

FEDERAL REGISTER

VOLUME 31 • NUMBER 72

Thursday, April 14, 1966 • Washington, D.C.

Pages 5739-5802



Agencies in this issue—

The President
Agricultural Research Service
Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Communications Commission
Federal Crop Insurance Corporation
Federal Deposit Insurance Corporation
Federal Housing Administration
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
Health, Education, and Welfare
Department
Indian Affairs Bureau
Interstate Commerce Commission
Justice Department
Land Management Bureau
National Park Service
Public Health Service
Securities and Exchange Commission
Treasury Department
Veterans Administration

Detailed list of Contents appears inside.



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Published by: Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from: Superintendent of Documents,
U.S. Government Printing Office,
Washington, D.C. 20402



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Contents

THE PRESIDENT

PROCLAMATION

Sir Winston Churchill Day..... 5743

EXECUTIVE AGENCIES

AGRICULTURAL RESEARCH SERVICE

Rules and Regulations

Dutch elm disease; revocation of quarantine..... 5745

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Beet sugar area; approved local areas for 1964 crop..... 5749

Land use adjustment program; cropland adjustment program for 1966 through 1969; land acquisition funds and cost-share assistance to public entities..... 5748

AGRICULTURE DEPARTMENT

See Agricultural Research Service; Agricultural Stabilization and Conservation Service; Consumer and Marketing Service; Federal Crop Insurance Corporation.

ATOMIC ENERGY COMMISSION

Notices

Long Island Nuclear Service Corp.; amendment of byproduct, source and special nuclear material license..... 5771

University of Texas; issuance of facility license amendment..... 5771

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Dried prunes produced in California; miscellaneous amendments..... 5751

Limes; import regulations..... 5750

Valencia oranges grown in Arizona and designated part of California; handling limitations..... 5750

CUSTOMS BUREAU

Rules and Regulations

Documentation of vessels; application for cruising license for foreign yacht..... 5755

FEDERAL AVIATION AGENCY

Proposed Rule Making

Airworthiness directives; correction..... 5767

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Experimental, auxiliary and special broadcast services; television broadcast translator stations..... 5763

Notices

Hearings, etc.:

American Telephone & Telegraph Co., et al. (2 documents)..... 5773, 5774

Century Broadcasting Co., Inc., and RKO General, Inc..... 5772

Cosmopolitan Enterprises, Inc., and H. H. Huntley..... 5772

Mission Cable TV, Inc., and Trans-Video Corp..... 5776

FEDERAL CROP INSURANCE CORPORATION

Rules and Regulations

Federal crop insurance:

Barley..... 5745

Wheat..... 5745

Raisin crop insurance; 1966 and succeeding crop years..... 5746

FEDERAL DEPOSIT INSURANCE CORPORATION

Rules and Regulations

Employee responsibilities and conduct..... 5751

FEDERAL HOUSING ADMINISTRATION

Rules and Regulations

Miscellaneous amendments to chapter..... 5756

FEDERAL POWER COMMISSION

Notices

Hearings, etc.:

Illinois Power Co..... 5777

Northern Natural Gas Co..... 5776

FEDERAL RESERVE SYSTEM

Notices

Applications for approval of acquisition of shares of bank:

Barrett National Securities Corp..... 5778

First Virginia Corp..... 5778

Orders approving applications:

BT New York Corp..... 5777

Charter New York Corp..... 5777

FISH AND WILDLIFE SERVICE

Rules and Regulations

Parker River National Wildlife Refuge, Mass.; public access, use and recreation..... 5764

Sport fishing:

Idaho..... 5765

Iowa..... 5765

North Dakota..... 5764

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Drugs:

Certification, release or exemption of antibiotic-containing drugs..... 5755

Erythromycin..... 5755

Notices

Petitions filed regarding food additives:

Chemagro Corp..... 5770

Salisbury Laboratories..... 5770

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Food and Drug Administration; Public Health Service.

Rules and Regulations

Grants for water pollution control:

Awards for research fellowships..... 5761

Grants for research, training, and demonstration projects..... 5758

Notices

Administration on Aging; statement of organization and delegations of authority..... 5770

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Federal Housing Administration.

INDIAN AFFAIRS BUREAU

Proposed Rule Making

Flathead Indian Irrigation Project, Montana; operation and maintenance charges (2 documents)..... 5766

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; National Park Service.

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section application for relief..... 5796

Motor carrier:

Broker, water carrier and freight forwarder applications..... 5780

Services due to cessation of normal rail transportation occasioned by work stoppages..... 5800

Temporary authority applications..... 5797

Transfer proceedings..... 5796

(Continued on next page)

JUSTICE DEPARTMENT**Notices**

Certifications pursuant to Voting Rights Act:	
Claiborne County, Miss.....	5768
Jasper County, Miss.....	5768
Noxubee County, Miss.....	5768
Rankin County, Miss.....	5768
Winston County, Miss.....	5768

LAND MANAGEMENT BUREAU**Notices**

Proposed withdrawal and reservation of lands:	
Idaho.....	5769
Oregon.....	5768

NATIONAL PARK SERVICE**Notices**

Superintendents et al.; delegation of authority.....	5769
--	------

PUBLIC HEALTH SERVICE**Rules and Regulations**

Grants, fellowships, internships, and training; technical amendments.....	5758
---	------

SECURITIES AND EXCHANGE COMMISSION**Notices**

<i>Hearings, etc.:</i>	
Associated Transport, Inc.....	5778
Bendix Corp.....	5779
General Precision Equipment Corp., et al.....	5779
Great American Industries, Inc.....	5779
National Video Corp.....	5779
Pinal County Development Association.....	5779

TREASURY DEPARTMENT

See also Customs Bureau.

Rules and Regulations

Commissioner of Accounts; delegation of authority.....	5768
--	------

VETERANS ADMINISTRATION**Rules and Regulations**

Burial benefits; death while traveling under prior authorization or while hospitalized by VA....	5757
--	------

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1966, and specifies how they are affected.

3 CFR

Proclamation:	
3714.....	5743

7 CFR

319.....	5745
401 (2 documents).....	5745
402.....	5746
751.....	5748
842.....	5749
908.....	5750
944.....	5750
993.....	5751

12 CFR

336.....	5751
----------	------

14 CFR

Proposed Rules:	
39.....	5767

19 CFR

3.....	5755
--------	------

21 CFR

145.....	5755
148e.....	5755

24 CFR

203.....	5756
213.....	5757
220.....	5757
221.....	5757
231.....	5757
232.....	5757
234.....	5757
1000.....	5757

25 CFR

Proposed Rules:	
221 (2 documents).....	5766

38 CFR

3.....	5757
--------	------

42 CFR

52.....	5758
61.....	5758

45 CFR

90 (2 documents).....	5758, 5761
-----------------------	------------

47 CFR

74.....	5763
---------	------

50 CFR

28.....	5764
33 (3 documents).....	5764, 5765

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3714

SIR WINSTON CHURCHILL DAY

By the President of the United States of America

A Proclamation

Sir Winston Churchill said of his own career: "These years of action and advocacy comprise and express my life-effort, and I am content to be judged upon them."

The judgment of history upon the life of Sir Winston Churchill is already generous. But it is not yet final, and it may never be. That judgment will grow so long as freedom grows. It will grow more luminous and meaningful with every generation, as increasing numbers of free men and nations discover their great debt to this great man.

We Americans have uncommon bonds with Sir Winston Churchill. His life fused so much with our lives, his dreams became so much a part of our dreams, that the Congress directed the President to declare him an honorary citizen of our country. Today, on the third anniversary of that Act of April 9, 1963, we do Sir Winston further and deserved honor. We reflect once more on the monumental achievements of his life. We recall again how much he ennobled our own lives. We reassert our gratitude for the impact of his courageous will upon the history of our times.

In recognition thereof, the Congress has by joint resolution approved April 9, 1966, designated April 9, 1966, as "Sir Winston Churchill Day" and authorized and requested the President to issue a proclamation calling on the people of the United States to honor the memory of Sir Winston Churchill on that day.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do, in conformity with that action, call on the people of the United States to observe that day with appropriate ceremonies and activities in memory of Sir Winston Churchill—brave ally, cherished friend, and honored citizen.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

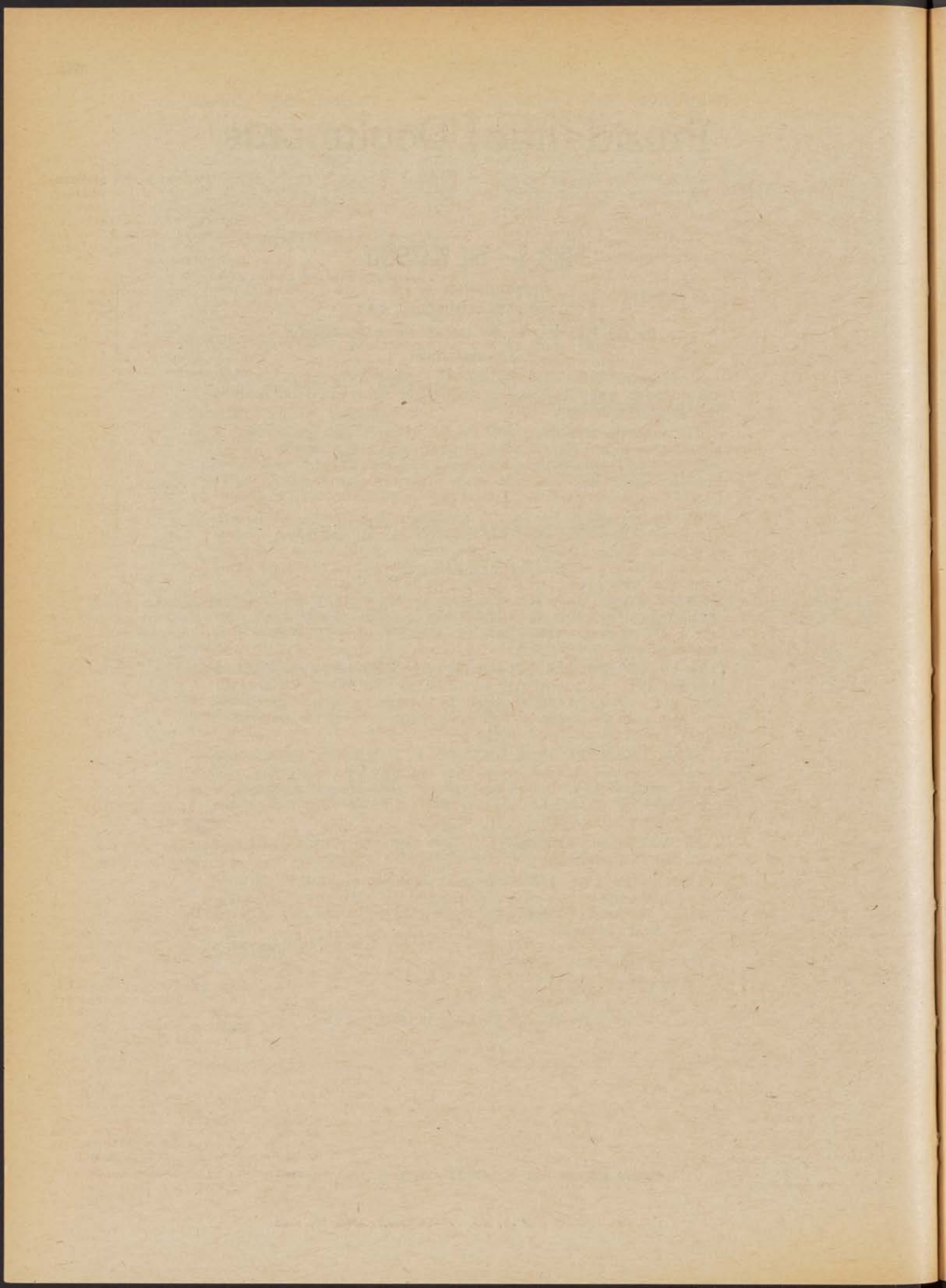
DONE at the City of Washington this 9th day of April in the year of our Lord nineteen hundred and sixty-six, and of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-4073; Filed, Apr. 12, 1966; 2:03 p.m.]



Rules and Regulations

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 319—FOREIGN QUARANTINE NOTICES

Subpart—Dutch Elm Disease

REVOCATION OF QUARANTINE

On December 18, 1965, there was published in the FEDERAL REGISTER (30 F.R. 15666), a notice of rule making concerning a proposal to revoke Notice of Quarantine No. 70, Revised, and supplemental regulations (7 CFR 319.70, 319.70-1 through 319.70-6), prohibiting the movement, from the Continent of Europe and the Dominion of Canada and other foreign areas north of the United States, including Newfoundland, Labrador, St. Pierre, Miquelon, and islands adjacent thereto, of (a) seeds, leaves, plants, cuttings, and scions of elm and related plants; (b) logs of elm and related plants; (c) lumber, timber, and veneer of such plants if bark is present on them; and (d) crates, boxes, barrels, packing cases, and other containers, and other articles manufactured in whole or in part of the wood of elm or related plants, if such wood is not free from bark, except as provided in the regulations supplemental to the notice of quarantine.

After due consideration of all matters presented pursuant to the notice of rule making and under the authority of sections 5 and 7 of the Plant Quarantine Act of 1912 (7 U.S.C. 159, 160), the Deputy Administrator of the Agricultural Research Service hereby revokes the said Notice of Quarantine No. 70, Revised, and supplemental regulations (7 CFR 319.70, 319.70-1 through 319.70-6), effective May 15, 1966. However, said notice of quarantine and supplementary regulations shall be deemed to continue in full force and effect for the purpose of sustaining any action or other proceeding with respect to any right that accrued, liability that was incurred or violation that occurred prior to said date.

(Secs. 5, 7, 37 Stat. 316, 317, 7 U.S.C. 159, 160; 29 F.R. 16210, as amended; 30 F.R. 5799, as amended.)

When first promulgated in 1933 this quarantine was designed to protect the elm trees of the United States from infection by the fungus (*Ceratocystis ulmi*) causing the Dutch elm disease. From 1933 to 1947 a cooperative Federal-State campaign was conducted to contain and eradicate the Dutch elm disease in Connecticut, New Jersey, and New York. By 1947 the disease was so widespread that the domestic plant quarantine, regulating the interstate movement of host material from areas where the disease occurred, was revoked. This was on the basis that continuation of the Federal quarantine did not provide practicable means for preventing the spread of the

disease and that commodities that contribute to the spread of the disease could be regulated by action of individual States.

After revocation of this quarantine becomes effective, the entry into the United States of elms and related plants will automatically fall within the provisions of Nursery Stock, Plants, and Seeds Quarantine No. 37 (7 CFR 319.37). These provisions will afford adequate protection against the further entry of the Dutch elm disease in elm propagating material. Under § 319.37-24 it will be possible for any State that has promulgated a State quarantine prohibiting the entry from other States of hosts of the Dutch elm disease, and that otherwise qualifies, to be protected against the entry of similar material from foreign countries infected with the disease. Importation of elm logs and lumber and similar articles will be restricted under the provisions of the Federal Plant Pest Act (7 U.S.C. 150dd).

Done at Washington, D.C., this 11th day of April 1966.

[SEAL] ROBERT J. ANDERSON,
Deputy Administrator,
Agricultural Research Service.

[F.R. Doc. 66-4039; Filed, Apr. 13, 1966; 8:48 a.m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. No. 82]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

BARLEY

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1967 crop year in the following respects:

1. The portion of the table following paragraph (a) of § 401.3 of this chapter under the heading "Barley" is amended effective beginning with the 1967 crop year by inserting the following immediately above the portion of the table pertaining to "California":

(Closing Date)

BARLEY

Arizona..... October 31

2. The portion of the table following paragraph (a) of § 401.3 of this chapter under the heading "Barley" and pertaining to Colorado is amended effective beginning with the 1967 crop year to read as follows:

(Closing Date)

BARLEY

Colorado..... March 31

3. In section 7 of the barley endorsement shown in § 401.17 of this chapter, the table at the end thereof is amended effective beginning with the 1967 crop year by inserting the following line immediately above the portion of the table pertaining to "California":

State and county	Cancellation date	Termination date for indebtedness
Arizona.....	June 30.....	Oct. 31.

4. Section 7 of the barley endorsement shown in § 401.17 of this chapter, the table at the end thereof is amended effective beginning with the 1967 crop year by amending the portion of the table pertaining to Colorado to read as follows:

State and county	Cancellation date	Termination date for indebtedness
Colorado.....	Dec. 31.....	Mar. 31.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on April 7, 1966.

[SEAL] EARL H. NIKKEL,
Secretary, Federal Crop
Insurance Corporation.

Approved on April 8, 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-4013; Filed, Apr. 13, 1966; 8:47 a.m.]

[Amdt. No. 81]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

WHEAT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1967 crop year in the following respects:

1. Item (i) of the second proviso of section 8 of the wheat endorsement shown in § 401.32 of this chapter is amended effective beginning with the 1967 crop year to read as follows:

(i) any county in Montana and any county in North Dakota and South Dakota in which insurance is not limited to spring wheat only on the county actuarial table and in Modoc and Siskiyou Counties, Calif., and in Klamath County, Oreg., if he does not have an interest in any winter wheat crop seeded for harvest in such county in that crop year, as determined by the Corporation, and.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on April 7, 1966.

[SEAL] EARLL H. NIKKEL,
Secretary, Federal Crop
Insurance Corporation.

Approved on April 8, 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-4014; Filed, Apr. 13, 1966;
8:47 a.m.]

PART 402—RAISIN CROP INSURANCE

Subpart—Regulations for the 1966 and Succeeding Crop Years

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the Raisin Crop Insurance Regulations for the 1964 and succeeding crop years, as amended, which shall remain in full force and effect for the 1965 crop year, are hereby amended for the 1966 and succeeding crop years to read as set forth below. The provisions of this subpart shall apply, until amended or superseded, to all continuous raisin crop insurance contracts as they relate to the 1966 and succeeding crop years.

Sec.

- 402.1 Availability of raisin crop insurance.
402.2 Premium rates and amounts of insurance.
402.3 Application for insurance.
402.4 Public notice of indemnities paid.
402.5 Creditors.
402.6 The application and policy.

AUTHORITY: The provisions of this subpart issued under secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.

§ 402.1 Availability of raisin crop insurance.

Raisin crop insurance shall be offered for the 1966 and succeeding crop years under the provisions of § 402.1 through § 402.6 in counties in California within limits prescribed by and in accordance with the provision of the Federal Crop Insurance Act, as amended. The counties shall be designated by the Manager of the Corporation from a list of counties approved by the Board of Directors of the Corporation for raisin crop insurance. The counties designated by the Manager shall be published by appendix to this section.

§ 402.2 Premium rates and amounts of insurance.

The Manager shall establish premium rates and the amounts of insurance per ton which shall be shown on the county actuarial table on file in the office for the county. Such premium rates and amounts of insurance may be changed from year to year.

§ 402.3 Application for insurance.

The application for insurance, provided for in § 402.6 of this chapter, shall be submitted to the office for the county for the Corporation on or before the July 31 of the first crop year for which insurance is to be in effect, or such earlier day as may be established by the Corporation for any county in any year upon its de-

termination that the insurance risk involved is excessive.

§ 402.4 Public notice of indemnities paid.

The Corporation shall provide for posting annually in each county at the country courthouse a listing of the indemnities paid in the county.

§ 402.5 Creditors.

An interest of a person other than the insured in an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy, or any involuntary transfer shall not entitle the holder of the interest to any benefit under the contract other than as provided in the application and policy set forth in § 402.6.

§ 402.6 The application and policy.

The provisions of the Application and Policy for Raisin Crop Insurance for the 1966 and succeeding crop years are as follows:

Application and Policy
Form FCI-812-Raisin (Revised)

UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL CROP INSURANCE CORPORATION

CALIFORNIA APPLICATION AND POLICY FOR
RAISIN INSURANCE (FOR 19-- AND SUCCEED-
ING CROP YEARS)

(Name of Insured)

(Policy Number)

(Address of Insured) (Zip Code)

(Insured's Phone No.)

(County)

1. The undersigned applicant (herein called the "insured"), subject to the applicable provisions of the regulations of the Federal Crop Insurance Corporation (herein called "Corporation"), hereby applies to the Corporation for insurance on his interest in the insurable raisins named below located in the above-identified county. The amount of insurance per ton and premium rate for the crop year are shown on the county actuarial table (herein called "actuarial table"). This application when executed by an individual shall not cover his interest in a crop produced by a partnership or other entity.

2. *Cause of loss insured against.* Insurance applied for and the insurance provided is against unavoidable damage or loss resulting from rainfall on the raisins during the insurance period while in the field on trays, or in rolls, for drying.

3. *Insurable raisins.* Only raisins while in the field on trays, or in rolls, for drying of the varieties (1) Thompson seedless, (2) Muscats, (3) Monukkas, and (4) Sultanas produced by the insured on the insurance unit (hereinafter called "unit") are insurable raisins: *Provided*, That insurance shall not attach to (a) raisins which are first placed on trays after September 20 in any crop year, as determined by the Corporation, or (b) any raisins produced from acreage shown as noninsurable on the actuarial table.

4. *Supplements to application showing identification of vineyards, varieties, acres, estimated tonnages, and interest.* The insured at the time of filing this application shall also file a supplement hereto, on a form prescribed by the Corporation, which

shall be a part of this application. The insured shall show on such supplement, in accordance with instructions thereon, the location of vineyards, varieties, acres, estimated tonnage of insurable raisins to be produced and his interest in each variety. Such information may be revised by the insured not later than August 25, of any crop year, by giving notice in writing to the office for the county of the Corporation: *Provided, however*, That downward revisions of estimated tonnage after August 25, of any crop year, for premium adjustment purposes for any unit may be allowed if requested not later than the March 31, immediately following the crop year involved, but shall be limited to the most accurate determination the Corporation can make of the insurable tonnage placed on trays from records acceptable to the Corporation. Any such downward revisions shall be made only after satisfactory evidence is provided to the Corporation. When an earned annual premium is recomputed on the basis of a downward revision made after August 25, of any crop year, as provided herein, such premium shall be increased \$10.00.

Any acceptable revision shall be a part of the application, in lieu of any supplement previously filed, and shall be considered as the basis for continuation of insurance from year to year, subject to revision as provided herein. The Corporation reserves the right to determine the tonnage of raisins insured under the contract, or on any unit, and the insured's interest therein. The tonnage and interest insured shall be the tonnage and interest reported by the insured or as determined by the Corporation.

5. *The contract.* Upon acceptance of this application by the Corporation the contract shall be in effect for the crop year specified above and shall continue for each succeeding crop year until terminated in accordance with the provisions of the contract. This application and policy, endorsements and supplements thereto, if any, and the actuarial tables for each crop year on file in the office for the above county shall constitute the contract for raisin insurance. Any changes made in the contract shall not affect the continuity from year to year.

6. *Insurance period.* For each crop year, insurance attaches at the time the raisins insured are placed on trays for drying, provided they are so placed by September 20 of such year as determined by the Corporation, and continues throughout the drying season while the raisins are in the field and ceases on October 25, or upon the raisins being permanently removed from the field, or boxed, whichever first occurs.

7. *Annual premium.* The annual premium for each unit shall be earned and payable at the time insurance attaches and shall be determined by multiplying the insured tonnage as reported by the insured or as determined by the Corporation pursuant to section 4, by the applicable premium rate and multiplying the product thereof by the insured's interest at the time insurance attaches and, where applicable, applying the increases provided in sections 4 and 8, respectively.

8. *Premium note.* In consideration hereof, the insured promises to pay to the order of the Federal Crop Insurance Corporation each crop year of the contract the annual premium and further agrees that as to any amount thereof not paid by the January 31 immediately following the crop year in which earned, it shall, in addition to the increase provided for in section 4 hereof, be further increased by 10 percent. It is further agreed that any amount due the Corporation by the insured may be deducted from any indemnity payable to the insured and when not prohibited by law, from any loan or payment

otherwise due the insured under any program administered by the U.S. Department of Agriculture.

(Witness to signature)

(Signature of applicant)

----- 19--
(Date)

9. Recommended for acceptance by:

(Corporation representative)

----- 19--
(Date)

10. Accepted for the Corporation by:

(State director)

----- 19--
(Date)

(Address of office for the county) (Zip code)

(Name, address, zip code, and telephone number of vineyard manager)

(Packer or marketing agency)

11. *Life of contract.* This contract is noncancelable the first crop year and shall, subject to the provisions of this section and the termination provisions of section 17 hereof, continue in effect for each succeeding crop year until either the insured, or the Corporation, cancels the contract by giving written notice to the other by June 30 of the crop year for which the cancellation is to become effective. The contract shall, however, terminate for nonpayment of premium if such premium is not paid by July 31, following the crop year in which the premium was earned.

12. *Contract changes.* After the first crop year, the Corporation reserves the right to amend or change the terms and conditions of this contract from year to year. Notice thereof shall be mailed to the insured, or be made available at the office for the county, not later than May 31 of any crop year. Acceptance of the changes will be conclusive in the absence of any notice from the insured to cancel the contract as provided in paragraph 11, above.

13. *Notice of damage or loss.* The insured shall report each damage to the raisins insured resulting from rainfall to the office for the county immediately after such damage becomes apparent. If not so reported within 7 days, the Corporation reserves the right to reject any claim arising out of such damage on the unit if it determines that it has been prejudiced by such failure to report.

14. *Amount of loss and proof of loss.* (a) The amount of loss insured against shall be determined and adjusted separately for each unit by multiplying the tonnage of raisins insured by the amount of insurance per ton and multiplying such product by the insured interest in the raisins and deducting from such result the insured interest in the value, as determined by the Corporation, of the damaged and undamaged insured raisin tonnage produced on the unit. Undamaged raisins shall be valued at the market value or the amount of insurance, whichever is higher.

Raisins damaged by rainfall, but which are reconditioned so that they may be marketed the same as undamaged raisins, shall be valued at the market value or the amount of insurance, whichever is higher, except that the cost of reconditioning shall be deducted from such value as herein provided.

Raisins damaged by rainfall, but which, as determined by the Corporation, cannot be

reconditioned so that they may be marketed as undamaged raisins, shall be valued at the highest price obtainable, except that the cost of reconditioning, if any, shall be deducted from such value as herein provided.

The maximum which shall be allowed for any one reconditioning operation shall be \$30.00 per ton but such allowance, or the aggregate thereof, shall not exceed the value of the raisins for the unit put through the reconditioning process, as determined by the Corporation.

Raisins damaged solely by uninsured causes shall be valued at the market value of undamaged raisins or the amount of insurance, whichever is higher.

Raisins damaged partially by uninsured causes and partially by rainfall shall be valued at the highest prices obtainable, subject to an adjustment for any reduction in value due to uninsured causes.

(b) In the case of any insured raisins damaged by rainfall which have not been put through the reconditioning process, the Corporation shall have the right to require the insured, at the insured's expense, to recondition representative samples of such raisins to determine whether they may be profitably reconditioned. If it is so determined, the Corporation may require the insured to recondition all of such raisins. Compliance by the insured with any requirements made pursuant to this paragraph shall be a condition precedent to the right of the insured to any indemnity hereunder on the unit involved.

(c) Notwithstanding any other provision hereof, the Corporation shall have the right, at its election, to take and acquire all of the right, title, and interest of the insured in and to any raisins damaged by rainfall. In such event, in determining the amount of loss, such raisins shall be valued at zero. The Corporation's representatives and employees shall have the right of ingress and egress on the insured's farm to the extent necessary to take possession of, care for, and remove such raisins pursuant to the provisions hereof.

(d) If, for the unit the insured fails to report all his interest in, or tonnage of, insurable raisins, the Corporation may elect to determine the amount of loss with respect to all his insurable interest and tonnage as determined by the Corporation on either a tonnage or premium ratio basis, and reduce the amount of loss under the contract proportionately. All insurable tonnage picked and placed on trays by September 20 shall for the purposes of this determination be treated as insurable raisins.

(e) If the tonnage reported of raisins insured is more than the tonnage determined by the Corporation, or the Corporation determines the interest of the insured in the raisins insured to be less than as reported, the indemnity shall be computed on the basis of the determined tonnage and interest and the excess premium computed without regard to the increase provided for in section 4 shall be refunded.

(f) It shall be a condition precedent to payment of any claim that the insured furnish any information required by the Corporation regarding the production, weight, and handling of the raisins insured and the manner and extent of loss. If production from two or more units is commingled, or insurable and uninsurable tonnage is commingled, and satisfactory records are not made available to establish the facts, the Corporation reserves the right to deny liability or to allocate the production in such manner as it deems appropriate for the purposes of computing any indemnity involved. Any claim for loss shall be submitted on a form prescribed by the Corporation not more than 30 days after total destruction in the field or after the records required herein are available to the

insured, unless such time is extended in writing by the Corporation.

(g) In the event that any claim for indemnity under the provisions of the contract is denied by the Corporation, an action on such claim may be brought against the Corporation under the provisions of 7 U.S.C. 1508(c): *Provided*, That the same is brought within 1 year after the date notice of denial of the claim is mailed to and received by the insured.

15. *Other insurance.* If the insured in any crop year has any other insurance on any unit against rainfall damage or loss while the raisins are on the trays for drying, this contract shall be void as to such unit and the Corporation shall refund any paid premium thereon.

16. *Causes of loss not insured against.* The contract shall not cover any loss due to neglect or malfeasance of the insured, any member of his household, his tenants, or employees, or failure to follow recognized good raisin practices, including the care of damaged raisins, or to any cause other than the one specified in section 2. There shall be no liability hereunder for any damage resulting from failure properly to prepare the land to allow for the run-off of water.

17. *Payment of indemnity.* (a) Any indemnity will be paid within 30 days after a claim for loss is approved by the Corporation: *Provided*, That in no event shall the Corporation be liable for interest or damages in connection with any claim for indemnity.

(b) If the insured is an entity other than an individual and is dissolved or is an individual who dies or is judicially declared incompetent before insurance attaches in any crop year, the contract shall terminate as of the date of dissolution, death, or judicial declaration, but if such an event occurs after insurance attaches in any crop year the contract shall terminate at the end of such crop year and any indemnity payable shall be paid to the person(s) the Corporation determines to be beneficially entitled thereto.

(c) For the purposes of subsection (b) hereof, death of a partner in a partnership shall dissolve the partnership unless the partnership agreement provides otherwise. If two or more persons having a joint interest are insured jointly death of one of the parties shall dissolve the joint insured interest.

18. *Insured interest.* For the purpose of determining the amount of indemnity the interest insured shall be the interest of the insured at the time damage becomes apparent in the tonnage of raisins insured as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect.

19. *Abandonment of crop.* There shall be no abandonment of the insured crop or portion thereof to the Corporation.

20. *Misrepresentation and fraud.* The Corporation may void the contract without affecting the insured's liability for premiums or waiving any right or remedy including the right to collect any unpaid premiums if at any time, either before or after any loss, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, and such voidance shall be effective as of the beginning of the crop year with respect to the crop on which any such act or omission occurred.

21. *Collateral assignment—Transfer of interest.* The right to an indemnity in any crop year may be assigned by the insured only as security upon prior approval of the Corporation. If the insured transfers his interest in the insured crop in any crop year he may, upon prior approval of the Corporation, transfer his right to an indemnity for such crop year with respect to the transferred interest in the insured crop. Any assignment or transfer shall be made on assignment or transfer forms prescribed by the

Corporation and shall be subject to all the terms set forth thereon and to the terms hereof.

22. *Subrogation.* The insured (including his assignee or transferee) assigns to the Corporation all rights of recovery against any person for loss or damage to the extent that payment hereunder is made and shall execute all papers required and take appropriate action to secure such rights.

23. *Forms.* Copies of forms referred to in the contract are available at the office for the county.

24. *Meaning of terms.* For the purposes of insurance on raisins in California:

(a) "County actuarial table" means the forms and related material (including crop insurance maps where applicable) which are approved by the Corporation which are on file for public inspection in the office for the county and which show the amount of insurance, premium rate(s), and related information with respect to raisin crop insurance for each crop year in the county.

(b) "Office for the county" means the Corporation's office serving the county shown in this application and policy, or such office as may be designated by the Corporation from time to time, and may serve more than one county.

(c) "County" means the area shown on the actuarial table which may include units located in a local producing area bordering on the county.

(d) "Crop year" means the calendar year in which the raisins insured are placed on trays for drying.

(e) "Insurance unit" or "unit" as to each insured variety of raisins means all vineyard acreage in the county having insured raisins thereon that is acreage (a) in which the insured has 100 percent interest as owner or operator, or (b) which is owned by one person(s) and operated by the insured as a share tenant, or (c) which is owned by the insured and rented to a share tenant: *Provided, however,* The Corporation and the insured may agree in writing before insurance attaches in any crop year to divide the insured's insurable vineyard acreage of raisins in the county into two or more units, taking into consideration separate and distinct farm operations. Vineyard acreage having insured raisins thereon rented for cash or a fixed commodity payment shall be considered as being owned by the lessee.

(f) "Per ton" and "tonnage" means a ton (2,000 pounds) of raisins placed on trays. When deemed appropriate the Corporation may determine raisin tonnage computed on the basis of 1 ton of raisins insured for every 4 tons of fresh grapes when first placed on trays for drying.

NOTE: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on April 7, 1966.

[SEAL] EARL H. NIKKEL,
Secretary, Federal Crop
Insurance Corporation.

Approved on April 8, 1966.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 66-4015; Filed, Apr. 13, 1966;
8:47 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 1]

PART 751—LAND USE ADJUSTMENT PROGRAM

Subpart—Cropland Adjustment Program for 1966 Through 1969

LAND ACQUISITION FUNDS AND COST-SHARE ASSISTANCE TO PUBLIC ENTITIES

The regulations governing the Cropland Adjustment Program for 1966 through 1969, 31 F.R. 3483, are hereby amended by adding a new section as follows:

§ 751.142 Land acquisition funds and cost-share assistance to public entities.

(a) The Administrator or Deputy Administrator may enter into an agreement with any public entity (as defined herein) under which land acquisition funds and cost-share assistance will be made available for use in acquiring cropland and carrying out practices thereon for the preservation of open spaces, natural beauty, the development of wildlife or recreational facilities, or the prevention of air or water pollution in accordance with the provisions of this section.

(b) Any public entity (a State, county, city, town, or subdivision thereof, or an agency of the Federal Government) wishing to participate in the program authorized herein may file a request for land acquisition funds and cost-share assistance on Form ASCS-430, Cropland Adjustment Program, Public Entity Agreement. If the land with respect to which the request is filed is acquired by a public entity having the right of eminent domain, such public entity shall submit with its request an agreement by the producer from whom the land is acquired not to apply for a transfer of the allotments and feed grain bases applicable to such farm to another farm under section 378 of the Agricultural Adjustment Act of 1938, as amended, or regulations issued by the Secretary. Such agreement by the producer shall be on a form prescribed by the Administrator.

(c) The land with respect to which a request is filed (1) must be acquired after January 28, 1966; (2) must not be acquired through the actual exercise of the right of eminent domain; and (3) must meet all eligibility requirements for land placed in the program by producers, except that the provisions of § 751.118 (b) (2) (xi) and (xiii) shall not be applicable.

(d) Under the program, the public entity shall agree:

(1) To divert all cropland adjustment program bases as established under § 751.108;

(2) To designate the acreage diverted as provided in § 751.118;

(3) To devote such acreage to approved uses or practices as provided in § 751.118;

(4) That cropland on the farm which is not designated shall be devoted only to conserving or nonagricultural uses;

(5) That no acreage on the farm shall be devoted to cropland adjustment program base crops;

(6) That no crop shall be harvested from the designated acreage and such acreage shall not be grazed except as provided in § 751.118(d);

(7) That the provisions in § 751.125 relating to nondiscrimination in federally assisted programs of the Department of Agriculture shall be applicable; and

(8) That if any failure to comply with the provisions of this section occurs within 10 years after the approval of the agreement, all payments paid or payable shall be forfeited or refunded with interest at the rate of 6 per centum per annum on the amount of the refund due from the date of written notice to the public entity to the date the refund is made, except that the provisions of Part 791 of this chapter shall be applicable.

(e) Under the agreement, land acquisition funds shall be provided to the public entity in an amount not to exceed the smaller of (1) 50 percent of the cost of the designated acreage or (2) the total adjustment payments which would be payable under an agreement with a producer. The public entity may elect to receive the land acquisition funds (1) in 10 equal annual installments or (2) upon approval of the agreement: *Provided,* That for each year any installment payment is made in advance of the year in which it would have been made under clause (1) such installment shall be reduced by 5 per centum. In addition, cost-share assistance shall be provided to the public entity for the establishment of eligible practices on the designated acreage in accordance with §§ 751.116 and 751.118(e) of this subpart.

