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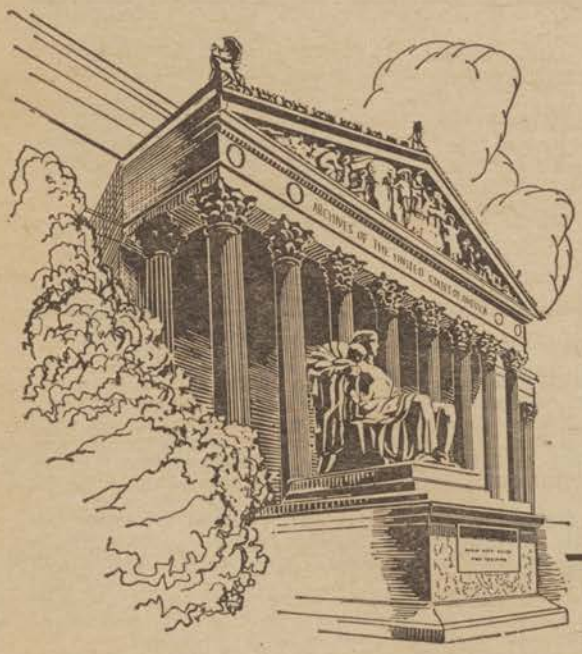

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PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Certifications

The following amendment to Chapter I of Title 8 of the Code of Federal Regulations is hereby prescribed:

Part 212 is amended by adding § 212.8 to read as follows:

§ 212.8 Certification requirement of section 212(a)(14).

(a) *General.* The requirement contained in section 212(a)(14) of the Act for a certification by the Secretary of Labor shall not be applicable to an applicant for admission to the United States or to an applicant for adjustment of status under section 245 of the Act who establishes that he will not perform skilled or unskilled labor.

(b) *Aliens not required to obtain labor certifications.* The following persons are not considered to be within the purview of section 212(a)(14) of the Act and do not require a labor certification: (1) A member of the Armed Forces of the United States; (2) a spouse or child accompanying or following to join his spouse or parent who either has a labor certification or is a nondependent alien who does not require such a certification; (3) a female alien who intends to marry a citizen or alien lawful permanent resident of the United States, who establishes satisfactorily that she does not intend to seek employment in the United States and whose gnance has graduated her support; (4) an alien who will engage in a commercial or agricultural enterprise in which he had invested or is actively in the process of investing a substantial amount of capital; (5) an alien who establishes satisfactorily that he has been accepted by an institution of learning in the United States for a full course of study for at least 2 full academic years, and that he has sufficient financial resources to support himself and any dependent members of his household and will not seek employment during that period.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rule prescribed by the order is interpretative in nature.

Dated: July 19, 1966.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 66-8062; Filed, July 22, 1966; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. H]

PART 208—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Purchase of Stock

§ 208.119 Member bank purchase of stock of "operations subsidiaries."

(a) In response to several inquiries, the Board of Governors has re-examined the question whether member banks may establish and purchase the stock of "operations subsidiaries"; that is, organizations designed to serve, in effect, as separately-incorporated departments of the bank, performing functions that the bank is empowered to perform directly. That question involves the interpretation of the following provision of section 5136 of the Revised Statutes (12 U.S.C. 24), the so-called "stock-purchase prohibition":

> Except as hereinafter provided or otherwise permitted by law, nothing herein contained shall authorize the purchase by [a national bank] for its own account of any shares of stock of any corporation.

(b) The Board's reexamination has confirmed its previous position that the stock-purchase prohibition, which is made applicable to member State banks by the twentieth paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 335), forbids the purchase by a member State bank "for its own account of any shares of stock of any corporation" (the statutory language), except as specifically permitted by provisions of Federal law or as comprised within the concept of "such incidental powers as shall be necessary to carry on the business of banking," referred to in the first sentence of paragraph "Seventh" of R.S. 5136.

(c) The Federal banking statutes explicitly permit the purchase of stock of a number of kinds of corporations, including stock of Federal Reserve Banks, bank premises subsidiaries, safe deposit companies, "Edge" and "Agreement" corporations, small business investment companies, bank service corporations, and certain foreign banks. In addition, it has been held that, in the process of collecting defaulted loans that were contracted in good faith, the "incidental powers" of national banks include the power to purchase corporate stock where that action constitutes a reasonable and appropriate step toward the collection of indebtedness.

(d) In one proposal presented to the Board, the stock to be purchased would have been that of one or more corporations engaged in the business of leasing personality to customers of the member bank and in the business of selling money orders. The Federal statutes contain no express permission for the purchase of stock of corporations of these kinds, and the Board of Governors concluded that the power to purchase the stock of such corporations may not properly be regarded as comprised within "such incidental powers as shall be necessary to carry on the business of banking", within the meaning of section 5136.

(e) One of the inquiring member banks contended that the above-cited provisions of the National Bank Act and Federal Reserve Act:

> were intended to restrict members banks in dealing in securities and stock in the sense of trading therein or in the sense of the purchase of the stock of a going concern and, perhaps, further to restrict national and member [State] banks from engaging through subsidiaries in activities in which such banks were not directly empowered to engage, but not in the sense of holding the entire stock of an operating corporation created by the bank.

Along the same lines, the contention has been advanced that the stock-purchase prohibition was intended by Congress only to prevent banks from *investing* depositors' funds in corporate stock for income and appreciation, in the way that banks invest in debt obligations of the Federal Government, municipalities, and private corporations.

(f) The Board did not adopt either of these constructions of the statutory provisions. Although the prevention of such investment in stocks undoubtedly was a major Congressional purpose, it appeared to the Board that the stock-purchase prohibition was intended generally to prevent the purchase of the stock of corporations, including those created to perform functions that could be performed by the bank itself. The provisions have been so interpreted and applied by the Board (and by the Comptroller of the Currency until recently) since their enactment in the Banking Act of 1933.

(g) One of the banking problems that principally concerned Congress in the early 1930's and that led to the enactment of the Banking Acts of 1933 and 1935 was the "affiliate system", including member banks' ownership of other cor-

porations. Among the objectives of the Banking Act of 1933, as expressed by the Senate Banking Act of 1933, the stock-purchase prohibition of R.S. 5136 served the purpose of confining the bank-affiliate system by preventing banks from purchasing the stock of other corporations, except to the limited extent specified in that general prohibition.

(h) The Board also considered, among other contentions, the assertion that, despite the apparent intent of the terms of the pertinent statute and its legislative history, it should not be interpreted to prevent the separate incorporation of a banking department engaged in a legitimate activity. The supporting argument would be that, if a proposed course of action cannot possibly produce the evil effect at which a statutory provision was directed, a construction of the provision that would prevent such action would be unrealistic, and, by emphasizing statutory language rather than underlying purpose, would injure rather than safeguard the public interest.

(i) The Board agreed that, if a proposed course of action could not result in any evil at which a statute is aimed, interpretation of the statute to prohibit such action should be avoided, if possible. However, it appeared to the Board that this principle does not apply to the situation presented by the inquiries. Experience in the supervision of banks has revealed that the likelihood of unsafe and unsound practices, violations of law, and other developments contrary to the public interest is significantly greater when banks operate through subsidiary corporations. There appears to be an inevitable tendency for some banks, in time, to regard their subsidiary corporations as separate enterprises and thereupon to conduct their operations in a way that is unsuitable for a part of a banking enterprise, to disregard pertinent restrictions and requirements, and, in particular, to venture through their subsidiaries into activities that are beyond the powers of the parent bank. It is reasonable to infer that Congress, having in mind the predepression affiliate system, concluded that the American banking system and the general welfare would be benefited by limiting the authority of member banks to conduct their operations through separately-incorporated organizations.

(12 U.S.C. 248(i). Interprets 12 U.S.C. 24 and 335)

Dated at Washington, D.C., this 14th day of July 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 66-8029; Filed, July 22, 1966; 8:46 a.m.]

[Reg. Q]

PART 217—PAYMENT OF INTEREST ON DEPOSITS

Maximum Rates of Interest

1. Effective July 20, 1966, § 217.1 is amended by inserting a new paragraph (g) as follows:

§ 217.1 Definitions.

* * * * *

(g) *Multiple maturity time deposit.* The term "multiple maturity time deposit" means any time deposit (1) that is payable at the depositor's option on more than one date, whether on a specified date or at the expiration of a specified time after the date of deposit (e.g., a deposit payable at the option of the depositor either 3 months or 6 months after the date of deposit), (2) that is payable after written notice of withdrawal, or (3) with respect to which the underlying instrument or contract or any informal understanding or agreement provides for automatic renewal at maturity.

2. Effective July 20, 1966, § 217.6 (Supplement to Regulation Q) is amended to read as follows:

§ 217.6 Maximum rates of interest payable on time and savings deposits by member banks.

Pursuant to the provisions of section 19 of the Federal Reserve Act and § 217.3, the Board of Governors of the Federal Reserve System hereby prescribes the following maximum rates[1] of interest payable by member banks of the Federal Reserve System on time and savings deposits:

(a) *Time deposits.* (1) No member bank shall pay interest accruing at a rate in excess of 5½ percent per annum, compounded quarterly,[2] regardless of the basis upon which such interest may be computed, on any time deposit, subject, however, to the provisions of subparagraphs (2) and (3) of this paragraph.

(2) No member bank shall pay interest accruing at a rate in excess of 5 percent per annum, compounded quarterly,[2] regardless of the basis upon which such interest may be computed, on any multiple maturity time deposit received on or after July 20, 1966, which is payable only 90 days or more after the date of deposit or 90 days or more after the last preceding date on which it might have been paid.

(3) No member bank shall pay interest accruing at a rate in excess of 4 percent per annum, compounded quarterly,[2] regardless of the basis upon which such interest may be computed, on any multiple maturity time deposit received on or after July 20, 1966, which is payable less than 90 days after the date of deposit or less than 90 days after the last preceding date on which it might have been paid.

[1] The maximum rates of interest payable by member banks of the Federal Reserve System on time and savings deposits as prescribed herein are not applicable to any deposit which is payable only at an office of a member bank located outside of the States of the United States and the District of Columbia.

[2] This limitation is not to be interpreted as preventing the compounding of interest at other than quarterly intervals, provided that the aggregate amount of such interest so compounded does not exceed the aggregate amount of interest at the rate above prescribed when compounded quarterly.

(b) *Savings deposits.* No member bank shall pay interest accruing at a rate in excess of 4 percent per annum, compounded quarterly,[2] regardless of the basis upon which such interest may be computed, on any savings deposit.

3a. The purpose of these amendments is to decrease the rate of interest that member banks are permitted to pay on time deposits with alternative maturities or with provision for automatic renewal at maturity, defined as "multiple maturity time deposits." Formerly, member banks were permitted to pay interest up to 5½ percent per annum on any time deposit, irrespective of maturity. (A time deposit does not include a deposit contract that provides for payment in less than 30 days (§ 217.1).) Now, for multiple maturity time deposits with respect to which the depositor is permitted to withdraw his funds only after periods of 90 days or more, the maximum permissible rate is 5 percent. For those such deposits with respect to which the depositor is permitted to withdraw his funds after periods of less than 90 days, the maximum permissible rate is 4 percent.

b. The requirements of section 4 of the Administrative Procedure Act with respect to notice, public participation, and deferred effective date were not followed in connection with these amendments because the Board found that the general credit situation and the public interest compelled it to make the action effective no later than the date adopted.

(12 U.S.C. 248(i), 371b, and 461)

Dated at Washington, D.C., this 15th day of July 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 66-8030; Filed, July 22, 1966; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6758; Amdt. 39-263]

PART 39—AIRWORTHINESS DIRECTIVES

Vickers Viscount Model 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations by superseding Amendment 69 (24 F.R. 10714), AD 59-26-3, as amended by Amendment 391 (27 F.R. 652), Vickers Viscount Model 745D and 810 Series airplanes, to coincide with revisions to the manufacturer's Preliminary Technical Leaflet (PTL) upon which the AD is based, and to make the AD applicable to Model 744 airplanes was published in 30 F.R. 8688.

Interested persons have been afforded an opportunity to participate in the making of the amendment. There were comments that the spline wear on the

P/N 149327 clutch drive shafts is not sufficient to warrant replacement at 5,000-landing intervals. After coordination with the British Air Registration Board and the manufacturer, the Agency has determined that the service life limit on clutch drive shafts, P/N 149327, and the repetitive inspection interval on flap motors, P/N C.9601/2, may be increased from 5,000 to 7,000 landings without adversely affecting safety. In addition, the Agency is adding a paragraph to the AD providing for the approval of an increase of all service life limits imposed by the AD through an FAA maintenance inspector.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

VICKERS. Applies to Viscount Models 744, 745D, and 810 Series aircraft.

Compliance required as indicated.

Flap Motors, P/N, C.9601, C.9601/1, and C.9601/2. Excessive wear has occurred on the flap motor clutch drive shaft splines P/N N117500, at the point of engagement with the clutch shaft, P/N N98825, which was revealed by failure of the flaps to operate electrically. In addition, failures have occurred in the internal clutch drive shaft, P/N N117500, at a point adjacent to the splines at the clutch shaft end, P/N N98825. This type of failure does not affect the normal operation of the flap gearbox assembly and is revealed only during overhaul. In the event of failure of the clutch drive shaft, flap "blow back" can occur under flap selection conditions creating a flight hazard.

(a) Inspections: Flap Motor assemblies must be inspected in accordance with the "inspection procedure" detailed in PTL 183 (700 Series) and PTL 61 (800/810 Series) as follows:

(1) Flap Motors, P/N C.9601 (i.e., those embodying clutch drive shaft P/N N117500), at periods not exceeding 1,000 hours' time in service.

(2) Flap Motors, P/N C.9601/1 (i.e., those embodying clutch drive shaft, P/N N145421), at periods not exceeding 4,000 landings.

(3) Flap Motors, P/N C.9601/2 (i.e., those embodying clutch drive shift, P/N N149327), at periods not exceeding 7,000 landings.

(b) Approved Life: The clutch drive shafts are now subject to the following maxium lives:

(1) Clutch drive shaft, P/N N117500—4,000 hours' time in service.

(2) Clutch drive shaft, P/N N145421—4,000 landings.

(3) Clutch drive shaft, P/N N149327—7,000 landings.

These shafts are to be replaced within the above periods of approved life, irrespective of the results of the dimensional wear test given under the "inspection procedure" in the respective PTL's mentioned above.

(c) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each aircraft's hours' time in service by the operator's fleet average time from takeoff to landing for the aircraft type. Model 745D and 810 operators who have kept a record of flights prior to the effective date of this AD may account for them in complying with this AD by counting each flight as one landing.

(d) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, Europe, Africa, Middle East Region, may adjust the replacement intervals specified in this AD if the request contains substantiating data to justify the increase for that operator.

(British Aircraft Corp. (Operating), Ltd., PTL 183, Issue 7, and Corrigendum, Modifications D.2766 and D.3008 (700 Series), PTL 61, Issue 7, Modifications FG. 1294 and FG. 1803 (800/810 Series) and Rotax, Ltd., Modifications 3017C and 3402C cover this subject.)

This supersedes Amendment 69 (24 F.R. 10714), AD 59-26-3 as amended by Amendment 391 (27 F.R. 652).

This amendment becomes effective August 22, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on July 15, 1966.

C. W. WALKER,
Director, Flight Standards Service.

[F.R. Doc. 66-8014; Filed, July 22, 1966; 8:45 a.m.]

[Docket No. 7504; Amdt. 39-262]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Model PA-23-250 and PA-E23-250 Airplanes

There have been engine power failures due to induction system icing on Piper Model PA-23-250 and PA-E23-250 airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to impose an operating limitation prohibiting operation into icing conditions until modification of the alternate air systems on the subject airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PIPER. Applies to Model PA-23-250 and PA-E23-250 airplanes, serial numbers 27-2505 through 27-3139 and 27-3141 through 27-3275, not equipped with turbochargers.

Compliance required as indicated, unless already accomplished.

To prevent engine power failures due to induction system icing, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, until modified in accordance with paragraph (b), attach the following operating limitation placard to the instrument panel in full view of the pilot:

"Do not operate into known or forecast icing conditions.

Do not apply manual alternate air."

(b) Within the next 100 hours' time in service after the effective date of this AD, modify alternate air systems to provide heated alternate air in accordance with Piper Service Bulletin No. 230A, dated May 6, 1966, incorporating Kit No. 757021.

(Piper Service Bulletin No. 230, dated March 4, 1966, also pertains to this subject.)

This amendment becomes effective August 2, 1966.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on July 18, 1966.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 66-8015; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-29]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area; Correction

On July 1, 1966, F.R. Doc. 66-7210 was published in the FEDERAL REGISTER (31 F.R. 9047) describing the Prosser, Wash., transition area.

Recent mathematical computations have determined that the direct radial from the Pendleton, Oreg., VORTAC to Yakima, Wash., VOR is 310° T in lieu of 311° T. Accordingly, corrections are necessary to the descriptions of the Prosser transition area and VOR Federal Airway V-520.

Since these corrections are minor in nature and impose no additional burden on any person, notice and public procedure herein are unnecessary, and the effective date of the final rule, as initially adopted, may be retained.

In consideration of the foregoing, effective immediately, F.R. Doc. 66-7210 (31 F.R. 9047) is corrected by deleting "311°" where it appears in the text, and substituting "310°" therefor.

In § 71.123 (31 F.R. 2044) the description of V-520 is corrected, effective immediately, by deleting "311°" and substituting "310°" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1349))

Issued in Los Angeles, Calif., on July 15, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-8016; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66-CE-29]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

On May 14, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7149) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Traverse City, Mich., terminal area.

Interested parties were afforded an opportunity to participate in the rule making through the submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., September 15, 1966, as hereinafter set forth:

In § 71.181 (31 F.R. 2149) the Traverse City, Mich., transition area is amended to read:

TRAVERSE CITY, MICH.

That airspace extending upward from 700 feet above the surface within a 15-mile radius of the Traverse City VOR.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on July 11, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-8017; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-28]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area; Correction

On July 2, 1966, F.R. Doc. 66-7256 was published in the FEDERAL REGISTER (31 F.R. 9109). It contained amendments to Part 71 of the Federal Aviation Regulations, including an amendment to the 700-foot portion of the Phoenix, Ariz., transition area.

The description of the Phoenix, Ariz., transition area was incorrectly phrased. Therefore, F.R. Doc. 66-7256 (31 F.R. 9109), is corrected to read: "In § 71.181 (31 F.R. 2239) the 700-foot portion of the Phoenix, Ariz., transition area is amended as follows:"

Since this correction is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the effective date of the final rule, as initially adopted, may be retained.

(Sec. 307(a), Federal Aviation Act of 1958, as amended (49 U.S.C. 1348))

Issued in Los Angeles, Calif., on July 15, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-8018; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-47]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation and Revocation of Control Zones and Alteration of Transition Areas

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the controlled airspace in the Grant County Airport, Wash. (formerly Larson AFB) terminal area.

The Air Force has ceased operations at Larson AFB, Wash., and the airport has been redesignated the Grant County Airport. On July 1, 1966, the Federal Aviation Agency assumed operation of the Control Tower, ILS, VOR, and RBN. As a result of this change in status of the airport, a reduction in the currently designated controlled airspace is possible.

Since the changes effected by these amendments are less restrictive in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth:

In § 71.171 (31 F.R. 2117) the Moses Lake, Wash., control zone is revoked.

In § 71.171 (31 F.R. 2065) the following control zone is added:

GRANT COUNTY, WASH.

Within a 5-mile radius of Grant County Airport, Moses Lake, Wash. (latitude 47°12'35" N., longitude 119°18'50" W.); within 2 miles each side of the Ephrata VOR 156° radial, extending from the 5-mile radius zone to 4 miles SE of the VOR, and within 2 miles W and 2.5 miles E of the Moses Lake ILS localizer S course, extending from the 5-mile radius zone to the Moses Lake RBN (latitude 47°16'57" N., longitude 119°16'23" W.), excluding the portion within the Ephrata, Wash., control zone. This control zone shall be effective during the times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

In § 71.181 (31 F.R. 2227) the Moses Lake, Wash., transition area is amended as follows:

MOSES LAKE, WASH.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Grant County Airport, Moses Lake, Wash. (latitude 47°12'35" N., longitude 119°18'50" W.); within 2 miles each side of the Ephrata VOR 156° radial, extending from the 5-mile radius area to 4 miles SE of the Ephrata VOR; within 2 miles W and 2.5 miles E of the Moses Lake ILS localizer S course, extending from the 5-mile radius area to 10.5 miles S of the Moses Lake RBN; within 7 miles SE and 10 miles NW of the Ephrata VOR 042° and 222° radials, extending from 8 miles SW to 14 miles NE of the VOR; and that airspace extending upward from 1,200 feet above the surface within 15 miles E and 10 miles W of the Moses Lake VOR 161° and 341° radials, extending from 27 miles S to 14 miles N of the VOR; within 5 miles SW and 8 miles NE of the Ephrata VOR 336° radial, extending from the VOR to 12 miles NW of the VOR; that airspace NE of Moses Lake bounded on the NW by a line 5 miles NW of and parallel to the Ephrata VOR 066° radial, on the E by an arc of a 52-mile radius circle centered on Fairchild Air Force Base, Spokane, Wash. (latitude 47°36'55" N., longitude 117°39'20" W.), on the SE by a line 5 miles SE of and parallel to the Moses Lake VOR 067° radial, on the W by longitude 119°15'00" W.; and that airspace W of Moses Lake bounded on the N by latitude 47°30'00" N., on the E by longitude 119°15'00" W., on the S by latitude 47°00'00" N.; and on the W by an arc of a 39-mile radius circle centered on the Grant County Airport.

In § 71.181 (31 F.R. 2258) the Spokane, Wash., transition area is amended by deleting "excluding the portion within a 39-mile radius of Larson AFB, Moses Lake, Wash."

(Sec. 307(a), the Federal Aviation Act of 1958, as amended (72 Stat. 749; U.S.C. 1349)

Issued in Los Angeles, Calif., on July 15, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-8019; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WE-8]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On April 7, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5498) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter V-112.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration was given to all comments received. The Air Transport Association of America endorsed the proposal. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended as follows: In V-112 all after "Pendleton;" is deleted and "53 miles 12 AGL, 28 miles 45 MSL, 12 AGL Spokane, Wash., including a W alternate from Pendleton 12 AGL via Pasco, Wash., 35 miles 12 AGL, 35 MSL INT Pasco 035° and Spokane 221° radials; 6 miles 35 MSL, 12 AGL to Spokane, excluding the airspace between the main and this W alternate." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on July 18, 1966.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-8020; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-120]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway

On May 17, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 7187) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a south alternate to V-448 from Portland, Oreg., to Yakima, Wash.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is

amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

Section 71.123 (31 F.R. 2009) is amended as follows: In V–448 "via Yakima, Wash.;" is deleted and "via Yakima, Wash., including an S alternate;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on July 15, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–8021; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66–WE–34]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to exclude the portion of Control 1445 which lies within Cape Flattery, Wash., Warning Area W–601.

Action is taken herein to exclude from the description of Control 1445 the small portion of this control area which lies within W–601. This exclusion would eliminate the overlap of airspace between Control 1445 and W–601.

As this amendment relates to the navigable airspace outside the United States, his rule is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly, and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the U.S. agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this amendment involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Since the airspace being excluded is not required for the protection of IFR operations within Control 1445 and is being released for other purposes, the burden upon the public is reduced. For this reason, the Administrator finds that notice and public procedure on this amendment are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

In § 71.163 (31 F.R. 2050) Control 1445 is amended by adding at the end of text "The portion within W–601 is excluded."

