

# FEDERAL REGISTER

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Pages 10171-10230

**Agencies in this issue—**

The President  
Agricultural Stabilization and  
Conservation Service  
Atomic Energy Commission  
Civil Aeronautics Board  
Civil Service Commission  
Commodity Credit Corporation  
Consumer and Marketing Service  
Defense Department  
Federal Aviation Agency  
Federal Communications Commission  
Federal Power Commission  
Federal Reserve System  
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Land Management Bureau  
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Railroad Retirement Board  
Securities and Exchange Commission  
State Department  
Wage and Hour Division

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Just Released

## CODE OF FEDERAL REGULATIONS

(As of January 1, 1966)

Title 25—Indians (Revised)  
\$1.25

Title 41—Public Contracts and Property Management  
(Chapters 6-17) (Revised)  
\$1.75

*[A cumulative checklist of CFR issuances for 1966 appears in the first issue of the Federal Register each month under Title 1]*

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# Presidential Documents

## Title 3—THE PRESIDENT

### Executive Order 11291

#### CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE AMERICAN AIRLINES, INC., AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the American Airlines, Inc., a carrier, and certain of its employees represented by the Transport Workers Union of America, AFL-CIO, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by Sections 10 and 201 of the Railway Labor Act, as amended (45 U.S.C. 160 and 181, respectively), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of airline employees or any carrier.

The board shall report its findings to the President with respect to this dispute within thirty days from the date of this order.

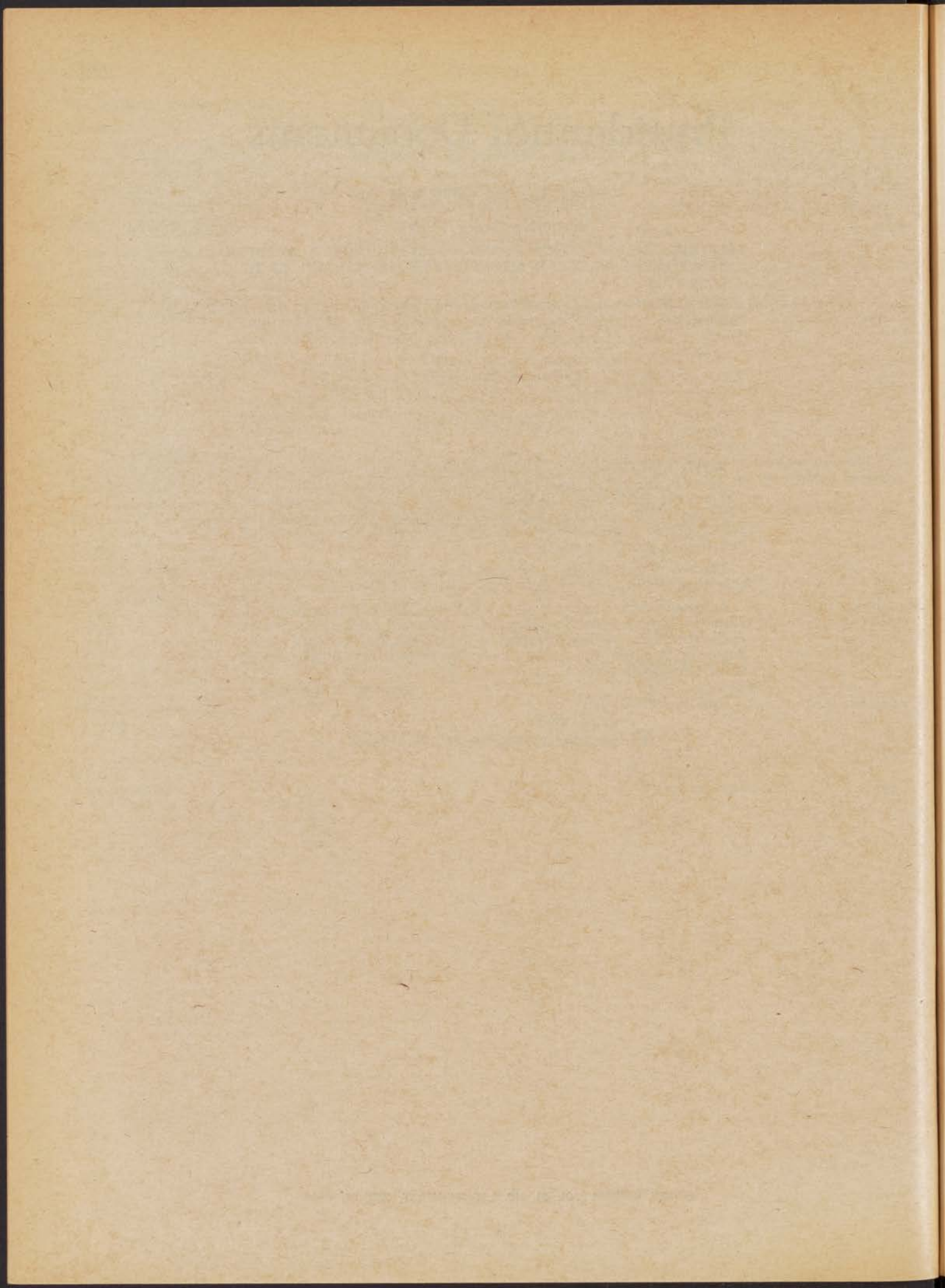
As provided by Section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the American Airlines, Inc., or by its employees, in the conditions out of which this dispute arose.

LYNDON B. JOHNSON

THE WHITE HOUSE,  
*July 27, 1966.*

[F.R. Doc. 66-8336; Filed, July 27, 1966; 1:18 p.m.]







# Rules and Regulations

## Title 7—AGRICULTURE

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

#### PART 330—FEDERAL PLANT PEST REGULATIONS

##### Soil From Parts of Canada Exempted From Certain Regulations

On May 24, 1966, there was published in the FEDERAL REGISTER (31 F.R. 7479) a notice of rule making concerning the proposed amendment of § 330.300a of the Federal Plant Pest Regulations (7 CFR 330.300a). After due consideration of all relevant matters presented and pursuant to section 106 of the Federal Plant Pest Act of May 23, 1957 (7 U.S.C. 150ee; 71 Stat. 33), § 330.300a is hereby amended to read as follows:

##### § 330.300a Administrative instructions exempting soil from parts of Canada from certain restrictions.

Soil of Canadian origin except soil from British Columbia and Newfoundland may be moved into or through the United States from Canada free from the permit requirements of § 330.300 and the release requirements of § 330.105 but subject to inspection under § 330.105 and disposal under § 330.106 if the inspection discloses any plant pest new to or not theretofore widely prevalent or distributed within and throughout the United States. Such soil is also subject to all applicable requirements under Part 319 of this chapter.<sup>1</sup>

This amendment excludes British Columbia and Newfoundland as areas in Canada from which soil may be moved into or through the United States free from certain permit and release requirements. The action is taken for the reason that infestations of the golden nematode, which seriously damages potatoes and tomatoes, have been found to exist in these two Canadian Provinces. Soil from these Provinces for certain purposes may be authorized entry subject to the permit and other requirements in 7 CFR 330.300.

(Sec. 106, 71 Stat. 33; 7 U.S.C. 150ee; 29 F.R. 16210, as amended; 30 F.R. 5799, as amended; 7 CFR 330.108)

This amendment shall become effective August 29, 1966.

Done at Hyattsville, Md., this 22d day of July 1966.

