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Agencies in this issue—

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Atomic Energy Commission
Civil Aeronautics Board
Coast Guard
Consumer and Marketing Service
Customs Bureau
Defense Department
Education Office
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Foreign Assets Control Office
Health, Education, and Welfare
Department
Housing and Home Finance Agency
Interstate Commerce Commission
Land Management Bureau
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National Park Service
Securities and Exchange Commission
State Department

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Volume 78

UNITED STATES
STATUTES AT LARGE

[88th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1964, the twenty-fourth amendment to the Constitution, and Presidential proclamations. Included is a nu-

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Title 7—AGRICULTURE

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

[948.348 Amdt. 1]

PART 948—IRISH POTATOES GROWN IN COLORADO

Limitation of Shipments; Area No. 3

Findings. (a) Pursuant to Marketing Agreement No. 97, as amended, and Order No. 948, as amended (7 CFR Part 948), regulating the handling of Irish potatoes grown in Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Area No. 3 Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth, will tend to effectuate the declared policy of the act thereby maintaining orderly marketing conditions tending to increase returns to producers of such potatoes.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) shipments of 1965 crop potatoes grown in Area No. 3 are now being made, (2) to maximize benefits to producers, this amendment should apply to as many shipments as possible during the effective period, (3) preparation on the part of handlers can be accomplished by the effective date, and (4) the committee's recommendation has been publicized within the production area.

Order, as amended. In § 948.348 (30 F.R. 9674) amend paragraph (a) to read as follows:

§ 948.348 Limitation of shipments.

(a) *Minimum grade and size requirements.*—(1) *Round varieties.* U.S. No. 1, or better grade, 2 inches minimum diameter; or U.S. No. 2, or better grade up to but not including U.S. No. 1 grade, 1½ inches minimum diameter.

(2) *Long varieties.* U.S. No. 1, 2 inches minimum diameter or 4 ounces minimum weight; or U.S. No. 2, or better grade up to but not including U.S. No. 1 grade, 1½ inches minimum diameter or 4 ounces minimum weight.

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

Dated August 13, 1965, to become effective August 19, 1965.

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

[F.R. Doc. 65-8700; Filed, Aug. 17, 1965; 8:47 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 78—BRUCELLOSIS

Change in List of Public Stockyards

Pursuant to the provisions of sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.14(a) of Part 78, Title 9, Code of Federal Regulations, is hereby amended by deleting the name and address "Pittsburgh Joint Stockyards—Pittsburgh" from the list of public stockyards set forth therein.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 121, 125; 29 F.R. 16210; 9 CFR 78.16)

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

The foregoing amendment deletes the name of the Pittsburgh Joint Stockyards, Pittsburgh, Pennsylvania, from the list of public stockyards set forth in 9 CFR 78.14(a), as such stockyard is no longer operating as a public stockyard where Federal inspection is maintained.

Inasmuch as notice and other public procedure regarding the amendment would not make additional information available to the Department and since interested persons should be informed promptly of such change, it is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), that notice and other public procedure regarding the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of August 1965.

DONALD MILLER,
Acting Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 65-8682; Filed, Aug. 17, 1965; 8:45 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER G—INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE

[Departmental Reg. 106.523]

PART 61—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM

Miscellaneous Amendments

1. The heading of Subchapter G is changed to read as set forth above.
2. The heading of Part 61 is changed to read as set forth above.
3. The citation of Authority is amended to read as follows:

Authority: The provisions of this Part 61 issued under sec. 4, 63 Stat. 111, as amended; 5 U.S.C. 23, 151c. Interpret or apply 75 Stat. 527-538.

4. Sections 61.1(a), (title only) and paragraphs (b) and (f) are amended as follows:

§ 61.1 Definitions.

(a) *International educational and cultural exchange program of the Department of State.*

(b) *Program and Department.* For convenience, the international educational and cultural exchange program of the Department of State will hereinafter be referred to as the "program," and the Department of State will hereinafter be referred to as the "Department."

In paragraph (f) delete last sentence "Maximum rates of per diem have been approved by the Bureau of the Budget in accordance with Public Law 885, 84th Congress."

5. The introductory text and paragraph (a) of § 61.3 are amended to read as follows:

§ 61.3 Grants to foreign participants to observe, consult, demonstrate special skills, or engage in specialized programs.

A citizen or national of a foreign country who has been awarded a grant to observe, consult with colleagues, demonstrate special skills, or engage in specialized programs, may be entitled to any or all of the following benefits when authorized by the Department:

(a) *Transportation.* Accommodations, as authorized, on steamship, airplane, railway, or other means of conveyance. For travel in a privately owned

vehicle, reimbursement will be in accordance with the provisions of the Standardized Government Travel Regulations.

6. The introductory text and paragraph (a) of § 61.4 are amended to read as follows:

§ 61.4 Grants to foreign participants to lecture, teach, and engage in research.

A citizen or national of a foreign country who has been awarded a grant to lecture, teach, and engage in research may be entitled to any or all of the following benefits when authorized by the Department:

(a) *Transportation.* Accommodations, as authorized, on steamship, airplane, railway, or other means of conveyance.

7. Section 61.5(a) is amended to read as follows:

§ 61.5 Grants to foreign participants to study.

(a) *Transportation.* Accommodations, as authorized, on steamship, airplane, railway, or other means of conveyance.

8. The introductory text of § 61.7 is amended to read as follows:

§ 61.7 Grants to United States participants to consult, lecture, teach, engage in research, demonstrate special skills, or engage in specialized programs.

A citizen or resident of the United States who has been awarded a grant to consult, lecture, teach, engage in research, demonstrate special skills, or engage in specialized programs may be entitled to any or all of the following benefits when authorized by the Department.

9. Section 61.9(a) is amended to read as follows:

§ 61.9 General provisions.

(a) *Health and accident insurance.* Payment for the costs of health and accident insurance for United States and foreign participants while such participants are en route or absent from their homes for purposes of participation in the program when authorized by the Department.

For the Secretary of State.

WILLIAM J. CROCKETT,
Deputy Under Secretary
for Administration.

AUGUST 5, 1965.

[F.R. Doc. 65-8704; Filed, Aug. 17, 1965;
8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

EVERGLADES NATIONAL PARK, FLORIDA

On page 7108 of the FEDERAL REGISTER of May 27, 1965, there was published a notice and text of a proposed amendment to § 7.45 of Title 36, Code of Federal Regulations. The purpose of the amendment is to re-word and re-group the existing regulations for clarity; and to add new paragraphs which will facilitate management of the area, conserve the natural resources, and preserve the wilderness values.

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.

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

Section 7.45 is amended to read as follows:

§ 7.45 Everglades National Park.

(a) *Mining*—(1) *Scope.* The regulations in this section are made, prescribed, and published to govern the exploration, development, extraction and removal of oil, gas, or other minerals on lands acquired for Everglades National Park subject to the reservation of the oil, gas or mineral rights therein as authorized pursuant to the acts of October 10, 1949 (63 Stat. 733) and of July 2, 1958 (72 Stat. 280), which are hereinafter referred to as "the acts of 1949 and 1958."

(2) *Coordination of activities.* The paramount purpose of the Government in creating national parks and acquiring lands therefor is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. The acts of 1949 and 1958 provide in part that the mineral rights reserved pursuant to those acts in lands acquired for Everglades National Park shall be exercised by the owners subject to reasonable rules and regulations which the Secretary of the Interior may prescribe for the protection of the Park; and further provide that all operations in the exercise of such rights shall be carried on under such regulations as the Secretary may prescribe to protect the

lands and areas for Park purposes. Accordingly, all parties in interest under mineral reservations are required to conform to, and be governed by, the regulations in this section pertaining to mineral operations and to all other regulations applicable to Everglades National Park: *Provided*, That such regulations shall not prevent the parties in interest from exercising their right to explore for, develop, extract, and remove the oil, gas and other minerals from the Park area in accordance with sound conservation practices.

(3) *Operator.* As used in this section, an operator shall mean anyone having the right (whether as owner of a reserved mineral interest, lessee, holder of operating rights, or otherwise) to prospect or explore for, develop, produce, or remove oil, gas, or other minerals under a mineral reservation pursuant to the acts of 1949 and 1958.

(4) *Registration.* Before entering the Park for the purpose of conducting any operations under a reserved mineral interest, the operator shall register with the Superintendent. Such registration shall show the operator's name and address, the name and address of operator's local agent in charge of operations, the approximate location where operations are to be conducted, a brief description of the proposed operations and the type of equipment to be used, and reference or citation to the lease, operating agreement or other instrument upon which the operator's right to conduct operations is based.

(5) *Surface use restrictions.* The surface use of land within the Park shall be restricted to purposes of mineral exploration, development, and production. The operator shall take such reasonable steps as may be needed to prevent operations from unnecessarily causing or contributing to damage to any vegetation or tree growth or pollution of the waters of the Park; and, to the extent not inconsistent with the terms of the reserved mineral interest, shall conduct operations in such manner as to safeguard and protect the wildlife, scenic features, and recreational values and improvements. The operator shall secure approval of the Superintendent as to the location and purpose of any surface structures or buildings to be erected. The operator shall take such reasonable steps as may be needed to prevent and suppress forest, brush, or grass fires. Upon termination of operations, or at any time prior thereto as required by the Superintendent as to unneeded facilities, the operator shall fill any sump holes, ditches, and other excavations, remove structures and debris or cover same so as to restore the surface of the land to its former condition in a manner satisfactory to the Superintendent. The right to explore for or extract gas, oil, or other minerals from lands upon which there are mineral reservations shall be exercised in such manner that surface operations therefor will at no time come within 500 feet of

any structure, road, or facility used for Park purposes.

(6) *Access ways.* Access ways by water, or for roads, vehicle trails, or pipelines, shall be over routes approved by the Superintendent and subject to such reasonable restrictions as may be imposed by the Superintendent for protection of the Park. Each application for an access way shall be accompanied by a map showing the location of the property to be served and the location of the proposed water route, road, vehicle trail, or pipeline.

(7) *Lessee under a mining lease.* A lessee under a mining lease which was granted by the State of Florida prior to the enactment of the acts of 1949 and 1958, and which is still in force, being an operator having the right to prospect or explore for, develop, produce, or remove oil, gas, or other minerals, shall comply with the requirements of the regulations in this paragraph.

(b) *Use of Park roads.* The use of federally owned roads within Everglades National Park by trucks and other conveyances for hauling out of the Park for commercial purposes, fish, bait, aquatic life, or other edible products from the Park waters is prohibited.

(c) *Prohibited conveyances.* (1) Vehicles designed to operate cross-country, commonly referred to as "glades buggies", are prohibited.

(2) Amphibious wheeled vehicles shall be operated only on roadways and water areas open to public travel and use. Operation of this type vehicle on any beach or other land area is prohibited.

(3) Vessels or other conveyances with underwater propellers or jets shall not be operated in the grass area of the 'glades.

(4) Vessels equipped with a propeller above the waterline, commonly referred to as an "airboat" are prohibited.

(d) *Applicability of other laws.* Except as otherwise provided in this section and by Part 1 of this chapter, all fishing, boating, and other related activities in Everglades National Park shall be done in accordance with the laws of the State of Florida, and other applicable federal laws.

(e) *Special protection of aquatic life.* The killing, wounding, capturing, molesting, removing, or disturbing in any manner of any aquatic vegetation or wildlife, including but not limited to sponges, sea fans, sea whips, other gorgonias, coral, sea turtle, terrapin, porpoise, manatee, whale, alligator, crocodile, and eggs or nests thereof, is prohibited; Except, that this will not apply to fish wherever fishing is permitted in accordance with applicable provisions of this chapter. The unauthorized possession within the Park of any vegetation or of the dead body of any wildlife, or any part thereof, or of the eggs of any wildlife, shall be prima facie evidence that persons having the same are guilty of violating the provisions of the regulation of this section.

(f) *Closed areas.* When necessary to protect nesting or roosting birds, or nesting crocodiles or sea turtles, the Superintendent may close any areas upon the posting of appropriate signs.

(g) *Fishing.* The regulations apply to all waters within the boundaries of Everglades National Park as described in the act of July 2, 1958 (72 Stat. 280).

(1) All persons taking fish from any of the waters of the Park by any method and not using such fish because of size, edible quality, or other reasons, shall immediately release and return such fish alive to the waters from which taken. No such fish may be left on any bank, shore, beach, dock, fish cleaning table, or at any other place out of water.

(2) The placing or depositing of fish eggs, fish roe, food, or other substance in any inland lake, bay, canal, river or other inland body of water, for the purpose of attracting, collecting, or feeding fish is prohibited.

(3) Persons engaged in commercial fishing in the waters of the Park open for this purpose must possess a commercial fishing license as provided by Florida laws.

(4) The Superintendent may require all persons fishing commercially within the Park, on waters open for this purpose, to obtain an annual commercial fishing permit.

(5) Seahorses, starfish, tropical fish, and non-game fresh water fish shall not be taken for commercial purposes.

(6) The taking of oysters or clams from the waters of the Park for sale or commercial use is prohibited; *Provided*, That visitors may gather only by hand or rake, a reasonable amount of oysters or clams for personal use only.

(7) The taking of crawfish by any method for commercial purposes is prohibited. Crawfish may be taken by hand or bully net during the open season prescribed by the State of Florida.

(8) Bully nets may have a spread of not more than 3 feet and a pocket of not more than 3 feet measured from rim to tip.

(9) Cast nets shall be of the type thrown by hand by one person and are not to exceed 18 feet in diameter of spread.

(10) Traps for the purpose of taking crabs shall be used only by holders of nontransferable annual permits issued by the Superintendent and otherwise regulated in accordance with the following:

(i) Crab traps permits for over 5 traps and for a maximum of 200 traps will be issued only to applicants who possessed crab trap permits in the Park prior to January 1, 1964. Permittees shall service their own traps.

(ii) Crab traps shall be made of wood lath with one rectangular opening not to exceed 16 square inches in area and the longer dimension shall not exceed 5 inches. Crab traps shall be buoyed; the buoys shall be of an approved type and color and shall have the permit number painted on in at least two-inch numerals. Only male blue and stone crabs may be taken. The claws of stone crabs must be 4 inches in overall length and remain attached to the body of the crab while in the Park. The equipment or material used in crab trapping shall be permitted in the Park only during the Florida stone crab open season.

(iii) Bait traps shall not be more than two feet by two feet by one foot, built of

¼ inch to ½ inch wire mesh containing not more than two openings, two and one-half inches by one inch or smaller. Bait traps must be buoyed and shall be identified by painting the boat registration number on the buoy. Not more than three bait traps per boat shall be permitted. Bait traps shall be used for the taking of minnows only. A minnow shall be defined for the purpose of this paragraph as being a small non-game fish under six inches in length of a species commonly used as bait, but does not include silver mullet or other fish protected by other federal or Florida laws. Bait fish shall not be taken commercially.

(iv) Bait and crab traps shall be used only in the following described waters of the Park:

Blackwater Sound, Buttonwood Sound, and that portion of Florida Bay south of a line drawn from the southern tip of Boggy Key to the northern tip of Waleback Key, to the southeastern tips of South Nest Key, North Butternut Key, and Bottle Key, and thence southwesterly following the southside of a series of banks to the southern tip of Low Key, Stake Key, and Manatee Key, thence westerly to a small unnamed key north of Jimmies Channel, thence south following shoal waters to Captains Key, thence westerly following shoal waters touching a series of unnamed keys to Panhandle Key, thence southerly past Gopher Keys, thence following Twin Key Banks to Twin Keys, thence southerly to North Peterson Key, thence westerly along shoal waters to the south tip of Buchanan Keys and continuing westerly to the southernmost Lower Arsniker Key, thence northwesterly following the west bank of Nine Mile Bank to Blue Bank and continuing northwesterly to Sandy Key, thence to the Intracoastal Waterway Marker No. 2 south of East Cape Sable and in addition the area south and west of a line connecting points from said marker to points one mile offshore from East Cape, Middle Cape, Northwest Cape, Shark Light, Shark Point, Highland Point, Porpoise Point, Seminole Point, Mormon Key, Pavilion Key, Rabbit Key, Indian Key Light, to the Park boundary corner at approximately 25°50' N. latitude, 80°30' W. longitude.

Traps shall not be placed closer than 200 feet to any key or marked waterway.

(11) Bait nets shall not be more than 100 feet in length, nor more than 4 feet in depth and shall be used for the taking of minnows for noncommercial bait purposes only.

(12) Gill nets shall not exceed 400 yards in length and shall have a stretch mesh of not less than two and one-half inches measured from knot to knot after being shrunk. Twine used in gill nets shall be only 9/20 cotton, 16/3 linen, or number 139 nylon. Only one lead line and one cork line shall be permitted and neither lead nor cork line shall be more than ¼ inch in diameter. No purses, pockets, trammels, or special devices for entrapping or catching fish shall be used on gill nets, except for commercial pompano fishing as provided in subparagraph (13) of this paragraph. Gill nets shall not be tarred or contain hoops. Gill nets may be tied together and used in groups of not more than three; *Provided*, That the nearest net or groups of nets shall be at least 1,000 yards from any other gill net. Gill nets shall not be dragged and shall be taken in by hand only.

(13) Trammel nets may be used for taking pompano only. Trammel nets shall be made of number 9 twine having a stretch mesh of not less than 14 inches, on gill nets of not less than 4 $\frac{1}{2}$ -inch stretch mesh, made with 139 nylon, 9/20 cotton, or 16/3 linen twine only, and shall not exceed 1,200 yards in length. Only one cork line and one lead line may be used, each line being $\frac{1}{4}$ inch in diameter. Trammel nets shall not be dragged and shall be taken in by hand only. When used at night such nets shall be marked by lighted buoys. Trammel nets shall not be used within the Florida Bay area of the Park.

(14) Dip nets having a spread of not more than three feet and a pocket of not more than three feet measured from rim to tip may be used for taking shrimp for personal use only.

(15) Stopnetting is prohibited in the waters of the Park. Stopnetting is hereby defined as the placing, setting, or using of nets in any manner that closes the mouths of rivers, lakes, streams, bays, passes or bayous, or used on any bank, flat, or water bottom in a manner that causes fish to become suffocated because of the lowering tides and prevents their passage to deep water. Possession of fish with mud in their gills shall be prima-facie evidence of stopnetting.

(16) Possession of gill nets, trammel nets, crab traps or other commercial fishing equipment while in closed waters as provided by this section shall be prima-facie evidence of engaging in prohibited commercial fishing activities in said areas.

(17) No other net, seine, trap, spear, explosive or other device for entrapping, catching, killing, or taking fish, bait or other similar edible products of the water may be used or may be in possession of any person within the Park except hook and line or a pole and line, held in the hand.

(18) No person shall leave unattended for more than five (5) days any fish net, bait trap, crab trap, or other device used in catching products of the sea.

(19) The following areas in the vicinity of Royal Palm Visitor Center are closed to all fishing: Township 58 South, Range 37 East, Sections 10 through 15, inclusive.

(20) The following area bordering the Shark Valley Loop Road from Tamiami Trail south is closed to all fishing: Sections 19, 30, 31, Township 54 South, Range 36 East, Sections 6, 7, 18, 19, and 30; Township 55 South, Range 36 East.

(21) The following described areas are closed to fishing with nets, seines, or any other method of taking fish or other products of the sea for sale, and for the use of nets or seines for noncommercial purposes:

(i) All inland bays, bights, canals, lakes, rivers, or other bodies of water lying inland from the shores of Florida Bay and in addition the area north of a line drawn from Christian Point to Shark Point to Mosquito Point, including Otter Key, thence to Crocodile Point to Terrapin Point to Madeira Point and then following the mainland shoreline so as to include Little Madeira Bay, Mud Bay, Joe Bay and Snag Bay, to Rocky Creek,

thence along the south shore of Long Sound, to Manatee Creek, so as to include Long Sound.

(ii) All inland bays, lakes, canals, rivers and other bodies of water lying inland from the nearest recognizable mainland shoreline from Flamingo to East Cape Sable and north to the mouth of the Turner River and then north along that part of Chokoloskee Bay which is within the Park. For the purpose of this paragraph, the mainland shoreline shall be considered to be that area where the west coast rivers flow into the Gulf of Mexico.

(22) West Lake Pond, Coot Bay Pond, and other small ponds bordering the Park road within one mile of Coot Bay Pond shall be closed to fishing during those periods as determined by the Superintendent that such action is necessary to protect feeding and roosting birds. Notice of closing shall be given by the posting of appropriate signs at these areas.

(23) Only the passes known as Indian Key Pass, Rabbit Key Pass, and Chokoloskee Pass in the vicinity of Everglades and Chokoloskee Island may be used to bring in or take out nets, product of the sea, and gear which is legal in State waters, but illegal in Park waters.

(h) *Boating.* (1) Cuthbert Lake shall be closed to motorboats: *Provided, however,* That when bird rookery conditions make it administratively desirable to do so, sightseeing boats operated by the authorized Park concessioner may be permitted on Cuthbert Lake.

(2) West Lake Pond, West Lake, Long Lake, The Lungs, and all connecting creeks inland from the shoreline of Garfield Bight shall be closed to all vessels during those periods, as determined by the Superintendent, that these areas are being used by feeding birds. At all other times, these areas shall be open only to hand-propelled vessels or Class A motorboats powered by motors not to exceed 5 $\frac{1}{2}$ horsepower that can be launched by hand. Notice of closing will be given by the posting of appropriate signs at these areas.

(3) Except to effect a rescue or unless otherwise specifically authorized, no person shall land on the keys or beaches of Florida Bay except those marked by signs denoting the area open.

(4) Motorboats are prohibited in the following inland fresh water areas: Long Pine Key Lake, Pine Glade Lake, Sisal Pond, Big Fiscus Pond, Sweetbay Pond, Paurotis Pond, Nine Mile Pond, Royal Palm Pond, Pine Island Pond, and Parachute Key Ponds.

(5) Areas closed to motorboats of more than 5 $\frac{1}{2}$ horsepower are as follows: Bear Lake, Fox Lakes, Gator Lake, Mud Lake, Homestead Canal, the flooded Cape Sable Flats, The Lungs, Alligator Creek and Little Sable Creek.

(6) Waterborne vessels primarily designed for living quarters or used for that purpose, commonly referred to as a "houseboat," shall not be placed in or operated in the waters of the Park for more than 14 days without first obtaining a permit issued by the Superintendent. Said permit will prescribe anchorage location, length of stay, sanitary re-

quirements, and such other conditions as considered necessary.

(7) Boat races, regattas, pageants, and other spectacular types of water recreation are prohibited within the Park.

(8) No person shall tamper with or enter, start, move or cause to be moved, a moored or docked boat not lawfully under his control. This restriction shall not apply to employees of the National Park Service or other employees of the Federal Government or duly authorized officials in connection with their official duties.

(9) Except where different speed limits are indicated by posted signs or markers, speed of boats shall not exceed 40 miles per hour in the waters of the Park.

(10) The following area bordering the Shark Valley Loop Road from Tamiami Trail south is closed to all boating: Sections 19, 30, and 31, Township 54 South, Range 36 East; Sections 6, 7, 18, 19, and 30, Township 55 South, Range 36 East.

CARROLL A. BURROUGHS,
Acting Superintendent,
Everglades National Park.

[F.R. Doc. 65-8677; Filed, Aug. 17, 1965;
8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3787]

[Wyoming 0316061]

WYOMING

Powersite Restoration No. 633; Powersite Cancellation No. 226; Big Horn River

By virtue of the authority contained in section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in 1950 Reorganization Plan No. 3 (64 Stat. 1262; 5 U.S.C. 1332-15, Note), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of July 2, 1910, creating Powersite Reserve No. 115 and the order of the Geological Survey of July 31, 1944, creating Powersite Classification No. 345, are hereby vacated so far as they affect the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 55 N., R. 94 W.,
Sec. 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 160 acres.

2. Until 10 a.m., on February 11, 1966, the State of Wyoming shall have the preferred right of application to select any of the land for school land indemnity purposes as provided by R.S. 2276 as amended (43 U.S.C. 852). The State also has a more limited preferred right of application for the restored land for

highway easement or highway material site purposes as provided by section 24 of the Act of June 10, 1920, as amended May 28, 1948 (62 Stat. 275; 16 U.S.C. 818).

3. After 10 a.m., on February 11, 1966, the lands shall become subject to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on September 17, 1965, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

4. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws.

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

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 12, 1965.

[P.R. Doc. 65-8685; Filed, Aug. 17, 1965; 8:45 a.m.]

[Public Land Order 3788]

[New Mexico 0556982]

NEW MEXICO

Revocation of National Forest Administrative Site Withdrawals

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The departmental orders of November 26, 1906, and June 9, 1908, and Public Land Orders No. 1038 of December 20, 1954, No. 1119 of April 12, 1955, No. 1218 of September 13, 1955, No. 1230 of September 27, 1955, No. 1413 of April 23, 1957, and No. 2830 of December 3, 1962, withdrawing lands as administrative sites are hereby revoked so far as they affect the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

GILA NATIONAL FOREST

Cliff Dwelling Administrative Site

T. 12 S., R. 14 W.,
Sec. 22, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described contains 40 acres.

Reserve (Hood) Administrative Site

T. 7 S., R. 19 W.,
Sec. 11, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ of lot 1.

The area described contains 26.7 acres.

Bursum Campground

T. 11 S., R. 18 W.,
Sec. 2, lots 19, 21 and 22.

The area described contains 120 acres.

Negrito Tower Picnic Grounds Recreation Area

T. 10 S., R. 17 W. (unsurveyed),
Sec. 2, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 20 acres.

White Creek Administrative Site

T. 12 S., R. 16 W. (unsurveyed),
Sec. 1, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 120 acres.

No. 159—2

Camp Tuff Moses

T. 15 S., R. 13 W.,
Sec. 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described contains 80 acres.

Reserve Administrative Site

T. 7 S., R. 19 W.,
Sec. 2, lot 15, N $\frac{1}{2}$ of lot 16, N $\frac{1}{2}$ of lot 17,
SE $\frac{1}{4}$ of lot 17 and lot 18;
Sec. 11, lots 8, 9 and 16.

The area described contains 228.98 acres.

Mimbres Administrative Site

T. 16 S., R. 11 W.,
Sec. 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 40 acres.

Beaverhead Administrative Site

T. 10 S., R. 12 W.,
Sec. 7, that portion of N $\frac{1}{2}$ lot 3 not patented, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ exclusive of patented area under HES 480.

T. 10 S., R. 13 W.,
Sec. 12, SE $\frac{1}{4}$,
Sec. 25, N $\frac{1}{2}$ NE $\frac{1}{4}$.

The areas described aggregate 265.61 acres.

Black Mountain Administrative Site

T. 11 S., R. 13 W.,
Sec. 6, S $\frac{1}{2}$ of lot 16.

The area described contains 20 acres.

The areas total in the aggregate approximately 961 acres.

2. At 10 a.m. on September 17, 1965, the lands above will be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 12, 1965.

[P.R. Doc. 65-8686; Filed, Aug. 17, 1965; 8:45 a.m.]

[Public Land Order 3789]

[Wyoming 0316698]

WYOMING

Partial Revocation of Public Land Order No. 1923

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1923 of July 23, 1959, withdrawing lands in national forests for recreation areas, roadside zones, and administrative sites, is hereby revoked so far as it affects the following described lands:

TETON NATIONAL FOREST

SIXTH PRINCIPAL MERIDIAN

Baldy Mountain Administrative Site

T. 44 N., R. 112 W.,
Sec. 8, S $\frac{1}{2}$ N $\frac{1}{4}$ and S $\frac{1}{2}$.

The areas described aggregate approximately 480 acres, in Teton County.

2. At 10 a.m., on September 17, 1965, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 12, 1965.

[P.R. Doc. 65-8687; Filed, Aug. 17, 1965; 8:45 a.m.]

[Public Land Order 3790]

[New Mexico 0556178]

NEW MEXICO

Withdrawal for Indian School Purposes

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands which are under the jurisdiction of the Secretary of the Interior, in McKinley County, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Ch. 2, Title 30 U.S.C.), but not from leasing under the mineral leasing laws, and reserved for school purposes:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 N., R. 5 W.,
Sec. 15, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 30 acres.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 12, 1965.

[P.R. Doc. 65-8688; Filed, Aug. 17, 1965; 8:45 a.m.]

[Public Land Order 3791]

[Anchorage 062310]

ALASKA

Withdrawal for School Purposes

By virtue of the authority vested in the Secretary of the Interior by the Act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a), it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (Chap. 2, Title 30 U.S.C.), but not from leasing under the mineral leasing laws, and reserved for native school purposes.

NEW KOLIGANIEK

U.S. Survey 3509

The tract described contains 5.55 acres.
2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 12, 1965.

[P.R. Doc. 65-8689; Filed, Aug. 17, 1965; 8:45 a.m.]

[Public Land Order 3792]

[Montana 070013 (N.D.)]

NORTH DAKOTA

Revocation of Reclamation Withdrawals

By virtue of the authority vested in the President by section 1 of the Act

of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

The Executive Order of August 4, 1911, and the Departmental Order of January 20, 1905, withdrawing lands for reclamation purposes, are hereby revoked so far as they affect the following described lands:

FIFTH PRINCIPAL MERIDIAN

T. 154 N., R. 100 W.,
Sec. 8, S½NW¼ and N½SW¼.

The areas described aggregate approximately 160 acres in Williams County. The lands are nonpublic.

HARRY R. ANDERSON,
Assistant Secretary
of the Interior.

AUGUST 12, 1965.

[P.R. Doc. 65-8690; Filed, Aug. 17, 1965;
8:45 a.m.]

Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare General Administration

PART 81—PRACTICE AND PROCEDURE FOR HEARINGS UNDER PART 80 OF THIS TITLE

Subtitle A of Title 45 of the Code of Federal Regulations is hereby amended by adding the following new Part 81:

Subpart A—General Information

- Sec.
81.1 Scope of rules.
81.2 Records to be public.
81.3 Use of gender and number.
81.4 Suspension of rules.

Subpart B—Appearance and Practice

- 81.11 Appearance.
81.12 Authority for representation.
81.13 Exclusion from hearing for misconduct.

Subpart C—Parties

- 81.21 Parties; General Counsel.
81.22 Amici curiae.
81.23 Complainants not parties.

Subpart D—Form, Execution, Service and Filing of Documents

- 81.31 Form of documents to be filed.
81.32 Signature of documents.
81.33 Filing and service.
81.34 Service—how made.
81.35 Date of service.
81.36 Certificate of service.

Subpart E—Time

- 81.41 Computation.
81.42 Extension of time or postponement.
81.43 Reduction of time to file documents.

Subpart F—Proceedings Prior to Hearing

- 81.51 Notice of hearing or opportunity for hearing.
81.52 Answer to notice.
81.53 Amendment of notice or answer.
81.54 Request for hearing.
81.55 Consolidation.
81.56 Motions.

- Sec.
81.57 Responses to motions and petitions.
81.58 Disposition of motions and petitions.

Subpart G—Responsibilities and Duties of Presiding Officer

- 81.61 Who presides.
81.62 Designation of hearing examiner.
81.63 Authority of presiding officer.

Subpart H—Hearing Procedures

- 81.71 Statements of position and trial briefs.
81.72 Evidentiary purpose.
81.73 Testimony.
81.74 Exhibits.
81.75 Affidavits.
81.76 Depositions.
81.77 Admissions as to facts and documents.
81.78 Evidence.
81.79 Cross-examination.
81.80 Un-sponsored written material.
81.81 Objections.
81.82 Exceptions to rulings of presiding officer unnecessary.
81.83 Official notice.
81.84 Public document items.
81.85 Offer of proof.
81.86 Appeals from ruling of presiding officer.

Subpart I—The Record

- 81.91 Official transcript.
81.92 Record for decision.

Subpart J—Posthearing Procedures, Decisions

- 81.101 Posthearing briefs: Proposed findings and conclusions.
81.102 Decisions following hearing.
81.103 Exceptions to initial or recommended decisions.
81.104 Review of initial decision upon motion of responsible Department official.
81.105 Final decisions.
81.106 Oral argument to the responsible Department official.
81.107 Final review by Secretary.
81.108 Service on amici curiae.

Subpart K—Judicial Standards of Practice

- 81.111 Conduct.
81.112 Improper conduct.
81.113 Ex parte communications.
81.114 Expeditious treatment.
81.115 Matters not prohibited.
81.116 Filing of ex parte communications.