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); E.O. 10854 (24 F.R. 9565))

Issued in Washington, D.C., on July 15, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–8022; Filed, July 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66–CE–30]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Control Zone and Transition Areas

On June 28, 1966, a final rule was published in the FEDERAL REGISTER (31 F.R. 8910) altering the Lincoln, Nebr., transition area and Federal Airways V–71 and V–138.

This rule should have included an amendment to the Lincoln, Nebr., control zone correcting the Lincoln Airport coordinates cited therein and redesignating all references to the Raymond VORTAC and Lincoln AFB to the Lincoln VORTAC and Lincoln Airport, respectively.

On May 3, 1966, F.R. Doc. 66–4763 was published in the FEDERAL REGISTER (31 F.R. 6582) which will amend § 71.123 of the Federal Aviation Regulations by establishing a 1,200-foot AGL floor on Federal Airway V–71, effective July 21, 1966. On May 26, 1966, F.R. Doc. 66–5742 was published in the FEDERAL REGISTER (31 F.R. 7556) which will amend § 71.123 of the Federal Aviation Regulations by establishing a 1,200-foot AGL floor on Federal Airway V–138, effective July 21, 1966. References to the establishment of the 1,200-foot AGL floors were not included in the redesignations of V–71 and V–138 as set forth in this rule.

Action is taken herein to correct these discrepancies. Since these changes are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary and the effective date of the final rule as initially adopted may be retained. The description of the Lincoln transition area as set forth in the final rule was correct and will not be repeated in this amendment.

In consideration of the foregoing, Airspace Docket No. 66–CE–30 (31 F.R. 8910) is amended, effective August 18, 1966, as follows:

(1) In § 71.171 (31 F.R. 2065) the Lincoln, Nebr., control zone is amended to read:

LINCOLN, NEBR.

Within a 6-mile radius of Lincoln Airport (latitude 40°50'45" N., longitude 96°45'20" W.); and within 2 miles each side of the Lincoln ILS localizer N course extending from the 6-mile radius to 14 miles N of the Lincoln Airport and within 2 miles either side of the Lincoln VORTAC 015° radial extending from the 6-mile radius to 8 miles N of the Lincoln VORTAC; and within 2 miles each side of the Lincoln VORTAC 187° radial extending from the 6-mile radius to 13 miles S of the Lincoln VORTAC, excluding the airspace within a 1-mile radius of Arrow Airport (latitude 40°52'00" N., longitude 96° 39'15" W.).

(2) In § 71.123 (31 F.R. 2009), V–71 is amended by deleting from the text, "1,200 feet AGL INT of Pawnee City 334° and Raymond, Nebr., 146° true radials; 1,200 feet AGL Raymond," and substituting therefor, "1,200 feet AGL INT of Pawnee City 334° and Lincoln, Nebr., 146° true radials; 1,200 feet AGL Lincoln".

(3) In § 71.123 (31 F.R. 2009), V–138 is amended by deleting from the text, "1,200 feet AGL INT of Grand Island 099° and Raymond, Nebr., 267° true radials; 1,200 feet AGL Raymond; 1,200 feet AGL INT Raymond 040° and Neola, Iowa, 251° true radials," and substituting therefor, "1,200 feet AGL INT of Grand Island 099° and Lincoln, Nebr., 267° true radials; 1,200 feet AGL Lincoln; 1,200 feet AGL INT of Lincoln 040° and Neola, Iowa, 251° true radials".

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Kansas City, Mo., on July 11, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66–8079; Filed, July 22, 1966; 8:51 a.m.]

[Airspace Docket No. 66–SO–40]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On June 11, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 8242) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Lawrenceville, Ga., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

In § 71.181 (31 F.R. 2149) the following transition area is added:

LAWRENCEVILLE, GA.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Gwinnett County Airport (latitude 33°58'53" N., longitude 83°57'50" W.); within 2 miles each side of the Norcross VORTAC 077° radial extending from the Norcross VORTAC to 16 miles east.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a))

Issued in East Point, Ga., on July 14, 1966.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 66-8080; Filed, July 22, 1966; 8:51 a.m.]

[Airspace Docket No. 65-EA-105]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airways

On March 23, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4841) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of Federal airway segments in the Boston, Mass., Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments were given due consideration. The Director of Aeronautics, Commonwealth of Massachusetts, endorsed the proposals. The Air Transport Association of America concurred in the proposals provided that cardinal altitudes could be retained. Such altitudes have been retained where possible.

Subsequent to publication of the Notice, V-72, V-106 and V-431 have been altered (31 F.R. 5057, 7031) and such alterations are reflected herein.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

A. Section 71.123 (31 F.R. 2009, 3234, 5057, 5058, 5287, 6484, 6487, 6582, 7279, 7556) is amended as follows:

1. In V-2 all after "12 AGL Utica, N.Y.;" is deleted and "12 AGL Albany, N.Y.; 12 AGL INT Albany 094° and Gardner, Mass., 284° radials; 12 AGL Gardner; 12 AGL Boston, Mass. The airspace within Canada is excluded." is substituted therefor.

2. In V-3 all after "12 AGL Hartford, Conn.;" is deleted and "12 AGL INT Hartford 044° and Boston, Mass., 256° radials; 12 AGL Boston; 12 AGL Kennebunk, Maine; 12 AGL Augusta, Maine; 12 AGL Bangor, Maine; 12 AGL INT Bangor 039° and Houlton, Maine, 203° radials; 12 AGL Houlton; 12 AGL Presque Isle, Maine. The portion outside the United States has no upper limit except that the portion of the E alternate between Jacksonville and Savannah extends up to but does not include 18,000 feet MSL.

3. In V-14 all after "Albany, N.Y. 270° radials;" is deleted and "12 AGL Albany; 12 AGL INT Albany 094° and Gardner, Mass., 284° radials; 12 AGL Gardner; 12 AGL INT Gardner 132° and Boston, Mass., 256° radials; 12 AGL Boston. The airspace within R-5207 is excluded." is substituted therefor.

4. In V-16 all after "12 AGL Riverhead;" is deleted and "12 AGL Norwich, Conn.; 12 AGL Boston, Mass. The airspace within Mexico and the airspace below 2,000 feet MSL outside the United States is excluded." is substituted therefor.

5. In V-29 all after "12 AGL Watertown, N.Y.;" is deleted and "12 AGL INT Watertown 033° and Massena, N.Y., 241° radials; 12 AGL Massena. The airspace within R-4006 is excluded." is substituted therefor.

6. In V-39 all after "12 AGL Poughkeepsie;" is deleted and "12 AGL Westfield, Mass.; 12 AGL Gardner, Mass.; 12 AGL Concord, N.H.; 12 AGL Kennebunk, Maine; 12 AGL Augusta, Maine; 12 AGL INT Augusta 025° and Millinocket, Maine, 228° radials; 12 AGL Millinocket; 12 AGL Presque Isle, Maine; 12 AGL INT Presque Isle 356° radial and the United States/Canadian border." is substituted therefor.

7. In V-72 all after "12 AGL Rockdale, N.Y.;" is deleted and "12 AGL Albany, N.Y.; 12 AGL Cambridge, N.Y.; 12 AGL INT Cambridge 063° and Keene, N.H., 341° radials." is substituted therefor.

8. V-91 is amended to read as follows:

V-91 From Riverhead, N.Y., 12 AGL Poughkeepsie, N.Y.; 12 AGL INT Poughkeepsie 342° and Albany, N.Y., 181° radials; 12 AGL Albany; 12 AGL Glens Falls, N.Y.; 12 AGL INT Glens Falls 032° and Burlington, Vt., 187° radials; 12 AGL Burlington; 12 AGL Plattsburg, N.Y.; 12 AGL St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

9. In V-93 all after "12 AGL Allentown, Pa." is deleted and "From Poughkeepsie, N.Y., 12 AGL Chester, Mass.; 12 AGL INT Chester 040° and Keene, N.H., 231° radials; 12 AGL Keene; 12 AGL Concord, N.H.; 12 AGL INT Concord 041° and Augusta, Maine, 239° radials; 12 AGL Augusta; 12 AGL Bangor, Maine; 12 AGL Princeton, Maine; 12 AGL INT Princeton 057° radial and the United States/Canadian border. The airspace within R-4005, R-4006, and R-4007 is excluded." is substituted therefor.

10. In V-98 all after "Toronto, Ontario, Canada;" is deleted and "Stirling, Ontario, Canada; 12 AGL Massena, N.Y.; 12 AGL St. Johns, Quebec, Canada. The airspace within Canada is excluded." is substituted therefor.

11. V-104 is amended to read as follows:

V-104 From Ottawa, Ontario, Canada, INT Ottawa 095° and Massena, N.Y., 330° radials; 12 AGL Massena; 12 AGL Plattsburg, N.Y. The airspace within Canada is excluded.

12. In V-106 all after "12 AGL Poughkeepsie, N.Y.;" is deleted and "12 AGL Westfield, Mass.; 12 AGL Gardner, Mass.; 12 AGL Manchester, N.H.; 12 AGL Kennebunk, Maine." is substituted therefor.

13. In V-123 all after "12 AGL Carmel, N.Y.;" is deleted and "12 AGL INT Carmel 031° and Poughkeepsie, N.Y., 099° radials; 12 AGL Westfield, Mass." is substituted therefor.

14. V-130 is amended to read as follows:

V-130 From Albany, N.Y., 12 AGL Hartford, Conn.; 12 AGL Norwich, Conn.; 12 AGL INT Norwich 090° radial and Providence, R.I., ILS localizer S course.

15. In V-139 all between "12 AGL Hampton;" and "The airspace below 2,000 feet MSL" is deleted and "12 AGL INT Hampton 059° and Providence, R.I., 212° radials; 12 AGL Providence; 6 miles wide, 12 AGL Whitman, Mass., including a 12 AGL E alternate; 12 AGL INT Whitman 041° and Manchester, N.H., 130° radials; 12 AGL INT Manchester 130° and Boston, Mass., 015° radials; 12 AGL INT Manchester 117° and Boston 015° radials." is substituted therefor.

16. V-141 is amended to read as follows:

V-141 From Nantucket, Mass., 12 AGL Hyannis, Mass.; 12 AGL INT Hyannis 332° and Boston, Mass., 133° radials; 12 AGL Boston; 12 AGL INT Boston 015° and Manchester, N.H., 117° radials; 12 AGL Manchester; 12 AGL Concord, N.H.; 12 AGL Lebanon, N.H., including a 12 AGL E alternate via INT Concord 011° and Kennebunk, Maine, 281° radials; 12 AGL Burlington, Vt.; 12 AGL Massena, N.Y.

17. V-146 is amended to read as follows:

V-146 From Poughkeepsie, N.Y., 12 AGL Putnam, Conn.; 12 AGL Providence, R.I.; 12 AGL Martha's Vineyard, Mass.; 12 AGL Nantucket, Mass.

18. V-151 is amended to read as follows:

V-151 From Providence, R.I., 12 AGL Gardner, Mass.; 12 AGL Keene, N.H.; 12 AGL Lebanon, N.H., including a 12 AGL W alternate via INT Keene 341° and Lebanon 211° radials; 12 AGL Montpelier, Vt.; 12 AGL Burlington, Vt.

19. In V-167 all after "12 AGL Hartford, Conn.;" is deleted and "12 AGL INT Hartford 076° and Providence, R.I., 270° radials; 12 AGL Providence; 12 AGL INT Providence 101° and Hyannis, Mass., 224° radials; 12 AGL Hyannis. The airspace below 2,000 feet MSL outside the United States is excluded." is substituted therefor.

20. V-196 is amended to read as follows:

V-196 From Utica, N.Y., 12 AGL Saranac Lake, N.Y.; 12 AGL Plattsburg, N.Y.

21. V-203 is amended to read as follows:

V-203 From Norwich, Conn., 12 AGL Chester, Mass.; 12 AGL INT Chester 293° and Albany, N.Y., 139° radials; 12 AGL Albany; 12 AGL Saranac Lake, N.Y.; 12 AGL Massena, N.Y.; 12 AGL St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

22. In V–270 all after "12 AGL Binghamton, N.Y.;" is deleted and "12 AGL DeLancey, N.Y.; 12 AGL Chester, Mass." is substituted therefor.

23. V–282 is amended to read as follows:

V–282 From Saranac Lake, N.Y., 12 AGL St. Eustache, Quebec, Canada. The airspace within Canada is excluded.

24. In V–292 all after "12 AGL Hartford, Conn.;" is deleted and "12 AGL Putnam, Conn.; 12 AGL INT Putnam 043° and Boston, Mass., 256° radials; 12 AGL Boston." is substituted therefor.

25. V–302 is amended to read as follows:

V–302 From Augusta, Maine, 12 AGL INT Augusta 123° and Bangor, Maine, 192° radials.

26. In V–308 all between "Hampton;" and "The airspace below 2,000 feet MSL" is deleted and "12 AGL INT Hampton 059° and Norwich, Conn., 177° radials; 12 AGL Norwich; 12 AGL Putnam, Conn.; 12 AGL INT Putnam 043° and Boston, Mass., 256° radials; 12 AGL Boston." is substituted therefor.

27. V–322 is amended to read as follows:

V–322 From INT Sherbrooke, Quebec, Canada, 150° and Montpelier, Vt., 069° radials; 12 AGL Sherbrooke. The airspace within Canada is excluded.

28. V–431 is amended to read as follows:

V–431 From Boston, Mass., 12 AGL INT Boston 015° and Gardner, Mass., 097° radials; 12 AGL Gardner. From Keene, N.H., 12 AGL Glens Falls, N.Y.; 12 AGL INT Glens Falls 286° and Albany, N.Y., 350° radials.

29. V–447 is amended to read as follows:

V–447 From Montpelier, Vt., 12 AGL INT Montpelier 020° and Sherbrooke, Quebec, Canada, 217° radials; 12 AGL Sherbrooke. The airspace within Canada is excluded.

30. V–451 is amended to read as follows:

V–451 From INT Whitman, Mass., 117° and Providence, R.I., 118° radials, 12 AGL Whitman; 12 AGL Boston, Mass.

31. V–457 is amended to read as follows:

V–457 From Norwich, Conn., 12 AGL Providence, R.I.; 12 AGL INT Providence 013° and Boston, Mass., 223° radials; 12 AGL Boston.

32. V–471 is amended to read as follows:

V–471 From INT Princeton, Maine, 208° and Bangor, Maine, 132° radials; 12 AGL Bangor; 12 AGL Millinocket, Maine; 12 AGL Houlton, Maine; 12 AGL INT Houlton 085° and the United States/Canadian border.

33. V–475 is amended to read as follows:

V–475 From Deer Park, N.Y., 12 AGL Madison, Conn.; 12 AGL Putnam, Conn., including a 12 AGL E alternate via Norwich, Conn.

34. In V–487 all after "12 AGL Poughkeepsie, N.Y.;" is deleted and "12 AGL Cambridge, N.Y.; 12 AGL INT Cambridge 002° and Glens Falls, N.Y., 032° radials; 12 AGL Burlington, Vt.; 12 AGL INT Burlington 359° and St. Johns, Quebec, Canada, 158° radials; 12 AGL St. Johns. The airspace within Canada is excluded." is substituted therefor.

35. V–489 is amended to read as follows:

V–489 From INT Sparta, N.J., 194° and Stillwater, N.J., 110° radials; 12 AGL Sparta; 12 AGL Kingston, N.Y.; 12 AGL Albany, N.Y.; 12 AGL Glens Falls, N.Y.; 12 AGL Plattsburgh, N.Y.

36. V–490 is amended to read as follows:

V–490 From Utica, N.Y., 12 AGL Cambridge, N.Y.; 12 AGL Manchester, N.H.; 12 AGL INT Manchester 117° and Boston, Mass., 015° radials.

37. V–496 is amended to read as follows:

V–496 From Utica, N.Y., 12 AGL Glens Falls, N.Y.

38. In V–300 "From Sherbrooke, Quebec, Canada, via Millinocket, Maine; to Fredericton, New Brunswick, Canada." is deleted and "From Sherbrooke, Quebec, Canada, 86 miles 52 MSL, 12 AGL Millinocket, Maine; 12 AGL Fredericton, New Brunswick, Canada. The airspace within Canada is excluded." is substituted therefor.

39. V–314 is amended to read as follows:

V–314 From Quebec, Province of Quebec, Canada, 99 miles 55 MSL, 12 AGL Millinocket, Maine; 12 AGL Princeton, Maine; 12 AGL St. John, New Brunswick, Canada. The airspace within Canada is excluded.

40. V–318 is amended to read as follows:

V–318 From Quebec, Province of Quebec, Canada, 81 miles 65 MSL, 26 miles 85 MSL, 12 AGL Houlton, Maine. The airspace within Canada is excluded.

B. Section 71.103 (31 F.R. 2006) is amended as follows: In G–1 all before "to Fredericton, New Brunswick, Canada," is deleted and "From the Sherbrooke, Quebec, Canada, RBN, 82 miles 52 MSL, 12 AGL Millinocket, Maine, RBN; 12 AGL Forest City, New Brunswick, Canada, RBN;" is substituted therefor.

C. Section 71.109 (31 F.R. 2007) is amended as follows: B–63 is amended to read as follows:

B–63 From the Laconia, N.H., RBN, 12 AGL North Conway, N.H., RBN; 12 AGL Berlin, N.H., RBN.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on July 18, 1966.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66–8081; Filed, July 22, 1966; 8:52 a.m.]

[Airspace Docket No. 65–WE–97]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Designation of Restricted Areas and Alteration of Restricted Area and Controlled Airspace

On March 15, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 4414) stating that the Federal Aviation Agency (FAA) was considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would designate the Rawhide, Nev., Restricted Area R–4812; designate the Carson Sink, Nev., Restricted Area R–4813; raise the ceiling of Twin Peaks, Nev., Restricted Area R–4804; and include Restricted Areas R–4812 and R–4813 in the continental control area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments, and due consideration was given to all relevant matter presented.

The Air Transport Association of America interposed no objection to the proposal but did express concern for restricted airspace encroachment on major jet route segments. The FAA shares this concern and intends to restrict such encroachment to the absolute minimum consistent with common airspace need.

The Bureau of Land Management, Department of the Interior, objected to the proposal on the basis of several delays in dispatching the Bureau's firefighting aircraft into existing Navy restricted areas. The Department of the Navy has assured the FAA that coordination will be effected with the Bureau to permit regular patrol and quick emergency access in the existing as well as in the proposed restricted areas.

Six other comments, all objecting to the proposal, were received. These objections, similar in content, may be summarized as follows:

1. Much general aviation traffic normally traverses the proposed restricted area R–4813.

2. R–4813 will impose a detour on this traffic, or a hazard in the event an aircraft penetrates the area through inability to recognize its boundaries.

3. The proposed R–4812 and R–4813, added to the existing R–4803, R–4804 and R–4810, would surround and possibly isolate the Fallon Municipal Airport, curtailing activity at a progressive and developing airport, and adversely affect the livelihood of the Fallon fixed base operator.

4. The need for military training areas is recognized but the proposed R–4813 should be sited off airways, in an area where it will have less impact on private and business aircraft.

Careful consideration has been given to these objections and adjustments to the proposed R–4813 have been agreed to by the Department of the Navy to

alleviate all possible adverse effect on the public. All available data indicates that far less than average general aviation traffic operates over the Fallon area generally and Carson Sink, in particular. The Lovelock, Nev., Flight Service Station, immediately north of the proposed R-4813, reported 9,709 VFR general aviation radio contacts during 1965, which is 60 percent of the National Flight Service Station average of 16,148 contacts. 1964 flight plan sampling indicates that Elko, Nev., to Reno, Nev., is the busiest VFR general aviation route in the Carson Sink vicinity, with an average of one direct flight plan per day and one airway flight plan (V-6 or V-494) every 2 days.

The basic and shortest Reno-Elko routes (direct or V-6) are not affected by the proposed R-4813, whereas 4 miles would have been added to the Fallon-Elko mileage. However, the Navy has agreed to a modification of their proposal which would eliminate the southeast corner of proposed R-4813 and add only 1 mile to the Fallon Elko route when R-4813 is activated. The Navy has agreed to a further modification of their proposal which would eliminate the southwest corner of R-4813 to provide a larger local student practice area north and northeast of Fallon Municipal Airport.

In answer to the comment that aircraft might penetrate R-4813 through inability to recognize its boundaries, R-4813 is capable of ready visual recognition due to the natural landmarks surrounding Carson Sink. Carson Sink itself is an outstanding landmark, visible for many miles on a clear day.

When these proposed restricted areas are not in use for the purpose designated they will be released to the controlling agency for public use, as are R-4803, R-4804 and R-4810. Records for the past year show that the public had use of the existing Fallon restricted areas 70 percent of the time. Public access to R-4812 should be comparable, and R-4813 should be available to the public 90 to 95 percent of the time, since Navy's use is planned for 3 hours per day, 7 days per month. The Fallon airport has achieved its present growth during the existence of the current restricted areas and there is no valid basis for fearing that a 5 percent restriction of flight over Carson Sink will now arrest or negate that growth.

The nature of air-to-ground training in the airborne firing of missiles and dropping of 500 and 1,000 pound bombs considerably restricts the choice of area for such training. The land beneath must necessarily be uninhabited, flat, free of timber, and owned by the proponent; the weather must be predominantly clear enough to make training schedules reliable; the area must be reasonably close to a military installation capable of storing and servicing large numbers of carrier based aircraft and domiciling the aircraft crews; and the airspace above must be free of nonparticipating traffic which could be endangered by high-speed aircraft or the released ordnance. The proposed R-4813 is one of the few areas in the continental United States, and the only area in the Fallon vicinity, that meets these criteria.

The FAA recognizes that the area will cause some inconvenience to certain civil users of the area. However, the Agency, in exercising its authority and responsibility, must give full consideration to the airspace requirements involving national defense as well as to those of civil users.

The Navy has requested that the proposed R-4812 be named "Sand Springs, Nev." instead of "Rawhide, Nev." to avoid confusion with the Rawhide high altitude TACAN approach fix. Additionally, the redefined boundary of R-4813 removes the southeast and southwest corners from the restricted area as initially proposed. Since the name change is editorial in nature and the redescription of R-4813 reduces the amount of airspace to be restricted, notice and public procedure thereon are unnecessary and action is taken herein to reflect these changes.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., September 15, 1966, as hereinafter set forth.

1. In § 73.48 (31 F.R. 2321) Restricted Area R-4804 is amended by deleting "Designated altitudes: Surface to 20,000 feet MSL." and substituting "Designated altitudes: Surface to FL 240." therefor.

2. In § 73.48 (31 F.R. 2321) the following are added:

R-4812 SAND SPRINGS, NEV.

Boundaries: That area within 5-nautical miles either side of a line extending from latitude 39°10'00" N., longitude 118°37'30" W.; to latitude 39°13'00" N., longitude 118°12'42" W.; and bounded on the east by R-4804 and bounded on the west by R-4810.

Designated altitudes: Surface to FL 240.

Time of designation: Continuous, Monday through Saturday.

Controlling agency: Oakland ARTC Center.

Using agency: Commander Fleet Air, Alameda.

R-4813 CARSON SINK, NEV.