(f) The regulations governing reconstitution of farms, allotments, and bases, Part 719 of this chapter, as amended, shall be applicable.

(g) The Administrator or Deputy Administrator may terminate any agreement with a public entity by mutual agreement with the public entity if he determines that such termination would be in the public interest, and may agree to such modification of agreements as he may determine to be desirable to carry out the purposes of the program or facilitate its administration.

(h) The following provisions of the regulations are not applicable to the program authorized by this section: § 751.109 (Awarding cropland adjustment agreements); § 751.111 (Cropland adjustment program agreements); § 751.113 (Agreement period); § 751.115 (Annual adjustment payments); § 751.117 (Farm conserving base); § 751.121

(Permitted acreage on cropland adjustment program base crops diverted under the program); § 751.122 (Compliance with the feed grain base and acreage allotments); § 751.123 (Provisions relating to tenants and sharecroppers); § 751.124 (Refunds or forfeitures for noncompliance); § 751.129 (Modification of an agreement); § 751.130 (Transfer of interest in an agreement); § 751.131 (Successor-in-interest); § 751.132 (Termination of agreement); § 751.134 (Liability for interest); and § 751.139 (Assignments). Except as provided in this paragraph and in paragraphs (a) through (g) of this section, all other regulations in this subpart are applicable to the program authorized by this section (sec. 602(q), 79 Stat. 1210).

Effective date. Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 11, 1966.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-4037; Filed, Apr. 13, 1966; 8:48 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[842.2, Supp. 8]

PART 842—BEET SUGAR AREA

Approved Local Areas for 1964 Crop

§ 842.10 Approved local areas for the 1964 crop.

For purposes of considering eligibility for abandonment and crop deficiency payments on 1964-crop sugarbeets, the respective Agricultural Stabilization and Conservation county committees have determined with respect to the following counties and local producing areas that due to drought, flood, storm, freeze, disease, or insects, the actual yields of commercially recoverable sugar from the acreages planted to sugarbeets on farms in each such county or local producing area were below 80 percent of the applicable normal yields either for 10 percent or more of the number of such farms or for 10 percent or more of the total acres of sugarbeets planted on all farms in such county or local producing area.

(a) *California.*

Entire Counties

Alameda.	Sacramento.
Butte.	San Benito.
Contra Costa.	San Bernardino.
Glenn.	San Luis Obispo.
Imperial.	Sutter.
Los Angeles.	Ventura.
Monterey.	Yolo.
Riverside.	Yuba.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Colusa: Area 4.
Kern: Area 1; Area 2; Area 4; Area 5; T. 27 S., R. 22 E.; T. 26 S., R. 22 E.; T. 9 S., R. 14 W.

San Joaquin: Area 1; Area 3; Area 4; Area 5; Area 6; Area 7; T. 1 S., R. 8 E.; T. 5 N., R. 7 E.; T. 3 N., R. 5 E.

Santa Barbara: Area 1; Area 2.
Solano: Area 3.
Tulare: Area 1; Area 3; T. 20 S., R. 24 E.

(b) *Colorado.*

Entire Counties

Adams.	Morgan.
Alamosa.	Otero.
Baca.	Ouray.
Bent.	Phillips.
Boulder.	Prowers.
Crowley.	Pueblo.
Delta.	Rio Grande.
Kit Carson.	Saguache.
Larimer.	Sedgwick.
Las Animas.	Washington.
Logan.	Weid.
Mesa.	Yuma.
Montrose.	

(c) *Idaho.*

Entire Counties

Ada.	Jefferson.
Bannock.	Jerome.
Bingham.	Lincoln.
Bonneville.	Madison.
Canyon.	Minidoka.
Cassia.	Oneida.
Elmore.	Owyhee.
Franklin.	Payette.
Fremont.	Power.
Gem.	Twin Falls.
Gooding.	Washington.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Caribou: Area 1; Area 2.

(d) *Illinois.*

Entire Counties

Cook.	Will.
Kankakee.	

(e) *Indiana.*

Entire Counties

Lake.

(f) *Iowa.*

Entire Counties

Cerro Gordo.	Kossuth.
Hancock.	Monona.

(g) *Kansas.*

Entire Counties

Finney.	Stanton.
Greeley.	Wallace.
Haskell.	Wichita.
Kearny.	

INDIVIDUAL LOCAL PRODUCING AREA—COUNTY AND AREA

Sherman: Area 2.

(h) *Michigan.*

Entire Counties

Clinton.	Lenawee.
Genesee.	Macomb.
Gratiot.	Monroe.
Huron.	St. Clair.
Isabella.	Sanilac.
Lapeer.	Shiawassee.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Bay: Area 1; Fraser; Beaver; Frankenlust; Merritt; Hampton.
Midland: Homer; Jasper; Porter; Mt. Haley.
Saginaw: Area 2; Area 3; Area 5; Bridgeport; Frankenmuth; Thomas.

(i) *Minnesota.*

Entire Counties

Big Stone.	Nicollet.
Brown.	Norman.
Chippewa.	West Polk.
Clay.	Red Wood.
Faribault.	Renville.
Freeborn.	Sibley.
Kandiyohi.	Swift.
Kittson.	Waseca.
Marshall.	Watonwan.
Martin.	Wilkin.

(j) *Montana.*

Entire Counties

Big Horn.	Phillips.
Blaine.	Prairie.
Broadwater.	Ravalli.
Carbon.	Richland.
Lake.	Treasure.
Missoula.	Yellowstone.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Custer: Area 2; Area 3.

(k) *Nebraska.*

Entire Counties

Box Butte.	Hall.
Brown.	Hamilton.
Buffalo.	Kearney.
Burt.	Keith.
Cheyenne.	Lincoln.
Clay.	Morrill.
Custer.	Phelps.
Dakota.	Sheridan.
Dawson.	Sioux.
Deuel.	Valley.
Furnas.	Washington.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Scotts Bluff: Area 1; Area 2; Area 6; T. 23 N., R. 55 W.; T. 23 N., R. 57 W.; T. 23 N., R. 58 W.

(l) *Nevada.*

Entire Counties

Washoe.
Pershing.

(m) *New Mexico.*

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Curry: T. 1 N., R. 36 E.; T. 2 N., R. 34 E.; T. 2 N., R. 37 E.; T. 3 N., R. 35 E.; T. 4 N., R. 36 E.; T. 6 N., R. 36 E.; T. 6 N., R. 37 E.

(n) *North Dakota.*

Entire Counties

Cass.	Steele.
Grand Forks.	Traill.
McKenzie.	Walsh.
Pembina.	Williams.
Richland.	

(o) *Ohio.*

Entire Counties

Allen.	Putnam.
Erie.	Sandusky.
Fulton.	Seneca.
Henry.	Van Wert.
Mercer.	Wood.
Ottawa.	Wyandot.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Hancock: Area 1; Area 2; Area 3; Area 4; Area 5; Area 6.
Hardin: Area 1; Area 2.
Lucas: Area 1; Area 2; Area 3.

(p) *Oregon.*

Entire Counties

Baker.	Umatilla.
Malheur.	

(q) *South Dakota.**Entire Counties*

Beadle.	Sanborn.
Butte.	Spink.
Clay.	Turner.
Lawrence.	Union.
Meade.	Yankton.

(r) *Texas.**Entire Counties*

Briscoe.	Crosby.
Carson.	Hutchinson.

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Floyd: Community F. Lamb: Community B.

(s) *Utah.**Entire Counties*

Box Elder.	Millard.
Cache.	Salt Lake.
Carbon.	Sanpete.
Davis.	Utah.
Iron.	Weber.
Juab.	

INDIVIDUAL LOCAL PRODUCING AREAS—COUNTY AND AREAS

Sevier: Community A; Community C.

(t) *Washington.**Entire Counties*

Adams.	Grant.
Benton.	Walla Walla.
Franklin.	Yakima.

(u) *Wyoming.**Entire Counties*

Big Horn.	Laramie.
Converse.	Natrona.
Crook.	Park.
Fremont.	Platte.
Goshen.	Sheridan.
Hot Springs.	Washakie.
Johnson.	

Statement of bases and considerations. One of the conditions of eligibility of a sugarbeet producer for an acreage abandonment or crop deficiency payment is that the farm of such producer is located in a county or local producing area for which the Agricultural Stabilization and Conservation county committee determines that certain uncontrollable natural conditions have caused a prescribed amount of damage to the sugarbeet crop.

The purpose of this supplement is to give notice that specific counties and local producing areas have qualified under the requirements with respect to the 1964 crop of sugarbeets and that any sugarbeet producer operating a farm which is located in any one of these counties or local producing areas and which is otherwise qualified may apply for payment accordingly, if he has not already done so.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, sec. 303, 61 Stat. 930; 7 U.S.C. 1133)

Effective date. Date of publication.

Signed at Washington, D.C., on April 8, 1966.

CHAS. M. COX,
*Acting Deputy Administrator,
State and County Operations.*

[F.R. Doc. 66-4038; Filed, Apr. 13, 1966;
8:48 a.m.]

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

[Valencia Orange Reg. 154, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b) (1) (iii) of § 908.454 (Valencia Orange Regulation 154, 31 F.R. 5314) are hereby amended to read as follows:

(iii) District 3: Unlimited movement. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: April 8, 1966.

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

[F.R. Doc. 66-4016; Filed, Apr. 13, 1966;
8:47 a.m.]

[Lime Reg. 2, Amdt. 8]

PART 944—FRUITS; IMPORT REGULATIONS

Limes

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph

(a) of § 944.201 (Lime Regulation 2; 29 F.R. 8160, 9320, 11706; 30 F.R. 3374, 5621, 7743, 14848; 31 F.R. 1057) are hereby amended to read as follows:

(a) During the period beginning at 12:01 a.m., e.s.t., April 13, 1966, and ending at 12:01 a.m., e.s.t., April 25, 1966, the importation into the United States of any limes is prohibited unless such limes are inspected and meet the following requirements.

(1) Such limes of the group known as tree limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(2) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least U.S. No. 2, Mixed Color; and

(3) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1 1/8 inches in diameter: *Provided:* That such limes which are of a size smaller than 1 1/8 inches in diameter but not of a size smaller than 1 1/4 inches in diameter may be imported if such smaller limes have an average juice content of at least 50 percent, by volume.

(4) Notwithstanding the provisions of subparagraph (3), not to exceed 10 percent, by count, of the limes in any lot of containers may fail to meet the applicable size requirement: *Provided:* That no individual container of limes having a net weight of more than 3 pounds may have more than 15 percent, by count, of limes which fail to meet such applicable size requirement.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions being made applicable to domestic shipments of limes under Lime Regulation 21 (§ 911.323), which becomes effective April 13, 1966; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of Persian limes.

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

Dated, April 11, 1966, to become effective at 12:01 a.m., e.s.t., April 13, 1966.

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

[F.R. Doc. 66-4017; Filed, Apr. 13, 1966;
8:47 a.m.]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Subpart—Administrative Rules and Regulations

MISCELLANEOUS AMENDMENTS

Notice was published in the March 24, 1966, issue of the FEDERAL REGISTER (31 F.R. 4895) regarding a proposal to establish, pursuant to § 993.59, a schedule of payments and conditions for services rendered by handlers in connection with reserve prunes, and to define, pursuant to § 993.65(a)(2), the outlets which are noncompetitive with normal outlets for salable prunes. The proposal was based on the unanimous recommendation of the Prune Administrative Committee, in accordance with the provisions of the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted.

After consideration of all relevant matter, including that in the notice, the information and recommendation submitted by the Prune Administrative Committee, and other available information, Subpart—Administrative Rules and Regulations is hereby amended by adding, immediately after § 993.158, new § 993.159, a new center heading "Disposition of Reserve Prunes" and new § 993.165, reading, respectively, as follows:

§ 993.159 Schedule of payments and conditions.

(a) *Rate of payment for necessary services.* Commencing with the crop year which began August 1, 1965, each handler shall, with respect to reserve prunes held by him for the account of the committee pursuant to § 993.57, be paid at the rate of \$25.00 per ton (natural condition weight) for necessary services rendered by him in connection with such prunes so held during all or any part of the crop year in which the prunes were received from producers or dehydrators. Such amount shall, together with the additional payments provided in this section, be in full payment for the costs incurred in connection with, but not being limited to, the following services: inspection, receiving, storing, grading, and fumigation. The costs include, but are not limited to:

(1) Acquisition costs, which include those for salaries, commission, or brokerage fees, transportation and handling between plants and receiving stations, inspection, and other costs, including container expense, incidental to acquisition or storage;

(2) Direct labor costs, which include those for receiving, grading, preliminary sorting and storing (including that performed by the handler at the receiving

station), and loading for shipment or other delivery to the committee or its designee; and

(3) Plant overhead costs, which include those for superintendence, indirect labor, fuel, power and water, taxes and insurance on facilities, depreciation and rent, repairs and maintenance, factory supplies and expense, and employee benefits (payroll taxes, compensation insurance, and other such costs).

(b) *Reimbursement for required insurance costs.* Each handler holding reserve prunes for the account of the committee shall maintain proper insurance thereon, including fire and extended coverage, in valuations (according to grade and/or size) established by, or acceptable to, the committee for the particular crop year. Commencing with the crop year beginning August 1, 1965, the committee shall reimburse the handler for the actual costs of such insurance.

(c) *Certain additional payments in connection with the delivery of reserve prunes to the committee or its designee.*

(1) Whenever a handler is directed by the committee to deliver to it or its designee reserve prunes in natural condition, the committee shall furnish the handler with the containers in which to deliver the prunes, or reimburse the handler, at cost, for any containers which he furnishes pursuant to an agreement with the committee.

(2) Whenever the committee arranges with a handler for the reserve prunes delivered to it or its designee to be in processed and packaged condition, the committee shall reimburse the handler at the agreed rate, determined by the committee to be reasonable, for the processing, container, and packaging costs.

DISPOSITION OF RESERVE PRUNES

§ 993.165 Disposition of reserve prunes.

(a) *General.* For purposes of § 993.65(a)(2), normal outlets for salable prunes (herein referred to as "normal outlets") and outlets noncompetitive with normal outlets for salable prunes (herein referred to as "noncompetitive outlets") are defined in paragraphs (b) and (c) of this section.

(b) *Normal outlets.* "Normal outlets" means all outlets not specifically set forth in paragraph (c) of this section as noncompetitive outlets.

(c) *Noncompetitive outlets.* "Noncompetitive outlets" means (1) the U.S. Government or any agency thereof and any State or local government, except when such outlets are normally serviced through regular commercial trade channels, (2) any foreign government or any agency thereof, except any which normally is serviced through regular commercial trade channels, (3) any foreign country with an average of annual commercial imports of California prunes of less than 5 tons, based on imports during the most recent 5 years, (4) charities, (5) research or educational activities, and (6) animal feed, botanicals, distillation, and other salvage use.

It is found that good cause exists for making this amendment of Subpart—Administrative Rules and Regulations

effective as hereinafter specified and for not postponing such effective time until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The provisions of § 993.165, which define the outlets noncompetitive with normal outlets for salable prunes, should become effective upon publication in the FEDERAL REGISTER so as to afford the committee maximum opportunity to make disposition of reserve prunes currently held for its account; (2) the provisions of § 993.159 require payment and reimbursement to handlers for services rendered with respect to reserve prunes held for the account of the committee during all or any part of the current crop year; and (3) handlers have already performed, and will continue to perform, such services with respect to reserve prunes and the prescribed payments and reimbursements to such handlers should, therefore, be authorized as soon as practicable.

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

Dated April 8, 1966, to become effective upon publication in the FEDERAL REGISTER.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 66-4018; Filed, Apr. 13, 1966; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

PART 336—EMPLOYEE RESPONSIBILITIES AND CONDUCT

The Federal Deposit Insurance Corporation hereby adopts a new Part 336 of its rules and regulations (12 CFR Part 301, et seq.), pursuant to the provisions of Executive Order 11222 of May 8, 1965.

The new Part 336 reads as follows:

Subpart A—General Provisions

Sec.	
336.735-1	Purpose.
336.735-2	Definitions.
336.735-3	Effective date, distribution, and counseling.

Subpart B—Ethical and Other Conduct and Responsibilities of Employees

336.735-11	Gifts, entertainment, and favors.
336.735-12	Outside employment.
336.735-13	Financial interests.
336.735-14	Use of Corporation property.
336.735-15	Misuse of information.
336.735-16	Indebtedness.
336.735-17	Gambling, betting, and lotteries.
336.735-18	General conduct prejudicial to the Government.
336.735-19	Miscellaneous statutory provisions.

Subpart C—Ethical and Other Conduct and Responsibilities of Special Corporation Employees

336.735-21	Use of Corporation employment.
336.735-22	Use of inside information.
336.735-23	Coercion.
336.735-24	Gifts, entertainment, and favors.
336.735-25	Miscellaneous statutory provisions.

Subpart D—Statements of Employment and Financial Interests

- 336.735-31 Employees required to submit statements.
 336.735-32 Employees not required to submit statements.
 336.735-33 Time and place for submission of employees' statements.
 336.735-34 Supplementary statements.
 336.735-35 Interests of employees' relatives.
 336.735-36 Information not known by employees.
 336.735-37 Information prohibited.
 336.735-38 Confidentiality of employees' statements.
 336.735-39 Effect of employees' statements on other requirements.
 336.735-40 Specific provisions of regulations for special Corporation employees.
 336.735-41 Reviewing statements and reporting conflicts of interest.
 336.735-42 Disciplinary and other remedial action.

AUTHORITY: The provisions of this Part 336 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

Subpart A—General Provisions

§ 336.735-1 Purpose.

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by Corporation employees and special Corporation employees is essential to assure the proper performance of the Corporation business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interests on the part of Corporation employees and special Corporation employees through informed judgment is indispensable to the maintenance of these standards. To accord with these concepts, this part sets forth the Corporation's regulations covering the Corporation's employees and special Corporation employees, prescribing standards of conduct and responsibilities, and governing statements reporting employment and financial interests.

§ 336.735-2 Definitions.

In this part:

- (a) "Employee" means an officer or employee of the Corporation, but does not include a special Corporation employee.
 (b) "Executive order" means Executive Order 11222 of May 8, 1965.
 (c) "Person" means an individual, a bank, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.
 (d) "Special Corporation employee" means a "special Government employee" as defined in section 202 of Title 18 of the United States Code.

§ 336.735-3 Effective date, distribution, and counseling.

- (a) This part and any amendment thereto shall be effective after approval by the Civil Service Commission and upon publication in the FEDERAL REGISTER.
 (b) The Personnel Division of the Corporation shall distribute one copy (and supply additional copies on request) of this part to every employee and every special Corporation employee within 90

days after the effective date, and to each new employee and special Corporation employee at the time of entrance on duty, and distribute to every employee and every special Corporation employee each calendar year thereafter a reminder of the basic provisions of this part.

(c) A Counselor designated herein and Deputy Counselors, appointed by the Chairman of the Board, shall be available for counseling and guidance respecting statutes and regulations affecting employee responsibility and conduct, including interpretations of the provisions of this part, and each employee and special Corporation employee shall be notified of this service by the Personnel Division at the time he receives a copy of this part.

(d) The Assistant to the Chairman of the Board of Directors of the Corporation shall act as the Corporation's Counselor.

Subpart B—Ethical and Other Conduct and Responsibilities of Employees

§ 336.735-11 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

- (1) Has, or is seeking to obtain, contractual or other business or financial relations with the Corporation;
 (2) Conducts operations or activities that are regulated or examined or may be regulated or examined by the Corporation;
 (3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) Paragraph (a) of this section shall not apply:

(1) Where obvious family or personal relationships govern (such as those between the parents, children, or spouse of the employee and the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;
 (2) To the acceptance of food, refreshments, and accompanying entertainment of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other function or on an inspection tour where an employee is properly in attendance;

(3) The acceptance of lodging on rare or infrequent occasions where an employee is properly in attendance and circumstances thereof are reported to the Corporation;
 (4) To the acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value; and
 (5) To the acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans. However, a Corporation examiner or assistant examiner shall not accept a loan or gratuity from any bank examined by him or any

bank he has the authority to examine or from any person connected therewith (18 U.S.C. 212 and 213).

(c) An employee shall avoid any action, whether or not specifically prohibited by this subpart which might result in, or create the appearance of:

- (1) Using public office for private gain;
 (2) Giving preferential treatment to any person;
 (3) Impeding Corporation efficiency or economy;
 (4) Losing complete independence or impartiality;
 (5) Making a Corporation decision outside official channels; or
 (6) Affecting adversely the confidence of the public in the integrity of the Corporation.

(d) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 113).

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 114-115a.

§ 336.735-12 Outside employment.

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Corporation employment. Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interests; or
 (2) Outside employment which tends to impair his mental or physical capacity to perform his Corporation duties and responsibilities in an acceptable manner.

(b) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Corporation (18 U.S.C. 209).

(c) A Corporation examiner or assistant examiner shall not perform any other service, for compensation, for any bank, or for any person connected therewith (18 U.S.C. 1909).

(d) Employees are encouraged to engage in teaching, lecturing, speaking and writing relating to the Corporation's functions or responsibilities. However, an employee shall not, either for or without compensation, engage in any such activity that is dependent on information obtained as a result of his Corporation employment except when that information has been made available to the general public or will be made available on request, or when the Corporation Chairman gives written authorization for use of nonpublic information on the basis that the use is in the public interest.

And no employee shall write for publication or accept invitations to speak before banking or other public organizations on matters concerning the Corporation without prior approval and prior clearance of their manuscript by the Corporation. In addition, an employee who is a Presidential appointee covered by section 401(a) of the Executive Order shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Corporation, or which draws substantially on official data or ideas which have not become part of the body of public information.

(e) An employee shall not engage in outside employment under a State or local government, except in accordance with Part 734 of the Civil Service Regulations (5 CFR Part 734).

(f) This section does not preclude an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Corporation payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, or other personal benefits.

(2) Participation in the activities of National or State political parties not proscribed by law.

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 336.735-13 Financial Interests.

(a) An employee shall not:

(1) Own, directly or indirectly, or control the ownership of stock in an insured bank, without approval of the Board of Directors of the Corporation.

(2) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Corporation duties and responsibilities; or

(3) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Corporation employment.

(b) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Corporation so long as it is not prohibited by law, the Executive Order, this section, or the regulations in this part.

§ 336.735-14 Use of Corporation property.

An employee shall not directly or indirectly use, or allow the use of, Corporation property of any kind, including property leased to the Corporation, for other than officially approved activities.

An employee has a positive duty to protect and conserve Corporation property, including equipment, supplies, and other property entrusted or issued to him.

§ 336.735-15 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in § 336.735-12(d), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Corporation employment which has not been made available to the general public.

§ 336.735-16 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner that the Corporation will not be called upon to assist a creditor in the collection of a just financial obligation, and which the Corporation determines does not, under the circumstances, reflect adversely on it as the employer. In the event of dispute between an employee and an alleged creditor, this section does not require the Corporation to determine the validity or amount of the disputed debt.

§ 336.735-17 Gambling, betting, and lotteries.

An employee shall not participate, while on Corporation-owned or leased property or while on duty for the Corporation, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities:

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar Corporation-approved activities.

§ 336.735-18 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Corporation.

§ 336.735-19 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of the Corporation and of the Government. In addition to the statutes cited in the body of these regulations the attention of each employee is directed to the following statutory provisions:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service."

(b) Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78c).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 118i), and 18 U.S.C. 602, 603, 607, and 608.

(q) The prohibition against the disclosure of information by a bank examiner (18 U.S.C. 1906).

Subpart C—Ethical and Other Conduct and Responsibilities of Special Corporation Employees

§ 336.735-21 Use of Corporation employment.

A special Corporation employee shall not use his Corporation employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

§ 336.735-22 Use of inside information.

(a) A special Corporation employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose

of this section, "inside information" means information obtained under Corporation authority which has not become part of the body of public information.

(b) A special Corporation employee may teach, lecture, or write in a manner not inconsistent with § 336.735-12(d) in regard to employees.

§ 336.735-23 Coercion.

A special Corporation employee shall not use his Corporation employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

§ 336.735-24 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, a special Corporation employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with this Corporation anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) Exemptions to paragraph (a) of this section are the same as those authorized to employees under § 336.735-11(b).

§ 336.735-25 Miscellaneous statutory provisions.

Each special Corporation employee shall acquaint himself with each statute that relates to his ethical and other conduct as a special Corporation employee of the Corporation and of the Government. In addition to the statutes cited in the body of the regulations in this part, the attention of each special Corporation employee is directed to the statutory provisions listed in § 336.735-19.

Subpart D—Statements of Employment and Financial Interests

§ 336.735-31 Employees required to submit statements.

(a) Except as provided in § 336.735-32, the following employees shall file statements of employment and financial interests:

(1) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(2) Employees receiving compensation equivalent to that prescribed in the General Schedule established by the Classification Act of 1949, as amended, for grade GS-16 or higher.

(3) Employees subject to the provisions of § 336.735-13(a)(1).

(4) The purchasing officer of the Corporation, all bank assessment auditors, and all field liquidators.

(b) Additions to, deletions from, and other amendments of the list of positions in subparagraph (4) of paragraph (a) of this section are effective upon actual notification to the incumbents. The amended subparagraph (4) of paragraph

(a) of this section shall be submitted annually for publication in the FEDERAL REGISTER.

§ 336.735-32 Employees not required to submit statements.

Employees subject to separate reporting requirements under section 401 of the Executive Order and 12 U.S.C. 1812.

§ 336.735-33 Time and place for submission of employees' statements.

An employee required to submit statements of employment and financial interest under § 336.735-31 shall submit that statement to the Assistant to the Chairman of the Board of Directors not later than:

(a) Ninety days after the effective date of the agency regulations issued under this part if employed on or before that effective date; or

(b) Thirty days after his entrance on duty, but not earlier than ninety days after the effective date, if appointed after that effective date.

§ 336.735-34 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur and shall reflect all changes occurring during the quarter. Quarters end March 31, June 30, September 30, and December 31. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

§ 336.735-35 Interests of employees' relatives.

The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations of the employee who are residents of the employee's household.

§ 336.735-36 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

§ 336.735-37 Information prohibited.

This subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, frater-

nal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

§ 336.735-38 Confidentiality of employees' statements.

The Corporation shall hold statements of employment and financial interest, and each supplementary statement, in confidence. The Corporation may not disclose information from a statement except as the Chairman of the Corporation or the Civil Service Commission may determine for good cause shown.

§ 336.735-39 Effect of employees' statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a manner in which his or the other person's participation is prohibited by law, order, or regulation.

§ 336.735-40 Specific provisions of regulations for special Corporation employees.

(a) Except as provided in paragraph (b) of this section, each special Corporation employee shall submit a statement of employment and financial interests which reports:

- (1) All other employment; and
- (2) All financial interests which relate either directly or indirectly to the duties and responsibilities of the special Corporation employee.

(b) The Chairman of the Corporation may waive the requirement in paragraph (a) of this section for the submission of a statement of employment and financial interests in the case of a special Corporation employee, who is not a consultant or an expert when the Chairman finds that the duties of the position held by that special Corporation employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Corporation. For the purpose of this paragraph, "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual, but do not include a physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients.

(c) A statement of employment and financial interests required to be sub-

mitted under this section shall be submitted not later than the time of employment of the special Corporation employee. Each special Corporation employee shall keep his statement current throughout his employment with the Corporation by the submission of supplementary statements.

§ 336.735-41 Reviewing statements and reporting conflicts of interest.

(a) When a statement submitted under this subpart or information from other sources indicates a conflict between the interests of an employee or special Corporation employee and the performance of his services for the Corporation, the Counselor designated in the regulations in this part shall investigate and dispose of the matter in such manner as he may deem appropriate. When the conflict or appearance of conflict is not resolved by the Counselor, the information concerning the conflict or appearance of conflict shall be reported to the Chairman of the Board of Directors.

(b) The employee or special Corporation employee concerned shall have a reasonable opportunity, orally and/or in writing to explain the conflict or appearance of conflict.

§ 336.735-42 Disciplinary and other remedial actions.

(a) A violation of the regulations in this part by an employee or special Corporation employee may be cause for appropriate disciplinary action which may be in addition to any penalty prescribed by law.

(b) When, after consideration of the explanation of the employee or special Corporation employee provided by § 336.735-41, the Chairman of the Board decides that remedial action is required, he shall take immediate action to end the conflicts or appearance of conflicts of interest. Remedial action includes, but is not limited to:

- (1) Changes in assigned duties;
- (2) Divestment by the employee or special Corporation employee of his conflicting interest;
- (3) Disciplinary action; or
- (4) Disqualification for a particular assignment.

Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable law, Executive orders, and regulations.

This Part 336 was approved by the Civil Service Commission on February 11, 1966.

Effective date. This Part 336 shall become effective upon publication in the FEDERAL REGISTER.

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] E. F. DOWNEY,
Secretary.

[F.R. Doc. 66-4022; Filed, Apr. 13, 1966; 8:47 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 66-78]

PART 3—DOCUMENTATION OF VESSELS

Application for a Cruising License for a Foreign Yacht

APRIL 8, 1966.

Applications for licenses for certain foreign yachts to cruise in waters of the United States are required by § 3.53 (e) of the Customs Regulations to be made by the owner of the yacht.

It has been determined that there is no reason, under existing law, why the master of a foreign yacht should not be permitted also to execute the application for a cruising license. Of course, an application executed by the master of a foreign yacht would have to set forth the information required by § 3.53(e) of the Customs Regulations. The following amendment is made in accordance with the aforesaid determination.

The first sentence of § 3.53(e) is amended to read as follows: "In order to obtain a cruising license for a yacht of any country listed in paragraph (d) of this section, there shall be filed with the collector an application therefor executed by either the yacht owner or the master which shall set forth the owner's name and address and identify the vessel by flag, rig, name, and such other matters as are usually descriptive of a vessel."

(Sec. 2, 23 Stat. 118, as amended, sec. 5, 35 Stat. 425, as amended; 46 U.S.C. 2, 104)

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved:

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-4025; Filed, Apr. 13, 1966; 8:48 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 145—ANTIBIOTIC DRUGS; DEFINITIONS AND INTERPRETATIVE REGULATIONS

Subpart B—Statements of Policy and Interpretation

CERTIFICATION, RELEASE, OR EXEMPTION OF ANTIBIOTIC-CONTAINING DRUGS; STATEMENT OF POLICY AMENDMENT

Since publication in the FEDERAL REGISTER of March 9, 1966 (31 F.R. 4128), of a statement of policy on certification,

release, or exemption of antibiotic-containing drugs, the Commissioner of Food and Drugs has received additional information indicating that the statement should be amended with reference to antibiotic-containing drugs required to be sold only on prescription. Accordingly, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357), and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008), § 145.32 is amended by revising paragraph (c) and by adding a new paragraph (d) as follows:

§ 145.32 Certification, release, or exemption of antibiotic-containing drugs; statement of policy.

(c) In view of the foregoing, the Commissioner has determined that no preparation containing antibiotic drugs and intended for administration to man will be certified, released, or exempted from certification, except as provided in paragraph (d) of this section.

(d) (1) In the case of antibiotic-containing drugs subject to certification solely on the evidence of safety contained in approved new-drug applications, pursuant to requirements of section 507(h) of the act, certification or release of such articles will continue pending the repeal of such regulations.

(2) Any antibiotic-containing drug required to be sold on prescription, for which the manufacturer has submitted additional data and has received no adverse evaluation of such data from the Food and Drug Administration, will continue to be eligible for release until the data has been evaluated and the manufacturer notified. Since this review is expected to be accomplished by September 1, 1966, the manufacturer of such drugs should submit any additional information promptly, preferably in the form of an application for certification of such drug as prescribed by Part 146 of this chapter. This provision shall not apply to any drug for which the Commissioner makes a determination that such drug is unsafe or where the Commissioner concludes that such drug is not efficacious.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: April 6, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-4004; Filed, Apr. 13, 1966; 8:46 a.m.]

PART 148e—ERYTHROMYCIN

Erythromycin Ethylsuccinate-Trisulfapyrimidines Chewable Tablets and Mixture for Oral Suspension

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under the authority delegated to the Commissioner of Food

and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), Part 148e is amended by adding thereto the following new sections to provide for the certification of the subject drugs:

§ 148e.32 Erythromycin ethylsuccinate-trisulfapyrimidines chewable tablets.

(a) *Requirements for certification—*
(1) *Standards of identity, strength, quality, and purity.* Erythromycin ethylsuccinate—trisulfapyrimidines chewable tablets are tablets composed of erythromycin ethylsuccinate, sulfadiazine, sulfamerazine, sulfamethazine, suitable and harmless binders, buffers, colorings, diluents, and flavorings. Each tablet contains erythromycin ethylsuccinate equivalent to 125 milligrams of erythromycin, 167 milligrams of sulfadiazine, 167 milligrams of sulfamerazine, and 167 milligrams of sulfamethazine. The moisture content is not more than 5.0 percent. The erythromycin ethylsuccinate used conforms to the standards prescribed by § 148e.7(a)(1)(i), (iii), (iv), (v), (vi), and (vii). Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Labeling.* It shall be labeled in accordance with § 148.3 of this chapter. The expiration date is 12 months.

(3) *Requests for certification; samples.* In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The erythromycin ethylsuccinate used in making the batch for potency, toxicity, moisture, pH, residue on ignition, identity, and crystallinity.

(b) The batch for potency and moisture.

(ii) Samples required:

(a) The erythromycin ethylsuccinate used in making the batch: 10 packages, each consisting of 500 milligrams.

(b) The batch: a minimum of 30 tablets.

(c) In case of an initial request for certification, each other ingredient used in making the batch: One package of each containing approximately 5 grams.

(4) *Fees.* \$4.00 for each package in the sample submitted in accordance with subparagraph (3)(ii)(a) and (c) of this paragraph; \$0.75 for each tablet in the sample submitted in accordance with subparagraph (3)(ii)(b) of this paragraph.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 148e.1(b)(1), except prepare the sample in the following manner: Blend a representative number of tablets in a high-speed glass blender with 50 milliliters of absolute methyl alcohol per tablet. Further dilute to the reference point with 0.1M potassium phosphate buffer, pH 8.0. The potency is satisfactory if the tablets contain not less than 90 percent nor more than 120 percent of the number of milligrams of erythromycin they are represented to contain.

(2) *Moisture.* Proceed as directed in § 141a.26(e) of this chapter.

§ 148e.33 Erythromycin ethylsuccinate-trisulfapyrimidines for oral suspension.

(a) *Requirements for certification—*
(1) *Standards of identity, strength, quality, and purity.* Erythromycin ethylsuccinate-trisulfapyrimidines for oral suspension is a dry mixture of erythromycin ethylsuccinate, sulfadiazine, sulfamerazine, sulfamethazine and suitable and harmless buffer substances, colorings, diluents, dispersing agents, and flavorings. When the suspension is prepared as directed in the labeling, each 5 milliliters contains erythromycin ethylsuccinate equivalent to 125 milligrams of erythromycin, 167 milligrams of sulfadiazine, 167 milligrams of sulfamerazine, and 167 milligrams of sulfamethazine. Its moisture content is not more than 1.0 percent. When reconstituted as directed in the labeling, its pH is not less than 5.0 nor more than 7.0. The erythromycin ethylsuccinate used conforms to the standards prescribed by § 148e.7(a)(1)(i), (iii), (iv), (v), (vi), and (vii). Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Labeling.* In addition to the requirements of § 148.3 of this chapter, the label on each immediate container shall bear the statement "After reconstitution, store the suspension in refrigerator and do not use after 7 days." The expiration date is 12 months.

(3) *Requests for certification; samples.* In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The erythromycin ethylsuccinate used in making the batch for potency, toxicity, moisture, pH, residue on ignition, identity, and crystallinity.

(b) The batch for potency, pH, and moisture.

(ii) Samples required:

(a) The erythromycin ethylsuccinate used in making the batch: 10 containers each consisting of approximately 500 milligrams.

(b) The batch: A minimum of six immediate containers.

(c) In case of an initial request for certification, each other ingredient used in making the batch: One package of each containing approximately 5 grams.