AUTHORITY: The provisions of this Part 81 are issued under R.S. 161, as amended, 5 U.S.C. 22, and 45 CFR 80.9(d).

Subpart A—General Information

§ 81.1 Scope of rules.

The rules of procedure in this part supplement § 80.9(d) of this title and govern the practice for hearings, decisions, and administrative review conducted by the Department of Health, Education, and Welfare, including each of its operating agencies and other organizational units, pursuant to Title VI of the Civil Rights Act of 1964 (sec. 602, 78 Stat. 252) and Part 80 of this title.

§ 81.2 Records to be public.

All pleadings, correspondence, exhibits, transcripts of testimony, exceptions, briefs, decisions, and other documents filed in the docket in any proceeding may be inspected and copied in the office of the Department hearing clerk.

§ 81.3 Use of gender and number.

As used in this part, words importing the singular number may extend and be

applied to several persons or things, and vice versa. Words importing the masculine gender may be applied to females or organizations.

§ 81.4 Suspension of rules.

Upon notice to all parties, the responsible Department official, or the presiding officer with respect to matters pending before him, may modify or waive any rule in this part if he determines that no party will be unduly prejudiced and the ends of justice will thereby be served.

Subpart B—Appearance and Practice

§ 81.11 Appearance.

A party may appear in person or by counsel and participate fully in any proceeding. A State agency or a corporation may appear by any of its officers or by any employee it authorizes to appear on its behalf. Counsel must be members in good standing of the bar of any State, Territory, or possession of the United States or of the District of Columbia or the Commonwealth of Puerto Rico.

§ 81.12 Authority for representation.

Any individual acting in a representative capacity in any proceeding may be required by the responsible Department official or the presiding hearing examiner to show his authority to act in such capacity.

§ 81.13 Exclusion from hearing for misconduct.

Disrespectful, disorderly, or contumacious language or contemptuous conduct, refusal to comply with directions, or continued use of dilatory tactics by any person at any hearing before a presiding officer shall constitute grounds for immediate exclusion of such person from the hearing by the presiding officer.

Subpart C—Parties

§ 81.21 Parties; General Counsel.

(a) The term party shall include an applicant or recipient with respect to whom the responsible Department official has issued a notice of hearing or opportunity for hearing in accordance with § 81.51.

(b) The General Counsel of the Department of Health, Education, and Welfare shall be deemed a party to all proceedings.

§ 81.22 Amici curiae.

(a) Any interested person or organization may file a petition to participate in a proceeding as an amicus curiae. Such petitions shall be filed prior to the prehearing conference, or if none is held, before the commencement of the hearing, unless the petitioner shows good cause for filing the petition later. The presiding officer may grant the petition if he finds that the petitioner has a legitimate interest in the proceedings, that such participation will not unduly delay the outcome, and may contribute materially to the proper disposition thereof. An amicus curiae is not a party and may not introduce evidence at a hearing.

(b) An amicus curiae may submit a statement of position to the presiding officer prior to the beginning of a hearing, and shall serve a copy on each party. The amicus curiae may submit a brief on each occasion a decision is to be made or a prior decision is subject to review. His brief shall be filed and served on each party within the time limits applicable to the party whose position he deems himself to support; or if he does not deem himself to support the position of any party, within the longest time limit applicable to any party at that particular stage of the proceedings.

(c) When all parties have completed their initial examinations of a witness, any amicus curiae may request the presiding officer to propound specific questions to the witness. The presiding officer, in his discretion, may grant any such request if he believes the proposed additional testimony may assist materially in elucidating factual matters at issue between the parties and will not expand the issues.

§ 81.23 Complainants not parties.

A person submitting a complaint pursuant to § 80.7(b) of this title is not a party to the proceedings governed by this part, but may petition, after proceedings are initiated, to become an amicus curiae.

Subpart D—Form, Execution, Service and Filing of Documents

§ 81.31 Form of documents to be filed.

Documents to be filed under the rules in this part shall be dated, the original signed in ink, shall show the docket description and title of the proceeding, and the title, if any, and address of the signatory. Copies need not be signed but the name of the person signing the original shall be reproduced. Documents shall be legible and shall not be more than 8½ inches wide and 12 inches long.

§ 81.32 Signature of documents.

All documents filed in any proceeding subject to the regulations in this part, except exhibits, shall be signed by a party, or his authorized officer, employee or attorney. The address of the party or attorney shall be stated on the document. The signature of a party, authorized officer, employee or attorney constitutes a certificate that he has read the document, that to the best of his knowledge, information, and belief there is good ground to support it, and that it is not interposed for delay. If a document is not signed or is signed with intent to defeat the purpose of this section, it may be stricken as sham and false and the proceeding may proceed as though the document had not been filed. Similar action may be taken if scandalous or indecent matter is inserted.

§ 81.33 Filing and service.

All notices by the responsible Department official or the presiding officer, written motions, requests, petitions, memoranda, pleadings, exceptions, briefs, decisions, and correspondence to the Secretary, responsible Department official, or the presiding officer from a

party or vice versa relating to a proceeding after its commencement shall be filed and served on all parties. Parties shall supply the original and two copies of documents submitted for filing. Filings shall be made with the Department hearing clerk at Room 5440, North Building, Department of Health, Education, and Welfare, Washington, D.C., 20204, during regular business hours. Regular business hours are every Monday through Friday (legal holidays in the District of Columbia excepted) from 9 a.m. to 5:30 p.m., eastern standard or daylight saving time, whichever is effective in the District of Columbia at the time. Originals only of exhibits and transcripts of testimony need be filed. For requirements of service on amicus curiae, see § 81.108.

§ 81.34 Service—how made.

Service shall be made by personal delivery of one copy to each person to be served or by mailing by first-class mail, properly addressed with postage prepaid. When a party or amicus has appeared by attorney or other representative, service upon such attorney or representative will be deemed service upon the party or amicus. Documents served by mail preferably should be mailed in sufficient time to reach the addressee by the date on which the original is due to be filed, and should be air mailed if the addressee is more than 300 miles distant.

§ 81.35 Date of service.

The date of service shall be the day when the matter is deposited in the U.S. mail or is delivered in person, except that the date of service of the initial notice of hearing or opportunity for hearing shall be the date of its delivery, or of its attempted delivery if delivery is refused.

§ 81.36 Certificate of service.

The original of every document filed and required to be served upon parties to a proceeding shall be endorsed with a certificate of service signed by the party making service or by his attorney or representative, stating that such service has been made, the date of service, and the manner of service, whether by mail or personal delivery.

Subpart E—Time

§ 81.41 Computation.

In computing any period of time under the rules in this part or an order issued by the responsible Department official or the presiding officer hereunder, the time begins with the day following the act, event, or default, and includes the last day of the period, unless it is a Saturday, Sunday, or legal holiday observed in the District of Columbia. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation.

§ 81.42 Extension of time or postponement.

Requests for extension of time should be served on all parties and should set forth the reasons for the application. Applications may be granted upon a showing of good cause by the applicant.

From the designation of a presiding officer until the issuance of his decision such requests should be addressed to him. Answers to such requests are permitted, if made promptly.

§ 81.43 Reduction of time to file documents.

For good cause, the responsible Department official, or the presiding officer with respect to matters pending before him, may reduce any time limit prescribed by the rules in this part, except as provided by law or in Part 80 of this title.

Subpart F—Proceedings Prior to Hearing

§ 81.51 Notice of hearing or opportunity for hearing.

Proceedings are commenced by mailing a notice of hearing or opportunity for hearing to an affected applicant or recipient, pursuant to § 80.9 of this title.

§ 81.52 Answer to notice.

The respondent applicant or recipient may file an answer to the notice within 20 days after service thereof. Answers shall admit or deny specifically and in detail each allegation of the notice, unless the respondent party is without knowledge, in which case his answer should so state, and the statement will be deemed a denial. Allegations of fact in the notice not denied or controverted by answer shall be deemed admitted. Matters alleged as affirmative defenses shall be separately stated and numbered. Failure of the respondent to file an answer within the 20-day period following service of the notice may be deemed a confession of all matters of fact recited in the notice.

§ 81.53 Amendment of notice or answer.

The General Counsel may amend the notice of hearing or opportunity for hearing once as a matter of course before an answer thereto is served, and each respondent may amend his answer once as a matter of course not later than 10 days before the date fixed for hearing but in no event later than 20 days from the date of service of his original answer. Otherwise a notice or answer may be amended only by leave of the presiding officer. A respondent shall file his answer to an amended notice within the time remaining for filing the answer to the original notice or within 10 days after service of the amended notice, whichever period may be the longer, unless the presiding officer otherwise orders.

§ 81.54 Request for hearing.

Within 20 days after service of a notice of opportunity for hearing which does not fix a date for hearing the respondent, either in his answer or in a separate document, may request a hearing. Failure of the respondent to request a hearing shall be deemed a waiver of hearing and consent to submission of the case to the responsible Department official for decision on the written record. The failure of the respondent both to file an answer and to request a hearing shall be deemed a waiver of all right to participate in the proceedings and to constitute his consent to the making of a

decision on the basis of such information as is available.

§ 81.55 Consolidation.

Two or more proceedings against the same respondent, or against different respondents in which the same or related facts are asserted to constitute noncompliance, may be consolidated for hearing or decision or both by the responsible Department official if he has the principal responsibility within the Department for the administration of all the laws extending the Federal financial assistance involved. If laws administered by more than one responsible Department official are involved, such officials may by agreement order consolidation for hearing. The Secretary may order proceedings in the Department consolidated for hearing with proceedings in other Federal departments or agencies, by agreement with such other departments or agencies. All parties to any proceeding consolidated subsequently to service of the notice of hearing or opportunity for hearing shall be promptly served with notice of such consolidation.

§ 81.56 Motions.

Motions and petitions shall state the relief sought, the authority relied upon, and the facts alleged. If made before or after the hearing, these matters shall be in writing. If made at the hearing, they may be stated orally; but the presiding officer may require that they be reduced to writing and filed and served on all parties in the same manner as a formal motion. Motions, answers and replies shall be addressed to the presiding officer, if the case is pending before him. A repetitious motion will not be entertained.

§ 81.57 Responses to motions and petitions.

Within 8 days after a written motion or petition is served, or such other period as the responsible Department official or the presiding officer may fix, any party may file a response thereto. An immediate oral response may be made to an oral motion.

§ 81.58 Disposition of motions and petitions.

The responsible Department official or presiding officer may not sustain or grant a written motion or petition prior to expiration of the time for filing responses thereto, but may overrule or deny such motion or petition without awaiting response; *provided, however*, That prehearing conferences, hearings, and decisions need not be delayed pending disposition of motions or petitions. Oral motions and petitions may be ruled on immediately. Motions and petitions submitted to the presiding officer or the responsible Department official, respectively, not disposed of in separate rulings or in their respective decisions will be deemed denied. Oral argument shall not be held on written motions or petitions unless the presiding officer in his discretion expressly so orders.

Subpart G—Responsibilities and Duties of Presiding Officer

§ 81.61 Who presides.

A presiding officer shall preside over all proceedings held under this part. The presiding officer shall be either the responsible Department official or a hearing examiner qualified under section 11 of the Administrative Procedure Act.

§ 81.62 Designation of hearing examiner.

The responsible Department official shall designate a hearing examiner to preside in each hearing where he does not preside personally. Such designation shall be made by an order in writing, which shall specify whether the examiner is to make an initial decision or to certify the entire record including his recommended findings and proposed decision back to the responsible Department official, and which may also fix the time and place of hearing. A copy of such order shall be served on all parties. The hearing examiner to preside over consolidated hearings shall be designated in the notice of consolidation. After service of an order designating a hearing examiner to preside, and until such examiner makes his decision, motions and petitions shall be submitted to him. In the case of the death, illness, disqualification or unavailability of the designated hearing examiner, another hearing examiner may be designated to take his place.

§ 81.63 Authority of presiding officer.

The presiding officer shall have the duty to conduct a fair hearing, to take all necessary action to avoid delay, and to maintain order. He shall have all powers necessary to these ends, including (but not limited to) the power to:

(a) Arrange and issue notice of the date, time and place of hearings, or, upon due notice to the parties, to change the date, time, and place of hearings previously set by the responsible Department official.

(b) Hold conferences to settle, simplify, or fix the issues in a proceeding, or to consider other matters that may aid in the expeditious disposition of the proceeding.

(c) Require parties and amici curiae to state their position with respect to the various issues in the proceeding.

(d) Administer oaths and affirmations.

(e) Rule on motions, and other procedural items on matters pending before him.

(f) Regulate the course of the hearing and the conduct of counsel therein.

(g) Examine witnesses and direct witnesses to testify.

(h) Receive, rule on, exclude or limit evidence.

(i) Fix the time for filing motions, petitions, briefs, or other items in matters pending before him.

(j) Issue initial or recommended decisions, or final decisions where the responsible Department official presides.

(k) Take any action authorized by the rules in this part or in conformance with the provisions of the Administrative Procedure Act (5 U.S.C. 1001 to 1011).

Subpart H—Hearing Procedures

§ 81.71 Statements of positions and trial briefs.

The presiding officer may require parties and amici curiae to file written statements of position prior to the beginning of a hearing. The presiding officer may also require the parties to submit trial briefs.

§ 81.72 Evidentiary purpose.

(a) The hearing is directed to receiving factual evidence and expert opinion testimony related to the issues in the proceeding. Argument will not be received in evidence; rather it should be presented in statements, memoranda or briefs, as determined by the presiding officer. Brief opening statements, which shall be limited to statement of the party's position and what he intends to prove, may be made at hearings.

(b) Hearings for the reception of evidence will be held only in cases where issues of fact must be resolved in order to determine whether the respondent has failed to comply with one or more applicable requirements of Part 80 of this title. In any case where it appears from the respondent's answer to the notice of hearing or opportunity for hearing, from his failure timely to answer, or from his admissions or stipulations in the record, that there are no matters of material fact in dispute, the responsible Department official or presiding officer may enter an order so finding, vacating the hearing date if one has been set, and fixing the time for filing briefs under § 81.101. Thereafter the proceedings shall go to conclusion in accordance with Subpart J of this part. The presiding officer may allow an appeal from such order in accordance with § 81.86.

§ 81.73 Testimony.

Testimony shall be given orally under oath or affirmation by witnesses at the hearing; but the presiding officer, in his discretion, may require or permit that the direct testimony of any witness be prepared in writing and served on all parties in advance of the hearing. Such testimony may be adopted by the witness at the hearing and filed as part of the record thereof. Unless authorized by the presiding officer, witnesses will not be permitted to read prepared testimony into the record. Except as provided in §§ 81.75 and 81.76, witnesses shall be available at the hearing for cross-examination.

§ 81.74 Exhibits.

Each exhibit shall have a brief title endorsed upon it or attached to it stating what it purports to show and the purpose for which it is offered; however, such statements if phrased in argumentative fashion will not be considered part of the evidentiary record. Exhibits shall show the sources of the information used

and the methods employed in statistical compilations and calculations. Proposed exhibits shall be exchanged at the pre-hearing conference, or otherwise prior to the hearing if the presiding officer so requires. Proposed exhibits not so exchanged may be denied admission as evidence. The authenticity of all proposed exhibits exchanged prior to hearing will be deemed admitted unless written objection thereto is filed prior to the hearing or unless good cause is shown at the hearing for failure to file such written objection.

§ 81.75 Affidavits.

An affidavit is not inadmissible as such. Unless the presiding officer fixes other time periods affidavits shall be filed and served on the parties not later than 15 days prior to the hearing; and not less than seven days prior to hearing a party may file and serve written objection to any affidavit on the ground that he believes it necessary to test the truth of assertions therein at hearing. In such event the assertions objected to will not be received in evidence unless the affiant is made available for cross-examination, or the presiding officer determines that cross-examination is not necessary for the full and true disclosure of facts referred to in such assertions. Notwithstanding any objection, however, affidavits may be considered in the case of any respondent who waives a hearing.

§ 81.76 Depositions.

Upon such terms as may be just, for the convenience of the parties or of the Department, the presiding officer may authorize or direct the testimony of any witness to be taken by deposition.

§ 81.77 Admissions as to facts and documents.

Not later than 15 days prior to the scheduled date of the hearing except for good cause shown, or prior to such earlier date as the presiding officer may order, any party may serve upon an opposing party a written request for the admission of the genuineness and authenticity of any relevant documents described in and exhibited with the request, or for the admission of the truth of any relevant matters of fact stated in the request. Each of the matters of which an admission is requested shall be deemed admitted, unless within a period designated in the request (not less than 10 days after service thereof, or within such further time as the presiding officer or the responsible Department official if no presiding officer has yet been designated may allow upon motion and notice) the party to whom the request is directed serves upon the requesting party a sworn statement either denying specifically the matters of which an admission is requested or setting forth in detail the reasons why he cannot truthfully either admit or deny such matters. Copies of requests for admission and answers thereto shall be served on all parties. Any admission made by a party to such request is only for the purposes of the pending proceeding, or any proceeding or action instituted for the enforcement of any order entered therein, and shall not constitute an admission by him for

any other purpose or be used against him in any other proceeding or action.

§ 81.78 Evidence.

Irrelevant, immaterial, unreliable, and unduly repetitious evidence will be excluded.

§ 81.79 Cross-examination.

Cross-examination will be limited to the scope of the direct examination. Cross-examination will be restricted to witnesses whose testimony is adverse to the party desiring to cross-examine. Cross-examination designed primarily to elicit self-serving declarations in favor of the witnesses will be excluded, it being specifically intended to prohibit "friendly cross-examination." Cross-examination which is not necessary to test the truth and completeness of the direct testimony and exhibits will not be permitted. Cross-examination will not include subjects which are not germane to the interest represented by the cross-examiner.

§ 81.80 Un-sponsored written material.

Letters expressing views or urging action and other un-sponsored written material regarding matters in issue in a hearing will be placed in the correspondence section of the docket of the proceeding. These data are not deemed part of the evidence or record in the hearing.

§ 81.81 Objections.

Objections to evidence shall be timely and briefly state the ground relied upon.

§ 81.82 Exceptions to rulings of presiding officer unnecessary.

Exceptions to rulings of the presiding officer are unnecessary. It is sufficient that a party, at the time the ruling of the presiding officer is sought, makes known the action which he desires the presiding officer to take, or his objection to an action taken, and his grounds therefor.

§ 81.83 Official notice.

Where official notice is taken or is to be taken of a material fact not appearing in the evidence of record, any party, on timely request, shall be afforded an opportunity to show the contrary.

§ 81.84 Public document items.

Whenever there is offered (in whole or in part) a public document, such as an official report, decision, opinion, or published scientific or economic statistical data issued by any of the executive departments (or their subdivisions), legislative agencies or committees, or administrative agencies of the Federal Government (including Government-owned corporations), or a similar document issued by a State or its agencies, and such document (or part thereof) has been shown by the offeror to be reasonably available to the public, such document need not be produced or marked for identification, but may be offered for official notice, as a public document item by specifying the document or relevant part thereof.

§ 81.85 Offer of proof.

An offer of proof made in connection with an objection taken to any ruling

of the presiding officer rejecting or excluding proffered oral testimony shall consist of a statement of the substance of the evidence which counsel contends would be adduced by such testimony; and, if the excluded evidence consists of evidence in documentary or written form or of reference to documents or records, a copy of such evidence shall be marked for identification and shall accompany the record as the offer of proof.

§ 81.86 Appeals from ruling of presiding officer.

Rulings of the presiding officer may not be appealed to the responsible Department official prior to his consideration of the entire proceeding except with the consent of the presiding officer and where he certifies on the record or in writing that the allowance of an interlocutory appeal is clearly necessary to prevent exceptional delay, expense, or prejudice to any party, or substantial detriment to the public interest. If an appeal is allowed, any party may file a brief with the responsible Department official within such period as the presiding officer directs. No oral argument will be heard unless the responsible Department official directs otherwise. At any time prior to submission of the proceeding to him for decision, the responsible Department official may direct the presiding officer to certify any question or the entire record to him for decision. Where the entire record is so certified, the presiding officer shall recommend a decision.

Subpart I—The Record

§ 81.91 Official transcript.

The Department will designate the official reporter for all hearings. The official transcripts of testimony taken, together with any exhibits, briefs, or memoranda of law filed therewith shall be filed with the Department. Transcripts of testimony in hearings will be supplied by the official reporter to the parties and to the public at rates not to exceed the maximum rates fixed by the contract between the Department and the reporter. Upon notice to all parties, the presiding officer may authorize corrections to the transcript which involve matters of substance.

§ 81.92 Record for decision.

The transcript of testimony, exhibits, and all papers and requests filed in the proceedings, except the correspondence section of the docket, including rulings and any recommended or initial decision shall constitute the exclusive record for decision.

Subpart J—Posthearing Procedures, Decisions

§ 81.101 Posthearing briefs: Proposed findings and conclusions.

(a) The presiding officer shall fix the time for filing posthearing briefs, which may contain proposed findings of fact and conclusions of law, and, if permitted, reply briefs.

(b) Briefs should include a summary of the evidence relied upon together with references to exhibit numbers and pages of the transcript, with citations of the authorities relied upon.

§ 81.102 Decisions following hearing.

When the time for submission of post-hearing briefs has expired, the presiding officer, if the responsible Department official, shall make a final decision. If a hearing examiner, he shall certify the entire record, including his recommended findings and proposed decision to the responsible Department official, or if so authorized, shall make an initial decision. A copy of the recommended findings and proposed decision, or the initial decision, shall be delivered to the General Counsel and mailed to all other parties and amici.

§ 81.103 Exceptions to initial or recommended decisions.

Within 30 days after the mailing of an initial or recommended decision, any party may file a brief with the responsible Department official containing exceptions or supporting the decision. Any other party may file a response thereto within 45 days after the mailing of the initial or recommended decision.

§ 81.104 Review of initial decision upon motion of responsible Department official.

In the absence of exceptions, the responsible Department official, within 45 days after an initial decision, on his own initiative, may serve on all parties a notice that he will review the decision. In such case, any party shall have 15 days after service in which to file a request for modification, reversal or affirmation of the initial decision and all other parties shall have an additional 15 days to respond in writing to such requests.

§ 81.105 Final decisions.

(a) The responsible Department official shall make the final decision in all proceedings under this part after expiration of all applicable time limits provided in § 81.101, § 81.103, or § 81.104.

(b) Where the hearing is conducted by a hearing examiner who makes an initial decision, if no exceptions thereto are filed within the 30-day period specified in § 80.103 and no notice of review is served within the 45-day period specified in § 81.104, such initial decision shall become and constitute the final decision of the responsible Department official at the expiration of 45 days from the date on which it was served by the hearing examiner.

(c) All final decisions of responsible Department officials shall be promptly served on all parties.

(d) Where the final decision of the responsible Department official does not provide for the suspension or termination of, or the refusal to grant or continue Federal financial assistance or the imposition of any other sanction, it is an "order" within the meaning of section 2(d) of the Administrative Procedure Act (5 U.S.C. 1001(d)) and constitutes "final agency action" within the meaning of section 10(c) of the Administrative Procedure Act (5 U.S.C. 1009(c)). When such final decision of the responsible Department official (other than the Secretary) does provide for suspension or termination of, or the refusal to grant or continue Federal financial assistance or

the imposition of any other sanction, it is not such an order and shall not constitute "final agency action," but shall be transmitted to the Secretary for further consideration in accordance with § 80.10(e) of this title.

§ 81.106 Oral argument to the responsible Department official.

(a) If any party desires to argue a case orally on exceptions or replies to exceptions to an initial or recommended decision, or upon review on initiative of the responsible Department official, he shall make such request in writing. The responsible Department official may grant or deny such requests in his discretion. If granted, he will serve notice of oral argument on all parties. The notice will set forth the order of presentation, the amount of time allotted, and the time and place for argument. The names of persons who will argue should be filed with the Department hearing clerk not later than 7 days before the date set for oral argument.

(b) The purpose of oral argument is to emphasize and clarify the written argument in the briefs. Reading at length from the brief or other texts is not favored. Participants should confine their arguments to points of controlling importance and to points upon which exceptions have been filed. Consolidation of appearances at oral argument by parties taking the same side will permit the parties' interests to be presented more effectively in the time allotted.

(c) Pamphlets, charts, and other written material may be presented at oral argument only if such material is limited to facts already in the record and is served on all parties and filed with the Department hearing clerk at least 7 days before the argument.

§ 81.107 Final review by Secretary.

Section 80.10(e) of this title requires that all final decisions of responsible Department officials (other than the Secretary) which provide for the imposition of any sanction be promptly transmitted to the Secretary, who may approve or vacate any such decision or remit or mitigate any sanction imposed. Each respondent party shall have 15 days following service upon him of any such decision to submit to the Secretary exceptions thereto and supporting briefs or memoranda suggesting remission or mitigation of the sanctions proposed. The General Counsel shall have 5 days in which the reply.

§ 81.108 Service on amici curiae.

All briefs, exceptions, memoranda, requests, and decisions referred to in this Subpart 10 shall be served upon amici curiae at the same times and in the same manner required for service on parties. Any written statements of position and trial briefs, required of parties under § 81.71 shall be served on amici.

Subpart K—Judicial Standards of Practice**§ 81.111 Conduct.**

Parties and their representatives are expected to conduct themselves with

honor and dignity and observe judicial standards of practice and ethics in all proceedings. They should not indulge in offensive personalities, unseemly wrangling, or intemperate accusations or characterizations. A representative of any party whether or not a lawyer shall observe the traditional responsibilities of lawyers as officers of the court and use his best efforts to restrain his client from improprieties in connection with a proceeding.

§ 81.112 Improper conduct.

With respect to any proceeding: it is improper for any interested person to attempt to sway the judgment of the responsible Department official by undertaking to bring pressure or influence to bear upon the responsible Department official, his decisional staff, or the presiding officer assigned to the proceeding. It is improper that such interested persons or any members of the Department's staff or the presiding officer give statements to communications media, by paid advertisements or otherwise, designed to influence the judgment of the responsible Department official, his decisional staff, or the presiding officer. It is improper for any person to solicit communications to the responsible Department official, his decisional staff, or the presiding officer in the case, other than proper communications by parties or amici curiae.

§ 81.113 Ex parte communications.

No person not employed by or assigned to work with the responsible Department official and no employee or agent of the responsible Department official who performs any investigative or prosecuting function in connection with a proceeding shall communicate ex parte with the responsible Department official, the presiding officer, or any employee or person involved in the decisional process in such proceedings with respect to the merits of that or a factually related proceeding. The responsible Department official, the presiding officer, or any employee or person involved in the decisional process of a proceeding shall not communicate ex parte with respect to the merits of that or a factually related proceeding with any person not employed by or assigned to work with the responsible Department official or with any employee or agent of the responsible Department official who performs any investigative or prosecuting function in connection with the proceeding.

§ 81.114 Expeditious treatment.

Requests for expeditious treatment of matters pending before the responsible Department official or the presiding officer are deemed communications on the merits, and are improper except when forwarded from parties to a proceeding and served upon all other parties thereto. Such communications should be in the form of a motion.

§ 81.115 Matters not prohibited.

A request for information which merely inquires about the status of a proceeding without discussing issues or expressing points of view is not deemed an ex parte communication. Such requests

should be directed to the Department hearing clerk. Communications with respect to minor procedural matters or inquiries or emergency requests for extensions of time are not deemed ex parte communications prohibited by § 81.113. Where feasible, however, such communications should be by letter with copies to all parties. Ex parte communications between a respondent and the responsible Department official or the Secretary with respect to securing such respondent's voluntary compliance with any requirement of Part 80 of this title are not prohibited.

§ 81.116 Filing of ex parte communications.

A prohibited communication in writing received by the Secretary, the responsible Department official, or either of their decisional staffs, or by the presiding officer, shall be made public by placing it in the correspondence file of the docket in the case and will not be considered as part of the record for decision. If the prohibited communication is received orally, a memorandum setting forth its substance shall be made and filed in the correspondence section of the docket in the case. A person referred to in such memorandum may file a comment for inclusion in the docket if he considers the memorandum to be incorrect.

Effective date. This part shall become effective upon publication in the FEDERAL REGISTER.

Dated: August 12, 1965.

WILBUR J. COHEN,
Acting Secretary.

[P.R. Doc. 65-8706; Filed, Aug. 17, 1965; 8:47 a.m.]

Chapter I—Office of Education; Department of Health, Education, and Welfare

PART 104—VOCATIONAL EDUCATION; FEDERAL ALLOTMENTS TO STATES

Allowable Expenditures for Construction of School Facilities

Part 104 of Title 45 of the Code of Federal Regulations, dealing with programs of vocational education administered by State boards for vocational education under the Smith-Hughes, George-Barden, and supplementary Acts as amended and under the Vocational Education Act of 1963, is amended by the provisions contained in the following paragraph. This amendment is effective as of August 21, 1964, the date on which Part 104 was approved.

Paragraph (a) and subparagraph (a) (3) of § 104.44 are amended to read as follows:

§ 104.44 Allowable expenditures for construction of area vocational education school facilities under the 1963 Act.

(a) Federal funds allotted to the State under section 3 of the 1963 Act may be used for the cost of area vocational education school facility projects (as speci-

fied in § 104.41(b)(5)) which are undertaken by the State board or by local educational agencies with the approval of the State board. There can be no Federal financial participation in any expenditures for construction projects prior to the approval of such projects except expenditures for advance planning pursuant to subparagraph (5) of this paragraph, and for the acquisition of land pursuant to subparagraph (3) of this paragraph. Funds so allotted may be applied to the following expenditures:

(3) Expenses (other than interest and carrying charges on bonds) related to the acquisition (from sources other than the State board or local educational agency) of the fee, leasehold, or other interest in land on which there is to be construction of new buildings or expansion of existing buildings that are incurred within one year prior to the approval of the construction project, if such expenses constitute an actual cost or transfer of public funds in accordance with usual procedures generally applicable to all State and local agencies and institutions, as provided for in § 104.31.

Dated: July 14, 1965.

[SEAL] FRANCIS KEPPEL,
Commissioner of Education.

Approved: August 11, 1965.

WILBUR J. COHEN,
Acting Secretary of Health,
Education, and Welfare.

[P.R. Doc. 65-8700; Filed, Aug. 17, 1965; 8:46 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 05-18]

BACKFIRE FLAME CONTROL, GASOLINE ENGINES

Miscellaneous Amendments to Chapter

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER of February 13, 1965 (30 P.R. 2030, 2031), and the Merchant Marine Council Public Hearing Agenda dated March 22, 1965 (CG-249), the Merchant Marine Council held a public hearing on March 22, 1965, for the purpose of receiving comments, views, and data with respect to the proposals described. These proposals were identified as Items I to XI, inclusive. Item XI (CG-249, Vol. II, pp. 269-278) contained the proposals regarding backfire flame control for gasoline engines.

The Merchant Marine Council considered these proposals, which included the withdrawal of outstanding approvals for backfire flame arresters issued under the specification in 46 CFR Subpart 162.015 (Subchapter Q—Specifications) and the comments submitted. The Council recommended adoption of the proposals, as revised, which included the acceptance of certain changes based on comments, the

withdrawal of approvals of backfire flame arresters with certain limitations concerning use of existing equipment, and rejection of certain comments. The actions of the Council are approved and the proposals in Item XI, as revised, are adopted and set forth in this document, which is the sixth of a series covering regulations and other actions considered at this public hearing. The major changes adopted divide the proposed specification 162.015 into three specification subparts, designated 162.041 for backfire flame arresters, 162.042 for engine air and fuel induction systems, and 162.043 for engine air induction systems, which will supersede existing specification subpart 162.015.

Other miscellaneous amendments to 46 CFR 25.35-1 (uninspected vessels), 57.10-5 (marine engineering), and 182.15-7 (small passenger vessels under 100 gross tons) are included in this document. These amendments revise cross references or change the requirements to be in agreement with specifications and other actions set forth in this document.

The approvals of backfire flame arresters and the certificates of approvals bearing the basic Approval No. 162.015 and issued in accordance with the specification regulations in 36 CFR Subpart 162.015 are withdrawn as of January 1, 1966. All backfire flame arresters manufactured and approved pursuant to effective requirements in 46 CFR Subpart 162.015 prior to January 1, 1966, may be placed in service or continued in use so long as such backfire flame arresters are serviceable and in good condition.