Boundaries: That area surrounding R-4802 from latitude 39°51'00" N., longitude 118°38'00" W.; to latitude 40°01'00" N., longitude 118°15'00" W.; to latitude 40°01'-00" N., longitude 118°01'00" W.; to latitude 39°52'36" N., longitude 118°01'00" W.; thence via the arc of a 15-nautical mile radius circle centered at latitude 39°52'36" N., longitude 118°20'27" W.; to latitude 39°45'50" N., longitude 118°38'00" W.; to point of beginning.

Designated altitudes: Surface to FL 240.

Time of designation: Sunrise to sunset Monday through Saturday.

Controlling agency: Oakland ARTC Center.

Using agency: Commander Fleet Air, Alameda.

3. In § 73.151 (31 F.R. 2047), "R-4812 Sand Springs, Nev." and "R-4813 Carson Sink, Nev." are added.

4. In § 73.123 (31 F.R. 2009, 6487, 6791, 7171, 7279, 7556) V-6 is amended by deleting "The airspace within R-4803 is excluded." and substituting "The airspace within R-4803 and R-4813 is excluded." therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on July 18, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66-8082; Filed, July 22, 1966; 8:52 a.m.]

[Airspace Docket No. 65-WE-125]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Routes

On June 30, 1966, F.R. Doc. No. 66-7141 was published in the FEDERAL REGISTER (31 F.R. 9000) amending Part 75 of the Federal Air Regulations, effective August 18, 1966, by realignment of several jet routes in the vicinity of Ontario, Calif. Jet Routes Nos. 4, 10, 74, 78, and 134 were realigned via the Ontario 094° radial. It was intended that these routes lie over the Palm Springs, Calif., VOR. Subsequent to publication of the amendment, precise cartographic measurements attendant to the production of aeronautical charts revealed that to accomplish this purpose, the Ontario 093° radial in lieu of the 094° radial should have been used. Such action is taken herein.

Since this alteration is minor in nature, notice and public procedure hereon are unnecessary and the effective date of the amendment as initially adopted may be retained.

In consideration of the foregoing, F.R. Doc. No. 66-7141 (31 F.R. 9000) is amended, effective immediately, as hereinafter set forth.

In paragraphs 1 and 2, "Ontario 094°" is deleted and "Ontario 093°" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348))

Issued in Washington, D.C., on July 15, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-8023; Filed, July 22, 1966; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

Sterility Test Methods and Procedures

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), the antibiotic drug regulation prescribing sterility test methods and procedures is amended as follows to pro-

vide for testing drugs represented to be sterile when they contain penicillin and an antibacterial agent, and to provide a more convenient procedure for preparing "diluting fluid C."

Accordingly, § 141.2 *Sterility test methods and procedures* is amended:

1. By changing in the last sentence a paragraph (b)(2) the words "other antibiotic," to read "other antibiotic or antibacterial agent,".

2. By changing paragraph (c)(3) to read as follows:

(3) *Diluting fluid C.* To each liter of diluting fluid A add 0.5 gram of sodium thioglycollate, and adjust with NaOH so that after sterilization the final pH will be pH 6.6±0.6. Dispense in flasks and sterilize as described in paragraph (b) of this section.

Notice and public procedure and delayed effective date are unnecessary prerequisites to the promulgation of this order, and I so find, since these changes are technical in nature and present no points of controversy.

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

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

Dated: July 19, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8071; Filed, July 22, 1966; 8:50 a.m.]

PART 166—DEPRESSANT AND STIMULANT DRUGS; DEFINITIONS, PROCEDURAL AND INTERPRETATIVE REGULATIONS

Phenmetrazine and Its Salts; Listing as Subject To Control

In the FEDERAL REGISTER of January 18, 1966 (31 F.R. 565), the Commissioner of Food and Drugs proposed the control, under the Drug Abuse Control Amendments of 1965, of 17 drugs having a potential for abuse because of their depressant or stimulant effect on the central nervous system or because of their hallucinogenic effect. Subsequently, in the FEDERAL REGISTER of March 19, 1966 (31 F.R. 4679), the Commissioner ordered that all the drugs listed in the proposal, except phenmetrazine and its salts (Preludin), be designated as depressant or stimulant drugs subject to control. The exception was made to enable the Commissioner's advisory committee to review and give consideration to the data and information submitted in response to the proposal with reference to phenmetrazine and competitive anorexiants.

The Commissioner's advisory committee has completed its review. On the basis of his investigation and the committee's recommendation, the Commissioner has concluded that phenmetrazine and its salts (Preludin) should be designated as a drug having a potential for abuse because of its stimulant effect on the central nervous system.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 166.3(b) is amended by adding to the list therein a new item as follows:

§ 166.3 **Listing of drugs defined in section 201(v) of the act.**

* * * * *

(b) * * *

Established name	*Some trade and other names*
* * *	* * *
Phenmetrazine and its salts	Preludin.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in six copies. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et. seq.; 21 U.S.C. 321(v), 360a, 371)

Dated: July 19, 1966.

WINTON B. RANKIN,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 66-8072; Filed, July 22, 1966; 8:50 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1452—PRIME CONTRACTS AND SUBCONTRACTS WITHIN SCOPE OF ACT

PART 1466—TERMINATION OF RENEGOTIATION

Miscellaneous Amendments

Subchapter B of this chapter is amended in the following respects:

A. Section 1452.1 *General coverage of the act* (b) *Coverage after December 31, 1956* is amended by deleting "June 30, 1966" in the last sentence of the statutory provision (c)(1) set forth in subparagraph (1)(iii) and inserting in lieu thereof "June 30, 1968".

B. Part 1466 is amended in the following respects:

1. Section 1466.1 *Statutory provision* is amended by deleting "June 30, 1966" in the last sentence of the statutory provision (c)(1) set forth therein and inserting in lieu thereof "June 30, 1968".

2. Section 1466.2 *Definition of "termination date"* is amended by deleting "June 30, 1966" and inserting in lieu thereof "June 30, 1968".

(Sec. 109, 65 Stat. 22; 50 U.S.C., App. Sup. 1219)

Dated: July 20, 1966.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 66-8078; Filed, July 22, 1966; 8:51 a.m.]

Title 29—LABOR

Chapter I—National Labor Relations Board

PART 101—STATEMENTS OF PROCEDURE, SERIES 8

Subpart C—Representation Cases Under Section 9(c) of the Act and Petitions for Clarification of Bargaining Units and for Amendment of Certifications Under Section 9(b) of the Act

PART 102—RULES AND REGULATIONS, SERIES 8

Subpart C—Procedure Under Section 9(c) of the Act for the Determination of Questions Concerning Representation of Employees [3] and for Clarification of Bargaining Units and for Amendment of Certifications Under Section 9(b) of the Act

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935,[1] the National Labor Relations Board hereby issues the following further amendments to its statements of procedure and to its rules and regulations, Series 8, as amended, which it finds necessary to carry out the provisions of said Act, such amendments to be effective August 1, 1966.

[1] 49 Stat. 449; 29 U.S.C. 151–166, as amended by act of June 23, 1947 (61 Stat. 136; 29 U.S.C. Sup. 151–167), act of October 22, 1951 (65 Stat. 601; 2 U.S.C. 158, 159, 168), and act of September 14, 1959 (73 Stat. 519; 29 U.S.C. 141–168).

[3] Procedure under the first proviso to sec. 8(b)(7)(C) of the Act is governed by Subpart D.

National Labor Relations Board statements of procedure and rules and regulations, Series 8, as hereby further amended, shall be in force and effect until further amended, or rescinded by the Board.

Dated: Washington, D.C., July 19, 1966.

By direction of the Board.

OGDEN W. FIELDS,
Executive Secretary.

Section 101.19(b) is amended to read as follows:

§ 101.19 Consent adjustments before formal hearing.

* * * * *

(b) The consent-election agreement followed by a Board determination provides that disputed matters following the agreed-upon election, if determinative of the results, shall be the basis of a formal decision by the Board instead of an informal determination by the regional director, except that if the regional director decides that a hearing on objections or challenged ballots is necessary he may direct such a hearing before a hearing officer, or, if the case is consolidated with an unfair labor practice proceeding, before a trial examiner. If a hearing is directed such action on the part of the regional director constitutes a transfer of the case to the Board. Thus, except for directing a hearing, it is provided that the Board, rather than the regional director, makes the final determination of questions raised concerning eligibility, challenged votes, and objections to the conduct of the election. Thus, if challenged ballots are sufficient in number to affect the results of the count, the regional director conducts an investigation and issues a report on the challenges instead of ruling thereon, unless he elects to hold a hearing. Similarly, if objections to the conduct of the election are filed within 5 days after issuance of the tally of ballots, the regional director likewise conducts an investigation and issues a report instead of ruling on the validity of the objections, unless he elects to hold a hearing. The regional director's report is served on the parties, who may file exceptions thereto within 10 days with the Board in Washington, D.C. The Board then reviews the entire record made and may, if a substantial issue is raised, direct a hearing on the challenged ballots or the objections to the conduct of the election. Or, the Board may, if no substantial issues are raised, affirm the regional director's report and take appropriate action in termination of the proceedings. If a hearing is ordered by the regional director or the Board on the challenged ballots or objections, all parties are heard and a report containing findings of fact and recommendations as to the disposition of the challenges or objections, or both, and resolving issues of credibility is issued by the hearing officer and served on the parties, who may file exceptions thereto within 10 days with the Board in Washington, D.C. The record made on the hearing is reviewed by the Board with the assistance of its legal assistants and a final determination made thereon. If the objections are found to have merit, the election results may be voided and a new election conducted under the supervision of the regional director. If the union has been selected as the representative, the Board or the regional director, as the case may be, issues its certification, and the proceeding is terminated. If upon a decertification or employer petition the union loses the election, the Board or the regional director, as the case may be, certifies that the union is not the chosen representative.

Section 102.69 is amended by adding paragraph (h), reading as follows:

§ 102.69 Election procedure; tally of ballots; objections; certification by regional director; report on challenged ballots; report on objections; exceptions; action of the Board; hearing.

* * * * *

(h) Notwithstanding paragraphs (c) and (e) of this section to the contrary, if the regional director decides that a hearing on objections or challenged ballots in a consent election held pursuant to § 102.62(b) is necessary, he may direct a hearing before a hearing officer, or a trial examiner if the case is consolidated with an unfair labor practice proceeding. Such action on the part of the regional director shall constitute a transfer of the case to the Board, and the provisions of § 102.65(c) shall apply with respect to special permission to appeal to the Board from any such direction of hearing. Exceptions, if any, to the hearing officer's report or to the trial examiner's decision shall be filed with the Board in Washington, D.C., in accordance with paragraph (e) of this section.

[F.R. Doc. 66-8061; Filed, July 22, 1966; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4049]

[Anchorage 067713]

ALASKA

Revocation of Public Land Order No. 280 of May 22, 1945, and Partial Revocation of Public Land Order No. 576 of March 29, 1949

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

1. Public Land Order No. 280 of May 22, 1945, which withdrew an area of approximately 35,000 acres in partly unsurveyed Tps. 11 and 12 N., R. 1 E., and Tps. 11, 12, 13, and 14 N., R. 1 W., Seward Meridian, for protection of the water supply of the city of Anchorage and Fort Richardson, is hereby revoked.

2. Public Land Order No. 576 of March 29, 1949, so far as it withdrew in paragraph number three thereof, an area of approximately 11,260 acres in partly unsurveyed Tps. 11, 12, and 13 N., Rs. 1 and 2 W., Seward Meridian, for protection of the water supply of the city of Anchorage and Fort Richardson, is hereby revoked.

3. Until 10 a.m. on October 18, 1966, the State of Alaska shall have a preferred right to select the lands in accordance with the provisions of the act of July 28, 1956 (70 Stat. 709), section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9.

4. The lands will not be subject to other disposition under the public land laws unless and until it is so provided by an order of an authorized officer of the Bureau of Land Management.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8032; Filed, July 22, 1966; 8:46 a.m.]

[Public Land Order 4050]

[Wyoming 0324768 (Nebr.)]

NEBRASKA

Partial Revocation of Reclamation Withdrawal

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 46), as amended and supplemented, it is ordered as follows:

1. The order of the Bureau of Reclamation dated July 15, 1962, concurred in by the Bureau of Land Management on July 11, 1955, withdrawing lands for the Ainsworth Project, is hereby revoked so far as it affects the following described land:

SIXTH PRINCIPAL MERIDIAN

T. 31 N., R. 30 W.,
Sec. 33, NE¼SW¼.

The area described contains 40 acres in Cherry County. The topography of the land is moderately rolling with an elevation near 2,500 feet. Vegetation consists mainly of short and mid-grasses.

2. Until 10 a.m. on January 17, 1967, the State of Nebraska shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on January 17, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws after 10 a.m. on January 17, 1967.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8033; Filed, July 22, 1966; 8:46 a.m.]

[Public Land Order 4051]

[Anchorage 067673]

ALASKA

Partial Revocation of Townsite Reservation

By virtue of the authority vested in the President by section 1 of the act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 303), and pursuant to Executive Order 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 245 of September 12, 1944, is hereby revoked so far as it reserved for townsite purposes the following described lands:

MOOSE PASS TOWNSITE

U.S. Survey 2676, lots 1 and 2, Block 1.

The areas described aggregate 47,031 square feet.

2. Until 10 a.m. on January 17, 1967, the State of Alaska shall have a preferred right of application to select the lands as provided by the act of July 28, 1956 (70 Stat. 709), sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the public lands shall be open to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on January 17, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Anchorage District and Land Office, Bureau of Land Management, Anchorage, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8034; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4052]

[Wyoming 0320363]

WYOMING

Partial Revocation of Reclamation Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental order of July 8, 1941, withdrawing lands for reclamation purposes in connection with the Green River Project, is hereby revoked so far as it affects the following described lands:

SIXTH PRINCIPAL MERIDIAN

T. 21 N., R. 116 W.,
Sec. 11, lot 11;
Sec. 12, lots 1, 2, 3.
T. 22 N., R. 116 W.,
Sec. 5, W½W½;
Sec. 6, lots 1 to 5, incl., E½E½;
Sec. 7, E½NE¼, NE¼SE¼;
Sec. 8, W½NW¼, SW¼;
Sec. 15, lots 1, 20, 21;
Sec. 16, lots 1, 2, W½NW¼, NW¼SW¼;
Sec. 17, NE¼NE¼;
Sec. 19, lot 2, N½SE¼, SE¼SE¼;
Sec. 20, S½;
Sec. 22, NE¼, NE¼NW¼;
Sec. 23, lot 4, SW¼NW¼, W½SW¼;
Sec. 26, lots 5 thru 15, incl., NE¼SE¼;
Sec. 28, W½NW¼, N½SW¼;
Sec. 29, N½NW¼, SE¼NE¼.
T. 22 N., R. 117 W.,
Sec. 1, lots 9, 10, 11;
Sec. 12, lot 1;
Sec. 13, lot 1, NW¼, N½SW¼, SE¼SW¼, W½SE¼;
Sec. 14, NE¼NE¼;
Sec. 24, NE¼, NE¼NW¼.
T. 23 N., R. 117 W.,
Sec. 22, E½SW¼, NW¼SE¼;
Sec. 24, lot 3, SE¼SW¼;
Sec. 25, E½W½, SW¼SE¼;
Sec. 27, E½SE¼;
Sec. 34, E½NE¼, NE¼SE¼;
Sec. 35, N½SW¼;
Sec. 36, lots 1, 2, 3.

The areas described aggregate 3,898.03 acres in Lincoln County, of which approximately 2,124 acres remain withdrawn for other purposes. The lands lie in western Wyoming. Elevation in this general area varies from 7,000 feet to more than 7,800 feet above mean sea level. The topography varies from rolling and broken to rugged foothills. Vegetative cover is characterized by aspen-lodgepole associations at the higher elevations and big sagebrush-grassland associations at the lower elevations.

2. Until 10 a.m. on January 17, 1967, the State of Wyoming shall have a preferred right of application to select the public lands not otherwise withdrawn as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on January 17, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8035; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4053]

[BLM 046240]

ARKANSAS

Revocation of Public Land Order No. 1779 of January 15, 1959

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

1. Public Land Order No. 1779 of January 15, 1959, withdrawing the following described lands in the Ozark National Forest for a recreation area, is hereby revoked:

FIFTH PRINCIPAL MERIDIAN

DEVIL'S DEN STATE PARK RECREATION AREA

T. 13 N., R. 31 W.,
Sec. 25, NW¼NW¼;
Sec. 26, NE¼.

The areas described aggregate 200 acres in the Ozark National Forest.

2. At 10 a.m. on August 23, 1966, the lands shall be subject to such forms of appropriation as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8036; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4054]

[Idaho 017243]

IDAHO

Revocation of Reclamation Withdrawal (Bear River Project)

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The Departmental order of February 6, 1946, and any other order or orders withdrawing lands for reclamation purposes, are hereby revoked so far as they affect the following described lands:

BOISE MERIDIAN

T. 14 S., R. 44 E.,
Sec. 21, lots 1 to 4, incl., and NW¼NE¼;
Sec. 22, lots 1 to 3, incl.;
Sec. 26, S½NE¼.
T. 15 S., R. 44 E.,
Sec. 6, lots 1 to 5, incl.;
Sec. 12, lots 1 to 8, incl.;
Sec. 13, lots 1 to 6, incl., lot 8 and E½;
Sec. 14, lot 1;
Sec. 24, lots 1, 4, and 5.

The areas described, including the public and privately owned lands, aggregate 1,121.97 acres in Bear Lake County. The private lands comprise that portion of patented mining claim invading the E½, sec. 13, T. 15 S., R. 44 E., B.M.

2. Until 10 a.m. on January 17, 1967, the State of Idaho shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to operation of the public land laws generally, sub-

ject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on January 17, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the U.S. mining laws after 10 a.m. on January 17, 1967.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8037; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4055]

[Sacramento 079670]

CALIFORNIA

Partial Revocation of Withdrawals in Aid of Classification, and for National Forest Administrative Sites

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 4203 of April 14, 1925, which withdrew for classification the public lands within certain areas described in the act of February 20, 1925 (43 Stat. 952), as were not at that time parts of any national forest, and the departmental orders of December 15, 1906, and October 24, 1908, which withdrew lands in the Tahoe National Forest for administrative sites, are hereby revoked so far as they affect the following described lands:

MOUNT DIABLO MERIDIAN

T. 18 N., R. 10 E.,
Sec. 29, lots 5 and 8;
Sec. 31, lots 4, 5, 6, 7, 9, and 10;
Sec. 32, lot 1;
Also those parts of lot 42 in secs. 29, 31, and 32 not embraced in M.S. 76 and 77.
T. 21 N., R. 11 E.,
Sec. 14, S½NE¼SW¼, S½NW¼NE¼SW¼, N½SE¼SW¼, N½S½SE¼SW¼, NE¼SW¼SW¼, SE¼NW¼SW¼ and S½NE¼NW¼SW¼.
T. 19 N., R. 13 E.,
Sec. 4, NE¼SE¼, N½SE¼SE¼ and SE¼SE¼SE¼.
T. 17 N., R. 17 E.,
Sec. 6, lot 6.

The areas described, including the public lands and lands in the Tahoe National Forest, aggregate 344.28 acres in Sierra and Nevada Counties, of which those in T. 18 N., R. 10 E., M.D.M., totaling approximately 157 acres, are the public lands.

2. At 10 a.m. on August 23, 1966, the national forest lands shall be open to such forms of disposition as may by law be made of national forest lands.

3. Until 10 a.m. on January 17, 1967, the State of California shall have a preferred right of application to select the public lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the public lands shall be open to operation of the public lands laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on January 17, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The public lands have been open to applications and offers under the mineral leasing laws, and to location for metalliferous minerals. They will be open to location for nonmetalliferous minerals at 10 a.m. on January 17, 1967.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8038; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4056]

[Anchorage 060246]

ALASKA

Withdrawal for Bradley Lake Hydroelectric Project, Partial Revocation of Public Land Order No. 3953

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

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved under jurisdiction of the Corps of Engineers, Department of the Army, for the Bradley Lake Hydroelectric Project, as authorized by the Flood Control Act of 1962 (76 Stat. 1193):

SEWARD MERIDIAN

T. 5 S., R. 9 W.,
Sec. 5, W½;
Sec. 22, SE¼;
Sec. 26, SE¼.
T. 5 S., R. 10 W.,
Sec. 15, N½ and S½SE¼.

2. Public Land Order No. 3953 of March 15, 1966, so far as it closed the following described lands to appropriation under the United States mining laws, is hereby revoked:

SEWARD MERIDIAN

T. 5 S., R. 9 W.,
Sec. 22, SW¼;
Sec. 26, SW¼.

3. At 10 a.m. on August 23, 1966, the lands described in paragraph 2 hereof shall become subject to prospecting, location, entry and purchase under the mining laws of the United States, subject to valid existing rights and the provisions of the act of August 11, 1955 (69 Stat. 681; 30 U.S.C. 621–625).

4. Public Land Order No. 3953 is hereby corrected by eliminating "sec. 5, E½", from the land description appearing under T. 5 S., R. 9 W., in paragraph 1(a) thereof. The description is correctly shown in paragraph 1(b).

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8039; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4057]

[Utah 067343]

UTAH

Partial Revocation of Coal Land Withdrawal

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order of July 7, 1910, withdrawing certain lands in Utah as Coal Land Withdrawal—Utah No. 1, for classification and appraisement with respect to coal values, is hereby revoked so far as it affects the following described lands:

SALT LAKE MERIDIAN

T. 39 S., R. 5 W.,
Sec. 3, lots 1 to 4, incl., SW¼NE¼, S½NW¼, SW¼, NW¼SE¼;
Secs. 4, 8, and 9;
Sec. 10, W½NE¼, W½, SE¼;
Sec. 14, N½NW¼;
Secs. 15 to 17, incl.;
Secs. 20 to 22, incl.;
Sec. 23, W½NW¼, SE¼NW¼, SW¼, S½SE¼;
Sec. 24, S½;
Secs. 25 to 28, incl.;
Secs. 33 to 36, incl.
T. 40 S., R. 6 W.,
Secs. 3 to 10, incl.;
Secs. 16 to 18, incl.
T. 40 S., R. 7 W.,
Secs. 5 to 8, incl.;
Sec. 9, lots 1 to 10, incl., W½NW¼;
Secs. 15 to 21, incl.;
Sec. 22, lots 1 to 10, incl., S½SE¼;
Sec. 27, lots 1 to 4, incl., W½;
Secs. 28 to 34, incl.
T. 41 S., R. 7 W.,
Sec. 3, lots 3 and 4;
Sec. 9, lots 1 to 4, incl., W½.
T. 41 S., R. 8 W.
T. 40 S., R. 9 W.,
Secs. 3, 4;
Sec. 9, N½;
Sec. 10, N½, SE¼;
Sec. 11;
Sec. 12, NW¼;
Sec. 14, N½, SW¼;
Sec. 15, NE¼, S½;
Sec. 21, E½;
Sec. 22;
Sec. 23, W½;
Sec. 27;
Sec. 28, NE¼, S½;
Sec. 32, NE¼, S½;
Secs. 33, 34.

SALT LAKE MERIDIAN—Continued

T. 41 S., R. 9 W.,
Secs. 1 to 5, incl.;
Secs. 9 to 12, incl.

The areas described aggregate approximately 70,000 acres in Kane County.

Some of the lands have been classified as having value for coal, and others have been classified as nonvaluable. The status of any particular tract may be ascertained by inquiry of the land office.