(4) *Fees.* \$4.00 for each container submitted in accordance with subparagraph (3)(ii) of this paragraph.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 148e.1(b)(1), except prepare the sample in the following manner: Reconstitute the sample as directed in the labeling. Transfer 2 milliliters of the reconstituted suspension to a 200-milliliter volumetric flask, add absolute methyl alcohol to volume, and mix well. Further dilute to the reference point with 0.1M potassium phosphate buffer, pH 8.0. Its potency is satisfactory if it contains not less than 90 percent nor more than 120 percent of the number of milligrams of erythromycin that it is represented to contain.

(2) *pH.* Proceed as directed in § 141a.5(b) of this chapter, using the suspension prepared as directed in the labeling.

(3) *Moisture.* Proceed as directed in § 141a.5(a) of this chapter.

I find that the subject drugs in this order are safe and efficacious for use, conditions prerequisite to their certification under section 507 of the Federal Food, Drug, and Cosmetic Act, when they comply with the regulations promulgated in this order.

Notice and public procedure and delayed effective date are unnecessary prerequisites to this promulgation, and I so find, since the basic requirements of the statute have been complied with, since the regulations are noncontroversial in nature, and since the best interests of the public will be served by the issuance of these regulations providing for the certification of the subject drugs.

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357)

Dated: April 6, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-4005; Filed, Apr. 13, 1966;
8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart A—Eligibility Requirements

Section 203.20 is amended to read as follows:

§ 203.20 Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5¾ percent per annum with respect to mortgages insured on or after April 11, 1966.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b; interprets or applies sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Individual Properties Released From Project Mortgage

Section 213.511 is amended to read as follows:

§ 213.511 Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5¼ percent per annum with respect to mortgages insured on or after April 11, 1966.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

Section 220.510 is amended to read as follows:

§ 220.510 Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after April 11, 1966.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.518 paragraph (a) is amended to read as follows:

§ 221.518 Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon comple-

tion) on or after April 11, 1966. Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

SUBCHAPTER I—HOUSING FOR ELDERLY PERSONS

PART 231—HOUSING MORTGAGE INSURANCE FOR THE ELDERLY

Subpart A—Eligibility Requirements

In Part 231 in the Table of Contents a new § 231.2a is added as follows:

Sec. 231.2a Maximum interest rate.

In § 231.1 paragraph (a) is amended by adding § 207.7 to the listed exceptions as follows:

§ 231.1 Incorporation by reference.

(a) * * *

Sec. 207.7 Maximum interest rate.

In Part 231 a new § 231.2a is added as follows:

§ 231.2a Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after April 11, 1966.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 231, 73 Stat. 665; 12 U.S.C. 1715v)

SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES

PART 232—NURSING HOMES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

Section 232.29 is amended to read as follows:

§ 232.29 Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after April 11, 1966.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

SUBCHAPTER L—CONDOMINIUM HOUSING INSURANCE

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Individually Owned Units

Section 234.29 is amended to read as follows:

§ 234.29 Maximum interest rate.

(a) The mortgage may bear interest at the rate agreed upon by the mortgagee and mortgagor, but in no case shall the interest rate exceed 5¾ percent per annum with respect to mortgages insured on or after April 11, 1966.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 234, 75 Stat. 160; 12 U.S.C. 1715y)

SUBCHAPTER V—LAND DEVELOPMENT INSURANCE

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

Section 1000.50 is amended to read as follows:

§ 1000.50 Maximum interest rate.

The mortgage may bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 5½ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after April 11, 1966.

(Sec. 1010, 79 Stat. 464; 12 U.S.C. 1749jj)

Issued at Washington, D.C., April 11, 1966.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 66-4023; Filed, Apr. 13, 1966; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—ADJUDICATION

Subpart B—Burial Benefits

DEATH WHILE TRAVELING UNDER PRIOR AUTHORIZATION OR WHILE HOSPITALIZED BY VETERANS' ADMINISTRATION

In § 3.1605(b), subparagraph (1) is amended to read as follows:

§ 3.1605 Death while traveling under prior authorization or while hospitalized by the Veterans' Administration.

(b) *Transportation.* * * *

(1) Within a State or the Canal Zone (38 U.S.C. 101 (20)) while the veteran is

hospitalized by the Veterans' Administration and the body is buried in a State or the Canal Zone; or

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

This VA regulation is effective March 3, 1966.

Approved: April 8, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,
Deputy Administrator.

[F.R. Doc. 66-4019; Filed, Apr. 13, 1966;
8:47 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 52—GRANTS FOR RESEARCH PROJECTS

SUBCHAPTER E—FELLOWSHIPS, INTERNSHIPS, TRAINING

PART 61—FELLOWSHIPS

Miscellaneous Amendments

1. Section 61.1(b) of Chapter I of Title 42 of the Code of Federal Regulations is hereby revoked.

2. Section 52.10(b) is revised by deleting the words "section 4 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c)."

The revoked and deleted provisions are superseded by new Subparts entitled "Awards for Research Fellowships" and "Grants for Research, Training and Demonstration Projects" added to Part 90 of Title 42 and issued simultaneously herewith.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216)

Dated: March 10, 1966.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: March 15, 1966.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-4009; Filed, Apr. 13, 1966;
8:47 a.m.]

Title 45—PUBLIC WELFARE

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

PART 90—GRANTS FOR WATER POLLUTION CONTROL

Subpart—Grants for Research, Training and Demonstration Projects

Notice of proposed rule making, public rule making procedures, and postponement of effective date have been omitted in the issuance of new Subpart—Grants for Research, Training, and Demonstration Projects, which relates solely to

grants for the support of research, training, and demonstrations relating to the prevention and control of water pollution. These regulations shall become effective on the date of publication in the FEDERAL REGISTER.

A new Subpart is added as follows:

APPLICABILITY AND DEFINITIONS

Sec. 90.70 Applicability.
90.71 Definitions.

ELIGIBILITY, AWARD AND TERMINATION

90.75 Nature and purpose of research, training and demonstration grants.
90.76 Eligibility for grants.
90.77 Application for grants.
90.78 Evaluation and disposition of applications.
90.79 Grant awards.
90.80 Termination.

GRANT CONDITIONS—OBLIGATIONS OF GRANTEE

90.81 Use of funds; changes.
90.82 Project Directors.
90.83 Inventions and discoveries.
90.84 Records, reports, inspections.
90.85 Discrimination prohibited.
90.86 Other conditions.

EXPENDITURES BY GRANTEE

90.90 Allocation of costs.
90.91 Direct costs in general.
90.92 Indirect costs.
90.93 Particular direct costs.

GRANTEE ACCOUNTABILITY

90.95 Date of final accounting.
90.96 Accounting for grant award payments.
90.97 Accounting for equipment, materials or supplies.
90.98 Interest.
90.99 Project net income.
90.100 Final settlement.

AUTHORITY: The provisions of this subpart issued under sec. 10, 70 Stat. 506, as amended; 33 U.S.C. 466i and under sec. 4, 70 Stat. 499, as amended; 33 U.S.C. 466c.

APPLICABILITY AND DEFINITIONS

§ 90.70 Applicability.

The regulations of this subpart apply to Federal Water Pollution Control Administration grants for the support of research, training, and demonstration projects as authorized in section 5 of the Federal Water Pollution Control Act as amended (33 U.S.C. 466 et seq.).

§ 90.71 Definitions.

As used in this subpart:

(a) "Commissioner" means the Commissioner of the Federal Water Pollution Control Administration and any other officer or employee of the Administration to whom he delegates the authority involved, except that as used in §§ 90.76 (a) 3, and 90.80(b) the term shall mean only the Commissioner and Acting Commissioner.

(b) "Project Period" means the period of time, not exceeding the applicable maximum project period specified in paragraph (c) of this section which the Commissioner finds is reasonably required to initiate and conduct a project meriting support by means of one or more project grants within the scope of § 90.75. The period may include the time required for initial staffing and acquisition of facilities and for the prepa-

ration and publication of the results of the project. The approval and support of a project for the maximum period shall not preclude support of such a project beyond such a period if such support of the continued project is requested, evaluated, and approved on the same basis as a new or initial application in accordance with § 90.77 and § 90.78.

(c) "Maximum project period" for the several grant programs is as follows: (1) Research Grants not to exceed 7 years; (2) Training Grants not to exceed 5 years; (3) Demonstration Grants not to exceed 3 years.

ELIGIBILITY, AWARD AND TERMINATION

§ 90.75 Nature and purpose of research, training, and demonstration grants.

Grants for research, training, and demonstration projects are awards by the Commissioner of funds to an institution, organization or other person, hereinafter called the "grantee" to meet in whole or in part the costs of conducting for the benefit of water pollution control an identified activity or program, hereinafter termed the "project," that (a) with respect to a research project is intended and designed to establish, discover, develop, elucidate, or confirm information; or (b) with respect to a training project, is intended to afford training of specialists in scientific, engineering, and social science disciplines; (c) with respect to a demonstration project, is intended to demonstrate the applicability and utility of research findings.

§ 90.76 Eligibility for grants.

(a) *Persons eligible.* Except where otherwise prohibited by law, any individual, corporation, public or private institution or agency, or other legally accountable person found by the Commissioner to be authorized and qualified by scientific or other relevant competence to carry out a proposed project in accordance with the regulations of this subpart shall be eligible for a grant award except:

(1) Federal agencies or institutions not specifically authorized by law to receive such a grant.

(2) Any corporation, institution, agency or other such person, other than an individual, that is organized or operated for profit; and

(3) Any individual corporation, institution, agency or other such person who, having previously received a grant award from the Federal Water Pollution Control Administration has failed willfully and materially in the judgment of the Commissioner to comply with accounting or other requirements applicable to such prior award, such disqualification to continue until terminated in the public interest by the Commissioner.

(b) *Projects eligible.* Any project found by the Commissioner to be a research, training, or demonstration project within the meaning of § 90.75 shall be eligible for a grant award. Eligible projects may consist of laboratory, field, statistical, basic, applied or other types of investigations, studies or experiments, or combinations thereof, and may either

be limited to one, or a particular aspect of a problem or subject, or may consist of two or more related problems or subjects for concurrent or consecutive research, training, and demonstration projects, and involve multiple disciplines, facilities, and resources.

§ 90.77 Application for grants.

Any person eligible for a grant award under § 90.76 may file application therefor with the Commissioner on such forms as he may prescribe. Such application shall set forth adequately the nature, duration, purpose and plan of the project, the total facilities and resources that will be available, a justification of the amount of grant funds requested, and such other pertinent information as the Commissioner may require. The application shall be executed by an individual authorized to act for the institution or other applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of any award, including the regulations of this subpart.

§ 90.78 Evaluation and disposition of applications.

(a) *Evaluation.* All applications filed in accordance with § 90.77 shall be evaluated by the Commissioner through such officers and employees of the Administration and such experts or consultants engaged for this purpose as he determines are specially qualified in the areas of research, training or demonstration involved. The evaluation shall take into account among other pertinent factors the scientific merit and significance of the project, the competency of the proposed staff in relation to the type of project involved, the feasibility of the project, the likelihood of its producing meaningful results, the proposed project period, and the adequacy of the applicant's resources available for the project and the amount of grant funds necessary for completion.

(b) *Disposition.* On the basis of the evaluation of an application pursuant to paragraph (a) of this section, the Commissioner shall (1) approve, (2) defer because of either lack of funds or need for further evaluation, or (3) disapprove support of the proposed project in whole or in part. With respect to approved projects, the Commissioner shall determine the project period during which the project may be supported. Any deferral or disapproval of an application shall not preclude its reconsideration or a reapplication.

§ 90.79 Grant awards.

(a) *General.* Within the limits of funds available for such purpose, the Commissioner shall award a grant to those applicants whose approved projects will in his judgment, best promote the purposes of § 90.75. The date specified by the Commissioner as the beginning of the project period shall be no later than 9 months following the date of any initial or new award statement unless the Commissioner finds that because of the nature of a project or the grantee's particular circumstances, earlier assurance

of grant support is required to initiate the project. All grant awards shall be in writing, shall set forth the amount of funds granted and shall constitute for such amounts the encumbrance of Federal funds available for such purpose on the date of the award.

(b) *Determination of award amount.* The amount of any award shall be determined by the Commissioner on the basis of his estimate of the sum necessary for all or a designated portion of direct project costs (as set forth in §§ 90.91 and 90.93) for either the project period or for such lesser period as he may designate in making the award, plus an additional amount, if any, for overhead or indirect costs (as set forth in § 90.92). Neither the approval of any project nor a grant award shall commit or obligate the United States in any way to make any additional, supplemental, continuation or other awards with respect to any approved project or portion thereof.

(c) *Multiple, concurrent, initial awards.* Whenever a project involves a number of different but related problems, activities or disciplines, or whenever support for a project could be more effectively administered by separate handling of separate aspects of the project, the Commissioner may evaluate and approve two or more concurrent applications each dealing with one or more specified aspects of the project, and he may make two or more concurrent grant awards with respect to such a project.

(d) *Supplemental and continuation awards.* The Commissioner may from time to time within the project period make additional grant awards with respect to any approved project continued without change except as provided in § 90.81 (b) and (c) where he finds, on the basis of such progress, and accounting reports as he may require, either that (1) the amount of any prior award was less than the amount necessary to carry out the approved project within the period used for estimating the amount of such prior award (a supplemental grant), or (2) the progress made within the period with respect to which any prior awards were made justifies support for an additional, specified portion, or the remainder of the project period (a continuation grant). The amount of any supplemental or continuation grant shall be determined as provided in paragraph (b) of this section.

(e) *Payments.* The Commissioner shall from time to time make payments to a grantee of all or a portion of any grant award, either in advance or by way of reimbursement for expenses to be incurred or incurred in the project period, to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project. All such payments shall be recorded by the grantee in accounting records separate from all other fund accounts, including funds derived from other grant awards. Amounts paid shall be available for expenditure by the grantee in accordance with the regulations of this part throughout the project period subject to such limitations as the Commissioner may prescribe.

§ 90.80 Termination.

(a) *Discontinuance by agreement.* Whenever in the judgment of the Commissioner and the grantee continuation of an approved project would produce results of no value in furthering the purposes of § 90.75 grant support shall be terminated.

(b) *Termination by Commissioner.* Any grant award may be revoked or terminated by the Commissioner in whole or in part at any time within the project period whenever he finds that in his judgment the grantee has failed in a material respect to comply with regulations of this part. The grantee shall be promptly notified of such finding in writing and given the reasons therefor.

(c) *Termination by the grantee.* A grantee may at any time terminate or cancel its conduct of an approved project by notifying the Commissioner in writing setting forth the reasons for such termination.

(d) *Accounting.* Upon any termination, the grantee shall render an accounting pursuant to §§ 90.95 through 90.100: *Provided, however,* That to the extent the termination is due in the judgment of the Commissioner to no fault of the grantee, credit shall be allowed for the amount required to settle at minimum cost any noncancelable obligations properly incurred by the grantee prior to receipt of notice of termination.

GRANT CONDITIONS—OBLIGATIONS OF GRANTEE

§ 90.81 Use of funds; changes.

(a) *Use of funds.* Any funds granted pursuant to § 90.79 shall be expended by the grantee solely for carrying out the approved project in accordance with the regulations of this part. The grantee may not in whole or in part delegate or transfer this responsibility for the use of such funds to any other person.

(b) *Changes in project.* The permissible changes by the project director in the approved project shall be limited to changes in methodology, approach or other aspects of the project that would expedite achievement of the project's objectives, including changes that grow out of the approved project and serve the best scientific and administrative strategy. Whenever the grantee and the project director are uncertain as to whether a change complies with these provisions, the question shall be referred to the Commissioner for a final determination.

(c) *Changes in project period.* The project period determined pursuant to § 90.78(b) may be extended by the Commissioner, with or without additional grant support, for an additional period not exceeding 1 year where he determines that such extension is required to assure adequate completion of the approved project and the total period as extended does not exceed the applicable maximum project period.

§ 90.82 Project directors.

All grant awards shall be subject to the condition that the project director designated in the application as respon-

sible for the conduct of the approved project shall continue responsible for the duration of the project period. Whenever any such project director shall become unavailable for any reason to discharge this responsibility, the grant shall be terminated and an accounting rendered as provided in § 90.80 unless the grantee replaces such project director with another person found by the Commissioner to be qualified to direct and conduct the approved project.

§ 90.83 Inventions or discoveries.

Any grant award pursuant to § 90.79 is subject to the regulations of the Department of Health, Education, and Welfare as set forth in Parts 6 and 8, as amended, of this subtitle. Such regulations shall apply to any activity for which grant funds are in fact used whether within the scope of the project as approved or otherwise. Appropriate measures shall be taken by the grantee and by the Commissioner to assure that no contracts, assignments or other arrangements inconsistent with the grant obligation are continued or entered into and that all personnel involved in the supported activity are aware of and comply with such obligation. Laboratory notes, related technical data and information pertaining to inventions or discoveries shall be maintained for such periods, and filed with or otherwise made available to the Commissioner or those he may designate at such times and in such manner, as he may determine necessary to carry out such Department regulations.

§ 90.84 Records, reports, inspections.

(a) *Records and reports.* Each grant award pursuant to § 90.79 shall be subject to the condition that the grantee shall maintain such progress and fiscal records, and file with the Commissioner such progress and fiscal reports relating to the conduct and results of the approved project and the use of grant funds as the Commissioner may prescribe. No such records shall be destroyed or otherwise disposed of within 3 years after termination of the project period unless a shorter or longer period of time is, respectively, permitted or required in writing by the Commissioner as to all, or particular types of records.

(b) *Inspections and audit.* Any application for a grant award filed pursuant to § 90.77 shall constitute the consent of the applicant to inspections at reasonable times by persons designated by the Commissioner of the facilities, equipment and other resources of the applicant and to interviews with principal staff members to the extent such resources and personnel will be, or are involved in the project. In addition, the acceptance of any grant award under § 90.79 shall constitute the consent of the grantee to inspections and fiscal audit by such persons of the supported activity and of progress and fiscal records relating to the approved project.

§ 90.85 Discrimination prohibited.

Attention is invited to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88-352) which

provides that no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (sec. 601), and to the implementing regulation issued by the Secretary of Health, Education, and Welfare with the approval of the President (Part 80 of this subtitle).

§ 90.86 Other conditions.

The Commissioner may with respect to any grant award or class of awards impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the Administration, or the conservation of grant funds.

EXPENDITURES BY GRANTEE

§ 90.90 Allocation of costs.

Except as may otherwise be provided by or pursuant to the regulations of this subpart, the allocation of expenditures by a grantee as between direct and indirect costs shall be in accordance with generally accepted and established accounting practices and in accordance with the same policies and methods that the grantee applies to all its research, training, or demonstration projects and related activities whether self-sponsored or supported by contracts or grants.

§ 90.91 Direct costs in general.

Funds granted for the direct costs of an approved project may be expended by the grantee for personal services, rental of space, materials and supplies, and other cost items as provided in the regulations of this subpart only to the extent such services, materials, supplies or other items are required to carry out the approved project. The Commissioner may issue rules, instructions, interpretations or limitations supplementing the regulations of this part and prescribing the extent to which particular types of expenditures, including those set forth in § 90.93 may be charged as direct costs to grant funds.

§ 90.92 Indirect costs.

(a) *Purpose and nature.* The amount awarded for indirect costs is provided for the purpose of meeting the approved project's share of the general administrative and other overhead expenses of the grantee. Indirect costs are those which, because of their incurrence for common or joint objectives, are not readily identified with individual projects. Expenditures representing an institution's auxiliary services or supportive activities to research, training or demonstration, such as personnel management, accounting or purchasing, and the cost of the usual utilities or the normal maintenance and protection of the grantee's facilities, shall not be charged as direct costs, unless because of special circumstances such a charge is specifically approved by the Commissioner in advance of expenditure.

(b) *Determination of amount of award for indirect costs.* Subject to such maximum amounts or percentages as may be prescribed by law and to accountability as provided in § 90.96 the amount of any award for the indirect costs of any project shall be calculated by the Commissioner either (1) on the basis of his estimate of the actual indirect costs reasonably related to the approved project, or (2) on the basis of a percentage of all, or a portion of, the estimated direct costs of the approved project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs.

§ 90.93 Particular direct costs.

(a) *Personal services.* The costs of personal services are payable from grant funds substantially in proportion to the time or effort the individual devotes to carrying out the approved project. In such proportion, such costs may include all direct costs incident to such services, such as salary during vacations and retirement and workman's compensation charges, in accordance with the requirements applicable by law to the grantee and where in accordance with the policies and accounting practices consistently applied by the grantee to all its activities.

(b) *Equipment and materials.* The cost of acquiring materials or fixed or movable equipment not available to the grantee for the approved project but required for its execution may be charged to grant funds as a direct cost. Such acquisition may be by lease or other arrangement for use during the project period or by outright purchase subject to accounting as provided in § 90.97. Such costs may include those incurred for delivery, installation and maintenance services.

(c) *Travel costs.* Costs of travel of individuals engaged in carrying out the approved project may be payable as direct costs where such travel is required by the nature of the project, such as field surveys or studies or transportation of personnel participating in a project conducted at a field station or other place. Not chargeable as direct costs are expenses for staff attendance at scientific meetings or conferences not related in the judgment of the Commissioner in advancing the approved project. To the extent the grantee has not established rules or policies which it uniformly applies regardless of source of funds in determining the amounts and types of reimbursable travel expenses, the Standardized Government Travel Regulations shall be applied in determining the amount of grant funds chargeable for travel expenses.

(d) *Alteration and renovations.* The costs of altering or renovating buildings or other structures in which the approved project is to be, or is being, conducted may be charged as direct costs to the extent such alteration or renovation is essential to the accomplishment of the specific objective of such project. Such costs may not include enlarging or adding to such structures or the erec-

tion of new structures. Grant funds used in whole or in part to defray the costs of any contract for alterations or renovations shall be subject to the requirements of Executive Order 11246, September 24, 1965 (30 F.R. 12319), relating to nondiscrimination provisions in federally assisted construction contracts, and with applicable rules, regulations, and procedures prescribed pursuant thereto.

(e) *Publication costs.* Costs required to assure effective publication or other distribution of the research results of any approved project may be charged as direct costs. Where such costs relate to charges imposed by scientific journals, they may be payable from grant funds only where they are imposed without discrimination relating to the source of support, and if assessed to secure early or accelerated publication date, only where the Commissioner determines in advance that such acceleration is of significant value to water pollution control.

GRANTEE ACCOUNTABILITY

§ 90.95 Date of final accounting.

In addition to such other accounting as the Commissioner may require, a grantee shall render, with respect to each approved project, a full account, as provided herein, as of a termination date which shall be either (a) the end of the project period as determined pursuant to § 90.78(b) or its extension as provided in § 90.81(c), or (b) the date of any termination of grant support as provided in § 90.80 whichever first occurs.

§ 90.96 Accounting for grant award payments.

With respect to each approved project, the grantee shall account for the sum total of all amounts paid under § 90.79 (c) by presenting or otherwise making available vouchers or any other evidence satisfactory to the Commissioner of expenditures for direct and indirect costs meeting the requirements of §§ 90.90 through 90.93: *Provided, however,* That where in accordance with § 90.92(b) the amount awarded for indirect costs was based on a percentage of estimated direct costs, the amount allowed for indirect costs shall be that percentage of actual direct costs, or approved portion thereof, unless the Commissioner has reason to believe that such application of the percentage would result in an allowance in excess of actual indirect costs.

§ 90.97 Accounting for equipment, materials or supplies.

Expenditures of grant funds for movable or fixed equipment, materials or supplies, termed in this subpart "materials" may be charged to grant funds as direct costs only to the extent such materials are required for the conduct of the approved project during the project period. Any materials on hand on the date of termination (excluding expendable supplies within such limitations as the Commissioner may prescribe) shall be accounted for, or accountability waived, by one or a combination of the following methods:

(a) *Waiver of equipment accountability.* Under research grants where the grantee is an organization within the terms of the Act of September 6, 1958 (72 Stat. 1793; Public Law 85-934), the obligation to account for the value of any fixed or movable equipment purchased with funds under a research grant may be waived by the Commissioner as provided by such Act.

(b) *Retention for other water pollution control grant projects.* If the grantee is other than an individual, the materials may be used, without adjustment of accounts, in other projects within the scope of § 90.75, and no other accounting for such materials shall be required: *Provided, however,* (1) That during such period of use no charge for depreciation, amortization or for other use of the materials shall be made against any existing or future Federal grant or contract, and (2) if within the period of their useful life the materials are transferred by sale or otherwise for use outside the scope of § 90.75, the fair market value at the time of transfer shall be payable to the United States.

(c) *Sale or other disposition; crediting of proceeds or value.* The materials may be sold by the grantee and the net proceeds of sale credited to the grant account for project use, or they may be used or disposed of in any manner by the grantee by crediting to the grant account their fair market value on the termination date. To the extent materials purchased from grant funds have been used for credit or "trade-in" on the purchase of new materials, the accounting obligation shall apply to the same extent to such new materials.

(d) *Transfer to the United States.* To the extent the Commissioner so requires or approves, title to such materials will be transferred to the United States for such authorized use or disposition as he may direct.

§ 90.98 Interest.

Any interest earned through any deposit or investment by the grantee of the funds paid pursuant to § 90.79(e) shall be paid to the United States as such interest is received by the grantee.

§ 90.99 Project net income.

Except as may otherwise be provided pursuant to regulations of Health, Education, and Welfare with respect to income from patentable inventions or discoveries, the Commissioner may impose on any grant award or class of grant awards conditions that will assure return to the United States of its equitable share of any net income derived by the grantee from the activity supported by grant.

§ 90.100 Final settlement.

There shall be payable to the United States as final settlement with respect to each approved project the total sum of (a) any amount not accounted for pursuant to § 90.96, (b) any credits for materials on hand as provided in § 90.97, and (c) any credits for earned interest and for net income of the project pursuant to § 90.98 and § 90.99. Such total

sum shall constitute a debt owed by the grantee to the United States and shall be recovered from the grantee or its successors or assignees by setoff or other action as provided by law.

Dated: April 5, 1966.

[SEAL] WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-4010; Filed, Apr. 13, 1966; 8:47 a.m.]

PART 90—GRANTS FOR WATER POLLUTION CONTROL

Subpart—Awards for Research Fellowships

Notice of proposed rule making, public rule making procedures, and postponement of effective date have been omitted in the issuance of new Subpart—Awards for Research Fellowships, which relates solely to grants for the support of fellowships. These regulations shall become effective on the date of publication in the FEDERAL REGISTER.

A new Subpart is added as follows:

- Sec.
- 90.110 Applicability.
- 90.111 Purpose of fellowships.
- 90.112 Establishment.
- 90.113 Services.
- 90.114 Qualifications.
- 90.115 Applications for fellowships.
- 90.116 Review of applications for fellowships.
- 90.117 Awards.
- 90.118 Benefits.
- 90.119 Tuition and other allowances; accountability.
- 90.120 Publications.
- 90.121 Term: renewal.
- 90.122 Information concerning criminal record, moral character or loyalty.
- 90.123 Moral character or loyalty; reference to Special Review Committee; review and recommendation.
- 90.124 Termination or discontinuance of award on grounds relating to moral character or loyalty.
- 90.125 Termination on grounds other than those relating to conviction, moral character or loyalty.

AUTHORITY: The provisions of this subpart issued under sec. 10, 70 Stat. 506, as amended; 33 U.S.C. 466i, and under sec. 4, 70 Stat. 499, as amended; 33 U.S.C. 466c.

§ 90.110 Applicability.

The regulations of this subpart apply to Federal Water Pollution Control Administration awards for the support of research fellowships under section 5 of the Federal Water Pollution Control Act, as amended.

§ 90.111 Purpose of fellowships.

Fellowships in the Federal Water Pollution Control Administration are for the purpose of encouraging and promoting the specialized training of individuals in research related to the causes, prevention and control of water pollution.

§ 90.112 Establishment.

All fellowships in the Federal Water Pollution Control Administration shall be established by the Commissioner. In establishing a fellowship or series of fellowships, the Commissioner shall in

writing prescribe the conditions, in addition to those provided in the regulations in this subpart, under which the fellowships shall be awarded and held.

§ 90.113 Services.

Individuals awarded fellowships will not be required to render services to the Federal Water Pollution Control Administration.

§ 90.114 Qualifications.

Scholastic and other qualifications shall be prescribed by the Commissioner for each fellowship, or series of fellowships. Each individual selected for appointment to a fellowship shall:

(a) Possess the qualifications prescribed therefor.

(b) Be free from any disease or disability that would interfere with his carrying out the purposes of the fellowship.

(c) Present satisfactory evidence of general suitability including professional and personal fitness.

§ 90.115 Applications for fellowships.

Candidates for fellowships shall make application therefor on forms prescribed by the Commissioner for such purpose. In addition to the information supplied by a candidate in his application, such additional information may be required as may be necessary to determine his qualifications and fitness.

§ 90.116 Review of applications for fellowships.

The Commissioner shall appoint one or more fellowship panels to examine the qualifications of applicants for fellowships. A fellowship panel shall report to the Commissioner each candidate who it finds meets required qualifications, and shall include in such report its recommendations concerning his appointment.

§ 90.117 Awards.

Awards of fellowships shall be made by the Commissioner.

§ 90.118 Benefits.

Individuals awarded fellowships shall be entitled to:

(a) A stipend and dependency allowance as fixed by the Commissioner for the fellowship.

(b) Vacation and other leave as follows: Individuals awarded fellowships may take vacations in accordance with the custom of the institution at which they are working, but not in excess of 1 month per year. If they are located at a laboratory or other facility of the Federal Government, vacations may be taken as authorized by the Federal Water Pollution Control Administration. Stipends will not be increased or be paid beyond the term of a fellowship, on account of vacation an individual might be entitled to but does not take.

(c) Travel expenses: Any individual awarded a fellowship may, when authorized in advance by the Federal Water Pollution Control Administration, be granted separate allowances for transportation and subsistence expenses, not exceeding such amounts as may be pre-

scribed by the Commissioner on account of (1) travel to the place at which he is to be located during the term of the fellowship, and (2) travel to return him at the end of the fellowship term to his home or other place he left to carry out the fellowship, provided such return travel is to or from a place outside the continental United States. Allowances will not be granted for transportation expenses of dependents or for shipping charges for personal effects or household goods.

(d) Payments—stipends, dependency allowances, travel expenses: Payments for stipends, dependency allowances and travel expenses specified in paragraph (c) (1) and (2) of this section may be made directly to the fellow or to the sponsoring institution for payment to the fellow.

(e) Condition to payments: No payments shall be made to or for a citizen or a noncitizen national of the United States receiving a fellowship unless such citizen or noncitizen national has taken, subscribed to, and filed with the Federal Water Pollution Control Administration a written oath or affirmation in the following form: "I do solemnly swear (or affirm) that I bear true faith and allegiance to the United States of America and will support and defend the Constitution and laws of the United States against all its enemies, foreign and domestic."

(f) Noncitizen national; definition: A noncitizen national of the United States is a person, who, though not a citizen of the United States, owes permanent allegiance to the United States.

§ 90.119 Tuition and other allowances: accountability.

(a) *Authorization.* The Commissioner may authorize allowances for payment of expenses, in whole or in part, of tuition, fees, equipment, supplies, attendance at meetings required to carry out the purposes of the fellowship, or other expenses of the research or training activities of the fellow.

(b) *Payment—Tuition and fees.* Allowances for tuition and fees may be paid to the fellow or sponsoring institution.

(c) *Payment—Other expenses; standard or maximum allowances.* Allowances for equipment, supplies, attendance at meetings, and other expenses shall, except as provided otherwise in these regulations, be paid to the sponsoring institution. The Commissioner may establish a standard allowance, or a maximum allowance for payment to the sponsoring institution for such expenses.

(d) *Accountability.* Allowances paid directly to a fellow for tuition fees and other expenses shall be subject to such requirements relating to accountability as may be specified by the Commissioner.

§ 90.120 Publications.

All publications resulting from work carried on under a Federal Water Pollution Control Administration fellowship are to carry appropriate acknowledgment thereof. The holder of the fellowship shall furnish two copies of each such

publication to the Federal Water Pollution Control Administration.

§ 90.121 Term: renewal.

Appointments to fellowships may be made for varying periods, such as for a school year, but shall not exceed 2 years. Upon recommendation of a fellowship panel, the Commissioner may extend such appointments on a year-to-year basis or for a specific period of time provided for in a fellowship program established by the Commissioner in accordance with § 90.112.

§ 90.122 Information concerning criminal record, moral character or loyalty.

Information in the records or possession of the Federal Water Pollution Control Administration concerning the criminal record, moral character, or loyalty of any fellow shall not be made available to any fellowship panel involved in recommending appointment of fellows, or to any other person or persons other than those for whom access to such information and records is required in the exercise of their duties and responsibilities.

§ 90.123 Moral character or loyalty; reference to Special Review Committee; review and recommendation.

(a) *Reference to Special Review Committee.* Whenever (1) the Commissioner has substantial evidence that a fellow has been convicted of a crime involving moral turpitude, or of conduct involving moral turpitude on the part of a fellow, unless it is established in either such case that the fellow is, nevertheless, now a person of good moral character, or (2) the Commissioner has substantial evidence that the statement filed pursuant to § 90.118(e) was not made in good faith, the Commissioner shall refer such evidence to a Special Review Committee established as prescribed in paragraph (b).

(b) *Special Review Committee; composition.* The Special Review Committee shall be composed of a representative of the Commissioner of the Federal Water Pollution Control Administration designated by the Commissioner as chairman but nonvoting member, the Chief of the Research and Training Grant Program, or his delegate, the Chief of the Training Grant Activity, or his delegate, and three additional members appointed by the Commissioner.

(c) *Information; supplementation.* The Committee may supplement the information referred to it by such correspondence, personal interviews, or other informal methods as it deems necessary in order to make the recommendation provided for in paragraph (d).

(d) *Review and recommendation.* The Committee shall review the pertinent information, determine whether there is substantial evidence that the statement filed pursuant to § 90.118(e) was not made in good faith, or that the fellow is not a person of good moral character, and shall advise the Commissioner in writing of its determination and as to the termination or discontinuance of the award, stating its reasons therefor.

§ 90.124 Termination or discontinuance of award on grounds relating to moral character or loyalty.

If, after review of the recommendation of the Special Review Committee, the Commissioner believes that the award should be terminated or should not be continued, he shall notify the fellow and sponsoring institution in writing that unless a request for a hearing is made by the fellow within 20 days after the fellow's receipt of such notice, his fellowship will be terminated or his application for continuance of the award denied. A copy of the regulations under this subpart and a copy of Part 10 of this subtitle, shall be enclosed with the notice. The notice to the fellow shall set forth, as specifically as security permits, the grounds for the questions pertaining to moral character or loyalty. If a hearing is requested, the case will be submitted by the Commissioner to the Chairman of the Departmental Fellowship Review Panel for handling in accordance with such Part 10.

§ 90.125 Termination on grounds other than those relating to conviction, moral character or loyalty.

The Commissioner or his delegate may terminate a fellowship at any time upon the request of the fellow, and shall terminate any fellowship prior to the date it would otherwise expire upon a determination by a fellowship panel, if approved by the Commissioner, either that the fellow's performance is unsatisfactory or that he is unfit or unable to carry out the purpose of the fellowship. The fellow and the sponsoring institution shall be notified in writing of such termination.

Dated: April 5, 1966.

[SEAL] **WILBUR J. COHEN,**
Acting Secretary.

[F.R. Doc. 66-4011; Filed, Apr. 13, 1966; 8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 66-304]

PART 74—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST SERVICES

Miscellaneous Amendments

1. Sections 74.750(c) (7) and 74.783 require that television translator equipment be provided with automatic keying devices which will enable the station to identify itself at the beginning of operation and at half-hourly points during the time of operation. Comments and complaints have come to the Commission's attention to the effect that these devices, commonly called code wheels, often develop mechanical troubles which either make them inoperative or cause them to give false identification signals; that they require frequent and costly repairs; that they are expensive and add materially to the cost of a translator sta-

tion; and that they are unnecessary. It has been argued that, due to the small areas in which the signals can be received, the ease with which a station can be identified by observing of the orientation of receiving antennas in the area, the fact that translators are licensed by the Commission, and the lack of interference in the past, such devices are not needed for the 1 watt VHF translators. Further, some have pointed out that newly developed solid state translators of low power (about 100 mw) utilize batteries which last about 6 months before needing replacement and that the drain on the batteries caused by operating the code wheels is so great as to make the use of such translators infeasible.