With respect to the engine air and fuel induction systems and the certificates of approvals bearing the basic Approval No. 162.015 and issued in accordance with the specification regulations in 46 CFR Subpart 162.015, the approvals are withdrawn as of January 1, 1966. All such systems manufactured and approved prior to January 1, 1966, may be placed in service or continued in use so long as such systems are serviceable and in good condition.

A new provision has been made for a pre-market approval of engine air induction systems where manufacturers wish to produce vessels having an integrated engine-vessel design. Such installations shall be tested and labeled in accordance with the specification regulations in 46 CFR Subpart 162.043 of Subchapter Q (Specifications) of this chapter, and shall be specifically approved by the Commandant.

For the convenience of the manufacturers holding type approvals and outstanding Certificates of Approvals bearing basic Approval No. 162.015, the Commandant (MMT) is reviewing all outstanding approvals, and to those meeting specification requirements in Subpart 162.041 or 162.042 of Subchapter Q (Specifications) of this chapter and other applicable requirements will have issued appropriate new Certificates of Approval, which will supersede existing approvals. However, this action does not relieve the manufacturer of responsibility to comply with the applicable requirements governing backfire flame control devices for internal combustion engines offered for sale or use on motorboats or vessels sub-

ject to the inspection laws of the United States. If a manufacturer of approved backfire flame control devices has not received information about his devices from the Commandant by October 1, 1965, it is recommended that he submit an inquiry direct to the Commandant (MMT), U.S. Coast Guard, Washington, D.C., 20226, about the status of his approvals.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521), and others specifically listed with the various regulations below, the following actions are ordered:

1. The vessel inspection regulations shall be amended in accordance with the changes in this document.

2. The specification regulations in Subparts 162.041, 162.042 and 162.043 of Subchapter Q (Specifications) of this chapter shall be in effect on and after the date of publication of this document in the FEDERAL REGISTER.

3. The specification regulations in Subpart 162.015 of Subchapter Q (Specifications) of this chapter are canceled effective January 1, 1966, and all approvals and Certificates of Approvals issued pursuant thereto are withdrawn as of January 1, 1966, unless sooner terminated by competent authority.

4. The amendments to 46 CFR 25.35-1, 57.10-5, and 182.15-7 shall be effective January 1, 1966; however, the regulations in this document may be compiled with during the period prior to the effective date in lieu of existing requirements.

5. The withdrawal of approvals for backfire flame control devices shall be subject to the conditions and requirements as set forth in this document.

SUBCHAPTER C—UNINSPECTED VESSELS

PART 25—REQUIREMENTS

Subpart 25.35—Backfire Flame Control

Section 25.35-1 is amended to read as follows:

§ 25.35-1 Requirements.

(a) Every gasoline engine installed in a motorboat or motor vessel after April 25, 1940, except outboard motors, shall be equipped with an acceptable means of backfire flame control.

(b) Installations made before November 19, 1952, need not meet the detailed requirements of this subpart and may be continued in use as long as they are serviceable and in good condition. Replacements shall meet the applicable conditions in this section.

(c) Installations consisting of backfire flame arresters bearing basic Approval No. 162.015 may be continued in use as long as they are serviceable and in good condition. Replacements shall meet the applicable conditions in this section.

(d) Installations consisting of engine air and fuel induction system and given a basic Approval No. 162.015 may be continued in use as long as they are serviceable and in good condition. Replacements shall meet the applicable conditions in this section.

(e) The following are acceptable means of backfire flame control for gasoline engines:

(1) A backfire flame arrester constructed in accordance with the specification regulations contained in Subpart 162.041 of Subchapter Q (Specifications) of this chapter and it shall be specifically approved by the Commandant. The flame arrester shall be suitably secured to the air intake with flamtight connection.

(2) An engine air and fuel induction system which provides adequate protection from propagation of backfire flame to the atmosphere equivalent to that provided by an approved backfire flame arrester. A gasoline engine utilizing an air and fuel induction system, and operated without an approved backfire flame arrester shall have such installation tested and labeled in accordance with the specifications contained in Subpart 162.042 of Subchapter Q (Specifications) of this chapter and such system shall be specifically approved by the Commandant.

(3) Any attachment to the carburetor or location of the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the vessel in such a manner that the flames will not endanger the vessel, persons on board, or nearby vessels and structures. All attachments shall be of metallic construction with flamtight connections and firmly secured to withstand vibration, shock, and engine backfire. Such installations do not require formal approval and labeling, but will be accepted by Coast Guard law enforcement officers on the basis of compliance with this subpart.

(4) Where manufacturers wish to produce vessels having an integrated engine-vessel design, a pre-market approval of an engine air induction system is available. Such an installation shall be tested and labeled in accordance with the specifications contained in Subpart 162.043 of Subchapter Q (Specifications) of this chapter and such system shall be specifically approved by the Commandant.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Interpret or apply sec. 10, 54 Stat. 165, as amended, 46 U.S.C. 526l. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER F—MARINE ENGINEERING

PART 57—MAIN AND AUXILIARY MACHINERY

Subpart 57.10—Internal Combustion Engine Installations

Section 57.10-5(b) (2) is amended to read as follows:

§ 57.10-5 Gasoline engine installations.

(b) Carburetors. . . .

(2) All gasoline engines shall be equipped with an approved means of backfire flame control. Installations of backfire flame arresters or engine air and fuel induction systems bearing basic Ap-

proval No. 162.015 may be continued in use as long as they are serviceable and in good condition. Backfire flame arresters or engine air and fuel induction systems installed or used on new installations or as replacements shall be of an approved type, design, construction, and tested in conformance with applicable requirements in Subpart 162.041 or 162.042 of Subchapter Q (Specifications) of this chapter. Air intakes shall be so directed that backfire cannot blow down into the bilge.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426-4431, as amended, 4433, as amended, 4434, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404-409, 411, 412, 435, 481, 489, 396, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, 30 F.R. 9671; 3 CFR, 1965 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-14, Nov. 26, 1954, 19 F.R. 8026; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857)

SUBCHAPTER Q—SPECIFICATIONS

PART 162—ENGINEERING EQUIPMENT

Subpart 162.015—Flame Arresters, Backfire (for Carburetors), for Merchant Vessels and Motorboats [Canceled]

1. Subpart 162.015, consisting of §§ 162.015-1 to 162.015-6, inclusive, is canceled, effective January 1, 1966.

2. Part 162 is amended by inserting a new Subpart 162.041, consisting of §§ 162.041-1 to 162.041-7, inclusive, reading as follows:

Subpart 162.041—Backfire Flame Control, Gasoline Engines; Flame Arresters; for Merchant Vessels and Motorboats

Sec.

- 162.041-1 Applicable specifications.
- 162.041-2 Scope.
- 162.041-3 Flame arresters.
- 162.041-4 Materials, construction and workmanship.
- 162.041-5 Inspection and tests.
- 162.041-6 Marking.
- 162.041-7 Procedure for approval.

AUTHORITY NOTE: The provisions of this Subpart 162.041 interpret or apply R.S. 4488, as amended, 4491, as amended, secs. 10, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 481, 489, 526l, 526p. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, Oct. 26, 1959, 24 F.R. 8857.

§ 162.041-1 Applicable specifications.

(a) There are no other specifications applicable to this subpart.

(b) Copies of this specification, together with the Certificate of Approval and approved drawings and material specifications, shall be kept on file by the manufacturer.

(c) The word "manufacturer," as used in this specification, means the party

who actually accomplishes the final assembly, packaging, or distribution of the device or method of achieving backfire flame control, and makes the actual submission for approval.

§ 162.041-2 Scope.

(a) This specification covers the requirements for and construction of backfire flame arresters intended for installation on carburetor air intakes of internal combustion engines.

(1) The term "backfire flame arrester," as may be approved by the Commandant, refers to an assembly consisting of one or more component parts, such as a grid element and carburetor adapter or such other device, designed and constructed so as to prevent the propagation of backfire flame from within the carburetor and engine air intake system to the surrounding atmosphere.

(b) This specification covers one of the means which are considered acceptable in providing backfire flame control for gasoline engines. The other two means may be found in Subparts 160.042 and 162.043 of this part.

§ 162.041-3 Flame arresters.

(a) *General.* The "backfire flame arrester" shall be designed and constructed as to prevent the propagation of backfire flame from within the carburetor and engine air intake system to the surrounding atmosphere.

(b) *Grid element and carburetor adapter.* A grid element may be of cellular, tubular, or baffle arrangement or such other type, as may be approved by the Commandant, which will prove effective in preventing the propagation of backfire flame. A carburetor adapter if required, shall be compatible with, and provide a suitable connection between the grid element and carburetor air intake. The assembly shall be attached directly to the carburetor. The grid element and adapter may be constructed as an integral unit.

§ 162.041-4 Materials, construction and workmanship.

(a) The flame arrester shall be of first class workmanship and shall be free from manufacturing imperfections which may impair its intended purpose.

(b) The flame arrester shall be of substantial construction and be capable of withstanding the most severe backfire conditions encountered in service without failure, damage, or permanent deformation.

(c) The flame arrester shall be fabricated of corrosion resistant or suitably protected materials, which are capable of withstanding the temperatures and stresses encountered in service. In addition, all materials and finishes used shall be resistant to deterioration by fuels, lubricants and common solvents in a marine atmosphere.

(d) The construction of the flame arrester shall provide for access to the grid element for inspection and cleaning.

(e) There shall be no openings in the flame arrester or its connection to the carburetor through which backfire flame can pass.

(f) The construction of the flame arrester shall provide means of securely fastening both the flame arrester to the carburetor air intake and the component parts to each other. When clamps are used, they shall be affixed to one of the major component parts in such a manner that they cannot be easily removed.

(g) Construction of the flame arrester shall be such that component parts cannot be misaligned during assembly or installation, to an extent that will impair its effectiveness.

(h) The flame arrester shall be so constructed that its effectiveness will not be impaired by vibration or shock under the most severe condition encountered in service.

§ 162.041-5 Inspection and tests.

(a) Backfire flame arresters are subject to inspection by the U.S. Coast Guard at the plant of the manufacturer or at other locations as required. The marine inspector may make examinations as necessary to determine manufacturing conformity with the approved drawings and specifications. The marine inspector shall be admitted to any place in the factory or elsewhere where work is done on backfire flame arresters or component parts.

§ 162.041-6 Marking.

(a) Each major component of an assembly shall be marked with the manufacturer's name and part number. In addition the U.S. Coast Guard approval number shall be marked on that part of the assembly likely to be most readily visible for inspection as installed in the boat. The minimum wording for showing the approval number shall be "USCG App. No. 162.041/**" or "USCG App. No. 162.041-***". Several valid approval numbers may appear on a specific flame arrester component or components. However, where this occurs, each assembly shall have one of the numbers marked by an arrow, underlined, or otherwise suitably marked to distinguish it from all nonapplicable numbers.

(b) All marking shall be permanent and legible. Stamping, etching, or other means of permanently imprinting is acceptable. Decals, stenciling, and other such marking methods are not acceptable.

§ 162.041-7 Procedure for approval.

(a) *General.* Backfire flame arresters intended for installation on carburetors of internal combustion engines used on merchant vessels and motorboats are approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20226. Information and correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's drawings and specifications.* In order to obtain approval of backfire flame arresters, detailed drawings and specifications, including a complete bill of materials, assembly drawings and part drawings descriptive of the arrangement and construction of the backfire flame arrester

**Additional identifying serial number to be assigned.

shall be submitted in quadruplicate to the Commandant, U.S. Coast Guard. Each drawing shall have an identifying drawing number, date and an identification of the device. The general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers, alteration numbers and dates when made.

(c) *Sample backfire flame arrester.* A sample backfire flame arrester manufactured in accordance with plans and specifications submitted for approval shall be forwarded to the Commandant.

(d) *Preapproval tests of sample backfire flame arresters.* After the plans and specifications have been approved by the Commandant, representative samples of each backfire flame arrester shall be tested by an acceptable laboratory, such as the Yacht Safety Bureau, Inc., 336 Old Hook Road, Westwood, N.J., 07675, in accordance with test procedures previously approved by the Commandant. The costs of the laboratory tests shall be paid by the manufacturer.

(1) The test of the samples representative of each assembly desired to be approved shall conclusively indicate that, when such backfire flame arresters are subjected to the most severe backfiring conditions encountered in an engine air intake system, the assembly prevents propagation of backfire flame to the surrounding atmosphere without failure, damage or permanent deformation. In addition, a test shall be conducted on the samples submitted to demonstrate the capability of such devices to withstand, without impairment of its effectiveness, the shock, vibration, and corrosive environment which may be encountered under the most severe conditions of service.

(2) In those cases where the backfire flame arresters consist of various combinations of grid elements and adapters and when it appears that testing of all combinations desired to be approved is not necessary, the Commandant will designate those assemblies considered necessary for testing after reviewing the drawings submitted.

(3) The laboratory testing the backfire flame arresters, in accordance with approved procedures, shall furnish to the Coast Guard the original copy of the test report or a certified copy.

(e) *Certificate of approval.* (1) When it is determined that the backfire flame arrester complies with the applicable requirements and after receipt of four sets of drawings and specifications and the satisfactory laboratory test report, the Commandant will approve the device and will issue a certificate of approval, setting forth the type approval number and the conditions governing the approval. This approval is for the complete backfire flame arrester assembly. Component parts of a backfire flame arrester are not individually approved.

(2) No change shall be made in the design or construction of the approved backfire flame arrester without first receiving permission of Commandant. The correspondence should be sent via the Commander of the Coast Guard District in which the factory is located.

3. Part 162 is amended by inserting after § 162.041-7 a new Subpart 162.042, consisting of §§ 162.042-1 to 162.042-7, inclusive, reading as follows:

Subpart 162.042—Backfire Flame Control, Gasoline Engines; Engine Air and Fuel Induction Systems; for Merchant Vessels and Motorboats

Sec.	
162.042-1	Applicable specifications.
162.042-2	Scope.
162.042-3	Engine air and fuel induction systems providing backfire flame control.
162.042-5	Inspection and tests.
162.042-6	Marking.
162.042-7	Procedure for approval.

AUTHORITY NOTE: The provisions of this Subpart 162.042 interpret or apply R.S. 4488, as amended, 4491, as amended, secs. 10, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 481, 489, 5261, 526p. Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-38, Oct. 26, 1959, 24 P.R. 8857.

§ 162.042-1 Applicable specifications.

(a) There are no other specifications applicable to this subpart.

(b) Copies of this specification, together with the Certificate of Approval and approved drawings and material specifications, shall be kept on file by the manufacturer.

(c) The word "manufacturer" as used in this specification means the party who actually accomplishes the final assembly, packaging, or distribution of the device or method of achieving backfire flame control, and makes the actual submission for approval.

§ 162.042-2 Scope.

(a) This specification covers the requirements for those engines air and fuel induction systems which, because of the method of introducing fuel into the engine, or because of the design of the air intake passages to the cylinders, provide protection equivalent to that of an effective backfire flame arrester.

(b) This specification covers one of the means which are considered acceptable in providing backfire flame control for gasoline engines. The other two means may be found in Subparts 162.041 and 162.043 of this part.

§ 162.042-3 Engine air and fuel induction systems providing backfire flame control.

(a) The engine air and fuel induction system shall be designed and constructed so as to provide protection equivalent to that of an effective backfire flame arrester designed and constructed under Subpart 162.041 of this part.

§ 162.042-5 Inspection and tests.

(a) Approved engine air and fuel induction systems providing backfire flame control are subject to inspection by the U.S. Coast Guard at the plant of the manufacturer, or at other locations as required. The marine inspector may make examinations as necessary to determine manufacturing conformity with the approved drawings and specifications. The marine inspector shall be admitted to any place in the factory or elsewhere where work is done on engine air and fuel induction systems providing backfire flame control or on component parts.

§ 162.042-6 Marking.

(a) The U.S. Coast Guard approval number shall be marked on that portion of the engine likely to be most readily visible for inspection as installed in the boat. The minimum wording for showing the approval number shall be "USCG App. No. 162.042/**" or "USCG App. No. 162.042-**." This marking shall indicate only that the U.S. Coast Guard has accepted the engine for use without an external backfire flame arrester, and shall not imply the approval of the engine.

(b) All marking shall be permanent and legible. Stamping, etching or other means of permanently imprinting is acceptable. Decals, stenciling and other such marking methods are not acceptable.

§ 162.042-7 Procedure for approval.

(a) *General.* Engine air and fuel induction systems providing backfire flame control for internal combustion engines used on merchant vessels and motorboats are approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20226. Information and correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's drawings and specifications.* In order to obtain approval of an engine air and fuel induction system, detailed drawings and specifications, including a complete bill of material, assembly drawings and part drawings descriptive of the arrangement and construction of the device shall be submitted in quadruplicate to the Commandant, U.S. Coast Guard. Each drawing shall have an identifying drawing number, date, and an identification of the device. The general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers, alteration numbers, and dates when made.

(c) *Preapproval tests.* After the specifications and plans have been approved by the Commandant, a representative engine utilizing the air and fuel induction system desired to be approved shall be tested by an acceptable laboratory, such as the Yacht Safety Bureau, Inc., 336 Old Hook Road, Westwood, N.J., 07675, in accordance with test procedures previously approved by the Commandant. The costs of the laboratory tests shall be paid by the manufacturer.

(1) The tests shall conclusively indicate that the engine air and fuel induction system proposed for approval when installed on a representative engine will prevent the propagation of backfire flame to the surrounding atmosphere under the most severe engine backfiring conditions expected when in service. In addition, a test shall be conducted to demonstrate the capability of such a device to withstand, without impairment of its effectiveness, the shock, vibration, and corrosive environment which may be encountered under the most severe conditions of service.

**Additional identifying serial number to be assigned.

(2) The laboratory testing the engine air and fuel induction system, in accordance with approved procedures, shall furnish to the Coast Guard the original copy of the test report or a certified copy.

(d) *Certificate of approval.* (1) When it is determined the engine air and fuel induction system complies with the applicable requirements and after receipt of four sets of drawings and specifications and satisfactory test reports, the Commandant will issue a certificate of approval, setting forth the type approval number and conditions governing the approval. The approval granted is for the engine air and fuel induction system which complies with this specification. Component parts of an engine air and fuel induction system are not individually approved.

(2) No change shall be made in the design or construction of approved engine air and fuel induction system without first receiving permission of the Commandant. The correspondence should be sent via the Commander of the Coast Guard District in which the factory is located.

4. Part 162 is amended by inserting after § 162.042-7 a new Subpart 162.043, consisting of §§ 162.043-1 to 162.043-7, reading as follows:

Subpart 162.043—Backfire Flame Control, Gasoline Engines; Engine Air Induction System; for Merchant Vessels and Motorboats

Sec.	
162.043-1	Applicable specifications.
162.043-2	Scope.
162.043-3	Engine air induction systems providing backfire flame control.
162.043-4	Materials, construction, and workmanship.
162.043-5	Inspection and tests.
162.043-6	Marking.
162.043-7	Procedure for approval.

AUTHORITY NOTE: The provisions of this Subpart 162.043 interpret or apply R.S. 4488, as amended, 4491, as amended, secs. 10, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 481, 489, 5261, 526p. Treasury Department Orders 120, July 31, 1950, 15 P.R. 6521; 167-38, Oct. 26, 1959, 24 P.R. 8857.

§ 162.043-1 Applicable specifications.

(a) There are no other specifications applicable to this subpart.

(b) Copies of this specification, together with the Certificate of Approval and approved drawings and material specifications, shall be kept on file by the manufacturer.

(c) The word "manufacturer," as used in this specification, means the party who actually accomplishes the final assembly, packaging, or distribution of the device or method of achieving backfire flame control, and makes the actual submission for approval.

§ 162.043-2 Scope.

(a) This specification covers only the requirements for those instances where a manufacturer will be producing vessels having an integrated engine-vessel design and wishes pre-marketing approval of the engine air induction system. Such engine air induction systems utilize carburetor attachments or air intake ducts designed so that flames produced as a result of engine backfire will be dispersed to the atmosphere out-

side the vessel in such a manner so as not to endanger the vessel, persons aboard, or nearby vessels and structures. This specification is not intended to require that other installations which meet the intent of this paragraph, in accordance with § 25.35-1(e) (3) of Subchapter C (Uninspected Vessels) of this chapter, need be numbered.

(b) This specification covers one of the means which are considered acceptable in providing backfire flame control for gasoline engines. The other two means may be found in Subparts 162.041 and 162.042 of this part.

§ 162.043-3 Engine air induction systems providing backfire flame control.

(a) The engine air induction system shall be designed and constructed so as to provide protection equivalent to that of an effective backfire flame arrester designed and constructed under Subpart 162.041 of this part.

§ 162.043-4 Materials, construction, and workmanship.

(a) All attachments to the carburetor shall be metallic with flamtight connections. The system shall be firmly secured and so constructed that it will withstand vibration, shock, and engine backfire. The system shall be so arranged that backfire flames will not endanger the vessel or persons aboard.

(b) The ducting shall be flamtight and shall be fabricated of corrosion resistant or suitably protected materials.

§ 162.043-5 Inspection and tests.

(a) Approved engine air induction systems providing backfire flame control are subject to inspection by the U.S. Coast Guard at the plant of the manufacturer, or at other locations as required. The marine inspector may make examinations as necessary to determine manufacturing conformity with the approved drawings and specifications. The marine inspector shall be admitted to any place in the factory or elsewhere where work is done on engine air induction systems providing backfire flame control or on component parts.

§ 162.043-6 Marking.

(a) The U.S. Coast Guard approval number shall be marked on that portion of the engine-vessel installation likely to be most readily visible for inspection. The minimum wording for showing the approval number shall be "USCG App. No. 162.043/**" or "USCG App. No. 162-042-**." This marking shall indicate only that the U.S. Coast Guard has accepted the engine-vessel for use without an external backfire flame arrester, and shall not imply the approval of the engine or vessel.

(b) All marking shall be permanent and legible. Stamping, etching or other means of permanently imprinting is acceptable. Decals, stenciling and other such marking methods are not acceptable.

§ 162.043-7 Procedure for approval.

(a) *General.* Engine air induction systems providing backfire flame control for internal combustion engines used on

merchant vessels and motorboats are approved only by the Commandant, U.S. Coast Guard, Washington, D.C., 20236. Information and correspondence pertaining to the subject matter of this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's drawings and specifications.* In order to obtain approval of an engine air induction system, detailed drawings and specifications, including a complete bill of material, assembly drawings and part drawings descriptive of the arrangement and construction of the device shall be submitted in quadruplicate to the Commandant, U.S. Coast Guard. Each drawing shall have an identifying drawing number, date and an identification of the device. The general arrangement or assembly drawing shall include a list of all drawings applicable, together with drawing numbers, alteration numbers, and dates when made.

(c) *Preapproval tests.* (1) After the plans and specifications have been approved by the Commandant, a representative installation on the engine in a representative type of vessel for which it has been approved shall be examined and checked by a Coast Guard marine inspector.

(2) The marine inspector shall determine manufacturing conformity with the approved plans and specifications. He shall witness tests demonstrating that when the engine is subjected to the most severe backfiring conditions expected in service, the installation effectively disperses the backfire flames to the atmosphere outside the vessel in a manner so as not to endanger the vessel, persons on board, or nearby vessels and structures.

(d) *Certificates of approval.* (1) When it is determined the engine air induction system complies with the applicable requirements and after receipt of four sets of drawings and specifications and satisfactory test reports, the Commandant will issue a certificate of approval, setting forth the type approval number and conditions governing the approval. The approval granted is for the engine air induction system which complies with this specification. Component parts of an engine air induction system are not individually approved.

(2) No change shall be made in the design or construction of approved engine air induction systems without first receiving permission of the Commandant. The correspondence should be sent via the Commander of the Coast Guard District in which the factory is located.

**SUBCHAPTER T—SMALL PASSENGER VESSELS
(NOT MORE THAN 65 FEET IN LENGTH)**

**PART 182—MACHINERY
INSTALLATION**

**Subpart 182.15—Machinery Using
Gasoline as Fuel**

Section 182.15-7 is amended by revising paragraph (b) and by adding a new paragraph (c), which reads as follows:

§ 182.15-7 Carburetors.

(b) All gasoline engines shall be equipped with an acceptable means of backfire flame control. Installations of backfire flame arresters or engine air and fuel induction systems bearing basic Approval No. 162.015 may be continued in use as long as they are serviceable and in good condition. New installations or replacements shall meet the applicable requirements of this section.

(c) The following are acceptable means of backfire flame control for gasoline engines:

(1) A backfire flame arrester constructed in accordance with the specification regulations contained in Subpart 162.041 of Subchapter Q (Specifications) of this chapter and it shall be specifically approved by the Commandant. The flame arrester shall be suitably secured to the air intake with flamtight connection.

(2) An engine air and fuel induction system which provides adequate protection from propagation of backfire flame to the atmosphere equivalent to that provided by an approved backfire flame arrester. A gasoline engine utilizing an air and fuel induction system, and operated without an approved backfire flame arrester, shall have such installation tested and labelled in accordance with the specifications contained in Subpart 162.042 of Subchapter Q (Specifications) of this chapter and such system shall be specifically approved by the Commandant.

(3) Any attachment to the carburetor or location of the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the vessel in such a manner that the flames will not endanger the vessel, persons on board, or nearby vessels and structures. All attachments shall be of metallic construction with flamtight connections and firmly secured to withstand vibration, shock, and engine backfire. Such installations do not require formal approval and labelling, but will be accepted by Coast Guard law enforcement officers on the basis of compliance with this subpart.

(4) Where manufacturers wish to produce vessels having an integrated engine-vessel design, a premarket approval of an engine air induction system is available. Such an installation shall be tested and labelled in accordance with the specifications contained in Subpart 162.043 of Subchapter Q (Specifications) of this chapter and such system shall be specifically approved by the Commandant.

(R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4438, as amended; 46 U.S.C. 391, 392, 404, 411, 435, 481. Treasury Department Orders 120, July 31, 1950, 16 P.R. 6521; 167-20, June 18, 1956, 21 P.R. 4894; CGFR 56-28, July 24, 1956, 21 P.R. 5659; 167-38, Oct. 26, 1959, 24 P.R. 8857)

Dated: August 13, 1965.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 65-8727; Filed, Aug. 17, 1965;
8:48 a.m.]

**Additional identifying serial number to be assigned.

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 75, 2d Rev., Amdt. 6]

PART 308—WAR RISK INSURANCE

Miscellaneous Amendments

Effective as of midnight September 7, 1965, G.m.t., Part 308 is hereby amended to reflect the following changes:

Amend §§ 308.6 *Period of interim binders and renewal procedure*, 308.106 *Standard form of war risk hull insurance interim binder and optional disbursements insurance endorsement*, 308.206 *Standard form of war risk protection and indemnity insurance interim binder*, and 308.305 *Standard form of Second Seamen's war risk insurance interim binder*, by changing the expiration dates contained therein to read "midnight, October 7, 1965, G.m.t."

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

By order of the Maritime Administrator.

Dated: August 12, 1965.

JAMES S. DAWSON, JR.,
Secretary.

[F.R. Doc. 65-8730; Filed, Aug. 17, 1965;
8:49 a.m.]

SUBCHAPTER J—MISCELLANEOUS

[General Order 84, Rev.]

PART 360—TRANSFER OF MARINE EQUIPMENT TO SHIP OPERATORS AND SHIPYARDS

Part 360 of this chapter is hereby revised to read as follows:

- Sec.
360.1 Purpose.
360.2 Definitions.
360.3 Policy.
360.4 Authorized transfer officials.
360.5 Procedure.

AUTHORITY: The provisions of this Part 360 issued under sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114.

§ 360.1 Purpose.

To set forth the policy and procedures governing the transfer of marine equipment by the Maritime Administration to operators of merchant ships and to shipyards for the construction or repair of merchant ships, on the basis of replacement at the earliest possible date.

§ 360.2 Definitions.

(a) The term "transfer," as used herein, shall be deemed to be a transfer of possession with passage of title upon delivery of the equipment to the operator or shipyard, and with obligation for replacement of the equipment by the transferee.

(b) The terms "marine equipment" and "equipment," as used herein, shall be deemed to include machinery, spare parts, and equipment required for the operation, construction or repair of merchant ships.

§ 360.3 Policy.

(a) Transfers of marine equipment owned by the Maritime Administration will be made, upon request, only in cases of emergency under the following conditions:

(1) There must be a need which cannot be filled within a reasonable time by a manufacturer or other source;

(2) The transferee shall agree to stand all costs incurred in connection with the transfer;

(3) The transferee shall agree to take possession and custody of the equipment at a time and place designated by the Maritime Administration, and there shall be no liability on the part of the Maritime Administration for any failure of the equipment thereafter; and

(4) The equipment transferred shall be replaced by the transferee, at his expense, at the earliest practicable date and at a point designated by the Maritime Administration, with new equipment of the same type and design or with equipment determined by the Maritime Administration to be suitable for the same use as the equipment transferred, in a condition satisfactory to the Maritime Administration and in compliance with American Bureau of Shipping and U.S. Coast Guard standards.

(b) Transfers which meet the above requirements may be made (1) to operators of U.S.-flag merchant ships and shipyards for the construction or repair of U.S.-flag merchant ships, and (2) to foreign-flag merchant ships and U.S. shipyards for the construction or repair of foreign-flag merchant ships, when it is determined by the Maritime Administration, in consultation with other Government agencies, as appropriate, that the transfer would be beneficial to the American merchant marine, the defense effort, or otherwise in the national interest.

(c) The transferee shall furnish a deposit to the Maritime Administration in the amount of the current acquisition value (new) of the equipment, as determined by the Maritime Administration, plus 10 percent of such amount to cover expenses which may be incurred by the Maritime Administration in connection with the transaction, including possible damages to Maritime Administration properties, and, where applicable, an additional amount equal to the estimated cost of closing any openings or reassembling any machinery made necessary by the transfer. This deposit, less the amount of any expenses or damages incurred by the Maritime Administration in connection with the transfer, will be returned to the transferee upon satisfactory replacement of the equipment.

(d) The transferee shall pay to the Maritime Administration a service charge in the amount of \$200 to cover administrative and operating expenses incurred in processing the transfer. This amount is to be deposited to the credit of the Government, and will not be returned to the transferee.

§ 360.4 Authorized transfer officials.

(a) No transfer of marine equipment shall be made to a foreign-flag ship or to a shipyard for the construction or re-

pair of a foreign-flag ship without the express approval of the Maritime Administrator.

(b) The Maritime Administrator has delegated to the Chief, Office of Property and Supply, the authority to make transfers of marine equipment for the operation, construction and repair of U.S.-flag ships, in accordance with the policy requirements of § 360.3. The Chief, Office of Property and Supply, has re-delegated the above authority to the Chief, Division of Purchase and Sales, Office of Property and Supply.

(c) The Maritime Administrator has delegated the authority to the Coast Directors in the field, to transfer marine equipment under their cognizance for the operation, construction or repair of U.S.-flag ships, in accordance with policy requirements of § 360.3, when requests therefor originate in their District or are referred to them for action.

§ 360.5 Procedure.

(a) Requests for the transfer of marine equipment shall be submitted, in writing, to the Chief, Division of Purchase and Sales, Maritime Administration, Washington, D.C., 20235, or to the appropriate Coast Director in the field, and shall include the following information:

(1) Name and address of organization requesting the transfer;

(2) Description of the equipment required;

(3) Time and method of replacement of equipment;

(4) Name, type, and flag of ship involved, port at which installation is to be made, and trade route and type of trade in which ship is engaged; and

(5) A detailed explanation of the need, establishing that an emergency exists and that the equipment cannot be obtained elsewhere in time for the ship to sail on schedule or to continue a voyage.

(b) Upon determination by the Maritime Administration that the justification for the transfer meets the policy requirements of § 360.3 and that the equipment is available for transfer, the authorized transfer official shall obtain from the applicant, in writing, an agreement to the conditions of the transfer, including the conditions set forth in § 360.3 and such other conditions as may be appropriate, including the foregoing definition of the term "transfer." The Chief, Office of Property and Supply, shall submit proposals for the transfer of equipment for the operation, construction, or repair of foreign-flag ships to the Maritime Administrator for approval.

(c) The transferee shall transmit to the Maritime Administration, Washington, D.C., or the appropriate Coast Director a certified or cashier's check payable to "Maritime Adm.-Commerce" in the amount of the required deposit and the service charge, as determined under § 360.3 (c) and (d).

