (Aetna Mississippi Gas Pool, Barber County, Kans.)	\$1,280	12-22-64	*1-22-65	*1-23-65	*13.0	***14.0	
R35-491	Aylward Drilling Co. (Operator), et al., First National Bank Building, Wichita, Kans.	6	1	Cities Service Gas Co. (Barber County, Kans.)	6,738	12-28-64	*1-28-65	*1-29-65	*13.0	***14.0	

\* The stated effective date is the first day after expiration of the required statutory notice.

\* The suspension period is limited to 1 day.

\* Periodic rate increase.

\* Pressure base is 14.65 p.s.i.a.

\* Subject to a downward B.T.U. adjustment.

\* The stated effective date is the effective date requested by Respondent.

E. K. Edmiston (Operator), et al. (Edmiston), request an effective date of December 22, 1964, for their proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Edmiston's rate filing and such request is denied.

The contracts related to the rate filings of Edmiston and Aylward Drilling Co. (Operator), et al. (Aylward), were executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rates are above the applicable area ceiling for increased rates but do not exceed the applicable ceiling price for initial rates in the area involved. Under the circumstances, we believe that Edmiston and Aylward's rate filings should be suspended for one day from the date shown in the effective date column on the attached Appendix A.

The proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 65-647; Filed, Jan. 21, 1965; 8:46 a.m.]

The time for the public hearings to commence will be 10 a.m. (e.d.t.) instead of (e.s.t.) on May 3, 1965.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 65-678; Filed, Jan. 21, 1965; 8:49 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 18, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 39520: Coarse grains between points west of the Mississippi River. Filed by Southwestern Freight Bureau, agent (No. B-8661), for interested rail carriers. Rates on coarse grains, as described in the application, in carloads, between points in southwestern and western trunk-line territories.

Grounds for relief: Rate relationship. Tariffs: Supplement 39 to Southwestern Freight Bureau, agent, tariff I.C.C. 4413 and 48 other supplements referred to in the application.

FSA No. 39521: Citrus fruit to points in Western trunk-line territory. Filed by O. W. South, Jr., agent (No. A4624), for interested rail carriers. Rates on citrus fruit, in carloads, from points in Florida, to points in western trunk-line territory. Grounds for relief: Motor-truck competition.

Tariff: Supplement 92 to Southern Freight Association, agent, tariff I.C.C. S-5.

FSA No. 39522: Liquid caustic soda to Cartersville, Ga. Filed by O. W. South, Jr., agent (No. A4623), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from Geismar, La., to Cartersville, Ga.

Grounds for relief: Market competition.

Tariff: Supplement 42 to Southern Freight Association, agent, tariff I.C.C. S-397.

By the Commission.

[SEAL] BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-686; Filed, Jan. 21, 1965; 8:48 a.m.]

### ADMISSION TO PRACTICE OF PERSONS WHO ARE NOT ATTORNEYS AT LAW

JANUARY 18, 1965.

The Commission's notice of December 1, 1954, as revised February 1, 1955, is further revised to read as follows:

## FEDERAL TRADE COMMISSION

### MARKETING OF GASOLINE

#### Statement Announcing Broad Inquiry Into Problems of Competition

In Federal Register Document 64-13358 published on page 19124 in the FEDERAL REGISTER dated December 30, 1964, the following correction of the third paragraph is made:



1. Effective March 1, 1965, the following standard must be met by nonlawyer applicants for admission to practice.

#### QUALIFICATION STANDARD

2. A minimum of two years of college, plus technical education, training or experience which is regarded by the Commission as the equivalent of two additional years of college education in equipping the applicant for practice before the Commission, plus an examination sufficiently comprehensive to test the applicant as to his experience in the field of transportation and his knowledge of the principles of regulation, the laws governing it, the economic principles underlying it, the Commission's Rules of Practice and the Canons of Ethics of the Association of Interstate Commerce Commission Practitioners.

3. The phrase "a minimum of two years of college" means the receipt of 60 semester credits or 90 term or quarter hours for the successful completion of courses of study whether taken in residence or not and applicable toward a degree of bachelor at an accredited university or college.

#### APPLICATION

4. Upon the effective date of this notice, applicants' statements of college education must be supported by transcripts of record attached to the original of the application. Transcripts from any college accredited by a nationally recognized accrediting agency or association listed by the United States Commissioner of Education pursuant to Section 401(f) (5) of the Public Law 88-204 (Higher Education Facilities Act of 1963), will be accepted without question. In all other instances the burden of proof is on the applicant to establish that his formal higher education satisfies the standard set forth in paragraph 3.