2. In a petition for rule making, RM-440, Mr. Arthur Brothers requests the elimination of the identification rule as far as VHF translators are concerned. He urges that his would delete the "white line" type of interference which occurs because multihop translator identification units trigger at about the same time. As for the solid state translators he submits that these are highly useful in remote areas which do not have commercial power available and urges that the code wheel requirement would preclude their use. In comments filed in a rule making proceeding (Docket 16240), the Tri-State TV Translator Association, representing TV translator stations in Idaho, Montana, and Wyoming, urged that the code wheels used for identification purposes are costly, mechanically imperfect, and unnecessary, and suggested that Section 74.783 be amended to permit the primary station to carry the call signs of the translator rebroadcasting its signal, at signon and signoff, and to delete the half-hourly requirement.

3. The reasons for the adoption of the station identification rule for TV translators were twofold. First, it was considered necessary in assisting the Commission or similar authorities of other countries to police the radio spectrum for detection of violations, and quickly identifying stations possibly causing interference to other services, including safety services. This was particularly important in the case of VHF translators, since the VHF portion of the radio spectrum is so crowded with services used by police, fire departments, aviation interests, etc. The second consideration was the requirements of the Geneva Radio Regulations to which this country is a signatory. This international agreement prohibits transmissions without station identification or with false identification. (See Article 19, section I, paragraph 735.) However, the regulations recognize that it is not always possible or practicable for systems or stations to transmit identification signals. See paragraphs 735.1 and 741 of the Radio Regulations.

4. The Commission has for some time been studying this problem from the legal, technical, and treaty points of view. In light of this study we have concluded that we can appropriately dispense with the identification requirement for translators of one watt power

or less.¹ We have not had any cases of interference to other radio service from 1-watt translators, during the nearly 6 years since rules for VHF translators were adopted in 1960, and the very small radius within which these signals could be a potential source of interference makes such situations unlikely. In the unlikely event that such interference to other services occurs—and where interference to regular TV stations on the same or adjacent television channels is involved—it appears that other means of identification of the source are adequate to permit prompt relief, including ready access to lists of translators in a particular area and their exact locations maintained by the Commission in Washington and at its field offices, the continued presence on the translator of the identification announcement and programming of the originating station, observation of the orientation of TV receiving antennas in the neighborhood of the interference (as mentioned above), and employment of direction finding techniques by the Commission's Field Engineering Bureau. We believe the possibility of interference to stations in other countries (which is, of course, the prime concern of the Radio Regulations) is minimal, and we have agreements with both border countries, Canada and Mexico, on coordination for such stations, so that these countries are aware of U.S. translator operations near the border. We are of the view therefore that the relaxation will not violate the Geneva requirement. Accordingly, we are deleting the identification requirement for VHF translators of one watt transmitter power or less.

5. We do not believe that relaxation of the identification requirement for translators of more than 1 watt power is warranted. As stated above, one consideration in connection with translators of 1 watt or less is the very limited area within which they could be sources of interference, a factor less true of higher power operations. As we have pointed out before, the interference capability of a signal extends much further than its service capability.

6. As mentioned above, there have been no complaints of interference from 1-watt translators to other radio services since these stations were first authorized in 1960, and other means of identification exist. Therefore, it appears that no interested party would be adversely affected by elimination of the identification requirement for such stations. The elimination of the requirement would remove a substantial burden from a large number of low-power VHF translator licensees, often in small, isolated communities. Under these circumstances, the Commission is of the view that prior rule making proceedings, usually required by section 4(a), of the Administrative Procedure Act, are unnecessary before adoption of the amendments set forth

¹The rules as amended herein will refer to translators with no more than 1 watt peak visual power. In practice this means only VHF translators, since UHF translators operate with greater power.

below, and would not serve the public interest. For the same reasons it is appropriate to make the amendments effective as soon as possible, rather than waiting the usual 30 days following publication in the FEDERAL REGISTER.

7. The amendments adopted herein are issued pursuant to authority contained in sections 4(i), 303(f), and 303(r) of the Communications Act of 1934, as amended.

8. In view of the foregoing: *It is ordered*, That, effective April 15, 1966, Part 74 of the Commission's rules and regulations is amended as follows:

(1) In § 74.750, paragraph (c) (7) is amended to read as follows:

§ 74.750 Equipment and installation.

(c) * * * * *

(7) Transmitters of over 1 watt peak visual power shall be equipped with an automatic keying device which will transmit the call sign assigned to the station, in International Morse Code, within 5 minutes of the hour and half hour. Transmission of the call sign shall be accomplished either by interrupting the radiated signals in the proper code sequence or by amplitude modulating the radiated signals with an audio frequency tone containing the telegraphic identification. The modulating signal may be inserted at any suitable stage in the apparatus but shall result in at least 30 percent amplitude modulation of the aural carrier. If an audio frequency tone is used it shall not be within 200 cycles of the 1,000 cycle tone used for Emergency Broadcast System alerting: *Provided, however*, That apparatus intended to be used solely for rebroadcasting the signals of another translator need not be equipped for such automatic transmission of its call sign if its call sign will be transmitted by the translator which it is rebroadcasting.

(2) In § 74.783 paragraph (a) is amended to read as follows:

§ 74.783 Station identification.

(a) Each television broadcast translator station of over 1 watt peak visual power shall transmit its call sign in International Morse Code at the beginning of each period of operation and, during operation, within 5 minutes of the hour and half-hour. The transmission may be accomplished either by means of an automatic device incorporated in the translator apparatus, which will modulate the local oscillator or a suitable amplifier stage in the translator with the audio frequency tone keyed in the proper sequence so as to cause the modulation to appear on the visual and aural carriers emitted by the translator; or by rebroadcasting the signals of another translator which transmits the call signs of translators which are rebroadcasting its signals. The audio frequency tone shall produce no less than 30 percent amplitude modulation of the emitted aural carrier and shall not be within 200 cycles of the 1,000 cycle tone used for Emergency Broadcast System

alerting. In cases where a translator transmits more than one call sign, the individual call signs shall be separated by the International Morse Code character for the fraction bar composed of a dash, two dots, a dash, and a dot, sent as a single character (-..-.). Call sign transmissions shall be made at a code speed not in excess of 20 words per minute. At this speed the transmission of each individual call sign will require approximately 4 seconds.

9. *It is further ordered*, That the petition, RM-440, is granted insofar as indicated herein, and in all other aspects, is denied.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: April 8, 1966.

Released: April 11, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4031; Filed, Apr. 13, 1966;
8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Parker River National Wildlife Refuge, Mass.

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

§ 28.28 Special regulations: recreation; for the individual wildlife refuge areas.

MASSACHUSETTS

PARKER RIVER NATIONAL WILDLIFE REFUGE

Entrance into the Public Use Area of the refuge is permitted for the purpose of nature study, photography, hiking, sunbathing, and picnicking from 6 a.m. to 9 p.m. from May 1 through October 15 and daylight hours from October 16 through April 30. Bathing and swimming are permitted only in the designated area during the hours 10 a.m. to 5 p.m. from June 15 through September 15. Surf fishing is permitted day and night outside of the designated swimming and bathing area from May 1 through October 15. Plums and cranberries may be picked outside of the Natural Area from 6 a.m. to 9 p.m. August 15 to October 15 to the limit of one-half bushel per family.

² Commissioners Loevinger and Wadsworth absent.

Motor vehicles are permitted on designated travel routes and in designated parking areas. Over-the-sand vehicles may be on the ocean beach, for fishing only, from 6 p.m. to 8 a.m. from May 1 to October 15.

Foot travel in the Natural Area is permitted only on designated trails. Fires are permitted in fireplaces installed by the Bureau. Except in the designated bathing area, pets are allowed if on a leash not over 10 feet in length.

Entrance into the areas west of the main road is permitted in specific locations that are posted "Open to nature study." Applications for permission to enter the area west of the main road for other purposes will be considered.

The refuge, comprising 4,650 acres, is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass., 02109.

The provisions of this special regulation supplement the regulations governing recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1966.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

APRIL 8, 1966.

[F.R. Doc. 66-3996; Filed, Apr. 13, 1966;
8:45 a.m.]

PART 33—SPORT FISHING

Lower Souris National Wildlife Refuge, N. Dak.

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

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

NORTH DAKOTA

LOWER SOURIS NATIONAL WILDLIFE REFUGE

Sport fishing on the Lower Souris National Wildlife Refuge, N. Dak., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 900 acres or 8 percent of the total water area of the refuge, are delineated on a map and described in a leaflet available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The open season for sport fishing on the refuge extends from May 7, 1966, through September 14, 1966, daylight hours only. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set

forth in Title 50, Part 33, and are effective through September 14, 1966.

JERALD J. WILSON,
Refuge Manager, Lower Souris
National Wildlife Refuge, Upham,
N. Dak., 58789.

APRIL 6, 1966.

[F.R. Doc. 66-3994; Filed, Apr. 13, 1966;
8:45 a.m.]

PART 33—SPORT FISHING

**Minidoka National Wildlife Refuge,
Idaho**

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

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

IDAHO

MINIDOKA NATIONAL WILDLIFE REFUGE

Sport fishing on the Minidoka National Wildlife Refuge, Idaho, is permitted only on the area designated by signs as open to fishing. This open area, comprising 14,000 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg., 97208. Sport fishing shall be in accordance with all applicable State regula-

tions, subject to the following special conditions:

(1) That portion of the refuge above the Minidoka Dam is open to sport fishing all year, except closed during the migratory waterfowl hunting season.

(2) That portion of the refuge below the Minidoka Dam is open to fishing all year.

(3) Boats with or without motors may be used for fishing on designated areas, daylight hours only, April 1 through September 30, 1966.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to April 1, 1967.

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

MARCH 30, 1966.

[F.R. Doc. 66-3995; Filed, Apr. 13, 1966;
8:45 a.m.]

PART 33—SPORT FISHING

**Union Slough National Wildlife
Refuge, Iowa**

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

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

IOWA

UNION SLOUGH NATIONAL WILDLIFE REFUGE

Sport fishing on the Union Slough National Wildlife Refuge, Kossuth County, Iowa, is permitted only on the area designated by signs as open to fishing. This open area is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from May 14, 1966, through September 16, 1966, during daylight hours only.

(2) The use of boats is not permitted.

(3) The use of minnows or fish, or parts thereof, for bait is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 16, 1966.

PAUL E. FERGUSON,
Refuge Manager, Union Slough
National Wildlife Refuge, Tintonka,
Iowa.

APRIL 8, 1966.

[F.R. Doc. 66-4020; Filed, Apr. 13, 1966;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 221]

FLATHEAD INDIAN IRRIGATION PROJECT, MONT.

Operation and Maintenance Charges

Basis and purpose. Notice is hereby given that pursuant to the authority contained in the Acts of August 1, 1914 (38 Stat. 583), May 18, 1916 (39 Stat. 142), and March 7, 1928 (45 Stat. 210), and by virtue of the authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs (Order No. 2508; 14 F.R. 258), and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551, Amendment No. 1; 16 F.R. 5454-7), it is proposed to amend §§ 221.24, 221.26, and 221.28 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Mont., that are subject to the jurisdiction of the several irrigation districts. The purpose of this amendment is to establish the lump sum assessment against the Flathead, Mission and Jocko Valley Districts within the Flathead Indian Irrigation Project for the 1967 season.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Area Director, U.S. Bureau of Indian Affairs, 316 North 26th Street, Billings, Mont., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Sections 221.24, 221.26, and 221.28 are amended to read as follows:

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Mont., on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929; March 28, 1934; August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1967 an assessment of \$283,834.49 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 80,476.79 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Mont., on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1967 an assessment of \$49,704.05 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 14,726.76 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Mont., on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, and April 18, 1950, there is hereby fixed for the season of 1967 an assessment of \$22,080.60 for the operation and maintenance of the irrigation system which served that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 6,822.17 acres, which does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

JAMES F. CANAN,
Area Director.

[F.R. Doc. 66-3991; Filed, Apr. 13, 1966;
8:45 a.m.]

[25 CFR Part 221]

FLATHEAD INDIAN IRRIGATION PROJECT, MONT.

Operation and Maintenance Charges

Basis and purpose. Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), and authority contained in the Acts of Congress approved August 1, 1914, May 18, 1916, and March 7, 1928 (38 Stat. 583; 39 Stat. 142), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs (Order No. 2508; 14 F.R. 258), and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551, Amendment No. 1; 16 F.R. 5454-7), notice is hereby given of the intention to

modify §§ 221.16 and 221.17 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Mont., that are not subject to the jurisdiction of the several irrigation districts. The purpose of the amendment is to establish the assessment rate for nondistrict lands of the Flathead Indian Irrigation Project for 1966 and thereafter until further notice.

It is the policy of the Department of the Interior, whenever practicable, to afford the public the opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Area Director, Bureau of Indian Affairs, 316 North 26th Street, Billings, Mont., within 30 days of publication of this notice in the FEDERAL REGISTER.

Section 221.16 is amended to read as follows:

§ 221.16 Charges, Jocko Division.

(a) An annual minimum charge of \$3.09 per acre, for the season of 1966 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an Irrigation District organization, regardless of whether water is used.

(b) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to 1½ acre-feet per acre for the entire assessable area of the farm unit, allotment, or tract. Additional water, if available, will be delivered at the rate of two dollars and six cents (\$2.06) per acre-foot or fraction thereof.

Section 221.17 is amended to read as follows:

§ 221.17 Charges, Mission Valley and Camas Divisions.

(a) (1) An annual minimum charge of \$3.27 per acre, for the season of 1966 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to 1½ acre-feet per acre for the entire assessable area of the farm unit, allotment, or tract. Additional water if available, will be delivered at the rate of two dollars and eighteen cents (\$2.18) per acre foot or fraction thereof.

(b) (1) An annual minimum charge of \$4.07 per acre, for the season of 1966 and thereafter until further notice, shall be made against all assessable irrigable

land in the Camas Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to 1½ acre-feet per acre for the entire assessable area of the farm unit, allotment, or tract. Additional water, if available, will be delivered at the rate of two dollars and seventy-one cents (\$2.71) per acre-foot or fraction thereof.

JAMES F. CANAN,
Area Director.

[F.R. Doc. 66-3992; Filed, Apr. 13, 1966;
8:45 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7273]

AIRWORTHINESS DIRECTIVES

**Aero Commander (Snow), Model S-2A,
S-2B, S-2C, and 600 S-2C Airplanes**

Correction

In F.R. Doc. 66-3720, appearing at page 5496 of the issue for Thursday, April 7, 1966, the following correction is made in the text of the airworthiness directive: In paragraphs (c) (2) and (f), the reference reading "paragraph (1)" should read "paragraph (1)".

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order No. 164; Rev.]

COMMISSIONER OF ACCOUNTS

Delegation of Authority

By virtue of the authority vested in the Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, and by virtue of the authority vested in me as Fiscal Assistant Secretary by Treasury Department Order No. 190 (Revision No. 4), there is hereby delegated to the Commissioner of Accounts all the authority vested in the Secretary of the Treasury by section 114(b) of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 66b (b)) relating to the facilities and internal organization necessary to provide the operating center within the Bureau of Accounts for Government-wide accounting and financial reporting.

The Commissioner of Accounts may establish component organizations within the Bureau of Accounts and assign functions to component organizations in such manner as he may determine to be in the interest of efficiency or economy of operations.

Dated: April 8, 1966.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 66-4029; Filed, Apr. 13, 1966;
8:48 a.m.]

DEPARTMENT OF JUSTICE

Office of the Attorney General
CLAIBORNE COUNTY, MISS.

Certifications of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89-110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th Amendment to the Constitution of the United States in Claiborne County, Miss. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the
United States.

APRIL 12, 1966.

[F.R. Doc. 66-4112; Filed, Apr. 13, 1966;
10:36 a.m.]

JASPER COUNTY, MISS.

Certifications of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89-110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th Amendment to the Constitution of the United States in Jasper County, Miss. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the
United States.

APRIL 12, 1966.

[F.R. Doc. 66-4113; Filed, Apr. 13, 1966;
10:36 a.m.]

NOXUBEE COUNTY, MISS.

Certifications of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89-110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th Amendment to the Constitution of the United States in Noxubee County, Miss. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the
United States.

APRIL 12, 1966.

[F.R. Doc. 66-4114; Filed, Apr. 13, 1966;
10:36 a.m.]

RANKIN COUNTY, MISS.

Certification of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89-110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th Amendment to the Constitution of the United States in Rankin County, Miss.

This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the
United States.

APRIL 12, 1966.

[F.R. Doc. 66-4115; Filed, Apr. 13, 1966;
10:36 a.m.]

WINSTON COUNTY, MISS.

Certifications of the Attorney General Pursuant to Section 6 of the Voting Rights Act of 1965 (Public Law 89-110)

In accordance with section 6 of the Voting Rights Act of 1965, I hereby certify that in my judgment the appointment of examiners is necessary to enforce the guarantees of the 15th Amendment to the Constitution of the United States in Winston County, Miss. This county is included within the scope of the determinations of the Attorney General and the Director of the Census made on August 6, 1965, under section 4(b) of the Voting Rights Act of 1965 and published in the FEDERAL REGISTER on August 7, 1965 (30 F.R. 9897).

NICHOLAS DEB. KATZENBACH,
Attorney General of the
United States.

APRIL 12, 1966.

[F.R. Doc. 66-4116; Filed, Apr. 13, 1966;
10:36 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Oregon 017845]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

APRIL 6, 1966.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, Serial Number Oregon 017845, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws.

The applicant desires the land withdrawn and reserved for the operation and maintenance of the irrigation works of the Vale Project, Oregon.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present

their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 Northeast Oregon, Portland, Oreg., 97232.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Reclamation.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON

T. 23 S., R. 37 E.,
Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described aggregates 40 acres.

ERLING A. OLSON,

Chief, Lands Adjudication Section.

[F.R. Doc. 66-3993; Filed, Apr. 13, 1966;
8:45 a.m.]

[Idaho 017205]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 7, 1966.

The Department of Agriculture has filed an application, Serial Number Idaho 017205, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws and the general mining laws. The applicant desires the land for an administrative site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho, 83701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the

area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

PAYETTE NATIONAL FOREST

Smith Knob Administrative Site

T. 23 N., R. 8 E.,

Sec. 31, a portion of the unsurveyed NE $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as:

Beginning at a point 1.5 chs. north of the existing Smith Knob lookout tower thence;

E. 3 chs.;

S. 8 chs.;

W. 6 chs.;

N. 8 chs.;

E. 3 chs. to the point of beginning.

The area described aggregates 4.8 acres in Idaho County, Idaho.

ORVAL G. HADLEY,

Manager, Land Office.

[F.R. Doc. 66-4021; Filed, Apr. 13, 1966;
8:47 a.m.]

National Park Service

[Order 4]

SUPERINTENDENTS ET AL., MIDWEST REGION

Delegation of Authority

SECTION 1. The National Park Service Superintendents in the Midwest Region whose positions are allocated to Civil Service grades GS-13 and above, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in the same Civil Service grade as, or higher grades than, the Superintendent making appointments or status changes.

(b) Classification of permanent positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

(d) Establishment of wage rates.

(e) Acceptance of an offer in settlement of a timber trespass unless (1) the

trespass is an innocent one, (2) the damages therefrom do not exceed \$500, and (3) payment of the full amount of the damages is offered.

(f) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam.

SEC. 2. The Superintendents whose positions are allocated to Civil Service grades GS-11 and GS-12, in the administration, operation, and development of the areas under their supervision, are authorized to exercise all of the authority now or hereafter delegated to the Regional Director by the Director, except with respect to the following matters:

(a) Appointments and status changes involving personnel in the same Civil Service grade as, or higher grades than, the Superintendent making appointments or status changes.

(b) Classification of permanent positions in any Civil Service or supervisory wage board grades.

(c) Establishment of permanent graded or ungraded positions.

(d) Establishment of wage rates.

(e) Acceptance of an offer in settlement of a timber trespass unless (1) the trespass is an innocent one, (2) the damages therefrom do not exceed \$500, and (3) payment of the full amount of the damages is offered.

(f) Authority with respect to the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam.

(g) Approval of contracts for construction, supplies, or services in excess of \$50,000, provided that construction contracts will be entered into only with the advice and consent of the design and construction field office chief.

SEC. 3. Assistant Regional Directors. The Assistant Regional Directors may execute and approve contracts not in excess of \$200,000 for construction, supplies, equipment, and services, provided that construction contracts will be entered into only with the advice and consent of the design and construction field office chief. This authority may be exercised by the Assistant Regional Directors in behalf of any office or area for which the Midwest Regional Office serves as the field finance office.

SEC. 4. Regional Chief, Division of Property Management and General Services. The Regional Chief, Division of Property Management and General Services may execute and approve contracts not in excess of \$50,000 for construction, supplies, equipment, and services, provided that construction contracts will be entered into only with the advice and consent of the design and construction field office chief. This authority may be exercised by the Regional Chief, Division of Property Management and General Services, in behalf of any office or area for which the Midwest Regional Office serves as the field finance office.

SEC. 5. Assistant Procurement and Property Management Officer and Procurement and Property Management Assistant. The Assistant Procurement

and Property Management Officer and the Procurement and Property Management Assistant may issue purchase orders not in excess of \$2,500 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 6. *Staff Curator (Museum Management)*. The Staff Curator (Museum Management) may issue purchase orders not in excess of \$1,000 for museum or exhibit specimens and historic house furnishings in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

SEC. 7. *Redelegation*. A Superintendent may, in writing, redelegate to any officer or employee the authority delegated to him by this order. Each redelegation shall be published in the FEDERAL REGISTER.

SEC. 8. *Revocation*. This order supercedes Midwest Region Order No. 3, as amended; however, redelegations based thereon are continued in effect to the extent that they are not in conflict with this order.

(National Park Service Order No. 34, 31 F.R. 4255; 39 Stat. 535; 16 U.S.C., sec. 2)

Dated: March 31, 1966.

FRED C. FAGERGREN,
Regional Director,
Midwest Region.

[F.R. Doc. 66-3997; Filed, Apr. 13, 1966;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
SALISBURY LABORATORIES

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6C1908) has been filed by Salisbury Laboratories, Charles City, Iowa, 50616, proposing amendments to § 121.262 3-Nitro-4-hydroxyphenylarsonic acid and § 121.269 2-Chloro-4-nitrobenzamide, to provide for the safe use of a combination drug containing 2-chloro-4-nitrobenzamide, acetyl-(p-nitrophenyl)-sulfanilamide, 3-nitro-4-hydroxyphenylarsonic acid, and growth promotant levels of certifiable antibiotics in chicken feeds as an aid in the prevention of coccidiosis caused by *E. tenella*, *E. necatrix*, or *E. acervulina*; and as an aid in improving growth, feed efficiency, and pigmentation.

Dated: April 7, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-4006; Filed, Apr. 13, 1966;
8:46 a.m.]

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 6F0480) has been filed by Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo., 64120, proposing the establishment of tolerances for residues of the insecticide O,O-diethyl S-12(ethylthio) ethyl phosphorodithioate in or on the raw agricultural commodities named:

12 parts per million in or on clover hay.
5 parts per million in or on fresh clover.

The analytical method proposed in the petition for determining residues of this insecticide is a phosphorus method with a chromatographic step designed to remove the naturally occurring phosphorus compounds.

Dated: April 5, 1966.

J. K. KIRK,
Assistant Commissioner
for Operations.

[F.R. Doc. 66-4007; Filed, Apr. 13, 1966;
8:46 a.m.]

Office of the Secretary

ADMINISTRATION ON AGING

Statement of Organization and Delegations of Authority

The Statement of Organization and Delegations of Authority of the Department of Health, Education, and Welfare (22 F.R. 1045), as amended, is hereby amended by adding a new Part 5 as follows:

PART 5—ADMINISTRATION ON AGING

SECTION 5.00 *Mission*. The Administration on Aging is responsible for providing a focal point in the Federal Government for concern with the problems and needs of the aged and aging, for providing leadership and financial assistance in the development of programs to meet the problems and needs, and for stimulating coordination of existing programs.

SEC. 5.10 *Organization*. (a) The Administration on Aging, which is under the supervision and direction of the Commissioner on Aging, consists of: Office of the Commissioner, Office of Administration, Office of Program Policy and Information, Office of State and Community Services, Office of Research, Demonstrations, and Training, Regional Office Staff.

(b) Order of succession. In the absence of the Commissioner on Aging, the Deputy Commissioner acts for him.

SEC. 5.20 *Functions*. (a) Except as provided in Part 2 and Sec. 5.30 of this Statement, the Commissioner on Aging shall exercise the functions vested in the Secretary and the Administration by the Older Americans Act of 1965 (42 U.S.C. 3001-3053). This includes the following:

(1) Assists the Secretary in all matters pertaining to problems of the aged and aging;

(2) Provides consultation and technical services to States, their political subdivisions, private nonprofit agencies, institutions, and organizations;

(3) Stimulates more effective use of resources and services for the aged and aging;

(4) Administers a program of grants to States for community planning and coordination of programs, demonstrations, training, and establishment of new or expansion of existing programs;

(5) Administers a program of grants to or contracts with public or nonprofit private agencies, organizations, or institutions for training, research, and development projects and with individuals for research and demonstration projects;

(6) Plans and conducts, or arranges for direct training, research, and demonstration activities;

(7) Gathers and analyzes statistics on aging which are not currently available;

(8) Serves as a clearinghouse for information related to problems of the aged and aging;

(9) Collects, prepares, publishes and disseminates special education or informational materials;

(10) Provides short-term training and technical instruction;

(11) Develops cooperative relationships with Federal, State, local, and private agencies with programs affecting the aging to stimulate coordination and development of national, regional, State, and local activities affecting the aged and aging;

(12) Reports to the Secretary periodically on the effectiveness of programs for older persons; recommends actions for improvement.

(b) The Commissioner serves as Chairman of the Advisory Committee on Older Americans.

SEC. 5.30 *Reservation of Authority*.

(a) The authority to appoint members of the Advisory Committee on Older Americans shall be exercised only by the Secretary.

(b) No State plan or amendment thereto submitted pursuant to any statute administered by the Administration on Aging shall be finally disapproved without prior consultation and discussion by the Commissioner with the Secretary.

(c) No grant-in-aid funds shall be withheld without prior consultation and discussion by the Commissioner with the Secretary.

SEC. 5.40 *Redelegation of Authority*.

(a) Authority contained in Sec. 5.20(a) may be redelegated by the Commissioner to such officers and employees of the Administration on Aging as he may deem appropriate.

Dated: April 6, 1966.

[SEAL] WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-4008; Filed, Apr. 13, 1966;
8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-35]

LONG ISLAND NUCLEAR SERVICE CORP.

Notice of Amendment of Byproduct, Source and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 5 to License No. 31-8360-1, which provides for a change in the quantity of byproduct material and the quantity of source material which Long Island Nuclear Service Corp. may possess as follows:

1. An increase from 1,000 curies to 50,000 curies for byproduct material.

2. An increase from 15,000 pounds to 50,000 pounds for source material.

Long Island Nuclear Service Corp. stores waste radioactive material at its headquarters in New York under authority of a license issued by the State of New York. Accordingly, the Atomic Energy Commission does not license the storage of such material. The AEC license authorizes the receipt of waste radioactive material in sealed packages which may not be opened by the licensee. The corporation is not authorized to store waste material in any State other than New York. The type of packages which the licensee may receive under the AEC license must meet standard transportation requirements for radioactive materials established by the Commission and the Interstate Commerce Commission. Accordingly, the increase in the total quantity of waste radioactive material which the licensee may receive at any one time under this license does not represent any significant increase in hazard.

The Commission has determined that prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing by any party and petitions to intervene shall be filed in accordance with the Commission's regulations (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, the Commission will issue a notice of hearing or an appropriate order.

The text of the amendment is attached to this notice.

Dated at Bethesda, Md., April 7, 1966.

For the Atomic Energy Commission,

J. A. McBRIDE,
Director,

Division of Materials Licensing.

BYPRODUCT, SOURCE, AND SPECIAL NUCLEAR MATERIAL LICENSE—LONG ISLAND NUCLEAR SERVICE CORP., DOCKET No. 27-35

LICENSE No. 31-8360-1
AMENDMENT No. 5

The Atomic Energy Commission having found that:

A. The licensee's equipment and procedures are adequate to protect health and minimize danger to life or property.

B. The licensee is qualified by training and experience to use the material for the purpose requested in accordance with regulations in Title 10, Code of Federal Regulations, and in such manner as to protect health and minimize danger to life or property.

C. The application dated February 25, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended, and is for a purpose authorized by that act. Byproduct, Source, and Special Nuclear Material License No. 31-8360-1 is amended as follows:

Condition 1. is amended to read:

1. The licensee shall not possess at any one time more than:

A. 1,000 curies of Hydrogen 3.

B. 50,000 curies of other byproduct material.

C. 50,000 pounds of source material.

D. 350 grams of Uranium 235 or 200 grams of Uranium 233 or 200 grams of Plutonium provided that the sum of the ratios of the quantity of each special nuclear material to the quantities specified above does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U235} + 350}{\text{grams contained U233} + 200} + \frac{\text{grams contained Pu} = 1}{200}$$

Date of Issuance: April 7, 1966.

For the Atomic Energy Commission.

J. A. McBRIDE,
Director,

Division of Materials Licensing.

[F.R. Doc. 66-3983; Filed, Apr. 13, 1966; 8:45 a.m.]

[Docket No. 50-192]

UNIVERSITY OF TEXAS

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 1, set forth below, to Facility License No. R-92 to The University of Texas, Austin, Tex. The amendment authorizes an increase in the maximum allowable excess reactivity for the University's TRIGA Mark I reactor as requested in the application for amendment dated March 1, 1966.

Within 15 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 provisions of the Commission's regulations (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, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated March 1, 1966, and (2) a related Safety Evaluation prepared by the Test and Power Reactor Safety Branch of the Division of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) 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 29th day of March 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,

Division of Reactor Licensing.

THE UNIVERSITY OF TEXAS, DOCKET No. 50-192,
AMENDMENT TO FACILITY LICENSE

LICENSE No. R-92
AMENDMENT No. 1

The Atomic Energy Commission (hereinafter referred to as "The Commission") having found that:

a. The application for amendment dated March 1, 1966, 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. Operation of the reactor in accordance with the license, as amended, will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

c. Prior public notice of proposed issuance of amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

License No. R-92, issued to the University of Texas, is hereby amended in the following respects:

Paragraph 4.A.(3) is revised in its entirety to read as follows:

"(3) The University of Texas shall not conduct any experiments whose reactivity worth is greater than 1.75% Δk/k without prior written authorization from the Commission."

This amendment is effective as of the date of issuance.

Date of issuance: March 29, 1966.

For the Atomic Energy Commission.

R. L. DOAN,
Director,

Division of Reactor Licensing.

[F.R. Doc. 66-4042; Filed, Apr. 13, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16577, 16578; FCC 66-301]

CENTURY BROADCASTING CO., INC., AND RKO GENERAL, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Century Broadcasting Co., Inc., Memphis, Tenn., Docket No. 16577, File No. BPH-4785; requests: 105.9 mc, No. 290; 100 kw; 316 feet; RKO General, Inc., Memphis, Tenn., Docket No. 16578, File No. BPH-4788; requests: 105.9 mc, No. 290; 100 kw; 762 feet; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 6th day of April 1966:

1. The Commission has before it for consideration the above captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

2. The areas and populations to be served are markedly different in size and that for the purposes of comparison, the areas and populations within the respective 1 mv/m contours together with the availability of other FM services of at least 1 mv/m in such area will be considered under the standard comparative issue for the purpose of determining whether a comparative preference should accrue to either of the applicants.

3. As we stated in the Reising case, 1 FCC 2d 1082, 6 RR 431 (1965) programming evidence would not be admissible under the standard comparative issue, absent a finding regarding a material and substantial difference between the proposals. In this case, a separate issue is required because Century Broadcasting Co., Inc., proposes to duplicate its companion AM station approximately 8 hours per day or 44.4 percent of the time, while RKO General, Inc., proposes to duplicate the programming of its companion AM station no more than 2 hours per day or 12.5 percent of the time.

4. Except as indicated below the applicants are qualified to construct and operate as proposed. However, because of their mutual exclusivity, the Commission is unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity and is of the opinion that the applications must be designated for hearing on the issues set forth below:

It is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether the public in the area to be served would be better served by the addition of an FM station that would substantially duplicate the programming of its AM station in the

community or an FM station that proposes only lesser duplication.

2. To determine which of the proposals would better serve the public interest.

3. To determine in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants pursuant to § 1.221 (c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: April 11, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4032; Filed, Apr. 13, 1966;
8:48 a.m.]

[Docket Nos. 16572, 16573; FCC 66-281]

COSMOPOLITAN ENTERPRISES, INC., AND H. H. HUNTLEY

Memorandum Opinion and Order Designating Applications for Con- solidated Hearing on Stated Issues

In re applications of Cosmopolitan Enterprises, Inc., Edna, Tex., Docket No. 16572, File No. BP-16347; requests: 1130 kc, 10kw, DA, Day, Class II; H. H. Huntley, Yoakum, Tex., Docket No. 16573, File No. BP-16570; requests: 1130kc, 10 kw, DA, Day, Class II; for construction permits.

1. The Commission has before it for consideration (a) the above-captioned and described applications and the amendments thereto; (b) the petition filed by Cuero Broadcasters, Inc., licensee of Station KCFH, Cuero, Tex., opposing the H. H. Huntley application; (c) a petition filed on December 11, 1964, by International Broadcasting Corporation, licensee of Station KWKH, Shreveport, La., against the Cosmopolitan Enterprises, Inc., application; and (d) petitions filed by International Broadcasting Corporation on August 18, 1964, December 10, 1964, and March 11, 1965, against the H. H. Huntley application as well as a pleading entitled "Reply to Opposition To Further Petition To Designate Application for Hearing" filed April 27, 1965, with engineering affidavits annexed thereto.

¹ Commissioner Loevinger absent.

2. The applications of Cosmopolitan Enterprises, Inc., and H. H. Huntley proposed first transmission services for Edna and Yoakum, Tex., respectively, and are mutually exclusive in that simultaneous operation of both proposals would result in mutually destructive interference. On August 24, 1964, Cuero Broadcasters, Inc., licensee of standard broadcast Station KCFH, Cuero, Tex.,¹ filed a petition opposing the Huntley proposal and requesting to be made a party to a hearing on the application. In its petition, Cuero states broadly that the granting of the Huntley proposal would be highly detrimental to the public interest, convenience, and necessity due to the fact that (1) the population in the area is declining, (2) the average income of the residents of the area is below the national average, (3) Cuero's program service is based on its survey in 1962 of the needs of the area and, if the Huntley application is granted, the station cannot meet its commitment to serve those needs, (4) the staff of KCFH is highly experienced and serves the Yoakum Chamber of Commerce, the Yoakum public schools and the community in general, including assistance to the Civil Defense Authority.

3. In view of the fact that Cuero and the proposed station would be in direct competition, the Commission finds that Cuero has standing² but its general conclusions are not supported by sufficient factual allegations or adequate detailed information to raise a substantial question as to the ability of the area to support another broadcast station without loss or degradation of service to the public. Moreover, Cuero does not show the specific relationship between any assumed losses in revenue to the withdrawal of particular programs or program service. Accordingly, the Commission finds that Cuero has not raised an issue which would require a hearing on the question of whether the area can support an additional broadcast station. Harriman Broadcasting Co., 2 FCC 2d 320, 6 R.R. 2d 709 (1966); Autus Johnson (FCC 66-203 released Feb. 24, 1966), 2 FCC 2d 620, ---- R.R. ---- (1966); Missouri-Illinois Broadcasting Co., 1 R.R. 2d 1 (1963); Tree Broadcasting Co., 1 R.R. 2d 15 (1963). The petition in opposition to the application of H. H. Huntley, filed by Cuero Broadcasters, Inc., will therefore be denied.

4. To each of the numerous amendments to the application tendered by H. H. Huntley, KWKH has objected on the same grounds of their objections to the Cosmopolitan proposal, namely that the proposed 0.005 mv/m contours would fall relatively close to the KWKH normally protected 0.1 mv/m contour on the basis of the proposed MEOV's; that each applicant proposes to suppress the proposed 10 kilowatts of power to critically low values in the general direction of KWKH (Cosmopolitan and Huntley propose MEOV's as low as 8.9 and 10.3

¹ According to KCFH, the distance between Cuero and Yoakum is 17 miles.