(d) Upon approval of the transfer, the authorized transfer official shall authorize the issuance of appropriate shipping and other necessary instructions for the transfer of the equipment to the ship operator or shipyard.

(e) Upon determination that the equipment transferred has been satisfactorily replaced and all conditions of the transfer have been complied with, the Maritime Administration will refund to the transferee the amount of his deposit less such deductions as are determined by the Maritime Administration to be appropriate.

Dated: August 11, 1965.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[P.R. Doc. 65-8729; Filed, Aug. 17, 1965; 8:49 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS [S.O. 965]

PART 95—CAR SERVICE

Louisville & Nashville Railroad Co. Authorized to Operate Over Trackage of Former Saint Louis & O'Fallon Railway Co.

At a session of the Interstate Commission, Railroad Safety and Service Board, held in Washington, D.C., on the 12th day of August A.D. 1965.

It appearing, that the Louisville & Nashville Railroad Co., has filed application with the Commission, Finance Docket No. 23743, for a certificate of public convenience and necessity authorizing the purchase and operation of properties formerly known as the Saint Louis & O'Fallon Railway Co. (SL&O'F), later leased and operated by the Chicago & Eastern Illinois Railroad Co. (C&EI) and ultimately acquired and abandoned by the latter company. Such ultimate abandonment occurred December 7, 1964, under the Commission's order of October 26, 1964, in Finance Docket No. 23212. The Commission is of the opinion that there is need for service over this line of railroad pending decision in Finance Docket No. 23743 and that operation of this line will best promote the service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 95.965 Service Order No. 965.

(a) *Louisville & Nashville Railroad Co., authorized to operate over trackage of the former Saint Louis & O'Fallon Railway Co.* The Louisville & Nashville Railroad Co., be, and it is hereby authorized to operate over and perform service over 11.24 miles of track, now abandoned of the Saint Louis & O'Fallon Railway Co., pending final disposition of the application filed under section 1(18) Finance Docket No. 23743.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic as well as to interstate traffic.

(c) *Rules and regulations suspended.* The operation of all rules and regulations insofar as they conflict with the provisions of this order is hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a.m. August 16, 1965.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 31, 1965, unless otherwise changed or suspended by order of this Commission.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4). 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

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

By the Commission, Railroad Safety and Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-8691; Filed, Aug. 17, 1965; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Wheeler National Wildlife Refuge, Ala.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ALABAMA

WHEELER NATIONAL WILDLIFE REFUGE

Public hunting of raccoons, opossums, and foxes only is permitted on the entire land area of the refuge. This open area comprising approximately 13,850 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of raccoons, opossums and foxes subject to the following conditions:

(a) The open season for hunting raccoons, opossums and foxes extends from February 14 through February 26, 1966, excluding February 20, 1966.

(b) Hunting shall be limited to the hours between 7 p.m. and 5 a.m. only.

(c) The use of dogs is permitted.

(d) A Federal permit is required to enter the refuge with firearms. It may be obtained by writing the Wheeler National Wildlife Refuge, Box 1643, Decatur, Ala., prior to February 7, 1966, or by applying at the refuge office during the period February 7-26, 1966, between the hours 7:30 a.m. and 4:30 p.m. A maximum of 400 permits will be issued. Only one permit will be required per hunting party and the permittee may take with him as many others as he chooses.

(e) Shotguns only may be used and these must not exceed 28 gauge.

(f) Axes and saws may not be brought on the refuge during this hunt and no live timber may be cut.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 26, 1966.

ALABAMA

WHEELER NATIONAL WILDLIFE REFUGE

Public hunting of quail, crows, and foxes only is permitted on approximately 40 percent of the refuge area. This open area comprising approximately 13,850 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting will be in accordance with all applicable State regulations governing the hunting of quail, crows, and foxes subject to the following conditions:

(a) The open season for the hunting of quail, crows, and foxes will be during the period February 24, 25, and 26, 1966, only.

(b) During the above open season, hunting shall be limited to the hours between 8 a.m. and 5 p.m.

(c) The use of dogs is permitted.

(d) No shooting is allowed within 100 yards of private residences adjoining the refuge boundary.

(e) A Federal permit is required to enter the refuge with firearms. It may be obtained by writing the Wheeler National Wildlife Refuge, Box 1643, Decatur, Ala., prior to February 21, 1966, between the hours of 7:30 a.m. and 4:30 p.m. A maximum of 400 permits will be issued.

(f) Only shotguns may be used and these may be loaded with not larger than No. 7½ shot.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 26, 1966.

ALABAMA

WHEELER NATIONAL WILDLIFE REFUGE

Public hunting of rabbits, raccoons, opossums, foxes, and crows is permitted

RULES AND REGULATIONS

on the entire land area of the refuge. This open area comprising approximately 13,850 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of rabbits, raccoons, opossums, foxes, and crows subject to the following conditions:

(a) The open season for hunting the game listed above extends from February 14 to February 19, 1966.

(b) Hunting during the above period shall be between the hours of 8 a.m. and 5 p.m. only.

(c) The use of dogs is permitted.

(d) A Federal permit is required to enter the refuge with firearms. It may be obtained by writing the Wheeler National Wildlife Refuge, Box 1643, Decatur, Ala., prior to February 7, 1966, or by applying in person at the refuge office on February 7, 1966, between the hours 7:30 a.m. and 4:30 p.m. A maximum of 750 permits will be issued.

(e) Shotguns only may be used and must not be loaded with larger than No. 6 shot.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 19, 1966.

JAMES R. FIELDING,
*Acting Regional Director, Bureau
of Sport Fisheries and Wildlife.*

AUGUST 6, 1965.

[F.R. Doc. 65-8641; Filed, Aug. 17, 1965;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 945]

IRISH POTATOES GROWN IN IDAHO AND MALHEUR COUNTY, OREGON

Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of proposed expenses and a proposed rate of assessment as hereinafter set forth, which were recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to Marketing Agreement No. 98, as amended, and Order No. 945, as amended (7 CFR Part 945), herein referred to collectively as the "order."

This marketing order regulates the handling of Irish potatoes grown in Idaho and Malheur County, Oreg., and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 15th 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)).

§ 945.218 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning June 1, 1965, and ending May 31, 1966, by the Idaho-Eastern Oregon Potato Committee, for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to \$30,000.00.

(b) The rate of assessment to be paid by each handler in accordance with the amended marketing agreement and this part, shall be seventy cents per carload or fraction thereof, or per truckload of 5,000 pounds or more, of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section have the same meaning as when used in the said amended marketing agreement and this part.

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

Dated: August 13, 1965.

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

[F.R. Doc. 65-8710; Filed, Aug. 17, 1965; 8:47 a.m.]

[7 CFR Part 987]

HANDLING OF DOMESTIC DATES PRODUCED OR PACKED IN CALIFORNIA

Proposed 1964-65 Expenses of Date Administrative Committee

Notice is hereby given of a proposal, unanimously recommended by the Date Administrative Committee, to revise § 987.309(a) regarding 1964-65 expenses of the Date Administrative Committee so as to increase the amount prescribed for the maintenance of the operating monetary reserve fund. Section 987.309 (a) is effective pursuant to §§ 987.71 and 987.72 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

Section 987.309(a) provides that expenses (including \$2,500 for the maintenance of an operating monetary reserve fund) in the amount of \$34,528 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1964, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of this part, determine to be appropriate. Under the proposal, the amount prescribed for the 1964-65 crop year for the maintenance of the operating monetary reserve fund would be increased by \$2,500 to a total of \$5,000.

It now appears the expenses for 1964-65 were approximately \$3,000 less than the amount authorized; also, the quantity of assessable dates in 1964-65 exceeded the estimate of the quantity of such dates on which the assessment rate for 1964-65 was based. The excessive income collected from assessments is subject to refund to handlers in accordance with § 987.72(d). Placing an additional \$2,500 in the reserve fund, rather than refunding it, will make more funds available in the reserve for use in crop years when the quantity of assessable dates is below average and thus avoid an increase in the assessment burden on handlers in such years.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the eighth 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: August 13, 1965.

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

[F.R. Doc. 65-8711; Filed, Aug. 17, 1965; 8:47 a.m.]

[7 CFR Part 1130]

[Docket No. AO-259-A12]

MILK IN CORPUS CHRISTI, TEX., MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Echo Motel, Edinburg, Tex., beginning at 9:30 a.m., local time, on September 2, 1965, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Corpus Christi, Tex., marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Coastal Bend Milk Producers Association, Corpus Christi, Tex.:
Proposal No. 1. Revise § 1130.14 to read as follows:

§ 1130.14 Market equalization plant.

"Market equalization plant" means a plant, other than a distributing plant, operated by a cooperative association performing marketing services pursuant to § 1130.84(b) which plant is approved by a duly constituted health authority for the receipt and disposition of Grade A milk and at which all fluid milk products received are as diversions pursuant to § 1130.16 or as transfers from fluid milk plants except that:

(a) During any month of August through January such plant may also receive other source fluid milk products from any nonfluid milk plant in an amount not in excess of an average of 5,000 pounds per day, computed on a milk equivalent basis of 3.5 percent butterfat content; and

(b) At such plant milk may also be received from dairy farmers for transfer to a nonfluid milk plant for the account of either a cooperative association or

such dairy farmers in an amount which does not exceed 50 percent of the receipts at such plant during the month.

Proposal No. 2. Revoke § 1130.54 and substitute the following:

§ 1130.54 Charge on skim milk used to produce cottage cheese.

(a) Any skim milk used to produce cottage cheese or transferred or diverted in the form of milk or skim milk from a fluid milk plant, or from a market equalization plant for the account of a cooperative association to a nonfluid milk plant and there used to produce cottage cheese, shall be subject to an additional charge of 25 cents per hundredweight; and

(b) (1) For purposes of computing a cottage cheese charge, transfers to a nonfluid milk plant shall be considered as having been utilized for cottage cheese only to the extent that assignment to Class II utilization pursuant to § 1130.44 (d) exceeds other Class II utilization in such plant; and

(2) Any charge for skim milk used to produce cottage cheese in a fluid milk plant or for milk disposed of to a nonfluid milk plant for the account of the operator of a fluid milk plant shall be first assigned to the obligation to producers at such fluid milk plant to the extent that producer milk was assigned to Class II, and any remainder of such charge shall be included in the obligation to a cooperative association pursuant to § 1130.73.

Proposal No. 3. In § 1130.70, revise paragraph (d) to read as follows:

(d) Add the amount of any charge computed for such handler on producer milk pursuant to § 1130.54; and

Proposal No. 4. In § 1130.73, revise paragraph (d) to read as follows:

(d) Add the amount of any charge to such handler on such milk pursuant to § 1130.54(b) (2);

Proposed by Hygeia Dairy Company, Harlingen, Texas:

Proposal No. 5. In § 1130.30 a new paragraph (g) is added to read as follows:

(g) Any handler who is the operator of two fluid milk plants shall be in compliance herewith if such handler supplies the information as to both plants required hereunder in a single report to be prescribed by the market administrator which report form shall be no more detailed than is necessary to clearly reflect the matters called for in paragraphs (a) through (e) of this section.

Proposal No. 6. Revise § 1130.14 by changing the period at the end to a comma and adding the following: "and which receives such diversions or transfers whether or not the milk so diverted or transferred was produced by the members of such cooperative association."

Proposal No. 7. In § 1130.41(b), a new subparagraph (8) is added to read as follows:

(8) If transferred or disposed of subject to verification by the market administrator to a wholesale food manufacturing establishment which has no Class I disposition of skim milk or butterfat.

Proposal No. 8. Revise § 1130.51 by deleting all that part thereof beginning with the words "transfer from one such plant to another such plant" and continuing to the end of § 1130.51 and substituting therefor the following: "the market administrator shall make such investigation and adjustments with respect to transfers from one such plant to another, as he deems necessary to make certain that such differential is applied only to receipts classified as Class I at a plant at which an adjustment credit is applicable which are not thereafter utilized for Class II use at a plant at which no location adjustment credit is applicable or at which the location adjustment credit is less than at the transferor plant."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 9. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Herbert H. Erdmann, 834 Brooklyn Avenue, or Post Office Box 12-506, San Antonio, Tex., 78212; or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on August 12, 1965.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 65-8712; Filed, Aug. 17, 1965; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 19,336]

FEDERAL SAVINGS AND LOAN SYSTEM

Purchase of Loans

AUGUST 12, 1965.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that § 545.6-5 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-5) be revised to read as follows:

§ 545.6-5 Purchase of loans.

(a) *General provisions.* A Federal association may purchase any loan that it may make, unless expressly prohibited by other provisions of this part, and may also purchase any insured loan secured by a home or combination of home and business property located outside of its regular lending area at an investment not exceeding the sum of (a) \$40,000 for each single-family dwelling, (b) an amount per dwelling unit within the limits set forth in section 207(c) (3) of the National Housing Act, with such increases therein as may be made from time to time by the Federal Housing Commissioner in accordance therewith, and (c) the percentage of value acceptable to the insuring agency of such part of the property as is not attributable to dwelling use. No loan may be purchased by a Federal association from an affiliated institution without the prior approval of the Board, or from a director, officer or employee of such association, or from any person or firm regularly serving such association in the capacity of attorney-at-law. If a Federal association increases its savings accounts as a part of the purchase of any loan, it shall obtain such approval as is required by the rules and regulations for insurance of accounts.

(b) *Purchase from Federal Savings and Loan Insurance Corporation.* A Federal association may purchase from the Federal Savings and Loan Insurance Corporation any loan that such association may make; and, without regard to any other provision of this Part 545 except § 545.6-7, may purchase from such Corporation any loan on the security of a first lien on improved real estate if a portion of the loan is guaranteed by such Corporation under a guaranty contract made by such Corporation with the purchasing association.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 P.R. 4981, 3 CFR, 1947, Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed revision should be adopted as proposed; (2) whether said proposed revision should be modified and adopted as modified; (3) whether said proposed revision should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than September 2, 1965, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 65-8713; Filed, Aug. 17, 1965; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Antidumping—AA643.3-P]

SHOES FROM RUMANIA

Antidumping Proceeding Notice

AUGUST 12, 1965.

On July 16, 1965, the Commissioner of Customs received information in proper form pursuant to the provisions of § 14.6 (a) of the customs regulations indicating a possibility that shoes, leather (other than men's and boys' of welt construction), imported from Rumania are being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

A summary of the information received is as follows:

Information from appraising officers indicates that the prices to the United States of shoes, leather (other than men's and boys' of welt construction), from Rumania are substantially less than the prices of comparable shoes being imported from western European countries, suggesting a possibility of sales at less than fair value within the meaning of the Antidumping Act.

In order to establish the validity of the information, the Bureau of Customs is instituting an inquiry pursuant to the provisions of § 14.6(d) (1) (ii), (2) and (3) of the custom regulations.

The information was received from sources within the Customs Service.

This notice is published pursuant to § 14.6(d) (1) (i) of the customs regulations (19 CFR 14.6(d) (1) (i)).

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

[P.R. Doc. 65-8705; Filed, Aug. 17, 1965;
8:46 a.m.]

Foreign Assets Control Office

AMETHYST CHINESE-TYPE CARVINGS ET AL.

Available Certifications by Govern- ments of Republic of China and Republic of Korea

Notice is hereby given that: (1) Certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan of the following additional commodity:

Carvings, Chinese-type, amethyst, rock crystal, rose quartz

(2) Certificates of origin issued by the Ministry of Commerce and Industry of

the Republic of Korea under procedures agreed upon between that Government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Korea of the following additional commodity:

Silk, tussah, raw

[SEAL] MARGARET W. SCHWARTZ,
Director, Office of
Foreign Assets Control.

[P.R. Doc. 65-8775; Filed, Aug. 17, 1965;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-146]

SAXTON NUCLEAR EXPERIMENTAL CORP.

Notice of Proposed Issuance of Operating License Amendment

Please take notice that pursuant to section 189 of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission is considering the issuance of Amendment No. 2, set forth below, to Operating License No. DPR-4 which authorizes Saxton Nuclear Experimental Corp. to operate its light water moderated and cooled, pressurized water reactor located near the Borough of Saxton in Liberty Township, Bedford County, Pa. The proposed amendment would authorize the licensee to replace its present uranium-oxide reactor core with a partial plutonium core (Core II). On April 30, 1965, Amendment No. 1 to Operating License No. DPR-4 was issued, authorizing the conduct of proof tests for the partial plutonium core.

Within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, a notice of hearing or an appropriate order will be issued. If no request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue the license amendment 30 days from the date of publication of this notice in the FEDERAL REGISTER.

For further details with respect to this proposed amendment, see (1) the application for license amendment dated April 2, 1965, and supplement thereto dated May 28, 1965, (2) the report of

the Advisory Committee on Reactor Safeguards dated July 19, 1965, and (3) a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of items (2) and (3) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 16th day of August 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,

Division of Reactor Licensing.

[License No. DPR-4; Amdt. 2]

The Atomic Energy Commission having found that:

a. The application for license amendment dated April 2, 1965, as supplemented May 28, 1965, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

b. There is reasonable assurance (i) that the facility can be operated in accordance with the license, as amended, without endangering the health and safety of the public and (ii) such activities will be conducted in compliance with the rules and regulations of the Commission;

c. The licensee is technically and financially qualified to engage in the activities authorized by this license, as amended, in accordance with the rules and regulations of the Commission; and

d. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public;

Operating License No. DPR-4, as amended, which authorizes Saxton Nuclear Experimental Corp. to operate its nuclear reactor located near the Borough of Saxton in Liberty Township, Bedford County, Pa., is further amended in accordance with the application, as follows:

Subparagraph 2.B. is amended in its entirety to read:

"2.B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, 'Special Nuclear Material,' to receive, possess and use at any one time 130 kilograms of contained Uranium-235 and 25 kilograms of contained Plutonium-239 as fuel for operation of the reactor."

This amendment is effective as of the date of issuance.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[P.R. Doc. 65-8809; Filed, Aug. 17, 1965;
10:56 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Report No. 60]

LIST OF FREE WORLD AND POLISH
FLAG VESSELS ARRIVING IN CUBA
SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through August 10, 1965, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage
Total, all flags (240 ships)	1,683,928
British (76 ships)	564,678
**Agate (trips to Cuba under ex-name Dairen—British flag)	7,234
**Amalia (now Maltese flag)	8,785
**Amazon River (now River—sold to Dutch breakers)	8,791
Antarctica	7,036
Arctic Ocean	6,981
Ardenode	4,664
Ardgem	7,054
Ardmore	7,300
Ardpatrick	7,025
Ardrowan	5,795
Ardarod	11,149
Ardara	9,089
**Arlington Court (now Southgate—British flag)	7,524
Athelcrown (Tanker)	11,182
Athelduke (Tanker)	9,149
Athelmere (Tanker)	7,868
Athelmonarch (Tanker)	8,813
**Athelsultan (Tanker—broken up)	8,566
Aviafaith	7,271
Baxtergate	4,939
Cheung Chau	8,708
**Chipbee (sold for scrap)	8,789
**Cosmo Trader (trips to Cuba under ex-name, Ivy Fair—British flag)	8,424
**Dairen (now Agate—British flag)	6,807
**East Breeze (now Phoenician Dawn—British flag)	5,237
Eastfortune	7,542
Formentor	7,026
**Free Enterprise (now Haitian flag)	7,907
**Free Merchant (now Haitian flag)	2,111
**Garthdale (now Jeb Lee—British flag)	8,718
Grosvenor Mariner	7,121
Hazelmoor	5,255
Helka	7,201
Hemisphere	5,388
Ho Fung	9,480
Inchstaffa	8,236
**Ivy Fair (now Cosmo Trader—British flag—broken up)	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British flag)	5,388
Kinross	9,480
La Hortensia	8,236
Linkmoor	8,236

**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
British—Continued	
Maglater	2,339
Nancy Dee	6,597
Nebula	8,924
**Newdene (now Free Navigator—Haitian flag)	7,181
**Newforest (now Haitian flag)	7,185
Newgate	6,743
Newglade	7,368
**Newgrove (now Haitian flag)	7,543
Newheath	7,855
Newhill	7,043
Newlane	5,654
**Newmeadow (now Haitian flag)	7,151
Newmoat	7,168
Newmoor	6,281
Niles Amelon	6,185
Oceantramp	10,477
Oceantravel	9,037
Peony	7,388
**Phoenician Dawn (trips to Cuba under ex-name, East Breeze—British flag)	7,361
Redbrook	7,236
Ruthy Ann	7,229
**St. Antonio (now Maltese flag)	10,421
Sandsend	10,421
Santa Granda	9,841
Sea Amber	4,330
Sea Coral	7,127
Sea Empress	7,148
*Seasage	7,291
Shienfoon	9,662
**Shun Fung (wrecked)	8,108
**Soclyve (now Maltese flag)	4,970
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British flag)	7,261
Stanwear	7,878
Suva Breeze	8,611
Swift River	7,265
Thames Breeze	7,381
**Timios Stavros (now Maltese flag—Previous trips to Cuba under Greek flag)	8,718
Venice	5,388
Vercharman	5,414
Vermont	7,237
West Breeze	3,106
Yungfutary	7,256
Yunglutaton	6,997
Zela M	7,285
Lebanese (61 ships)	409,077
Agia Sophia	3,106
Aiolos II	7,256
Ais Gianni	6,997
Akamas	7,285
Al Amin	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
**Ares (constructive total loss)	4,557
Areti	7,176
Aristefs	6,995
Astr	5,324
Athamas	4,729
**Carnation (sold Spanish breakers)	4,834
Claire	5,411
Cris	6,032
Dimos	7,187
**E. Myrtdiotissa (trips to Cuba under ex-name, Kalliopti D. Lemos—Lebanese flag)	7,067
Free Trader	5,270
Giannis	7,240
Giorgos Tsakiroglou	7,282
Granikos	5,925
Hens	7,297
Ioannis Asplotis	5,103
**Kalliopti D. Lemos (now E. Myrtdiotissa—Lebanese flag)	9,357
Katerina	7,176
Leftric	7,145
Malou	7,145

*Added to Report No. 59, appearing in the FEDERAL REGISTER issue of August 4, 1965.

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
Lebanese—Continued	
Mantric	7,255
Maria Despina	7,254
Maria Renee	7,303
Marichristina	7,124
**Marymark (sold German ship-breakers)	4,333
Merinidli	6,782
Mimosa	7,314
Mousse	6,984
Nictric	7,296
Noelle	7,251
Noemi	7,070
Oiga	7,199
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
Reneka	7,250
Rio	7,194
St. Anthony	5,349
St. Nicolas	7,155
San George	7,267
San John	5,172
San Spyridon	7,200
Stevio	7,068
Taxiarhis	7,349
Tertric	7,045
Theodoros Lemos	7,198
Theologos	7,246
Tony	7,176
Toula	4,561
Troyan	7,243
Vassilikli	7,192
Vastric	6,453
Vergolvada	6,339
Yanxilas	10,061
Greek (35 ships)	257,596
Agios Therapon	5,617
Akastos	7,331
Alice	7,189
**Ambassade (sold Hong Kong shipbreakers)	8,600
Americana	7,104
Anacreon	7,359
**Anatoli (now Sunrise—Cypriot flag)	7,187
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek flag)	6,712
**Antonia (now Amfithea—Cypriot flag)	9,744
Apollon	7,216
Athanasios K	7,084
Barbarino	7,249
Kalliopti Michalos	8,418
**Embassy (broken up)	7,244
Flora M	7,244
**Gloria (now Helen—Greek flag)	7,128
**Helen (previous trips to Cuba under ex-name, Gloria—Greek flag)	7,232
Irena	7,275
Istros II	5,082
Kapetan Koctis	6,888
Kyra Hariklia	7,245
Maria Theresa	7,147
Marigo	7,309
Maroudio	7,282
Mastro-Stelios II	7,199
**Nicolao F. (previous trip to Cuba under ex-name, Nicolao Frangistas—Greek flag)	3,929
**Nicolao Frangistas (now Nicolao F.—Greek flag)	7,131
Pamit	7,144
Pantanassa	10,820
Paxol	5,911
**Penelope (now Andromachi—Greek flag)	10,608
**Plate Trader (trip to Cuba under ex-name, Styliaos N. Vlassopoulos—Greek flag)	7,239
**Presvia (broken up)	7,030
Redestos	7,239
Roula Maria (Tanker)	7,030
**Seiros (broken up)	7,030
Sophia	7,030

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
Greek—Continued	
**Styllanos N. Viassopoulos (now Plate Trader—Greek flag)	7,303
**Timios Stavros (formerly British flag—now Maltese flag)	
Tina	7,362
Western Trader	9,268
Polish (16 ships)	112,779
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	6,987
Chorzow	7,237
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Kopalnia Bobrek	7,221
Kopalnia Czeladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Slemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Transportowiec	10,880
Italian (14 ships)	111,881
Achille	6,950
Agostino Bertani	8,380
**Andrea Costa (Tanker—broken up)	10,440
Aspromonte	7,154
Caprera	7,189
Giuseppe Giulietti (Tanker)	17,519
Mariasusanna	2,479
Montiron	1,595
Nazareno	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (Tanker)	12,461
Santa Lucia	9,278
**Somalia (now Chen Chang—Nationalist Chinese flag)	3,352
Yugoslav (8 ships)	57,143
Bar	7,233
Cavtat	7,266
Cetinje	7,200
Dugi Otok	6,997
Kolasin	7,217
Mojkovac	7,125
Promina	6,960
**Trebanjica (wrecked)	7,145
French (7 ships)	26,817
Arsinoe (Tanker)	10,426
Circe	2,874
Euee	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,374
Neve	852
Moroccan (5 ships)	35,828
Atlas	10,392
Banora	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Finnish (4 ships)	32,861
Augusta Paulin	7,090
**Hermia (trip to Cuba under ex-name, Amfred—Swedish flag)	
Margrethe Paulin	7,251
Ragni Paulin	6,823
Valny (Tanker)	11,691
Maltese (4 ships)	26,497
**Amalia (previous trips to Cuba under British flag)	7,304
**Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.	

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
Maltese—Continued	
Ispahan	7,156
**St. Antonio (previous trip to Cuba under British flag)	6,704
**Soelyve (trips to Cuba under British flag)	
**Timios Stavros (previous trips to Cuba under British flag and Greek flag)	5,933
Cypriot (3 ships)	19,588
Adeiphos Petrakis	7,170
**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek flag)	5,171
Artemida	7,247
**Sunrise (trip to Cuba under ex-name Anatoli—Greek flag)	
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	11,894
Ole Bratt	7,144
**Tine (now Jezreel—Panamanian flag—wrecked)	4,750
Swedish (2 ships)	9,318
**Amfred (now Hermia—Finnish flag)	2,828
Dagmar	6,490
Haitian (1 ship):	
**Free Enterprise (trips to Cuba under British flag)	
**Free Merchant (trips to Cuba under British flag)	
**Free Navigator (trips to Cuba under ex-name, Newdene—British flag)	
**Newforest (trips to Cuba under British flag)	
**Newgrove (previous trips to Cuba under British flag)	7,172
**Newmeadow (trips to Cuba under British flag)	
Nationalist Chinese:	
**Chen Chang (trip to Cuba under ex-name, Somalia—Italian flag)	
Panamanian:	
**Jezreel (trip to Cuba under ex-name, Tine—Norwegian flag—wrecked)	

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade; except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage	Number of ships
a. Since last report:		
British (1 ship):		
Maratha Enterprise	7,166	
b. Previous reports:		
Flag of registry (total)		85
British		36
Danish		1
Finnish		1
French		1
German (West)		1
Greek		25
Israeli		1
Italian		5
Japanese		1
Kuwaiti		1
Lebanese		1
Norwegian		4
Spanish		6
Swedish		1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through August 10, 1965:

Flag of registry	Number of trips									Total	
	1963	1964	1965						Aug.		
			Jan.	Feb.	Mar.	April	May	June			July
British	133	180	9	7	14	10	13	11	8	1	386
Lebanese	64	91	8	2	4	6	2	9	3		189
Greek	99	27	2		1	2	4	2	3		140
Italian	16	20	3	2	3	2	1	3	2		52
Spanish	8	17									25
Norwegian	14	10									24
Moroccan	9	13									22
Yugoslav	12	11			4		1		2		30
French	8	9					1	2			30
Swedish	3	4									7
Finnish	1	4				1	1				6
Netherlands		2	1					1	1		5
Israeli		1	1								2
Kuwaiti		2					1				3
Cypriot		1				1	1				4
Danish	1								1		1
German (West)	1										1
Haitian							1				1
Japanese	1										1
Subtotal	370	394	24	12	26	23	27	38	20	1	925
Polish	18	16	2	1	1	1	1		1		41
Grand Total	388	410	26	13	27	24	28	38	21	1	966

NOTE: Trip totals in this section exceed ship totals in Sections 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data become available.

By order of the Deputy Maritime Administrator.

Dated: August 11, 1965.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 65-8728; Filed, Aug. 17, 1965;
8:49 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

SINGLE MANAGER ASSIGNMENT FOR MILITARY TRAFFIC LAND TRANSPORTATION, AND COMMON-USER OCEAN TERMINALS

Functions and Responsibilities

The Deputy Secretary of Defense approved the following on June 24, 1965:

References: (a) DoD Directive 5160.2, "Single Manager Assignment for Airlift Service," December 7, 1956; (b) DoD Directive 5160.10, "Single Manager Service for Ocean Transportation," May 28, 1956; (c) DoD Directive 5160.12, "Policies for Implementation of Single Manager Assignments," August 10, 1960; (d) DoD Directive 1100.10, "Control of Manpower Resources in Event of Reorganizations," June 19, 1962; (e) DoD Directive 7410.4, "Regulations Governing Industrial Fund Operations," April 3, 1963; (f) DoD Directive 4000.19, "Basic Policies and Principles for Interservice Support," March 26, 1960; (g) DoD Directive 5105.22, "Defense Supply Agency (DSA)," November 6, 1961; (h) DoD Directive 1100.9, "Military Civilian Staffing of Management Positions in the Support Activities," April 24, 1957; (i) DoD Directive 4500.31, "Traffic Management Assignment for the Transportation of Household Goods of Military and Civilian Personnel of the Department of Defense," September 16, 1963; (j) DoD Instruction 4540.2, "Military Standard Transportation and Movement Procedures (MILSTAMP)," June 11, 1963.

I. Purpose and Objectives. A. Pursuant to the authority vested in the Secretary of Defense by Title 10, U.S. Code, a Single Manager Service Assignment is directed within the Department of Defense with authority, functions, responsibilities, and relationships as set forth herein.

B. The operation of the Single Manager for Military Traffic, Land Transportation, and Common-User Ocean Terminals will be conducted within the United States excluding Alaska and Hawaii, except for those functions specifically outlined below or subsequently assigned by the Secretary of Defense requiring operations outside the CONUS.

C. The purposes and objectives of this assignment with respect to military traffic, land transportation, and common-user ocean terminals are:

1. To eliminate duplication and overlapping of effort between and among military departments, Defense agencies, and other components of DoD.

2. To improve the effectiveness and economy of these operations throughout the Department of Defense.

3. To ensure that the approved Emergency and Wartime requirements of the Department of Defense are met.

II. Applicability. A. The provisions of this Directive apply to all components of the Department of Defense.

B. This Directive does not alter the existing Single Manager responsibilities for airlift and ocean carrier services currently assigned to Military Air Transport Service (MATS) in reference (a) and Military Sea Transportation Service (MSTS) in reference (b) respectively.

C. This Directive does not modify Department of the Navy responsibility for command and control of its tidewater installations providing ocean terminal services except at the Naval Supply Centers, Oakland, Calif., and Bayonne, N.J., where Military Ocean Terminals have been or will be established.

III. Cancellation. Section VI G and so much of Inclosure 1 to DoD Directive 5105.22, reference (g), as pertains to the Defense Traffic Management Service (DTMS) are canceled.

IV. Definitions. For the purpose of this Directive the following definitions, in addition to those set forth in reference (c) which are relevant to this assignment, will apply:

A. *Military Traffic Management and Terminal Service (MTMTS).* The Single Manager Operating Agency for military traffic, land transportation, and common-user ocean terminals (hereinafter referred to as the Agency).

B. *Military traffic.* DoD personnel and things to be transported.

C. *Military land transportation.* All point-to-point military owned transportation equipment for over-the-ground use and the management and control thereof.