#### EXAMINATION

5. When an application meets the foregoing standard, a copy will be referred to a Regional Committee of the Association of Interstate Commerce Commission Practitioners for report to the Commission as to the general standing of the applicant. Inquiry also will be made of the sponsors as to their knowledge of the applicant's legal and technical qualifications as contemplated by the Commission's General Rules of Practice. If the applicant's standing is found to be good, then he will be considered eligible to take the examination.

6. Examinations are conducted twice a year—on the second Tuesday in February and July of each year. Applications may be filed at any time. Those filed from December 1 to April 30, both inclusive, will be considered for the July examination. Applications filed from May 1 to November 30, both inclusive, will be considered for the February examination. Within the meaning of this notice, applications will not be considered as filed until they are complete in all respects and ready for processing.

7. Examinations will be conducted in selected cities where offices of the Bureau of Motor Carriers are located. Notice of the time and place to appear for examination will be mailed to qualifying ap-

plicants approximately thirty days prior to the date of the examination at which they will be expected to appear. An applicant who, without good cause shown to the Commission, fails to appear for examination when notified, is considered to have abandoned his application but without prejudice to his filing a new application.

8. Applications will not be accepted from applicants who are unsuccessful in three attempts to pass the examination, and applications previously accepted will be returned to applicants.

[SEAL]

BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-667; Filed, Jan. 21, 1965;  
8:48 a.m.]

[Notice 1112]

### MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 18, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Pt. 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 67337. By order of January 15 1965, the Transfer Board approved the transfer to Colorado Overland Trucking, Inc., Denver, Colo., of the operating rights in Certificate No. MC 26161, issued February 16, 1961, to Glenn Blank, doing business as G. and E. Truck Line, Joes, Colo., authorizing the transportation, over irregular routes, of livestock, feed, grain, and household goods, between Joes, Colo., and points within 25 miles of Joes, on the one hand, and, on the other, points in Kansas. John H. Lewis, 1650 Grant Street, Denver 3, Colo., attorney for applicants.

No. MC-FC 67448. By order of January 15, 1965, the Transfer Board approved the transfer to Henry G. Nelson, Inc., Avoca, Iowa, of the certificates in Nos. MC 119765, MC 119765 Sub 1, MC 119765 Sub 2, MC 119765 Sub 3, and MC 119765 Sub 4, issued August 31, 1960, October 23, 1962, September 5, 1963, October 31, 1963, and March 2, 1964, respectively, to Henry G. Nelson, Avoca, Iowa, authorizing the transportation of: Packinghouse products and materials, supplies, and equipment used in the conduct of such business, between Omaha, Nebr., on the one hand, and, on the other, Davenport, Iowa, Chicago, Elgin, Joliet, and Rockford, Ill., and East Chicago, Ind.; the above commodities and lard, lard compound and substitutes, shortening, cheese, butter, eggs, dressed poultry, soap, soap powder, washing compound soda, and alkali products, and oleomar-

garine, between Sioux City, Iowa, Chicago, Ill., and East Chicago, Ind.; twine, farm machinery, farm implements, and parts, from Canton, Chicago, Moline, Rock Falls, and Rock Island, Ill., to points in Iowa as specified; meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, except liquid commodities, in bulk, in tank vehicles, between the site of Swift & Co., at Rochelle, Ill., on the one hand, and, on the other, Omaha, Nebr., Sioux City, Iowa, and East Chicago, Ind., between Harlan, Iowa, on the one hand, and, on the other, Omaha, Nebr., and Chicago, Elgin, Joliet and Rockford, Ill., and from Momence, Ill., to Omaha, Nebr., and Davenport and Sioux City, Iowa; butter, eggs and dressed poultry, from Omaha, Nebr., to Chicago, Ill.; dairy products, dairy byproducts, and manufactured or prepared food products and advertising material used in or incidental to, the sale thereof, from Chicago, Freeport, Libertyville, and Joliet, Ill., to Sioux City, Iowa, and points as specified in Nebraska; ice cream manufacturer's equipment and supplies, agricultural equipment and supplies, dairy products and dairy equipment and supplies, agricultural implements and parts, and twine, except liquids in bulk, in tank vehicles, or commodities requiring the use of special equipment, and dressed poultry and eggs, between points in Nebraska, Wisconsin, Illinois, Iowa, and Kansas as specified; and poultry byproducts, ice cream manufacturer's materials, manufactured and prepared food products, and frozen food products, except liquid commodities in bulk in tank truck, or those requiring special equipment, between Green Bay, Wis., and Omaha, Nebr., between Chicago, Ill., and Omaha, Nebr., between Crete, Nebr., and Green Bay, Wis., from Milwaukee Wis., and Chicago, Ill., to Crete, Nebr., and from Milwaukee, Wis., to Omaha, Nebr. Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill., attorney for applicants.