[SEAL]

F. A. JOHNSTON,

Director, Plant Quarantine Division.

[F.R. Doc. 66-8256; Filed, July 27, 1966; 8:48 a.m.]

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

[Pear Reg. 5]

#### PART 927—BEURRE D'ANJOU, BEURRE BOSCH, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

##### Regulation by Grades and Sizes

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927), regulating the handling of the Beurre D'Anjou, Beurre Bosch, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and 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 Control Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such pears, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure and postpone the effective 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 August 1, 1966. A reasonable determination as to the composition of the available supplies of such pears, and therefore the extent of grade and size regulation warranted, must await the development of the crop; recommendation as to the need for, and the extent of, regulation of shipments of such pears were made by said committee on July 13, 1966, after consideration of all information then available relative to the supply and demand conditions for such pears, at which time such

recommendations and supporting information were submitted to the Department and notice thereof given to handlers and growers; shipments of the current crop of such pears are expected to begin on or about the effective time hereof, and this regulation should be applicable to all shipments of such pears in order to effectuate the declared policy of the act; and compliance with this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

##### § 927.305 Pear Regulation 5.

(a) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., August 1, 1966, and ending at 12:01 a.m., P.s.t., July 1, 1967, no handler shall ship any pears which do not meet the following requirements for the variety specified:

(i) Beurre D'Anjou pears shall grade at least U.S. No. 2 and be of a size not smaller than the 195 size: *Provided*, That Beurre D'Anjou pears may be shipped when bearing unhealed broken skin punctures measuring not to exceed three-sixteenth ( $\frac{3}{16}$ ) of 1 inch in diameter or depth, as the case may be, if they otherwise grade at least U.S. No. 1 and are of a size not smaller than the 150 size, and: *Provided, further*, That Beurre D'Anjou pears which fail to meet the requirements specified in the U.S. No. 2 grade only because of serious damage but not very serious damage caused by frost injury, healed hail marks, russeting, or being seriously misshapen may be shipped if they are of a size not smaller than the 150 size;

(ii) Beurre Bosch pears shall grade at least U.S. No. 2 and be of a size not smaller than the 180 size: *Provided*, That Beurre Bosch pears which fail to meet the requirements specified in the U.S. No. 2 grade only because of serious damage but not very serious damage caused by frost injury, healed hail marks, russeting, or being seriously misshapen may be shipped if they are of a size not smaller than the 150 size;

(iii) Doyenne du Comice pears shall grade at least U.S. No. 2 and be of a size not smaller than the 180 size: *Provided*, That Doyenne du Comice pears which fail to meet the requirements specified in the U.S. No. 2 grade only because of serious damage but not very serious damage caused by frost injury, healed hail marks, russeting, or being seriously misshapen may be shipped if they are of a size not smaller than the 150 size;

(iv) Winter Nelis pears shall grade at least U.S. No. 2 and be of a size not smaller than the 225 size: *Provided*, That Winter Nelis pears which fail to meet the requirements specified in the U.S. No. 2 grade only because of serious damage but not very serious damage caused by frost injury, healed hail marks, russet-

<sup>1</sup> Sod from Canada is regulated by § 319.37-5 of this chapter.



[958.311]

**PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREG.**

**Limitation of Shipments**

ing, or being seriously misshapen may be shipped if they are of a size not smaller than the 150 size; and

(v) Beurre Easter pears shall grade at least U.S. No. 2 and be of a size not smaller than the 165 size: *Provided*, That Beurre Easter pears which fail to meet the requirements specified in the U.S. No. 2 grade only because of serious damage but not very serious damage caused by frost injury, healed hail marks, russeting, or being seriously misshapen may be shipped if they are of a size not smaller than the 150 size.

(2) Each handler may ship on any one conveyance up to, but not to exceed, 200 standard western pear boxes of pears, or an equivalent quantity of pears in other containers computed by weight to the nearest 5 pounds, without regard to the inspection requirements of § 927.60 (b), under the following conditions:

(i) Each handler desiring to make shipment of pears pursuant to this subparagraph shall first apply to the committee on forms furnished by the committee for permission to make such shipments. The application form shall provide a certification by the shipper that all shipments made thereunder during the marketing season shall meet the marketing order requirement, that he agrees such shipments shall be subject to spot check inspection, and that he agrees to report such shipments at time of shipment to the committee on forms furnished by the committee, showing the car or truck number and destination;

(ii) On the basis of such individual reports, the committee shall request spot check inspection of such shipments.

(3) When used herein, "U.S. No. 1," "U.S. No. 2," "frost injury," "healed hail marks," "russeting," and "seriously misshapen" shall have the same meaning as when used in the U.S. Standards for Winter Pears such as Anjou, Bosc, Winter Nellis, Comice, and other Similar Varieties (7 CFR 51.1300-51.1323); "150 size," "165 size," "180 size," "195 size," and "225 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, 165, 180, 195, or 225 pears, respectively, in a standard western pear box (inside dimensions 18 inches long by 11½ inches wide by 8½ inches deep); "very serious damage" shall mean any injury or defect which very seriously affects the appearance or the edible or shipping quality of the pear; and, except as otherwise specified, all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: July 25, 1966.

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

[F.R. Doc. 66-8231; Filed, July 27, 1966; 8:45 a.m.]

*Findings.* (a) Pursuant to Marketing Agreement No. 130 and Order No. 958 (7 CFR Part 958), regulating the handling of onions grown in the production area defined therein, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Onion Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the limitation of shipments hereinafter established, limiting the grade, size, and quality of such onions will tend to effectuate the declared policy of the act and will maintain orderly marketing conditions and increase returns to producers of such onions.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) shipments of 1967 crop onions grown in the production area will begin on or about the effective date specified herein, (2) to maximize benefits to growers, this regulation should apply to all such shipments during the effective period, (3) producers and handlers have operated under this marketing order program since 1957, so special preparation on the part of handlers is not required, and (4) information regarding the committee's recommendation containing the same requirements and effective period as herein has been disseminated to producers and handlers in the production area.

**§ 958.311 Limitation of shipments.**

During the period from August 1, 1966, through June 15, 1967, no person may handle any lot of yellow or white varieties of onions unless such onions are at least "moderately cured" as defined in paragraph (e) of this section or unless such onions are handled in accordance with paragraphs (b) and (c), or paragraph (d), of this section, and beginning August 21, 1966, no person may handle any lot of such onions unless they meet the requirements of paragraph (a) of this section, or unless such onions are handled in accordance with paragraphs (b) and (c), or paragraph (d), of this section.

(a) *Minimum grade and size requirements*—(1) *yellow varieties*—(i) *Grade*. U.S. No. 1; or U.S. No. 2 if not more than 30 percent of the lot is comprised of onions of U.S. No. 1 quality.

(ii) *Size*. 2 inches in diameter.  
(2) *White varieties*—(i) *Grade*. (a) U.S. No. 1; or U.S. No. 2 if not more than 30 percent of the lot is comprised of onions of U.S. No. 1 quality.

(b) U.S. No. 2, or better, grade if the minimum and maximum diameters of the onions in the lot are not less than 1 inch nor more than 2 inches.

(ii) *Size*. Except as otherwise provided in paragraph (a) (2) (i) (b), 1½ inches minimum diameter.

(b) *Special purpose shipments*. The minimum grade, size and quality requirements of this section shall not be applicable to shipments of onions for any of the following purposes:

- (1) Planting;
- (2) Livestock feed;
- (3) Charity;
- (4) Dehydration;
- (5) Canning; and
- (6) Freezing.