2. Until 10 a.m. on January 17, 1967, the State of Utah shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that date and hour the lands shall become subject to application, petition, and location and selection generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, including section 1 of the act of June 22, 1910 (36 Stat. 583), as amended by section 1 of the act of June 16, 1955 (69 Stat. 138; 30 U.S.C. 83), and the act of August 13, 1954 (68 Stat. 708; 30 U.S.C. 521). All valid applications received at or prior to 10 a.m. on January 17, 1967, shall be considered as simultaneously filed at that time. Those filed thereafter shall be considered in the order of filing.

3. The lands have been open to certain forms of agricultural entry as provided by section 1 of the act of June 22, 1910 (36 Stat. 583), as amended, supra. They have been open to applications and offers under the mineral leasing laws, and to location for metalliferous minerals. The lands will be open to location under the U.S. mining laws for nonmetalliferous minerals after 10 a.m. on January 17, 1967.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8040; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4058]

[Anchorage 067692]

ALASKA

Partial Revocation of Public Land Order No. 334 of December 19, 1946

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

1. Public Land Order No. 334 of December 19, 1946, so far as it withdrew the following described lands in the Chugach National Forest for a road right-of-way is hereby revoked:

CORDOVA

A strip of land 200 feet in width being 100 feet on each side of the former Copper River and Northwestern Railroad commencing at the east boundary of the U.S. Survey 1765 (Townsite of Cordova); thence northeasterly and southeasterly with the meanders of said former railroad approximately 4.0 miles to a point where the said former railroad crosses the line between the north ¼ corner and the south ¼ corner of protracted section corner 32, T. 15 S., R. 2 W., C.R.M., containing approximately 96.0 acres.

2. At 10 a.m. on August 23, 1966, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8041; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4059]

[Oregon 017845]

OREGON

Withdrawal for Warmsprings Dam and Reservoir (Vale Project)

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public land, which is under the jurisdiction of the Secretary of the Interior, is hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for the Warmsprings Dam and Reservoir, Vale Project:

WILLAMETTE MERIDIAN

T. 23 S., R. 37 E.,
Sec. 18, NE¼NE¼.

The area described contains approximately 40 acres in Malheur County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8042; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4060]

[Utah 0146037]

UTAH

Withdrawal for Protection of National Forest Watershed

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

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, for protection of the North Fork of the American Fork Canyon watershed:

SALT LAKE MERIDIAN

UINTA NATIONAL FOREST

North Fork of American Fork Canyon Watershed

T. 3 S., R. 3 E.,
Sec. 8, portions of lots 12, 13, 14 lying in Utah County;
Sec. 10, lots 4 and 7 to 10, incl.;
Sec. 14, lots 3, 6, 7, 8, SE¼SW¼, W½SW¼SE¼;
Sec. 15, lots 1 to 12, incl., lots 14 and 15, W½NE¼, NE¼NW¼;
Sec. 16, lots 1 to 12, incl.;
Sec. 17, lots 1 to 17, incl.;
Sec. 18, all national forest land in E½ lying in Utah County;
Sec. 19, lots 1 to 10, incl., E½NW¼, E½SW¼;
Sec. 20, lots 1 to 8, incl.;
Sec. 21, lots 1 to 14, incl.;
Sec. 22, lots 2 to 12, incl., SE¼SE¼, NE¼NW¼;
Sec. 23, lots 1, 2, W½NE¼, W½E½NE¼, E½NW¼, SW¼SE¼;
Sec. 26, N½SW¼;
Sec. 27, lots 1 to 8, incl., SE¼NE¼;
Sec. 28, lots 1 to 4, incl., 6, 7, and 10 to 15, incl., SE¼SE¼;
Sec. 29, lots 1 to 3 and 5 to 11, incl., E½SW¼, W½SE¼, SW¼NE¼, NE¼NE¼;
Sec. 30, lots 1 to 5, and 8 to 15, incl., SE¼SE¼, E½NW¼;
Sec. 31, lots 1 to 4, incl., NE¼NW¼, W½NE¼, SE¼NW¼, E½SW¼;
Sec. 34, E½SE¼.
T. 4 S., R. 2 E.,
Sec. 1, lots 1 and 8.
T. 4 S., R. 3 E.,
Sec. 6, lots 3, 4, 5, SE¼NW¼.

The areas described aggregate 4,340.19 acres in Salt Lake, Wasatch and Utah Counties.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8043; Filed, July 22, 1966; 8:47 a.m.]

[Public Land Order 4061]

[Utah 069117]

UTAH

Withdrawal for Dixie Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, and in the act of September 2, 1964 (78 Stat. 848), it is ordered as follows:

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

SALT LAKE MERIDIAN

T. 43 S., R. 13 W.,
Sec. 7, NE¼;
Sec. 8, NE¼NE¼, W½NE¼ and NW¼.
T. 42 S., R. 14 W.,
Sec. 15, lots 1, 3, 4, 5 and N½SW¼.
T. 40 S., R. 17 W.,
Sec. 33, lots 2 and 3.

The areas described aggregate 711.31 acres in Washington County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8044; Filed, July 22, 1966; 8:48 a.m.]

[Public Land Order 4062]

[New Mexico 0559091]

NEW MEXICO

Addition to National Forest

By virtue of the authority contained in the act of July 9, 1962 (76 Stat. 140; 43 U.S.C. 315g-1), it is ordered as follows:

Subject to existing valid rights, the following described lands, acquired in exchanges made pursuant to section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, are hereby added to and made a part of the Santa Fe National Forest and hereafter the lands shall be subject to all laws and regulations applicable to said national forest:

NEW MEXICO PRINCIPAL MERIDIAN

A tract of land within the Canon de San Diego Grant which is situated in Ts. 16, 17, 18, and 19 N., Rs. 1, 2, and 3 E., known in the office of the U.S. Surveyor General as Report No. 25, confirmed by the Congress of the United States of America, on the 21st day of June 1861, and patented by the United States of America in accordance with said Act of Confirmation on the 21st day of October 1881, recorded in Vol. 17, pages 209 and 218, inclusive, in the records of the General Land Office in Washington, D.C., said tract of land being more particularly described as beginning at the 4-mile corner on the north boundary of said grant; Thence S. 07°47'41.9" W. 557.367 chains, Thence West 421.441 chains, to the Santa Fe National Forest boundary; Thence along the National Forest boundary, N. 01°19'00" W. 659.613 chains, to the north boundary of said Grant; Thence along the north boundary of said Grant, S. 77°43' E. 434.19 chains; Thence S. 79°08' E. 77.89 chains to the 4-mile corner and the point of beginning, containing 28,516.41 acres more or less, and excepting therefrom two tracts containing 1,176.93 acres and 2,466.00 acres, respectively, the exceptions being more particularly described as follows:

Tract No. 1. Beginning at a point on the east rim of the Ojitos Canyon which bears N. 77°43' W., 893.65 feet from the 7-mile corner on the north boundary of the Canon de San Diego Grant; Thence southwesterly along the said rim to a point which is the southeast corner of the tract and which bears S. 43°10'10" W., 6,393.56 feet from the point of beginning; Thence west 6,600.00 feet, to the southwest corner of the tract, thence north 7,052.43 feet, to the northwest corner of the tract and a point on the north boundary of the Canon de San Diego Grant; Thence S. 77°43' E., 1,146.41 feet, to the 9½-mile corner on the north boundary of the said Grant; Thence along Grant boundary, S. 77°43' E. 10,084.80 feet, to point of beginning, containing 1,176.93 acres, more or less.

Tract No. 2. Beginning at the closing corner common to sections 15 and 16, T. 19 N., R. 2 E., on the north boundary of the Canyon de San Diego Grant; Thence S. 77°43' E. 181.5 feet to 5 M. corner; Thence S. 79°08' E. 1,150.5 feet, more or less, to the northeast corner of the Isaias Sandoval tract; Thence S. 11°30' E. 123 feet along a fence to the southeast corner of the Isaias Sandoval tract; Thence along fence S. 86° W. 464.4 feet; Thence along fence S. 87° W. 400 feet; Thence along fence N. 88° W., 201 feet; Thence along fence N. 0°15' W. 200 feet, more or less, to intersection of crest of ridge; Thence southeasterly along sinuosities of the crest of this ridge to the top of the rim on the east side of the Rio Cebolla Canyon; Thence southwesterly along sinuosities of the top of this rim to its intersection with the crest of the ridge dividing the Rio Cebolla and Lake Fork drainages; Thence westerly along the sinuosities of the crest of this ridge to the Rio Cebolla; Thence across the Rio Cebolla to the point of the ridge dividing the drainage into the Cebolla below the Lake Fork junction from that into the Cebolla above the junction; Thence westerly along the sinuosities of the crest of this ridge to a point on the west rim of the Cebolla; Thence along said rim extending on west side of Trail Canyon to a point where canyon boxes; Thence southward and eastward along the east rim of Trail Canyon; Thence northeastward along the same rim on the west side of Cebolla and Spring Canyons to the north boundary of the Grant; Thence southeastward along the north boundary of the Grant to the top of the rim rock on the east side of Spring Canyon; Thence southward along this rim and its continuation northward along the west side of the Cebolla to the north boundary of the Canyon de San Diego Grant; and Thence southeasterly along the Grant boundary to the point of beginning, containing 2,466 acres, more or less.

The areas described aggregate 24,873.48 acres in Sandoval County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JULY 18, 1966.

[F.R. Doc. 66-8045; Filed, July 22, 1966; 8:48 a.m.]

Title 7—AGRICULTURE

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

[Valencia Orange Reg. 171]

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

Limitation of Handling

§ 908.471 Valencia Orange Regulation 171.

(a) *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 recommendations 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effecuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 21, 1966.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., July 24, 1966, and ending at 12:01 a.m., P.s.t., July 31, 1966, are hereby fixed as follows:

(i) District 1: 225,000 cartons;

(ii) District 2: 325,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: July 22, 1966.

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

[F.R. Doc. 66-8160; Filed, July 22, 1966; 11:44 a.m.]

[Lemon Reg. 223, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, 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 hereof 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 lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 910.523 (Lemon Regulation 223, 31 F.R. 9678) are hereby amended to read as follows:

(ii) District 2: 418,500 cartons.

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

Dated: July 21, 1966.

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

[F.R. Doc. 66-8148; Filed, July 22, 1966; 8:53 a.m.]

[Lemon Reg. 224]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.524 Lemon Regulation 224.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 recommendations and information submitted by the Lemon 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 lemons, 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 19, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., July 24, 1966, and ending at 12:01 a.m., P.s.t., July 31, 1966, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 279,000 cartons;

(iii) District 3: unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "Carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: July 21, 1966.

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

[F.R. Doc. 66-8122; Filed, July 22, 1966; 8:53 a.m.]

[Prune Reg. 4]

PART 924—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement and Order No. 924 (7 CFR Part 924), regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oreg., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the recommendations of the Washington-Oregon Fresh Prune Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of fresh prunes, in the manner herein 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 regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 25, 1966. A reasonable determination as to the supply of, and the demand for, prunes must await the development of the crop and adequate information thereon was not available to the Washington-Oregon Fresh Prune Marketing Committee until July 19, 1966, recommendation as to the need for, and the extent of, regulation of shipments of such prunes was made at the meeting of said committee on July 19, 1966, after consideration of all available information relative to the supply and demand conditions for such prunes, at which time the recommendation and supporting information were submitted to the Department; shipments of the current crop of such prunes will begin on or about July 25, 1966, and this regulation should be applicable, insofar as practicable, to all shipments of such prunes in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

§ 924.305 Prune Regulation 4.

(a) *Order.* During the period beginning at 12:01 a.m., P.s.t., July 25, 1966, and ending at 12:01 a.m., P.s.t., August 1, 1967, no handler shall handle any lot of prunes unless such prunes meet the following applicable requirements, or are

handled in accordance with subparagraph (3) of this paragraph:

(1) *Minimum grade requirement.* Such prunes grade at least U.S. No. 1: *Provided,* That any prunes having not less than two-thirds (⅔) of the surface with purplish color may be shipped if they otherwise grade at least U.S. No. 1: *Provided further,* prunes for export may be shipped if they grade at least U.S. No. 2.

(2) *Minimum maturity requirement.* Such prunes, in addition to meeting the other requirements of maturity as defined in the U.S. Standards for Fresh Plums and Prunes (7 CFR 51.1520–51.1537 of this title), contain not less than fourteen (14) percent soluble solids, as determined by refractometer test of the juice from a side slab section of not less than 10 prunes selected at random from the lot. The side slab section of each prune shall be cut parallel to the longitudinal axis to the depth of the pit from the side opposite the suture, and the juice therefrom tested either on a composite basis or individual tests averaged.

(3) Notwithstanding any other provision of this section, any individual shipment which, in the aggregate, does not exceed 500 pounds, net weight, of prunes of the Brooks, Stanley, or Merton varieties of prunes, or 150 pounds, net weight, of prunes of any variety other than Brooks, Stanley, or Merton varieties of prunes, which meets each of the following requirements may be handled without regard to the restrictions of this paragraph, of § 924.41 (Assessments), and of § 924.55 (Inspection and certification):

(i) The shipment consists of prunes sold for home use and not for resale; and

(ii) Each container is stamped or marked with the handler's name and address and with the words "not for resale" in letters at least one-half inch in height.

(4) The term "U.S. No. 1" and "U.S. No. 2" shall have the same meaning as when used in the U.S. Standards for Fresh Plums and Prunes (§§ 51.1520–51.1537 of this title); the term "purplish color" shall have the same meaning as when used in the Washington State Department of Agriculture Standards for Italian Prunes (May 1954) and in the Oregon State Department of Agriculture Standards for Italian Prunes (July 1965); and, except as otherwise specified, all other terms shall have the same meaning as when used in the marketing agreement and order.

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

Dated: July 22, 1966.

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

[F.R. Doc. 66-8161; Filed, July 22, 1966; 11:44 a.m.]

[Bartlett Pear Reg. 1]

PART 931—FRESH BARTLETT PEARS GROWN IN OREGON AND WASHINGTON

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement and Order No. 931 (7 CFR Part 931, 30 F.R. 12285) regulating the handling of fresh Bartlett pears grown in Oregon and Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the recommendations of the Northwest Fresh Bartlett Pear Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of fresh Bartlett pears, in the manner herein 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 regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 25, 1966. A reasonable determination as to the supply of, and the demand for, Bartlett pears must await the development of the crop and adequate information thereon was not available to the Northwest Fresh Bartlett Pear Marketing Committee until July 13, 1966; recommendation as to need for, and the extent of, regulation of shipments of such pears was made at the meeting of said committee on July 13, 1966, after consideration of all available information relative to the supply and demand conditions for such pears, at which time the recommendation and supporting information were submitted to the Department; shipments of the current crop of such pears will begin on or about July 25, 1966, and this regulation should be applicable, insofar as practicable, to all shipments of such pears in order to effectuate the declared policy of the act; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

§ 931.301 Bartlett Pear Regulation 1.

(a) *Order.* During the period beginning at 12:01 a.m., P.s.t., July 25, 1966, and ending at 12:01 a.m., P.s.t., July 1, 1967, no handler shall handle any lot of Bartlett pears unless such pears meet the following applicable requirements, or are handled in accordance with subparagraphs (4) or (5) of this paragraph:

(1) *Minimum grade requirement.* Such pears grade at least U.S. No. 2: *Provided,* That pears which fail to meet the requirements with respect to shape specified in the U.S. No. 2 grade only because of frost injury or healed hail marks may be handled if (i) they are not so seriously misshapen as to preclude the cutting of at least one good half and (ii) they are packed in containers containing at least 14 pounds, net weight, but not more than 15 pounds, net weight, of pears.

(2) *Minimum size requirements.* Such pears (i) when packed in the standard western pear box or its carton equivalent, or in the L.A. lug, are of a size not smaller than the 150 size: *Provided,* That pears not smaller than the 180 size may be handled if they grade at least the U.S. No. 1 grade, or (ii) when packed in any other container, measure at least 2⅜ inches in diameter: *Provided,* That pears which measure at least 2¼ inches in diameter may be handled if they grade at least the U.S. No. 1 grade and: *Provided, further,* That pears which measure at least 2⅛ inches may be handled if they are packed in containers containing at least 14 pounds, net weight, but not more than 15 pounds, net weight, of pears.

(3) *Pack requirements.* Such pears are packed in L.A. lugs, in containers containing at least 14 pounds, net weight, but not more than 15 pounds, net weight, of pears, or in containers having a capacity equal to, or greater than, the western lug.

(4) *Special purpose shipments.* Notwithstanding any other provision of this section, any shipment of pears in gift packages may be handled without regard to the provisions of this paragraph, of § 931.41 (Assessments), and of § 931.55 (Inspection and certification).

(5) Notwithstanding any other provision of this section, any individual shipment of pears which meets each of the following requirements may be handled without regard to the provisions of this paragraph, of § 931.41 (Assessments), and of § 931.55 (Inspection and certification):

(i) The shipment consists of pears sold for home use and not for resale;

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of pears; and

(iii) Each container is stamped or marked with the handler's name and address and with the words "not for resale" in letters at least one-half inch in height.

(6) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; "U.S. No. 1," "U.S. No. 2," "frost injury," "hail marks," and "size" shall have the same meaning as when used in the U.S. Standards for Summer and Fall Pears

(§§ 51.1260–51.1280 of this title); "150 size" and "180 size" shall mean that the pears are of a size which, as indicated by the size number, will pack, in accordance with the sizing and packing specifications of a standard pack, as specified in said U.S. Standards, 150 or 180 pears, respectively, in a standard western pear box (inside dimensions 18 inches long by 11½ inches wide by 8½ inches deep); the term "L.A. lug" shall mean a wooden container with inside dimensions of 5¾ by 13½ by 16⅛ inches; and the term "western lug" shall mean a container with inside dimensions of 7 by 11½ by 18 inches.

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

Dated: July 20, 1966.

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

[F.R. Doc. 66–8086; Filed, July 22, 1966; 8:52 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 923]

SWEET CHERRIES GROWN IN WASHINGTON

Approval of Expenses and Fixing of Rate of Assessment for 1966–67 Fiscal Year

Consideration is being given to the following proposals submitted by the Washington Cherry Marketing Committee, established under the marketing agreement and Order No. 923 (7 CFR Part 923) regulating the handling of sweet cherries grown in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(a) That expenses that are reasonable are likely to be incurred by said committee, during the period beginning April 1, 1966, and ending March 31, 1967, will amount to $13,020.

(b) That there be fixed, at $1.00 per ton of sweet cherries, the rate of assessment payable by each handler in accordance with § 923.41 of the aforesaid marketing agreement and order.

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

Dated: July 19, 1966.

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

[F.R. Doc. 66–8064; Filed, July 22, 1966; 8:49 a.m.]

[7 CFR Part 932]

OLIVES GROWN IN CALIFORNIA

Percentage Tolerances for Canned Whole Ripe Olives

Notice is hereby given that the Department is considering an administrative regulation, hereinafter set forth, pursuant to the applicable provisions of the marketing agreement and Order No. 932 (7 CFR Part 932; 30 F.R. 12629) regulating the handling of olives grown in California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The administrative regulation, which was proposed by the Olive Administrative Committee established under the marketing agreement and order as the agency to administer the terms and provisions thereof, is as follows:

§ 932.150 Changes in the percentage tolerances for canned whole ripe olives.

The percentage tolerances for canned whole ripe olives, set forth in § 932.52 (a) (2), are changed as follows:

(a) With respect to variety group 1 olives, except the Ascolano, Barouni, and Saint Agostino varieties, the individual fruits shall each weigh not less than 1/75 pound except that (1) for such olives of the mammoth size designation, not more than 25 percent, by count, of such olives may weigh less than 1/75 pound each: *Provided,* That not more than 10 percent, by count, of such olives may weight less than 1/82 pound each; and (2) for such olives of all size designations except the mammoth size, not more than 5 percent, by count, of such olives may weigh less than 1/75 pound each;

(b) With respect to variety group 1 olives of the Ascolano, Barouni, and Saint Agostino varieties, the individual fruit shall each weigh not less than 1/88 pound except that (1) for such olives of the extra large size designation, not more than 25 percent, by count, of such olives may weigh less than 1/88 pound each: *Provided,* That not more than 10 percent, by count, of such olives may weigh less than 1/98 pound each; and (2) for such olives of all size designations, except the extra large size, not more than 5 percent, by count, of such olives may weigh less than 1/88 pound each;

(c) With respect to variety group 2 olives, except the Obliza variety, the individual fruits shall each weigh not less than 1/140 pound except that (1) for such olives of the small, select or standard size designation, not more than 35 percent, by count, of such olives may weigh less than 1/140 pound each; *Provided,* That not more than 7 percent, by count, of such olives may weigh less than 1/160 pound each; and (2) for such olives of all size designations, except the small, select or standard size, not more than 5 percent, by count, of such olives may weigh less than 1/140 pound each; and

(d) With respect to variety group 2 olives of the Obliza variety, the individual fruits shall each weigh not less than 1/121 pound except that (1) for such olives of the medium size designation, not more than 35 percent, by count, of such olives may weigh less than 1/121 pound each; *Provided,* That not more than 7 percent, by count, of such olives may weigh less than 1/135 pound each; and (2) for such olives of all size designations, except the medium size, not more than 5 percent, by count, of such olives may weigh less than 1/121 pound each.

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

Dated: July 19, 1966.

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

[F.R. Doc. 66–8065; Filed, July 22, 1966; 8:49 a.m.]

[7 CFR Parts 1032, 1050]

[Docket Nos. AO–355, AO–313–A8]

MILK IN CENTRAL ILLINOIS AND SUBURBAN ST. LOUIS MARKETING AREAS

Notice of Extension of Time for Filing Exceptions to Recommended Decision on Proposed Marketing Agreement and Order and Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed marketing agreement and order regulating the handling of milk in the Central Illinois marketing area and to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Suburban St. Louis marketing area, which was issued June 29, 1966 (31 F.R. 9152), is hereby extended to July 26, 1966.

Signed at Washington, D.C., on July 20, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66–8087; Filed, July 22, 1966; 8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 17]

BREAD

Standard; Inactive Dried Torula Yeast as Optional Ingredient

Notice is given that a petition has been filed by the Lake States Division of St. Regis Paper Co., Rhinelander, Wis. 54501, proposing that the standard of identity for bread (21 CFR 17.1) be amended to permit the optional use of inactive dried torula yeast (*Candida utilis*) in bread in amounts not to exceed two parts for each 100 parts by weight of flour used.

Grounds set forth in the petition to support the amendment are that the proposed use of such yeast will result in the production of bread with a better texture, color, and flavor.

Accordingly, it is proposed that § 17.1 (a) (7) be revised to read as follows:

§ 17.1 Bread, white bread, and rolls, white rolls, or buns, white buns; identity; label statement of optional ingredients.

(a) * * *

(7) Inactive dried yeast, singly or in combination, of *Saccharomyces cerevisiae* or *Candida utilis* (torula), complying with all the provisions of § 121.-1125 of this chapter; but the total quantity thereof is not more than 2 parts for each 100 parts by weight of flour used.

* * * * *

Because of cross-references, adoption of the proposed amendment to the standard for bread (§ 17.1) would have the effect of making torula yeast a permitted ingredient of enriched bread, milk bread, raisin bread, and whole wheat bread (§§ 17.2–17.5).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with 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), all interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER, and may be accompanied by a memorandum or brief in support thereof.

Dated: July 19, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8073; Filed, July 22, 1966; 8:50 a.m.]