D. *Common-user ocean terminals.* A military installation or that part of a military installation, which regularly provides for two or more Services' terminal functions of receipt, transit storage or staging, processing, loading, and unloading of passengers or cargo aboard ships.

E. *Military traffic management.* The direction, control, and supervision of all functions incident to the effective and economical procurement and use of freight and passenger transportation service from commercial for-hire transportation companies (including rail, highway, air, inland waterway, coastwise and intercoastal carriers). (Reference to coastwise and intercoastal commercial transportation is not intended to affect those responsibilities for ocean carrier functions assigned to MSTS but has reference to the traffic management authority necessary to determine the proper mode of shipment. Reference to air carriers is not intended to affect those responsibilities for procurement of contract airlift services assigned to MATS.)

V. Functions and responsibilities. A. The Secretary of the Army is designated as the Single Manager for military traffic, land transportation, and common-user ocean terminals and will:

1. Establish and organize, as a major field command of the U.S. Army, the Single Manager Operating Agency which shall have no functions other than those assigned to it in Appendix A of this Directive.

2. Discharge the responsibilities of the Agency as established in Appendix B.

3. Designate a general officer as Executive Director for the Agency subject to the approval of the Secretary of De-

fense. The Executive Director shall have no other duties but to direct the operations of the Agency and shall be responsible to the Secretary of the Army through channels prescribed by the Secretary.

4. In coordination with the Joint Chiefs of Staff and other DoD components, as required, establish procedures to be followed by the DoD components in submitting their military traffic, land transportation, and common-user ocean terminal requirements.

5. Prepare plans for the employment and expansion of the Agency in time of war or national emergency for support of approved Joint War Plans consistent with Joint Chiefs of Staff allocations approved by the Secretary of Defense.

6. Prepare and submit to the Secretary of Defense the annual operating plans and programs of the Agency in support of DoD requirements.

B. The Joint Chiefs of Staff will:

1. Review and evaluate requirements of the Services for CONUS transportation and common-user ocean terminal service and the ability of MTMTS to meet these requirements.

2. Allocate the capabilities of MTMTS as required to meet approved plans of the Joint Chiefs of Staff, or upon request by MTMTS, or one of the Services.

3. Take cognizance, as appropriate, of MTMTS plans and transportation movement schedules issued in support of general, limited, and cold war plans previously approved by the Joint Chiefs of Staff.

C. The Assistant Secretary of Defense (Installations and Logistics) is responsible primarily for issuing policy direction in connection with this single manager assignment except as otherwise specifically designated in this Directive. In developing such policies, ASD (I&L) will collaborate with ASD (Comptroller) to assure maximum utilization of the assignment for budgetary purposes. Similarly he will collaborate with ASD (Manpower) to assure maximum application of the assignment for manpower utilization effectiveness purposes. The ASD (I&L) will also collaborate with other elements of the Office of the Secretary of Defense, as appropriate.

D. The Secretaries of the Navy and Air Force, the Directors of the Defense Agencies, and the other DoD components will:

1. Provide such information and assistance, within their respective capabilities and areas of responsibility, as may be needed by the Secretary of the Army and the Executive Director to carry out the single manager assignment.

2. Discharge the responsibilities pertaining to the function and scope of operations of the Agency as established in Appendix B.

VI. Authority. To discharge the functions and responsibilities prescribed in this Directive, the Secretary of the Army and the Executive Director of the Agency are authorized to:

A. Organize, direct, manage, administer, and control all elements of the Agency.

B. Communicate and coordinate directly with all components of DoD and with other departments and agencies of

government in matters relating to Agency functions.

VII. *Administration and financing.* A. The Agency shall be jointly-staffed in accordance with a Joint Table of Distribution (JTD), developed by the Secretary of the Army in coordination with the Secretaries of the Navy and Air Force and approved by the Office of the Secretary of Defense.

1. The Agency headquarters and its subordinate elements will be staffed with civilian employees who will be employees of the Department of the Army and with military personnel from all Services, as appropriate.

2. Positions within the Agency will be identified as military or civilian based on criteria established by the Secretary of Defense in reference (h).

3. Manpower requirements for the Agency on a phased-basis will be consistent with the transfer of responsibilities and will be provided to the ASD (Manpower) at least 30 days in advance of the effective date of functional transfers to permit the necessary evaluation and realignment of such resources.

4. The transfer of manpower authorizations to the Department of the Army from other DoD components will be accomplished in accordance with reference (d). The transfer of personnel resources will be in accord with established policies and procedures.

B. The transfer of financial and other resources will be accomplished in accordance with established DoD procedures and as approved by the appropriate elements of OSD.

C. Interservice support agreements, assignments or delegations of functions and authority will be executed as required for the performance of assigned responsibilities in accordance with reference (f).

D. The Department of the Army will program, budget and finance for the Agency.

E. Operations of the Agency shall be financed under an Army Industrial Fund—MTMTS, administered in accordance with reference (e) except as specifically excluded by the Assistant Secretary of Defense (Comptroller).

F. The MTMTS industrial fund accounting system, in addition to conforming to existing requirements, shall provide separate identification of the costs of operating MTMTS, as between port handling costs (direct and indirect), traffic management costs, intermediate command headquarters costs, and MTMTS headquarters costs. Port handling costs will be further identified as necessary in order to provide a basis for negotiating cross-servicing rates, and for making appropriate comparisons with cross-servicing and commercial rates.

G. Implementing directives and instructions will be coordinated in accordance with reference (j).

VIII. *Effective Date and Implementation.* A. This Directive is effective upon publication.

B. The Terms of Reference, Appendix B, are approved and the Agency is herewith specifically authorized for activation.

C. When the Department of the Army assumes a function or responsibility assigned by this Directive, all DoD components will review their existing directives, instructions, and regulations for conformity; make necessary changes thereto within 90 days; and notify the Department of the Army when changes are completed.

APPENDIX A

FUNCTIONS AND SCOPE OF OPERATIONS

1. MTMTS operations will be conducted within the United States, excluding Alaska and Hawaii, except for those functions outlined below or subsequently assigned by the Secretary of Defense requiring operations outside the CONUS.

2. The functions of the MTMTS will be to:

a. Provide transportation planning support to the Organization of the Joint Chiefs of Staff, the unified and specified commands, the Services, and Department of Defense agencies in support of the plans of the Joint Chiefs of Staff and other military operations as required.

b. Provides CONUS traffic management and common-user and commercial ocean terminal planning support to the unified and specified commands, the Military Services, and other DoD components.

c. Direct, control, and supervise the performance of functions incident to the effective and economical procurement and use of freight and passenger transportation service from commercial for-hire transportation companies operating between points in CONUS, except for long-term contract airlift service. (Reference to coastwise and intercoastal commercial transportation is not intended to affect those responsibilities for ocean carrier functions assigned to MSTs but has reference to the traffic management authority necessary to determine the proper mode of shipment. Reference to air carriers is not intended to affect those responsibilities for procurement of contract airlift service assigned to MATS.)

d. Control the movement into air and ocean terminals.

e. In coordination with the Military Departments and other DoD components, develop, establish, and operate an integrated transportation information data system to support all elements of the Department of Defense.

f. Command and operate assigned common-user CONUS military ocean terminals, and obtain required terminal services for movement of passengers and manifested cargo through other CONUS military or commercial ocean terminal facilities.

g. Provide worldwide traffic management for the Department of Defense household goods moving and storage program as set forth in reference (i).

h. Control and direct the operations of military-owned railway rolling stock registered for interchange service other than that permanently assigned to intrabase or intraplant operations, to include supply accountability and maintenance of the Defense Freight Railway Interchange Fleet.

i. In coordination with the Military Departments and other DoD components, develop and improve programs encompassing all features of transportation and related services bearings upon the through movement of shipments of personnel and material.

j. Command overseas Army terminal units providing terminal service in overseas areas in support of the Department of the Air Force and other agencies as assigned.

k. Accomplish additional missions and specific functions as may be subsequently assigned by the Secretary of Defense.

APPENDIX B

TERMS OF REFERENCE

I. *General.* A. The Military Traffic Management and Terminal Service (MTMTS) will, with respect to:

1. *Traffic management.* a. Direct, control and supervise the performance of functions incident to the effective and economical procurement and use of freight and passenger transportation service from commercial for-hire transportation companies (including rail, highway, air, inland waterway, coastwise, and intercoastal carriers) operating between points in the continental United States. (Reference to coastwise and intercoastal commercial transportation is not intended to affect those responsibilities for ocean carrier functions assigned to MSTs but has reference to the traffic management authority necessary to determine the proper mode of shipment. Reference to air carriers is not intended to affect those responsibilities for procurement of long-term contract airlift service assigned to MATS nor the operation of such systems as LOGAIR and QUICKTRANS.)

b. Advise and assist, by provision of adequate cost, rate, and traffic data services:

(1) Procurement agencies in developing the most economical sources of supply;

(2) Production activities in programming the processing of raw materials and semi-finished and finished products through Government-operated facilities;

(3) Distribution agencies in programming the position of stocks;

(4) Site selection authorities in evaluating transportation considerations in the selection of sites for plants and facilities;

(5) Fiscal agencies in the development and improvement of cost data techniques;

(6) Appropriate agencies as to the effect of packing and packaging costs on transportation and distribution costs and the utilization of transportation equipment.

c. Control and direct the operation of military-owned railway rolling stock registered for interchange service other than that permanently assigned to intrabase or intraplant operations.

d. Develop and improve the small shipment consolidation programs.

e. Develop and improve loss and damage prevention programs.

f. Determine or establish proper freight classification and freight and passenger rates, fares, charges, rules, and regulations for DoD traffic.

g. Negotiate, as necessary, with for-hire commercial carriers of cargo or passengers or their ratemaking agencies, for the classifications, rates, fares, charges, rules, and regulations to carry out the functions assigned in subparagraph (f), above.

h. Administer the transit management program.

i. Maintain surveillance of reissued freight and passenger tariffs and of tariff supplements to determine changes made thereby which would affect the cost of moving or the routing of military traffic.

j. Review all for-hire commercial carrier (freight and passenger) dockets and other proposals to determine the extent to which military traffic would be affected and the action required.

k. Recommend to the Judge Advocate General, Department of the Army, actions concerning DoD litigation in the transportation and traffic management areas necessary to protect or promote the interests of the DoD.

l. Plan, develop, and monitor the Freight Classification Guide System.

m. Develop and maintain current transportation cost and statistical data necessary to facilitate efficient and effective performance of the functions assigned in subparagraphs (f) through (l) above.

- n. Maintain tariff files.
- o. Obtain and quote rates.
- p. Determine the type of service required to move traffic.
- q. Arrange with carriers for the transportation equipment required for shipment.
- r. Route traffic or prescribe rules, regulations, and criteria for the guidance of those assigned routing responsibilities.
- s. Prescribe regulations and disseminate technical instructions on the issuance and completion of transportation documentation (bills of lading, transportation requests, etc.).
- t. Prescribe the methods and format for use by the military departments and other DoD components to develop and forecast their CONUS transportation requirements by mode or modes (including the assumptions and computations on which they are based), which will assure responsiveness to their individual logistic systems, and evaluate and question, when necessary, the validity of the requirements specified.
- u. Develop plans to assure the efficient use and control of military-owned and commercial domestic land transportation resources and capabilities made available to the DoD under mobilization or other emergency conditions.
- v. Control the use of and, as directed by the Secretary of Defense, operate military-owned domestic land transportation resources required to supplement the capability of commercial transportation companies when the land transportation resources (and other resources determined by the Secretary of Defense) of commercial transportation companies operating within the United States are inadequate to meet military requirements.
- w. In coordination with the Military Air Transport Service (MATS), the Military Sea Transportation Service (MSTS), the Joint Transportation Board (JTB), and the Military Services or other DoD components:
 - (1) Plan, program, and manage the flow of CONUS originated passengers and cargo into appropriate air and ocean terminals in order to meet and optimize the use of available air and ocean lift provided by the single manager operating agencies.
 - (2) Prepare long- and short-range forecasts of overseas lift requirements and match them with forecasts of capabilities as stated by MATS and MSTS.
 - (3) Submit to the JCS/JTB or the Secretary of Defense as appropriate for decision as may be necessary, coordinated recommendations for the solution of forecast overseas transport problems.
- x. As directed by the JCS/JTB or the Secretary of Defense as appropriate, arrange for or effect the diversion of overseas passengers or cargo between modes.
 2. Control of military traffic. a. Control of movement of passenger and cargo from point of origin within CONUS (excluding Alaska and Hawaii) to destination within the 48 contiguous States.
 - b. Command and operate, or arrange for the operation of, holding and reconignment points and other intransit control activities or installations when required for en route shipments of cargo within the 48 contiguous States.
 - c. Develop and improve procedures for facilitating and assuring control and expeditious movement of traffic within the 48 contiguous States.
 - d. Develop, promulgate, and maintain uniform procedures, regulations, forms, and other documents for the movement of traffic within the contiguous 48 States.
 - e. Develop, promulgate, and maintain procedures, regulations, systems, forms, and other documents for monitoring en route traffic within the contiguous 48 States.
 - f. Advise, as required, the military services, MATS, MSTS, and other DoD components

with respect to status of en route traffic within the contiguous 48 States.

3. *Common-user ocean terminal operations.* a. Command and operate common-user military ocean terminals assigned to MTMTS by the Secretary of Defense, providing such fleet support requirements to the Navy as are required by the Department of the Navy and delineated in applicable cross-servicing agreements. (Assignments of command and operation of ocean terminals to either Navy or MTMTS will be based upon the concept that the entire terminal operations at any one installation will be conducted by only one DoD component.)

b. Arrange for the utilization of common-user military ocean terminals operated by other military services on a reimbursable basis.

c. Arrange for the operation or use of commercial ocean terminals within the contiguous 48 States for the shipment of military manifested cargo.

B. The military services and other DoD components will, with respect to the functions and scope of operations of MTMTS:

1. Identify passengers and the specific material and quantities to be moved.

2. Determine the destinations to which passengers and materiel are to be moved.

3. Specify date(s) available for movement and the required date of arrival at destination for passengers and materiel to be moved.

4. Establish transportation priorities for passengers and materiel in accordance with applicable DoD directives.

5. Monitor the flow of traffic based upon data furnished by MTMTS as agreed to by the military services, other DoD components, and MTMTS.

6. Provide technical advice to MTMTS.

7. Provide cargo diversion, disposition and/or supply instructions as required.

8. Execute, or arrange for the execution of, provide necessary documentation and/or data to obtain necessary customs clearances for their materiel.

9. Plan for special projects and coordinate with MTMTS.

10. Assure that materiel offered for shipment is properly packed, marked, certified, and documented.

11. Perform, or arrange for performance of the acceptance function for vendor-supplied materiel shipped direct to an air or ocean terminal, the function to include technical inspection, and preparation or completion of shipping documentation.

12. Plan, program, budget for, and finance transportation including terminal services, for the movement of passengers and cargo.

13. Provide liaison officers at MTMTS headquarters, area commands, and at such activities/installations as mutually agreed with MTMTS.

II. *Overseas passenger traffic (other than JCS-directed deployments or training exercises).* A. The Military Traffic Management and Terminal Service will:

1. Receive, consolidate, and analyze total passenger requirements on a periodic basis in coordination with the military services and other DoD components. Advise MATS and MSTS of capability required.

2. Advise the Office of the Secretary of Defense, the Organization of the Joint Chiefs of Staff, the military services and other DoD components of insufficient CONUS transportation and terminal capability with recommendations for appropriate action.

3. Receive requests from military services for desired departure dates of individuals and groups; request specific reservations for individuals and groups from MATS, MSTS, or commercial carriers. Confirm space assignments to military services; issue port calls specifying terminal, arrival date, and routing to terminal when applicable.

4. Provide for diversion of passengers in coordination with the appropriate military

service and with MATS or MSTS when required by change in capability.

5. Provide for temporary accommodation of ocean passengers when passenger arrivals at ocean terminals do not coincide with ship availability.

6. Provide for group travel for passengers within CONUS.

B. With respect to the functions and scope of operations of MTMTS, the military services will:

1. Submit requirements for overseas passenger travel to MTMTS in accordance with procedures established by MTMTS in coordination with the military services, MATS and MSTS.

2. Submit specific individual and group requirements for overseas passenger travel in accordance with procedures established by MTMTS in coordination with the military services, MATS and MSTS.

3. Process and transmit, or arrange for transmission, of passports or other documentation to passengers as required.

4. Provide, or arrange for, processing of intransit personnel including arrangement for pay, reassignment orders, and such other services which were not prepared prior to movement.

5. Provide required personnel actions prior to movement to port.

C. With respect to the functions and scope of operations of MTMTS, MATS will:

1. Advise MTMTS of any inability to meet programmed requirements.

2. Furnish seat capability and assignment to MTMTS for each flight scheduled to meet specific requirements.

D. With respect to the functions and scope of operations of MTMTS, MSTS will:

1. Advise MTMTS of any inability to meet programmed requirements.

2. Furnish cabin and troop space on each sailing to MTMTS to meet specific requirements.

III. *Overseas movement of air cargo (other than JCS-directed deployments or training exercises).* A. MTMTS will:

1. Select the mode of transportation for each individual shipment that will be responsive to the priority and the delivery date that the shipper service has established. Air eligibility of specific shipments may be challenged by MTMTS and, in conjunction with the shipper service, such shipments diverted to alternate modes.

2. Screen shipments due to transport lift limitations and, in conjunction with the shipper service, select individual shipments for diversion to surface transport; and when cargo cannot be cleared for movement to an aerial port of embarkation (APOE), provide timely advice to the shipper as prescribed by MILSTAMP.

3. Perform the airlift clearance authority functions as prescribed by MILSTAMP.

4. Provide movement information, expediting services and tracer action.

5. Furnish MATS with timely information about traffic en route and to be routed to the APOE and with other information necessary to the MATS operation.

6. Serve as the principal point of contact between MATS and the shipper service at the APOE.

7. Coordinate the movement of classified and/or courier materiel.

8. Initiate necessary corrective action on traffic or documentation irregularities reported by MATS.

9. Monitor retrograde cargo requiring onward movement from the APOE to insure that it is effectively shipped to ultimate consignee.

B. With respect to the functions and scope of operation of MTMTS, the military services and other DoD components will:

1. Submit air cargo lift requirements to MTMTS in accordance with procedures established by MTMTS in coordination with

military services, other DoD components, and MATS.

2. Route shipments via commercial carriers from CONUS origins to CONUS APOE's in accordance with procedures and delegations of authority prescribed by MTMTS in coordination with the shipper military services and other DoD components.

3. Submit special mission requirements of an emergency or unusual nature direct to MATS, furnishing information copy to MTMTS.

4. Control and administer the operation of LOGAIR, QUICKTRANS and similar contract airlift systems.

C. With respect to the functions and scope of operations of MTMTS, MATS will:

1. Provide military services and other DoD components with necessary reports of tonnage on hand at APOE's furnishing a copy to MTMTS in accordance with procedures established by MATS in coordination with the shipper services.

2. Provide reoperating, repacking, marking, and similar services on a reimbursable basis as required for cargo in transit and report as appropriate for corrective action in accordance with procedures established by MATS in coordination with the military services and other DoD components.

IV. Movement of ocean cargo (other than JCS-directed deployments or training exercises). A. MTMTS will:

1. Provide traffic management and terminal service incident to the movement of DoD-sponsored freight/cargo through common-user military and commercial ocean terminals, to include routing via the inland carrier, releasing and control of the input and flow into the terminal, and processing through the ocean terminal. MTMTS services shall be in accordance with program and operational requirements of the shipper services. The foregoing does not modify Navy responsibilities for control over movements within the tidewater installation of fleet support cargo to be lifted via fleet ships.

2. Control the flow of DoD-sponsored traffic into ocean terminal facilities through the offering, acceptance, and release procedures.

3. Make cost evaluations, ascertain port handling capability, select port, offer cargo for booking by MSTs, call cargo forward to designated terminal facilities, provide terminal operator(s) with shipment data, and issue appropriate export release with due dates, rate, route, and tariff or tender information.

4. Operate designated common-user ocean terminals. This function includes responsibility for all manifested DoD cargo moving through the entire port complex and for any fleet support requirements set forth in cross-servicing agreements in effect between MTMTS and the Navy.

5. Provide, through Army oversea terminal units, ocean terminal management and services at oversea locations in support of Air Force, Army Security Agency, and other agencies as assigned or delegated.

6. Establish and command outpost detachments or other subordinate activities, as required, or through cross-servicing agreements or contracts, execute MTMTS terminal service operations incident to the transshipment of DoD cargo through commercial ocean facilities.

7. For release-unit traffic, determine specific inland mode and carrier, and ocean terminal based on lowest landed cost within priority and delivery data limitations and operational requirements established by the shipper service.

8. Provide or arrange for terminal service to include receipt, transit storage, and marshaling of cargo, loading and discharge of ships, and preparation of required documents.

9. Supervise, direct, and control operations, staffing, and physical plant of assigned terminal facilities and activities.

10. Offer cargo to MSTs for booking and accept satisfactory bookings, provide traffic information essential to MSTs planning and operations, serving as the single point of contact with cognizant MSTs commands in regard to booking of DoD sponsored manifested export cargo.

11. Provide movement information, tonnage on hand awaiting lift and expediting services for the shipper services as required.

12. Provide or arrange for reoperating, repacking and marking service as required for cargo in transit and report discrepancies to shipper services for future correction.

13. Correct, or provide for correction of, and report discrepancies in documentation and technical order violations, to include preparation of mechanized TCMD's when required.

14. Arrange for shipment of retrograde cargo requiring onward movement from ocean terminals.

15. Furnish each shipper service copies of required documents covering all of their sponsored export cargo moved via MSTs.

B. With respect to the functions and scope of operations of MTMTS, the military services and other DoD components will:

1. Provide MTMTS with annual and short range ocean lift requirements in accordance with procedures established by MTMTS in coordination with the military services, other DoD components and MSTs.

2. Forward cargo to ocean terminals in accordance with procedures established by MTMTS in coordination with the military services and other DoD components.

3. The Navy will operate common-user ocean terminals at designated tidewater installations for manifested Department of Defense cargo in accordance with interservice support agreement between MTMTS and the Navy. This function may include responsibility for all manifested DoD cargo moving through the entire port complex, if in accordance with the interservice support agreement in effect between MTMTS and the Navy.

V. Oversea JCS-directed deployment and training exercises. A. In addition to the functions designated in sections II, III, and IV above, MTMTS will:

1. Participate fully in the planning cycle.

2. Consolidate, in coordination with the supporting unified commander (CINCSTRIKE/USCINCPAC, CINCLANT, CINCPAC), MATS, MSTs, and the military services total phased lift requirements to support the deployment or exercise, and measure the impact upon current long- and short-range transport forecasts (paragraph w(2) above). Make appropriate recommendations, in coordination with MATS and MSTs, to the JCS/JTB for decision.

MAURICE W. ROCHE,
Director, Correspondence and
Directives Division, OASD
(Administration).

[F.R. Doc. 65-8684; Filed, Aug. 17, 1965;
8:45 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[Order 3]

MAMMOTH CAVE NATIONAL PARK, KY.

Administrative Assistant et al.; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment, or Services

1. *Administrative Assistant.* The Administrative Assistant may execute and approve contracts not in excess of \$10,000 for supplies, equipment, or services in

conformity with applicable regulations and statutory authority and subject to availability of appropriations.

2. *General Supply Assistant.* The General Supply Assistant may execute and approve contracts not in excess of \$2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

3. *Great Onyx Job Corps Conservation Center Director and Administrative Assistant.* The Great Onyx Job Corps Conservation Center Director and Administrative Assistant may execute and approve contracts not in excess of \$2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

4. *Revocation.* The order supersedes Order No. 2 issued December 13, 1962.

(National Park Service Order 14 (19 P.R. 8824), as amended; 39 Stat. 535, 16 U.S.C., sec. 2; Southeast Region Order No. 3 (21 P.R. 1493))

Dated: July 15, 1965.

PAUL McG. MILLER,
Superintendent,
Mammoth Cave National Park.

[F.R. Doc. 65-8678; Filed, Aug. 17, 1965;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16314]

AEROTRANSPORTES ENTRE RIOS S.R.L.

Foreign Air Carrier Permit; Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on October 5, 1965, at 10 a.m., e.d.s.t., in Room 607, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., August 13, 1965.

[SEAL] EDWARD T. STODOLA,
Hearing Examiner.

[F.R. Doc. 65-8698; Filed, Aug. 17, 1965;
8:46 a.m.]

[Order E-22544]

INDIRECT AIR CARRIERS

Household Goods Services; Order Granting Temporary Relief

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 13th day of August 1965.

At the request of the Department of Defense (DoD), the Board on March 9, 1965 granted temporary relief from certain provisions of the Federal Aviation Act of 1958 to a number of persons who had been operating without Board authorization as indirect air carriers of used household goods pursuant to DoD contracts.¹ The relief, which allowed

¹ Order E-21883.

these carriers an opportunity to apply for operating authorizations to engage in indirect air transportation as air freight forwarders of used household goods,² was granted upon the condition that such carriers file applications in accordance with the provisions of part 296 and/or part 297 of the Board's Economic Regulations on or before April 15, 1965. Subsequently, the Board granted the same relief to other DoD carriers.³ The relief granted each applicant terminates August 16, 1965, or upon the date their application is granted, denied, or dismissed, whichever occurs first.

Objections to an extension of the temporary relief for DoD carriers have been filed by Routed Thru-Pac, Inc. (RTP), and Van-Pac, Inc. (Van). These carriers contend that the Board should not extend the relief because such extension has not been requested by DoD, and because extension of the relief would be prejudicial to both carriers. No factual information was furnished by either carrier in support of the foregoing contentions.

It appears that processing of the applications cannot be completed prior to the expiration date of the temporary relief granted in Orders E-21883, E-22079, and E-22269. Moreover, DoD has advised the Board that it needs the services of the carriers relieved by the foregoing orders until the Board decides the policy issues raised by their applications and grants operating authorizations to those carriers that meet the Board's requirements.⁴ Accordingly, we find it in the public interest to extend the temporary relief for these DoD carriers for the reasons given in the foregoing orders.⁵

We find the contentions of RTP and Van unpersuasive because (1) RTP and Van have made no showing that continuing the temporary relief would be prejudicial to either carrier, and (2) the DoD carriers relieved by the above-mentioned orders have performed services for DoD for over 5 years without any apparent adverse effects on any authorized indirect air carrier.

² The term "used household goods" means personal effects (including unaccompanied baggage) and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling, but specifically excludes (1) furniture, fixtures, equipment, and the property of stores, offices, museums, institutions, hospitals, or other establishments, when a part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals or other establishments, and (2) objects of art (other than personal effects), displays, and exhibits.

³ See order E-22079, Apr. 26, 1965, and order E-22269, June 4, 1965.

⁴ Many of the applications filed by DoD carriers have raised policy issues that are pending final consideration by the Board. See orders E-22185, May 20, 1965, E-22447, July 16, 1965, and E-22496, August 2, 1965.

⁵ Nothing in this order should be construed as a determination of the final disposition to be made of the applications for air freight forwarder authority filed by the carriers relieved by this order. Furthermore, nothing in this order should be construed as an approval of control and interlocking relationships or agreements by the carriers relieved by this order, or their affiliates.

Accordingly, it is ordered, 1. Pursuant to sections 101(3) and 204 of the Federal Aviation Act of 1958, as amended, the air freight forwarder applicants listed in appendix A are hereby relieved from the provisions of title IV and section 610(a) (4) of the act from August 17, 1965, through February 16, 1966, or until the date the application for operating authorization is granted, denied, or dismissed, whichever occurs first, to the extent necessary to transport by air used household goods of personnel of the Department of Defense upon tender by the Department;

2. The relief granted in ordering paragraph 1 will not be renewed or extended beyond the termination date of February 16, 1966, for any applicant who has not been granted operating authorization by that date; *Provided*, That the Board may extend such relief in cases in which applicant has been granted additional time to respond to requests for supplemental information necessary to process his application;

3. The transportation services performed pursuant to the authority granted herein do not constitute an activity of a continuing nature within the meaning of section 9(b) of the Administrative Procedure Act, 5 U.S.C. 1008(b);

4. This order may be amended or revoked at any time in the discretion of the Board, without hearing; and

5. Copies of this order shall be served on the Military Traffic Management and Terminal Service, U.S. Army, and all persons listed in Appendix A.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Acce R. B. Van Lines, Inc., 2136 NW, 24th Avenue, Miami 52, Fla.
Acme Fast Freight, Inc., 2 Lafayette Street, New York 7, N.Y.
Air Van Lines, Inc. (Alaska), 135 North Post Road, Anchorage, Alaska
Allied Van Lines, Inc., 25th Avenue and Roosevelt Road, Broadview, Ill.
American Ensign Van Service, Inc., 1010 Hawkins Way, El Paso, Tex., 79925
Asiatic Forwarders, Inc., 3009 16th Street, San Francisco, Calif., 94103
Bekins Household Shipping Co., 800 East D Street, Wilmington, Calif., 90746
Bekins Van Lines Co., 800 East D Street, Wilmington, Calif., 90746
Container Transport International, Inc., 17 State Street, New York, N.Y.
Dean Van Lines, Inc., 18420 South Santa Fe Avenue, Post Office Box 923, Long Beach, Calif., 90801
Express Forwarding & Storage Co., Inc., 17 State Street, New York, N.Y., 10004
Fernstrom Storage & Van Co., 5600 North River Road, Rosemont, Ill.
Four Winds Forwarding, Inc., 737 East Artesia Boulevard, Long Beach 5, Calif.
Getz Bros. & Co. (U.S.), 640 Sacramento Street, San Francisco, Calif., 94111
HC&D Moving & Storage, 800 South Street, Honolulu, Hawaii
Imperial Household Shipping Co., Inc., Post Office Box 2125, Torrance, Calif., 90509
International Sea Van, Inc., 1212 St. George Road, Evansville, Ind., 47703
Lyon Van Lines, Inc., 3416 South LaCienega Boulevard, Los Angeles, Calif., 90016

National Van Lines, Inc., 2800 Roosevelt Road, Broadview, Ill.
Neptune World Wide Moving, Inc., 55 Weyman Avenue, New Rochelle, N.Y.
North American Van Lines, Inc., Post Office Box 988, Fort Wayne, Ind.
Railway Express Agency, Inc., 219 East 43d Street, New York 17, N.Y.
Richardson Transfer & Storage Co., Inc., 246 North Fifth Street, Salina, Kans.
Security Van Lines, Inc., 120 West Airline Highway, Kenner, La.
Shamrock Van Lines, Inc., Post Office Box 5447, Dallas 7, Tex.
Smyth Worldwide Movers, Inc., 11616 Aurora Avenue North, Seattle, Wash., 98133
Suddath Moving & Storage Co., Inc., 315-19 East Bay Street, Jacksonville 2, Fla.
Sunpak Movers, Inc., 1621 Queen Anne Avenue North, Seattle, Wash., 98109
Trans Ocean Van Service, Inc., Post Office Box 7331, Long Beach, Calif., 90807
United Van Lines, Inc., 7808 Maplewood Industrial Court, St. Louis 17, Mo.
Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif., 94802
Von Der Ahe Van Lines, Inc., 600 Rudder Avenue, Fenton, Mo., 63026
Wheaton Van Lines, Inc., 2525 East 56th Street, Post Office Box 55191, Indianapolis 5, Ind.
Withers Van Lines of Miami, Inc., 1000 Northeast First Avenue, Miami 36, Fla.

[P.R. Doc. 65-8699; Filed, Aug. 17, 1965; 8:46 a.m.]

FEDERAL MARITIME COMMISSION PORT OF SEATTLE AND SEA-LAND SERVICE, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has 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 at the Washington office of the Federal Maritime Commission, 1321 H Street NW, Room 301; or may inspect agreement 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:

Port of Seattle, Post Office Box 1209, Seattle, Wash., 98111

Agreement No. T-1847 between Port of Seattle (Seattle) and Sea-Land Service, Inc. (Sea-Land) provides for the lease of a portion of Pier 5, Seattle, for a period which will terminate on May 31, 1969. Sea-Land will have an option to renew the lease for three additional 5-year periods. Certain of the premises covered by this lease are now being operated pur-

suant to approved Federal Maritime Commission Agreement No. T-170. Sea-Land will pay a fixed monthly rental in lieu of Seattle's tariff charges and agrees that all of its terminal operations for which it publishes separate terminal charges, are subject to the provisions of Seattle's terminal tariffs, except for the service and facilities charge. Sea-Land will use the premises for the loading and discharging of its vessels, and for operations incidental thereto. Seattle reserves secondary berthing privileges at a portion of the leased premises provided such use does not unreasonably interfere with Sea-Land's operations. All terminal charges in connection with such use will accrue to Seattle.