[SEAL]

BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-668; Filed, Jan. 21, 1965;  
8:48 a.m.]

[Notice 1112-A]

### MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 18, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.



No. MC-FC 67035. By order of January 12, 1965, Division 3, acting as an Appellate Division approved the transfer to Custom Delivery Service, Inc., Philadelphia, Pa., of the operating rights issued by the Commission August 6, 1958, under Permit No. MC 109879, to G. & D. Trucking Co., a corporation, Phila-

delphia, Pa., authorizing the transportation of household electrical appliances and compressors and other mechanical units, between Philadelphia, Pa., on the one hand, and, on the other, points in Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties, N.J., and points in portions of Burlington

and Ocean Counties, N.J. V. Baker Smith and Ralph Earle II, Morgan, Lewis & Bockius, 123 South Broad Street, Philadelphia, Pa., attorneys for Applicants.

[SEAL]

BERTHA F. ARMES,  
Acting Secretary.

[F.R. Doc. 65-669; Filed, Jan. 21, 1965;  
8:49 a.m.]

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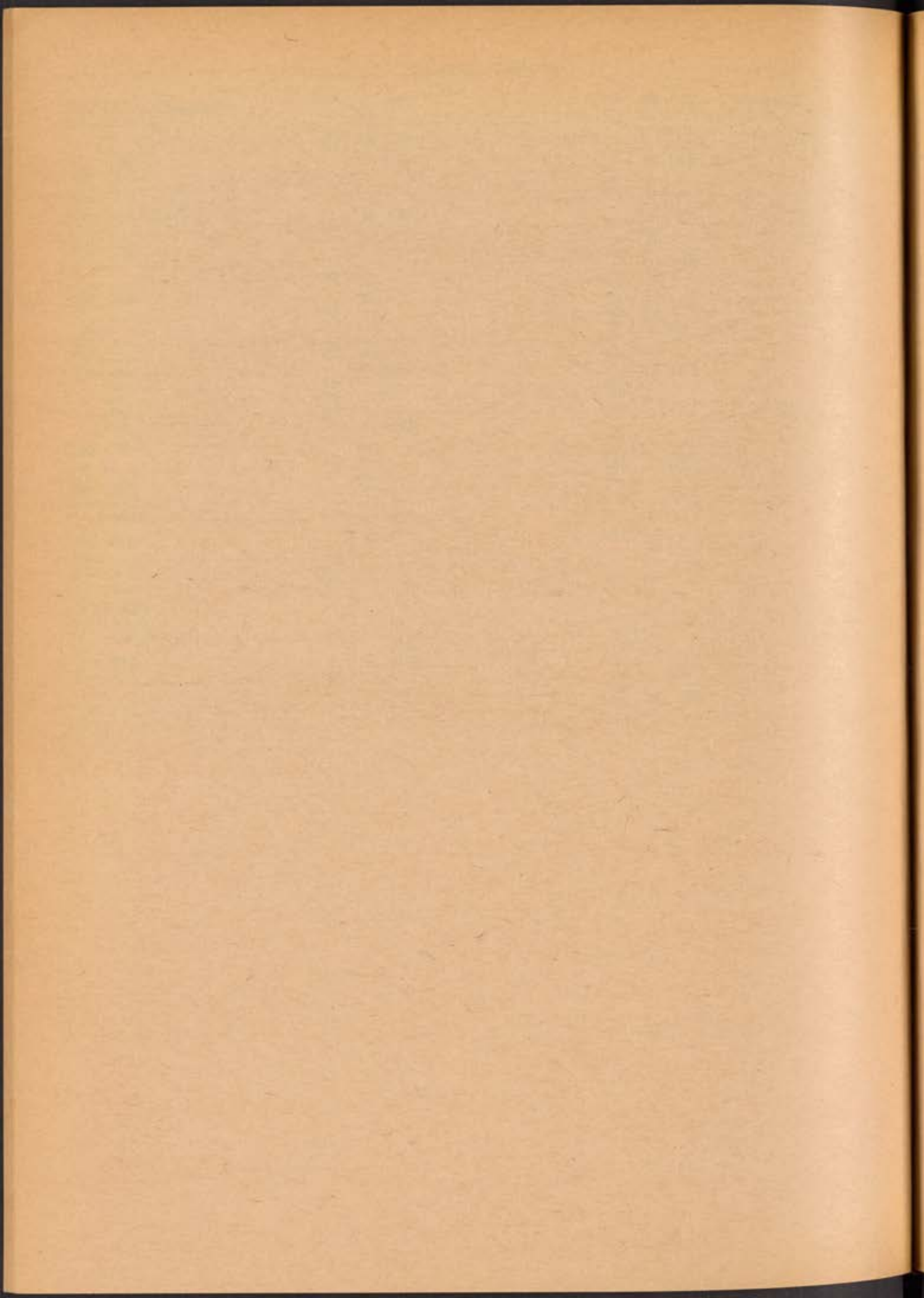