(c) *Safeguards*. Each handler making shipments of onions for dehydration, canning, or freezing pursuant to paragraph (b) of this section shall:

(1) First apply to the committee for and obtain a Certificate of Privilege to make such shipments;

(2) Prepare, on forms furnished by the committee, a report in quadruplicate on each individual shipment to such outlets authorized in paragraph (b) of this section;

(3) Bill or consign each shipment directly to the applicable processor; and

(4) Forward one copy of such report to the committee office, and two copies to the processor for signing and returning one copy to the committee office. Failure of the handler or processor to report such shipments by promptly signing and returning the applicable report to the committee office shall be cause for cancellation of such handler's Certificate of Privilege and/or the processor's eligibility to receive further shipments pursuant to such Certificate of Privilege. Upon cancellation of any such Certificate of Privilege the handler may appeal to the committee for reconsideration.

(d) *Minimum quantity exception*. Each handler may ship up to, but not to exceed, 1 ton of onions each day without regard to the inspection and assessment requirements of this part, if such onions meet minimum grade, size, and quality requirements of this section. This exception shall not apply to any portion of a shipment that exceeds 1 ton of onions.

(e) *Definitions*. The terms "U.S. No. 1" and "U.S. No. 2" shall have the same meaning as when used in the U.S. Standards for Onions (§§ 51.2830-51.2850 of this title). The term "moderately cured" means the onions are mature and are definitely fairly well cured but they need not be completely dry. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 130 and this part.

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

Dated: July 25, 1966, to become effective August 1, 1966.

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

[F.R. Doc. 66-8257; Filed, July 27, 1966; 8:48 a.m.]



**Chapter XIV—Commodity Credit Corporation, Department of Agriculture**

**SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS**  
[Amdt. 8]

**PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES**

**Subpart—Provisions for Participation of Commercial Banks in Pools of CCC Price Support Loans on Certain Commodities**

**INCREASE IN INTEREST RATE AND EXCHANGE OF CERTIFICATES OF INTEREST**

The regulations issued by the Commodity Credit Corporation published in 29 F.R. 3614, as amended by 29 F.R. 4991, 8396, 15281, and 18212, 30 F.R. 14310 and 15582, and 31 F.R. 474, containing the terms and conditions for participation of commercial banks in pools of CCC price support loans on certain commodities, are hereby further amended to change from 4.9 to 5.2 percent per annum, effective August 1, 1966, the rate of interest on certificates evidencing participation in financing price support loans, and to permit the exchange of old crop year certificates for new crop year certificates.

Section 1421.3825(a) is amended to read as follows:

**§ 1421.3825 Rate of interest and basis of computation of interest earned.**

(a) \* \* \*

*Rate of interest.* Certificates shall earn interest at the rate of 4.9 percent per annum through and including July 31, 1966, and 5.2 percent per annum thereafter.

Section 1421.3827 *Transfer and exchange of certificates*, is amended by adding the following new paragraph (e):

**§ 1421.3827 Transfer and exchange of certificates.**

(e) *Exchange for new crop year certificates.* Through August 8, 1966, and from July 1 through August 8 of each year thereafter, a commercial bank may tender to the Data Processing Center certificates which mature August 1 to be exchanged for new crop year certificates. New certificates may not exceed the face value of the certificates surrendered. Promptly after August 1, the Data Processing Center will remit to the commercial bank which tendered the certificates (1) all accrued interest to the maturity date of the certificates tendered, and (2) the amount by which the face value of the certificates tendered exceeds the face value of the new certificates requested by the commercial bank which presented the certificates. The new certificates will be dated as of the date of tender or August 1 of each year of issuance, whichever is later, and will be issued in the denominations requested.

(Secs. 4 and 5, 62 Stat. 1070, 1072, as amended; 15 U.S.C. 714b and c)

Signed at Washington, D.C., on July 27, 1966.

H. D. GODFREY,  
*Executive Vice President,*  
*Commodity Credit Corporation.*

[F.R. Doc. 66-8325; Filed, July 27, 1966; 10:59 a.m.]

[Amdt. 4]

**PART 1427—COTTON**

**Subpart—Participation of Financial Institutions in Cotton Loan Pools**

**INCREASE IN INTEREST RATE AND EXCHANGE OF CERTIFICATES OF INTEREST**

The regulations issued by the Commodity Credit Corporation published in 30 F.R. 7814, as amended by 30 F.R. 14310 and 15582, and 31 F.R. 474, containing the terms and conditions for participation of financial institutions in pools of CCC price support loans on cotton are hereby further amended to change from 4.9 to 5.2 percent per annum, effective August 1, 1966, the rate of interest on certificates evidencing participation in financing price support loans, and to permit the exchange of old crop year certificates for new crop year certificates.

**§ 1427.2239 Rate of interest and basis of computation of interest earned.**

(a) *Rate of interest.* Certificates shall earn interest at the rate of 4.9 percent per annum through and including July 31, 1966, and 5.2 percent per annum thereafter.

Section 1427.2241 *Transfer and exchange of certificates*, is amended by adding the following new paragraph (e):

**§ 1427.2241 Transfer and exchange of certificates.**

(e) *Exchange for new crop year certificates.* Through August 8, 1966, and from July 1 through August 8 of each year thereafter, a financial institution may tender to the New Orleans Office certificates which mature August 1 to be exchanged for new crop year certificates. New certificates may not exceed the face value of the certificates surrendered. Promptly after August 1, the New Orleans Office will remit to the financial institution which tendered the certificates (1) all accrued interest to the maturity date of the certificates tendered, and (2) the amount by which the face value of the certificates tendered exceeds the face value of the new certificates requested by the financial institution which presented the certificates. The new certificates will be dated as of the date of tender or August 1 of each year of issuance, whichever is later, and will be issued in the denominations requested.

(Secs. 4 and 5, 62 Stat. 1070, 1072, as amended; 15 U.S.C. 714b and c)

Signed at Washington, D.C., on July 27, 1966.

H. D. GODFREY,  
*Executive Vice President,*  
*Commodity Credit Corporation.*

[F.R. Doc. 66-8326; Filed, July 27, 1966; 10:59 a.m.]

**Title 12—BANKS AND BANKING**

**Chapter II—Federal Reserve System**

**SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM**

[Reg. O]

**PART 215—LOANS TO EXECUTIVE OFFICERS OF MEMBER BANKS**

**Loans Under Educational Loan Plans**

**§ 215.107 Loans to executive officers under an educational loan plan.**

(a) The Board of Governors has recently received an inquiry as to the applicability of section 22(g) of the Federal Reserve Act (12 U.S.C. 375a) and this Part 215 (Regulation O) to loans under an education loan plan offered by a member bank to its regular customers and proposed to be made available to its executive officers. In particular, the inquiry raised the question whether, within the meaning of the statute and regulation, the amount of the loan or extension of credit under the conditions of the plan is (1) the amount actually disbursed by the member bank and not repaid through installments, which would at no time exceed \$2,500 in the case of loans to the bank's executive officers, or (2) the amount of the note the borrower is required to make, which would be \$10,000, plus an amount for interest and group credit life insurance, if, for example, the borrower should need \$2,500 per year for a period of 4 years.