² FCC v. Sanders Brothers Radio Station, 309 U.S. 470 (9 R.R. 2008).

mv/m, respectively, for 10 kw of power); that minor variations in the operating parameters of each proposal would cause the proposed MEOV's to be exceeded. Since studies of these proposals indicate that protection to KWKH is critical and in view of the degree of signal suppression proposed, the Commission feels that a substantial question exists as to whether the applicants will be able to adjust and maintain the antenna systems as proposed, and whether adequate protection will be afforded KWKH.

5. KWKH has also objected to the Huntley proposal on financial grounds, adopting at first the allegations of Cuero that the Yoakum market is already served by KCFH, thus raising the question of whether the area can support both stations and later, referring to the engineering amendments of Huntley which it is alleged will require additional funds for construction not taken into account by Huntley's financial data.

6. In the Cuero petition it is alleged that Huntley's predicted revenues are inaccurate and this contention is adopted by International Broadcasting Corp. who, in addition, allege that in view of the increased expenses involved in Huntley's constructing, adjusting, maintaining, and monitoring the proposed array due to the extreme suppression required, he has not demonstrated that he is financially qualified to meet these costs in addition to those of the construction and operation of the station. It is further alleged that the amendment of Huntley requesting 10 kw will require additional funds to construct the station, and that this fact was not taken into account by Huntley's construction estimates. Examination of Huntley's application discloses that he has more than enough money available to construct and operate the proposed station for a period of 1 year² and both Cuero and International do not present sufficient information either on the factor of increased construction costs or the additional funds necessary to construct, adjust, maintain, and monitor the proposed array to raise any substantial and material question of fact in this regard. Similarly, the Commission has examined the financial data provided by the applicant, Cosmopolitan Enterprises, and finds that this applicant also has the necessary funds to meet the Ultravision standard.

7. From the information before the Commission it appears that except as indicated by the issues below the applicants are qualified to construct, own and operate the proposed stations; however, in view of the fact that the applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference; and in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the

² Ultravision Broadcasting Co., et al., 5 R.R. 2d 343.

opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

Accordingly, it is ordered, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the proposals and the availability of other primary service to such areas and populations.

2. To determine whether the directional antenna systems proposed by the applicants can be adjusted and maintained as proposed.

3. To determine in light of the evidence adduced under the preceding issue whether either proposal would provide adequate protection to Station KWKH, Shreveport, La.

4. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

2. It is further ordered, That the petition filed by Cuero Broadcasters, Inc. is denied.

3. It is further ordered, That, the International Broadcasting Corp., licensee of Station KWKH, is made a party to the proceeding and that its petitions filed against both applicants are granted to the extent indicated herein and are denied in all other respects.

4. It is further ordered, That, in the event of a grant of either of the applications in this proceeding, the construction permit shall contain the following condition: Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

5. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

6. It is further ordered, That, the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of

such notice as required by § 1.594(g) of the rules.

Adopted: April 6, 1966.

Released: April 11, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,⁴

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4033; Filed, Apr. 13, 1966;
8:48 a.m.]

[Docket No. 16258; FCC 66M-507]

AMERICAN TELEPHONE & TELEGRAPH CO.

Memorandum Opinion and Order

In the matter of American Telephone & Telegraph Co. and the Associated Bell System Companies, Docket No. 16258; charges for interstate and foreign communication service.

1. A joint petition was filed with the Commission on April 1, 1966, by American Newspaper Publishers Association, The Associated Press, Twin Coast Newspapers, Inc., and United Press International, Inc., all intervenors in this proceeding, requesting that the date of April 30, 1966, for notification of the names of witnesses and the subject matter of their testimony, as established by our Memorandum Opinion and Order Following Prehearing Conference, FCC 66M-234, 31 F.R. 2913, be rescheduled to June 30, 1966.

2. By that order, the Respondents, American Telephone & Telegraph Co. and the Associated Bell System companies, were directed to serve and file notice by March 1, 1966, of the names of all witnesses and the subject matter to which their testimony would relate in Phase I of this investigation. The Respondents were further directed to submit certain portions of their direct presentations by April 4, 1966, and certain other portions thereof between April 4 and May 31, 1966. Intervenor and Commission counsel were directed to serve notice by April 30, 1966, of the identity of witnesses and subjects to be covered by each of them in their presentations in Phase I. Additionally, we invited all parties having a community of interest to attempt to group themselves for purpose of representation in this proceeding and to give notice of such groupings by April 30, 1966. (By a separate filing, the petitioners have given notice of their agreement to coordinate their presentation pertaining to matters of mutual interest pursuant to that invitation.)

3. On February 25, 1966, Respondents filed their notice of proposed testimony. In that notice and in their letter transmitting the notice, the Respondents have indicated that some essential portions of their testimony may not be completed within our prescribed time schedule and that they cannot now forecast how much additional time may be needed for the "full opportunity of hearing" that they require. While assuring the Commission of their intent to move forward as

⁴ Commissioner Loevinger absent.

expeditiously as possible, they state that they may find it necessary to request additional time. The Respondents listed a number of witnesses they have selected to present testimony in Phase 1. They also indicated that other witnesses, including so-called "policy" witnesses, and the precise subjects on which they will testify remain to be determined.

4. We have noted that the Respondents have advised us of their intention of doing everything possible within their resources to move forward as expeditiously as possible. However, we consider it inappropriate that the presentation of names of witnesses and subject matters to this Commission be deferred indefinitely. Accordingly, we are fixing May 2, 1966, as the date on which Respondents must complete and circulate to the Commission and all parties notification of the final lists of witnesses and the specific subjects to be dealt with by each of them.

5. As stated above, the petitioners request that the date for notification of the names of intervenors' witnesses and subject matters be rescheduled from April 30, 1966, to June 30, 1966. They point out that when the date of April 30, 1966, was fixed, it was anticipated that all of Respondents' witnesses and the subject matter of their testimony would be known and that all written testimony would have been filed by May 31, 1966. They note that Respondents' filing of February 25, 1966, has indicated, however, that substantial and significant presentations of Respondents' testimony on rate making principles and factors may not be completed or available until some unspecified period after May 31, 1966.

6. In fixing the April 30, 1966, date we had assumed that the notification required of Respondents by March 1, 1966, would be completed. In view of Respondents' failure to complete the identification of their witnesses and subjects within the time allowed, we consider it inappropriate to require the intervenors and Commission counsel to serve their notice concerning witnesses and subjects on April 30, 1966. We agree with the petitioners that under these circumstances some postponement of that date is required, but we do not agree that it should be delayed to the extent they request. Accordingly we are specifying June 1, 1966, as the date by which the intervenors, including the petitioners, and Commission counsel shall serve notice of the identity of the witnesses and subjects to be covered by each of them in Phase 1.

Accordingly, it is ordered, This 8th day of April 1966, that Paragraphs B and C of the Commission's Order, FCC 66M-234, be amended to read as follows:

B. Respondents, American Telephone & Telegraph Co. and The Associated Bell System companies, shall:

(a) Serve and file notice by May 2, 1966, of the names of all witnesses and the specific subject matter to which each of them will address himself in Phase 1;

(b) (No change.)

C. Intervenors and Commission counsel shall serve notice by June 1, 1966, of

the identity of the witnesses and subjects to be covered by each of them in their direct presentations on Phase 1.

Released: April 11, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4034; Filed, Apr. 13, 1966;
8:48 a.m.]

[Docket No. 16258; FCC 66-303]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Memorandum Opinion and Order

In the matter of American Telephone and Telegraph Co. and the Associated Bell System companies, Docket No. 16258; charges for interstate and foreign communication service.

1. The National Association of Railroad and Utilities Commissioners (NARUC) filed a petition on January 18, 1966, requesting that the Commission modify its Memorandum Opinion and Order of December 22, 1965, FCC 65-1143, 30 F.R. 16222, so as to provide that the reasonableness and propriety of the procedures employed for separating and allocating plant investment, operating expenses, taxes, and reserves between the intrastate and interstate operations of the Bell System respondents shall be heard and determined in advance of any other issue presented by this proceeding. By separate petitions regulatory commissions from the following States have adopted as their own the requests and the reasons in support contained in NARUC's petition: Alabama, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Kansas, Kentucky, Maryland, Michigan, Mississippi, Montana, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and Washington. The respondent Bell System companies, by a Petition for Establishment of Separations Procedures filed January 21, 1966, request similar relief and concur in and support NARUC's request. GT&E Service Corp. (GT&E), by a Petition for Modification of Procedures filed January 24, 1966, makes a request similar to that of NARUC along with certain other requests which have been acted upon by separate order of the Commission.¹ United Utilities, Inc. (United) and the United States Independent Telephone Association (USITA) filed on February 2, 1966, responses in support of the petitions of NARUC, A.T. & T., GT&E and the State commissions.

2. The Public Utilities Commission of the State of California (Cal. PUC) in a Response to Petition for Modification of Procedural Order filed January 27, 1966, urges that "evidence on interim separations methods be received" in Phase 1 and requests that the Commission neither exclude all evidence on separations in Phase 1 nor consider separations in ad-

¹Memorandum Opinion and Order, FCC 66-204, released Mar. 4, 1966.

vance of all other issues. As an alternative to its position in support of NARUC's petition, the Washington Commission requests a modification similar to that urged by the Cal. PUC.

3. By an answer filed February 2, 1966, The Western Union Telegraph Co. opposes any change in the procedures set forth in the Commission's Memorandum Opinion and Order. GT&E filed a reply to this answer on February 14, 1966.

4. NARUC argues that the Commission has recognized in its earlier orders that the revenue requirements of respondents are tied to the procedures employed for separating their intrastate and interstate operations, that the Commission cannot ignore "the fact that the inequitable disparity between intrastate and interstate telephone rates * * * continues to exist and * * * is inimical to the public interest * * *," that the impact thereof is widespread; that some parties contend that existing separations are unfair and adversely affect a sizeable segment of the industry and the public; and that law and logic demand that separation procedures be clearly defined before meaningful examination of interstate rates may be attempted. NARUC argues that the procedure it seeks will not significantly prolong Phase 1 and that the cooperative spirit that has pervaded past successes in solving the separations issue should not be permitted to lapse. NARUC pledges its cooperation in expediting consideration of this issue.

5. Respondents argue that neither their total revenue requirements nor their total interstate and foreign operating results can be ascertained until procedures have been established for separating and allocating plant investment, operating expenses, taxes and reserves between the intrastate and interstate operations; that a determination of the separations question is essential in the determination of the area of their operations over which the Commission has jurisdiction; that interim adjustments of interstate rates could not appropriately or lawfully be ordered by the Commission before that determination; and that the question of what separations procedures are to be followed is a basic issue in the investigation and their determination at the outset would expedite the investigation.

6. GT&E states, without elaboration, that "no rate-reduction order can be made * * * prior to a determination of the appropriate separations and allocation procedures without the risk of substantial prejudice and irreparable damage to interested parties."

7. Reduced to essentials, the petitions present two questions: (1) Whether the Commission is required as a matter of law to resolve the separations question before any interim rate adjustments can be made; and (2) if not, can the resolution of the separations procedures in Phase 1 be accomplished without unduly delaying the resolution of other essential matters.

8. We wish to point out that we are addressing ourselves to the matter of interim rate adjustments only because of the question raised by the petitions re-

garding our power to order such interim adjustments prior to a resolution of the separations question. As indicated in our previous opinions and orders herein, we regard interim adjustments as a possible course of action which is open to us if the evidence of record at the close of Phase 1 demonstrates that such interim adjustments are warranted in order to remove improprieties found to exist in respondents' rate levels and rate structure. At this point, prior to the taking of evidence, we, of course, have no way of knowing what the record will show and whether any rate adjustments will or should be required by us either on an interim basis, at the end of Phase 1, or on a more permanent basis at the end of Phase 2, of our proceedings. Therefore, the discussion which follows relates solely to the power of the Commission to order interim adjustments without first deciding the separations question. Such discussion is not to be construed in any way as a prediction by the Commission that interim rate action will in fact be required.

9. In resolving the first question, it will be useful to review briefly the history of separations procedures in the telephone regulatory field, including their manner of formulation and application. The need for telephone separations procedures in the rate-making field is apparent. Most telephone plants in the United States are used in common for the rendition of interstate and intrastate services. Hence each rate-making jurisdiction, State and Federal, must employ appropriate procedures to allocate and determine the costs and revenue requirements applicable to the services subject to its jurisdiction as a basis for fixing rates therefor. As stated by the U.S. Supreme Court in *Smith v. Illinois Bell Telephone Co.*, 282 U.S. 133, 148:

The separation of the intrastate and interstate property, revenues and expenses of the company is important not simply as a theoretical allocation to two branches of the business. It is essential to the appropriate recognition of the competent governmental authority in each field of regulation.

Significantly, the court also stated that:

*** the difficulty in making an exact apportionment of the property is apparent, and extreme nicety is not required, only reasonable measures being essential ***
282 U.S. at 150.

10. It was recognized by regulatory agencies at an early date that uniformity in the procedures employed to apportion the costs related to jointly used telephone plant between State and interstate services was a desirable objective in the interests of fairness to both telephone subscribers and the telephone industry. In the absence of such uniformity, certain amounts of costs associated with telephone plant used jointly for interstate and intrastate services might be allocated to neither jurisdiction thereby leaving a deficiency in satisfying the carrier's total revenue requirements, or, on the other hand, certain amounts of such costs might be reflected in both jurisdictions thereby resulting in undue enrichment of the carrier and excessive rates to the public.

11. Thus, beginning in 1941, cooperative efforts and studies were undertaken by the industry, the state regulatory agencies (through the NARUC) and the Federal Communications Commission to devise separations procedures that would serve as a reasonable guide to each regulatory authority in its rate-making activities. In 1947, the procedures devised as a result of these efforts were incorporated into what is popularly known as the NARUC-FCC Separations Manual.

12. From time to time, there have been certain revisions made in the procedures of the Manual as a result of this continuing cooperative program. Thus, major revisions were made in 1952, 1956, 1962, and, most recently, in 1965. With respect to each such revision, the respondents, the State commissions, through the NARUC, and the FCC expressed acceptance thereof as appropriate for application in each rate-making jurisdiction. In each instance, the Commission qualified its acceptance as being on an interim basis because it was generally recognized that in a dynamic and rapidly changing art, such as the telephone art, the procedures required continued observation, study and revision in the light of actual experience gained from their application and the constant changes taking place in many sections of communications technology and operations. The qualification as to interim acceptance was also based on the fact that no formal determination on the basis of a hearing record had been made.

13. During the entire history of the telephone separations procedures, there have been literally hundreds of rate-making actions taken in both the State and Federal jurisdictions. In many cases, such actions were taken upon applications for rate adjustments filed by the telephone companies. In other instances the actions were taken upon the initiative of the regulatory body. With some exceptions, the separations procedures in effect at the particular time, were employed as the basis upon which such rate-making actions were taken. There have been a few instances when State regulatory bodies have sought to apply separations procedures different from those in effect at the particular time against the strong objections of the telephone company involved that such unilateral treatment of allocations would result in the consequences referred to above of creating a deficiency in the company's total revenue requirements.

14. On those occasions when a major revision in separations procedures resulted in substantial transfers of revenue requirements from State to interstate jurisdiction (which has been true of each such revision), the general practice has been for each jurisdiction to review and determine the effects of the transfer on the revenue requirements and rate levels applicable to the services subject to that jurisdiction and to effect appropriate rate adjustments as may be indicated by such effects to be warranted. In all such cases the rate adjustments made were prospective and we know of no

suggestion that prior rate determinations, based on then current separations methods, were somehow invalidated during the time they were in effect by a subsequent change in separations methods.

15. In this connection, the circumstances surrounding the most recent revision of the Separations Manual are pertinent. First, the plan known as the "Denver Plan" was initiated and advanced by the Bell System respondents. By resolution unanimously adopted by the NARUC at its 1965 annual convention, the plan was approved for use on an interim basis. It was recited in support of the resolution that "It is desirable that a single, reasonable, uniform method of separations be used by the State and Federal jurisdiction," for rate-making purposes. By letter addressed to the NARUC by this Commission on the same date that we instituted the proceedings herein, we advised the NARUC that we would interpose no objection to the use of the proposed revision on such "interim basis" subject, however, to the outcome of our examination of the procedures of the Separations Manual as part of these proceedings. The revised procedures were implemented effective November 1, 1965, since which time there have been rate adjustments effected in 17 states, either upon the initiative of the Bell System companies or the state regulatory commission involved. These adjustments reflect the changes in intrastate revenue requirements resulting from application of the new procedures. At the prehearing conference held herein on January 31, 1966, the Bell System respondents stated that for purposes of Phase 1 of these proceedings, but subject to the disposition of the pending petitions, they propose to present their revenue requirements applicable to interstate and foreign services on the basis of the separations procedures now being employed, including the 1965 revisions thereof.

16. Under the foregoing circumstances, we see no merit to any suggestions that it is unfair, improper, or unlawful for the Commission to consider and determine the issues which are the subject of Phase 1 of this proceeding by the use of separations procedures which have been advanced by respondents and petitioners as reasonable for jurisdictional purposes. The fact that further changes or modifications in these procedures may be determined by the Commission at some subsequent point in Phase 2 of these proceedings to be desirable for incorporation in the Separations Manual does not, in our judgment, invalidate the use of the existing procedures for the immediate purpose of treating the issues involved in Phase 1 of the proceeding, including the determination of whether certain interim adjustments in respondents rates are warranted pending resolution of all of the issues in this proceeding. So long as such adjustments, if any are found necessary, are based upon separations procedures being uniformly applied in both State and Federal jurisdictions, there can be no claim of injury to either rate payers or respondents. Under all of the

foregoing circumstances, we are of the opinion that the existing separations procedures, for purposes of treating the issues involved in Phase 1 of this proceeding, meet the previously quoted test of the Smith case that they be "reasonable measures" even though at a later date, as a result of the detailed examination herein, more "nicety" may be achieved.²

17. The making of interim adjustments pending resolution of more time-consuming phases of the regulatory process has long been recognized as permissible. For example, in Class Rate Investigation, 262 ICC 447, 702 (1945), the Interstate Commerce Commission directed interim adjustments in railroad class rates, without deferring until certain required but more complicated adjustments in classification ratings had been made, even though acknowledging that both adjustments "should be accomplished simultaneously, if possible." It stated: "We find and determine that the basis hereinafter outlined will result in rates which, until a complete revision in harmony without previous findings is possible, will be just and reasonable," p. 703. In sustaining the order, the Supreme Court of the United States observed at page 343:

It is, therefore, argued that the Commission should not have made adjustments in those rates without bringing about some equalization of exception and commodity rates under which the bulk of the traffic is moved. But there is no reason in law why the Commission need tackle all evils in the rate structure or none. It may take one step at a time. Cf. *United States v. Wabash R. Co.*, 321 U.S. 403. The 10 percent interim rate order did not attempt to bring about complete elimination of the discriminatory features of the class rate structure. It was only an approximation of that result, the complete step awaiting the new uniform classification * * *. *New York v. United States*, 331 U.S. 284 (1947).

We also note that in *A.T. & T. and Western Union Private Line Cases*, Docket No. 11656 et al., 25 FCC 1075, this Commission directed interim rate reductions. We therefore conclude that there is no requirement in law that separations procedures, or any other issue reserved for Phase 2, need be determined before Phase 1 can be completed.

18. Petitioners' second contention is that consideration of the separations matter in Phase 1 will not result in undue delay. The purpose of our division of the proceeding into two phases was to expedite to the greatest degree possible, and consistent with due process, our consideration of whether interim adjustments may be offered by A.T. & T. or

ordered by the Commission. We do not believe timely interim action would be possible if, in the present posture of the proceeding, separations were a part of Phase 1 in the manner now proposed.

19. However, because we appreciate the consideration which prompted the petitions and the expressed willingness of petitioners to proceed with presentations on separations issues at an early date, we feel that it may be useful to explore the possibilities of devising special procedures to expedite consideration of this matter. To that end we are authorizing the Telephone Committee to institute a series of conferences with the parties and our staff for a discussion of the problem and of devising means of expediting considerations of the separations issue without unduly delaying consideration of more urgent matters. By means of such conferences, it may well be possible to narrow the issues to be decided, to eliminate or reduce evidentiary presentations on issues as to which there is no serious dispute, and to reduce the number of witnesses required. Furthermore, it is to be hoped that the length of time required for presentations and our consideration of the issue of separations, may be substantially reduced.

20. In the event these objectives are realized as a result of the conferences, the Commission will review and act on any recommendations from the Telephone Committee pursuant to which the separations question may be advanced in the chronology of this proceeding. In the meantime, we must deny the pending petitions without prejudice to further consideration of this matter under the circumstance set forth above.

Accordingly, it is ordered, That the petitions described in paragraphs 1 and 2 above are denied insofar as they request modification of our Memorandum Opinion and Order, FCC 65-1143, 30 F.R. 16222, to consider the separations issue in Phase 1.

Adopted: April 8, 1966.

Released: April 11, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,³

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4035; Filed, Apr. 13, 1966;
8:48 a.m.]

[Docket No. 16575; FCC 66M-506]

MISSION CABLE TV, INC., AND TRANS-VIDEO CORP.

Order Scheduling Hearing

In the matter of cease and desist order to be directed against Mission Cable TV, Inc., and Trans-Video Corp. owner and operator, respectively, of a community antenna television system at Poway, Calif.; Docket No. 16575.

It is ordered, This 8th day of April 1966, that James D. Cunningham shall

³ Commissioner Bartley dissenting and issuing a statement filed as part of original; Commissioners Loevinger and Wadsworth absent.

serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on May 3, 1966, at 10 a.m.; and that a prehearing conference shall be held on April 22, 1966, commencing at 10 a.m.; and *It is further ordered*, That all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: April 11, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-4036; Filed, Apr. 13, 1966;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-308]

NORTHERN NATURAL GAS CO.

Notice of Application

APRIL 7, 1966.

Take notice that on March 25, 1966, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., 68102, filed in Docket No. CP66-308 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 to receive an additional supply of natural gas into its system for transportation in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it has entered into a gas purchase contract with Skelly Oil Co. and Sinclair Oil & Gas Co. (Skelly-Sinclair) for the purchase of gas at the outlet of the Skelly-Sinclair Eldorado Gas Plant located in Schleicher County, Tex., and that said contract provides that Applicant will initially purchase an average daily volume of 5 MMcf of gas and increase its takes annually until an average daily volume of 40 MMcf is reached. Applicant further states that the contract also provides that it shall pay Skelly-Sinclair 16.5 cents per Mcf for the first 5 years of service. The application states that the purchase of this gas will increase by 21,261 MMcf the gas reserves controlled by Applicant.

Applicant states that it seeks authorization to construct and operate, in compliance with the terms of the aforementioned contract, only those facilities necessary to receive into its system 5 MMcf of gas per day. Specifically, said facilities consist of a 6-inch tie-in pipeline, a 4-inch orifice run with regulator and a compressor station at Applicant's Huldale compressor station. The application states that authorization to construct and operate additional facilities to receive the full contract volumes will be sought when Skelly-Sinclair has demonstrated that it has sufficient volumes of gas and recoverable gas reserves to economically justify the construction of such additional facilities.

² The NARUC does not specify improprieties in the existing procedures but relies principally upon the existence of disparities between rates for interstate and intrastate message toll telephone service. However, disparity, by itself, is proof of nothing other than the fact that there is a multiple scheme of regulation in the United States which necessarily results in disparate rates from jurisdiction to jurisdiction as a result of the differences in rate-making philosophy as well as cost characteristics among such jurisdictions.

The application states that in order to transport the gas received at the Skelly-Sinclair Plant to its main pipeline system, Applicant has entered into an interim transportation agreement with its subsidiary, Northern Natural Gas Pipeline Co. (Pipeline), whereby Pipeline will receive up to 5 MMcf of gas per day from Applicant at a point on Pipeline's existing 8-inch pipeline and redeliver like volumes at Applicant's Eldorado Compressor Station, all in Schleicher County, Tex., and that said agreement will terminate when Applicant has constructed its own facilities to receive and transport the full contract volumes. Pipeline filed a companion application for authority to transport Applicant's gas at a charge of 0.4 cent per Mcf on March 25, 1966, in Docket No. CP66-307.

The total estimated cost of Applicant's proposed construction is \$3,330, which cost 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 May 6, 1966.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-3984; Filed, Apr. 13, 1966;
8:45 a.m.]

[Docket No. E-7282]

ILLINOIS POWER CO.

Notice of Application

APRIL 7, 1966.

Take notice that on April 4, 1966, Illinois Power Co. (Applicant), filed an application with the Federal Power Commission seeking an order pursuant to section 203 of the Federal Power Act authorizing the acquisition of certain electric distribution facilities from the Village of Sawyerville, Ill. (Village).

Applicant is incorporated under the laws of the State of Illinois with its principal place of business office in Decatur, Ill., and is engaged in the distribution of natural gas and in the generation and distribution of electric energy

in the State of Illinois with electric service provided to customers in 49 counties in that State.

The Village is a municipal corporation under the laws of the State of Illinois and is engaged in the distribution of electric energy to approximately 120 customers within its corporate limits in Macoupin County, Ill.

According to the application the facilities to be acquired consist of the entire system for the distribution of electric energy and street lighting within the Village including equipment for maintenance and operation of these systems. Applicant proposes to pay \$53,500 for the property to be acquired. This property, according to the Applicant, has an estimated original cost of \$20,962. After the transaction, Applicant represents that it will continue the present operation of the distribution and street lighting systems in the Village of Sawyerville.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 27, 1966, file with the Federal Power Commission, Washington, D.C., 20426, petitions of protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-3985; Filed, Apr. 13, 1966;
8:45 a.m.]

FEDERAL RESERVE SYSTEM CHARTER NEW YORK CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Charter New York Corp., New York, N.Y., for approval of action to become a bank holding company through the acquisition of all of the outstanding voting shares of Irving Trust Co., New York, N.Y., and at least 80 percent of the outstanding voting shares of The Merchants National Bank & Trust Co. of Syracuse, Syracuse, N.Y.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1) and § 222.4 (a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), an application by Charter New York Corp., New York, N.Y., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of all of the outstanding voting shares of Irving Trust Co., New York, N.Y., and at least 80 percent of the outstanding voting shares of The Merchants National Bank & Trust Co. of Syracuse, Syracuse, N.Y.

As required by section 3(b) of the Act, the Board notified the New York Superintendent of Banks and the Comptroller of the Currency of receipt of the application and requested their views and recommendations thereon. The Superintendent made no recommendation on

the application. However, as discussed in the statement accompanying this order, the New York State Banking Board advised this Board of its action, following a recommendation of the Superintendent in approving an application filed by Charter New York Corp., pursuant to the New York Banking Law, involving the same proposal submitted to this Board. The Comptroller initially replied and interposed no objection to approval of the application. Subsequently, beyond the period within which an adverse recommendation on the application would have required a hearing thereon under the Act, the Comptroller submitted an additional statement recommending disapproval of the application for reasons set forth and discussed in the above-mentioned Board statement.

Notice of receipt of the application was published in the FEDERAL REGISTER on August 25, 1965 (30 F.R. 11006), which provided an opportunity for the filing of comments and views regarding the proposed acquisition, and the time for filing such comments and views has expired and all comments and views filed with the Board have been considered by it.

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) within 7 calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 7th day of April 1966.

By order of the Board of Governors.²

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-3987; Filed, Apr. 13, 1966;
8:45 a.m.]

BT NEW YORK CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of BT New York Corp., New York, N.Y., for approval of action to become a bank holding company through the acquisition of all of the outstanding voting shares of the following New York banks: Bankers Trust Co., New York; First Trust Co. of Albany, Albany; The First State Bank of Spring Valley, Spring Valley; and The Fallkill Bank and Trust Co., Poughkeepsie.

There has come before the Board of Governors, pursuant to section 3(a)(1)

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of New York. Dissenting statements of Governors Robertson and Maisel also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin, and Governors Balderston, Shepardson, Mitchell, and Daane. Voting against this action: Governors Robertson and Maisel. Governor Brimmer was not a member of the Board on the date of the Board's decision.

of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 222.4 (a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), an application by BT New York Corp., New York, N.Y., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of all of the outstanding voting shares of the following New York banks: Bankers Trust Co., New York; First Trust Co. of Albany, Albany; The First State Bank of Spring Valley, Spring Valley, proposed successor by conversion of The First National Bank of Spring Valley; and The Fallkill Bank and Trust Co., Poughkeepsie, proposed successor by conversion of The Fallkill National Bank and Trust Co. of Poughkeepsie.

As required by section 3(b) of the Act, the Board notified the New York Superintendent of Banks of receipt of the application and requested his views and recommendation thereon. The Commissioner made no recommendation on the application. However, as discussed in the statement accompanying this order, the New York State Banking Board advised this Board of its action, following a recommendation of the Superintendent, approving an application filed by BT New York Corp., pursuant to the New York Banking Law, involving the same proposal submitted to this Board.

Notice of receipt of the application was published in the FEDERAL REGISTER on September 16, 1965 (30 F.R. 11887), which provided an opportunity for the filing of comments and views regarding the proposed acquisition, and the time for filing such comments and views has expired and all comments and views filed with the Board have been considered by it.

It is hereby ordered, For the reasons set forth in the Board's statement¹ of this date, that the said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) within 7 calendar days after the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 7th day of April 1966.

By order of the Board of Governors.²

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-3988; Filed, Apr. 13, 1966;
8:45 a.m.]

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of New York. Concurring statement of Governor Maisel and dissenting statement of Governor Robertson also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin, and Governors Balderston, Shepardson, Mitchell, Daane, and Maisel. Voting against this action: Governor Robertson. Governor Brimmer was not a member of the Board on the date of the Board's decision.

FIRST VIRGINIA CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)), by The First Virginia Corp., which is a bank holding company located in Arlington, Va., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of First Valley National Bank, Rich Creek, Va.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the bank concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 7th day of April 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-3989; Filed, Apr. 13, 1966;
8:45 a.m.]

BARNETT NATIONAL SECURITIES CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve Banks pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)), by Barnett National Securities Corp., which is a bank holding company located in Jacksonville, Fla., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of The First Bank & Trust Co. of Pensacola, Pensacola, Fla.

In determining whether to approve this application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the

following factors: (1) The financial history and condition of the company and the bank concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 7th day of April 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-3990; Filed, Apr. 13, 1966;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-2538]

ASSOCIATED TRANSPORT INC.

Application for Unlisted Trading Privileges and Opportunity for Hearing

APRIL 8, 1966.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Associated Transport Inc., File 7-2538.

Upon receipt of a request, on or before April 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other in-

formation contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-3998; Filed, Apr. 13, 1966;
8:46 a.m.]

[File No. 7-2548]

NATIONAL VIDEO CORP.

Application for Unlisted Trading Privileges and Opportunity for Hearing

APRIL 8, 1966.

In the matter of application of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: National Video Corp., File 7-2548.

Upon receipt of a request, on or before April 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-3999; Filed, Apr. 13, 1966;
8:46 a.m.]

[File No. 7-2547]

BENDIX CORP.

Application for Unlisted Trading Privileges and Opportunity for Hearing

APRIL 8, 1966.

In the matter of application of the Cincinnati Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and

Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Bendix Corporation, File 7-2547.

Upon receipt of a request, on or before April 25, 1966, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interests of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-4000; Filed, Apr. 13, 1966;
8:46 a.m.]

[File Nos. 7-2539-7-2546]

GENERAL PRECISION EQUIPMENT CORP., ET AL.

Applications for Unlisted Trading Privileges and Opportunity for Hearing

APRIL 8, 1966.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges: General Precision Equipment Corp., File 7-2539; Hercules Powder Co., File 7-2540; Interstate Department Stores, Inc., File 7-2541; Massey-Ferguson Ltd., File 7-2542; Minerals & Chemical Philipp Corp., File 7-2543; Sanders Associates, Inc., File 7-2544; The Singer Co., File 7-2545; Warner-Lambert Pharmaceutical Co., File 7-2546.

Upon receipt of a request, on or before April 25, 1966, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts

bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-4001; Filed, Apr. 13, 1966;
8:46 a.m.]

[File No. 1-3782]

GREAT AMERICAN INDUSTRIES, INC.

Order Suspending Trading

APRIL 8, 1966.

The common stock, 10 cents par value, of Great American Industries, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934 and the 6 percent cumulative preferred stock, Series A, \$10 par value, being traded otherwise than on a national securities exchange; and

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

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 10, 1966, through April 19, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-4002; Filed, Apr. 13, 1966;
8:46 a.m.]

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

APRIL 8, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5% percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended, this order to be effective

tive for the period April 9, 1966, through April 18, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 66-4003; Filed, Apr. 13, 1966;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 905]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

APRIL 8, 1966.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

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.

No. MC 2484 (Sub-No. 41), filed March 28, 1966. Applicant: E. & L. TRANSPORT COMPANY, a corporation, 14201

¹ Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

Prospect Avenue, Post Office Box 299, Dearborn, Mich. Applicant's representative: George S. Dixon, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors*, (1) from Detroit, Mich., and Lorain, Ohio, to points in New York, and (2) from Lorain, Ohio, to points in Maryland, New Jersey, Delaware, Georgia, Alabama, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 3255 (Sub-No. 3), filed March 24, 1966. Applicant: PEP TRUCKING CO., INC., 74 Montgomery Street, Jersey City, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in pneumatic slide air trailers, from Clifton, and Jersey City, N.J., and Brooklyn, N.Y., to Natick, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 3379 (Sub-No. 50), filed March 23, 1966. Applicant: SNYDER BROS. MOTOR FREIGHT, INC., 363 Stanton Avenue, Akron, Ohio. Applicant's representative: John C. Bradley, Suite 618, Perpetual Building, 1111 E Street NW., Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment, serving the intermediate point of Martinsburg, W. Va., without restriction, in conjunction with service over applicant's presently authorized routes between Akron, Ohio, and Norfolk, Va. NOTE: Applicant states it is presently authorized to operate between Berkeley Springs, W. Va., and Winchester, Va., over West Virginia Highway 9 and U.S. Highway 11 via Martinsburg, W. Va., with authority to make deliveries at Martinsburg on southbound operations. The purpose of this application is to eliminate the restriction and to allow applicant to provide an unrestricted service at Martinsburg. If a hearing is deemed necessary, applicant requests that it be held at Winchester, Va., or Washington, D.C.

No. MC 6894 (Sub-No. 14), filed March 23, 1966. Applicant: MELVIN TRUCKING CO., a corporation, Spring City, Pa. Applicant's representative: B. W. La-Tourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Hussmann Refrigerator Co. located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular-

route authority. NOTE: Applicant states Hussmann Refrigerator Co. is in the process of relocating its plant and facilities from within the City of St. Louis, Mo. to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 17829 (Sub-No. 9), filed March 24, 1966. Applicant: DiSILVA TRANSPORTATION, INC., 30 Middlesex Avenue, Somerville, Mass. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, and in connection therewith, *equipment, materials and supplies used in the conduct of such business* (except commodities in bulk, in tank vehicles), from Braintree, Westwood, and Southboro, Mass., to Concord, N.H.; points in that part of Maine south of a line beginning at the Maine-New Hampshire State line, near Porter, Maine, and extending east along Maine Highway 25 through Cornish, North Limington, Standish, Gorham, and Portland, Maine, to the Atlantic Ocean; points in New York, points in New Jersey, and points in that part of Connecticut and Massachusetts west of a line beginning at New Haven, Conn., and extending north through Hamden, West Cheshire, Southington, Plainville, Farmington, and West Grandby, Conn., and Westhampton, Shelburne, and Colrain, Mass., to the Massachusetts-Vermont State line; and *returned or damaged shipments* of the above described commodities, on return. NOTE: Applicant states that the above operations are to be restricted to a transportation service to be performed under a continuing contract, or contracts, with Stop & Shop, Inc. If a hearing is deemed necessary, applicant requests that it be held at Boston, Mass.

No. MC 17829 (Sub-No. 10), filed March 25, 1966. Applicant: DiSILVA TRANSPORTATION, INC., 30 Middlesex Avenue, Somerville, Mass. Applicant's representative: Frank J. Weiner, 536 Granite Street, Braintree, Mass., 02184. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, and in connection therewith, *equipment, materials and supplies used in the conduct of such business* (except commodities in bulk, in tank vehicles), from Somerville, Mass., to Brattleboro, Vt., and Keene, N.H., and returned or damaged shipments, on return. NOTE: Applicant states that the above proposed operations are to be limited to a transportation service to be performed under a continuing contract, or contracts, with First National Stores, Inc. If a hearing is deemed necessary, applicant requests that it be held at Boston, Mass.