[21 CFR Part 133]

MEDICATED PREMIXES

Manufacturing Practices and Controls; Extension of Time for Filing Comments

In the matter of establishing criteria for current good manufacturing practice in the manufacture, processing, packaging, and holding of medicate premixes for use in the manufacture of medicated feeds:

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of May 17, 1966 (31 F.R. 7185), and granted a period of 60 days for filing of comments. The Commissioner of Food and Drugs has received requests for an extension of time for filing comments. Good reason therefor appearing, the time for filing comments is extended to August 17, 1966.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 501(a) (2) (B), 701(a), 52 Stat. 1050 as amended, 76 Stat. 780, 781; 52 Stat. 1055; 21 U.S.C. 351(a) (2) (B), 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008).

Dated: July 19, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8074; Filed, July 22, 1966; 8:50 a.m.]

[21 CFR Part 166]

DEPRESSANT AND STIMULANT DRUGS

Proposed Listing of Additional Drugs Subject to Control

The Commissioner of Food and Drugs proposes, on the basis of his investigations and the recommendations of an advisory committee appointed pursuant to section 511(g) (1) of the Federal Food, Drug, and Cosmetic Act, that the drugs set forth below be listed as depressant or stimulant drugs within the meaning of section 201(v) of the act because of their depressant effect on the central nervous system. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371) and under the authority delegated by the Secretary of Health, Education, and Welfare to the Commissioner (21 CFR 2.120; 31 F.R. 3008), it is proposed that § 166.3 (c) be amended by inserting alphabetically in the list of drugs in subparagraph (1) new items, as follows:

§ 166.3 Listing of drugs defined in section 201(v) of the act.

* * * * *

(c) * * *
(1) * * *

Established name	*Some trade and other names*
Chloral betaine	Beta-Chlor.
Chlorhexadol	Lora.
Petrichloral	Periclor.
Sulfondiethylmethane	Tetronal.
Sulfonethylmethane	Trional.
Sulfonmethane	Sulfonal.

* * * * *

All interested persons are invited to submit their views in writing regarding this proposal. Comments concerning any additional trade or other names that may be properly listed for the drugs named are desired. Comments are also invited on any combination of drugs listed in this notice with other drugs which should be considered for exemption because of their lack of significant potentiality for abuse. Views and comments should be submitted, preferably in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 30 days following the date of publication of this notice in the FEDERAL REGISTER.

Dated: July 19, 1966.

WINTON B. RANKIN,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 66-8075; Filed, July 22, 1966; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 66-CE-41]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace at Dubuque, Iowa.

The following controlled airspace is presently designated in the Dubuque, Iowa, terminal area:

(1) The Dubuque, Iowa, control zone is designated as that airspace within a 5-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W) from 0600 to 2100 hours, local time, daily.

(2) The Dubuque, Iowa, transition area is designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.), and within 8 miles NE and 5 miles SW of the Dubuque VOR 159° and 339° radials, extending from 6 miles NW to 14 miles SE of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded on the N by the S edge of V–100, on the E by the west edge of V–63, on the S by the north edge of V–172, and on the W by the east edge of V–67, excluding the portions which overlie the Cedar Rapids, Iowa, and Waterloo, Iowa, transition areas.

The Dubuque, Iowa, VOR is being converted to a VORTAC and will be relocated at the Dubuque, Iowa, Municipal Airport. This conversion and relocation require modification of the public use instrument approach procedures at Dubuque. As a result, and having completed a comprehensive review of airspace requirements at Dubuque, Iowa, the Federal Aviation Agency proposes the following airspace actions:

(1) Redesignate the Dubuque, Iowa, control zone as that airspace within a 5-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.); within 2 miles each side of the Dubuque VORTAC 126° and 321° radials, extending from the 5-mile radius zone to 8 miles SE and NW of the VORTAC, effective 0600 to 2100 hours, local time, daily.

(2) Redesignate the Dubuque, Iowa, transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.), within 8 miles SW and 5 miles NE of the Dubuque VORTAC 321° radial, extending from the VORTAC to 12 miles NW, and within 8 miles NE and 5 miles SW of the Dubuque 126° radial extending from the VORTAC to 12 miles SE; and that airspace extending upward from 1,200 feet above the surface within an 18-mile radius of the Dubuque VORTAC.

The proposed control zone extensions would provide controlled airspace protection for aircraft executing the public instrument approach procedures during descent below 1,000 feet above the surface when the control zone is effective.

The proposed 700-foot floor transition area would provide controlled airspace protection for aircraft executing the public instrument approach procedures during descent from 1,500 to 700 feet above the surface when the control zone designation is not in effect.

The proposed 1,200-foot floor transition area would provide controlled airspace protection required for aircraft executing public instrument approach procedures during descent to 1,500 feet above the surface, and would also provide protection for aircraft being radar vectored to final approach course landing at the Dubuque Municipal Airport.

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

Since modifications proposed herein are recommended to accommodate new procedures, no procedural changes would be required. Specific details of these new procedures may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106.

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

Issued at Kansas City, Mo., on July 12, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-8083; Filed, July 22, 1966; 8:52 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-CE-63]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration

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

The Vandalia, Ill., transition area is presently designated as follows:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Vandalia Municipal Airport (latitude 38°59'26" N., longitude 89°09'55" W.); within 2 miles each side of the Vandalia VOR 183° radial extending from the 5-mile radius area to the VOR; and the airspace extending upward from 1,200 feet above the surface within a 10-mile radius of the Vandalia Municipal Airport and within 5 miles E and 8 miles W of the Vandalia 003° and 183° radials extending from the 10-mile radius area to 12 miles N of the VOR, excluding the portion within V-12.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structural requirements in the Vandalia, Ill., terminal area, proposes the following airspace actions:

(1) Designate a control zone at Vandalia, Ill., to comprise that airspace within a 5-mile radius of the Vandalia Municipal Airport (latitude 38°59'26" N., longitude 89°09'55" W.) and within 2 miles each side of the Vandalia VOR 183° radial extending from the 5-mile radius area to the VOR.

(2) Alter the Vandalia, Ill., transition area by redesignating it as that airspace extending upward from 1,200 feet above the surface within a 10-mile radius of the Vandalia Municipal Airport (latitude 38°59'26" N., longitude 89°09'55" W.); within 5 miles E and 8 miles W of the Vandalia 003° and 183° radials extending from the 10-mile radius area to 12 miles N of the VOR; within an area bounded on the S by V-14N, on the NW by V-191, on the E by a line 8 miles W of and parallel to the 003° radial; and within an area bounded on the N by V-14 and V-210, on the E by the arc of a 10-mile radius circle centered on the Vandalia Municipal Airport, on the SW by the arc of a 40-mile radius circle centered on the Scott AFB, Belleville, Ill. (latitude 38°32'30" N., longitude 89°51'05" W.); and that airspace extending upward from 3,000 feet MSL within an area bounded on the W by V-191, on the E by V-313, and on the S by a line 12 miles N of the Vandalia VOR.

A modification of the existing transition area is necessary to provide sufficient controlled airspace for the Kansas City Air Traffic Control Center to provide more efficient radar service to aircraft in the area. The proposed control zone will provide protection for aircraft executing the prescribed instrument approach procedure to Vandalia Municipal Airport during descent below 1,000 feet above the surface and for departing aircraft during climb to 1,200 feet above the surface. The Vandalia Flight Service Station has the capability to communicate directly with aircraft operating in the vicinity of the airport.

The proposed 1,200-foot floor transition area will provide controlled airspace protection for aircraft during the portion of the approach procedure executed above 1,500 feet above the surface. This transition area, in conjunction with the 3,000-foot floor transition area, will provide sufficient airspace for the Kansas City Air Traffic Control Center to furnish more efficient radar service.

The floors of the airways which traverse the transition areas proposed herein will automatically coincide with the floors of the transition areas.

No procedural changes would be effected in conjunction with the actions proposed herein.

Specific details of this proposal may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, 601 East 12th Street, Kansas City, Mo. 64106.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record

for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Agency, 601 East 12th Street, Kansas City, Mo. 64106.

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

Issued at Kansas City, Mo., on July 12, 1966.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 66-8084; Filed, July 22, 1966; 8:52 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 66-WA-14]

RESTRICTED AREAS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 73 of the Federal Aviation Regulations that would alter two restricted areas near Hunter-Liggett military reservation.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

On May 27, 1966, a rule was published in the FEDERAL REGISTER (31 F.R. 7612) designating two temporary restricted areas R-2513C and R-2513D near Hunter-Liggett military reservation to contain a series of tests to be conducted by Joint Task Force Two (JTF-2).

This series of tests was originally scheduled to be conducted from July 1, 1966, through October 7, 1966, but was subsequently delayed to begin July 21, 1966. In consideration of the delay, the restricted areas were designated for the period July 21, 1966, through October 7, 1966.

The 3-week delay in starting the test and additional delays caused by the contractor's inability to meet delivery dates of the instrumentation and air control radars have resulted in JTF-2 requesting an extension in the overall test program through November 30, 1966. As stated in the original notice of proposed rule making (NPRM), the purpose of these temporary restricted areas is to contain a series of low altitude, high speed test flights designed to electronically collect data and statistics for the determination of the effectiveness of ground based surface to air conventional and missile weapon systems, and appropriate countering tactics. Detailed information concerning the purpose and use of these restricted areas was contained in an NPRM published in the FEDERAL REGISTER on February 19, 1966 (31 F.R. 2969, Airspace Docket No. 65-WE-124).

If this action is taken, temporary restricted areas R-2513C and R-2513D Hunter-Liggett, Calif., will be altered by extending the time of designation to November 30, 1966.

The airspace action designating these temporary restricted areas stated that persons having a legitimate need to fly within the restricted areas during periods of activation may request approval of a flight at a specified time and place from the Test Director by a collect telephone call. JTF-2 states that the Test Director will be unable to approve a flight without encountering a lengthy delay. Therefore, JTF-2 has requested that phone calls be directed to the Hunter-Liggett Military Range by non-collect phone calls through the King City commercial switchboard using the following number: Area Code—408-385 5911, Extension 394, 396, or 398. This number will connect the caller with the JTF-2 aircraft operation center at Hunter-Liggett where military personnel will be on duty from 7 a.m. through 4 p.m. Monday through Friday to consider the request. JTF-2 will also maintain a direct land line with the Paso Robles and Salinas FAA Flight Service Stations to provide current information regarding range operation for airborne pilots.

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

Issued in Washington, D.C., on July 15, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-8024; Filed, July 22, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

HOUSING GUARANTY PROGRAM

Extension of Terminal Date for Receipt of Applications Under

On April 4, 1966, the Agency for International Development (AID) announced the reopening of the Agency's Housing Guaranty Program in Latin America (F.R., v. 31, No. 69, p. 5640, Apr. 9, 1966). The April 4 Announcement established August 1, 1966, as the terminal date for the submission of applications to AID under the new program.

In response to some expressions of concern and requests for an extension of the August 1 terminal date, AID is hereby extending the terminal date for submission of applications under the reopened Housing Guaranty Program from August 1, 1966, to September 15, 1966.

Submission of applications. The applications should be prepared in English and submitted to the Division of Housing and Urban Development, Bureau for Latin America, Agency for International Development, Washington, D.C. 20523. Applications should be postmarked not later than midnight, September 15, 1966, or delivered in person to the Division of Housing and Urban Development prior to the close of business (5:30 p.m.) on September 15, 1966.

Clarifications. AID wishes to make the following clarifications:

1. The AID guaranty will cover 100 percent of the principal amount of a loan investment in housing projects qualifying under any one of the four categories of projects included in this program, which were described in the AID April 4, 1966, Announcement, Page 2 and Page 3, under the following headings: "1. Credit Institutions;" "2. Housing Projects for Lower Income Families;" "3. Institutions Important to the Alliance;" "4. Local Participation."

2. In connection with applications for projects under the "Credit Institutions" Category (Application Form No. AID 1520-6), applicants are not strictly required to submit, at the time that the application is submitted, the name and description of the proposed U.S. Investor, which are requested in the Application Form (p. 2, sec. Ia). This information may properly be submitted to AID at a specified later date. Nevertheless, applicants for projects under this category are encouraged to establish contacts and close working relationships at the earliest possible date with savings and loan institutions in the United States who may be interested in becoming investors. In this manner the institution building and the interinstitutional relationships, which provide the basis for the inclusion of this category, will most effectively be achieved.

3. The AID April 4, 1966, Announcement stated that the maximum yield to the investor permitted under the program at that time was 5½ percent per annum and that such yield would be adjusted periodically in response to money market changes of major significance. The present maximum yield to the investor permitted under the Program is 5¾ percent per annum. This yield will be similarly adjusted as appropriate. AID's main interest, of course, is in securing investments at the lowest interest rate so as to provide the Latin American mortgage holder with the most attractive terms possible.

A closing note. The success of the Program is a key element of the Alliance for Progress. The Staff of AID will furnish all possible assistance to applicants in order to insure submission of the best possible applications and the ultimate development of the finest and most creative group of projects.

REUBEN STERNFELD,
Acting Deputy U.S. Coordinator.

JULY 5, 1966.

[F.R. Doc. 66-8059; Filed, July 22, 1966; 8:49 a.m.]

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 66-37]

VESSELS CERTIFICATED FOR OCEAN AND COASTWISE SERVICE

Lifeboat Equipment

Correction

In F.R. Doc. 66-7448 appearing at page 9390 in the issue of Friday, July 8, 1966, the second entry under the heading "Desalter Kit" should read as follows:

Approval No. 160.058/2/0, desalter kit, manufactured by Van Brode Milling Co., Inc., Clinton, Mass. 01510.

Office of the Secretary

[Treasury Department Order No. 167-75]

COMMANDANT, U.S. COAST GUARD

Delegation of Authority

By virtue of the authority vested in the Secretary of the Treasury by Reorganization Plan No. 26 and 14 U.S.C., and pursuant to the authority delegated to me by Treasury Department Order No. 190 (Revision 4), there is hereby transferred to the Commandant, U.S. Coast Guard the authority of the Secretary of the Treasury contained in Executive Order No. 10448 (as amended by Executive Order No. 11265) pertaining to the awarding of the National Defense Service Medal to Coast Guard military members.

This order supersedes the regulations (implementing Executive Order No. 10448) previously approved by the Secretary in a letter to the Commandant dated July 21, 1953.

Dated: July 18, 1966.

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-8070; Filed, July 22, 1966; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA

Redelegation to Area Managers Authority in General

In accordance with Bureau Order No. 701 of July 23, 1964, and Amendment No. 2 published May 6, 1966, the Area Managers of the Kingman, Lower Gila and Phoenix Resource Areas are redelegated the authority given to the Phoenix District Manager in Part III of the above order with the limitations and exceptions listed below:

Signing authority is not redelegated for land classifications, contracts, personnel actions or adverse decisions concerning the use of public lands. This restriction does not apply to trespass action.

The Area Managers have fiscal responsibility for their areas within the framework of the approved Annual Work Plan. Purchasing authority is limited to emergency purchases as specified in Bureau Manual 1510. All other purchases will be cleared through the District Manager by the Division of Administration.

This order will become effective upon publication in the FEDERAL REGISTER.

Dated July 18, 1966.

RICHARD H. PETRIE,
District Manager.

[F.R. Doc. 66-8031; Filed, July 22, 1966; 8:46 a.m.]

Office of the Secretary

ANDREW PAT JONES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of June 30, 1966.

Dated: July 5, 1966.

ANDREW PAT JONES.

[F.R. Doc. 66-8046; Filed, July 22, 1966; 8:48 a.m.]

VIVAN B. JONES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of July 7, 1966.

Dated: July 7, 1966.

VIVAN B. JONES.

[F.R. Doc. 66-8047; Filed, July 22, 1966; 8:48 a.m.]

GEORGE V. KENNEDY

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of July 5, 1966.

Dated: July 5, 1966.

GEORGE V. KENNEDY.

[F.R. Doc. 66-8040; Filed, July 22, 1966; 8:48 a.m.]

MAX R. LLEWELLYN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Exceutive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of July 7, 1966.

Dated: July 7, 1966.

MAX R. LLEWELLYN.

[F.R. Doc. 66-8049; Filed, July 22, 1966; 8:48 a.m.]

JOHN P. MADGETT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of July 10, 1966.

Dated: July 10, 1966.

JOHN P. MADGETT.

[F.R. Doc. 66-8050; Filed, July 22, 1966; 8:48 a.m.]

CLARENCE WILBUR MAYOTT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of July 5, 1966.

Dated: July 5, 1966.

CLARENCE W. MAYOTT.

[F.R. Doc. 66-8051; Filed, July 22, 1966; 8:48 a.m.]

SAMUEL RIGGS SHEPPERD

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) American Bank of Commerce; Fidelity Capital Corp.; Ford Motor Co.; O'okeip Copper—American shares.
(3) None.
(4) None.

This statement is made as of July 7, 1966.

Dated: July 7, 1966.

RIGGS SHEPPERD.

[F.R. Doc. 66-8052; Filed, July 22, 1966; 8:48 a.m.]

WILLARD B. SIMONDS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of July 5, 1966.

Dated: July 5, 1966.

WILLARD B. SIMONDS.

[F.R. Doc. 66-8053; Filed, July 22, 1966; 8:48 a.m.]

ALEXANDER H. WADE, JR.

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of July 11, 1966.

Dated: July 11, 1966.

ALEXANDER H. WADE, Jr.

[F.R. Doc. 66-8054; Filed, July 22, 1966; 8:48 a.m.]

WILFORD D. WILDER

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests during the past 6 months:

(1) No change.
(2) Appointee is currently participating in an employee stock purchase plan adopted by Niagara Mohawk Power Corp. effective January 1, 1965, and has elected the maximum participation possible which is 6 percent of appointee's annual salary.
(3) No change.
(4) No change.

This statement is made as of July 5, 1966.

Dated: July 5, 1966.

W. D. WILDER.

[F.R. Doc. 66-8055; Filed, July 22, 1966; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Forest Service

MOUNT BALDY WILDERNESS

Proposal and Hearing Announcement

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (P.L. 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132) that a public hearing will be held beginning at 9 a.m., on September 15, 1966, in the Ramada Inn Motel, Springerville, Ariz., on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to Congress for the establishment of the Mount Baldy Wilderness, comprising about 6,975 acres, including most of the Mount Baldy Primitive Area, and one contiguous area. The proposed Mount Baldy Wilderness is located within the Apache National Forest, Apache County, State of Arizona.

A brochure containing a map and information about the proposed Wilderness may be obtained from the Forest Supervisor, Apache National Forest, Post Office Building, Springerville, Ariz., or the Regional Forester, U.S. Forest Service, 517 Gold Avenue SW., Albuquerque, N. Mex.

Individuals and organizations are invited to express their views by appearing at the Hearing or may submit written comments for inclusion in the official record to Regional Forester, U.S. Forest Service, 517 Gold Avenue SW., Albuquerque, N. Mex., by October 15, 1966.

ARTHUR W. GREELEY,
Associate Chief, Forest Service.

[F.R. Doc. 66-8066; Filed, July 22, 1966; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CIBA CHEMICAL & DYE CO.

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 6R2020) has been filed by CIBA Chemical & Dye Co., division of CIBA Corp., Fair Lawn, N.J. 07410, proposing the issuance of a regulation to provide for the safe use of 2,5-di(5-*tert*-butylbenzoxazolyl-2')thiophene as an optical brightener in certain polymeric compounds used in contact with food.

Dated: July 18, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8076; Filed, July 22, 1966; 8:51 a.m.]

COMMERCIAL SOLVENTS CORP.

Notice of Withdrawal of Petition for Food Additives Zinc Bacitracin, Procaine Penicillin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Commercial Solvents Corp., Terre Haute, Ind. 47808, has withdrawn its petition (FAP 6C1899), notice of which was published in the FEDERAL REGISTER of February 18, 1966 (31 F.R. 2912), proposing an amendment to § 121.225 *Antibiotics for growth promotion and feed efficiency* to provide for the safe use of zinc bacitracin in the feed of swine in an amount not less than 5 grams nor more than 50 grams per ton of finished feed; and to provide for the safe use of procaine penicillin with zinc bacitracin combined in an amount containing not less than 1.25 grams of penicillin and not less than 3.75 grams of zinc bacitracin no more than 50 grams of the combination per ton of finished feed.

The withdrawal of this petition is without prejudice to a future filing.

Dated: July 18, 1966.

J. K. KIRK,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 66-8077; Filed, July 22, 1966; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 16503]

IN-FLIGHT ENTERTAINMENT CHARGE

Notice of Oral Argument

At the direction of the Board notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on September 7, 1966, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Air carriers supporting the agreement will be allotted 1 hour for their argument; and parties urging disapproval of the agreement 1 hour. The air carriers will be allowed to reserve not to exceed one-quarter of their allotted time for rebuttal. Please advise the Chief Examiner on or before August 24, 1966, the name of the person who will represent you at the argument.

Dated at Washington, D.C., July 19, 1966.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 66-8085; Filed, July 22, 1966; 8:52 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16706-16708; FCC 66M-984]

ATLANTIC BROADCASTING CO. (WUST) AND BETHESDA-CHEVY CHASE BROADCASTERS, INC.

Order After Prehearing Conference

In re applications of Atlantic Broadcasting Co. (WUST), Bethesda, Md., Docket No. 16706, File No. BP-14357; for construction permit; Atlantic Broadcasting Co. (WUST), Bethesda, Md., Docket No. 16707, File No. BR-1513; for renewal of license; Bethesda-Chevy Chase Broadcasters, Inc., Bethesda, Md., Docket No. 16708, File No. BP-16319; for construction permit.

The Hearing Examiner having under consideration the proceedings during the prehearing conference held today in the above-entitled matter;

It is ordered, This 18th day of July 1966, that (a) exhibits will be prepared and exchanged, two copies to each counsel and one to the presiding officer, by October 3; (b) that the hearing is hereby continued and will convene at 10 a.m., Monday, October 24, 1966, at the Commission's offices, Washington, D.C.; and (c) the parties will be guided by the understandings, agreements, and directions set forth in the transcript of the prehearing conference which is hereby incorporated by reference herein with the same force and effect as if set out verbatim; and

It is ordered further, That the unopposed motion of applicant Atlantic Broadcasting Co. (WUST), made upon the record during the prehearing conference, for acceptance of an amendment to its application changing the name of its pending application for increase in power from WUST, Inc. (WUST), to Atlantic Broadcasting Co. (WUST) is granted and that the caption of this pro-

ceeding will henceforth reflect this change.[1]

Released: July 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8056; Filed, July 22, 1966; 8:49 a.m.]

[Docket No. 16769; FCC 66M-991]

ALLEN C. BIGHAM, JR.

Order Scheduling Hearing

In re application of Allen C. Bigham, Jr., Docket No. 16769, File No. BR-4293; for renewal of license of Station KCTY, Salinas, Calif.

It is ordered, This 19th day of July 1966, that Sol Schildhause will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence at 10 a.m. on October 5, 1966, in Salinas, Calif. *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the Presiding Officer at 9 a.m. on September 6, 1966, in Washington, D.C.

Released: July 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8088; Filed, July 22, 1966; 8:52 a.m.]

[Docket No. 16722; FCC 66M-986]

BLACK HAWK BROADCASTING CO. (KWWL-TV)

Order After Prehearing Conference

In re application of Black Hawk Broadcasting Co. (KWWL-TV), Waterloo, Iowa, Docket No. 16722, File No. BPCT-3606; for construction permit.