(b) From the facts presented, the Board understood that the plan is typically used by a parent to finance his child's 4-year college education. The borrower enters into an agreement and makes a note whereby he promises to pay to the bank a specified amount, including charges for interest and group credit life insurance. When the first payment for tuition and other related charges is due the educational institution, the bank issues a check to the borrower for the agreed amount, which is, in the typical case, one-eighth of the amount of the note, exclusive of that portion reflecting charges for interest and insurance. The remaining seven-eighths of the amount of the note, exclusive of the portion for interest and insurance charges, is credited to a collateral trust account, described as a Totten trust, in trust for the student, but subject to a lien granted to the bank and a right to set off against the account any amounts due the bank from the borrower. The borrower agrees not to make the trust account irrevocable during his lifetime, and that it will be a noninterest bearing account against which he will not draw checks or other



orders of withdrawal. As subsequent payments to the educational institution fall due, the bank makes disbursements by issuing checks to the borrower that are charged against the trust account. Repayments by the borrower, which normally extend over the entire period of the education being financed, commence with the month following the month of the first disbursement by the bank. The interest charge is calculated only on the unpaid principal balance of the amounts actually disbursed from time to time by the bank. If the borrower dies, the unpaid balance of the note is paid to the bank from the proceeds of insurance on the borrower's life, and the amount remaining in the trust account is paid over to the student. Either the borrower or the bank may terminate the plan, whereupon the amount in the trust account is applied toward the note and the borrower is required to pay any deficiency remaining after such application.

(c) Section 22(g) of the Federal Reserve Act provides that no person shall "borrow from or otherwise become indebted" to a member bank of which he is an executive officer, and no member bank shall "make any loan or extend credit in any other manner" to its executive officers. However, an exception permits an executive officer to "become indebted" to the member bank he serves if the amount does not exceed \$2,500 and if the extension of credit has the prior approval of a majority of the member bank's entire board of directors. The section delegates to the Board the authority "to determine what shall be deemed to be a borrowing, indebtedness, loan, or extension of credit." In § 215.1 of Regulation O, the Board has defined "loan" and "extension of credit" to include "the acquisition by discount, purchase, exchange, or otherwise of any note \* \* \* or other evidence of indebtedness upon which an executive officer may be liable as maker, drawer, indorser, guarantor, or surety."

(d) The Board observed that the acquisition by a member bank of a note upon which one of its executive officers is liable as maker, as contemplated by the plan, is an extension of credit or a loan within the literal meaning of § 215.1. The Board stated, however, that the substance of the transaction, and not its mere form, is the crucial consideration. In this connection, it was noted that the borrower has no right to the funds credited to the account that is created under the plan, except as each scheduled tuition disbursement falls due. He pays interest only on the amounts actually disbursed. If the plan is terminated at any time for any reason, the funds must be applied toward the note. Although the borrower, as maker of the note, is technically liable to the bank for more than \$2,500, the funds in the trust account, plus the amount owed in installments for funds disbursed, will always be sufficient to discharge the instrument. Thus, if the amount actually disbursed and not repaid in installments will at no time exceed \$2,500, then the bank will at no time look directly to the borrower for more than the amount permitted by section

22(g). The function of the note is to enable the borrower to obtain group credit life insurance and thereby assure that should he die during the term of the plan adequate funds would be provided for financing the completion of his child's college education.

(e) Accordingly, the Board concluded that, within the meaning of section 22(g) and this Part 215, the extension of credit or loan under the conditions of the plan is the amount actually disbursed by the bank and not repaid through the monthly instalments. If that amount will at no time exceed \$2,500 and if the extension of credit is properly approved in advance by the directors of the member bank, then the plan does not violate the statute or the regulation. With respect to the requirement of prior approval by the member bank's directors, the Board pointed out that it had ruled in 1937 that a grant of continuing authority to an executive officer to borrow up to \$2,500 could remain in effect "for only a reasonable period of time and in no event longer than 12 months." 1937 Federal Reserve Bulletin 1074. The Board expressed the opinion that the 12-month period is appropriate as a general rule, but held that a 4-year period is reasonable in the case of loans under the plan described in the inquiry.

(12 U.S.C. 248(i). Interprets 12 U.S.C. 375a)

Dated at Washington, D.C., this 21st day of July 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,  
Secretary.

[F.R. Doc. 66-8230; Filed, July 27, 1966;  
8:45 a.m.]

## Title 20—EMPLOYEES' BENEFITS

### Chapter II—Railroad Retirement Board

#### PART 320—INITIAL DETERMINATIONS UNDER RAILROAD UNEMPLOY- MENT INSURANCE ACT AND RE- VIEWS OF AND APPEALS FROM SUCH DETERMINATIONS

##### Miscellaneous Amendments

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1107, as amended; 45 U.S.C. 362), the title of Part 320 is amended to read as set forth above, and §§ 320.5, 320.8, 320.10, 320.12, 320.15, 320.30, 320.32, 320.42, and 320.50 of Part 320 (20 CFR 320.5, 320.8, 320.10, 320.12, 320.15, 320.30, 320.32, 320.42, 320.50) of the regulations under such act are amended by Board Order 66-84, dated July 14, 1966, to read as follows:

##### § 320.5 Initial determinations with respect to claims.

Each claim for benefits under the Act shall be adjudicated and the initial determination with respect thereto shall

be made by an adjudicating office upon the basis of the application and claim, and any statement or supplements filed in connection therewith, the evidence submitted by the claimant, and evidence otherwise available. Claims shall be adjudicated, and initial determinations shall be made, in accordance with instructions issued by the Director of Unemployment and Sickness Insurance. That part of the benefits claimed which is initially determined to be payable may be paid prior to a final decision with regard to such claim.

##### § 320.8 Notice of initial determination.

Notice of an initial determination which denies in whole or in part a claim for benefits shall contain a brief statement of the grounds for the denial and shall be communicated in writing to the claimant within 15 days after such initial determination is made. Such notice shall be deemed to have been communicated to the claimant when it will have been mailed to him at the latest address furnished by him.

##### § 320.10 Review of initial determination and notice of decision upon review.

(a) *Review.* If, within 1 year after notice of an initial determination has been communicated to a claimant, the claimant, without filing an appeal in the manner and within the time provided in § 320.15, makes an oral or written request for a review of the initial determination, the regional director or other official designated by the Director of Unemployment and Sickness Insurance shall review the determination, shall take any further action which may be required, and shall decide whether to sustain or reverse such determination.

(b) *Notice of decision.* Notice of the decision made upon review shall be communicated to the claimant in writing within 15 days after such decision is made. If the effect of the decision is that the claim is still denied in whole or in part, the claimant shall be notified in the communication of his rights to appeal as provided in §§ 320.12 and 320.15.

##### § 320.12 Appeal from initial determination.

Any claimant may appeal from an initial determination denying his claim for benefits in whole or in part whether or not a review of such determination has been made under the provisions of § 320.10. An appeal shall be made by the claimant's filing, in the manner and within the time hereinafter specified, an appeal provided by the Board. Unless an appeal from initial determination on the appeal from initial determination is filed by the claimant in the manner and within the time provided in § 320.15, all rights to further review of the initial determination shall be forfeited.

##### § 320.15 Execution and filing of appeal from initial determination.

(a) *Execution.* An appeal from initial determination shall be filed on the form provided by the Board and shall be



executed in accordance with the instructions on the form.