Dated: August 16, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 65-8777; Filed, Aug. 17, 1965;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2529]

CENTRAL MAINE POWER CO.

Notice of Application for License for Constructed Project

AUGUST 12, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Central Maine Power Company (correspondence to: W. H. Kimball, Vice President and Comptroller, Central Maine Power Co., 9 Green Street, Augusta, Maine, 04332; copies to: LeBoeuf, Lamb and Leiby, 1 Chase Manhattan Plaza, New York, N.Y., 10005) for a license for constructed Project No. 2529, known as the Bonny Eagle Project, located on the Saco River, in the towns of Hollis Standish, Buxton, and Limington, in the counties of Cumberland and York, State of Maine.

The existing project consists of: (1) A dam in the main river channel embodying a concrete intake section 164 feet long, top elevation 225 feet m.s.l., and a log sluice 7 feet wide—dam and log sluice being flanked by an earth dike on the east shore 370 feet long and a similar dike on the west shore 250 feet long; (2) a diversion dam comprised of a concrete gravity overflow section 339 feet long, crest elevation 212 feet, a trash sluice gate, and concrete abutments, elevation 217 feet, at both ends of the dam; (3) a reservoir extending 6 miles upstream with an area of 347 acres at normal pond elevation 216 feet; (4) a steel and brick powerhouse containing 6 generating units of 1,200 kw each; (5) 10 1,250-kva step-up transformers; and (6) appurtenant electrical and mechanical facilities.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which pro-

tests or petitions may be filed is September 27, 1965. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8714; Filed, Aug. 17, 1965;
8:48 a.m.]

[Project No. 2530]

CENTRAL MAINE POWER CO.

Notice of Application for License for Constructed Project

AUGUST 12, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Central Maine Power Co. (correspondence to: W. H. Kimball, Vice President and Comptroller, Central Maine Power Co., 9 Green Street, Augusta, Maine, 04332; copies to: LeBoeuf, Lamb and Leiby, 1 Chase Manhattan Plaza, New York, N.Y., 10005) for license for constructed Project No. 2530, known as the Hiram Project, located on the Saco River, in the towns of Hiram, Baldwin, Brownfield, and Denmark, in the counties of Cumberland and Oxford, State of Maine.

The existing project consists of: (1) A dam comprised of a concrete gravity overflow section about 254 feet long with crest elevation 343.9 feet (topped with 5.1 feet flashboards), four gate sections containing a deep sluice gate controlled by stop logs, a tainter gate 10 feet wide by 7.5 feet high serving as a long sluice, a trash sluice controlled by stop logs, and a tainter gate 22 feet wide by 11 feet high, a concrete intake section 25 feet long, and a timber nonoverflow bulkhead section 85 feet long; (2) a reservoir extending upstream 7.5 miles with an area of 255 acres at normal pond elevation 349 feet; (3) a powerhouse of concrete, brick and steel 47 feet 5 inches long and 41 feet 2 inches wide, housing a 3,750-hp turbine connected to a 2,400-kw generator; and (4) appurtenant electrical and mechanical facilities.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is September 27, 1965. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8715; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-36]

EL PASO NATURAL GAS CO.

Notice of Application

AUGUST 13, 1965.

Take notice that on July 30, 1965, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP66-36 an application pursuant to section 7(c) of the Natural

Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities to augment existing facilities which are utilized for the transportation of gas in the Monument area of Lea County, N. Mex., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that its facilities in the Monument area consist, in part, of a purification and dehydration plant (Monument Plant) and two 16-inch O.D. discharge pipelines extending from the plant. Applicant further states that the gas sources which supply the Monument Plant have increased to the extent that the plant is critically overloaded and some gas is being flared. The application recites that one of the 16-inch lines is old and uncoated and was used to handle wet, corrosive, sour gas prior to the time the Monument Plant was placed in service and its continued operation in high-pressure service presents potential hazards.

Applicant proposes to increase the purification and dehydration design inlet capacity of the Monument Plant from 110 M³/cf per day to 180 M³/cf per day, to remove from high-pressure gas service the old, uncoated discharge line, and to construct and operate approximately 5.2 miles of 20-inch O.D. pipeline which will loop the remaining 16-inch discharge line.

The 16-inch line proposed to be removed from high-pressure service will be utilized on a lower pressure gathering service.

The total estimated cost of the proposed construction is \$604,000, which Applicant proposes to finance from currently available working funds.

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) and the regulations under the Natural Gas Act (157.10) on or before September 9, 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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8716; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-42]

MANUFACTURERS LIGHT AND HEAT CO. AND TEXAS EASTERN TRANSMISSION CORP.**Notice of Application**

August 13, 1965.

Take notice that on August 6, 1965, the Manufacturers Light and Heat Co. (Manufacturers), 800 Union Trust Building, Pittsburgh, Pa., 15219, and Texas Eastern Transmission Corp. (Texas Eastern), Post Office Box 2521, Houston, Tex., 77002, filed in Docket No. CP66-42 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the exchange and delivery of natural gas and the construction and operation of exchange facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that Manufacturers proposes to test oil and gas leases owned by it by drilling a natural gas test well at a location on one of the leases in Monroe Township, Bedford County, Pa. Texas Eastern's facilities are approximately 13 miles closer to the test area than are the facilities of Manufacturers.

Manufacturers proposes to construct and operate approximately 1.7 miles of 6-inch diameter pipeline from a point of connection with a well line from the proposed exploratory well to a point of connection with one of Texas Eastern's parallel 20-inch and 24-inch diameter transmission pipelines to be known as the Emerson Connection, to be located in Monroe Township.

The facilities would be used by Manufacturers to transport gas from the first producing well and such other local natural gas as may be developed and become available from other wells that may be later drilled in the area, including gas produced by Manufacturers or by independent producers. Pursuant to an exchange agreement entered into between the parties on July 23, 1965, Texas Eastern would simultaneously return substantially equal quantities of natural gas to Manufacturers at presently existing points of delivery now provided in the current service agreement between the parties dated October 20, 1964. The maximum daily quantities of gas to be exchanged under the proposal would not exceed 20,000 Mcf unless otherwise agreed by the parties.

Texas Eastern proposes to make the necessary tap to its facilities and install and operate at the point of connection the necessary valves, fittings and meter furnished by Manufacturers.

The total cost of construction of all the facilities is estimated to be \$79,000, which will be borne by Manufacturers from funds on hand.

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) and the regulations under the Natural Gas Act (157.10) on or before September 9, 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, and 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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8717; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-39]

NATURAL GAS PIPELINE COMPANY OF AMERICA**Notice of Application**

August 12, 1965.

Take notice that on August 2, 1965, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP-66-39 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities for the sale and delivery of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate approximately 120 feet of 2-inch lateral, a meter station and other appurtenant facilities in La Salle County, Ill., for the sale and delivery of natural gas to Northern Illinois Gas Co. (Northern) for resale to the Wallace Township school which is located north of Ottawa, La Salle County, Ill.

Northern, an existing customer of Applicant, proposes to serve the school from quantities of natural gas which Applicant has heretofore been authorized to sell and deliver to Northern. Applicant therefore does not propose any increase in the daily contract quantity of flow gas or the maximum daily quantity of storage withdrawal of Northern.

The total estimated cost of the proposed facilities is \$3,900, which Applicant proposes to finance from funds on hand.

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) and the regulations under the Natural Gas Act (157.10) on or before September 7, 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, and 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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8718; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-44]

NORTHERN NATURAL GAS CO.**Notice of Application**

August 13, 1965.

Take notice that on August 9, 1965, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha 2, Nebr., filed in Docket No. CP66-44 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of additional horsepower at two existing compressor stations, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to install 2,000 additional horsepower at its Holcomb Station located in Finney County, Kans., and 3,000 additional horsepower at its Hugoton Station in Stevens County, Kans. Applicant also proposes certain piping and cylinder modifications at these two stations.

Applicant states that the additional horsepower is required to offset declining wellhead pressures behind both stations and to permit it to meet its gas purchase obligations in the Hugoton Field.

The estimated cost of the proposed increase in horsepower and modifications is \$1,604,400, which will be financed from cash on hand.

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) and the regulations under the Natural Gas Act (157.10) on or before September 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, and 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.

GORDON M. GRANT,
Acting Secretary.

[P.R. Doc. 65-8719; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. RP66-3]

NORTHERN NATURAL GAS CO.

Notice of Proposed Changes in Rates and Charges

AUGUST 12, 1965.

Take notice that on August 5, 1965, Northern Natural Gas Co. (Northern) tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1, to become effective as of June 27, 1965. The proposed changes reflect decreases in rates and charges contained in Northern's rate schedules and reflect a reduction of 17.4 cents per Mcf in Northern's currently effective demand charges for sales of natural gas for resale in interstate commerce. The proposed reduction is stated to be a decrease in annual jurisdictional revenues of approximately \$3,500,000, based on contract demands to be effective as of October 27, 1965.

In addition to the aforementioned rate decrease, Northern proposes to refund approximately \$670,000 for the period January 1, 1965 to June 27, 1965, reflecting the reduction in the Federal income tax rates, to flow through refunds from suppliers and to reflect certain rate reductions from its suppliers.

The filing also sets forth certain procedures and terms relating to Northern's use of liberalized depreciation for tax purposes. Finally, the proposal provides that Northern will not file for increases in the presently proposed rates or in the rates as decreased by provisions of this or existing agreements before December 27, 1966.

Copies of the filing have been served by Northern Natural Gas Co. upon customers and interested State Commissions. Comments may be filed with the Commission on or before August 27, 1965.

GORDON M. GRANT,
Acting Secretary.

[P.R. Doc. 65-8720; Filed, Aug. 17, 1965;
8:48 a.m.]

[Project No. 2526]

PUBLIC UTILITY DISTRICT NO. 1 OF PEND OREILLE COUNTY, WASH.

Notice of Application for License for Unconstructed Project

AUGUST 13, 1965.

Public notice is hereby given that application has been filed under the Fed-

eral Power Act (16 U.S.C. 791a-825r) by Public Utility District No. 1 of Pend Oreille County, Wash. (correspondence to: V. P. Campbell, Manager, Public Utility District No. 1 of Pend Oreille County, Post Office Box 276, Newport, Wash.) for a license for unconstructed Project No. 2526, known as the Sullivan Creek Project, to be located on Sullivan Lake, Outlet Creek and Sullivan Creek, a tributary of Pend Oreille River, in Pend Oreille County, Wash., and affecting lands of the United States within the Kaniku National Forest.

The proposed project would consist of: (1) An earth and rock fill dam below the juncture of Sullivan and Outlet Creeks which would raise the elevation of Sullivan Lake Reservoir to 2,594 feet, providing approximately 61,600 acre-feet of storage; (2) 7,160 feet of 11-foot tunnels; (3) 4,792 feet of open canals; (4) 368 feet of 9-foot pipe; (5) 1,000 feet of 8-foot pipe; (6) 1,208 feet of penstock consisting of 758 feet of 11-foot unlined tunnel and 450 feet of 8.5-foot lined tunnel; (7) a powerhouse constructed in rock with a concrete roof containing two 6,800 kw generators; (8) access roads; (9) a transmission line; and (10) other appurtenances.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 6, 1965. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[P.R. Doc. 65-8721; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-38]

SOUTHERN NATURAL GAS CO.

Notice of Application

AUGUST 12, 1965.

Take notice that on August 2, 1965, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala., 35202, filed in Docket No. CP66-38 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of approximately 10 miles of 8 $\frac{1}{2}$ -inch pipeline extending from a point on Applicant's main South Line, near M.P. 296.8, in a southerly and southeasterly direction to a point, known as Columbus Junction, on Applicant's Phenix City-Columbus branch line, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that the Phenix City-Columbus branch line consists of a single line of acetylene-welded pipe installed over 35 years ago and is in need of repair. It is further stated that the proposed pipeline will permit Applicant to make necessary repairs to the branch line and will provide safety and security of operation to consumers in the area of Columbus, Fort Benning, and Phenix City.

The estimated cost of construction of the proposed facilities is \$404,620, which will be financed from cash on hand.

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) and the regulations under the Natural Gas Act (157.10) on or before September 7, 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, and 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.

GORDON M. GRANT,
Acting Secretary.

[P.R. Doc. 65-8722; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-40]

TENNESSEE GAS TRANSMISSION CO.

Notice of Application

AUGUST 13, 1965.

Take notice that on August 4, 1965, Tennessee Gas Transmission Co. (Applicant), Post Office Box 2511, Houston, Tex., filed in Docket No. CP66-40 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 to Portland Gas Light Co. (Portland), a new customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that the proposed service will allow Portland to distribute natural gas to the citizens of the city of Portland, Maine, and environs. The estimated volumes required to serve the proposed new customers are 7,000 Mcf per day (maximum daily quantity) and 3,943 Mcf per day (average daily quantity).

Applicant proposes to sell the natural gas to Portland through existing meter facilities on its main transmission system at valve No. 270B-722, which is located on the Massachusetts-New Hampshire State line and through which Applicant is presently making deliveries to Granite State Gas Transmission, Inc. (Granite State). The gas will be delivered at this point to Granite State for the account of Portland. Granite State will transport the gas to the New Hampshire-Maine border where it will be de-

livered to Portland.¹ No new facilities are proposed to be constructed by Applicant.

Applicant proposes to render the service from a portion of the remaining unallocated annual average day delivery capacity authorized in Docket No. CP65-120.

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) and the regulations under the Natural Gas Act (157.10) on or before September 7, 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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8723; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-41]

TEXAS GAS TRANSMISSION CORP.
Notice of Application

AUGUST 12, 1965.

Take notice that on August 4, 1965, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky., 42301, filed in Docket No. CP66-41 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction, replacement and operation of certain natural gas facilities and the exchange of gas with Memphis Light, Gas & Water Division (Memphis), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the facilities indicated below in Shelby County, Tenn.:

(1) Replace a 40-foot segment in each of the two 26-inch main lines with 26-inch heavy wall pipe, and install a 16-inch side valve on each replacement segment;

(2) Construct a 16-inch tie-over between the two 26-inch main lines which will require approximately 80 feet of 16-inch heavy wall pipe;

(3) Install 80 feet of 20-inch heavy wall pipe between Applicant's meter station, Memphis' facilities and the 16-inch tie-over; and

(4) Install one meter station.

The application states that Memphis has completed plans to construct and operate liquefied natural gas storage facilities north of the city of Memphis, Tenn., in the general vicinity where Applicant proposes to construct and operate the facilities for which authorization is requested. Applicant further states that Memphis is a general service customer of Applicant purchasing gas under Applicant's FPC Gas Rate Schedule No. G-1 and under the terms of a service agreement dated June 1, 1963.

Applicant proposes to exchange gas with Memphis in accordance with the provisions of a letter agreement between the parties dated July 8, 1965.

The application states that Memphis will use its proposed storage facilities to store, during its off-peak periods, part of the gas purchased from Applicant.

The stated purpose of the proposal is to permit Applicant to exchange gas with Memphis during the winter heating periods. Applicant proposes to deliver gas to Memphis at the various points of delivery under the service agreement while Memphis simultaneously delivers equivalent volumes of gas to Applicant through the facilities described above.

The estimated cost of the facilities to be constructed by Applicant is \$40,500, which will be financed from cash on hand.

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) and the regulations under the Natural Gas Act (157.10) on or before September 7, 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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8724; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP66-43]

**TEXAS EASTERN TRANSMISSION
CORP.**

Notice of Application

AUGUST 13, 1965.

Take notice that on August 9, 1965, Texas Eastern Transmission Corp. (Applicant), Post Office Box 2521, Houston, Tex., 77001, filed in Docket No. CP66-43 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and additional service to certain of its customers under its proposed Storage Service Rate Schedule, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the following facilities: A liquefied natural gas storage facility located near the terminus of its system near Linden, N.J., providing storage for the equivalent of approximately 2 billion cubic feet of natural gas and the delivery from such storage of approximately 199,000 Mcf per day; approximately 11 miles of 36-inch pipeline loops and 8 miles of 30-inch pipeline loops in the eastern portion of its system; an additional 8-inch meter run in the existing meter and regulating station for deliveries to Algonquin Gas Transmission Co. in Morris County, N.J.; and the change of impellers in the centrifugal compressors at the Armagh and Enriken compressor stations in Pennsylvania. Applicant also proposes to construct and operate additional Accident Storage Field facilities consisting of an additional 5,500 horsepower of compression, 30 new storage wells, approximately 22 miles of additional field and well lines of various diameters, and additional meter and regulating facilities.

Applicant proposes to utilize the facilities to provide service to the following customers under its Storage Service Rate Schedule and to store for and deliver to them the following quantities of natural gas in accordance with the provisions of that rate schedule:

Customer	Volumes stated in Mcf	
	Maximum daily quantity	Storage volume
Algonquin Gas Transmission Co.	38,131	2,600,151
The Brooklyn Union Gas Co.	51,001	3,570,095
New Jersey Natural Gas Co.	6,130	428,412
Public Service Electric & Gas Co.	20,401	1,428,038
Total	115,663	8,026,696

The storage service is proposed to commence November 1, 1967, with the aforesaid volumes of storage service gas being made available to Applicant's customers over a 3-year buildup period.

The application states that the addition of the proposed facilities to its pipeline system will permit Applicant to pro-

¹ Granite State's application for authorization to construct and operate the necessary facilities was filed on July 30, 1965, in Docket No. CP66-37.

vide storage service to its customers in an aggregate amount of approximately 153,000 Mef per day and 10.7 billion cubic feet per year.

The estimated cost of the proposed facilities is \$31,286,000, of which approximately \$13,126,000 is the estimated cost of the liquefied natural gas storage facility. The cost of construction will be financed initially through the use of Applicant's \$100,000,000 revolving credit and later permanently financed in accordance with its general financing pattern through the issuance of bonds, debentures, stocks, or from its general funds, depending upon market conditions at that time.

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) and the regulations under the Natural Gas Act (157.10) on or before September 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, and 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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 65-8725; Filed, Aug. 17, 1965;
8:48 a.m.]

[Docket No. CP61-311]

ARKANSAS LOUISIANA GAS CO.

Notice of Petition To Amend

AUGUST 11, 1965.

Take notice that on July 12, 1965, Arkansas Louisiana Gas Co. (Petitioner), Post Office Box 1734, Shreveport, La., filed in Docket No. CP61-311 a petition to amend the Commission's order issued in said docket on November 21, 1961, as heretofore amended on July 23, 1962, July 22, 1963, and September 4, 1964, authorizing, among other things, the sale of natural gas to Texas Eastern Transmission Corp. (Texas Eastern), as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petition also filed its First Revised Sheet No. 131 of its FPC Gas Tariff Original Volume No. 3, in order that its rate schedule XPS-19, which covers the sale

to Texas Eastern, will be conformed to the new termination date.

Petitioner now seeks authorization to extend the sale to July 22, 1966.

The petition states that the arrangement has worked out very satisfactorily for both parties and that the "deliver-only-when-available" privileges of Applicant and the "purchase-only-when-needed" privileges of Texas Eastern offer ideal flexibility for both.

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) and the regulations under the Natural Gas Act (157.10) on or before August 30, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-8701; Filed, Aug. 17, 1965;
8:46 a.m.]

[Project No. 2527]

CENTRAL MAINE POWER CO.

Notice of Application for License for Constructed Project

AUGUST 11, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Central Maine Power Co. (correspondence to: W. H. Kimball, Vice President and Comptroller, Central Maine Power Co., 9 Green Street, Augusta, Maine, 04332; copies to: Leboeuf, Lamb, and Leiby, One Chase Manhattan Plaza, New York, N.Y., 10005) for a license for constructed Project No. 2527, known as the Skelton Project, located on the Saco River in the towns of Buxton, Dayton, and Hollis, all in County of York, State of Maine.

The existing project consists of: (1) A dam made up of an earth section 1,200 feet long, top elevation 143 feet, a concrete retaining wall 763 feet long, top elevation 143 feet paralleling the river, a bulkhead section, top elevation 129 feet, 15.5 feet long, two concrete gravity spillway sections each about 155 feet long with crest elevation 108 feet controlled by four tainter gates, each 32.5 feet long and 20 feet high, the two sections being separated by a powerhouse-intake section, 107 feet long, and—log sluice, fishway, and bulkhead sections totaling about 61 feet; (2) a reservoir at elevation 127 feet, extending 3 miles to Bar Mills Station with an area of 488 acres; (3) a concrete powerhouse, 107 feet by 46 feet, containing two generators of 8,400 kw each; (4) two 12 mva transformers; (5) a 38 kv transmission line about seven-tenths of a mile long; and (6) appurtenant electrical and mechanical facilities.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is September 27, 1965. The application is on file

with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-8702; Filed, Aug. 17, 1965;
8:46 a.m.]

**HOUSING AND HOME
FINANCE AGENCY**

Office of the Administrator

**DESIGNATION OF ACTING REGIONAL
DIRECTOR OF COMMUNITY FACILITIES,
REGION I (NEW YORK)**

Revocation

The designation of Acting Regional Director of Community Facilities, Region I (New York), during the present vacancy in the position of Regional Director of Community Facilities, Region I, effective April 10, 1964 (29 F.R. 5420, April 22, 1964), is hereby revoked.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

Effective as of the 11th day of July 1965.

[SEAL] ROBERT C. WEAVER,
Housing and Home
Finance Administrator.

[F.R. Doc. 65-8706; Filed, Aug. 17, 1965;
8:46 a.m.]

**DEPUTY REGIONAL DIRECTOR OF
COMMUNITY FACILITIES, REGION I
(NEW YORK)**

**Delegation of Authority and
Designation**

Delegation. The Deputy Regional Director of Community Facilities, Housing and Home Finance Agency, Region I (New York), during the present vacancy in the position of Regional Director of Community Facilities, Region I, is hereby authorized within the region to exercise the authority delegated by the Regional Administrator, Region I, to the Regional Director of Community Facilities, Region I, under the programs administered under the Community Facilities Administration, including the following:

(a) First and second programs of advances for public works planning under Title V of War Mobilization and Reconstruction Act of 1944, as amended, 50 U.S.C. App. 1671 note; Act of October 13, 1949, as amended, 40 U.S.C. 451; and section 702(h) of the Housing Act of 1954, as amended, 40 U.S.C. 462(h) (30 F.R. 6604, May 13, 1965).

(b) Third program of advances for public works planning under section 702 of the Housing Act of 1954, as amended, 40 U.S.C. 462 (30 F.R. 6604, May 13, 1965).

(c) Loans for housing for educational institutions under Title IV of the Housing Act of 1950, as amended, 12 U.S.C. 1749-1749c (25 F.R. 6547, July 12, 1960).

(d) Public facility loans under section 202(a)-(d) of the Housing Amendments of 1955, as amended, 42 U.S.C. 1492(a)-(d) (28 F.R. 2298, Mar. 8, 1963).

(e) Grants-in-aid under section 202(e) of the Housing Amendments of 1955, as amended by section 5(b) of the Public Works Acceleration Act, 42 U.S.C. 1492(e) (28 F.R. 2298, Mar. 8, 1963, as corrected at 28 F.R. 2474, Mar. 13, 1963).

(f) Loans for housing for the elderly or handicapped under section 202 of the Housing Act of 1959, as amended, 12 U.S.C. 1701q (30 F.R. 9336, July 27, 1965).

(g) Loans and grants under sections 7 and 8 of the Area Redevelopment Act, 42 U.S.C. 2506 and 2507 (27 F.R. 3213, Apr. 4, 1962).

Designation. The officers appointed to the following listed positions in Region I (New York) are hereby designated to serve as Acting Deputy Regional Director of Community Facilities, Region I, in the absence of the Deputy Regional Director of Community Facilities during the present vacancy in the position of Regional Director of Community Facilities, Region I, with all the powers, functions, and duties redelegated or assigned to the Deputy Regional Director of Community Facilities, provided that no officer is authorized to serve as Acting Deputy Regional Director of Community Facilities unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Chief, Public Facilities Operations Branch.
2. Chief, College Housing Branch.

(62 Stat. 1283 (1946), as amended by 64 Stat. 80 (1950), 12 U.S.C. (1701c))

Effective as of the 11th day of July 1965.

[SEAL]

ROBERT C. WEAVER,
Housing and Home
Finance Administrator.

[F.R. Doc. 65-8707; Filed, Aug. 17, 1965;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File 812-1815]

E. I. DU PONT DE NEMOURS & CO.

Notice of Filing of Application for Order Exempting Proposed Trans- actions Between Affiliated Persons

AUGUST 11, 1965.

Notice is hereby given that E. I. du Pont de Nemours & Co. ("applicant"), Wilmington, Del., a Delaware corporation, 29 percent of the common stock of which is owned by Christiana Securities Co., a registered closed-end investment company, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting the transaction described below from the provisions of section 17(a)(1) of the Act.

Knollwood, Inc. ("Knollwood"), proposed to sell for a consideration of \$175,000 a certain tract of property to applicant near one of applicant's principal

home office buildings in the central business district of Wilmington, Del. R. R. M. Carpenter, Jr., a director of Christiana, owns approximately 17 percent of the outstanding voting stock of Knollwood. Section 17(a)(1) of the Act makes it unlawful for any affiliated person of a registered investment company, or any affiliated person of such a person, to sell to such registered investment company, or to any company controlled by such registered company, any security or other property unless the Commission upon application grants an exemption from such prohibition, after finding that the terms of the proposed transaction are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the registered investment company and with the general purposes of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

The Knollwood property consists of 3,240 square feet of ground area improved by two 3-story buildings facing on Tatnall Street and located across that street from the west end of applicant's Nemours Building. It is part of several properties being acquired by applicant in a program to purchase a major portion of the block west of Nemours Building. None of the other properties that have been purchased or are subject of purchase options were owned by persons affiliated directly or indirectly with Christiana.

Applicant and Knollwood have agreed upon a price of \$175,000 for the property in question, or \$54 a square foot for the 3,240 square feet of ground area involved. This price is \$30,347 in excess of Knollwood's aggregate investment of \$144,653. The prices that have been negotiated for the properties along the Tatnall Street side of the block range from \$31 to \$92 per square foot of ground area and average \$53 per square foot.

Notice is further given that any interested person may, not later than August 31, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless

an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-8675; Filed, Aug. 17, 1965;
8:45 a.m.]

[File No. 70-4297]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Proposed Issue and Sale of Notes to Banks

AUGUST 12, 1965.

Notice is hereby given that Michigan Wisconsin Pipe Line Co. ("Michigan Wisconsin"), One Woodward Avenue, Detroit, Mich., 48226, a gas transmission subsidiary company of American Natural Gas Co., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below:

Michigan Wisconsin proposes to issue and sell, from time to time commencing in September 1965 and in varying amounts as funds are required for construction purposes, its unsecured promissory notes to banks in an aggregate principal amount not exceeding \$12,000,000. Michigan Wisconsin's construction costs for 1965 are estimated at \$18,000,000. The banks and their respective commitments are as follows:

First National City Bank, New York, N.Y.	\$4,500,000
National Bank of Detroit, Detroit, Mich.	4,500,000
Manufacturers Hanover Trust Co., New York, N.Y.	1,750,000
First Wisconsin National Bank of Milwaukee, Milwaukee, Wis.	750,000
Marine National Exchange Bank, Milwaukee, Wis.	500,000
Total	\$12,000,000

Each note will be dated when issued, will mature March 31, 1967, and will bear interest at the prime rate (currently 4½ percent per annum) in effect at First National City Bank, New York, N.Y., on its issue date. The interest rate will be adjusted to the prime rate in effect at such bank at the beginning of each 90-day period subsequent to the date on which the first note is issued. There is no commitment fee, and the notes may be prepaid at any time without penalty.

Michigan Wisconsin will apply the net proceeds from any permanent debt financing effected prior to the maturity of the proposed notes in reduction of, or in total payment of, such notes, and the aggregate principal amount of such notes authorized under this filing will be reduced by the amount of any net proceeds of any such permanent debt financing.

Fees and expenses incident to the proposed transactions are estimated at

\$1,000, including legal fees of \$500. The declaration states that no approval or consent of any regulatory body other than this Commission is necessary for the consummation of the proposed transactions.

Notice is further given that any interested person may, not later than September 9, 1965, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-8676; Filed, Aug. 17, 1965;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 805]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 13, 1965.

The following publications are governed by the new § 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIER OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of

filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

Special rules of procedure for hearing.
(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 59367 (Sub-No. 20) (AMENDMENT), filed May 3, 1965, published FEDERAL REGISTER issue of May 26, 1965, amended July 12, 1965, and republished as amended this issue. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from points in Dakota County, Nebr., and Sioux City, Iowa to points in Alaska, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin. **NOTE:** The purpose of this republication is to add the origin point of Sioux City, Iowa, and to add the destination states of Alaska and Nebraska.

HEARING: October 11, 1965, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Alvin H. Shutrumpf.

No. MC 108912 (Sub-No. 12), filed July 26, 1965. Applicant: CHICAGO PITTSBURGH EXPRESS, INC., 134 North La Salle Street, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packing-*

houses, other than commodities in bulk, in tank vehicles, from Sioux City, Iowa, and points in Dakota County, Nebr., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, West Virginia, Delaware, Maryland, Indiana, Ohio, and Illinois.

HEARING: October 11, 1965, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Alvin H. Shutrumpf.

No. MC 116273 (Sub-No. 48), filed July 26, 1965, published in FEDERAL REGISTER of August 11, 1965, and republished this issue. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients*, from East Dubuque, Ill., and points in Illinois within ten (10) miles thereof, to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. The purpose of this republication is to reflect the hearing date.

HEARING: September 29, 1965, at the Midland Hotel, 173 West Adams Street, Chicago, Ill., before Examiner James Anton.

No. MC 119384 (Sub-No. 9), filed July 29, 1965. Applicant: MORTON TRUCK LINES, INC., 101 West Willis Avenue, Perry, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa, 50316. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from points in Dakota County, Nebr. to Chicago, Ill.

HEARING: October 11, 1965, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Alvin H. Shutrumpf.

No. MC 119765 (Sub-No. 8), filed July 26, 1965. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, from Sioux City, Iowa, and points in Dakota County, Nebr., to points in Illinois, Indiana, Ohio, Kansas, and Wisconsin.

HEARING: October 11, 1965, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Alvin H. Shutrumpf.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-8692; Filed, Aug. 17, 1965;
8:45 a.m.]

[Notice 806]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

AUGUST 13, 1965.

The following publications are governed by the new § 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING MOTOR CARRIERS OF PROPERTY

No. MC 31600 (Sub-No. 590), filed May 18, 1965, published FEDERAL REGISTER June 9, 1965, amended August 4, 1965, and republished as amended this issue. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass., 02154. Applicant's representative: Harry C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen gas*, in bulk, (1) from East Hartford, Conn., to points in Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and points in Albany and Rensselaer Counties, N.Y., and (2) from Albany, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. NOTE: The purpose of this republication is to modify commodity description as shown above, to add (2) above, and to add hearing information.

HEARING: October 7, 1965, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Thomas R. Roper.

No. MC 113651 (Sub-No. 90), filed August 2, 1965. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles), from points in Iowa, to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, Louisiana, Mississippi, Virginia, and West Virginia.

HEARING: September 20, 1965, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Armin G. Clement.

No. MC 113843 (Sub-No. 87) (AMENDMENT), filed May 13, 1965, published FEDERAL REGISTER, issue of June 3, 1965,

amended August 3, 1965, and republished as amended this issue. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. Applicant's representative: Frank J. Weiner, 182 Forbes Building, Forbes Road, Braintree, Mass., 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet steel cans*, from Peabody, Mass., to points in that part of New York on, north and west of a line beginning at the New York-New Jersey-Pennsylvania State line at or near Minisink, N.Y., and extending along U.S. Highway 6 to junction Interstate Highway 87 at or near Central Valley, N.Y., thence north along Interstate Highway 87 to junction New York Highway 146 at or near Clifton Park, N.Y., thence northeast along New York Highway 146 to junction U.S. Highway 4 at or near Mechanicville, N.Y., thence along U.S. Highway 4 to junction New York Highway 67, thence along New York Highway 67 to the New York-Vermont State line, excluding points in the Albany, N.Y., commercial zone as defined by the Commission. The purpose of this republication is to clearly set forth the authority sought.