No. MC 20491 (Sub-No. 6), filed March 22, 1966. Applicant: SOL COHEN & SONS, INC., 1208 Channing Road, Far Rockaway, N.Y. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Camp baggage and personal effects of campers*, during the season extending from June 1 to October 1 inclusive of each year, between New York, N.Y., points in Nassau, Suffolk, Westchester, and Rockland Counties, N.Y., Fairfield County, Conn., points in New Jersey, Philadelphia, Pa., and points in Pennsylvania on, east and south of U.S. Highway 222, on the one hand, and, on the other, points in Columbia, Dutchess, Greene, Sullivan, and Ulster Counties, N.Y., Middlesex and Litchfield Counties, Conn., Berkshire County, Mass., Monroe, Pike, and Wayne Counties, Pa., Grafton County, N.H., and Cumberland and Oxford Counties, Maine. NOTE: Applicant states it holds a portion of the above operating authority and does not seek duplicating authority by this application. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 21571 (Sub-No. 29), filed March 21, 1966. Applicant: SCHERER FREIGHT LINES, INC., 424 West Madison, Ottawa, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Refractory products*, serving points in Callaway, Audrain, and Montgomery Counties, Mo., as off-route points in connection with applicant's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 29079 (Sub-No. 27), filed March 23, 1966. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1200 Home Avenue, Kokomo, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and liquid commodities, in bulk), between the plantsite of Hussman Refrigerator Co. located at Taussig Road and St. Charles Rock Road, St. Louis County, Mo., on the one hand, and, on the other, points in Indiana, Michigan, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 29120 (Sub-No. 86), filed March 21, 1966. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 756, Sioux Falls, S. Dak., 57101. 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 liquid commodities in bulk, in tank vehicles), from Sioux City, Iowa, Spencer, Iowa, and Sioux Falls, S. Dak., to points in Illinois on and north of U.S. Highway 136 (except Chicago, Ill.). NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 29988 (Sub-No. 102), filed March 21, 1966. Applicant: DENVER CHICAGO TRUCKING COMPANY, INC., 45th at Jackson, Denver, Colo., 80216. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato products, frozen fruits, frozen berries, and frozen vegetables*, from Denver, Colo., to points in Iowa, Kansas, Missouri, and Nebraska, restricted to traffic originating at points in Washington, Oregon, Idaho, and Utah. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 30844 (Sub-No. 218), filed March 25, 1966. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in or used by business houses engaged in the redemption of trading stamps*, from points in the United States (except Alaska and Hawaii), to Chariton, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Waterloo, Iowa.

No. MC 35628 (Sub-No. 271), filed March 28, 1966. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, Mich. Applicant's representative: Leonard D. Verdier, Jr., Michigan Trust Building, Grand Rapids, Mich., 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), serving the plantsite of Gametime, Inc., at Litchfield, Mich., as an off-route point in connection with applicant's authorized regular route operations in MC 35628, to and from Battle Creek, Coldwater, and Jackson, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 35890 (Sub-No. 34), filed March 28, 1966. Applicant: BLODGETT UNCRATED FURNITURE SERVICE, INC., 845 Chestnut Street SW., Grand Rapids 2, Mich. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Institutional, dormitory, and laboratory furni-*

ture and fixtures, from points in Burke and Catawba Counties, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, *return of refused, damaged or rejected shipments*, on return. NOTE: Applicant states that it intends to tack this authority with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 36832 (Sub-No. 18), filed March 23, 1966. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 221 North La Salle Street, Chicago, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory products*, between points in Calloway, Audrain, and Montgomery Counties, Mo., on the one hand, and, on the other, Crystal Lake, Chicago Heights, and Terra Cotta, Ill., points within the Chicago, Ill., commercial zone, Portage, Ind., points in Iowa, Kansas City, Kans., Louisville, Ky., points in the Lower Peninsula of Michigan, Omaha, Nebr., points in New York on and west of U.S. Highway 11, points in Ohio, and Pittsburgh, and Erie, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 40235 (Sub-No. 30), filed March 23, 1966. Applicant: I. R. C. & D. MOTOR FREIGHT, INC., 128 South Second Street, Richmond, Ind. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsite of the New York Central Railroad, known as the Big Four Yards, near Avon (Hendricks County), Ind., as an off-route point in connection with applicant's authorized regular-route operations. NOTE: Applicant states the above operation is restricted to the transportation of traffic having an immediately prior or subsequent movement by rail. If a hearing is deemed necessary, applicant requests that it be held at Indianapolis, Ind.

No. MC 41255 (Sub-No. 48), filed March 30, 1966. Applicant: GLOSSON MOTOR LINES, INC., Route No. 9, Box 12A, Lexington, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards, building, wall or insulating*, and (2) *materials and supplies* used in the installation of (1) above, from the plantsite of Armstrong Cork, Co.,

Macon, Ga., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, and Virginia, and the District of Columbia, and *refused, rejected or damaged, and returned shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 43421 (Sub-No. 33), filed March 24, 1966. Applicant: DOHRN TRANSFER COMPANY, a corporation, 4016 Ninth Street, Post Office Box 1237, Rock Island, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, serving the plantsite of Hussmann Refrigerator Co., located at Taussig Road and St. Charles Rock Road, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route operations to and from St. Louis, Mo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 43654 (Sub-No. 65), filed March 22, 1966. Applicant: DIXIE OHIO EXPRESS, INC., 237 Fountain Street, Post Office Box 750, Akron, Ohio. Applicant's representative: Frank B. Broseman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Dayton, Ohio, and Detroit, Mich.; (1) over U.S. Highway 25, (2) from Dayton over U.S. Highway 25 to Toledo, Ohio, and thence over U.S. Highway 24 to Detroit, and return over the same route, and (3) over Interstate Highway 75, serving the intermediate point of Monroe, Mich. and those intermediate and off-route points within 25 miles of Detroit, and the off-route points of Ann Arbor and Flint, Mich. Restriction: No service will be rendered between Dixie Ohio Express, Inc., certificated points in Ohio, or Kentucky, points in the Cincinnati, Ohio commercial zone, or Louisville, Ky. and its commercial zone, on the one hand, and, on the other, points in Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Detroit, Mich.

No. MC 45657 (Sub-No. 45), filed March 24, 1966. Applicant: PICWALSH FREIGHT CO., 731 Campbell, St. Louis 15, Mo. Applicant's representative: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis, Mo., 63102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk,

and those requiring special equipment), serving the plantsite of Hussmann Refrigerator Co., located at St. Charles Rock Road and Taussig Road, Bridgeton, St. Louis County, Mo., as an off-route point in connection with applicant's presently authorized regular route authority. **NOTE:** Hussmann Refrigerator Co. is in the process of relocating its plants and facilities from within the City of St. Louis, Mo., to the above plantsite and has requested carriers presently serving it in St. Louis, Mo., to request authority as above so as to be able to continue service at its new facility. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 52110 (Sub-No. 96), filed March 21, 1966. Applicant: BRADY MOTORFRATE, INC., 1223 Sixth Avenue, Des Moines, Iowa, 50314. Applicant's representative: Homer E. Bradshaw, 5th Floor, Central National Building, Des Moines, Iowa, 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Lafayette, Ind., to points in Kansas, Illinois, Nebraska, Missouri, and Minnesota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 52657 (Sub-No. 645), filed March 23, 1966. Applicant: ARCO AUTO CARRIERS, INC., 2140 West 79th Street, Chicago, Ill., 60620. Applicant's representative: A. J. Bieberstein, 121 West Doty Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles*, in secondary movements, by the truckaway method, from Little Ferry Railhead, Ridgefield, N.J., and points within twenty (20) miles thereof, to points in New York, New Jersey, Connecticut, and Rhode Island, restricted to the transportation of vehicles manufactured or assembled at the site of the plant of American Motors Corp., located in Kenosha, Wis. **NOTE:** Applicant states that on May 27, 1965 they filed Petition for Modification of Existing Certificates pursuant to and in accordance with the decision of the Commission in Docket No. MC-C-3024. National Automobile Transporters Association—Petition for Declaratory Order, 91 M.C.C. 395. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 56270 (Sub-No. 13), filed March 21, 1966. Applicant: LEICHT TRANSFER & STORAGE COMPANY, 1401-55 South State Street, Green Bay, Wis., 54306. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Heavy machinery, boilers and contractor's equipment*, and (b) *related articles or parts thereof*, when moving in the same shipment or in the same vehicle therewith, between Green Bay, Wis., and points within 50 miles of Green Bay, on the one hand, and, on the other, points in Illinois, Minnesota, Iowa, Indiana, and the Lower Peninsula of Michigan; (2) (a) *smoke stacks* and

such *heavy and cumbersome commodities* as require special handling and special equipment, and (b) *commodities and articles* which do not require special handling or the use of special equipment, when moving in the same shipment or in the same vehicle with smoke stacks and such heavy and cumbersome commodities as require special handling and special equipment, between points in Wisconsin, on the one hand, and, on the other, points in the Upper Peninsula of Michigan; and (3) (a) *commodities* which because of unusual size or weight require special handling or the use of special equipment, and (b) *commodities and articles* which do not require special handling or the use of special equipment, when moving in the same shipment or in the same vehicle with commodities which because of size or weight require special handling or the use of special equipment, (1) between points in Wisconsin (except those in Milwaukee, Racine, and Kenosha Counties) and points in the Upper Peninsula of Michigan, on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Minnesota, and the Lower Peninsula of Michigan, and (2) between Green Bay, Wis., on the one hand, and, on the other, points in Wisconsin. **NOTE:** Applicant states that it holds the authority in (1) (a), (2) (a), and (3) (a) set forth above between the various points described therein in its certificates MC 56270 and MC 56270 (Sub-No. 3) and is not requesting any extension of territory. Applicant states that it is seeking only an extension of commodity authority in (1) (b), (2) (b), and (3) (b) as set forth above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 61396 (Sub-No. 158), filed March 24, 1966. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement*, in bulk and bags, from the plantsite of Dundee Cement Co. located at or near Clarksville, Mo., to points in Illinois, Iowa, Missouri, Kansas, Nebraska, Arkansas, Oklahoma, Kentucky, Tennessee, Indiana, Ohio, and Michigan, (2) *cement*, in bulk, from the plantsite of Dundee Cement Co. located at or near Rock Island, Ill., to points in Illinois, Iowa, Missouri, Kansas, Nebraska, Arkansas, Oklahoma, Kentucky, Tennessee, Indiana, Ohio, and Michigan, and (3) *cement*, in bulk, from the plantsite of Dundee Cement Co. located at or near St. Louis, Mo., to points in Illinois, Iowa, Missouri, Kansas, Nebraska, Arkansas, Oklahoma, Kentucky, Tennessee, Indiana, Ohio, and Michigan. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 61592 (Sub-No. 71), filed March 30, 1966. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minne-

apolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, millwork and wood products*, from points in California, Idaho, Montana, Oregon, and Washington, to points in Illinois and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 73165 (Sub-No. 223), filed March 21, 1966. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles* (except those requiring special equipment), between Swan, Tex., and points in Maryland, Pennsylvania, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 78228 (Sub-No. 11), filed March 21, 1966. Applicant: THE J. MILLER COMPANY, a corporation, 147 Nichol Avenue, McKees Rocks, Pa. Applicant's representative: Richard J. Smith, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum and aluminum products*, from points in Hancock County, Ky., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin; and (2) *materials, equipment, supplies and machinery and parts thereof* used or useful in the manufacture of aluminum and aluminum products, from points in the above described destination territory, to points in Hancock County, Ky. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 79999 (Sub-No. 2), filed March 28, 1966. Applicant: E. JACK WALTON-PITTMAN TRUCKING COMPANY, a corporation, 13020 Sarah's Lane, Houston, Tex. Applicant's representative: Joe G. Fender, 2033 Norfolk Street, Houston 6, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves, or fittings, compounds, joint sealer, bonding cement, primer, coating, thinner and accessories used in the installation of such products*, from Oklahoma Ordnance Works, located in Mayes County, Okla., to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant did not specify a location.

No. MC 87720 (Sub-No. 46) (Amendment), filed January 25, 1966, published in FEDERAL REGISTER, issue of February 10, 1966, amended April 5, 1966, and republished as amended this issue. Applicant: BASS TRANSPORTATION CO., INC., Star Route A, Old Croton Road, Flem-

ington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Synthetic resin, dry, in bulk*, in stainless steel tank vehicles, from Flemington, Burlington, and East Brunswick, N.J., to points in Illinois, Indiana, and Michigan; (2) *synthetic resin, dry, in bags*, from Flemington, Burlington, and East Brunswick, N.J., to points in Illinois, Indiana, Michigan, and Ohio; and (3) *synthetic gum resins, dry, in bulk*, in stainless steel tank vehicles, from East Brunswick, N.J., to Elkton, Md. NOTE: The purpose of this republication is to more clearly set forth the proposed operation. Applicant states that the above proposed operations are to be under a continuing contract with Tenneco Manufacturing Co. If a hearing is deemed necessary, applicant requests that it be held at New York, N.Y.

No. MC 88368 (Sub-No. 17), filed March 25, 1966. Applicant: CARTWRIGHT, INC., 4250 24th Avenue West, Seattle, Wash. Applicant's representative: George R. Labissoniere, 533 Central Building, Seattle, Wash., 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission in 17 M.C.C. 467, (1) between points in Washington, Idaho, Montana, and California, and (2) between points in Washington, Idaho, Montana, and California, on the one hand, and, on the other, points in Utah, Wyoming, Colorado, and Oregon. NOTE: Applicant states that if the proposed authority above is granted, it will surrender all authority presently held in certificate MC 88368, and Subs 4, 5, 8, 9, and 11 thereof. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 92633 (Sub-No. 9), filed March 29, 1966. Applicant: ZIRBEL TRANSPORT, INC., 420 28th Street, Lewiston, Idaho. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane 1, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, from Bovill, Latah County, Idaho, to Bellingham, Wash., and Springfield, Salem, Gardiner, St. Helens, Deer Island, and Wauna, Oreg. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Lewiston, Idaho, or Spokane, Wash.

No. MC 92983 (Sub-No. 505), filed March 21, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from Colorado, Kansas, Missouri, New Mexico, and Oklahoma, to points in Cherokee and Crawford Counties, Kans. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 506), filed March 28, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617,

Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from points in New Mexico, to points in Kansas, Nebraska, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 92983 (Sub-No. 507), filed March 29, 1966. Applicant: ELDON MILLER, INC., Post Office Drawer 617, Kansas City, Mo., 64141. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk, from points in Louisiana, to points in Illinois, Iowa, Kansas, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Kansas City, Mo.

No. MC 95084 (Sub-No. 47), filed March 25, 1966. Applicant: HOVE TRUCK LINE, Stanhope, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa, 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and agricultural implements and parts*, from Edenton, N.C., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, West Virginia, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 95540 (Sub-No. 667), filed March 24, 1966. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Post Office Box 828, Thomasville, Ga. Applicant's representative: Jack M. Holloway (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chilled beverage preparation*, liquid, in vehicles equipped with mechanical refrigeration, from Houston, Tex., to points in Florida. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Houston, Tex.

No. MC 101075 (Sub-No. 103), filed March 21, 1966. Applicant: TRANSPORT, INC., 1215 Center Avenue, Post Office Box 396, Moorhead, Minn. Applicant's representative: Ronald B. Pitzenbarger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Moorhead, Minn., and points in Minnesota within 10 miles thereof, to points in North Dakota and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 102616 (Sub-No. 793), filed March 24, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Latex*, in bulk, in tank vehicles, from Cheswold, Del., to Easton, Lenni, and Quakertown, Pa. NOTE: If a hearing is

deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 102616 (Sub-No. 794), filed March 24, 1966. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa., 17405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank vehicles, from Pittsburgh, Pa., to Burnaugh, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103993 (Sub-No. 248), filed March 21, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind., 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, and *campers*, designed for installation on pickup trucks, in initial movements, in truckaway service, from points in Mahoning County, Ohio, to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio.

No. MC 103993 (Sub-No. 249), filed March 24, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Caddo Parish, La., to points in the United States (except Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 103993 (Sub-No. 250), filed March 24, 1966. 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: *Trailers*, designed to be drawn by passenger automobile in initial movements, in truckaway service, from Knox County, Ohio, to points in the United States (excluding Hawaii, but including Alaska). NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 103993 (Sub-No. 251), filed March 28, 1966. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind., 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Campbell County, Tenn., to points in the United States, including Alaska but

excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 106398 (Sub-No. 328), filed March 25, 1966. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Greeley, Colo., to points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 106644 (Sub-No. 64), filed March 28, 1966. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. Applicant's representative: Guy H. Postell, 1375 Peachtree Street NE., Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles, pipe, pipe fittings and accessories*, from Anniston, Birmingham, and Gadsden, Ala., to points in Illinois, Indiana, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Birmingham, Ala.

No. MC 106760 (Sub-No. 49), filed March 24, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards, building, wall or insulating and materials and supplies* used in the installation thereof, from Macon, Ga., to points in Alabama, Arkansas, Delaware, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 50), filed March 25, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, and parts and accessories* which are intended for use in a building, from Niles, Ohio, and Youngstown, Ohio, to points in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Rhode Island,

and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 54), filed March 28, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from points in Wood, Harrison, and Jackson Counties, W. Va., to points in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 55), filed March 28, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories*, which are intended for use in a building, from points in Licking, Franklin, and Knox Counties, Ohio, to points in Alabama, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that he presently holds authority to transport prefabricated house and building panels, prefabricated house and building sections, parts and accessories which are intended for use in prefabricated house or building. The purpose of this application is to remove the obligation of pre-determining the degree of prefabrication of the building in the intended use. Request that application be dismissed on the basis that carrier already holds proper authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 56), filed March 28, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building from points in Licking, Franklin, and Knox Counties, Ohio, to points in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 57), filed March 28, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from points in Wood, Harrison, and Jackson Counties, W. Va., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that he presently holds authority to transport prefabricated house and building panels, prefabricated house and building sections, parts and accessories which are intended for use in a prefabricated house or building. The purpose of this application is to remove the obligation of predetermining the degree of prefabrication of the building in the intended use. Request that application be dismissed on the basis that carrier already holds proper authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 58), filed March 30, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from points in Mercer, Beaver, and Allegheny Counties, Pa., and Connersville, Ind., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states it presently holds authority to transport prefabricated houses and buildings, prefabricated house and building sections, prefabricated house and building panels, with parts and accessories. Division 1 has interpreted this authority that all commodities authorized may be transported only when intended for use in a prefabricated house or building. The purpose of this application is to remove the obligation of predetermining the degree of prefabrication of the building in the intended use as applied by Division 1. It is requested that application be dismissed on the basis that applicant already holds authority as applied for herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 59), filed March 30, 1966. Applicant: WHITE-

HOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from Detroit, Mich., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, New Jersey, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that it presently holds authority to transport prefabricated houses and buildings, prefabricated house and building sections, prefabricated house and building panels, with parts and accessories. Division 1 has interpreted this authority that all commodities authorized may be transported only when intended for use in a prefabricated house or building. The purpose of this application is to remove the obligation of predetermining the degree of prefabrication of the building in the intended use as applied by Division 1. It is requested that application be dismissed on the basis that applicant already holds authority as applied for herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 60), filed March 30, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from points in Mercer, Beaver, and Allegheny Counties, Pa., and Connersville, Ind., to points in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 61), filed March 30, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from points in Allen, Shelby, and Lucas Counties, Ohio, to points in Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 62), filed March 30, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport

Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from points in Allen, Shelby, and Lucas Counties, Ohio, to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that it presently holds authority to transport prefabricated houses and buildings, prefabricated house and building sections, prefabricated house and building panels, with parts and accessories. Division 1 has interpreted this authority that all commodities authorized may be transported only when intended for use in a prefabricated house or building. The purpose of this application is to remove the obligation of predetermining the degree of prefabrication of the building in the intended use as applied by Division 1. It is requested that application be dismissed on the basis that applicant already holds authority as applied for herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106760 (Sub-No. 63), filed March 30, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio, 43609. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated building sections, prefabricated building panels, parts and accessories* which are intended for use in a building, from Philadelphia, Pa., and Trenton, N.J., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that it presently holds authority to transport prefabricated houses and buildings, prefabricated house and building sections, prefabricated house and building panels, with parts and accessories. Division 1 has interpreted this authority that all commodities authorized may be transported only when intended for use in a prefabricated house or building. The purpose of this application is to remove the obligation of predetermining the degree of prefabrication of the building in the intended use as applied by Division 1. It is requested that application be dismissed on the basis that applicant already holds authority as applied for herein. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107727 (Sub-No. 19), filed March 24, 1966. Applicant: ALAMO EXPRESS, INC., Post Office Box 10280, Hackberry Station, 51 Essex Street, San Antonio, Tex. Applicant's representative: Dan Felts, Suite 204, 904 Lavaca Street, Post Office Box 1117, Austin, Tex., 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, and commodities in bulk), (1) between Freeport, Tex., and the causeway or bridge over San Luis Pass, Tex., as follows: From Freeport, over Farm-to-Market Road 523 to junction Texas Highway 332, thence over Texas Highway 332 to junction County Road 257, thence over County Road 257 to San Luis Pass Bridge or Causeway site (to join with the authority to the Bridge or Causeway out of Galveston), and return over the same route, serving all intermediate points, and, (2) between Freeport, Tex., and Galveston, Tex., as follows: From Freeport, over Texas Highway 36 to junction Texas Highway 288, thence over Texas Highway 288 to junction Farm-to-Market Road 2004, thence over Farm-to-Market Road 2004, to junction Texas Highway 6, thence over Texas Highway 6 to junction U.S. Highway 75, thence over U.S. Highway 75 to Galveston, and return over the same route, as an alternate route for operating convenience only, serving no new points not presently authorized to be served, in conjunction with applicant's existing authority. NOTE: Applicant states that it presently holds authority to serve the points of Freeport and Galveston, Tex., over different routes. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 107757 (Sub-No. 23), filed March 22, 1966. Applicant: M. C. SLATER, INC., Post Office Box 369, Granite City, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Refractory products*, serving points in Calloway, Audrain, and Montgomery Counties, Mo., as off-route points in connection with applicant's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests that it be held at St. Louis, Mo.

No. MC 107839 (Sub-No. 103), filed March 21, 1966. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Denver, Colo. Applicant's representative: Edward T. Lyons, Jr., Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Unfrozen meats, meat products and meat byproducts*, as defined by the Commission in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and (2) *frozen meats, meat products and meat byproducts* in mixed loads with unfrozen meats, meat products and meat byproducts, from Abilene, Tex., to points

in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee (except Memphis, Tenn., and its commercial zone). NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 107839 (Sub-No. 104), filed March 23, 1966. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 4985 York Street, Post Office Box 16021, Denver, Colo., 80216. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in 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), and *frozen foods*, from Colorado Springs, Denver, and Greeley, Colo., to points in Idaho, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 108185 (Sub-No. 39), filed March 28, 1966. Applicant: DIXIE HIGHWAY EXPRESS, INC., 1900 Vanderbilt Road, Post Office Box 365, Birmingham, Ala., 35201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except coal, oil, classes A and B explosives, sand, gravel, household goods as defined by the Commission, commodities requiring special equipment, or those injurious or contaminating to other lading), serving Raymond, Miss., as an off-route point in connection with applicant's presently authorized regular route operations between Birmingham, Ala., and Jackson, Miss. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 108207 (Sub-No. 186), filed March 30, 1966. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in section A and C of appendix I to the report in *Descriptions in Motor Carrier Certificate*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Guymon, Okla., to points in Arizona, California, New Mexico, Texas, Louisiana, Illinois, Michigan, Missouri, Arkansas, Mississippi, Iowa, Nebraska, Kansas, Minnesota, Wisconsin, Indiana, Ohio, and Memphis, Tenn., and Las Vegas, Nev. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 108228 (Sub-No. 24), filed March 25, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, 719 Alexander Street, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Bakery goods*, from Des Plaines, Ill., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maryland, Mississippi, New York, North Carolina, Pennsylvania, South Carolina, and Virginia, and to the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 108228 (Sub-No. 25), filed March 25, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, 719 Alexander Street, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and food stuffs* from Lexington, N.C., and points within five (5) miles thereof, to points in Florida, Georgia, South Carolina, North Carolina, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, West Virginia, Tennessee, Kentucky, Alabama, Maine, Vermont, New Hampshire, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108228 (Sub-No. 26), filed March 30, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, 719 Alexander Street, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Delaware, Maryland, and Virginia, to points in Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, Florida, Georgia, Alabama, South Carolina, and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 108228 (Sub-No. 27), filed March 30, 1966. Applicant: MILES TRUCKING CO., INC., Post Office Box 578, 719 Alexander Street, Plant City, Fla. Applicant's representative: Thomas F. Kilroy, 1341 G Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, frozen foods, food products, and chewing gum* (except commodities in bulk), from points in Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, Maryland, and Delaware, to points in Virginia, North Carolina, South Carolina, Georgia, Alabama, Tennessee, Mississippi, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 108696 (Sub-No. 8), filed March 21, 1966. Applicant: JACOB A. TIGELAAR, ADA TIGELAAR, HENRY J. DEWEERD, AND CORNELIA DE WEERD, a partnership, doing business as TIGELAAR & DEWEERD, 5367 School Street, Box 145, Hudsonville, Mich. Applicant's representative: Rodger T. Ederer, Union Savings & Loan Building, 117 West Allegan Street, Lansing, Mich., 48933. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Insecticides and fungicides*, in packages and drums, (1) from Middleport, N.Y., to Napoleon, Ohio, and (2) from Napoleon, Ohio, to points in Ottawa, Van Buren, Muskegon, and Allegan Counties, Mich., and points in the township of Orange in Ionia County, Mich., Grand Rapids Township in Kent County, Mich., and Benton and Coloma Townships in Berrien County, Mich. NOTE: Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 108937 (Sub-No. 27), filed March 30, 1966. Applicant: MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Road, St. Paul, Minn., 55113. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of the Cooper-Jarrett, Inc., terminal located on Frontage Road (formerly old U.S. Highway 66), and now parallel to new U.S. Highway 66 and Interstate Highway 55, approximately one-half mile west of County Line Road, in an unincorporated portion of Du Page County, Ill., as an off-route point, in connection with applicant's present operations, for the purpose of interchanging traffic at said terminal site. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109060 (Sub-No. 62), filed March 28, 1966. Applicant: JULIA L. HAGAN, doing business as HAGAN TRUCK LINE, 3405 Bainbridge Boulevard, Chesapeake, Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Portable metal buildings*, from Virginia Beach, Va., to points in Delaware, Maryland, New Jersey, and North Carolina. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Richmond, Va.

No. MC 109637 (Sub-No. 305), filed March 11, 1966. Applicant: SOUTHERN TANK LINES INC., 4107 Bells Lane, Louisville, Ky., 40211. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid sugar, syrups, or blends thereof*, in bulk, in tank vehicles, from Louisville, Ky., to points in Illinois, Indiana, Kentucky, Ohio, Tennessee, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Louisville, Ky.

No. MC 110193 (Sub-No. 139), filed March 24, 1966. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Drugs, medicines, toilet preparations, surgical dressings, swabs, and absorbent cotton, and advertising matter and store*

display racks or stands when moving at the same time and in the same vehicle with the above described commodities, from Jefferson City, Mo., to Monticello, Ind., Perth Amboy, N.J., and Clinton, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 110420 (Sub-No. 514), filed March 28, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Compounds organic*, derived from inedible fatty materials, in bulk, in stainless steel tank vehicles, (1) from Mapleton, Ill., to Ossining, N.Y., and (2) from Ossining, N.Y., to McCook, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 778), filed March 23, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Edward H. van Deusen (same address as above) and Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, in bulk, from Jeffersonville, Ind., to points in Illinois and Indiana and from Terre Haute, Ind., to Jeffersonville, Ind. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Indianapolis, Ind.

No. MC 110525 (Sub-No. 779), filed March 30, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, Esquire, 1155 15th Street NW., Washington, D.C., and Edwin H. van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Coventry, R.I., and Fall River, Mass., to points in Connecticut, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110988 (Sub-No. 185), filed March 22, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Milwaukee, Wis., to points in that part of Illinois, bounded by a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 51 to U.S. Highway 24 at El Paso, Ill., thence along U.S. Highway 24 to the Indiana-Illinois State line, thence along the Indiana-Illinois State line to the

western shore of Lake Michigan to the Wisconsin-Illinois State line to point of beginning, including points on the indicated portions of the highways specified (except Chicago, Ill., and points in the commercial zone, and Lemont, Lockport, and South Beloit, Ill.). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 186), filed March 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and apple juice, in bulk, in tank vehicles*, from points in Michigan to points in Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 187), filed March 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and apple juice, in bulk, in tank vehicles*, from points in Michigan, to points in New York, Pennsylvania, Ohio, Kentucky, Tennessee, Delaware, and Maryland. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 188), filed March 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vinegar, vinegar stock, and apple juice, in bulk, in tank vehicles*, from points in Michigan, to points in Oklahoma, Arkansas, Mississippi, Louisiana, Alabama, Georgia, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 189), filed March 28, 1966. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis., 54957. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Corn products*, in bulk, in tank or hopper type vehicles, from Danville, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111545 (Sub-No. 87), filed March 25, 1966. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Post Office Box 6426, Station A, Marietta, Ga., 30060. Applicant's representative: Paul M. Dantell, Suite 1600, First Federal Building,

Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *heavy machinery*, (2) *contractors equipment*, (3) *tractors* (except truck tractors), (4) *lift and hoist trucks*, (5) *commodities*, other than those described in (1), (2), (3), and (4) above, which because of size or weight require the use of special equipment, and (6) *parts, attachments, and accessories for commodities* named in (1), (2), (3), (4), and (5) above when moving in the same shipments with commodities named in (1), (2), (3), (4), and (5) above, between points in Georgia; (B) *lift and hoist trucks*, from points in Pennsylvania to points in Alabama, Georgia, North Carolina, South Carolina, Mississippi, and Tennessee; and (C) *wooden pallets*, between points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states that it proposes to tack the authority sought in this proceeding with all other authorities presently held by it, in which it is authorized to operate in the States of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111729 (Sub-No. 145), filed March 28, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, Commonwealth Building, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radiopharmaceuticals, radioactive drugs, medical isotopes, and related products*, (a) from Cleveland, Ohio, to points in West Virginia; points in Lake, Porter, La Porte, and Starke Counties, Ind.; points in Indiana lying in and east of Brown, Cass, Fulton, Hamilton, Harrison, Howard, Jackson, Johnson, Marion, Marshall, Saint Joseph, Tip-top, and Washington Counties; points in New York lying in and west of Oswego, Onondaga, Cortland, and Broome Counties; points in Pennsylvania lying in and west of Clinton, Centre, Fulton, Huntingdon, Lycoming, and Tioga Counties; points in Allegany, Garrett, and Washington Counties, Md.; and points in the Lower Peninsula of Michigan; (b) between Chicago, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Michigan, and Wisconsin; (c) between points in St. Louis County, Mo., on the one hand, and, on the other, points in Cape Girardeau, Mississippi, Scott, Stoddard, New Madrid, and Butler Counties, Mo.; points in Illinois; points in Gibson, Knox, Sullivan, Vanderburgh, and Vigo Counties, Ind.; points in Douglas, Johnson, Shawnee, and Wyandotte Counties, Kans., and points in Daviess and McCracken Counties, Ky.; (d) be-

tween Des Moines, Iowa, on the one hand, and, on the other, points in Iowa and Nebraska; (e) between Minneapolis, Minn., on the one hand, and, on the other, points in Minnesota and Wisconsin; (f) between Omaha, Nebr., on the one hand, and, on the other, points in Iowa, Nebraska, and South Dakota; (g) between Fargo, N. Dak., on the one hand, and, on the other, points in North Dakota and Minnesota; (h) between Detroit, Mich., on the one hand, and, on the other, points in Michigan and Ohio; (i) between New York, N.Y., on the one hand, and, on the other, points in New York, Connecticut, and New Jersey; (j) between Philadelphia, Pa., on the one hand, and, on the other, points in Pennsylvania; (k) between Pittsburgh, Pa., on the one hand, and, on the other, points in Pennsylvania, Ohio, and West Virginia; (l) between Cincinnati, Ohio, on the one hand, and, on the other, points in Kentucky and West Virginia; (m) between Kansas City, Mo., on the one hand, and, on the other, points in Kansas; and (n) between Indianapolis, Ind., on the one hand, and, on the other, points in Indiana. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 112750 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111729 (Sub-No. 146), filed March 28, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y., 11316. Applicant's representative: Russell S. Bernhard, Commonwealth Building, 1625 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Shirts, trousers, jackets, hats, and uniforms*, limited to shipments not to exceed 75 pounds per shipment, between Cincinnati, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, Missouri, New York, Pennsylvania, and West Virginia; (2) *business papers, records, and audit and accounting media* (except cash letters), between Cincinnati, Ohio, on the one hand, and, on the other, points in Illinois (except Chicago); points in Indiana (except Anderson, Indianapolis, and Richmond); points in Kentucky (except Ashland, Lexington, and Louisville); points in Michigan (except points in Wayne, Oakland, and Macomb Counties); points in Missouri; points in New York; points in Pennsylvania (except Boyers and Erie); and points in West Virginia; (3) *automobile and truck seat covers, fender and seat protection covers, auto trim and glass protection covers, cutting and sewing products, auto, truck, and tractor paints, rubber mats, and cool cushions*, limited to shipments weighing a maximum of 75 pounds per shipment, between Cincinnati, Ohio, on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, West Virginia, and Pennsylvania; and (4) *audit and accounting media* of all kinds, *payroll data and payroll checks, and sale and advertising pamphlets*, (a) between

Anderson, Ind., and Cincinnati, Ohio, (b) between Indianapolis, Ind., and Danville, Ill., (c) between Cincinnati, Ohio, on the one hand, and, on the other, Lexington and Louisville, Ky., (d) between Columbus, Ohio, on the one hand, and, on the other, points in Boyd, Clark, Estill, Fayette, Franklin, Harrison, Montgomery, Scott, and Woodford Counties, Ky.; and points in Cabell, Greenbrier, Jackson, Kanawha, Logan, Mason, Mercer, Mingo, Raleigh, and Wayne Counties, W. Va., and (e) between Toledo, Ohio, and Boyers, Pa. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 112750 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 111812 (Sub-No. 336), filed March 21, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Milton, Pa., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 113267 (Sub-No. 167), filed March 21, 1966. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Austin, Ind., to points in Iowa, Missouri, Kansas, Nebraska, and Minnesota. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 113362 (Sub-No. 114), filed March 23, 1966. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Duryea, Pa., to Louisville, Ky.; Cincinnati, Ohio; Cleveland, Ohio; and Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 115), filed March 21, 1966. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from New Brunswick, N.J., to Detroit, Mich.; Cleveland, Ohio; Cincinnati, Ohio; Louisville, Ky.; Indianapolis, Ind.; Chicago, Ill.; Milwaukee, Wis.; Minneapolis, Minn.; Des Moines, Iowa; and St. Louis, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 116), filed March 25, 1966. Applicant: ELLS-WORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods, and frozen pies, not baked, frozen poultry, dressed or eviscerated, from Marshall, Milan, Carrollton, Macon, and Moberly, Mo., to Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113434 (Sub-No. 20), filed March 30, 1966. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, Mich. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned milk or cream, evaporated milk or cream, instant milk or cream substitutes, flavoring or fruit syrups, formulas or infant nursers, liquid diet foods and other milk products and supplies, from Greenville, Ill., to points in Ohio, Michigan, Pennsylvania, New York, West Virginia, and Indiana.* NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 113434 (Sub-No. 21), filed March 29, 1966. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, Mich. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Building, 1001 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned milk, evaporated milk and milk products, from Bryan, Ohio, to Washington, D.C., points in New York, New Jersey, Maryland, and Kentucky, those in that part of Pennsylvania on and east of U.S. Highway 219, those in that part of Michigan on and north of Michigan Highway 21 and those in West Virginia on, east and south of a line beginning at the Pennsylvania-West Virginia State line, and extending along U.S. Highway 119 to junction U.S. Highway 50, thence along U.S. Highway 50 to the West Virginia State line, and damaged, rejected, returned and unused shipments, on return.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113459 (Sub-No. 35), filed March 21, 1966. Applicant: H. J. JEFFRIES TRUCK LINE, INC., 4720 South Shields Boulevard, Oklahoma City 29, Okla. Applicant's representative: James W. Hightower, Wynnewood Professional Building, Dallas, Tex., 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grader blades, cutting edges and grinding balls, from Minnequa and Pueblo, Colo., to points in Alabama,*

Iowa, Kentucky, Michigan, Mississippi, Ohio, Tennessee, and Wisconsin, and *damaged and rejected shipments, on return.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 113678 (Sub-No. 244), filed March 23, 1966. Applicant: CURTIS, INC., East 51st Avenue, Denver, Colo. Applicant's representative: Harry Ross, Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal poultry, fish, food and feed, and feed ingredients and supplements thereof (except in bulk in tank vehicles), from Woburn, Boston, and Lawrence, Mass., to points in Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Nebraska, Missouri, Kansas, Colorado, Oregon, Washington, California, and Utah.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 113828 (Sub-No. 112), filed March 22, 1966. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington, D.C., 20014. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compressed gas, in bulk, in tank vehicles, from Marcus Hook and Emmaus, Pa., to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114028 (Sub-No. 10), filed March 29, 1966. Applicant: ROWLEY INTERSTATE TRANSPORTATION CO., INC., 1717 Maple Street, Dubuque, Iowa. Applicant's representative: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. 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, from Dubuque, Iowa, to points in Minnesota, Wisconsin, Illinois, Missouri, Indiana, Michigan, Ohio, North Carolina, and Kentucky.* NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 114194 (Sub-No. 125), filed March 28, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum, and petroleum products, including petro chemicals and liquid chemicals, in bulk, from Wood*

River, Ill., and points within five (5) miles thereof, to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Wisconsin, Georgia, Texas, and West Virginia, and *rejected shipments, on return.* NOTE: If a hearing is deemed necessary, applicant requests that it be held at St. Louis, Mo.