(b) *Filing.* An appeal from initial determination shall be considered to have been filed when it will have been received in an office of the Board. Such appeal shall be filed within 1 year from the date on which notice of an initial determination is communicated to the claimant or within 30 days from the date on which notice of the decision made upon review is communicated to him, whichever period ends later.

§ 320.30 Decision or report of referee.

As soon as practicable after the completion of the record, the referee shall render his decision, or submit his report to the Board, as may be appropriate in the case. The decision or report shall be based on the record and shall be in writing. Such decision shall contain a brief statement of (a) the issue or issues raised, (b) the evidence submitted, (c) findings of fact, (d) the decision made, and (e) the reasons therefor. Such report shall contain a statement of (1) the issue or issues raised, (2) the evidence submitted, (3) findings of fact, (4) conclusions of law, (5) recommendations as to the decision to be made by the Board, and (6) such discussion of the foregoing as the referee may desire to present to the Board. Within 15 days after rendition of the decision or submission of the report, a copy of the decision or report shall be mailed to each interested party at the last address of record. In the case of a report, a copy of the transcript of the hearing, if any was held, shall also be mailed to each interested party.

§ 320.32 Effect of decision of referee.

A decision of the referee, subject to review as hereinafter provided, shall be binding upon any adjudicating office:

(a) With respect to the initial determination involved, and

(b) With respect to other initial determinations, irrespective of whether they have been appealed, which (1) denied in whole or in part claims made by the same claimant in the same benefit year and (2) were based on the same issue or issues determined in the decision of the referee.

§ 320.42 Decision of Board.

The decision of the Board, whether on an appeal to the Board from a decision of a referee, or after submission of a report by a referee, shall be made upon the basis of the record established in accordance with the foregoing sections. Notice of such decision, together with the Board's findings of fact and conclusions of law in connection therewith, shall, within 15 days from the date on which the decision is made, be mailed to the parties at the latest addresses furnished by them. Subject only to judicial review in accordance with § 320.45, the decision of the Board shall be final and conclusive for all purposes:

(a) With respect to the initial determination involved, and

(b) With respect to other initial determinations, irrespective of whether

they have been appealed, which (1) denied in whole or in part claims made by the same claimant in the same benefit year and (2) were based on the same issue or issues determined in the decision of the Board. In a case in which there has been a referee's report, in an appeal involving employee status or the creditability of compensation, the decision of the Board upon all issues determined in such decision shall be final and conclusive for all purposes and shall conclusively establish all rights and obligations, arising under the Act, of every party notified as hereinabove provided of his right to participate in the proceedings.

§ 320.50 Adjudicating office.

As used in this part the term "adjudicating office" means any subordinate unit of the Board which may be authorized to make initial determinations with regard to applications and claims for benefits under the Act.

Dated: July 21, 1966.

By authority of the Board.

LAWRENCE GARLAND,  
Secretary of the Board.

[F.R. Doc. 66-8240; Filed, July 27, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

O,O-Diethyl S-2-(Ethylothio)Ethyl Phosphorodithioate

Petitions were filed with the Food and Drug Administration by Chemagro Corp., Post Office Box 4912, Hawthorn Road, Kansas City, Mo. 64120, proposing the establishment of tolerances for residues of the insecticide O,O-diethyl S-2-(ethylothio)ethyl phosphorodithioate in or on pecans at 0.75 part per million (PP 6F0478) and in or on clover hay at 12 parts per million and fresh clover at 5 parts per million (PP 6F0480).

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petitions and other relevant material, it is concluded that the tolerances established in this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), § 120.183 is amended by revising

the second, third, and sixth paragraphs to read as follows:

§ 120.183 O,O-Diethyl S-2-(ethylothio) ethyl phosphorodithioate; tolerances for residues.

12 parts per million in or on alfalfa hay, clover hay.

5 parts per million in or on alfalfa (fresh), barley (green fodder and straw), bean vines, clover (fresh), oats (green fodder and straw), peanut hay, pea vines, pineapple foliage, rice straw.

0.75 part per million in or on barley grain, beans (dry), beans (lima), beans (snap), broccoli, brussels sprouts, cabbage, cauliflower, corn forage, cottonseed, lettuce, oat grain, peanuts, peas, pecans, pineapples, potatoes, rice, spinach, tomatoes.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from 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 quintuplicate. 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. A hearing will be granted if the objections are 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 on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: July 22, 1966.

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

[F.R. Doc. 66-8245; Filed, July 27, 1966; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

THIABENDAZOLE

1. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 5D1719) filed by Merck Sharp & Dohme Research Laboratories, division of Merck & Co., Inc., Rahway, N.J. 07065, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of



thiabendazole in the feed of sheep and goats. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education,

and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.260 (c) is amended by adding to table 2 new items 3 and 4, as follows:

§ 121.260 Thiabendazole.

(c) \* \* \*

TABLE 2—THIABENDAZOLE IN FEED

Principal ingredient	Amount	Combined with—	Amount	Limitations	Indications for use
3. Thiabendazole.	2 gm. per 100 lb. body weight.			For sheep and goats: 2 gm. per 100 lb. body weight at a single dose; do not treat animals within 30 days of slaughter; milk taken from treated animals within 96 hours (8 milkings) after the latest treatment must not be used for food.	Treatment of infestations of gastrointestinal round worms (genera <i>Trichostrongylus</i> spp., <i>Haemonchus</i> spp., <i>Ostertagia</i> spp., <i>Cooperia</i> spp., <i>Nematodirus</i> spp., <i>Bunostomum</i> spp., <i>Strongyloides</i> spp., <i>Chabertia</i> spp., and <i>Oesophagostomum</i> spp.).
4. Thiabendazole.	3 gm. per 100 lb. body weight.			For sheep and goats: 3 gm. per 100 lb. body weight at a single dose; do not treat animals within 30 days of slaughter; milk taken from treated animals within 96 hours (8 milkings) after the latest treatment must not be used for food.	Treatment of severe infestations of gastrointestinal round worms (genera <i>Trichostrongylus</i> spp., <i>Haemonchus</i> spp., <i>Ostertagia</i> spp., <i>Cooperia</i> spp., <i>Nematodirus</i> spp., <i>Bunostomum</i> spp., <i>Strongyloides</i> spp., <i>Chabertia</i> spp., and <i>Oesophagostomum</i> spp.).

2. Based upon an evaluation of the data before him and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner has further concluded that a zero tolerance is required to assure that edible tissues of sheep and goats and milk from goats treated in accordance with § 121.260 are safe for human consumption. Therefore, § 121.1153 is revised to read as follows:

§ 121.1153 Thiabendazole.

A tolerance of zero is established for residues of thiabendazole in the edible tissues of cattle, sheep, and goats and in milk from cattle and goats.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from 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 quintuplicate. 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. A hearing will be granted if the objections are 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 on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4))

Dated: July 22, 1966.

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

[F.R. Doc. 66-8246; Filed, July 27, 1966;  
8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ISOBUTYLENE POLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1945) filed by Enjay Polymer Laboratories, Post Office Box 45, Linden, N.J. 07036, and other relevant material, has concluded that the provisions for safe usage of polyisobutylene in food-packaging adhesives complying with § 121.2520 need not include a minimum molecular weight specification because substances permitted for use in such adhesives are not expected to become components of food in any significant amount under the prescribed conditions of safe use. Accordingly, the Commissioner has concluded that the molecular weight specification in § 121.2590 is not applicable to polyisobutylene used in food-packaging adhesives complying with § 121.2520. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2590 is amended by adding thereto a new paragraph as follows:

§ 121.2590 Isobutylene polymers.