HEARING: September 20, 1965, at the Hotel Bradford, 275 Tremont Street, Boston, Mass., before Examiner William J. Cave.

No. MC 116325 (Sub-No. 28), filed July 21, 1965. Applicant: JENNINGS BOND, doing business as BOND ENTERPRISES, Post Office Box 185, Lutesville, Mo. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit, pipe, or tubing, plastic, or fibre (bituminized or indurated)*, with or without fittings, from Sherman, Tex., to points in Arkansas, Missouri, Oklahoma and Kansas.

HEARING: September 20, 1965, at the Baker Hotel, Dallas, Tex., before Examiner Hobart C. Clough.

No. MC 123067 (Sub-No. 29), (Republication) filed July 7, 1965, published FEDERAL REGISTER issue of July 29, 1965, and republished this issue. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in tank and hopper vehicles, from Greensboro, N.C., to points in Virginia and West Virginia. NOTE: The purpose of this republication is to reflect the hearing information.

HEARING: September 16, 1965, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 292.

No. MC 123393 (Sub-No. 74), filed August 5, 1965. Applicant: BILYEU REFRIGERATED TRANSPORT CORP., 1914 East Blaine, Springfield, Mo. Applicant's representative: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *com-*

mon carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, from points in Iowa, to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee (except Memphis, Tenn.), and *exempt commodities* on return.

HEARING: September 20, 1965, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Armin G. Clement.

No. MC 102682 (Sub-No. 246), (Republication), filed April 19, 1965, published FEDERAL REGISTER, issue of May 5, 1965, and republished this issue. Applicant: HUGHES TRANSPORTATION, INC., Charleston, S.C. By application filed April 19, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of the commodities and with the exceptions indicated below, from points in South Carolina to Charleston, S.C. An Order, Operating Rights Board No. 1, dated July 30, 1965, served August 6, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *ammunition and explosives* (except such commodities which, because of size or weight, require the use of special equipment), and of *component parts of the above-specified commodities* when moving in the same vehicle therewith, from points in South Carolina to West Memphis, Ark., and to points in Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, North Carolina (except Charlotte), Kentucky, Virginia, Maryland, Pennsylvania, New Jersey, Delaware, and the District of Columbia; and that upon receipt by the Commission, of applicant's written request for the coincidental cancellation of its certificate in No. MC-102682 (Sub-245), an appropriate certificate should be issued, subject to the condition that such certificate shall be limited in point of time to a period expiring 5 years from the effective date thereof. The application as filed and published fails to give adequate notice of the actual scope of the proposed service; and that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication.

No. MC 107573 (Sub-No. 5) (Republication), filed January 6, 1965, published FEDERAL REGISTER, issue of January 20, 1965, and republished this issue, after order of Commission. Applicant: GREEN JORDAN, Gordon, Ala. Authority sought to operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting: *Fertilizer* (except liquid fertilizer), from Montgomery and

Dothan, Ala., and Adel, Albany, Cordele, and Meigs, Ga., to Marianna and Malone, Fla., and to points in Florida within 30 miles of Marianna and Malone, Fla., and damaged shipments of the above-described commodity, on return. An Order, Operating Rights Board No. 1, dated July 30, 1965, served August 6, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *dry fertilizer*, from Montgomery and Dothan, Ala., and Adel, Albany, Cordele, and Meigs, Ga., to points in Jackson, Holmes, Washington, and Calhoun Counties, Fla., and that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the said findings, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 111729 (Sub-No. 68), (Republication), filed April 15, 1965, published FEDERAL REGISTER, issue May 5, 1965, and republished this issue, after order of Commission. Applicant: ARMORED CARRIER CORP., Bayside, N.Y. By application filed April 15, 1965, as amended, applicant seeks a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of the commodities indicated below, subject to a prior or subsequent movement by air, except that applicant requests that the service sought be limited to shippers other than banks and banking institutions, and that such service be authorized between points in Worcester County, Mass., and Boston, Mass. An order, Operating Rights Board No. 1, dated July 28, 1965, served August 4, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes of (1) *exposed film and prints* (except motion picture film used primarily for commercial theater and television exhibition), from points in Worcester County, Mass., to Logan Airport, Boston, Mass., and (2) *processed film and prints* (except motion picture film used primarily for commercial theater and television exhibition), and *complementary replacement film, and labels, envelopes, packaging materials and advertising literature moving therewith*, from Logan Airport, Boston, Mass., to points in Worcester County, Mass., restricted, in both instances, to traffic having an immediately prior or subsequent movement by air; and that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the said findings, a notice

of the authority actually granted will be published in the FEDERAL REGISTER, and any proper party in interest may file an appropriate pleading within a period of 30 days from the date of such publication.

No. MC 119268 (Sub-No. 19), (Republication), filed June 3, 1963, published FEDERAL REGISTER, issue of July 10, 1963, and republished this issue after report of Commission on reconsideration. Applicant: OSBORN, INC., Gadsden, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. By application filed June 3, 1963, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of frozen fruits, frozen berries, frozen vegetables, and potatoes and potato products, frozen and unfrozen, cooked, uncooked, and blanched, from points in Idaho and Oregon to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. A report of the Commission, decided July 21, 1965, served July 27, 1965, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of frozen fruits, frozen berries, frozen vegetables, and vegetable products, from Ontario, Oreg., and points in Idaho to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; and that a certificate authorizing such operations should be granted upon compliance by applicant with the requirements of sections 215, 217, and 221(c) of the act with our rules and regulations and subject to prior publication in the FEDERAL REGISTER of the authority granted herein, with an opportunity for any proper party in interest to file an appropriate protest or other pleading within 30 days from the date of such publication.

No. MC 119934 (Sub-No. 91), (Republication), filed March 25, 1965, published FEDERAL REGISTER, issues of April 14 and April 28, 1965, and republished this issue after order of Commission. Applicant: ECOFF TRUCKING, INC., Fortville, Ind. By application filed March 25, 1965, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of nitrogen fertilizer solution, in bulk, in tank vehicles, from Piqua, Ohio, to points in Kentucky, Indiana, and those in the lower peninsula of Michigan (except Grand Rapids and Kalamazoo, Mich.), and damaged and rejected shipments, on return. An order, Operating Rights Board No. 1, dated July 30, 1965, served August 6, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *nitrogen fertilizer solution*, in bulk, in tank vehicles, from the plant site of F. S. Royster Guano Co., near Piqua, Ohio, to points in Kentucky,

Indiana, and those in the lower peninsula of Michigan, except Grand Rapids and Kalamazoo, Mich., that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; that an appropriate certificate should be issued subject to certain conditions; and that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the said findings a notice of the authority actually granted will be published in the FEDERAL REGISTER, and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 126711 (Republication), filed November 9, 1964, published FEDERAL REGISTER, issue of November 25, 1964, and republished this issue after supplemental order of Commission. Applicant: EDWARD J. SAND, Walker, Iowa. That by application filed November 9, 1964, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of fertilizer (except in bulk), from Streator, Ill., to Urbana, Iowa, and empty containers on return, limited to a transportation service to be performed between March 15 and June 1 of each year. A supplemental order, Operating Rights Board No. 1, dated July 30, 1965, served August 6, 1965, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *fertilizer* (except in bulk), from Streator, Ill., to Urbana, Iowa; and that because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

NOTICE OF FILING OF PETITIONS

No. MC 61016 (Sub-No. 16), (Petition for amendment of certificate of public convenience and necessity), filed August 3, 1965. Petitioner: PETER PAN BUS LINES, INC., Springfield, Mass. Petitioner's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Petitioner holds a certificate of public convenience and necessity dated March 26, 1962, authorizing transportation in interstate or foreign commerce as a *common carrier* by motor vehicle, as follows: "Irregular routes: Passengers, in special round-trip seasonal operations, between April 1 and November 1 of each year,

beginning and ending at Springfield, Chicopee, Holyoke, Northampton, and Amherst, Mass., and extending to Hinsdale Raceway, Hinsdale, N.H., and return. By the instant petition, petitioner requests that its certificate be amended by striking the words "Passengers in special round-trip seasonal operations between April 1 and November 1 of each year" and substituting therefor the words "Passengers in special round-trip operations during the racing season at Hinsdale Raceway, Hinsdale, N.H. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading, consisting of an original and six copies each.

Nos. MC 115504 (Sub-No. 3), and MC 115504 (Sub-No. 14), (petition to serve Hardy, Utah, as an additional origin point), filed July 22, 1965. Petitioner: KENISON TRUCKING, INC., Post Office Box 324, Salt Lake City, Utah. Petitioner holds authority in Permit No. MC 115504 (Sub-No. 3) as follows: Irregular routes: *Dry fertilizer*, from Garfield and Salt Lake City, Utah, and the site of the United States Steel Corp., at Geneva, Utah, to points in Idaho and Nevada (except Yerington, Nev., and points within 35 miles thereof, and Silverpeak, Nev., and points within 80 miles thereof); and *Returned empty containers* used in the transportation of dry fertilizer, from the above-specified destination points, to Garfield and Salt Lake City, Utah, and the site of the United States Steel Corp., at Geneva, Utah. Restriction: The above-described operations are limited to a transportation service to be performed, under a continuing contract, or contracts, with the following shippers: Western Phosphates, Inc., Garfield, Utah, Wasatch Chemical Co., Salt Lake City, Utah, United States Steel Corp., Geneva, Utah, Rogers Wholesale Supply, Idaho Falls, Idaho. In Permit No. MC 115504 (Sub-No. 14), petitioner holds authority as follows: Irregular routes: *Dry fertilizer*, in bulk, from Garfield, Utah, to points in California, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts with Western Phosphate, Inc., of Garfield, Utah. By the instant petition, petitioner requests permission to serve Hardy, Utah, as an additional origin point for interstate shipments. Hardy, Utah, is one city block from the plant of the United States Steel Corp. at Geneva, Utah. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading, consisting of an original and six copies each.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor car-

riers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

MOTOR CARRIERS OF PROPERTY

No. MC-F-9187. Authority sought for control and merger by Pittsburgh & New England Trucking Co., Post Office Box 67, Dravosburg, Pa., of the operating rights and property of Dobson Freight Lines, Inc., Post Office Box 1698, Bridgeport, Conn., and for acquisition by F. T. Hiller, also of Dravosburg, Pa., of control of such rights and property through the transaction. Applicants' attorneys: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222, and Leonard Boreman, 1014 Frick Building, Pittsburgh, Pa., 15219. Operating rights sought to be controlled and merged: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment (other than those requiring special equipment or rigging because of weight or bulk), and those injurious or contaminating to other lading, as a *common carrier*, over regular routes, between Philadelphia, Pa., and New York, N.Y., serving all intermediate and certain off-route points; *metal containers*, over irregular routes, from Hurlock, Md., to certain points in New Jersey; *building materials* other than those ordinarily transported in dump trucks, between certain points in New Jersey, on the one hand, and, on the other, points in New York, Pennsylvania, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, Virginia, North Carolina, South Carolina, and the District of Columbia; and *malt beverages*, in containers, from Wilkes-Barre, Pa., to certain points in New Jersey. Pittsburgh & New England Trucking Co. is authorized to operate as a *common carrier* in New York, Massachusetts, New Jersey, Rhode Island, Connecticut, Pennsylvania, Ohio, West Virginia, Maine, New Hampshire, Vermont, North Carolina, Delaware, and Maryland. Application has been filed for temporary authority under section 210a(b).

No. MC-F-9188. Authority sought for purchase by LEONARD BROS. TRANSPORT, INC., 2595 Northwest 20th Street, Miami, Fla., of the operating rights of ACE-R. B. VAN LINES, INC., 2136 Northwest 24th Avenue, Miami, Fla., and for acquisition by Armlon Leonard (by virtue of stock voting agreement), also of Miami, Fla., of control of such rights through the purchase. Applicants' attorney and representatives: W. O. Turney, 2001 Massachusetts Avenue NW, Washington, D.C., 20036, Armlon Leonard, 2595 Northwest 20th Street, Miami, Fla., 33152, and Paul Berlin, 2136 Northwest 24th Avenue, Miami, Fla. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a *common carrier*, over irregular routes, between points in Florida, on the one hand, and, on the other, points in Georgia, South Carolina, North Carolina, Virginia, Maryland, Pennsylvania, Delaware, New Jersey, New York, Alabama, Mississippi,

Louisiana, Tennessee, Kentucky, Indiana, Ohio, Illinois, and the District of Columbia, between Auburn, N.Y., on the one hand, and, on the other, points in New York, Pennsylvania, Ohio, Delaware, Virginia, New Hampshire, Rhode Island, Indiana, Wisconsin, Massachusetts, Vermont, Connecticut, Michigan, Illinois, New Jersey, Maryland, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in Florida, Alabama, Delaware, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Texas, Connecticut, Maine, Massachusetts, Michigan, Missouri, New Hampshire, Rhode Island, Vermont, Wisconsin, California, Kansas, Nebraska, New Mexico, Oklahoma, Arkansas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-9189. Authority sought for purchase by Associated Truck Lines, Inc., 15 Andre Street, SE., Grand Rapids, Mich., 49507, of the operating rights and certain property of Southern Transportation Co., Inc., Seventh and Jackson Streets, Columbus, Ind., and for acquisition by C. Bylenga, Jr., and J. H. Fies, both also of Grand Rapids, Mich., of control of such rights and property through the purchase. Applicants' attorney: Roland Rice, 618 Perpetual Building, Washington, D.C., 20004. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between Shelbyville, Ind., and Louisville, Ky., serving certain intermediate and off-route points; two alternate routes for operating convenience only; and *general commodities*, excepting, among others, commodities in bulk, but not excepting household goods, between Indianapolis, Ind., and Seymour, Ind., serving all intermediate and certain off-route points. Vendee is authorized to operate as a *common carrier* in Michigan, Illinois, Ohio, Indiana, and Kentucky. Application has not been filed for temporary authority under section 210a(b). Note: F.D. No. 23772 filed concurrently.

No. MC-F-9190. Authority sought for purchase by Hercules Trucking Co., Inc., 999 Pontiac Avenue, Cranston, R.I., of a portion of the operating rights and certain property of Balboni Express Co., 855 Pleasant Street, Norwood, Mass., and for acquisition by John M. Randall, 629 Middle Road, East Greenwich, R.I., of control of such rights and property through the purchase. Applicants' attorney: Mary E. Kelley, 10 Tremont Street, Boston, Mass. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Providence, R.I., and Stamford, Conn., serving no intermediate points, between New York, N.Y., and Stamford, Conn., serving all intermediate points, and the off-route point of Mount Vernon, N.Y.; *general commodities*, excepting, among others, household

goods and commodities in bulk, over irregular routes, between points in Essex, Union, Hudson, Passaic and Bergen Counties, N.J., on the one hand, and, on the other, New York, N.Y. Vendee is authorized to operate as a common carrier in Rhode Island, Massachusetts, Connecticut, New York, and New Jersey. Application has been filed for temporary authority under Section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-8693; Filed, Aug. 17, 1965;
8:45 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

August 13, 1965.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. Unassigned, filed August 2, 1965. Applicant: ROBERT L. ROY, doing business as RAVALLI MOTOR FREIGHT, 506 North First, Hamilton, Mont. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of property between Butte, Mont., and Trapper Creek Camp Youth Job Corps, United States of America—Ravalli County, by the same routes as described in applicant's MRC 646 with extension of service from Darby, Mont., to Trapper Creek campsite.

HEARING: Date, time and place assigned for hearing application not known at this time. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Montana Board of Railroad Commissioners, Helena, Mont., and should not be directed to the Interstate Commerce Commission.

State Docket No. Unassigned, filed August 2, 1965. Applicant: WILLIAM E. SELISKI, 665 Woodworth Street, Missoula, Mont. Applicant's representative: Jeremy G. Thane, Savings Center Building, Missoula, Mont. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of meat, meat products, meat byproducts, and articles distributed by packinghouses, as described in sections A, B and C, Appendix

I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between points in Missoula, Ravalli, Deer Lodge, Granite, Silver Bow, Mineral, Lewis and Clark, Powell, Lake, Sanders, Flathead, Lincoln, Glacier, and Beaverhead Counties, Mont. NOTE: Applicant states a substantial portion of its proposed transportation will involve shipments coming to Missoula, Mont., in interstate commerce by other carriers for ultimate delivery to points outside Missoula, and within the area for which authority is sought.

HEARING: Date, time, and place assigned for hearing, not specified. Requests for procedural information, including the time for filing protests concerning this application should be addressed to the Montana Board of Railroad Commissioners, Helena, Mont., and should not be directed to the Interstate Commerce Commission.

State Docket No. assigned 7965 CCT, filed June 1, 1965. Applicant: SOUTH FLORIDA FREIGHTWAYS, INC., 3355 Northwest 41st Street, Miami, Fla. Applicant's representative: Dan R. Schwartz, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: *General commodities*, (1) between Riviera Beach and Orlando, Fla., serving all intermediate points; from Riviera Beach over U.S. Highway 1 to Titusville, thence over Florida Highway 405 to its junction with Florida Highway 50, thence over Florida Highway 50 to Orlando, and return over the same route, (2) between Miami and Orlando, Fla., serving all intermediate points; from Miami over U.S. Highway 27 to South Bay, thence over Florida Highway 80 to Belle Glade, thence over U.S. Highway 441 to Orlando, and return over the same route, (3) between South Bay and Orlando, Fla., serving all intermediate points; from South Bay over U.S. Highway 27 to Sebring, thence over U.S. Highway 27 and 27A to Haines City, thence over U.S. Highway 17 to Orlando, and return over the same route, (4) between Miami and Tampa, Fla., serving all intermediate points; from Miami over U.S. Highway 41 to Punta Gorda, thence over U.S. Highway 17 to Bartow, thence over U.S. Highway 98 to Lakeland, thence over U.S. Highway 92 to Tampa, and return over the same route, (5) between Punta Gorda and Tampa, Fla., over U.S. Highway 41 serving all intermediate points, (6) between the junction of U.S. Highway 41 and Florida Highway 29 near Everglades, Fla., and Fort Myers, Fla., serving all intermediate points; from said junction of U.S. Highway 41 with Florida Highway 29 over Florida Highway 29 to its junction with Florida Highway 82, thence over Florida Highway 82 to Fort Myers and return over the same route, (7) between Orlando and Tampa, Fla., over interstate Highway 4 serving no intermediate points, (8) between the West Palm Beach interchange on the Sunshine State Parkway and the junction of said parkway with U.S. Highway 17, over the Sunshine State Parkway, as an alternate route for operating convenience only,

and (9) all points in Florida on and south of Interstate Highway 4 between Tampa and Orlando and Florida Highways 50 and 405 between Orlando and Titusville as off-route points in connection with its regular route operations. NOTE: No duplicating authority is sought.

HEARING: September 15, 1965, DuPont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla., 32304, and should not be directed to the Interstate Commerce Commission.

State Docket No. assigned 8004 CCT, filed August 2, 1965. Applicant: GRAY TRUCK LINE CO., Post Office Box 1081, Lake Alfred, Fla. Applicant's representative: Dan R. Schwartz, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of: *Glass containers, bottles, carboys, demijohns, jars, and packing glasses; caps, covers, tops, or stoppers, metal, glass or composition; boxes, fiberboard, or pulpboard, corrugated or solid; boxes or crates, wooden, with or without partitions; pulpboard or fiberboard in sheets or rolls; pallets, and cullet;* between Lakeland, Tampa and Duval County, Fla., on the one hand, and, on the other, points in Florida.

HEARING: September 9, 1965, at 10:30 a.m., State Office Building, Winter Park, Fla. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla., 32304, and should not be directed to the Interstate Commerce Commission.

State Docket No. 47134, filed July 13, 1965. Applicant: JAMES L. CHASE, doing business as KERN VALLEY TRANSFER, 828 East Fourth Street, Los Angeles, Calif. Applicant's representative: Jack O. Goldsmith, 656 South Los Angeles Street, Los Angeles, Calif. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, with the usual exceptions, both in intrastate commerce and foreign commerce, between points on and along the following routes and in the areas described as follows: (1) U.S. Highway 99, including points within 10 miles laterally therefrom, between the Los Angeles territory, as described below, and Wheeler Ridge, inclusive. (Except (1) applicant is not authorized to serve Newhall, Saugus, and Castaic, or the off-route point of Rosamond except in conjunction with split delivery shipments, and (2) applicant is not authorized to provide local service between points (a) within the Los Angeles territory, and (b) within a 20-mile radius of the corporate limits of the city of Sacramento.) Los Angeles territory includes the cities of Pomona, Glendora, La Habra, Brea, Fullerton, and Stanton, plus the area embraced by the following boundary: Beginning in the county of Los Angeles at the intersection of Sunset Boulevard and U.S. Highway

101, alternate; thence northeasterly on Sunset Boulevard to California Highway No. 7; northerly along California Highway No. 7 to California Highway No. 118, northeasterly along California Highway 118 through and including the city of San Fernando to Lopez Canyon Road at the boundary of the Angeles National Forest, southerly and easterly and along the boundary of the Angeles National Forest to the city limits of Los Angeles, easterly and along the city limits of Los Angeles to the Angeles National Forest, easterly and along the boundary of the Angeles National Forest to the city limits of Pasadena, northerly, easterly, and southerly along the city limits of Pasadena to the boundary of the Angeles National Forest, easterly and along the boundary of the Angeles National Forest to the city limits of Pasadena, easterly and along the city limits of Pasadena to the boundary of the Angeles National Forest, easterly along the boundary of the Angeles National Forest to the prolongation of Ben Lomand Avenue, southerly along the prolongation of Ben Lomand Avenue and Ben Lomand Avenue and Barranca Avenue to Cienega Avenue, easterly along Cienega Avenue to San Dimas Avenue, southerly and along San Dimas Avenue to the San Bernardino Freeway; easterly along the San Bernardino Freeway to Arroyo Avenue, easterly along Arroyo Avenue to the city limits of Pomona, southeasterly and along the city limits of Pomona to Valley Boulevard, southwesterly along Valley Boulevard to La Puente Road, southwesterly along La Puente Road to Lemon Avenue, southeasterly along Lemon Avenue to Lemon Road, southerly along Lemon Road to Walnut Drive; southwesterly along Walnut Drive to Brea Canyon Cut-Off; southerly and along Brea Canyon Cut-Off to Fifth Avenue; westerly along Fifth Avenue to Fullerton Road; southerly and along Fullerton Road, to the Los Angeles-Orange County line; westerly along the Los Angeles-Orange County line to Valley Home Avenue, southerly along Valley Home Avenue and its prolongation to Magnolia Street, southerly along Magnolia Street to Orange Avenue, westerly along Orange Avenue to Knott Avenue; southerly along Knott Avenue to Ball Road, westerly along Ball Road to the west bank of the San Gabriel River, northerly along the west bank of the San Gabriel River to Harney Way, westerly along Harney Way to its intersection with California Highway No. 119, southerly along California Highway No. 119 to its intersection with U.S. Highway No. 101, alternate at Ximeno Street, southerly along Ximeno Street and its prolongation to the Pacific Ocean; westerly and northerly along the shoreline of the Pacific Ocean to a point directly south of the intersection of Sunset Boulevard and U.S. Highway No. 101, alternate; thence northerly along an imaginary line to point of beginning, (2) U.S. Highway 99, including points within 25 miles laterally therefrom, between Wheeler Ridge and Fresno, inclusive, including points within a 10-mile radius of the following:

(a) The junction of U.S. Highway 99 and California Highway 180 within the

city of Fresno; (b) The junction of California Highways 198 and 41 near Le-moore; (c) The junction of California Highway 180 and unnumbered highway known as Valley Road near Squaw Valley, (3) U.S. Highways 99, 99W and 99E between Fresno and Dunnigan and Lincoln, inclusive, including points and places within a 20-mile radius of the corporate limits of the city of Sacramento (see Exception 2 above), and including the off-route points of Escalon, Riverbank and Oakdale, (4) U.S. Highway 50 between Stockton and Tracy, inclusive, (5) California Highway 33 between its junction with U.S. Highway 50 near Tracy and Maricopa, including the off-route points of Huron, Kettleman City and Ford City, (6) U.S. Highway 6, including points within 10 miles laterally therefrom, between its junction with U.S. Highway 99 near San Fernando and a point 5 miles north of Lancaster, inclusive, including the off-route points of Quartz Hill, Pearblossom and Rosamond. Applicant is not authorized to serve Newhall, Saugus and Castaic, or the off-route point of Rosamond except in conjunction with split delivery shipments, (7) through routes and rates may be established between any and all points specified in subparagraphs 1 through 6 above, (8) for operating convenience only, applicant is authorized to traverse U.S. Highway 6 between a point thereon 5 miles north of Lancaster and Mojave, and U.S. Highway 466 between Mojave and a point thereon 25 miles east of U.S. Highway 99, serving no points or places on or laterally from U.S. Highways 6 and 466.

HEARING: Date, time and place assigned for hearing application, not known at this time. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the California State Building, San Francisco 2, Calif., and should not be addressed to the Interstate Commerce Commission.

By the Commission,

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-8695; Filed, Aug. 17, 1965;
8:45 a.m.]

[Notice 28]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 13, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protest must

certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 35320 (Sub-No. 84 TA), filed August 11, 1965. Applicant: TIME FREIGHT, INC., 2598 74th Street, Post Office Box 1120, Lubbock, Tex. Applicant's representatives: W. D. Benson, Jr., ninth floor, Citizens Tower, Lubbock, Tex., and Frank M. Garrison, 2598 74th Street, Post Office Box 1120, Lubbock, Tex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of usual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Memphis and Chattanooga, Tenn., over U.S. Highway 72, serving all intermediate points. Note: Applicant states that it will tack with present authority at Memphis, Tenn., Chattanooga, Tenn., and Tusculum, Ala., for 150 days. Supporting shippers: The application is supported by Military Traffic Management and Terminal Service. Send protests to: Harold M. Gregory, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 918 Tyler Street, Amarillo, Tex., 79101.

No. MC 41404 (Sub-No. 62 TA), filed August 11, 1965. Applicant: ARGOCOLLIER TRUCK LINES CORPORATION, Post Office Box 151, Fulton Highway, Martin, Tenn., 38237. Applicant's representative: Tom D. Copeland (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Boxes or crates, wirebound or wooden, upright or knocked down, or folded in sections, from Fernwood, Hazlehurst, Magnolia, McComb, and Picayune, Miss., to points in Avozelles, Evangeline, Lafayette, Pointe Coupee, St. Landry and St. Martin Parishes, La., for 150 days. Supporting shippers: Great Southern Wirebound Box Co., Post Office Box 229, Magnolia, Miss., 39652, Friedman & Broussard, Post Office Box 396, Lafayette, La., Southern Package Corp., Hazlehurst, Miss., Dupuis Produce Co., Breaux Bridge, La., Smith Brothers Fruit Co., Church Point, La. (Post Office Box 306), Alfred LaGrange, Inc., Opelousas, La., 70570. Send protests to: William W. Garland, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main, Memphis, Tenn., 38103.

No. MC 41404 (Sub-No. 63 TA), filed August 11, 1965. Applicant: ARGOCOLLIER TRUCK LINES CORPORATION, Post Office Box 151, Fulton Highway, Martin, Tenn. Applicant's representative: Tom D. Copeland (same address as applicant). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, shortening, lard, tallow, salad oils, salad dressing, and table sauces* (except such commodities in bulk or liquid form requiring tank transportation), from Jacksonville, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Anderson Clayton & Co., Foods Division, Post Office Box 35, Dallas, Tex., 75221. Send protests to: William W. Garland, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main, Memphis, Tenn., 38103.

No. MC 66562 (Sub-No. 2110 TA), filed August 6, 1965. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. Applicant's representative: Elmer F. Slovacek, 188 Randolph Tower, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between junction Iowa Highway 13 and U.S. Highway 151 and Manchester, Iowa, over Iowa Highway 13, serving the intermediate points of Ryan and Central City, Iowa, for 120 days. Restrictions and conditions proposed: 1. The service to be performed by applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc.; 2. Shipments transported by applicant shall be limited to those on through bills of lading or express receipts; and 3. Such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of Railway Express Agency, Inc. Note: Applicant requests that the authority for the proposed operation, if granted, be construed as an extension, to be joined and combined with its existing authority, thereby negating the restrictions against tacking or connections customarily placed upon temporary authority. Supporting shipper: Railway Express Agency, Inc. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 66562 (Sub-No. 2111 TA), filed August 9, 1965. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Evansville, Ind., and Chicago, Ill., serving the intermediate points of Highland, Terre Haute, and Vincennes, Ind., and Danville, Ill., from Evansville over U.S. Highway 41 to Terre Haute, Ind., thence via U.S. Highway 40 to its junction with Illinois Highway 1, thence via Illinois Highway 1 north to its junction with U.S. Highway 24 through Danville, Ill., thence via U.S. Highway 24, to its intersection with U.S. Highway

41, thence north to Chicago, Ill., for 180 days. Supporting shipper: The application is supported by approximately 20 letters of support which are on file here at the Commission in Washington, D.C. Send protests to: R. M. Hagarty, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind., 46204.

No. MC 89684 (Sub-No. 53 TA), filed August 11, 1965. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South Second West Street, Post Office Box 366, Salt Lake City, Utah, 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, moving in express service, restricted against shipments over 250 pounds, between points in Utah and Idaho, for 180 days. Supporting shipper: The application is supported by approximately 150 letters of support which are on file at the Commission in Washington, D.C. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2324 Federal Building, Salt Lake City, Utah, 84111.

No. MC 103993 (Sub-No. 229 TA), filed August 11, 1965. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections, mounted on wheeled undercarriages with hitch ball connector (except oil field or industrial buildings), from points in California, Alaska, Montana, Oregon, Colorado, New Mexico, Utah, South Dakota, Idaho, Wyoming, Washington, and Nevada, to points in California, Nevada, Montana, Wyoming, Washington, Idaho, Arizona, Oregon, Colorado, New Mexico, Kansas, Nebraska, Utah, Oregon, South Dakota, North Dakota, Iowa, Minnesota, Alaska, Texas, Oklahoma, Louisiana, Arkansas, and Missouri, for 180 days. Supporting shipper: The application is supported by approximately 75 letters of support which are on file with the Commission here at Washington, D.C. Send protests to: John G. Edmunds, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Fort Wayne, Ind., 46802.

No. MC 108207 (Sub-No. 165 TA), filed August 12, 1965. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex., 75207. Applicant's representative: J. E. McClellan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cured meat, cheese, and salads*, from Dallas, Tex., to Oklahoma City, Okla., for 150 days. Supporting shipper: Byerly Foods, Inc., 2419 Farrington Street, Dallas, Tex. Send protests to: E. K. Wills, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomal Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 113678 (Sub-No. 159 TA), filed August 11, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Oscar Mandel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packing-houses*, as described in sections A and C of appendix I to the report in "Descriptions in Motor Carrier Certificates", 61 M.C.C. 209 and 766, from points in Dawson County, Nebr., to points in California, Colorado, Idaho, Nevada, Oregon, and Washington, for 180 days. Supporting shipper: Platte Valley Packing Co., Darr, Nebr. (notify supporting shipper's attorney: Claude Berreckman, Cozad, Nebr.). Send protests to: Paul A. Naughton, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo., 80202.

No. MC 119020 (Sub-No. 2 TA), filed August 11, 1965. Applicant: DONALD E. ELLIOTT, doing business as DON ELLIOTT, Route 1, Minnesota City, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sand and rock aggregate*, between Winona, Minn., and points within 5 miles of Winona, and Wabasha, Minn., on the one hand, and, on the other, Independence, Wis., for 180 days. Supporting shipper: Winona Ready Mixed Concrete, 5775 Sixth Street, Goodview, Winona, Minn. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 119488 (Sub-No. 4 TA) (CORRECTION), filed July 12, 1965, published in FEDERAL REGISTER issue of July 17, 1965, and republished as corrected this issue. Applicant: A. B. DISTRIBUTORS, INC., 218 Washington Avenue, Carlstadt, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Note: The purpose of this republication is to show carrier's correct docket number, No. MC 119488 (Sub-No. 4 TA), in lieu of MC 119448 (Sub-No. 4 TA).