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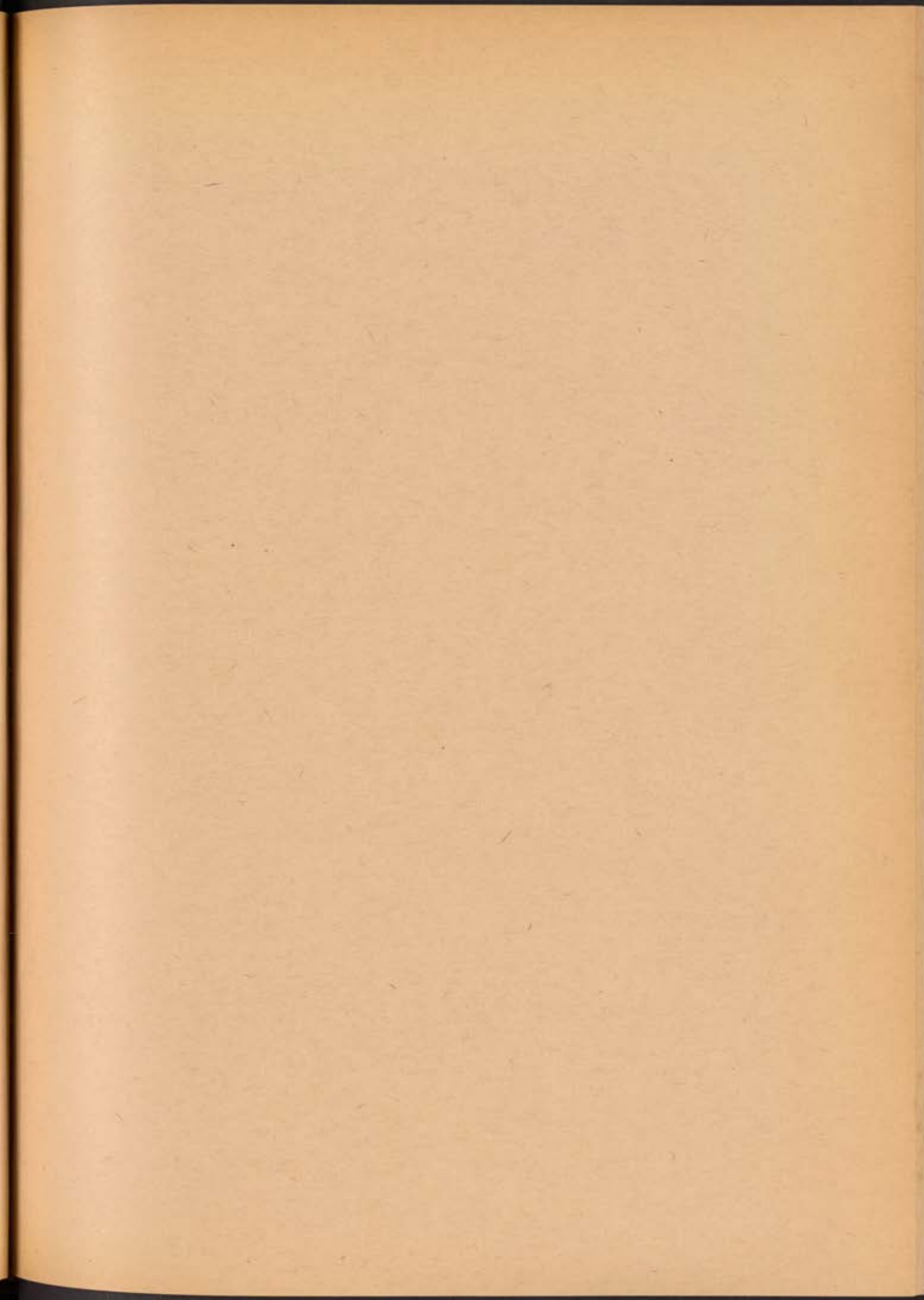