No. MC 114194 (Sub-No. 127), filed March 30, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile softeners, in bulk, from Clinton, Iowa, to points in the United States (except Alaska and Hawaii), and rejected shipments, on return.* NOTE: If a hearing is deemed necessary, applicant requests that it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 114273 (Sub-No. 17), filed March 28, 1966. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., 3930 16th Avenue SW., Post Office Box 1904, Cedar Rapids, Iowa. Applicant's representative: Robert E. Konchar, Suite 803, American Building, Cedar Rapids, Iowa, 52401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), between Bureau, Ill., and points in Iowa, Indiana, and Wisconsin.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115162 (Sub-No. 122), filed March 30, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, Suite 2025-2028 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum, petroleum products, vehicle body sealer and sound deadening compound, in packages or containers, from Buffalo, N.Y., to points in North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Arkansas, Texas, and Kansas City, Kans., and damaged or rejected shipments on return.* NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 115162 (Sub-No. 123), filed March 30, 1966. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, Suite 2025-2028 City Federal Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, from Manchester, Iowa, to Dothan, Ala.* NOTE: If a hearing is deemed necessary, applicant requests that it be held at Montgomery, Ala.

No. MC 115180 (Sub-No. 32), filed March 21, 1966. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), *advertising materials, supplies, and premiums* when moving in the same vehicle, from the facilities of American Home Foods Division of American Home Products Corp. at La Porte, Ind., to points in Rhode Island, Connecticut, Massachusetts, Delaware, Virginia, Maryland, West Virginia, Ohio, Kentucky, Tennessee, North Carolina, New Jersey, New York, and Pennsylvania, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115180 (Sub-No. 33), filed March 21, 1966. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk, in tank vehicles), *advertising materials, supplies and premiums* when moving in the same vehicle, from the facilities of American Home Foods Division of American Home Products Corp., located at La Porte, Ind., to points in Illinois, Iowa, Wisconsin, Minnesota, Missouri, Kansas, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 115311 (Sub-No. 55) filed March 24, 1966. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 589, Americus, Ga. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cement and mortar mixes, including cement and mortar mixed with gravel, sand or other aggregates*, (2) *rock or stone, crushed, ground or natural*, (3) *sand*, (4) *cold mixed asphalt*, (5) *liquid asphalt sealer* (Gilsonite asphalt and solvents, 100° F Flash Point), (6) *vinyl concrete patcher* (cement and sand mixed with vinyl adhesives), (7) *lime*, (8) *masonry coating* (cement mixed with sand and other ingredients), (9) *tile grout* (cement mixed with marble dust and other ingredients), (10) *hydraulic cement* (cement mixed with sand and other ingredients), (11) *acrylic paints*, (12) *adhesives*, and (13) *advertising matter*, (a) from the plantsite of W. R. Bonsal Co. at Atlanta, Ga., to points in Alabama and Tennessee, and (b) from the plantsite of W. R. Bonsal Co. at Lilesville, N.C., to points in Georgia, South Carolina, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116077 (Sub-No. 196), filed March 28, 1966. Applicant: ROBERTSON TANK LINES, INC., Post Office

Box 9527, 5700 Polk Avenue, Houston, Tex. Applicant's representative: Thomas E. James, 721 Brown Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, in bulk, from Lafayette, La., to points in Arkansas, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 116740 (Sub-No. 2), filed March 21, 1966. Applicant: LEE N. HICKOX, Rural Route 3, Casey, Ill. Applicant's representative: Caslon K. Bennett, Marshall, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Timber, wood, and timber and wood products*, from Edwards County, Ill., to Jefferson County, Ky. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Marshall, Ill.

No. MC 117119 (Sub-No. 360), filed March 28, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Ft. Wayne, Ind., to points in Arkansas, Kansas, Missouri, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Indianapolis, Ind.

No. MC 117119 (Sub-No. 361), filed March 28, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, food ingredients, food mixtures, table sauces and beverages, and advertising specialties, premiums, accessories, glassware, dishes, wrapping materials and supplies*, when moving in conjunction with the aforementioned commodities, from points in Lafayette, Green, and Sawyer Counties, Wis., to points in Washington, Oregon, California, Idaho, Utah, Nebraska, Arizona, Montana, Wyoming, Colorado, and New Mexico. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 117119 (Sub-No. 362), filed March 28, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Delaware, Maryland, and Virginia, to points in Kentucky, Tennessee, Arkansas, Louisiana, Mississippi, Florida, Georgia, Alabama, South Carolina, and North Carolina. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117119 (Sub-No. 363), filed March 28, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representa-

tive: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Lexington, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Charlotte, N.C.

No. MC 117370 (Sub-No. 11), filed March 28, 1966. Applicant: STAFFORD TRUCKING, INC., 2155 Hollyhock Lane, Elm Grove, Wis., 53122. Applicant's representative: Claude J. Jasper, Suite 301, Provident Building, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand with additives* from Milwaukee, Wis., to Greenville and Wampum, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 117883 (Sub-No. 79), filed March 28, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. 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, appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Iowa, to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117883 (Sub-No. 80), filed March 28, 1966. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pineapples*, when moving in mixed shipments with bananas, from the port of facilities located in New York, N.Y., and New Jersey, in the New York, N.Y. commercial zone, as defined by the Commission, and Baltimore, Md., to St. Louis, Mo., Elizabeth City, Greenville and Raleigh, N.C., points in Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Virginia, West Virginia, Pennsylvania, New York (except points in Westchester and Nassau Counties), New Jersey (except points in Passaic, Union, Middlesex, Hudson, Essex, and Bergen Counties), Delaware, Maryland, and the District of Columbia. NOTE: Applicant states it requests no authority herein to transport bananas. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 118130 (Sub-No. 48), filed March 28, 1966. Applicant: BEN HAM-RICK, INC., 2000 Chelsea Drive West, Fort Worth, Tex. Applicant's representative: M. Ward Bailey, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato products*, and *potato products when transported in mixed shipments with exempt commodities*, from points in Colorado to points in Alabama, Arizona, Arkansas, California, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Denver, Colo.

No. MC 118196 (Sub-No. 65), filed March 28, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., U.S. Highway 71 North, Post Office Box 613, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Minnesota to points in Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 118196 (Sub-No. 66), filed March 28, 1966. Applicant: RAYE & COMPANY TRANSPORTS, INC., U.S. Highway 71 North, Post Office Box 613, Carthage, Mo., 64836. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Kansas City, Kans., to points in Colorado, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 118282 (Sub-No. 5), filed March 21, 1966. Applicant: NURSERY-MAN SUPPLY, INC., 6801 Northwest 74th Avenue, Miami, Fla. Applicant's representative: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-engineered or prefabricated buildings, including school classroom buildings*, complete and incomplete, from Miami, Fla., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New York, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant is also authorized to conduct operation as a contract carrier in Permit No. MC 125811 and Sub 5, and dual operations may be involved. Applicant states it proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 118292 (Sub-No. 12) (Amendment), filed February 28, 1966. Published FEDERAL REGISTER issue of March 18, 1966, amended March 25, 1966, and republished as amended this issue. Applicant: BALLENTINE PRODUCE, INC.,

Alma, Ark. Applicant's representative: Lester M. Bridgeman, 1027 Woodward Building, Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and supplies and materials* used in the manufacture of canned goods, and preserves, from Hollister and Antioch, Calif., Sanford and Immokalee, Fla., Cedar Rapids and Storm Lake, Iowa, Chicago and Streator, Ill., Baltimore, Md., Fosston and Mankato, Minn., Kansas City and Mount Vernon, Mo., and Milwaukee, Wis., to Alma and Van Buren, Ark. NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 118434, therefore, dual operations may be involved. The purpose of this republication is to expand the origin points. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Little Rock, Ark., or Dallas, Tex.

No. MC 119317 (Sub-No. 24), filed March 23, 1966. Applicant: GROSS AND SONS TRANSPORT COMPANY, 1706 Arlington, Independence, Mo. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo., 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fluid milk and fluid milk products, milk byproducts and liquid nonalcoholic and noncarbonated beverages*, in containers, in vehicles equipped with mechanical refrigeration, from Kansas City, Mo., to Corning and Griswold, Iowa, and *rejected, damaged or spoiled shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119767 (Sub-No. 160), filed March 21, 1966. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware and glass containers*, with and without caps, covers and stoppers, and *paper cartons used in the packing of glassware and glass containers*, when moving in mixed loads with glassware and glass containers, from Streator, Ill., to points in Michigan and Wisconsin, and Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Detroit, Mich.

No. MC 119880 (Sub-No. 18), filed March 22, 1966. Applicant: DRUM TRANSPORT, INC., Caterpillar Trail, Post Office Box 2056, East Peoria, Ill. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcohol and alcoholic liquors*, in bulk, in tank vehicles, from ports of entry on the international boundary line between the United States and Mexico, located in Texas, New Mexico, Arizona, and California, to points in the United States (except Alaska and Hawaii), and to ports of entry located on the inter-

national boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 120392 (Sub-No. 3), filed March 23, 1966. Applicant: HENRY C. SMITH, doing business as ARROW VAN LINES, Post Office Box 1051, 88 Randolph Street, Savannah, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crated used household goods and personal effects*, in domestic and export shipping containers, between points in Chatham County, Ga., and points in that part of Georgia bounded by the eastern shoreline of Georgia from the Georgia-South Carolina State line south to the Georgia-Florida State line, west on the Georgia-Florida State line to U.S. Highway 41, thence north over U.S. Highway 41 to Macon, Ga., thence north over U.S. Highway 129 to Athens, Ga., thence northeast over U.S. Highway 29 to the Savannah River, and thence southeast to the Atlantic Ocean. NOTE: If a hearing is deemed necessary, applicant requests it be held at Savannah, Ga.

No. MC 123048 (Sub-No. 89), filed March 24, 1966. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis., 53401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements, farm machinery, and machinery used in the potato processing industry*, from Antigo, Wis., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Pennsylvania, and *rejected shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison, Wis.

No. MC 123067 (Sub-No. 42), filed March 28, 1966. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Philips, Post Office Box 612, Winston-Salem, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from Apex, N.C., to points in Tennessee and Virginia; and (2) from Cheraw, S.C., and the Dixie Pipe Line Terminal at or near Columbia, S.C., to points in North Carolina and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123194 (Sub-No. 3), filed March 28, 1966. Applicant: SPRAGUE, INC., 5 Summit Drive, Dune Acres, Chertonton, Ind. Applicant's representative: Eugene L. Cohn, One North La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite of Geo. A. Hormel & Co., at or near Bureau Junction, Bureau

County, Ill., to points in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123273 (Sub-No. 5), filed March 23, 1966. Applicant: NEAL R. WHITE, 34 Beachwood Road, Asheville, N.C. Applicant's representative: H. Overton Kemp, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh orange juice*, in bulk, in insulated tank trailers, from Dunedin and Lake Wales, Fla., to the plantsite of Gerber Products Co., located at or near Asheville, N.C., and *rejected, refused or damaged orange juice*, on return. NOTE: Applicant states the proposed operations will be performed under a continuing contract with Gerber Products Co., Asheville, N.C. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 123273 (Sub-No. 6), filed March 23, 1966. Applicant NEAL R. WHITE, 34, Beachwood Road, Asheville, N.C. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Charlotte, N.C., 28202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grape juice*, in bulk, in insulated tank trailers, from Spartansburg, S.C., to Orlando, Auburndale, Leesburg, and Plymouth, Fla., and *rejected, refused and damaged shipments*, on return. NOTE: Applicant states if the authority sought is granted, service will be performed under a continuing contract with Palmetto Grape Marketing Association, Spartansburg, S.C. If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 123905 (Sub-No. 6), filed March 21, 1966. Applicant: OLEN BURRAGE, Route 9, Box 22A, Philadelphia, Miss. Applicant's representative: Donald B. Morrison, Post Office Box 961, Jackson, Miss. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Rough and dressed lumber, plywood, dimension stock, and preservative treated lumber*, from Philadelphia, Miss., to points in Florida, and (2) *dressed lumber*, from points in Alabama and Georgia to Philadelphia, Miss. NOTE: Applicant states the above transportation is to be limited to a service performed under a continuing contract with A. DeWeese Lumber Co., Inc., Philadelphia, Miss. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 123905 (Sub-No. 7), filed March 28, 1966. Applicant: OLEN BURRAGE, Route 9, Box 22A, Philadelphia, Miss. Applicant's representative: Donald B. Morrison, Post Office Box 961, Jackson, Miss. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, rough and dressed, and *timbers*, treated and untreated, from Brandon, Miss., to points in Alabama, Georgia, Indiana, Illinois, Kentucky, Louisiana, Michigan, Missouri, Ohio,

Tennessee, and Wisconsin, and *refused or rejected shipments*, on return. NOTE: Applicant states the proposed service to be performed under a continuing contract or contracts with Price Paschal Lumber Co., Brandon, Miss. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 124174 (Sub-No. 41), filed March 28, 1966. Applicant: MOMSEN TRUCKING CO., a corporation, U.S. Highways 71 and 18 North, Spencer, Iowa, 51301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from points in Livingston County, Ill., to points in Iowa, Nebraska, and Minnesota. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124213 (Sub-No. 5), filed March 30, 1966. Applicant: SWIFTLINES, INC., Post Office Box 533, Worthington, Minn. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. 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 Spencer, Iowa, to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 124377 (Sub-No. 5), filed March 28, 1966. Applicant: REFRIGERATED FOODS, INC., 3200 Blake Street, Denver, Colo., 80205. Applicant's representative: Bert L. Penn, 30 South Emerson Street, Denver, Colo., 80209. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 from points in York County, Nebr., to points in Arizona, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and El Paso, Tex. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Denver, Colo.

No. MC 124774 (Sub-No. 35), filed March 28, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft, supplies and parts thereof, and materials used by aircraft manufacturers and suppliers*, between points in Cuyahoga County, Ohio, on the one hand, and, on the other, points in the United States, except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 125677 (Sub-No. 4), filed March 30, 1966. Applicant: GEORGE STORM, doing business as STORM TRUCKING COMPANY, 7200 Industrial Highway, Gary, Ind. Applicant's representative: James F. Flanagan, 111 West Washington Street, Chicago, Ill., 60602. Author-

ity sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag* in bulk in blower type vehicles, from Gary, Ind., to Chicago Heights, Ill. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 125708 (Sub-No. 48), filed March 29, 1966. Applicant: HUGH MAJOR, 150 Sinclair Avenue, South Roxana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles* of iron and steel manufacturing, between Louisiana, Mo., and points in Illinois, on the one hand, and, on the other, points in Livingston County, Ill., and Whiteside County, Ill. NOTE: Applicant states that the purpose of this application is to perform split pickup and delivery service, and to tack at Louisiana, Mo., to perform a through service. Applicant is also authorized to conduct operations as a contract carrier in Permit No. 116434 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125777 (Sub-No. 90), filed March 30, 1966. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sand and gravel*, in bulk, from points in Warren, Fountain, and Vermillion Counties, Ind., to points in Vermillion County, Ill., and (2) *haydite, limestone, crushed rock and coal*, from points in Vermillion County, Ill., to points in Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125979 (Sub-No. 2), filed March 28, 1966. Applicant: OMAR STOLTZFUS, Box 23, Snow Hill, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish meal*, in bags, and in bulk, from points in Northampton County, Va., to points in New Castle, Kent, and Sussex Counties, Del.; points in Cecil, Carolina, Dorchester, Kent, Queen Annes, Somerset, Wicomico, and Worcester Counties, Md.; and points in Accomack and Northampton Counties, Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 126063 (Sub-No. 6), filed March 21, 1966. Applicant: BIRD TRUCKING, INC., 1370 Swaner Road, Salt Lake City, Utah. Authority sought to operate as a *contract 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 commodities in bulk, in tank vehicles), from Glasgow, Mont., and the plantsite of Austins Packing Co., located at or near Glasgow, Mont., to points in California

and Utah. NOTE: Applicant states that he proposes to transport exempt commodities, on return. If a hearing is deemed necessary, applicant requests that it be held at Salt Lake City, Utah.

No. MC 127084 (Sub-No. 1), filed March 24, 1966. Applicant: GEORGES CARRIERS, INC., 62-47 60th Street, Ridgewood (Queens), N.Y. Applicant's representative: George A. Olsen, 60 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing fixtures and supplies*, from points in the New York, N.Y., commercial zone, as defined by the Commission, to the plantsite of the Jamaica Manufacturing Co., Inc., at Wyandanch, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127129 (Sub-No. 8), filed March 23, 1966. Applicant: AVERY TRUCKING CO., INC., 6711 Saxton Avenue, Post Office Box 4383, Boise, Idaho, 83705. Applicant's representative: Kenneth G. Bergquist, 1110 Bank of Idaho Building, Boise, Idaho, 83702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission), between Wrangell and Petersburg, Alaska, on the one hand, and, on the other, points in Idaho, Oregon, Washington, California, Nevada, Utah, and Montana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Juneau, Alaska.

No. MC 127346 (Sub-No. 1), filed March 21, 1966. Applicant: HALL'S FAST MOTOR FREIGHT, INC., 330 Oak Tree Avenue, Post Office Box 183, South Plainfield, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resins, chemicals, wax emulsifiers, coal tar dyes, dye intermediates, cleaning compounds, gums* (other than in bulk, in tank vehicles), *film or sheeting and automotive parts*, from the sites of Hercules Powder Co., Dreyfus Corp., Mack Trucks, Inc., Hood Chemical Co., American Hoechst Corp., storage facilities located at or near South Plainfield, N.J., to points in Connecticut, New York, Pennsylvania, Delaware, and Maryland. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 127371 (Sub-No. 1), filed March 11, 1966. Applicant: LITTLE PRINCESS TRUCK RENTALS, INC., 181 North Hickory Street, North Massapequa, N.Y. Applicant's representative: Halpern & Rothman, 2 John Street, New York, N.Y., 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paints, wallpaper, lighting fixtures and hardware supplies* (furnishing interstore messenger delivery and payroll service solely for Pergament Distributors, Inc.), from Westbury, N.Y., to Scarsdale and Nanuet, N.Y., and Paramus, Watchung, Somerville, Brunswick, Lodi, and Middletown, N.J.; and *filled cartons of*

paint for the warehouse of Pergament Distributors, Inc. (in Westbury, N.Y.), from the subsidiary paint factory at Lodi, N.J.; *interstore mail, interstore shipments including damaged and unsealed merchandise, inventory transfers, and payroll checks*, on return. NOTE: Applicant states that the proposed operation includes supervision of loading and unloading and of personnel performing such work; authority to schedule hours of employment of store personnel performing such work; and other unique and special services. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127382 (Sub-No. 1), filed March 21, 1966. Applicant: WILLIAM J. PETERSON, doing business as PETERSON TRUCKING, 306 Sixth Avenue East, Redfield, S. Dak. Applicant's representative: Galen G. Gillette, Redfield, S. Dak., 57469. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Egg cartons and cases*, from Freehold, N.J., to Redfield, S. Dak., and eggs, on return, (2) *egg cartons and cases*, between Freehold, N.J., and Freeman S. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Redfield, S. Dak.

No. MC 127651 (Sub-No. 1), filed March 21, 1966. Applicant: EVERETT G. ROEHL, 201 West Upham Street, Marshfield, Wis., 54449. Applicant's representative: Claude J. Jasper, Suite 301, Provident Building, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, (1) between Dorchester, Wis., and points in Minnesota, Iowa, Illinois, and Indiana; and (2) from Freeport, Ill., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 127718 (Sub-No. 2), filed March 28, 1966. Applicant: E. J. CHADBOURNE, Rural Route 2, Post Office Box 216, Detroit Lakes, Minn., 56501. Applicant's representative: Michael E. Miller, First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Burial vault molds, supplies, accessories, and equipment* used in the manufacture of burial vaults, for the account of Dowlite, Inc., from Waubun, Minn., to points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 127891 (Sub-No. 1), filed March 23, 1966. Applicant: MARSHALL C. SHUTT, doing business as GIRARD ELEVATOR CO., Girard, Ill. Applicant's representative: Harvey B. Stephens, 714 First National Bank Building, Springfield, Ill., 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry bulk fertilizer*, from Springfield, Ill., to points in Indiana. NOTE: Applicant states it proposes to transport grain, on return. If a hearing

is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 127897 (Sub-No. 1), filed March 29, 1966. Applicant: TAG, INC., 522 14th Street, Sioux City, Iowa. Applicant's representative: Frank W. Taylor, Jr., Suite 814, Midland Building, 1221 Baltimore, Kansas City 5, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer, liquid fertilizer solutions, insecticides and anhydrous ammonia fertilizer solutions*, between Sioux City, Iowa, on the one hand, and, on the other, points in Nebraska, South Dakota, North Dakota, Minnesota, and points in Kansas on and north of U.S. Highway 36. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 127965 (Sub-No. 2), filed March 25, 1966. Applicant: LEONARD DIXON, doing business as D & D EXPRESS, 89 Seelye Street, Brooklyn, N.Y., 11218. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting: *Copying and photographic machines, materials and supplies*, uncrated and crated, from shipper's warehouse in Teaneck, N.J., to New York, N.Y., under a continuing contract with 3M Business Products Sales, Inc., of Teaneck, N.J., and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128019, filed March 11, 1966. Applicant: AIRPORT TRANSPORTATION SERVICE, INC., 1270 East Philadelphia Street, York, Pa., 17403. Applicant's representative: John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa., 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to traffic having a prior or subsequent movement by air, between points in York County, Pa., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa., Friendship International Airport, Baltimore, Md., Dulles International Airport, Loudoun-Fairfax Counties, Va., Washington National Airport, Gravelly Point, Va., John F. Kennedy International Airport, New York, N.Y., La Guardia Airport, New York, N.Y., and Newark Airport, Newark, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 128030 (Sub-No. 12), filed March 28, 1966. Applicant: THE STOUT TRUCKING CO., INC., Box 167, Rural Route 1, Urbana, Ill. Applicant's representative: W. L. Jordan, 201 Merchants Savings Building, Terre Haute, Ind., 47801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precut and/or prefabricated build-*

ings, houses, structures, sections, panels, and any and all component parts thereof, furniture, furnishings, fixtures and accessories therefor (wood, metal, concrete or otherwise), between Urbana, Ill., and points in Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 128042, filed March 21, 1966. Applicant: JEAN TURCOTTE, St. Cuthbert Co., Berthier Province, Quebec, Canada. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Rough lumber*, from ports of entry located at St. Albans, Derby Line, and Norten, Vt., on the international boundary between the United States and Canada, to points in New Hampshire, Vermont, and Massachusetts. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Montpelier, Vt.

No. MC 128047, filed March 21, 1966. Applicant: CLARK R. INGRAM, Rural Delivery No. 1, Weedville, Pa. Applicant's representative: H. Ray Pope, Jr., 10 Grant Street, Clarion, Pa., 16214. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sand and gravel*, in dump vehicles, from points in Cattaraugus County, N.Y., to points in Cameron, Clearfield, Elk, Jefferson, McKean, and Potter Counties, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 128051, filed March 21, 1966. Applicant: MAKAR TRUCKING, INC., 48 South Jefferson Road, Whippany, N.J. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber*, from Port Newark and Wayne, N.J., to points in New Jersey, and return and rejected shipments, on return. NOTE: Application accompanied by motion to dismiss. If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 128052, filed March 21, 1966. Applicant: OLIVEIRA TRUCKING COMPANY, INCORPORATED, 252 Elm Street, Blackstone, Mass. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Sand*, abrasive, filtering and foundry, from Holliston, Mass., to points in Connecticut, Maine, New Hampshire, New York, Rhode Island, and Vermont, and (2) *clay and clay mixtures*, foundry and furnace, from points in Providence County, R.I., to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Vermont. NOTE: If a

hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 128055, filed March 28, 1966. Applicant: GENE CLAYPOOL, Rural Delivery 1, Freeport, Pa. Applicant's representative: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Joists, beams and roof deck*, from the plantsite of Raychord Corp., located at or near Apollo, Armstrong County, Pa., to points in New York. NOTE: Applicant states the proposed operations under a continuing contract with Raychord Corp. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128056, filed March 23, 1966. Applicant: MAC ROSE TRUCKING CORP., 512 West 19th Street, New York, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Infants', children's, and boys' shirts, sweaters, pajamas, pants, and swim wear*, from New Hyde Park, N.Y., to New York, N.Y., and samples, and refused, rejected, and returned shipments, on return. NOTE: Applicant states that service is to be restricted to Donmoor, Inc., New York, N.Y., under a continuing written contract. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128057, filed March 23, 1966. Applicant: EQUITY CARTAGE DISTRIBUTING, INC., 1642 West 5th Street, Brooklyn, N.Y. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aluminum and plastic articles, consisting of housewares, kitchenwares, cooking utensils, electric housewares, toys, gifts, and boats*, from points in the New York, N.Y., commercial zone, to points in Nassau, Suffolk and Westchester Counties, N.Y., and returned, refused, and rejected shipments, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 128058, filed March 29, 1966. Applicant: LAUREL HILL TRUCKING, INC., 614 New County Road, Secaucus, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), between Dover, Del.; McGuire Air Force Base, N.J.; Albany, N.Y.; Boston, Mass.; Newark Airport, N.J.; La Guardia Airport, N.Y.; and Kennedy International Airport, N.Y.; restricted to shipments having a subsequent or prior movement by aircraft. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128063, filed March 28, 1966. Applicant: TOOFIE M. TANNOUS, doing business as TANNOUS TRANSPORTATION CO., 73 East Brookline Street, Boston, Mass. Applicant's representative: Joseph A. Kline, 185 Devonshire

Street, Boston, Mass. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Women's wearing apparel*, from Braintree, Mass., to Boston, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 128064, filed March 28, 1966. Applicant: BILYEU TRANSPORT, INCORPORATED, 2105 East Dale, Springfield, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal fats and oils and blends thereof*, in bulk, in tank vehicles, from the plantsite of Missouri Beef Packers, Inc., located at or near Phelps City, Mo., to points in Alabama, Arkansas, Iowa, Indiana, Illinois, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, and Texas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 128065, filed March 28, 1966. Applicant: LONNIE TABB, doing business as TABB OIL COMPANY, Route 4, Box 79, Colquitt, Ga. Applicant's representative: Ariel V. Conlin, Suite 626, Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials and land plaster*, in bulk and in bags, from Jacksonville, Milton, Dowling Park, and Graceville, Fla., to points in Miller County, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Bainbridge, Ga.

No. MC 128066, filed March 25, 1966. Applicant: VIKING MOTOR LINES, INC., 471 Summer Street, Rehoboth, Mass. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lime*, between Boston, Mass., and points in Rhode Island; and Farnams, Mass., and Cannan, Conn., restricted to the accounts of Read & Co., Inc., East Providence, R.I.; Waldo Bros. Co., Boston, Mass.; and M. J. Pirolli & Sons, Watertown, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 128067, filed March 28, 1966. Applicant: WILMER F. BURNS, 631 Scenery Drive, Elizabeth, Pa. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Chemicals* (except chemicals in bulk, in tank vehicles), from North Claymont and Wilmington, Del.; Baltimore, Md.; Camden, Carteret, Linden and Port Newark, N.J.; Buffalo, Niagara Falls and Solway, N.Y.; and Parkersburg, W. Va., to points in Allegheny, Beaver, Washington, and Westmoreland Counties, Pa., restricted to a service to be performed under a continuing contract or contracts with Chemply, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

MOTOR CARRIERS OF PASSENGERS

No. MC 453 (Sub-No. 23), filed March 28, 1966. Applicant: THE GRAY LINE, INC., 1010 Eye Street NW., Washington, D.C. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, during the racing seasons each year at Shenandoah Downs Racetrack and Charles Town Racecourse at Charles Town, W. Va.; between Hyattsville, Md., and Shenandoah Downs Racetrack and Charles Town Racecourse at Charles Town, W. Va.; (A) from Hyattsville over U.S. Highway 1 to junction Interstate Highway 495 (Capital Beltway), thence over Interstate Highway 495 (Capital Beltway) to junction Interstate Highway 70S, thence over Interstate Highway 70S to Frederick, Md., thence over U.S. Highway 340 to the sites of Shenandoah Downs Racetrack and Charles Town Racecourse at Charles Town, W. Va., and return over the same routes, serving all intermediate points on U.S. Highway 1 between Hyattsville, Md., and junction U.S. Highway 1 and Interstate Highway 495 (Capital Beltway), and (B) from Hyattsville over U.S. Highway 1 to junction Interstate Highway 495 (Capital Beltway), thence over Interstate Highway 495 (Capital Beltway) to junction Maryland Highway 97, thence over Maryland Highway 97 to junction Maryland Highway 586, thence over Maryland Highway 586 to Rockville, Md., thence over Interstate Highway 70S to Frederick, Md., thence over U.S. Highway 340 to the sites of Shenandoah Downs Racetrack and Charles Town Racecourse at Charles Town, W. Va., and return over the same routes, serving all intermediate points on U.S. Highway 1 between Hyattsville, Md., and junction U.S. Highway 1 and Interstate Highway 495 (Capital Beltway), and on Maryland Highways 97 and 586 between junction Maryland Highway 97 and Interstate Highway 495 (Capital Beltway) and Rockville, Md. NOTE: Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 543 (Sub-No. 2), filed March 28, 1966. Applicant: CORBIN AVENUE BUS SERVICE, INC., 1422 Corbin Avenue, New Britain, Conn. Applicant's representative: Palmer S. McGee, Jr., One Constitution Plaza, Hartford, Conn., 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip special operations, beginning and ending at New Britain, Plainville and Bristol, Conn., and extending to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching

Counties, Minn., to the international boundary line between the United States and Canada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 69260 (Sub-No. 4), filed March 21, 1966. Applicant: GARDEN STATE TRANSIT LINES, INC., 157 Outwater Lane, Garfield, N.J. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers who are picked up or discharged at the site of the Picatinny Arsenal, N.J., with their baggage; and mail and newspapers*, between Picatinny Arsenal, N.J., and Port Jervis, N.Y., (1) from Picatinny Arsenal over New Jersey Highway 15 to its intersection with U.S. Highway 206, thence over U.S. Highway 206 to Milford, Pa., and thence over U.S. Highway 209 to Port Jervis, N.Y., and (2) alternate route: Over New Jersey Highway 15 to its intersection with U.S. Highway 206, thence over U.S. Highway 206 to Montague, N.J., thence over New Jersey Highway 521 to U.S. Highway 6, thence over U.S. Highway 6 to Port Jervis, N.Y., and return over the same routes, serving all intermediate points in connection with (1) and (2) above. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Port Jervis, N.Y.

No. MC 102676 (Sub-No. 8), filed March 21, 1966. Applicant: WORCESTER BUS CO., INC., 287 Grove Street, Worcester, Mass., 01605. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, in round-trip, sightseeing, and pleasure tours, beginning and ending at Worcester, Clinton, Marlboro, Southbridge, and Whitinsville, Mass., and extending to points in the United States, except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Worcester, Mass.

No. MC 106170 (Sub-No. 9), filed March 21, 1966. Applicant: THE GRAY LINE SCENIC TOURS, INC., 1675 Mill Street, Reno, Nev. Applicant's representative: Bertram S. Silver, 140 Montgomery Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, in one way and/or round-trip charter, special operations, sightseeing or pleasure tours, (1) beginning and ending at points in Douglas and Ormsby Counties, Nev., and extending to points in Douglas, Ormsby, Washoe, and Storey Counties, Nev., and El Dorado and Placer Counties, Calif., and (2) between points in Douglas and Ormsby Counties, Nev., on the one hand, and, on the other, points in Douglas, Ormsby, Washoe, and Storey Counties, Nev., and El Dorado and Placer Counties, Calif. NOTE: If a hearing is deemed

necessary, applicant requests it be held at Carson City, Nev.

FREIGHT FORWARDER APPLICATIONS

FREIGHT FORWARDERS OF PROPERTY

No. FF-333 (Refrigerated Forwarders, Inc., freight forwarder application), filed March 31, 1966. Applicant: REFRIGERATED FORWARDERS, INC., 241 Park Avenue, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., 06103. Authority sought under section 410, part IV of the Interstate Commerce Act to institute operation as a freight forwarder, in interstate or foreign commerce, through use of the facilities of common carriers by motor vehicle, in the transportation of: *Such commodities* as are dealt in by wholesale and retail food houses which require refrigeration, between East Hartford, Conn., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Vermont, New Hampshire, Maine, Massachusetts, and Rhode Island.

No. FF-333 (Sub-No. 1) (Refrigerated Forwarders, Inc.—Extension—New Haven), filed March 31, 1966. Applicant: REFRIGERATED FORWARDERS, INC., 241 Park Avenue, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn., 06103. Authority sought under section 410 of part IV of the Interstate Commerce Act, to institute operation as a freight forwarder, in interstate or foreign commerce, through use of the facilities of common carriers by motor vehicle, in the transportation of: *Such commodities* as are dealt in by wholesale and retail food houses which require refrigeration, between New Haven, Conn., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Vermont, New Hampshire, Maine, Massachusetts, and Rhode Island.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 263 (Sub-No. 168), filed March 21, 1966. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho. Applicant's representative: Maurice H. Greene, Boise, Idaho, 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of the junction of Minnesota Highways 49 and 55, as an off-route points in connection with applicant's regular route operations.

No. MC 2900 (Sub-No. 115), filed March 1, 1965. Applicant: RYDER TRUCK LINES, INC., Post Office Box 2408, Jacksonville, Fla., 32203. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth, Tex. Author-

ity sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, concrete products, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) (1) between Reidsville, N.C., and Roanoke, Va.: From Reidsville over North Carolina Highway 87 to junction U.S. Highway 220, thence over U.S. Highway 220 to Roanoke, and return over the same route, serving all intermediate points, except those in Franklin County, Va.; (2) between Madison, N.C., and Roanoke, Va.: From Madison over U.S. Highway 311 to junction U.S. Highway 220, thence over U.S. Highway 220 to Roanoke, and return over the same route, serving all intermediate points except those in Franklin County, Va.; (3) between Madison, N.C., and Bassett, Va.: From Madison over North Carolina Highway 704 to junction North Carolina Highway 87, thence over North Carolina Highway 87 to Reidsville, N.C., thence over North Carolina Highway 14 to junction North Carolina Highway 770, thence over North Carolina Highway 770 to junction North Carolina Highway 700, thence over North Carolina Highway 700 to junction North Carolina Highway 87, thence over North Carolina Highway 87 to junction U.S. Highway 220, thence over U.S. Highway 220 to Martinsville, Va., thence over Virginia Highway 57 to Bassett, and return over the same route, serving all intermediate points, (4) between Draper, N.C., and Salem, Va.: From Draper over North Carolina Highway 770 to junction U.S. Highway 220, thence over U.S. Highway 220 to Roanoke, Va., thence over U.S. Highway 11 and U.S. Highway 460 to Salem, and return over the same route, serving all intermediate points except those in Franklin County, Va., and (5) serving all points in Rockingham County, N.C., and Henry and Roanoke Counties, Va., as off-route points in connection with the above described regular route service. **NOTE:** This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular to regular motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 30887 (Sub-No. 143), filed March 24, 1966. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Reisterstown, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules*, dry, in bulk, in tank or hopper type vehicles, from Baltimore, Md., to Mays Landing, N.J.