No. MC 125420 (Sub-No. 3 TA), filed August 11, 1965. Applicant: MERCURY TANKLINES LIMITED, Post Office Box 5858, South Edmonton, Alberta, Canada. Applicant's representative: J. F. Meglen, 2822 Third Avenue North, Billings, Mont. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Edible oil*, in bulk, in tank vehicles, for the account of Standard Brands Ltd., from Jacksonville, Ill., to the international boundary line between the United States and Canada, at or near the ports of entry at Sweetgrass, Mont., and Portal, N. Dak., for 180 days. Supporting shipper: Standard Brands Ltd., 550 Sherbrooke Street West, Montreal 2, Province of Quebec. Send protests to: Paul J. Labane, District Supervisor, Bureau of Op-

erations and Compliance, Interstate Commerce Commission, 318 U.S. Post Office Building, Billings, Mont., 59101.

No. MC 126140 (Sub-No. 4 TA), filed August 12, 1965. Applicant: TRANS-PETRO, INC., Box 124, Wood River, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Pana, Ill., to points in Indiana, Iowa, and Wisconsin, for 180 days. Supporting shipper: Pana Refining Co., Post Office Box 10, Pana, Ill., 62557. Send protests to: Harold Jolliff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 476, 325 West Adams Street, Springfield, Ill., 62704.

No. MC 127093 (Sub-No. 1 TA), filed August 11, 1965. Applicant: BASIL J. SMEESTER AND JOSEPH SMEESTER, a partnership, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson Street, Iron Mountain, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer and ale*, from South Bend, Ind., Chicago, Ill., Milwaukee, and Oshkosh, Wis., to Iron Mountain, Mich., and Aurora, Wis., for 180 days. Supporting shipper: Four Seasons Beer Distributors, Inc., Kingsford, Mich. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich., 48933.

No. MC 127103 (Sub-No. 1 TA), filed August 11, 1965. Applicant: CALWEST TRANSPORT LIMITED, 3636 Dartmouth Road, Calgary, Alberta, Canada. Applicant's representative: J. F. Meglen, 2822 Third Avenue North, Billings, Mont. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel and steel products*, from Geneva, Utah, to the international boundary between the United States and Canada at the port of entry at or near Sweetgrass, Mont., for 180 days. Supporting shippers: Calgary Steel Tank, Bag 4300, Station A, Calgary, Alberta, Canada, Calbridge Steel, Ltd., 429 51st Avenue SE., Calgary, Alberta, Canada, McCoy-Renn Manufacturing, Ltd., 419 34th Avenue, SE., Calgary, Alberta, Canada, Wilkinson Co., Ltd., 6909 Farrel Road, SE., Calgary, Alberta, Canada, Iron Prairie Structural Division, Post Office Box 250, Station A, Calgary, Alberta, Maloney Steel Crafts Limited, Post Office Box 1500, Station A, Calgary, Alberta. Send protests to: Paul J. Labane, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 318 U.S. Post Office Building, Billings, Mont., 59101.

No. MC 127135 (Sub-No. 2 TA), filed August 11, 1965. Applicant: HERBERT O. KINDRICK, doing business as KINDRICK TRUCKING COMPANY, R.F.D. No. 1, Harriman, Tenn., 37748. Applicant's representative: J. Polk Cooley, Bristow Building, Rockwood, Tenn., 37854. Authority sought to operate as

a *common carrier*, by motor vehicle, over regular routes, transporting: *Ferro manganese and silico manganese*, in bulk, in dump vehicles, from Rockwood, Tenn., to Alabama City, Ala., from Rockwood, over U.S. Highway 27 to Chattanooga, Tenn., thence over U.S. Highway 11 to Alabama City, serving no intermediate points, for 150 days. Supporting shipper: B. M. Sheridan, Union Carbide Corp., 270 Park Avenue, New York, N.Y. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Nashville, Tenn., 37203.

No. MC 127480 TA, filed August 9, 1965. Applicant: LAMPERT TRUCKING, INC., 41 Ruth Boulevard, Commack, N.Y. Applicant's representative: Murray F. Rosenthal, 67 Harned Road, Commack, N.Y., 11725. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Ladies and childrens ready-to-wear garments and other assorted sportswear*, between Inwood, N.Y., and New York, N.Y., from Inwood over Sheridan Boulevard to Doughty Boulevard, thence over Doughty Boulevard to Burnside Avenue, thence over Burnside Avenue to Rockaway Boulevard, thence over Rockaway Boulevard to Sunrise Highway, thence over Sunrise Highway to Van Wyck Expressway, thence over Van Wyck Expressway to Long Island Expressway, thence over Long Island Expressway, via Queens Midtown Tunnel, to New York, and return over the same route, serving no intermediate points, for 180 days. Supporting shippers: Ro-Nat Sportswear Co., Inc., 457 Doughty Boulevard, Inwood, N.Y., Sidney Gould Co., Ltd., 1407 Broadway, New York, N.Y., and Gay Togs, Inc., 475 Doughty Boulevard, Inwood, N.Y. Send protests to: District Supervisor E. N. Carignan, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 127492 (Sub-No. 1 TA), filed August 11, 1965. Applicant: JOHN P. GROCE, doing business as CITY DELIVERY & ERRANDS SERVICE, 2302 Laurens Road, Greenville, S.C. Applicant's representative: Henry P. Willimon, Post Office Box 1075, Greenville, S.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics*, under a continuing contract with Avon Products, Inc., from Greenville, S.C., to points in South Carolina within 100 miles of Greenville, S.C., for 180 days. Supporting shipper: Avon Products, Inc., 1240 Spring Street NW., Atlanta, Ga., 30302. Send protests to: Arthur B. Abercrombie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 509 Federal Building, 901 Sumter Street, Columbia, S.C., 29201.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-8696; Filed, Aug. 17, 1965; 8:45 a.m.]

[Notice 1217]

MOTOR CARRIER TRANSFER PROCEEDINGS

August 13, 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 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-67943. By order of August 12, 1965, the Transfer Board approved the transfer to Norman C. Mosbrucker, doing business as Norm's Truck Line, Hamilton, Mont., of the operating rights in certificate No. MC-89978, issued May 14, 1942, to Walter Fortman, doing business as Fortman Truck Line, Hamilton, Mont., authorizing the transportation of general commodities, excluding household goods, and other specified commodities, between Missoula, Mont., and Hamilton, Mont. D. W. McKenna, Old Ravalli Bank Building, Hamilton, Mont., 59840, attorney for applicants.

No. MC-FC-67969.¹ By order of August 11, 1965, the Transfer Board approved the transfer to Frank Lambie, Inc., New York, N.Y., of the operating rights in permits Nos. MC-111656, MC-111656 (Sub-No. 1), and MC-111656 (Sub-No. 3), issued September 5, 1950, May 18, 1962, and July 2, 1965, respectively, to Frank Lambie, New York, N.Y., authorizing the transportation as follows: Brassieres and materials and supplies, used in the manufacture thereof, over irregular routes, between East Newark, N.J., and New York, N.Y. Cotton and synthetic fabrics, on racks and frames, from the plantsite of Collins & Aikman, in Clifton, N.J., to New York, N.Y., and racks and frames, empty, from New York, N.Y., to the plantsite of Collins & Aikman, in Clifton, N.J., and of: Cotton, rayon, wool, and synthetic fabrics, frames, and office supplies, between Carlstadt, N.J., and New York, N.Y. Edward M. Alfano, 2 West 45th Street, New York 36, N.Y., attorney for applicants.

No. MC-FC-68037. By order of August 9, 1965, the Transfer Board approved the transfer to Ohio Express, Inc., Cleveland, Ohio, of the operating rights in certificate of registration No. MC-120246 (Sub-No. 1) issued June 28, 1965, to American Freight Lines, Inc., Cleveland, Ohio, corresponding to the rights authorized to be transferred to transferor in certificate of public convenience and

¹ Corrected to include the transfer of the operating rights in MC-111656 (Sub-No. 3).

necessity No. 6872-I dated January 31, 1956, and reissued January 4, 1963, by the Public Utilities Commission of Ohio. Richard H. Brandon, Hartman Building, 79 East State Street, Columbus, Ohio, attorney for applicants.

No. MC-FC-68038. By order of August 9, 1965, the Transfer Board approved the transfer to Alvin J. Lawrence, doing business as Randall's Express, Honeoye Falls, N.Y., of certificate No. MC-4910, issued May 9, 1941, to George M. Randall, doing business as Randall's Express, Geneva, N.Y., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over a regular route, between Geneva and Rochester, N.Y., with service authorized to and from all intermediate points and the off-route points of Canandigua, Chapin, Fishers, Orleans, Seneca Castle, and Shortsville, N.Y. Raymond A. Richards, 35 Curtice

Park (Post Office Box 25), Webster, N.Y., 14580, attorney for applicants.

No. MC-FC-68039. By order of August 9, 1965, the Transfer Board approved the transfer to W. D. Howard, doing business as Howard Trucking Co., Little Rock, Ark., of the certificate of registration in No. MC-121137 (Sub-No. 1), issued November 18, 1963, to W. D. Howard and T. P. Howard, a partnership, doing business as Howard Trucking Co., Little Rock, Ark., evidencing a right to engage in interstate or foreign transportation corresponding in scope to motor common carrier certificate No. B-1407, dated May 8, 1958, as amended October 15, 1959, issued by the Arkansas Commerce Commission. Louis Tarlow-ski, 914 Pyramid Building, Little Rock, Ark., attorney for applicants.

No. MC-FC-68049. By order of August 9, 1965, the Transfer Board ap-

proved the transfer to William Earnhardt, doing business as Earnhardt Transport, Salisbury, of the operating rights in certificate No. MC-116180, issued June 4, 1964, to Florence Sales Co., a corporation, Florence, S.C., authorizing the transportation, over irregular routes, of: Lumber, except plywood and veneer, from points in Darlington and Florence Counties, S.C., to points in Delaware, Georgia, Kentucky, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and the District of Columbia. Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-8697; Filed, Aug. 17, 1965; 8:45 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—AUGUST

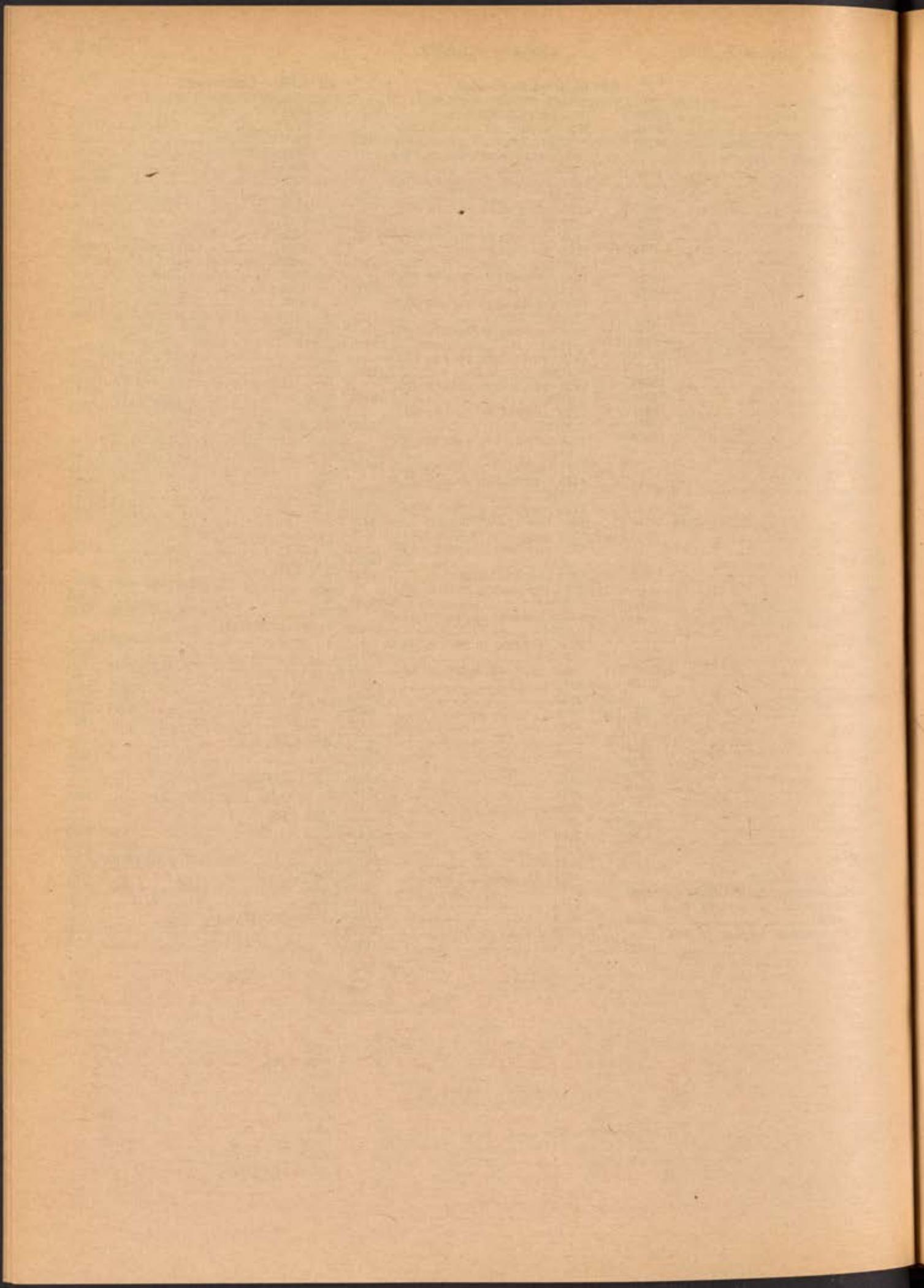
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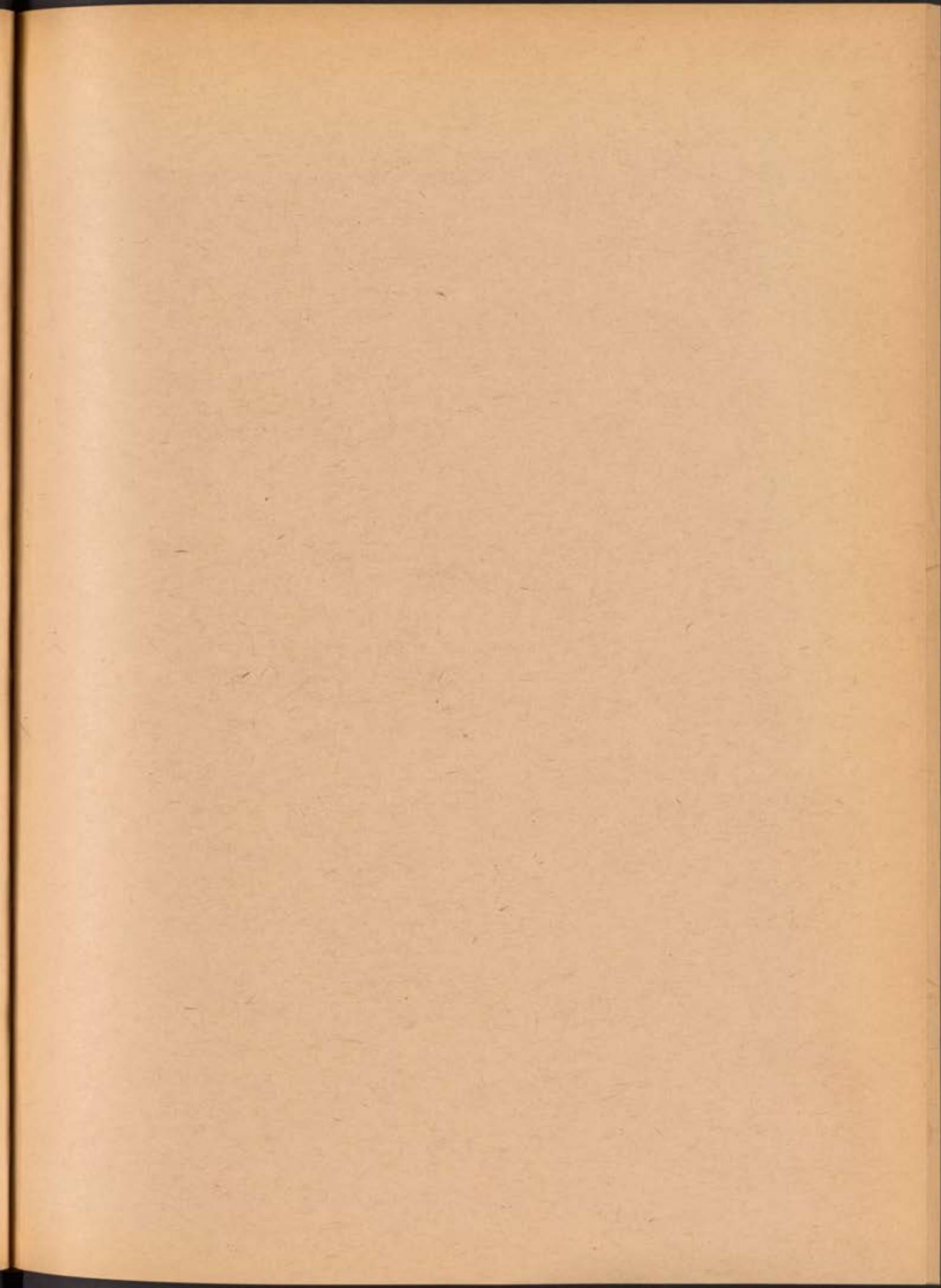
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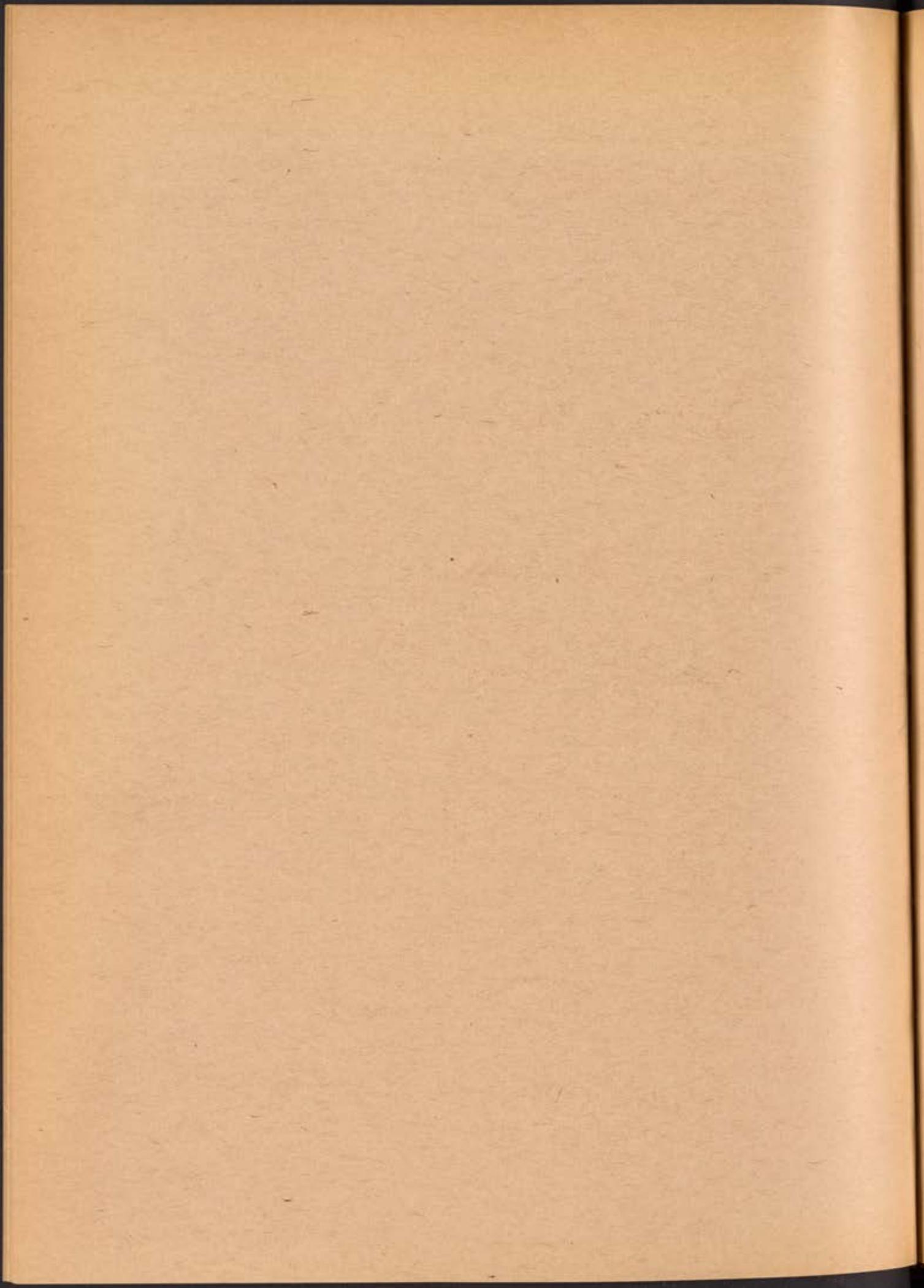
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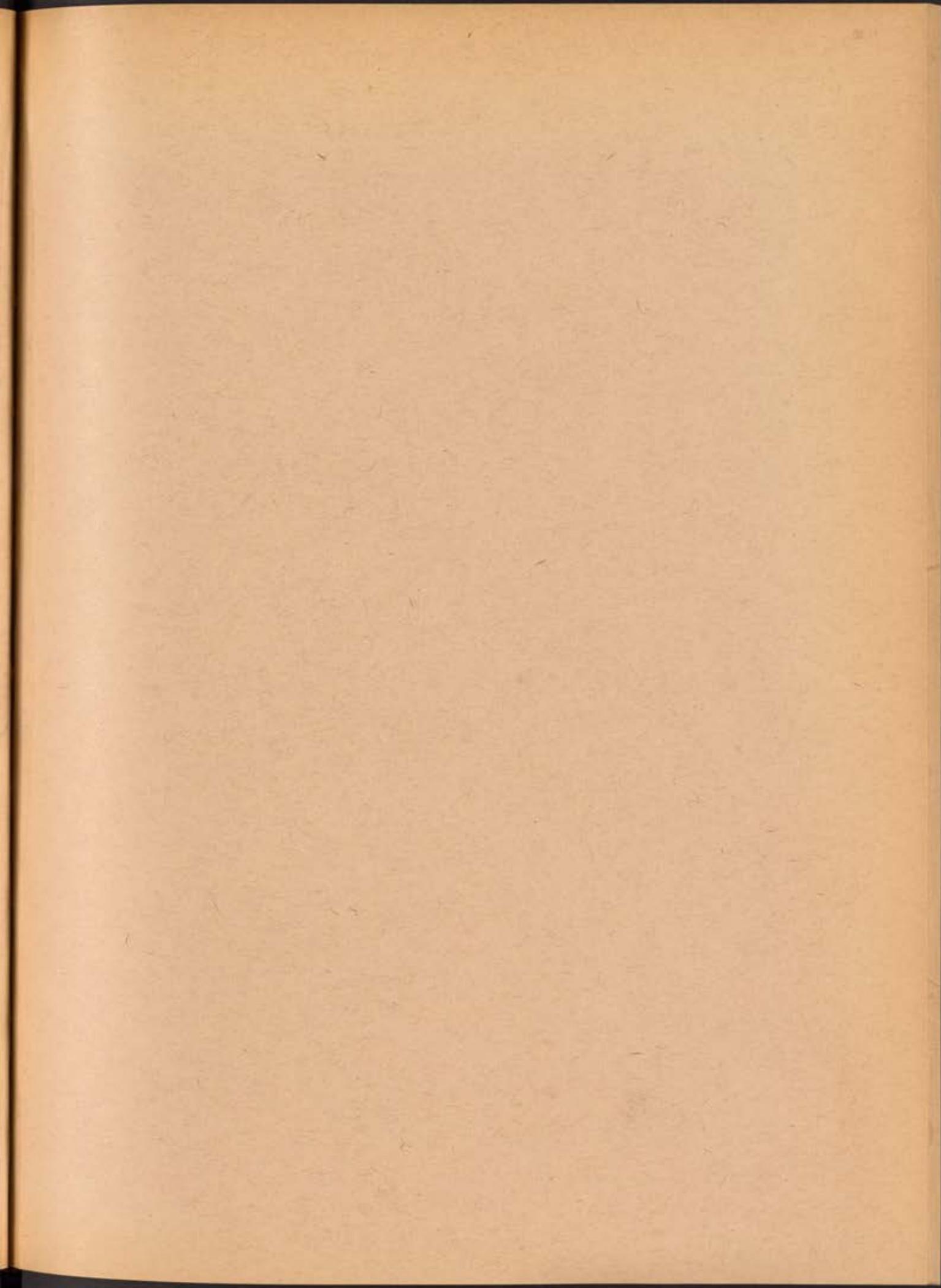
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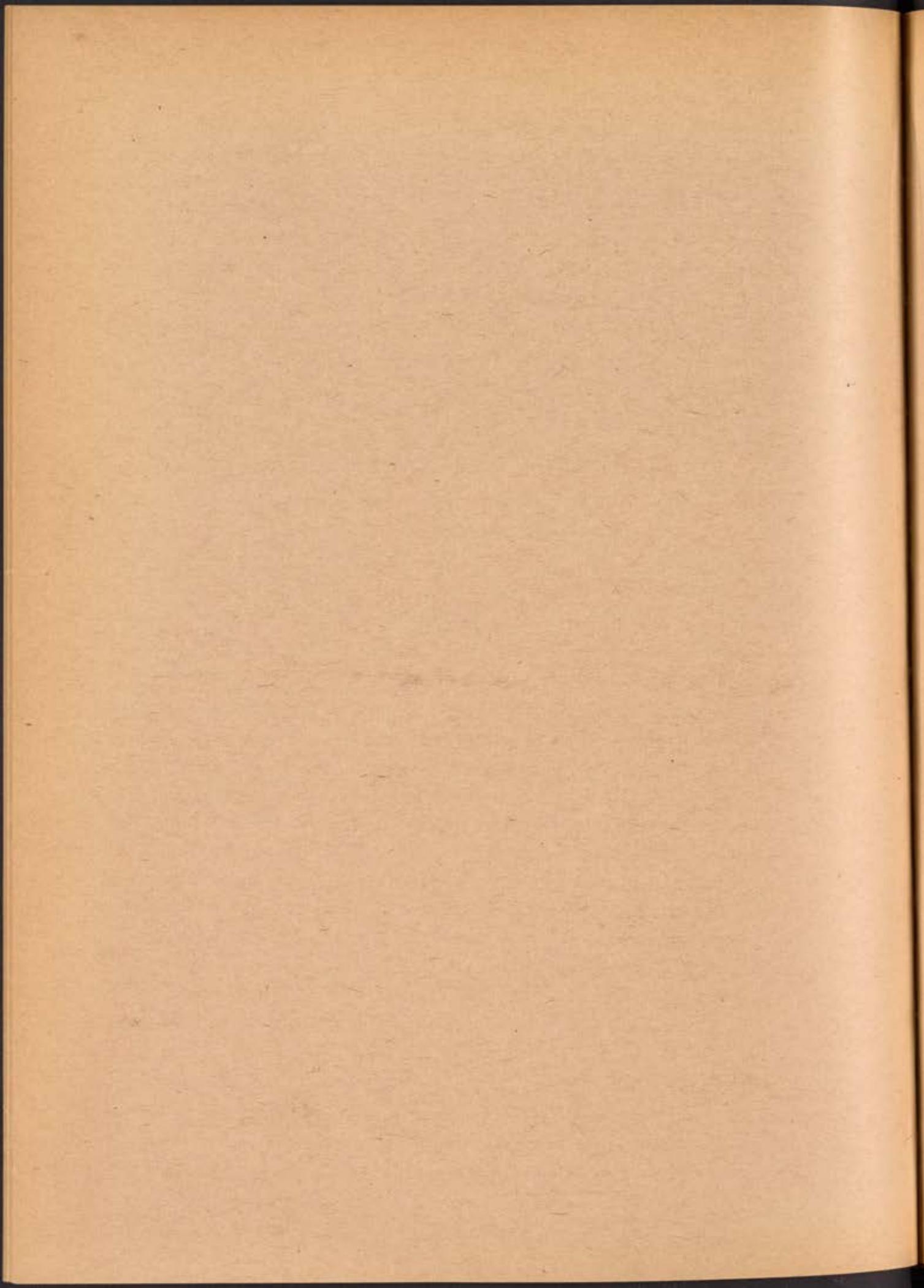
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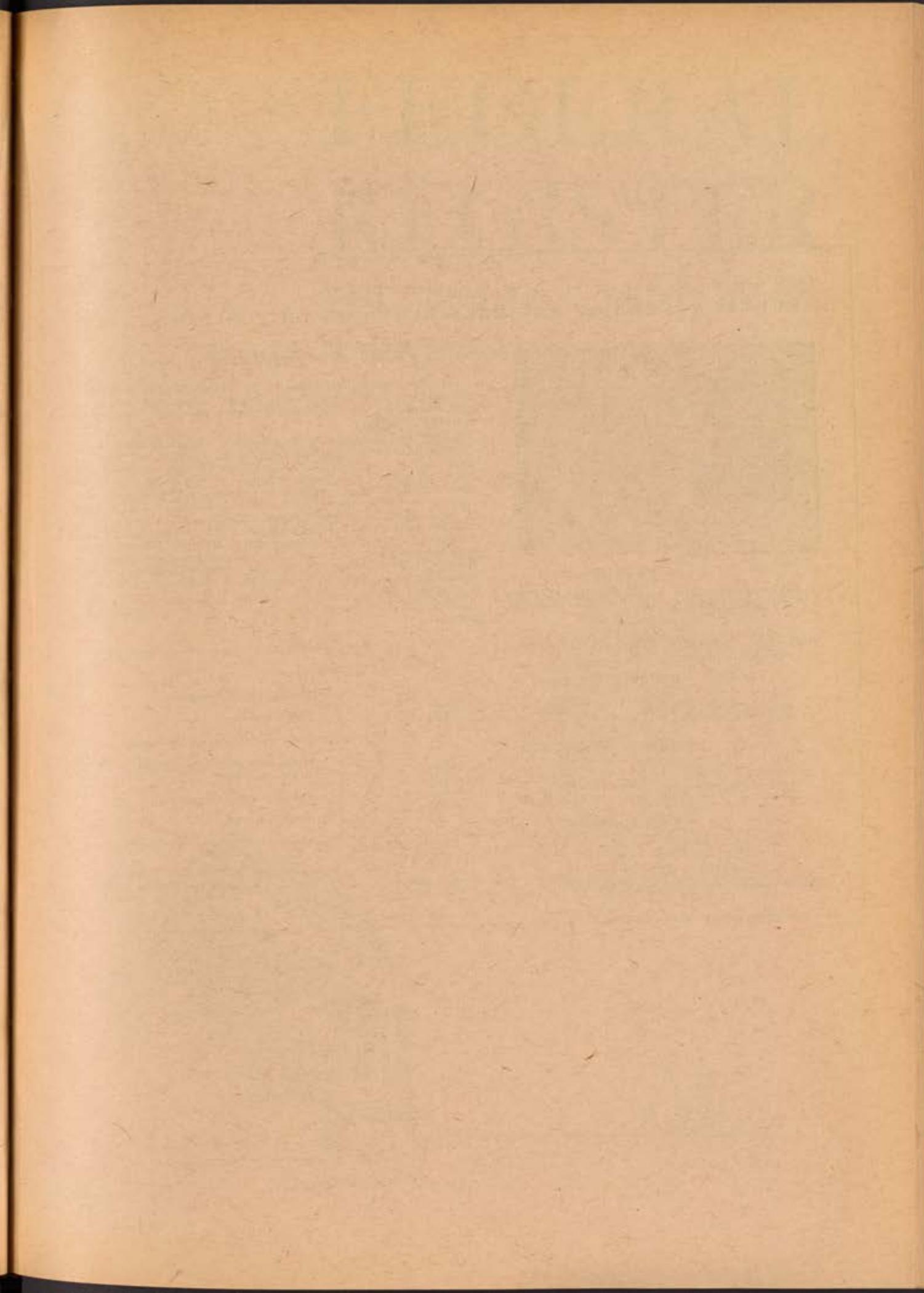












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