Prehearing conference was held in this proceeding today. The issues were explored and trial commitments were made. The now-scheduled hearing date of September 1 is canceled. The hearing will instead get under way on October 17 in Washington, D.C. The parties have agreed to present their direct cases in writing and to exchange their written material by September 14. Any objection to the admission into evidence of any of the exchanged material must be stated in writing and be served upon all the parties and upon the Presiding Officer by October 7. By this last date, too, any party desiring the production for cross examination of any witness sponsoring a written exhibit must notify the party on whose behalf the testimony is proposed to be offered.

So ordered, This 18th day of July 1966.

Released: July 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8089; Filed, July 22, 1966; 8:52 a.m.]

[Docket Nos. 16584, 16585; FCC 66M-1002]

CITY INDEX CORP., AND JOHN M. McLENDON

Order Continuing Hearing

In re applications of City Index Corp., Jackson, Miss., Docket No. 16584, File No. BPCT-3530; John M. McLendon, trading as Tele/Mac of Jackson, Jackson, Miss., Docket No. 16585, File No. BPCT-3647; for construction permit for new television broadcast station (Channel 16).

The Hearing Examiner having under consideration a joint petition filed July 14, 1966, on behalf of the above-entitled applicants requesting that the date for exchange of exhibits and the date for the commencement of the hearing be continued for a period of approximately 45 days; and

It appearing that the reason for the requested continuance is the fact that on July 12, 1966, the above-entitled applicants entered into an agreement which could obviate the necessity for a comparative hearing, which agreement will be filed on or before July 19, 1966; and

It further appearing that counsel for the Broadcast Bureau has consented to the immediate favorable grant of the joint petition, and good cause for granting the same having been shown;

It is ordered, This the 18th day of July 1966, that the joint petition is granted, and the date for the exchange of exhibits is continued from July 15, 1966, to September 2, 1966, and the date for the commencement of the hearing is continued from September 12, 1966, to October 17, 1966.

Released: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8090; Filed, July 22, 1966; 8:52 a.m.]

[Docket Nos. 16767, 16768; FCC 66-643]

AMERICAN TELEVISION SERVICE AND HOLSTON VALLEY BROADCASTING CORP.

Order Designating Applications for Consolidated Hearing of Stated Issues

In re applications of Earl L. Boyles, C. E. Feltner, Jr., and Airways Broadcasting Co., Inc., doing business as American Television Service, Kingsport, Tenn., Docket No. 16767, File No. BPCT-3269; Holston Valley Broadcasting Corp., Kingsport, Tenn., Docket No. 16768, File No. BPCT-3760; for construction permit for new television broadcast station.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 13th day of July 1966;

1. The Commission has before it for consideration the above-captioned applications, each requesting a construction permit for a new television broadcast station to operate on Channel 19, Kingsport, Tenn.

2. The following matters are to be considered in connection with the issues specified below:

a. American Television Service submitted with its application an agreement entitled "Option to Lease", made February 1, 1966, under which the applicant was to lease land and transmitter building for 30 years at an annual rental of $6,000. The option, by its terms, expired 120 days from the date thereof. It cannot be determined, therefore, that the land and transmitter building will be available to the applicant upon the terms proposed.

b. Based on information contained in the application of American Television Service, cash of approximately $281,000 will be required for the construction and operation of the proposed station for 1 year.[1] The exact amount of cash required cannot be determined, however, because if it is determined that the land and transmitter building which the applicant proposes to lease are not available to it upon the terms proposed, the costs of construction and operation may be affected. To meet the costs as set forth in the application, the applicant relies upon the availability of $2,000 in existing capital (cash on hand), $98,000 from stock subscriptions, and $130,000 in revenues during the first year, totalling $230,000. Assuming that all of the funds upon which the applicant relies were available to it, the applicant would not have sufficient funds to construct and operate the proposed station for 1 year.

c. In view of the fact that American Television Service must rely upon revenues to meet its costs of operation in the first year, the validity of its estimate is a critical factor in determining its ability to operate. The showing which the applicant has made, however, does not establish the validity of its estimate of revenues as required by the Commission in Ultravision Broadcasting Co., FCC 65-581, 5 RR 2d 343. An issue will be specified, therefore, to determine the basis for the applicant's estimate of revenues, whether such estimate is reasonable and, if not, the amount thereof which may be reasonably expected in the first year.

3. American Television Service has not disclosed the citizenship information with respect to its staff officials enumerated in section IV, paragraph 12, FCC

[1] Counsel for Atlantic Broadcasting Co. (WUST) furnished the court reporter with an original and copy of the amendment at the time he submitted his motion. The Examiner directed that the reporter transmit these documents forthwith to the Commission's Docket Division for inclusion in the dockets. The motion was submitted in compliance with the Commission's directive in par. 8 of the order designating the applications for hearing (FCC 66-526).

[1] Consisting of down payment for equipment ($75,074), repayments of principal and interest for equipment ($58,135), buildings ($4,000), other items ($4,000) and costs of operation ($140,000).

Form 301 as required thereby. The applicant will, accordingly, be required to amend its application. Midway Television, Inc., FCC 66-68, released January 21, 1966.

4. American Television Service has requested authority to locate its main studios at its transmitter site, outside the city limits of Kingsport. It is stated that the proposed location would be centrally located with respect to Bristol and Johnson City, Tenn., as well as to Kingsport; is readily accessible by major highways from all three cities; and would effect substantial economies in the operation of the station. It appears that, for good cause shown, a grant of the request is warranted, in accordance with § 73.613 (b) of the Commission's rules.

5. Except as indicated by the issues specified below, the applicants appear to be qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is therefore unable to make the statutory finding that 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 in a consolidated proceeding upon the issues set forth below:

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of American Television Service and Holston Valley Broadcasting Corp. 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, with respect to the application of American Television Service:

a. Whether the transmitter site and building which the applicant proposes to lease will be available to it upon the terms and conditions specified in an agreement dated February 1, 1966, entitled "Option to Lease" and if not, the terms and conditions or costs of another site and building.

b. The basis for the applicant's estimate of revenues in the first year of operation, whether such estimate is reasonable and, if not, the amount of revenues which may be reasonably expected in the first year.

c. In the light of the evidence adduced pursuant to the foregoing, the manner in which the applicant will obtain sufficient additional funds to enable it to construct and operate the proposed station for 1 year.

d. Whether, in the light of the evidence adduced pursuant to the foregoing, the applicant is financially qualified.

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, within twenty (20) days of the date of release of this order, American Television Service shall amend its application to furnish the information required by section IV, paragraph 12, FCC Form 301, with respect to the citizenship and other information as to the staff members therein enumerated.

It is further ordered, That, in the event of a grant of the application of American Television Service, the request for authority to locate main studios outside the city limits of Kingsport, Tenn., shall be granted, pursuant to § 73.613(b) of the rules.

It is further ordered, That, in the event of a grant of either application, operation of the new station shall be in accordance with offset designators to be specified in a subsequent order.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (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 issue 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(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, 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 section 1.594(g) of the rules.

Released: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-8091; Filed, July 22, 1966; 8:52 a.m.]

[Docket Nos. 16767, 16768; FCC 66M-1004]

AMERICAN TELEVISION SERVICE AND HOLSTON VALLEY BROADCASTING CORP.

Order Scheduling Hearing

In re applications of Earl L. Boyles, C. E. Feltner, Jr., and Airways Broadcasting Co., Inc., doing business as American Television Service, Kingsport, Tenn., Docket No. 16767, File No. BPCT-3269; Holston Valley Broadcasting Corp., Kingsport, Tenn., Docket No. 16768, File No. BPCT-3760; for construction permit for new television broadcast station (Channel 19).

It is ordered, this 19th day of July 1966, that Thomas H. Donahue shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on October 11, 1966, at 10 a.m.; and that a prehearing conference shall be held on September 2, 1966, commencing at 9 a.m.; and, It is further ordered, that all proceedings shall be held in the Offices of the Commission, Washington, D.C.

Released: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-8092; Filed, July 22, 1966; 8:52 a.m.]

[2] Commissioner Johnson absent.

[Docket Nos. 16756, 16757; FCC 66-635]

KFIZ BROADCASTING CO., AND FOND DU LAC COUNTY BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of KFIZ Broadcasting Co., Fond du Lac, Wis., requests: 107.1 mc, No. 296; 3 kw (H&V); 240.5 feet; Docket No. 16756, File No. BPH-5194; Samuel G. Costas, trading as Fond du Lac County Broadcasting Co., Fond du Lac, Wis., requests: 107.1 mc, No. 296; 3 kw; 253 feet; Docket No. 16757, File No. BPH-5274; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 13th day of July 1966;

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

2. Since no determination has yet been reached on whether the antenna proposed by Fond du Lac County Broadcasting Co. would constitute a menace to air navigation, an issue regarding this matter is required.

3. 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.

4. *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 there is a reasonable possibility that the tower height and location proposed by Fond du Lac County Broadcasting Co. would constitute a menace to air navigation.

2. To determine in the event issue one is resolved in Fond du Lac County Broadcasting Co.'s favor, 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.

5. *It is further ordered,* That the Federal Aviation Agency is made a party to the proceeding.

6. *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.

7. *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: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8093; Filed, July 22, 1966; 8:53 a.m.]

[Docket Nos. 16756, 16757; FCC 66M-1001]

KFIZ BROADCASTING CO., AND FOND DU LAC BROADCASTING CO.

Order Scheduling Hearing

In re applications of KFIZ Broadcasting Co., Fond du Lac, Wis., Docket No. 16756, File No. BPH-5194; Samuel G. Costas, trading as Fond du Lac County Broadcasting Co., Fond du Lac, Wis., Docket No. 16757, File No. BPH-5274; for construction permits.

It is ordered, This 19th day of July 1966, that Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 28, 1966, at 10 a.m.; and that a prehearing conference shall be held on September 7, 1966, commencing at 9 a.m.; *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8094; Filed, July 22, 1966; 8:53 a.m.]

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[1] Commissioner Johnson absent.

[Docket Nos. 16765, 16766; FCC 66-642]

KJRD, INC., AND MOUNT-ED-LYNN, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of KJRD, Inc., Monroe, Wash., requests: 1510 kc/s, 250 w, Day, Docket No. 16765, File No. BP-16618; Mount-Ed-Lynn, Inc., Mountlake Terrace, Wash., requests: 1510 kc/s, 250 w, DA-Day, Class II, Docket No. 16766, File No. BP-16882; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 13th day of July 1966:

1. The Commission has before it the above-captioned applications which are mutually exclusive in that simultaneous operation of the stations as proposed would result in mutually destructive interference.

2. An examination of the Mount-Ed-Lynn application indicates that a total of $55,565.88 is needed to construct and operate the proposed station for a period of 1 year without revenues. The applicant proposes to raise $27,100 from stock subscriptions, $18,920 credit from an equipment manufacturer, and use existing capital of $900, for a total of $46,920. This amount falls short of the applicant's own estimate ($55,565.88) of the amount needed to construct ($26,369.88) and operate ($29,196) the proposed station without revenues for 1 year. In addition, the amount available to the corporation is contingent on the financial commitments of $3,900 from each of the persons subscribing to the corporation's stock. From the personal financial statements submitted by the subscribers, the Commission is unable to conclude that each of them has enough cash and/or liquid assets to meet their commitment.

3. The Mount-Ed-Lynn proposal is for the town of Mountlake Terrace, Wash., located approximately 1.5 miles north of Seattle, Wash., with a population of 9,122 according to the 1960 U.S. Census. The population of Seattle according to the same census, is 557,087. Also, it is noted that Mount-Ed-Lynn's proposed 5 mv/m daytime contour penetrates Seattle's city limits. Under the Commission's "Policy Statement on section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities" (FCC 65-1153, 2 FCC 2nd 190) a presumption thus arises that this applicant realistically proposes to serve Seattle rather than Mountlake Terrace and insufficient data is included in the application to rebut this presumption. Appropriate issues are included in this order.

4. KJRD, Inc., has estimated that $39,189 will be needed to construct ($11,189) and operate ($28,000) its proposed station for a period of one year without revenues. The applicant proposes to finance part of the construction and operation of the station through stock subscriptions. John R. DiMeo, two-thirds owner, has subscribed for $10,000 stock and Don Downing, one-third owner, has agreed to purchase $5,000 worth. In addition to his $10,000 stock subscription, DiMeo has promised to loan Downing whatever funds he may need to meet his $5,000 commitment. DiMeo has also agreed to advance the corporation any amount needed to finance the construction and operation of the station. Thus, if DiMeo loans Downing $5,000, he will be required to carry the entire burden of financing the proposal. An examination of DiMeo's financial statement indicates that he has available only $19,557 in cash and other liquid assets to meet the required $38,189 estimate. Accordingly, a financial issue will be specified.

5. The Commission finds that, except as indicated by the issues specified below, the applicants are qualified to construct, own and operate as proposed, but in view of the foregoing, the Commission is unable to find that a grant of either of the aforementioned applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding upon 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 applications and the availability of other primary service to such areas and populations.

2. To determine with respect to the application of Mount-Ed-Lynn, Inc.:

(a) Whether each of the subscribers to the corporation's stock has sufficient cash and/or liquid assets to meet their respective $3,900 stock purchase commitments.

(b) Whether, on the basis of the amount available to the corporation as determined from the evidence pursuant to (a) above, Mount-Ed-Lynn, Inc., has sufficient additional funds available to it to construct and operate its proposed station for 1 year without revenues and thus demonstrate its financial qualifications.

3. To determine whether the proposal of Mount-Ed-Lynn, Inc., will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence, including but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programing needs;

(b) The extent to which the applicant's program proposal will meet the specific, unsatisfied programing needs of its specified station location; and

(c) The extent to which the projected sources of the applicant's advertising revenues within its specified station loca-

tion are adequate to support its proposal, as compared with its projected sources from all other areas.

4. To determine, in the event it is concluded pursuant to the foregoing issue that the proposal will not realistically provide a local transmission service for its specified station location, whether the proposal meets all of the technical provisions of the rules, including §§ 73.30, 73.31 and 73.188(b) (1) and (2), for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service.

5. To determine whether KJRD, Inc., has sufficient funds available to construct and operate its proposed station for one year without revenues and thus demonstrate its financial qualifications.

6. 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.

7. To determine, in the event it is concluded that a choice between the application should not be based solely on considerations relating to section 307 (b), which of the operations proposed in the above-captioned applications would better serve the public interest.

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

It is further ordered, That, in the event either application is granted the construction permits shall contain the following condition: Pending a final decision in Docket No. 14419 with respect to presunrise 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.

It is further ordered, That, in the event the application of KJRD, Inc., is granted, the construction permit should also specify the following: Program test authority will not be authorized until John DiMeo has submitted satisfactory evidence to the effect that he has severed all connection with Station KAVO, Seattle, Wash.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants 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.

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: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8095; Filed, July 22, 1966; 8:53 a.m.]

[Docket Nos. 16765, 16766; FCC 66M-996]

KJRD, INC., AND MOUNT-ED-LYNN, INC.

Order Scheduling Hearing

In re applications of KJRD, Inc., Monroe, Wash., Docket No. 16765, File No. BP-16618; Mount-Ed-Lynn, Inc., Mountlake Terrace, Wash., Docket No. 16766, File No. BP-16882; for construction permits.

It is ordered, This 19th day of July 1966, that Elizabeth C. Smith shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 29, 1966, at 10 a.m.; and that a prehearing conference shall be held on September 9, 1966, commencing at 9 a.m.; *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8096; Filed, July 22, 1966; 8:53 a.m.]

[Docket Nos. 16679, 16680; FCC 66M-994]

RKO GENERAL, INC. (KHJ-TV), AND FIDELITY TELEVISION, INC.

Notice Advancing Prehearing Conference

In re applications of RKO General, Inc. (KHJ-TV), Los Angeles, Calif., Docket No. 16679, File No. BRCT-58, for renewal of broadcast license; Fidelity Television, Inc., Norwalk, Calif., Docket No. 16680, File No. BPCT-3655, for construction permit for new television broadcast station.

At the request of RKO and with the assent of the other parties, the further prehearing conference now scheduled for 9 a.m., August 1, 1966, is advanced to 10 a.m., July 29, 1966.

So ordered, This 19th day of July 1966.

Released: July 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8097; Filed, July 22, 1966; 8:53 a.m.]

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[1] Commissioner Johnson absent.

[Docket Nos. 16698, 16699; FCC 66M-990]

TRI-STATE BROADCASTERS, INC., AND EMMET RADIO CORP.

Statement and Order After Prehearing Conference Including Memorandum of Order Accepting Late Filed Appearance

In re applications of Tri-State Broadcasters, Inc., Sioux Center, Iowa, Docket No. 16698, File No. BP-16461; Emmet Radio Corp., Estherville, Iowa, Docket No. 16699, File No. BP-16718; for construction permits.

1. At today's prehearing conference the unopposed motion of counsel for Tri-State Broadcasters, Inc., to accept late filed appearance, filed July 7, 1966, was granted, and his appearance was accepted.

2. The following procedural schedule was agreed to:

Receipt of preliminary exchange of engineering exhibits by August 26, 1966.
Receipt of final exchange of engineering and lay exhibits by October 3, 1966.
Receipt of notification of witnesses desired for cross-examination by October 10, 1966.
Hearing, October 17, 1966 (rescheduled from September 20).

So ordered, This 19th day of July 1966.

Released: July 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8098; Filed, July 22, 1966; 8:53 a.m.]

[Docket Nos. 16623, 16624; FCC 66M 981]

WDIX, INC., AND RADIO ORANGEBURG, INC.

Order Continuing Prehearing Conference

In re applications of WDIX, Inc., Orangeburg, S.C., Docket No. 16623, File No. BPH-4554; Radio Orangeburg, Inc., Orangeburg, S.C., Docket No. 16624, File No. BPH-4642; for construction permits.

The Hearing Examiner having under consideration a request filed on July 14, 1966, by Radio Orangeburg, Inc., requesting that the further prehearing conference in this proceeding be continued to September 20, 1966; and

It appearing, that there is pending before the Review Board certain pleadings, the resolution of which may obviate the necessity for formal hearing; and

It further appearing, that counsel for WDIX and counsel for the Broadcast Bureau have consented to a grant of the instant request:

It is therefore ordered, This 15th day of July 1966, that the request be and the same is hereby granted and the prehearing conference in this proceeding is continued from July 18 to September 20,

1966, at 9 a.m., in the offices of the Commission in Washington, D.C.

Released: July 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8099; Filed, July 22, 1966; 8:53 a.m.]

[Docket No. 15461, etc.; FCC 66-636]

CHAPMAN RADIO & TELEVISION CO., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of William A. Chapman and George K. Chapman, doing business as Chapman Radio & Television Co., Homewood, Ala., Docket No. 15461, File No. BPCT-3282; Tele-Mac of Birmingham, Inc., Birmingham, Ala., Docket No. 16759, File No. BPCT-3705; Alabama Television, Inc., Birmingham, Ala., Docket No. 16760, File No. BPCT-3706; Birmingham Broadcasting Co., Birmingham, Ala., Docket No. 16761, File No. BPCT-3707; for construction permit for new television broadcast station; and Birmingham Television Corp. (WBMG), Birmingham, Ala., Docket No. 16758, File No. BPCT-3663, for modification of construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D.C., on the 13th day of July 1966;

1. The Commission has before it for consideration the above-captioned applications, three requesting a construction permit for a new television broadcast station to operate on Channel 21, Birmingham, Ala., that of Chapman Radio & Television Co., requesting a construction permit for a new television broadcast station to operate on Channel 21, Homewood, Ala., a community located within 15 miles of Birmingham,[1] and that of Birmingham Television Corp., requesting a modification of construction permit to specify operation on Channel 21 in lieu of Channel 42, Birmingham, Ala. It appears that the above-captioned applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. With respect to the issues set forth below, the following considerations are relevant:

a. Based on information contained in the application of Chapman Radio & Television Co., cash in the amount of $90,285 will be needed for the construction and first year operation of the proposed station, consisting of down payment for equipment—$20,077; first year payments for equipment—$15,058; freight—$150.00; building—$5,000 and operating expenses—$50,000. To meet the cash requirements, the applicant relies upon the availability of a $100,000 bank loan. However, since the bank loan commitment has expired, a financial issue has been specified.

b. Since Federal Aviation Agency approval has not been obtained for Birmingham Television Corp.'s antenna structure, an air menace issue has been specified.

c. With respect to the application of Tele-Mac of Birmingham, Inc., cash in the amount of $489,040 will be needed for the construction and first year operation of the proposed station, consisting of lease of equipment for first year—$72,060; interest on loan—$24,000; land—$10,500; other items—$5,000 and operating expenses—$377,480. To meet the cash requirements, the applicant relies upon the availability of $1,000 in cash and a $400,000 loan from its principal stockholder, John McLendon. The applicant has demonstrated the availability of $899 in cash. However, McLendon has not shown current and liquid assets (as defined in section III, paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet his commitment to the applicant, particularly since he has already committed approximately $514,700 of his funds toward the construction of a new television broadcast station to operate on Channel 16, Jackson, Miss.[2] Moreover, the applicant has made no showing as to the validity of its $370,000 revenue estimate. Accordingly, financial issues have been specified.

d. Based on information contained in the application of Alabama Television, Inc., cash in excess of $953,000 will be needed for the construction and first year operation of the proposed station, consisting of down payment for equipment—$222,146; first year payments on equipment including interest—$182,854; land—$45,000; building—$30,000; other items—$23,000 and cost of operation—$450,000. Since a proposed $1,200,000 bank loan to the applicant contains no terms with respect to repayment and interest, the exact amount of cash required by the applicant cannot be determined. In addition, to the bank loan of $1,200,000 the applicant relies upon the availability of $150,000 in subscriptions and $350,000 in loans from stockholders. While the applicant has demonstrated the availability of $105,000 in subscriptions and $245,000 in loans, two of its stockholders, John S. Jemison, Jr. and Paul C. Aiken have not shown current and liquid assets in excess of current liabilities in sufficient amount to meet their commitments to the applicant of $75,000 respectively. Furthermore, the applicant has made no showing as to the validity of its $350,000 revenue estimate. Accordingly, financial issues have been specified.

e. While Birmingham Broadcasting Co.'s Certificate of Incorporation indicates that the applicant is authorized to issue 100 shares of stock, the applicant indicates in section II, paragraph 11(d), FCC Form 301, that it is authorized to issue 500,000 shares. Moreover, the applicant indicates in paragraph 11(e) that it has already issued 400,000 shares and in paragraph 11(f) that it has subscriptions for 100,000 shares. Since there is no evidence that the applicant's Certificate of Incorporation has been amended to authorize the issuance of 500,000 shares, an issue has been specified to determine whether the applicant is, or can be, authorized to issue 500,000 shares.

f. Based on information contained in the application of Birmingham Broadcasting Co., cash in the amount of $384,820 will be needed for the construction and first year operation of the proposed station, consisting of down payment on equipment—$118,250, first year payments on equipment including interest—$91,570, other items—$25,000 and cost of operation—$150,000. To meet the cash requirements, the applicant relies upon the availability of $6,940 in cash, $8,538, in accounts receivable from the operation of Standard Broadcast Station WLPH, Irondale, Ala., $100,000 in stock subscriptions and $75,000 in loans. While the applicant has demonstrated the availability of $10,864 in cash and accounts receivable, it has not shown that the subscribers have current and liquid assets in excess of current liabilities in sufficient amount to enable the subscribers to meet their respective commitments to the applicant. Furthermore, since there is no evidence of loan commitments to the applicant of $75,000, it cannot be determined that such funds are available. In addition, the applicant has made no showing as to the validity of its $21,000 revenue estimate. Accordingly, financial issues have been specified.