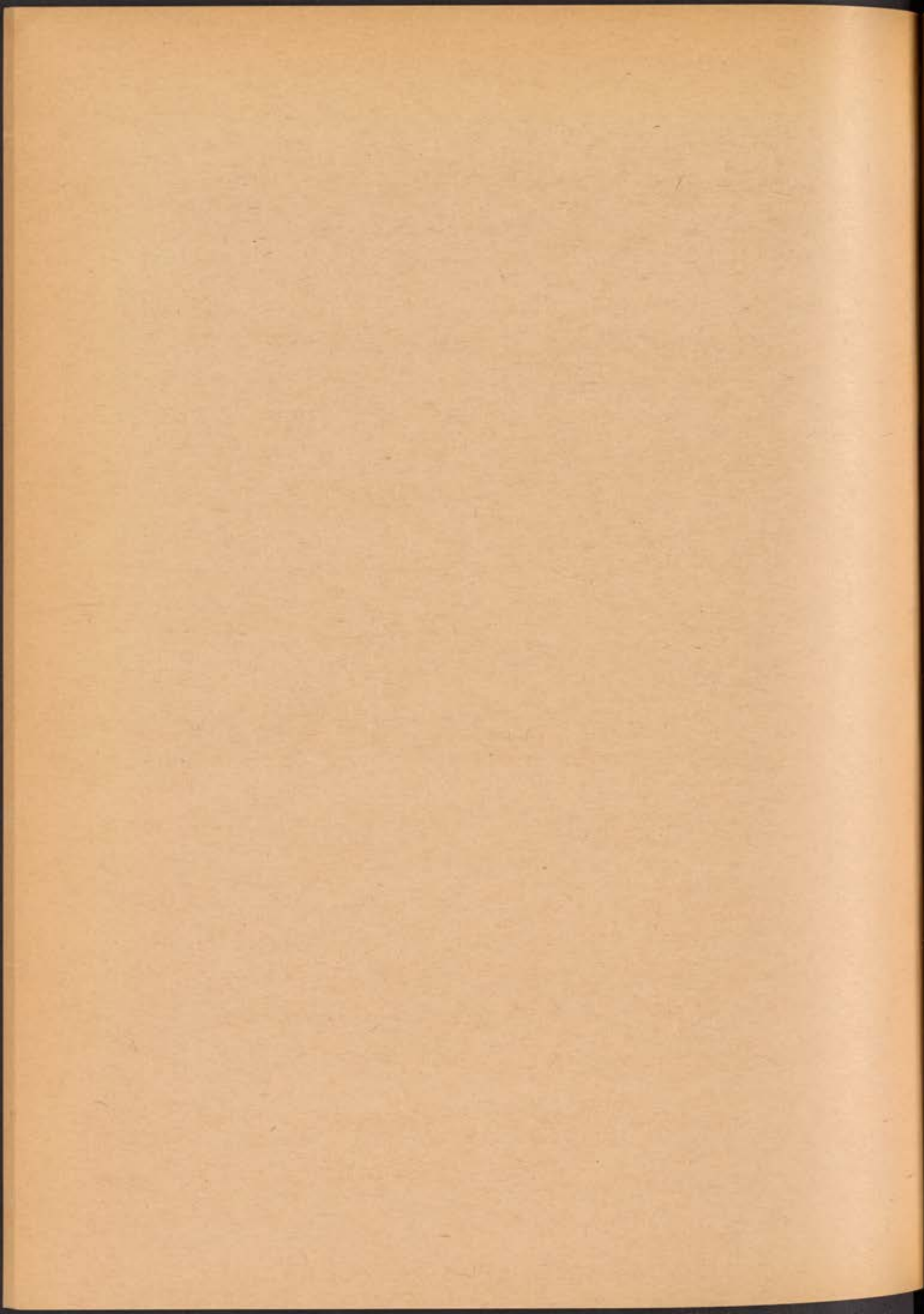




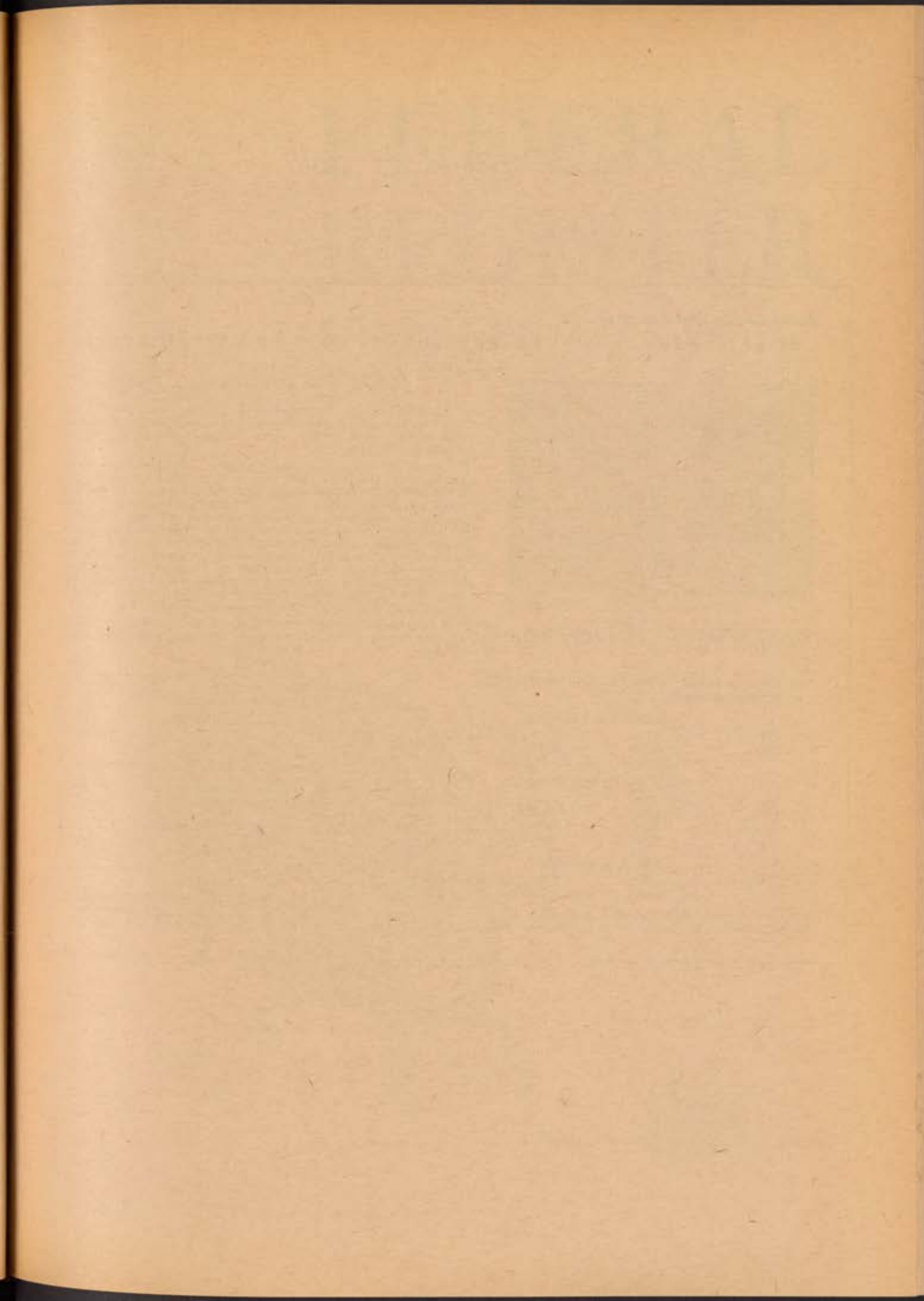














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