(c) The provisions of this section are not applicable to polyisobutylene used in food-packaging adhesives complying with § 121.2520.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from 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 quintuplicate. 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. A hearing will be granted if the objections are 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 on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: July 22, 1966.

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

[F.R. Doc. 66-8247; Filed, July 27, 1966;  
8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RUBBER ARTICLES INTENDED FOR REPEATED USE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B1193) filed by American Cyanamid Co., Berdan Avenue, Wayne, N.J. 07470, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of additional substances in the formulation of rubber articles intended for repeated use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), § 121.2562(c)(4) is amended by inserting alphabetically in the lists in subdivisions (i)(b), (iii), and (iv) new items as follows:

§ 121.2562 Rubber articles intended for repeated use.



- (c) \* \* \*
- (4) \* \* \*
- (ii) \* \* \*
- (b) Accelerators (total not to exceed 1.5 percent by weight of rubber product).

Triallyl cyanurate.

- (iii) Antioxidants and antiozonants (total not to exceed 5 percent by weight of rubber product).

2,2'-Methylenebis(4-methyl-6-tert-octylphenol).

Styrenated cresols produced when 2 moles of styrene are made to react with 1 mole of a mixture of phenol and *o*-, *m*-, and *p*-cresols so that the final product has a Brookfield viscosity at 25° C. of 1400 to 1700 centipoises.

- (iv) Plasticizers (total not to exceed 30 percent by weight of rubber product).

2,2'-Dibenzamido-diphenyl disulfide.

Zinc 2-benzamidothiophenate.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from 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 quintuplicate. 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. A hearing will be granted if the objections are 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 on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: July 22, 1966.

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

[F.R. Doc. 66-8248; Filed, July 27, 1966; 8:47 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter I—Office of the Secretary of Defense

#### SUBCHAPTER M—MISCELLANEOUS

#### PART 250—COST INFORMATION REPORTS (CIR)

The Assistant Secretary of Defense (Comptroller) has approved the following policy:

- Sec.
- 250.1 Purpose.
- 250.2 Applicability.
- 250.3 Scope.
- 250.4 Procedures.
- 250.5 Reporting.
- 250.6 Audit reviews.

**AUTHORITY:** The provisions of this Part 250 issued under 10 U.S.C. 133.

#### § 250.1 Purpose.

This part provides guidance for the implementation of DoD Directive 7041.1, "Cost and Economic Information System," July 7, 1964, including an identification of the families of weapon/support systems affected, and the CIR data required.

#### § 250.2 Applicability.

The provisions of this part apply to the Military Departments, Defense Agencies, and other DoD Components (hereafter referred to as DoD Components) as directed by the Assistant Secretary of Defense (Comptroller).

#### § 250.3 Scope.

(a) All aircraft, missile, and space systems and their related components which are estimated to require cumulative RDT&E Total Obligational Authority (TOA) (DoD Directive 7045.1 "DoD Programming System," Oct. 30, 1964) of \$25 million or cumulative production Total Obligational Authority (TOA) in excess of \$100 million will be covered by Cost Information Reports (CIR) from the point of final approval for Engineering Development or Operational Systems Development (DoD Instruction 3200.6 "Reporting of Research Development and Engineering Program Information," June 7, 1962) through the completion of production. Defense Contractors' Planning Reports (DD Forms 1401-1, 1401-2, 1401-3)<sup>1</sup> and the Cost Incurred on Contract (DD Form 1177)<sup>1</sup> will not be applied to new aircraft, missile and space system programs, and are hereby canceled and superseded accordingly for such systems. To the extent that these reports are currently in use on existing programs, they may continue to be used on these programs, unless it is considered mutually advantageous to the Government and the contractor to substitute CIR for the above reports.

(b) Certain aircraft, missile, and space systems not qualifying under the dollar guidelines of paragraph (a) of this section, may be specifically recommended by a DoD Component for CIR coverage.

(c) Since total costs of a system covered by this part must be accumulated, data must be collected for all Work Breakdown Structure (WBS) elements, as appropriate, from contractors and/or in-house government development and manufacturing facilities.

(d) The DoD components' cost analysis organization will be responsible for the overall administration of the CIR reporting system. They will receive, edit, process, and store the data received,

<sup>1</sup> DD Forms 1177, 1401-1, 1401-2, and 1401-3 are not filed as part of original document. (Canceled—see § 250.3(a).)

or they will insure that these activities are properly carried out. They will direct correction of errors by reporting organizations or insure that this direction takes place. They will develop independent cost estimates and will render any other assistance as requested by the Systems/Project Manager, by the contracting office, or other offices whose functions require current and projected costs of aircraft, missiles and space systems. Any special CIR reporting problems will be brought to the attention of the cost analysis organization.

#### § 250.4 Procedures.

(a) For systems proposed for engineering or operational systems development, the WBS elements recommended for CIR coverage will be submitted in a Cost Data Plan together with the Technical Development Plan to Director, Defense Research and Engineering in accordance with DoD Instruction 3200.6 "Reporting of Research Development and Engineering Program Information," of June 7, 1962. For existing development systems to which CIR will be applied and for those systems in production, separate Cost Data Plan submissions will be made to the ASD(Comp). The Cost Data Plan will be prepared in accordance with instructions issued by separate memoranda.

(b) Cost Data Plans submitted by the DoD Components will be reviewed by an OSD Cost Data Plan Review Committee composed of representatives from the Offices of the Assistant Secretaries of Defense (Comptroller), (Installations and Logistics), and (Systems Analysis), and from the Office of the Director of Defense Research and Engineering and such other elements of OSD as may be designated by the ASD(Comp). The representative of the ASD(Comp) will serve as Chairman of the OSD Cost Data Plan Review Committee. The ASD(Comp) will be responsible for approval of all Cost Data Plans on the advice and recommendation of the Cost Data Plan Review Committee.

(c) To assure that the data banks maintained by DoD Components, in accordance with DoD Directive 7041.1 "Cost and Economic Information System," July 7, 1964, provide comparable statistical data for the various aircraft, missile and space systems covered by CIR, minimum cost data requirements and reporting frequencies are established by § 250.5, and will be further amplified by separate memoranda. Cost Data Plans for the collection of CIR data will reflect these specified data requirements and reporting frequencies.

(d) All CIR requirements approved by ASD(Comp) will be covered either by a contract with the contractor, or under an in-house agreement with the government facility. Contractually, each CIR form will be identified as a single line entry on the DD Form 1423<sup>2</sup> (DoD Instruction 5010.12 "Technical Data and Information; Determination of Requirements and Procurement of," May 27, 1964) with

<sup>2</sup> Filed as part of original document. Copies may be obtained from contracting officers.



the breakdown of the WBS elements and frequencies for each report form shown as an attachment to the DD Form 1423.

(e) If a contract is broken down into individual line items, it should be consistent with the approved WBS. If the contract is not broken into individual WBS line items, the contract file will contain a copy of the CIR Work Breakdown Structure developed by the DoD Component cost analysis organizations (DoD Directive 7041.1 "Cost and Economic Information System," July 7, 1964), together with cost estimates prepared by the DoD Component for each element.