3. Since the tower sites proposed by all of the applicants will be located within the vicinity of the tower of Standard Broadcast Station WJLD, Homewood, Ala., in the event of a grant of any of the applications, such grant shall be made subject to a proximity condition with respect thereto.

4. The transmitter proposed by Tele-Mac of Birmingham, Inc., has not been type accepted by the Commission. Accordingly, in the event of a grant of the application of Tele-Mac of Birmingham, Inc., the grant shall be made subject to the condition that, prior to licensing, the permittee shall submit acceptable data for type acceptance of the proposed transmitter in accordance with § 73.640 of the Commission's rules.

5. Except as indicated by the issues set forth below, each of the applicants is qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity,

[1] Sec. 73.607(b) provides: "A channel assigned to a community listed in the Table of Assignments is available upon application in any unlisted community which is located within 15 miles of the listed community."

[2] This application (BPCT-3647) is now in a comparative hearing (Docket No. 16585) for Channel 16, Jackson, Miss.

and is of the opinion that they 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 above-captioned 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, with respect to the application of Chapman Radio & Television Co.:

a. Whether the applicant can obtain an extension of the $100,000 bank loan commitment from the Exchange Security Bank, Birmingham, Ala.

b. If (a) above is resolved in the negative, whether the applicant has available other sources of funds sufficient to meet its cash requirements for the construction and first year operation of the proposed station.

c. Whether, in light of the evidence adduced pursuant to the foregoing, Chapman Radio & Television Co. is financially qualified.

2. To determine whether there is a reasonable possibility that the tower height and location proposed by Birmingham Television Corp. would constitute a menace to air navigation.

3. To determine, with respect to the application of Tele-Mac of Birmingham, Inc.:

a. Whether John McLendon has current and liquid assets (as defined in section III, paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet his $400,000 loan commitment to the applicant.

b. Assuming that all of the funds upon which the applicant relies will be available to it, how the applicant will obtain additional funds to construct and operate the proposed station for 1 year.

c. Whether, in the light of the evidence adduced pursuant to the foregoing, Tele-Mac of Birmingham, Inc., is financially qualified.

4. To determine, with respect to the application of Alabama Television, Inc.:

a. The terms and conditions upon which a $1,200,000 loan will be available to the applicant from the Birmingham Trust National Bank.

b. In the light of the evidence adduced pursuant to the foregoing, whether the applicant has sufficient funds to meet its cash requirements for the construction and first-year operation of the proposed station.

c. Whether John S. Jemison, Jr. and Paul C. Aiken have current and liquid assets (as defined in section III, paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet their respective commitments to the applicant.

d. Whether in the light of the evidence adduced pursuant to the foregoing, Alabama Television, Inc., is financially qualified.

5. To determine, with respect to the application of Birmingham Broadcasting Co.:

a. In view of the fact that the applicant's Certificate of Incorporation authorizes it to issue 100 shares of stock, whether the applicant has, or can obtain, authority to issue 500,000 shares of stock.

b. Assuming that the applicant is authorized to issue 500,000 shares of stock, whether the persons who have subscribed to stock have current and liquid assets (as defined in section III, paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amount to meet their respective commitments to the applicant.

c. Whether loans of $75,000 are available to the applicant and, if so, the terms and conditions upon which such loans will be available.

d. Assuming that all of the funds upon which the applicant relies will be available to it, how the applicant will obtain additional funds to construct and operate the proposed station for 1 year.

e. Whether, in the light of the evidence adduced pursuant to the foregoing, Birmingham Broadcasting Co., Inc., is financially qualified.

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

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

It is further ordered, That, in the event of a grant of the application of Tele-Mac of Birmingham, Inc., such application shall be granted subject to the condition that, prior to licensing, the permittee shall submit acceptable data for type acceptance of its proposed transmitter in accordance with the requirements of § 73.640 of the Commission's rules.

It is further ordered, That the Federal Aviation Agency is made a party to this proceeding with respect to the application of Birmingham Television Corp.

It is further ordered, That, grant of any application shall be made subject to the following condition: "A skeleton proof of performance shall be submitted, consisting of at least five field intensity measurements made between 2 and 10 miles distance on each of eight equally spaced radials before and after said construction to prove that the construction does not adversely effect the operation of Station WJLD."

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (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(a) of the Commission's rules, give notice of the hearing, either individually or, if feasible, 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: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[3]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8100; Filed, July 22, 1966; 8:53 a.m.]

[Docket No. 15461, etc.; FCC 66M-1003]

CHAPMAN RADIO & TELEVISION CO., ET AL.

Order Scheduling Hearing

In re applications of William A. Chapman and George K. Chapman, doing business as Chapman Radio & Television Co., Homewood, Ala., Docket No. 15461, File No. BPCT-3282; Tele-Mac of Birmingham, Inc., Birmingham, Ala., Docket No. 16759, File No. BPCT-3705; Alabama Television, Inc., Birmingham, Ala., Docket No. 16760, File No. BPCT-3706; Birmingham Broadcasting Co., Birmingham, Ala., Docket No. 16761, File No. BPCT-3707; for construction permit for new television broadcast station (Channel 21); and Birmingham Television Corp. (WBMG), Birmingham, Ala., Docket No. 16758, File No. BPCT-3663, for modification of construction permit.

It is ordered, This 19th day of July 1966, that David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on October 4, 1966, at 10 a.m.; and that a prehearing conference shall be held on September 2, 1966, commencing at 9 a.m.: *And it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: July 20, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8101; Filed, July 22, 1966; 8:53 a.m.]

[Docket Nos. 8167, 16764; FCC 66-641]

WOODWARD BROADCASTING CO. AND STORER BROADCASTING CO. (WJW)

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Woodward Broadcasting Co., Wyandotte, Mich., Docket No. 8167, File No. BP-5827, requests: 850 kc, 5 kw, DA-2, U; Storer Broadcasting Co. (WJW), Cleveland, Ohio, Docket No. 16764, File No. BP-15776, has: 850 kc, 5 kw, 10 kw-LS, DA-2 U, requests: Authority to increase radiation in null area of daytime radiation pattern; for construction permits.

1. The Commission has before it for consideration the above-captioned and

[3] Commissioner Johnson absent.

described applications and the following pleadings:

Pleadings relating to the Wyandotte proposal which were filed prior to the filing of an amendment to the application of the Woodward Broadcasting Co. (hereinafter Woodward) on May 8, 1963:

(a) A petition to designate the Woodward application for hearing filed on November 13, 1962, by the Storer Broadcasting Co. (hereinafter WJW); Woodward's opposition to the petition; and WJW's reply to the opposition.

(b) Petition to deny the Woodward application filed on November 13, 1962, by the Metropolitan Television Co. (hereinafter KOA) licensee of standard broadcast Station KOA, Denver, Colo. (850 kc, 50 kw, U, Class I–B); Woodward's opposition to the petition; and KOA's reply to the opposition.

Pleadings relating to the Wyandotte proposal filed after the amendment to the Woodward application on May 8, 1963:

(c) Petition to designate the Woodward application for hearing filed on July 24, 1963, by WJW.

(d) A second petition to deny the application filed on July 24, 1963, by KOA; Woodward's opposition to the petitions of WJW and KOA; and replies to the opposition filed by WJW and KOA.

Pleadings on file which relate to the application of WJW:

(e) Petition to dismiss the WJW application filed on December 19, 1962, by Woodward; an opposition to the petition filed by WJW; and Woodward's reply.

(f) A motion to strike the petition to dismiss the WJW application filed by WJW on January 21, 1963; Woodward's opposition to the motion; and WJW's reply to the opposition.

2. The Woodward and WJW proposals are mutually exclusive in that the proposed operation of WJW would affect more than 10 percent of the population within Woodward's proposed daytime 0.5 mv/m service area in contravention of former § 73.28(d)(3) of the Commission's rules.[1] Therefore, unless the Commission grants Woodward's petition to dismiss the WJW application, both applications must be designated for hearing in a consolidated proceeding. Accordingly, the Commission will first consider Woodward's petition to dismiss the WJW proposal.

3. It is Woodward's contention that the application of WJW, accepted as an application for the authorization of a minor change, should have been considered a major change and therefore not acceptable under the Interim Criteria to Govern Standard Broadcast Applications, 23 RR 1545 (1962), in effect at the time the WJW application was tendered on October 25, 1962. Woodward urges that the acceptance of the application by action of the Commission's staff was improper because the WJW application proposes a significant increase in WJW's coverage and extensive interference to the Woodward proposal, and the WJW proposal would receive significant interference from the proposed operation of Woodward's proposal. Thus, according to Woodward, the WJW proposal should have been deemed a major change, acceptance of which was barred by the prevailing interim criteria (AM "freeze"). It is WJW's position that its proposal involves a readjustment in the daytime antenna to fill a null in the existing pattern and therefore a minor change, the acceptance of which was proper since applications for minor changes in existing station authorizations were not barred by the interim criteria. Both Woodward and WJW urge other procedural grounds in support of their respective positions.

4. The proposal contained in the WJW application is the type traditionally considered a minor change notwithstanding the increase of 1,313 square miles in the WJW service area according to the data submitted by WJW. However, whether the WJW proposal is considered a major change or minor change, the Commission is of the opinion that it is bound to retain the WJW proposal on file under the doctrine of Kessler, et al. v. Federal Communications Commission, 117 U.S. App. D.C. 130, 326, F. 2d 673, 1 RR 2d 2061 (1963), which held that, notwithstanding the Commission's interim criteria, applicants who tendered applications which are mutually exclusive with an application pending on May 11, 1962, are entitled to participate in a comparative hearing on that application under the Ashbacker case (Ashbacker Radio Corp. v. Federal Communications Commission, 326 U.S. 327 (1945)). The Woodward proposal was pending on May 11, 1962, and is mutually exclusive with the WJW proposal tendered for filing during the time when the interim criteria were in effect. Therefore, WJW is entitled to be considered in a consolidated proceeding with the Woodward proposal. Accordingly, Woodward's petition to dismiss the WJW application will be denied, and WJW's motion to strike that petition will be dismissed as moot.

5. With respect to the Woodward application, both WJW and KOA contend that the nine-element directional antenna array would not be stable and could not be adjusted and maintained in a manner to insure adequate protection to KOA and WJW. WJW also contends that the Woodward transmitter site is not suitable because of terrain irregularities; nearby high voltage transmission lines; supporting towers and other structures in the area which may preclude satisfactory adjustment and maintenance of the proposed directional antenna system. WJW alleges that the Woodward proposal would cause objectionable interference to the existing and proposed operations of WJW and that the interference received by the Woodward proposal would result in Woodward's noncompliance with former §§ 73.28(d)(3) ("10-percent" rules) and 73.24(b); i.e., interference would reduce service to an unsatisfactory degree.

6. Woodward opposes the contentions of KOA and WJW on the ground that the allegations are speculative and lack specific factual support. With respect to WJW's claim of mutual interference between WJW, existing and proposed operations, and the Woodward proposal, Woodward asserts that WJW's claim is foreclosed because of the action of the Commission on September 2, 1959, in authorizing an increase in daytime power of WJW from 5 to 10 kilowatts and the subsequent action of the Commission on March 16, 1960, in dismissing Woodward's petition for reconsideration of the WJW power increase. Storer Broadcasting Co. (WJW), FCC 60–241 released March 18, 1960. The Commission declined to reconsider the WJW authorization having found that the 10-kilowatt operation of WJW would not cause additional interference to the Woodward proposal and that the Woodward proposal would fully protect the former WJW 5-kilowatt operation and the 10-kilowatt operation then proposed. The Commission further found that a grant of the WJW power increase would not, on the basis of the data on file at the time, preclude a grant of the Woodward proposal.

7. It appears to be WJW's position that interference to the existing operation of WJW would result due to the alleged instability of Woodward's directional antenna system and because Woodward may never be able to adjust and maintain the radiation pattern within the restricted radiation values proposed. WJW now claims such interference notwithstanding the Commission's finding in 1960 that neither Woodward nor WJW had shown interference from the Woodward proposal to the presently authorized daytime operation of WJW and that the Commission's study of the proposal indicated no interference to the WJW 10-kilowatt operation. Woodward claims that no interference would be caused to the present operation of WJW. There is also disagreement over the interference which would be caused by WJW (existing) to the Woodward proposal. According to information on file in the Woodward application at the time the Commission authorized the 10-kilowatt daytime operation of WJW, the interference caused to the Woodward proposal would affect 6.3 percent of the population within Woodward's proposed normally protected daytime service area. In May of 1963, after WJW was granted a power increase to 10 kilowatts, Woodward filed an amendment which made changes in the proposed directional antenna pattern and it is indicated in the amendment that the population loss to Woodward's present proposal would be 9.1 percent. A study of the Woodward amendment made on behalf of WJW claims that the loss would be 11.8 percent. As indicated hereinafter, the Commission's examination of the Woodward proposal indicates there are several substantial questions which require reso-

[1] Former § 73.28(d)(3) and other former provisions of the rules are applicable to the Woodward application which was on file prior to the adoption of new technical standards by the Commission to become effective on August 13, 1964. Amendment of Part 73 of the Commission's rules regarding AM station assignment standards, etc., 2 RR 2d 1658. See Charles W. Jobbins, et al., 2 FCC 2d 197, 6 RR 2d 574.

lution in hearing, and the Commission concludes that the disputed points on the question of alleged mutual interference between the Woodward proposal and the existing operation of WJW and whether interference from the existing operation of WJW to the Woodward proposal would preclude compliance with former § 73.28 (d)(3) of the rules, should be resolved on the basis of evidence adduced in that proceeding.

8. Woodward contends not only that the WJW and KOA petitions are substantively insufficient but that neither petitioner has established its standing to object to the Woodward application. Woodward asserts that the allegations do not establish any interference to either station and that the Woodward operation as proposed would not cause any interference to the existing operation of either station. On the basis of the Commission's study of the Woodward proposal, there is a substantial question as to whether the proposed directional antenna system can be adjusted and maintained as proposed. In the operation of the Woodward nine-element directional antenna array with different radiation patterns day and night, a high degree of suppression over wide angles is proposed for both modes of operation. The proposed site is in the immediate vicinity of high voltage transmission lines, supporting towers and other structures which may result in reradiation. In addition, it appears that terrain irregularities exist in the immediate vicinity of the proposed site. If adequate protection is to be afforded KOA and WJW, the proposed directional radiation patterns must be adjusted essentially to the restricted values of radiation proposed. Accordingly, a substantial question obtains as to whether the directional antenna system proposed by Woodward can be adjusted and maintained as proposed and whether, in fact, adequate protection would be afforded the service areas of Stations KOA and WJW.

9. Examination of the Woodward and WJW applications indicates that the WJW proposal would cause daytime interference to the Woodward proposal involving a population loss of 23.6 percent which is excessive pursuant to the provisions of former § 73.28(d)(3) of the Commission's rules.

10. The major lobe of the daytime directional antenna pattern proposed by Woodward is oriented in the direction of Detroit, Mich., a city with a 1960 population of 1,670,144. As a result of the orientation of the major lobe, the proposed daytime 5-mv/m contour not only penetrates the boundaries of Detroit but extends a substantial distance beyond the city limits. Wyandotte, Woodward's specified community, is a city with a 1960 population of 43,519, less than half that of Detroit. Accordingly, pursuant to the Commission's Policy Statement on Section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, adopted December 22, 1965, 2 FCC 2d 190, 6 RR 2d 1901, it is presumed that Woodward realistically proposes to serve Detroit rather than its specified community. In view of the long period of time this application has been on file, Woodward will be afforded an opportunity to amend its application to attempt to rebut this presumption. If Woodward successfully rebuts the presumption or otherwise changes its proposal to make specification of issue number 8 infra unnecessary, such issue will be deleted by the Commission.

11. If issue eight is not deleted and Woodward fails to establish that it will realistically serve Wyandotte under such issue, its proposal will be deemed to be intended to serve Detroit unless the evidence establishes that it will realistically serve a third community whose boundaries are also penetrated by its 5-mv/m daytime contour. Woodward is claiming that the former "10-percent" rule (§ 73.28(d)(3)) is inapplicable to its nighttime proposal since it comes under one of the exceptions applicable to an application which proposes the first nighttime service to a community. However, if it is concluded that the Woodward proposal is realistically a Detroit proposal, Woodward will be required to establish compliance with the former § 73.28(d)(3) or that it is entitled to a waiver of the rule. Policy Statement, supra, at paragraph 11; Charles W. Jobbins, supra, at paragraph 4.

12. If it should be determined that the Woodward proposal would realistically provide a local transmission service for Wyandotte, there is a question as to whether service would be reduced to an unsatisfactory degree within the meaning of former § 73.24(b) of the Commission's rules, in view of the fact that, while Woodward claims that the proposed operation would be limited nighttime to 11.8 mv/m, the Commission's study indicates that the limit would be substantially greater and extensive population and area losses would be involved. An appropriate contingent issue will therefore be specified.

13. The most recent financial information in the Woodward application was filed in 1959. Therefore, the Commission is specifying a financial issue to permit a determination with respect to the current financial position of the corporation and its principals. Woodward will be afforded an opportunity to amend its application to include current financial information which will be considered by the Commission to determine whether the Woodward Broadcasting Co. is financially qualified to construct and operate its proposed station for 1 year. Ultravision Broadcasting Co., et al., 1 FCC 2d 544, 5 RR 2d 343. If, upon consideration of the financial amendment by the Commission, it can be determined that Woodward is qualified, the financial issue (issue 13 below) will be deleted.

14. The proposed Woodward antenna system was once approved by the Federal Aviation Agency. That approval, however, has since expired. Therefore, an issue will be specified to determine whether the tower height and location proposed would constitute a menace to air navigation.

15. The Commission finds that, except as indicated by the issues specified below, the applicants are qualified to construct, own and operate their respective stations as proposed but that, upon due consideration of the applications and the pleadings herein, a hearing is necessary and that the applications must be designated for hearing upon the issues specified below.

16. *Accordingly, it is ordered,* This 13th day of July 1966, that the petition of the Woodward Broadcasting Co. to dismiss the application of the Storer Broadcasting Co. is hereby denied; and 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 the proposed operation of the Woodward Broadcasting Co. and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WJW and the availability of other primary service to such areas and populations.

3. To determine the nature and extent of the interference, if any, that each of the proposals would cause to and receive from each other and the interference that each of the proposals would receive from all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from either of the proposals.

4. To determine whether the transmitter site proposed by the Woodward Broadcasting Co. is satisfactory with particular regard to any conditions that may exist which would distort the proposed radiation patterns.

5. To determine whether the Woodward Broadcasting Co. will be able to adjust and maintain the proposed directional antenna system within the maximum expected operating values of radiation as proposed.

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues 4 and 5, whether the Woodward Broadcasting Co. proposal would cause interference to the existing operations of Stations KOA, Denver, Colo., and WJW, Cleveland, Ohio, or to any other existing standard broadcast station and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

7. To determine whether daytime groundwave interference received by the Woodward Broadcasting Co. proposal from the existing or proposed operation of Station WJW or any other existing standard broadcast stations would affect more than 10 percent of the population within the normally protected primary service area in contravention of former

§ 73.28(d)(3) of the Commission's rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

8. To determine whether the proposal of the Woodward Broadcasting Co. will realistically provide a local transmission facility for its specified station location or for another larger community, in the light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the Woodward Broadcasting Co. to have separate and distinct programing needs;

(b) The extent to which the needs of the specified station location are being met by existing standard broadcast stations;

(c) The extent to which the Woodward Broadcasting Co.'s program proposal will meet the specific, unsatisfied programing needs of its specified station location; and

(d) The extent to which the projected sources of the Woodward Broadcasting Co.'s advertising revenues within its specified station location are adequate to support the proposed station as compared with the projected sources from all other areas.

9. To determine, in the event that it is concluded pursuant to the foregoing issue 8, that the proposal of the Woodward Broadcasting Co. will not realistically provide a local transmission service for its specified station location, whether the proposal meets all of the technical provisions of the rules, including §§ 73.30, 73.31, and 73.188(b) (1) and (2), for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service.

10. To determine, in the event that it is concluded pursuant to issue 8 above, that the Woodward Broadcasting Co. will not realistically provide a local transmission service for its specified station location, whether the most populous community for which it is determined that the Woodward Broadcasting Co. will provide a realistic local transmission service has any standard broadcast nighttime facility, or whether the interference which would be received by the proposed operation would affect more than 10 percent of the population within the normally protected primary service area in contravention of former § 73.28(d)(3) of the rules, and, if so, whether circumstances exist which would warrant the waiver of that section of the rules.

11. To determine, in the event it is determined pursuant to issue 8 above, that the Woodward Broadcasting Co. will realistically provide a local transmission service for its specified station location, whether the proposed nighttime service would be reduced to an unsatisfactory degree contrary to the provisions of former § 73.24(b) of the Commission's rules.

12. To determine whether there is a reasonable possibility that the tower height and location proposed by the Woodward Broadcasting Co. would constitute a menace to air navigation.

13. To determine, with respect to the application of the Woodward Broadcasting Co.:

(a) The current financial position of the corporation and its principals and whether sufficient funds are available to meet the costs of construction and initial operation of the proposed station.

(b) In the event the applicant will depend upon operating revenues during the first year of operation to meet fixed costs and operating expenses, the basis of the applicant's estimated revenues for the first year of operation.

(c) Whether, in view of the evidence adduced with respect to items 13–a and 13–b, above, the Woodward Broadcasting Co. is financially qualified to construct and operate the proposed station in that it has or will have sufficient funds for the construction and operation of such station for at least 1 year.

14. 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.

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

It is further ordered, That the Woodward Broadcasting Co. is hereby granted leave to amend its application within forty-five (45) days of the date of the release of this Memorandum Opinion and Order to include all information it desires the Commission to consider in connection with its determination with respect to issues 8 and 13, above.

It is further ordered, That the Metropolitan Television Co., licensee of standard broadcast Station KOA, Denver, Colo., and the Federal Aviation Agency are made parties to the proceeding.

It is further ordered, That, the Storer Broadcasting Co. is made a party respondent with respect to the existing operation of WJW.

It is further ordered, That, in the event of a grant of the application of the Woodward Broadcasting Co., the following conditions shall be included in the construction permit:

A study based upon anticipated variations in phase and magnitude of current in the individual antenna towers after initial adjustment, must be submitted with the application for license to indicate clearly that the inverse distance field strength at 1 mile can be maintained within the maximum expected operating values of radiation specified in the radiation pattern. Allowable deviations in phase and current determined from this study will be incorporated in the instrument of authorization.

Permittee shall assume responsibility for the elimination of interference due to external cross-modulation and for the installation and adjustment of filter circuits or other equipment in the antenna systems of the proposed operation and of Station WJR, Detroit, Mich., or any other station which may be necessary, to prevent adverse effects due to internal cross-modulation and reradiation. In addition, field observations shall be made to determine whether spurious emissions exist, and any objectionable interference problems resulting therefrom shall be eliminated.

Pending a final decision in Docket No. 14419 with respect to presunrise 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.

It is further ordered, That, in the event of a grant of the application of the Storer Broadcasting Co. (WJW), the construction permit shall include the following conditions:

Permittee shall submit new common point impedance measurements and sufficient field intensity measurement data the daytime directional antenna array has not adversely affected the operation of the nighttime directional antenna array.

Pending a final decision in Docket No. 14419 with respect to presunrise 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.

It is further ordered, That the petitions filed by the Storer Broadcasting Co. and the Metropolitan Television Co. are granted to the extent indicated above and are denied in all other respects.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants and parties respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within twenty (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: July 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-8102; Filed, July 22, 1966; 8:53 a.m.]