No. MC 125844 (Sub-No. 7), filed March 14, 1966. Applicant: BIO-MED-HU, INC., 8603 Preston Highway, Louisville, Ky., 40219. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky., 40202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human placentas*, from points in Arizona, California, Hawaii, New Mexico, Nevada,

North Carolina, Oregon, and Washington, to Zionsville, Ind.

APPLICATION FOR BROKERAGE LICENSE

MOTOR CARRIER OF PASSENGERS

No. MC 12985, filed March 21, 1966. Applicant: SKI-RENT INC., 549 Riverside Drive, New York, N.Y., 10027. For a license (BMC 5) to engage in operations as a *broker*, at New York, N.Y., in arranging for the transportation of passengers and their baggage, as individuals and groups, in special and charter operations, beginning and ending at points in the New York, N.Y., commercial zones, as described in Part 170.11(a) and 170.12(a) of Title 49, Code of Federal Regulations, and extending to skiing areas in Pennsylvania, New Jersey, Connecticut, Massachusetts, New Hampshire and Vermont.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-3953; Filed, Apr. 13, 1966;
8:45 a.m.]

[Notice 1327]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 11, 1966.

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-68519. By order of April 7, 1966, the Transfer Board approved the transfer to Mercer Trucking Company, Inc., a corporation, Moscow, Idaho, of certificates Nos. MC-43685 and MC-43685 (Sub-No. 3), issued December 12, 1947, and May 28, 1948, respectively, to C. O. Mercer, doing business as Mercer Trucking & Contracting Co., Moscow, Idaho, authorizing the transportation of heavy machinery, building materials, solid fuels and lumber between points in Idaho, on the one hand, and, on the other, points in Washington. Lloyd G. Martinson, Martinson & Gale, 124 East Third Street, Moscow, Idaho, 83843, attorney for applicants.

No. MC-FC-68567. By order of April 7, 1966, the Transfer Board approved the transfer to Bowlus Trucking Co., Inc., Fremont, Ohio, of permits Nos. MC-2110, MC-2110 (Sub-No. 2), and MC-2110 (Sub-No. 3) issued on October 15, 1958, March 30, 1961, and May 21, 1965, respectively, to James C. Werling, doing business as Bowlus Trucking Co., Fremont, Ohio, authorizing the trans-

portation, as a contract carrier, over irregular routes, of scrap iron and steel, castings, foundry supplies, and steel stampings, between Fremont, Ohio, and points in Michigan, Indiana, and Pennsylvania, varying as to commodities, origins, and destinations, with certain restrictions. Richard H. Brandon, Hartman Building, Columbus, Ohio, 43215, attorney for applicants.

No. MC-FC-68576. By order of April 7, 1966, the Transfer Board approved the transfer to Guenther Tuckey Transports, Limited, a corporation, Exeter, Ontario, Canada, of a portion of the certificate in No. MC-117508 (Sub-No. 5) issued December 13, 1963, to Pettapiece Cartage Ltd., Leamington, Ontario, Canada, authorizing the transportation of: Edible salt, dry, in bulk, in pressure tank vehicles, from St. Clair, Mich., to the United States-Canada boundary line at Port Huron, Mich. William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich., 48021, attorney for applicants.

No. MC-FC-68580. By order of April 4, 1966, the Transfer Board approved the transfer to Dawn Moving & Storage Co., Inc., Minneapolis, Minn., of the certificates in Nos. MC-65781 and MC-65781 (Sub-No. 2), issued August 23, 1955, and November 21, 1958, respectively, to R. E. Eldsvold and R. H. Eldsvold, a partnership, doing business as Dawn Moving & Storage Co., Minneapolis, Minn., authorizing the transportation of: Household goods, from Chicago, and points in Minnesota, to points in 22 States and the District of Columbia; from points in 22 States and the District of Columbia, to Chicago, Ill., and points in Wisconsin, Iowa, and Minnesota; between points in Wisconsin; and between points in Wisconsin, on the one hand, and, on the other, points in 10 States. Clay R. Moore, 100 First National Bank Building, Minneapolis, Minn., 55402, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4027; Filed, Apr. 13, 1966;
8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 11, 1966.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 40413—*Chlorine to Foley, Fla.*—Filed by Southwestern Freight Bureau, agent (No. B-8843), for and on behalf of interested carriers. Rates on chlorine, in tank-car loads, and in tank-car loads subject to minimum of three carloads per shipment, from Taft, La., to Foley, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 10 to Southwestern Freight Bureau, agent, tariff ICC 4668.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4028; Filed, Apr. 13, 1966;
8:48 a.m.]

[Notice 164]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 11, 1966.

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 623 (Sub-No. 83 TA), filed April 5, 1966. Applicant: H. MESSICK, INC., Post Office Box 214, Duquesne and Newman Road, Joplin, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Explosives, blasting agents, supplies and materials*, from Virginia, Minn., to McAdory, Ala., and Lincoln, Calif., for 150 days. Supporting shipper: Hercules Powder Co., Inc., Suite 500, 120 Oakbrook Center Mall, Oak Brook, Ill., 60523. Send protests to: John V. Barry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 22426 (Sub-No. 8 TA), filed April 6, 1966. Applicant: LONGVIEW MOTOR TRANSPORT, INC., 1320 Baltimore Street, Longview, Wash., 98632. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg., 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment,

and those injurious or contaminating to other lading), between Longview, Wash., and Naselle, Wash., serving all intermediate points and off-route points of Altoona, Rosburg, Eden, Dahlia, Oneida, Deep River Camp, Crown-Willamette Camp 2, and Puget Island, Wash., from Longview over U.S. Highway 830 to junction of U.S. Highway 830 and Washington Highway 12B, thence over Washington Highway 12B to Naselle, and return over same route, for 180 days. Supporting shippers: Western Wahkiakum County Telephone Co., Deep River, Wash., 98618; Alan Thompson, House of Representatives, State of Washington, Olympia, Wash. (publisher Wahkiakum County Eagle, Cowlitz County Advocate, and Lewis County News); Weyerhaeuser County (Wood Products Div.), Longview, Wash., 98632; Darrell L. Clark, Naselle, Wash.; Rosburg Store, Rosburg, Wash. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg., 97204.

No. MC 47323 (Sub-No. 19 TA), filed April 6, 1966. Applicant: ANDERSON TRUCKING CO., Rural Delivery No. 4, Mercer, Pa., 16137. Applicant's representative: George E. McCandless, Rural Delivery No. 4, Mercer, Pa., 16137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica aggregate and sand*, from points in Ross County, Ohio, to points in Mercer County, Pa., for 180 days. Supporting shipper: Schokkabeton-Pittsburgh, Post Office Box 604, Greenville, Pa., 16125. Send protests to: Gasper Piovarchy, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa., 15222.

No. MC 50069 (Sub-No. 350 TA), filed April 7, 1966. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 York Road, North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solution*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Indiana, for 180 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y., 10006. Send protests to: District Supervisor Gallagher, Bureau of Operations and Compliance, Interstate Commerce Commission, 1086, U.S. Court-house and Federal Office Building, 210 South Dearborn Street, Chicago, Ill., 60604.

No. MC 64994 (Sub-No. 74 TA), filed April 7, 1966. Applicant: HENNIS FREIGHT LINES, INC., Post Office Box 612, Winston-Salem, N.C., 27102. Applicant's representative: Edward G. Villalon, 1735 K Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard*, from Louisburg, N.C., and points within 5 miles thereof, to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Illinois, Indiana, Maine, Maryland, Massachu-

setts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, West Virginia, South Carolina, Virginia, Wisconsin, Minnesota, and Washington, D.C., for 180 days. Supporting shipper: M. E. Joyner Manufacturing Co., Louisburg, N.C. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 327 North Tryon, Room 206, Charlotte, N.C., 28202.

No. MC 73464 (Sub-No. 103 TA), filed April 4, 1966. Applicant: JACK COLE COMPANY, a corporation, 1900 Vanderbilt Road, Post Office Drawer 274, Birmingham, Ala., 35201. Applicant's representative: G. E. Tickle (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except coal, oil, class A and B explosives, sand, gravel, household goods as defined by the Commission, commodities requiring special equipment or those injurious or contaminating to other lading), serving the plantsites of Pine Hill Kraft Corp. and Harmac Alabama, Inc., located in Wilcox County, Ala., as off-route points in connection with present operation between Birmingham, Ala., and Mobile, Ala., for 180 days. Supporting shipper: MacMillan, Bloedel & Powell River Ltd., 1199 West Pender Street, Vancouver 1, Canada. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 212, 908 South 20th Street, Birmingham, Ala., 35205.

No. MC 102462 (Sub-No. 3 TA), filed April 6, 1966. Applicant: CHARLIE F. HUTCHENS, Route 1, Boonville, N.C., 27011. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bags, from Spartanburg, S.C., to points in Ashe County, N.C., and Winston-Salem, N.C., for 180 days. Supporting shipper: International Minerals & Chemical Corp., Post Office Box 4145, Winston-Salem, N.C., 27100. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 106163 (Sub-No. 22 TA), filed April 6, 1966. Applicant: RED LINE TRANSFER AND STORAGE COMPANY, INC., 2600 West Sixth Avenue, Pine Bluff, Ark. Applicant's representative: Louis Tarlowski, Pyramid Life Building, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Pine Bluff, Ark., and West Monroe, La., as follows: From Pine Bluff, over U.S. Highway 65, to the junction of Arkansas Highway 81; thence over Arkansas Highway 81 to the

Arkansas-Louisiana State line; from the Arkansas-Louisiana State line over Louisiana Highway 139 to the junction of Louisiana Highway 139, and U.S. Highway 165 at Bastrop, La.; thence over U.S. Highway 165 to Monroe, La.; thence over U.S. Highway 80 to West Monroe, and return over the same routes, serving the intermediate points of Bastrop and Monroe, La., (2) between Monroe, West Monroe, and Bastrop, La., on the one hand, and, on the other, Greenville, Mississippi, Little Rock, Pine Bluff, Ark., and the site of the U.S. Arsenal plant at Baldwin, Ark., and points in that part of Arkansas, bounded by a line beginning at Pine Bluff, Ark., and extending along the southeast bank of the Arkansas River to the west bank of the Mississippi River; thence along the west bank of the Mississippi River to the Arkansas-Louisiana State line; thence along the Arkansas-Louisiana State line to the east bank of the Ouachita River, which is about 5 miles east of Huttig, Ark.; thence along the east bank of the Ouachita River to Moro Bay, Ark., and thence along Arkansas Highway 15 to the point of beginning over irregular routes, for 180 days.

NOTE: The foregoing sought authority will be tacked with present authority of applicant at Pine Bluff, Ark., as shown upon Sheet 2 of certificate MC 106163, authorizing service between Pine Bluff, Ark., and Memphis, Tenn., and MC 106163 Sub 16, authorizing service between Little Rock, and Pine Bluff, Ark., subject to all restrictions presently contained in said certificate. Supporting shippers: Dante and Tanenbaum, Inc., Dumas, Ark.; Ford, Bacon & Davis Construction Corp., 805 South Grand, Monroe, La.; Monroe Manufacturing Co., 2607-13 DeSiard Street, Monroe, La., 71203; Gibson Products Co. (Gibson Wholesale Distributors, Inc.), Seagoville, Tex., manufacturing warehouse; Monroe Office Equipment Co., Post Office Box 1721, Monroe, La.; F. Strauss & Son, Inc., 2930 Commerce Avenue, Monroe, La., 71202; Standard Office Supply Co., 125 St. John Street, Monroe, La.; H. Mickel Dry Goods Co., Inc., Wholesale Distributors, 322 Harrison Street, Monroe, La., 71203; Bancroft Paper Co., Inc., Post Office Box 2925, Monroe, La. Send protests to: D. R. Partney, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol Avenue, Little Rock, Ark., 72201.

No. MC 107064 (Sub-No. 47 TA), filed April 5, 1966. Applicant: STEERE TANK LINES, INC., Box 2998, 2808 Fairmount Street, Dallas, Tex. Applicant's representative: Hugh T. Matthews, Fidelity Union Tower Building, Dallas, Tex., 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer materials, in bags*, from Lehman, Tex., to points in Arizona, Arkansas, Colorado, Oklahoma, Kansas, Nebraska, Iowa, Mississippi, Missouri, Idaho, Louisiana, New Mexico, Nevada, North Dakota, South Dakota, Utah, Wyoming, and Texas, for 150 days. Supporting shipper: National Sulphur Co., 1300 V & J Tower, Midland, Tex.,

79704. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 107064 (Sub-No. 48 TA), filed April 5, 1966. Applicant: STEERE TANK LINES, INC., Post Office Box 2998, 2808 Fairmount Street, Dallas, Tex. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, from Denver, Colo., to points in Texas, for 150 days. Supporting shipper: Basin Asphalt Co., Post Office Box 544, Odessa, Tex. (Mr. H. A. Greenwood). Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 107064 (Sub-No. 49 TA), filed April 5, 1966. Applicant: STEERE TANK LINES, INC., Box 2808, 2808 Fairmount Street, Dallas, Tex. Applicant's representative: Hugh T. Matthews, Fidelity Union Tower Building, Dallas, Tex., 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, and fertilizer ingredients*, in bulk, from Plainview, Big Spring, Odessa, Brownfield, Lubbock, Slaton, Dimmitt, and Lehman, Tex., to points in Arkansas, Arizona, Colorado, Idaho, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, and Wyoming, for 150 days. Supporting shippers: National Sulphur Co., 1300 V & H Tower, Midland, Tex., 79704; Goodpasture Grain & Milling Co., Inc., Post Office Box 1011, Lubbock, Tex.; Western Ammonia Corp., 1100 V & J Tower, Midland, Tex., 79704; W. R. Grace & Co., Box 7488, Amarillo, Tex., 79109; Red Barn Chemicals, Inc., Post Office Box 1814, Shreveport, La., 71102; Richins Bros. Inc., Animas, N. Mex. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 109376 (Sub-No. 4 TA), filed April 7, 1966. Applicant: E. R. SKINNER, doing business as E. R. SKINNER TRANSFER, Reedsburg, Wis., 53959. Applicant's representative: Claude J. Jasper, Suite 301, Provident Building, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber and logs*, from points in that part of Wisconsin on and west of U.S. Highway 51 from the Illinois-Wisconsin State line to Wausau, Wis., and on and south of Wisconsin Highway 29, from Wausau, Wis., to the Minnesota-Wisconsin State line, to points in Gogebic County, Mich., for 180 days. Supporting shipper: Ahonen Lumber Co., Ironwood, Mich. Send protests to: C. W. Buckner, District Supervisor, Bureau of Operations and

Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 109708 (Sub-No. 42 TA), filed April 7, 1966. Applicant: ERVIN J. KRAMER, doing business as MARYLAND TANK TRANSPORTATION CO., 401 Highland Street, Frederick, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chilled citrus juices*, in bulk, in tank vehicles, from Flemington, N.J., to points in Ohio, for 180 days. Supporting shipper: Johanna Farms, Inc., Post Office Box 272, Flemington, N.J. (Attention: Kurt Goldman). Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1220, 12th and Constitution, Washington, D.C., 20423.

No. MC 110452 (Sub-No. 11 TA), filed April 7, 1966. Applicant: S. & V. TRUCKING COMPANY, a corporation, Post Office Drawer V, 515 Silver Avenue SW., Albuquerque, N. Mex., 87101. Applicant's representative: Kenneth L. Harrigan, Post Office Box 466, Albuquerque, N. Mex., 78103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction and building materials, supplies, and equipment*, from Albuquerque, N. Mex., and common motor and rail carrier terminals and stations, located at points in Valencia, McKinley, and San Juan Counties, N. Mex., to points within the Navajo and Hopi Indian Reservations in Arizona, with no deliveries on U.S. Highway 66, for 180 days. Supporting shippers: The application is supported by statements from 12 potential shippers, which may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse, Albuquerque, N. Mex., 87101.

No. MC 111687 (Sub-No. 30 TA), filed April 6, 1966. Applicant: BENJAMIN H. RUEGSEGGER, Route 1, Kawkawlin, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Malt beverages*, from Minneapolis and St. Paul, Minn., to Saginaw and Bay City, Mich., and used malt beverage containers, on return, for 180 days. Supporting shipper: Muehlenbeck Distributing Co., 1253 South Water Street, Saginaw, 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 111785 (Sub-No. 22 TA), filed April 4, 1966. Applicant: BURNS MOTOR FREIGHT, INC., Post Office Box No. 149, Marlinton, W. Va., 24954. Applicant's representative: Donald E. Cross, 917 Munsey Building, Washington, D.C., 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden posts and rails*, for rustic fences, from Bartow, W. Va., to points in Connecticut, Delaware, Indiana, Massachu-

setts, North Carolina, Ohio, and Rhode Island, for 180 days. Supporting shipper: Layton L. Tharp, doing business as Tharp Fence Craft, Bartow, W. Va. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 3202 Federal Office Building, Charleston, W. Va., 25301.

No. MC 113325 (Sub-No. 88 TA), filed April 6, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Joliet, Ill., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Minnesota, Ohio, and Wisconsin, for 180 days. Supporting shipper: Agricultural Division, Olin Mathieson Chemical Corp., Post Office Box 991, Little Rock, Ark. (D. E. Taylor, transportation supervisor). Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo., 63103.

No. MC 114106 (Sub-No. 51 TA), filed April 7, 1966. Applicant: MAYBELLE TRANSPORT COMPANY, Box 573, 1820 South Main Street, Lexington, N.C., 27292. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry corn starch*, in bulk, in tank or hopper vehicles, (1) from Lexington, N.C., to points in North Carolina and (2) from Greer, S.C., to points in North Carolina, South Carolina, and Georgia, for 180 days. Supporting shippers: Clinton Corn Processing Co., Post Office Box 340, Clinton, Iowa, 52733; A. E. Staley Manufacturing Co., Decatur, Ill. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 327 North Tryon, Room 206, Charlotte, N.C., 28202.

No. MC 118806 (Sub-No. 2 TA), filed April 5, 1966. Applicant: ARNOLD BROS. TRANSPORT LTD., 1101 Dawson Road, Winnipeg, Manitoba, Canada. Applicant's representative: Richard A. Kerwin, Tower Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractor and combine cabs*, from ports of entry on the international boundary line between the United States and Canada located in North Dakota, to Fargo, Minot, Peace Gardens, and Pembina, N. Dak., for 180 days. Supporting shipper: Agristeel Fabricators Ltd., 214 Main Street North, Minnedosa, Manitoba, Canada. Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1621 South University Drive, Room 213, Fargo, N. Dak., 58102.

No. MC 123067 (Sub-No. 43 TA), filed April 7, 1966. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North

Station, Winston-Salem, N.C., 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Dixie Pipeline Terminals, near Cheraw and Columbia, S.C., to points in North Carolina, for 150 days. Supporting shippers: Suburban Propane, Box 206, Whippany, N.J.; Wanda Petroleum Co., Post Office Box 53120, Houston, Tex., 77052; Union Texas Petroleum Division, Box 2120, Houston, Tex., 77001. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 327 North Tryon, Room 206, Charlotte, N.C., 28202.

No. MC 128071 TA, filed April 4, 1966. Applicant: CALIFORNIA AND WESTERN STATES AMMONIA TRANSPORT, INC., doing business as CALIFORNIA AMMONIA TRANSPORT, 2010 South Anaheim Boulevard, Mail: Post Office Box 812, La Habra, Calif., Anaheim, Calif. Applicant's representative: Murchison & Stebbins, Suite 211, Allen Paris Building, 211 South Beverly Drive, Beverly Hills, Calif., 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from points in Los Angeles, Orange, and Ventura Counties, Calif., to points in Pima, Maricopa, Pinal, and Yuma Counties, Ariz., for 180 days. Supporting shippers: Walter Jacoby & Sons, Post Office Box 500, Somerton, Ariz.; Desert Verde Co., 401 South Main, Blythe, Calif., 92225; Best Fertilizers of Arizona, Inc., Post Office Box 538, 447 West First Street, Casa Grande, Ariz., 55222; Swift & Co., 4060 East 26th Street, Los Angeles, Calif., 90023. Send protests to: John E. Nance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 128071 (Sub-No. 1 TA), filed April 4, 1966. Applicant: CALIFORNIA AND WESTERN STATES AMMONIA TRANSPORT, INC., doing business as CALIFORNIA AMMONIA TRANSPORT, 2010 South Anaheim Boulevard, Anaheim, Calif. Mailing: Post Office Box 812, La Habra, Calif. Applicant's representative: Murchison & Stebbins, Suite 211, Allen Paris Building, 211 South Beverly Drive, Beverly Hills, Calif., 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from points in Los Angeles, Orange, and Ventura Counties, Calif., to points in Pima, Maricopa, Pinal, and Yuma Counties, Ariz., for 180 days. Supporting shippers: Walter Jacoby & Sons, Post Office Box 500, Somerton, Ariz.; Swift & Co., 4060 East 26th Street, Los Angeles, Calif., 90023; Desert Verde Co., 401 South Main, Blythe, Calif., 92225; Best Fertilizers of Arizona, Inc., Post Office Box 538, 447 West First Street, Casa Grande, Ariz., 55222. Send protests to: John E. Nance, District Supervisor, Bureau of Operations

and Compliance, Interstate Commerce Commission, 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif., 90012.

No. MC 128077 TA, filed April 5, 1966. Applicant: B. R. HAYES, INC., 627 28th Street, Greeley, Colo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned Goods*, from Clearfield, Ogden, and Perry, Utah, to Beloit, Paradise, Concordia, Great Bend, McPherson, Hutchinson, Wichita, and Arkansas City, Kans.; *seeds, fertilizer, seedhouse supplies, sprinklers, rakes, lawn mowers, and all lawn and garden supplies*, between Denver and Colorado Springs, Colo., and Minneapolis, Minn., Chicago, Springfield, and Galesburg, Ill., Des Moines, Waterloo, Cedar Rapids, Ottumwa, Davenport, Ames, Ft. Dodge, Mason City, Charles City, Sioux City, Council Bluffs, Shenandoah, Dubuque, and Chariton, Iowa, Cheyenne and Laramie, Wyo., Kansas City, Smith Center, Wichita, Topeka, Salina, and Hutchinson, Kans., Lincoln and Omaha, Nebr., Springfield, Joplin, St. Joseph, St. Louis, and Kansas City, Mo., Oklahoma City and Tulsa, Okla., Texarkana and Little Rock, Ark., Jackson, Miss., Monroe, Shreveport, New Orleans, and Baton Rouge, La., Sioux Falls, S. Dak., Evansville, Ind., Louisville, Ky., Nashville and Memphis, Tenn., Cincinnati, Ohio, Houston, Beaumont, San Antonio, Austin, Waco, Dallas, Ft. Worth, Lubbock, Tulsa, Amarillo, Wichita Falls, Lufkin, and Marshall, Tex., for 180 days. Supporting shippers: Smith Canning & Freezing Co., Post Office Box 218, Clearfield, Utah; The Western Seed Co., 3407 Fox Street, Denver, Colo., 80216. Send protests to: Luther H. Oldham, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo., 80202.

No. MC 128079 TA, filed April 6, 1966. Applicant: GARY VAN BUITEN AND GARY VAN BUITEN, JR., a partnership, doing business as G. VAN BUITEN & SON, Midland Hill Street, Box 329, Oxford, N.Y. Applicant's representative: Joe B. Munk, Professional Building, 117 Hawley Street, Binghamton, N.Y., 13901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber and dressed rough lumber*, from points in Chenango County, N.Y., to points in Susquehanna, Luzerne, Columbia, and Berks Counties, Pa., for 180 days. Supporting shipper: Francis M. Hill, Route No. 3, Oxford, N.Y. Send protests to: Charles F. Jacobs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 215-217 Post Office Building, Binghamton, N.Y., 13902.

MOTOR CARRIERS OF PASSENGERS

No. MC 61016 (Sub-No. 25 TA), filed April 5, 1966. Applicant: PETER PAN BUS LINES, INC., 144 Bridge Street, Springfield, Mass., 01103. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes,

transporting: *Passengers and their baggage*, between Amherst, Mass., and Bradley Field, Windsor Locks, Conn., serving all intermediate points in Massachusetts (except (with respect to passengers having an immediately prior or an immediately subsequent movement by air) those intermediate points which lie, or any part of the commercial zones of which lie within 25 miles of the boundary of Bradley Field, Windsor Locks, Conn.), as follows: From Amherst over Massachusetts Highway 9 to Northampton, Mass., thence over U.S. Highway 5 to junction Massachusetts Highway 57, thence over Massachusetts Highway 57 to junction Massachusetts Highway 5A, thence over Massachusetts Highway 5A to the Massachusetts-Connecticut State line, thence over U.S. Highway 5A to junction unnumbered highway known as Mapleton Road, thence over Mapleton Road to junction Connecticut Highway 190, thence over Connecticut Highway 190 to junction Connecticut Highway 75, thence over Connecticut Highway 75 to Bradley Field, Windsor Locks, and return over the same route, from Amherst over Massachusetts Highway 9 to Northampton, Mass., thence over U.S. Highway 5 to junction Interstate Highway 91, thence over Interstate Highway 91 to the Massachusetts-Connecticut State line, thence over Interstate Highway 91 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route.

From Amherst over Massachusetts Highway 9 to junction Massachusetts Highway 47 at or near Hadley, Mass., thence over Massachusetts Highway 47 to South Hadley, Mass., thence over city streets to Granby, Mass., thence over U.S. Highway 202 to junction Massachusetts Highway 33 to Chicopee, Mass., thence over city streets to Springfield, Mass., thence over city streets to Massachusetts Highway 57, thence over Massachusetts Highway 57 to junction Massachusetts Highway 5A, thence over Massachusetts Highway 5A to the Massachusetts-Connecticut State line, thence over U.S. Highway 5A to junction unnumbered highway known as Mapleton Road, thence over Mapleton Road to junction Connecticut Highway 190, thence over Connecticut Highway 190 to junction Connecticut Highway 75, thence over Connecticut Highway 75 to

Bradley Field, Windsor Locks, and return over the same route, for 180 days. Supporting shippers: Peter Pan Travel Service, Inc., 79 South Pleasant Street, Amherst, Mass., 01002; John F. W. Schulze, 171 Cherry Lane, Amherst, Mass.; Robert J. Morrissey, 277 Lincoln Avenue, Amherst, Mass.; Harold C. Durgin, 1003 East Pleasant, Amherst, Mass.; William A. Darity, 105 Heatherstone Road, Amherst, Mass.; Merle L. Howes, 610 East Pleasant Street, Amherst, Mass.; Elwood Reber, 226 Lincoln Avenue, Amherst, Mass. Send protests to: Joseph W. Balin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 338 Federal Building, Springfield, Mass., 01103.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4029; Filed, Apr. 13, 1966;
8:48 a.m.]

[Ex Parte No. MC-64]

[General Temporary Order No. 1, Section
210a(a)]

**MOTOR CARRIER SERVICES DUE TO
THE CESSATION OF NORMAL RAIL
TRANSPORTATION OCCASIONED
BY WORK STOPPAGES**

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D.C., on the 6th day of April A.D., 1966.

Upon consideration of the record, and of the resumption of normal rail transportation:

It is ordered, That General Temporary Order No. 1, entered herein on April 1, 1966, be, and it is hereby, vacated and set aside.

And it is further ordered, That notice of this order shall be given to motor carriers, other parties of interest, and to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, Division 1.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-4030; Filed, Apr. 13, 1966;
8:48 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—APRIL

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during April.

3 CFR	Page	7 CFR—Continued	Page	7 CFR—Continued	Page
EXECUTIVE ORDERS:					
July 2, 1910 (revoked in part by PLO 3967 and 3970) - 5621, 5622 (revoked in part by PLO 3977) - 5662	5662	1016-----	5345, 5610	916-----	5635
Jan. 26, 1911 (revoked in part by PLO 3977) - 5662	5662	1030-----	5345, 5481	987-----	5360
Aug. 30, 1911 (revoked in part by PLO 3970) - 5622	5622	1031-----	5345, 5481, 5612, 5685	1001-----	5360
Sept. 5, 1914 (revoked in part by PLO 3975) - 5623	5623	1032-----	5345, 5481, 5612, 5685	1002-----	5360
June 8, 1926 (revoked in part by PLO 3970) - 5622	5622	1033-----	5481, 5610	1003-----	5321, 5360
6574 (revoked by PLO 3966) - 5620	5620	1034-----	5481, 5610	1004-----	5360
8102 (revoked in part by PLO 3960) - 5430	5430	1035-----	5481, 5610	1005-----	5360
11230 (amended by EO 11275) - 5283	5283	1036-----	5345, 5481, 5610	1008-----	5360
11274-----	5243	1038-----	5345, 5481, 5613, 5686	1009-----	5360
11275-----	5283	1039-----	5345, 5481, 5613, 5686	1011-----	5360
PROCLAMATION:					
3709-----	5281	1040-----	5481, 5610	1012-----	5360
3710-----	5403	1041-----	5345, 5481, 5611	1013-----	5360
3711-----	5405	1043-----	5345, 5481, 5611	1015-----	5360
3712-----	5543	1044-----	5345, 5481, 5613	1016-----	5321, 5360
3713-----	5603	1045-----	5345, 5481, 5613	1030-----	5368, 5638
3714-----	5743	1046-----	5481, 5611	1031-----	5368
4 CFR					
6-----	5293	1047-----	5247, 5481, 5611	1032-----	5368
5 CFR					
213-----	5245, 5246, 5299, 5300, 5345, 5547, 5605, 5659, 5686.	1048-----	5481	1033-----	5360
1900-----	5481	1049-----	5481, 5611	1034-----	5360
2000-----	5246	1051-----	5345, 5481, 5613, 5686	1035-----	5360
6 CFR					
322-----	5435	1061-----	5481	1036-----	5360
7 CFR					
68-----	5605	1062-----	5345, 5481, 5613, 5686	1038-----	5368
319-----	5607, 5745	1063-----	5345, 5481, 5613, 5686	1039-----	5368
401-----	5745	1064-----	5345, 5481, 5614	1040-----	5360
402-----	5746	1065-----	5481, 5616	1041-----	5360
711-----	5663	1066-----	5481, 5616	1043-----	5360
722-----	5300	1067-----	5481	1044-----	5368
751-----	5748	1068-----	5616	1045-----	5368
811-----	5681	1069-----	5481, 5616	1046-----	5360
814-----	5682	1070-----	5345, 5481, 5614, 5686	1047-----	5360
842-----	5749	1071-----	5345, 5481, 5614	1048-----	5360
862-----	5442	1074-----	5481, 5614	1049-----	5360
905-----	5568	1075-----	5481, 5616	1051-----	5368
907-----	5313, 5442, 5481, 5607	1076-----	5481, 5616	1061-----	5368, 5693
908-----	5314, 5443, 5481, 5568, 5608, 5750	1078-----	5345, 5481, 5614, 5686	1062-----	5368
910-----	5314, 5608	1079-----	5345, 5481, 5614, 5686	1063-----	5368
911-----	5663	1090-----	5481, 5614	1064-----	5368, 5693
944-----	5569, 5750	1094-----	5345, 5481, 5611	1065-----	5375
970-----	5608	1096-----	5481, 5615	1066-----	5375
993-----	5751	1097-----	5345, 5481, 5615	1067-----	5368
1001-----	5345, 5609	1098-----	5345, 5481, 5615	1068-----	5375
1002-----	5345, 5609	1099-----	5345, 5481, 5615	1069-----	5375
1003-----	5345, 5609	1101-----	5481, 5611	1070-----	5368
1004-----	5345, 5346	1102-----	5345, 5481, 5615	1071-----	5368
1005-----	5481, 5609	1103-----	5345, 5481, 5611	1073-----	5368
1008-----	5481, 5609	1104-----	5481	1074-----	5368
1009-----	5481, 5610	1106-----	5345, 5481, 5615	1075-----	5375
1011-----	5345, 5481, 5610	1108-----	5345, 5481, 5615	1076-----	5375
1012-----	5481, 5610	1120-----	5481	1078-----	5368
1013-----	5481, 5610, 5611	1125-----	5481, 5617	1079-----	5368
1015-----	5345, 5610	1126-----	5345, 5481, 5615	1090-----	5368
PROPOSED RULES:					
		1127-----	5481	1094-----	5360
		1128-----	5481	1096-----	5368
		1129-----	5481	1097-----	5368
		1130-----	5481	1098-----	5368
		1131-----	5481, 5617	1099-----	5368, 5696
		1132-----	5345, 5481, 5615	1101-----	5360
		1133-----	5481, 5617	1102-----	5368
		1134-----	5481	1103-----	5360
		1136-----	5247, 5481, 5617	1104-----	5368
		1137-----	5481, 5617	1106-----	5368
		1138-----	5315, 5345, 5481, 5617	1108-----	5368
		1421-----	5481	1120-----	5368
		1430-----	5664	1125-----	5375
		1479-----	5346	1126-----	5368
		PROPOSED RULES:			
		51-----	5448, 5449	1127-----	5368
		717-----	5570	1128-----	5368
		722-----	5321	1129-----	5368
				1130-----	5368

7 CFR—Continued		Page	17 CFR		Page	36 CFR		Page
PROPOSED RULES—Continued			200			28		
1131		5375	201			5288		
1132		5368	240			PROPOSED RULES:		
1133	5323,	5375	249			7		
1134		5375	18 CFR			37 CFR		
1136		5375	201			2		
1137		5375	204			4		
1138		5375	260			38 CFR		
1201		5324	19 CFR			1		
8 CFR			3			2		
103		5547	4			3		
242		5547	8			8		
10 CFR			12			17		
30		5315	17			36		
32		5315	54			39 CFR		
12 CFR			21 CFR			168		
1	5547,	5659	2			204		
201		5443	3			PROPOSED RULES:		
218		5482	8			96		
221		5443	16			41 CFR		
336		5751	17			9-12		
545		5258	31			101-26		
PROPOSED RULES:			45			42 CFR		
204		5320	120			52		
217		5320	121			57		
13 CFR			145			61		
107		5285	148e			43 CFR		
14 CFR			305			PUBLIC LAND ORDERS:		
39	5482, 5548,	5660	PROPOSED RULES:			3958		
43		5248	27			3959		
47		5483	29			3960		
71		5250,	120			3961		
	5285-5287, 5407, 5408, 5617,	5686,	121			3962		
	5687.		24 CFR			3963		
73	5250, 5287,	5617	203			3964		
75		5287	213			3965		
91		5250	220			3966		
97		5251	221			3967		
145		5248	231			3968		
159		5258	232			3969		
171		5408	234			3970		
214		5346	1000			3971		
221		5351	25 CFR			3972		
223		5351	500			3973		
249		5352	PROPOSED RULES:			3974		
288		5408	221			3975		
399		5419	26 CFR			3976		
PROPOSED RULES:			31			3977		
25		5495	43			45 CFR		
37	5454,	5570	28 CFR			90		
39	5496, 5665,	5767	50			160		
61		5324	29 CFR			173		
63		5324	1400			181		
65		5324	30 CFR			308		
71	5456, 5496-5498, 5617, 5665,	5709,	42			PROPOSED RULES:		
	5710.		32 CFR			401		
73	5327, 5328,	5617	40			512		
75		5328,	140			513		
91		5381	851			47 CFR		
121		5495	1001			74		
143		5324	1003			87		
214		5381	1006			PROPOSED RULES:		
295		5381	1007			1		
15 CFR			1453			73		
201		5548	32A CFR			48 CFR		
202		5549	OEP (Ch. I):			411		
206		5549	OEP Reg 6			49 CFR		
230		5352	5551			95		
16 CFR			33 CFR			101		
13	5259, 5352, 5353, 5443,	5550	82			50 CFR		
15	5259, 5260, 5287, 5551, 5660,	5687				28		
410		5551				33		
						5492-5494, 5568, 5662, 5764,		
						5765		
						262		