#### § 250.5 Reporting.

(a) *Total CIR requirements.* Total CIR requirements are contained in DD Forms 1558<sup>2</sup> (Contract Cost Data Summary), 1558-1<sup>2</sup> (Functional Cost-Hour Report), 1558-2<sup>2</sup> (Progress Curve Report), 1558-3<sup>2</sup> (Fiscal Year Data Summary), and 1558-4<sup>2</sup> (Fiscal Year Functional Cost-Hour Report). Detailed administrative instructions for the preparation and submission of these forms are contained in the handbook entitled, "Cost Information Reports (CIR) for Aircraft, Missile and Space Systems."

(b) *Work breakdown structure (WBS) elements.* The WBS elements representing the minimum reporting requirements for each family of weapon/support systems covered by this part will be issued by a separate memorandum.

(c) *Dollar guidelines.* (1) The Military Departments may request contractors to submit all CIR forms, with the approval of ASD (Comp), for WBS elements at a more detailed level than the prescribed minimum list, which account for \$15 million or more of the cumulative RDT&E TOA or \$50 million or more of the cumulative production TOA.

(2) For those work breakdown structure (WBS) elements which are part of a system to be covered by CIR and which account for less than \$15 million of the cumulative RDT&E TOA, or less than \$50 million of the cumulative production TOA, the Contract Cost Data Summary, Functional Cost-Hour Report and/or the Progress Curve Report may be required, with the approval of ASD (Comp), if the element is being developed or produced under a separate contract between the government and a prime contractor. The Fiscal Year Data Summary and the Fiscal Year Functional Cost-Hour Report will not be requested for these elements. Requests for CIR should not be made on such elements unless they concern items which are being newly developed or which have or relate to specific costing problems which make it clearly in the best interest of the government to obtain such data. Requests for CIR on such elements should not be made on Firm Fixed Price (FFP) contracts except in very unusual circumstances.

(3) The prime contractor will be responsible for reporting CIR data for all the work included in the prime contract,

<sup>2</sup>Filed as part of original document. Copies may be obtained from contracting officers.

in accordance with the approved Cost Data Plan, even though some of the work may be subcontracted. Subcontractors, however, will be required to prepare selected CIR forms applicable to their contracts, when the WBS element, or portion thereof, under the control of the subcontractor is 10 percent or more of the estimated dollar value of the total program and at least \$50 million. When a contractor (prime or sub) is required to report on any WBS element(s) of the system to be covered by CIR, he will be required to submit at least the Contract Cost Data Summary and/or Fiscal Year Data Summary for all WBS elements specified in the approved Cost Data Plan for which he is wholly or partially responsible, regardless of the dollar amounts involved in these WBS elements.

(d) *Minimum reporting frequencies.* Wherever required, CIR submissions from the contractor should be made to the contracting officer who, within three (3) days after receipt, will forward a copy to the appropriate DoD Component cost analysis organization and to the cognizant office of the Defense Contract Audit Agency. The CIR submission from the contractor will be made within forty-five (45) days after the due date, or in accordance with the provisions outlined in subparagraphs (1) and (2) of this paragraph. When subcontractors report to the prime contractor, the prime contractor will be given an additional fifteen (15) days to consolidate the appropriate reports. Where contractors' reporting periods end on dates other than the last day of the month, they may be permitted to report in accordance with their respective accounting periods.

(1) *RDT&E funding.* (i) For each contract of a given program funded from the RDT&E appropriation, the Contract Cost Data Summary, Functional Cost-Hour Report, and the Progress Curve Report are to be prepared at least semi-annually, normally as of June 30 and December 31. Following delivery of the last prime item, a report marked "Preliminary Final Report" will be submitted as of the end of the month in which that item was delivered and accepted. In addition:

(a) For all cost-plus-fixed-fee contracts, reports marked Final Report will be submitted when cumulative costs incurred have reached 98 percent of the estimate at completion; however, when subsequent contract modifications exceed \$10 million or 5 percent of the contract value (whichever is larger) as of the last report submitted, reporting will be continued as described in this paragraph (d).

(b) For all incentive contracts (CPIF, FPI) under which items are being delivered, reports marked "Final Report" will be submitted at the end of the month during which the final price revision is signed by the Contractor and Government.

(ii) The Fiscal Year Data Summary and the Fiscal Year Functional Cost-Hour Report, when required, are to be submitted annually. The appropriate DoD Component shall provide necessary guidance to the submitting contractor

with respect to the scope of the program to be reported and date for submission.

(2) *Procurement funding.* When contracts are funded from procurement appropriations, all reports except the Progress Curve Report will be submitted annually. The Progress Curve Report will be submitted semiannually. In addition, reports will be submitted in accordance with the provisions of subparagraph (1)(i)(a) and (b) of this paragraph.

#### § 250.6 Audit reviews.

Audit reviews of CIR data will be performed by the Defense Contract Audit Agency. The scope and extent of such reviews will consist of (a) an evaluation of the effectiveness of the contractor's policies and procedures to produce data compatible with the objectives of CIR, and (b) selective tests of the reported data. Any exceptions will be included with appropriate comments in the audit reports.

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

[F.R. Doc. 66-8223; Filed, July 27, 1966;  
8:45 a.m.]

## Chapter VI—Department of the Navy

### SUBCHAPTER C—PERSONNEL

#### PART 713—NAVAL RESERVE AND MARINE CORPS RESERVE

##### Discharge of Inactive-Duty Enlisted Personnel

*Scope and purpose.* Section 713.412, relating to discharge of enlisted members of the Naval Reserve not on active duty, is updated to conform with amendments to the Bureau of Naval Personnel Manual effected by Addendum to Change 12 to that manual and distributed to naval commands in due course.

Section 713.412 is amended by revising paragraphs (a) (3) (x) and (xi) and (b) (1) and adding paragraphs (a) (3) (xii) through (xxix) to read as follows:

#### § 713.412 Discharge of inactive-duty enlisted personnel.

- (a) \* \* \*

(3) \* \* \*

(x) Upon member's failure to report for physical examination or failure to submit additional information in connection therewith as directed. (Normally discharge should not be effected until approximately 30 days after second notice has been given the member.) Such member will not be recommended for reenlistment. If member has not completed 2 years of active duty, submit report of discharge to Selective Service (Local Draft Board).

The Chief of Naval Personnel may authorize or direct the discharge of enlisted members of the Naval Reserve while on inactive duty for any one of the reasons listed below in subdivisions (xi) to (xxix) of this subparagraph:

(xi) Erroneous enlistment, reenlistment, or extension. (Exception: Discharges may be effected for this reason



without reference to the Chief of Naval Personnel upon receipt of recommendation of the Chief, Bureau of Medicine and Surgery, that such discharge be effected because the member did not meet the physical standards of enlistment.)

(xii) To provide for early separation of personnel under various authorized programs and circumstances.

(xiii) For the purpose of holding public office.

(xiv) Disqualified—obesity (article C-7703 of the Bureau of Naval Personnel Manual contains applicable provisions).

(xv) Conscientious objector (see § 713-355 and article C-5210 of the Bureau of Naval Personnel Manual).

(xvi) National health, safety, or interest.

(xvii) Upon the individual member's written request submitted in accordance with subparagraph (4) of this paragraph where there is a demonstrated dependency or hardship, even though such dependency or hardship does not meet the criteria specified therein.

(xviii) Upon determination by a medical officer that a member of the Naval Reserve, as a member of any of the various Navy officer candidate, officer training, or officer procurement programs, is not physically qualified for appointment as an officer in the naval service, although the member's physical disqualification does not fall within the purview of subparagraph (6) of this paragraph, and although the member is physically qualified to serve as an enlisted member of the naval service.