[Docket Nos. 8167, 16764; FCC 66M-992]

WOODWARD BROADCASTING CO. AND STORER BROADCASTING CO. (WJW)

Order Scheduling Hearing

In re applications of Woodward Broadcasting Co., Wyandotte, Mich., Docket

[2] Commissioner Johnson absent.

No. 8167, File No. BP–5827; Storer Broadcasting Co. (WJW), Cleveland, Ohio, Docket No. 16764, File No. BP–15776; for construction permits.

It is ordered, This 19th day of July 1966, that Forest L. McClenning shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on October 11, 1966, at 10 a.m.; and that a prehearing conference shall be held on September 6, 1966, commencing at 9 a.m.: *And it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: July 19, 1966.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–8103; Filed, July 22, 1966; 8:53 a.m.]

[Informal Mexican List 236]

MEXICAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

JULY 15, 1966.[1]

Notifications under the provision of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations Modifying the Appendix containing assignments of Mexican broadcast stations (Mimeograph No. 4721–6) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
XELO (correction of an omission: In operation with 1 kw ND U).	Morelia, Michoacan	*570 kilocycles* 1 kw	ND	U	III	
XEAV (previously notified with 25 kw DA U III. Change immediately).	Guadalajara, Jalisco	*580 kilocycles* 5 kw-D/1 kw-N.	ND	U	III	
XEHQ (temporary operation with 0.5 kw ND U).	Hermosillo, Sonora	*590 kilocycles* 1 kw	ND	U	III	
XEFD (now in operation on new frequency).	Rio Bravo, Tamaulipas	*590 kilocycles* 5 kw-D/0.25 kw-N.	ND	U	IV	
XEBX (notified previously with 5 kw-D, 0.5 kw-N, ND. In operation).	Sabinas, Coahuila	*610 kilocycles* 3 kw-D/0.5 kw-N.	ND	U	III	
XEBU (correction of an omission: In operation with 5 kw-D, 0.250 kw-N).	Chihuahua, Chihuaha	*620 kilocycles* 5 kw-D/0.250 kw-N.	ND	U	IV	
XEON (correction of an omission: In operation with 2 kw-D, 1 kw-N, ND).	Tuxtla Gutierrez, Chiapas.	*710 kilocycles* 2 kw-D/1 kw-N.	ND	U	II	
XESU (notified previously with 1 kw ND D. In operation).	Tijuana, Baja, California.	*790 kilocycles* 0.5 kw	ND	D	III	
XERT (now in operation on new frequency).	Reynosa, Tamaulipas	*1170 kilocycles* 5 kw	ND	D	II	
XEAI (PO: 1 kw ND U III).	Mexico, D.F	*1320 kilocycles* 10 kw-D/5 kw-N.	DA-N	U	III	
XEAS (correction of an omission: In operation with 1 kw-D, 0.25 kw-N, ND).	Nuevo Laredo, Tamaulipas.	*1410 kilocycles* 1 kw-D/0.250 kw-N.	ND	U	IV	
XEVH (correction of an omission: In operation with 1 kw-D, 0.250 kw-N).	Valle Hermoso, Tamaulipas.	*1450 kilocycles* 1 kw-D/0.250 kw-N.	ND	U	IV	
XEHI (now in operation with greater day power).	Cd. Miguel Aleman, Tamaulipas.	*1470 kilocycles* 1 kw-D/0.25 kw-N.	ND	U	III-D IV-N	
XESM (correction of an omission: In operation with 10 kw-D, 5 kw-N ND U).	Mexico, D.F	*1470 kilocycles* 10 kw-D/5 kw-N.	ND	U	III	

[1] FCC NOTE: Mexican Change List No. 236 was received undated with a transmittal letter from the Mexican Administration dated July 5, 1966. As of this issue date Mexican Change List No. 235 has not been received and Change List No. 236 has not been received through official channels.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 66–8104; Filed, July 22, 1966; 8:53 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP67–2]

ATLANTIC SEABOARD CORP.

Notice of Application

JULY 18, 1966.

Take notice that on July 11, 1966, Atlantic Seaboard Corp. (Applicant), Post Office Box 1273, Charleston, W. Va. 25325, filed in Docket No. CP67–2 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 measuring and related facilities for the purpose of providing an additional point of delivery to Shenandoah Gas Co. (Shenandoah), one of Applicant's present wholesale customers, to permit Shenandoah to serve a new market area, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to install measuring equipment in order to establish a new delivery point to Shenandoah so that Applicant may sell and deliver natural gas from its 24-inch transmission pipeline to Shenandoah for resale in the new distribution market of New Market, Va.

By its companion application filed in Docket No. CP66–428 on June 28, 1966, Shenandoah proposes, before the end of 1966, to construct distribution facilities and initiate the retail distribution and sale of natural gas in the town of New Market, an area not heretofore served with natural gas. Applicant states that in order to supply the gas necessary for this purpose, Shenandoah recently requested it to provide an additional point of delivery from Applicant's 24-inch gas transmission pipeline in Shenandoah County, Va.

Applicant further states that gas sales made to Shenandoah through the additional point of delivery herein proposed will be made pursuant to Applicant's effective FPC Gas Tariff, Eighth Revised Volume No. 1, under which it presently sells gas to Shenandoah.

The total estimated cost of the Applicant's proposed construction is approximately $2,650, and will be financed with 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 August 12, 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. 66–8026; Filed, July 22, 1966; 8:46 a.m.]

[Docket No. CP67–3]

NORTHERN NATURAL GAS CO.

Notice of Application

JULY 18, 1966.

Take notice that on July 11, 1966, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP67–3 an application pursuant to section 7(c) of the Natural Gas Act requesting authority to construct and operate measuring and regulating facilities and appurtenances and to deliver natural gas to Iowa Electric Light & Power Co. (Iowa Electric) for resale to two large volume industrial consumers located near Tama, Iowa, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that Iowa Electric proposes to deliver 20 Mcf per day of natural gas on a firm basis to Tama Packing Co. for its processing requirements. Applicant further states annual sales to Tama on both a firm and interruptible basis are estimated to be 86,750 Mcf. The firm volumes are to be reserved from the contract demand of Tama, Iowa.

The application states that Iowa Electric also proposes to serve Bituminous Materials Co. (Bituminous) on an interruptible basis only. Annual sales to Bituminous are estimated to be 39,000 Mcf.

Total estimated cost of Applicant's proposed construction is approximately $11,320, and will be financed with 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 August 12, 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. 66–8027; Filed, July 22, 1966; 8:46 a.m.]

[Docket No. CP67–4]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

JULY 18, 1966.

Take notice that on July 11, 1966, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP67–4 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the increase of its interruptible sales to Gulf States Paper Co. (Gulf States) and to American Can Co. (American Can), as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to increase its interruptible sales to Gulf States from the presently authorized maximum of 6,000 Mcf per day to a maximum of 9,500 Mcf per day; and to American Can from the presently authorized maximum of 4,000 Mcf per day to a maximum of 10,000 Mcf per day.

By order issued August 16, 1957, in Docket No. G–12763 (18 FPC 182), Applicant was authorized to sell gas in an amount up to 6,000 Mcf per day on an interruptible basis to Gulf States for use in the latter's paper mill in Marengo County, Ala., and to deliver such gas to Marengo Corp. (Marengo) for the account of Gulf States. The same order authorized Marengo in Docket No. G–12764 to transport the gas from the point of delivery from Applicant to the Gulf States plant near Linden, Ala.

By order issued March 17, 1958, in Docket No. G–13911 (19 FPC 339), Applicant was authorized to sell gas in an amount up to 1,000 Mcf per day on an interruptible basis to American Can for use in the latter's paper mill in Choctaw County, Ala., and to deliver such gas to Marengo for the account of American Can. The same order authorized Marengo in Docket No. G–13912 to transport the gas from the point of delivery from Applicant to American Can's plant near Naheola, Ala. By subsequent order issued April 12, 1960 (23 FPC 599), in Docket Nos. G–20119 (Applicant) and G–20320 (Marengo), the Commission authorized an increase in the interruptible delivery by Applicant to American Can from 1,000 Mcf per day to 4,000 Mcf per day and a corresponding increase in the volume Marengo was authorized to transport.

Marengo has, concurrently herewith, filed a companion application on July 11, 1966, in Docket No. CP67–5, requesting authority to increase its transportation of gas for Gulf States from 6,000 Mcf per day to 9,500 Mcf per day, and its transportation of gas for American Can from 4,000 Mcf per day to 10,000 Mcf per day, and for authority to construct certain minor facilities related to this increased transportation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before August 12, 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. 66-8028; Filed, July 22, 1966; 8:46 a.m.]

[Docket No. RP67-3]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Proposed Changes in Rates and Charges

JULY 21, 1966.

Pursuant to § 2.59 of the Commission's rules (18 CFR 2.59), notice is hereby given that on July 20, 1966, Transcontinental Gas Pipe Line Corp. filed proposed changes in its FPC Gas Tariff, Original Volume No. 1 and Original Volume No. 2, to become effective as of the first day of the month during which the Commission issues its order approving the agreement filed concurrently with the proposed tariff changes. The newly proposed changes reflect decreased rates and charges in Rate Schedules CD-1, CD-2, CD-3, GSS, G-1, G-2, G-3, OG-1, OG-2, OG-3, LTF-2, LTF-3, S-2, ACQ-2, ACQ-3, X-11, and X-42. The proposed decrease aggregates approximately $8,300,000, based upon estimated 1966 billing quantities and represents primarily the reduction in Federal income tax resulting from the company's flow-through of its use of liberalized depreciation as a tax deduction.

The agreement submitted with the rate changes also provides for future rate reductions to reflect supplier reductions and for flow-through of any refunds received from suppliers.

Copies of the proposed rate changes and the agreement have been served by Transcontinental upon its customers and State commissions.

Comments may be filed with the Commission on or before August 2, 1966.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-81; Filed, July 22, 1966; 8:53 a.m.]

FEDERAL AVIATION AGENCY

AIRPORT DISTRICT OFFICE AT HARRISBURG, PA.

Notice of Closing

Notice is hereby given that on or about August 31, 1966, the Airport District Office at Harrisburg, Pa., will be closed. Services to other Federal activities, State and municipal agencies, airport sponsors, and the general aviation public formerly provided by this Office will be rendered by the New York Area Office, in Jamaica, N.Y.

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354)

OSCAR BAKKE,
Director, Eastern Region.

[F.R. Doc. 66-8025; Filed, July 22, 1966; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

[Fact Finding Investigation 6]

STEAMSHIP CONFERENCE

Notice of Hearing Regarding Effects on Foreign Commerce of United States

JULY 19, 1966.

A further hearing in this proceeding will commence at 9:30 a.m., on September 8, 1966, Room 421, Appraisers Building, San Francisco, Calif. The hearing will be open to the public.

RALPH P. DICKSON,
Investigative Officer.

[F.R. Doc. 66-8068; Filed, July 22, 1966; 8:50 a.m.]

[No. 66-41; Agreement 9291]

U.S. ATLANTIC & GULF/AUSTRALIA-NEW ZEALAND CONFERENCE

Investigation and Hearing of Agreement; Addition of Member Line

JULY 19, 1966.

Add the following member line of the U.S. Atlantic & Gulf/Australia-New Zealand Conference to the list of respondents on page 2 of the Appendix to the order served July 15, 1966, in this proceeding:

Blue Star Line, Ltd., c/o Booth American Shipping Corp., 17 Battery Place, New York, N.Y. 10004.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-8069; Filed, July 22, 1966; 8:50 a.m.]

SMALL BUSINESS ADMINISTRATION

ASTRO AGE INDUSTRIES, INC.

Notice of Withdrawal of Request To Operate and Participate in Small Business Defense Production Pool

The request to Astro Age Industries, Inc., to operate as a small business defense production pool, and to certain companies to participate in the operations of said pool, and the approval of the voluntary program submitted for the operation of said pool, as set forth in 26 F.R. 11757 (Dec. 7, 1961), are hereby withdrawn.

Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, which was also granted, is terminated, except that nothing stated herein shall affect the immunity of said production pool and its participating members for those acts performed or omitted during the period when such request and approval of said pool were in effect.

Dated: July 12, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-8057; Filed, July 22, 1966; 8:49 a.m.]

N.Y.R.A.D. TEAM, INC.

Notice of Withdrawal of Request To Operate and Participate in Small Business Research and Development Pool

The request to the N.Y.R.A.D. Team, Inc., to operate as a small business research and development pool, and to certain companies to participate in the operations of said pool, and the approval of the voluntary program submitted for the operation of said pool, as set forth in 26 F.R. 10010 (Oct. 25, 1961), are hereby withdrawn.

Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, which was also granted, is terminated, except that nothing stated herein shall affect the immunity of said research and development pool and its participating members for those acts performed or omitted during the period when such request and approval of said pool were in effect.

Dated: July 12, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-8058; Filed, July 22, 1966; 8:49 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the

captions below are as established in those regulations.

Apparel industry learner regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Angelica Uniform Co., Eminence, Mo.; effective 6-20-66 to 6-19-67 (women's work clothes).

Barbizon of Utah, Inc., 150 West 1230 North, Provo, Utah; effective 7-11-66 to 7-10-67 (ladies' lingerie, slips, gowns, and pajamas).

H. & H. Manufacturing Corp., Statham, Ga.; effective 6-30-66 to 6-29-67 (men's dress pants).

Helco, Inc., of Georgia, Post Office Box 5282 Greenville, S.C.; effective 6-30-66 to 6-29-67 (children's playwear and pajamas).

Lee Mar Shirt Co., Inc., Pulaski, Tenn.; effective 7-5-66 to 7-4-67 (boys' sport shirts).

Marietta Sportswear Manufacturing Co., 300 Northeast 6th Street, Marietta, Okla.; effective 7-7-66 to 7-6-67 (men's dress slacks).

Maxon Shirt Co., division of Oxford Manufacturing Co., Post Office Box 5286, Greenville, S.C.; effective 6-30-66 to 6-29-67 (boys' dress and sport shirts).

Perfection Garment Co., Inc., Martinsburg, W. Va.; effective 7-2-66 to 7-1-67 (ladies' and children's dresses).

Phillips-Van Heusen Corp., Clio, Ala.; effective 6-30-66 to 6-29-67 (sport and dress shirts).

Warsaw Manufacturing Co., Warsaw, N.C.; effective 7-2-66 to 7-1-67 (ladies' cotton housedresses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Dale Manufacturing Co., North, S.C.; effective 7-5-66 to 7-4-67; 5 learners (ladies' blouses and shirts).

Jo-Jac Shirt Co., Inc., Pulaski, Tenn.; effective 7-3-66 to 7-2-67; 10 learners (boys' sport shirts).

Junior Form Lingerie Corp., Box 37, Cairnbrook, Pa.; effective 6-30-66 to 6-29-67; 10 learners (pajamas and blouses).

Paul-Bruce Manufacturing Co., 1010 Greenwood Street, Scotland Neck, N.C.; effective 6-30-66 to 6-29-67; 10 learners (ladies' sleepwear).

Pecos Garment Co., 102 South Cypress, Pecos, Tex.; effective 7-10-66 to 7-9-67; 10 learners (men's and boys' dungarees).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Pecos Garment Co., 102 South Cypress, Pecos, Tex.; effective 7-10-66 to 1-9-67; 40 learners (men's and boys' dungarees).

Devil Dog Manufacturing Co., Inc., Zebulon, N.C.; effective 7-5-66 to 1-4-67; 35 learners (ladies', boys', and girls' dungarees and boys' and girls' shorts and slacks).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Wells Lamont Corp., 801 East Main Street, Brownsville, Tenn.; effective 6-30-66 to 6-29-67, 10 percent of the total number of machine stitchers for normal labor turnover purposes (fabric and leather gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Sweetree Mills, Inc., West Academy Street, Cherryville, N.C.; effective 6-30-66 to 6-29-67, 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' sweaters).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

Blue Grass Industries, Inc., State Highway No. 36, RFD No. 2, Carlisle, Ky.; effective 6-30-66 to 12-29-66; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 320 hours at the rates of $1.15 an hour for the first 160 hours and $1.20 an hour for the remaining 160 hours (women's sanitary belts and men's athletic supporters).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods and the number of learners authorized to be employed, are indicated.

Orocovis Manufacturing Corp., Carretera Estatal No. 155, Km. 27.6, Apartado 49, Orocovis, P.R.; effective 6-20-66 to 12-19-66; 50 learners for plant expansion purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rate of 75 cents an hour (women's and children's panties and women's man-tailored pajamas).

Rebmar, Inc., State Road No. 159, Km. 14.9, Apartado 278, Corozal, P.R.; effective 6-20-66 to 12-19-66; 80 learners for plant expansion purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rate of 85 cents an hour (mosquito bars).

Rebmar, Inc., Corujo Industrial Center, Bayamon, P.R., Apartado 278, Corozal, P.R.; effective 6-20-66 to 12-19-66; 165 learners for plant expansion purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rate of 85 cents an hour (mosquito bars).

Sagner International, Inc., Calle Marina No. 151, Apartado 4128, San Juan, P.R.; effective 6-21-66 to 6-20-67; 10 learners for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 320 hours at the rate of 79 cents an hour (men's slacks).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review of reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 15th day of July 1966.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 66-8060; Filed, July 22, 1966; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1387]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 20, 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-68897. By order of July 14, 1966, the Transfer Board approved the transfer to Lester M. Gundrum, doing business as P. & E. Buehler Trucking, Troy, N.Y., of the operating rights in certificate No. MC-115059, issued April 11, 1955, to Ernest P. Buehler and Lester M. Gundrum, doing business as P. & E. Buehler Trucking, Troy, N.Y., and certificate of registration No. MC-115059 (Sub-No. 2), issued May 26, 1964, to Ernest P. Buehler, Katherine H. Buehler, Executrix, and Lester M. Gundrum, doing business as P. & E. Buehler Trucking, Troy, N.Y., authorizing the transportation of: General commodities, with the usual exceptions, and general commodities with exceptions prescribed by the New York Public Utilities Commission, between points in New York. John J. Brady, 75 State Street, Albany, N.Y. 12207, attorney for applicants.

No. MC-FC-68911. By order of July 15, 1966, the Transfer Board approved the transfer to C. Stanley F. Louttit, doing business as Louttit Transfer, Monongahela, Pa., of the permit in No. MC-69096, issued May 14, 1956, to Beulah Musgrove and Carl Hawkins, doing business as Marion Storage and Transfer, Fairmont, W. Va., authorizing the transportation of glass, glass products, and machinery, materials and supplies used in the conduct of glass manufacture, over regular routes, between Fairmont, W. Va., and Bridgeton, N.J., serving the intermediate points of Harpers Ferry, W. Va., and Baltimore,

Md.; between Fairmont and Clarion, Pa.; between Fairmont and Chicago Heights, Ill., serving the intermediate point of Columbus, Ohio, and the off-route points of Zanesville, Ohio, and Gas City, Ind.; between Fairmont and Streator, Ill., serving the intermediate point of Columbus, Ohio, and the off-route points of Gas City, Ind., and Zanesville, Ohio, and between Fairmont and Alton, Ill., serving the intermediate points of Terre Haute, Ind., and Columbus, Ohio, and the off-route point of Zanesville, Ohio. Dual operations were authorized. Arthur J. Diskin, 302 Frick Building, Pittsburgh, Pa. 15219, attorney for applicants.

No. MC-FC-68914. By order of July 15, 1966, the Transfer Board approved the transfer to Crown Cartage & Storage Co., a corporation, Cleveland, Ohio, of the certificate of registration in No. MC-121235 (Sub-No. 1), issued July 14, 1965, to Frank Filipowicz, doing business as Phillips Trucking, Independence, Ohio, and corresponding to the grant of intrastate authority in Certificate of Public Convenience and Necessity No. 6788-I, dated November 5, 1948, issued by the Public Utilities Commission of Ohio. Paul F. Beery, 100 East Broad Street, Columbus, Ohio 43215, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-8105; Filed, July 22, 1966; 8:53 a.m.]

[Notice 218]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 20, 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 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 30657 (Sub-No. 18 TA), filed July 18, 1966. Applicant: DIXIE HAULING COMPANY, a corporation, 959 Bankhead Avenue NW., Atlanta, Ga. Applicant's representative: Charles M. Wilbanks (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prefabricated steel buildings, component parts of iron and steel articles for prefabricated steel buildings;* (2) *steel tubing*, from Tallapoosa, Ga., to points in Alabama, Florida, North Carolina, South Carolina, Tennessee, and Mississippi, for 180 days. Supporting shipper: Atlantic Steel Co., Post Office Box 1714, Atlanta 1, Ga. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 680 West Peachtree Street NW., Room 300, Atlanta, Ga. 30308.

No. MC 116459 (Sub-No. 38 TA), filed July 18, 1966. Applicant: RUSS TRANSPORT, INC., Pineville Road, Route 5, Post Office Box 4022, Chattanooga, Tenn. 37405. Applicant's representative: Sam Speer (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfate of Alumina*, dry, in bulk, from Chattanooga, Tenn., to Coosa Pines, Ala., for 180 days. Supporting shipper: American Cyanamid Co., Wayne, N.J. 07470. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

MOTOR CARRIERS OF PASSENGERS

No. MC 48501 (Sub-No. 11 TA), filed July 18, 1966. Applicant: INDIANA MOTOR BUS COMPANY, a corporation, 716 South Main Street, South Bend, Ind. Applicant's representative: Harry J. Harman, 1110 Fidelity Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, newspapers and mail* in the same vehicles with passengers, between Marion, Ind., and Logansport, Ind., from Marion, to the junction of Indiana Highway 37 and U.S. Highway 35 over Indiana Highway 37; thence to Logansport, Ind., over U.S. Highway 35 and return over the same route, serving all intermediate points, connecting with applicant's present route at Logansport, Ind., and Marion, Ind., on its through route between Muncie, Ind., and Chicago, Ill., for 180 days. Supported by: Wayne L. Miller, assistant manager, Kokomo Bus Terminal, Kokomo, Ind.; E. E. Furry, president, Indiana Motor Bus Co., 715 South Michigan Street, South Bend, Ind. Send protests to: Heber Dixon, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind. 46802.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-8106; Filed, July 22, 1966; 8:53 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 20, 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. 40625—*Joint motor-rail rates—Southern Motor Carriers.* Filed by Southern Motor Carriers Rate Conference, Agent (No. 156), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in southern territory.

Grounds for relief—Motortruck competition.

Tariff—Supplement 32 to Southern Motor Carriers Rate Conference, agent, tariff MF-ICC 1351.

FSA No. 40626—*Compressed gases to Decatur, Ala.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2855), for interested rail carriers. Rates on dimethylamine, monomethylamine or trimethylamine, anhydrous, in tank carloads, from Terre Haute, Ind., to Decatur, Ala.

Grounds for relief—Market competition.

Tariff—Supplement 207 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-102.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-8107; Filed, July 22, 1966; 8:53 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

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 July.

3 CFR

EXECUTIVE ORDERS:
July 7, 1910 (revoked in part by PLO 4057) 10032
June 24, 1914 (revoked in part by PLO 4048) 9601
July 10, 1919 (revoked in part by PLO 4048) 9601
April 17, 1926 (revoked in part by PLO 4048) 9601
2216 (revoked in part by PLO 4042) 9108
3672 (revoked in part by PLO 4042) 9108
4203 (revoked in part by PLO 4055) 10032
6626 (revoked in part by PLO 4042) 9108
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