(xix) Where a member of the Naval Reserve (Cache Program) on inactive duty, becomes disqualified for enlistment in the Regular Navy.

(xx) Where a member is properly enlisted or reenlisted, but is erroneously given a higher grade than that to which he is entitled under applicable Navy directives.

(xxi) Where a member is properly enlisted or reenlisted, but has more than the maximum number of dependents authorized by applicable Navy directives.

(xxii) Where a member is properly enlisted or reenlisted, but, because of subsequent increased height, cannot be assigned duties appropriate to his rating.

(xxiii) At the individual member's written request, on the grounds of being an alien.

(xxiv) Where a member cannot be assigned appropriate duties because of security reasons.

(xxv) When a member is found to be serving in a constructive enlistment.

(xxvi) As a result of the issuance of a writ of habeas corpus wherein it has been determined that the member's retention in the naval service is illegal.

(xxvii) When a member is disenrolled from the Naval Academy and is not considered qualified for enlisted status.

(xxviii) Upon the written request of a married woman member of the Naval Reserve, provided she has completed a minimum of 1 year of service and has

served 6 months following any period of active duty for training.

(xxix) When a member of the Naval Reserve on inactive duty fails to complete military training, is erroneously assigned a military obligation, or demonstrates a lack of interest.

(b) \* \* \* \* \*

(1) In general, administrative-discharge-board hearings afforded under article C-10313 of the Bureau of Naval Personnel Manual (§ 730.15 of this chapter) are to be held at the location of the individual's commanding officer. However, a hearing at that location or at the district headquarters may, in some cases, seriously inconvenience or deprive the individual of substantial rights. Accordingly, if such a Reservist requests that a hearing be held in his case, it is permissible for the commandant to refer the matter to a conveniently located naval activity which has facilities for conducting the hearing. The commanding officer to whom the case is referred should be designated as the individual's commanding officer for this purpose, furnished the individual's service record, or be advised to obtain the record from the Naval Reserve Manpower Center Bainbridge as appropriate, and instructed to afford the individual the privileges. The commandant is to ensure that a sufficient number of officers, including Reserve officers on active duty, are available for appointment to the board. Regardless of where the hearing is to be held, it is incumbent upon the inactive Reservist to furnish his own transportation to the hearing. After the case has been processed at the command, it should be forwarded via the commandant to the Chief of Naval Personnel.

(R.S. 161, secs. 280, 1162, 1163, 5031, 6291-6293, 70A Stat. 14, 89, 278, 391-392, as amended; 5 U.S.C. 22, 10 U.S.C. 280, 1162, 1163, 5031, 6291-6293)

By direction of the Secretary of the Navy.

[SEAL] WILFRED HEARN,  
Rear Admiral, U.S. Navy, Judge  
Advocate General of the  
Navy.

JULY 25, 1966.

[F.R. Doc. 66-8265; Filed, July 27, 1966; 8:48 a.m.]

**PART 730—ADMINISTRATIVE DISCHARGES AND RELATED MATTERS CONCERNING SEPARATION FROM NAVAL SERVICE**

**Subpart A—Navy**

**MISCELLANEOUS AMENDMENTS**

*Scope and purpose.* Part 730 (Subpart A—Navy) is amended in accordance with the recent revision of Part 41 of this title (31 F.R. 705) to conform to the Addendum to Change 12 to the Bureau

of Naval Personnel Manual as distributed to naval commands in due course.

1. Section 730.1 is revised to read as follows:

**§ 730.1 General information and policy.**

(a) *Definitions*—(1) *Member.* An enlisted man or an enlisted woman of the U.S. Navy or U.S. Naval Reserve.

(2) *Discharge.* Complete severance from all military status in the U.S. Navy or U.S. Naval Reserve.

(3) *Release from active duty.* Termination of active-duty status and transfer to the inactive reserve.

(4) *Separation.* A general term which includes discharge and release from active duty.

(5) *Administrative separation.* Discharge or release from active duty upon expiration of enlistment or required period of service, or prior thereto, in the manner prescribed in this subpart, but specifically excluding separation by sentence of general or special court-martial.

(6) *Military record.* Comprises a member's behavior while in military service, including general comportment and performance of duty.

(7) *Prior enlistment or period of service.* Service in any component of the Armed Forces, including the Coast Guard, which culminated in the issuance of a discharge certificate or certificate of service.

(8) *Administrative discharge board.* A board appointed to render findings based on facts obtaining or believed to obtain in a case, and to recommend retention in the service or discharge and reason for and the type of separation or discharge certificate to be furnished.

(9) *Respondent.* A member who has been notified that action has been initiated with a view toward discharging him under a specified service regulation.

(10) *Counsel.* A lawyer within the meaning of article 27(b)(1) of the Uniform Code of Military Justice (10 U.S.C. 827(b)(1)) unless the commanding officer or other designated authority certifies in the permanent record the non-availability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel.

(11) *Honorable discharge.* Separation with honor.

(12) *General discharge.* Separation under honorable conditions.

(13) *Undesirable discharge.* Separation under conditions other than honorable.

(b) *Formal reasons for discharge.*

- (1) Expiration of enlistment.
- (2) Fulfillment of service obligation.
- (3) Disability.
- (4) Convenience of the Government.
- (5) Dependency or hardship.
- (6) Minority.
- (7) Unsuitability.
- (8) Security.
- (9) Unfitness.
- (10) Misconduct.
- (11) Sentence of court-martial.

(c) *Types of discharges with corresponding character.*



Type of discharge	DD Form	Character of separation	Given by—
Honorable discharge.	256N	Honorable....	Administrative action.
General discharge.	257N	Under honorable conditions.	Do.
Undesirable discharge.	258N	Conditions other than honorable.	Do.
Bad conduct discharge.	259N	do.....	General or special court-martial.
Dishonorable discharge.	260N	Dishonorable.	General court-martial.

(d) *Policy.* (1) The Chief of Naval Personnel has the right and the duty to separate from the service with an appropriately characterized discharge certificate members who clearly demonstrate that they are not qualified for retention.

(2) Administrative discharge action under the provisions of §§ 730.10(b) (1) through (4) and 730.12(b) (1) through (4) will not normally be initiated until a member has been counseled concerning his deficiencies and afforded a reasonable opportunity to overcome them. Members who are being considered for discharge for reason of unsuitability who have at least 8 years' continuous active duty shall be afforded the right to administrative-discharge-board privileges and counsel as required by § 730.10(f).

(3) No member shall be discharged under conditions other than honorable unless he is afforded the right to present his case before an administrative discharge board with the advice and assistance of counsel and unless such discharge is supported by approved board findings and an approved board recommendation for an undesirable discharge. However, an undesirable discharge may be issued by the Chief of Naval Personnel without board action if the member is beyond military control by reason of prolonged unauthorized absence, or waives in writing his right to board action.

(4) The Chief of Naval Personnel may direct issuance of the type of discharge recommended by an administrative discharge board or a more favorable discharge but will not direct a discharge less favorable than that recommended by the board.

(5) Notwithstanding an administrative-discharge-board recommendation for retention, the Chief of Naval Personnel may direct separation when warranted by the circumstances of a particular case. In this event the discharge will be effected under honorable conditions and the member thus separated will be awarded an Honorable or General Discharge certificate as warranted by the member's military record.

(6) A member subject to discharge because of conviction by civil court will be processed for discharge notwithstanding the fact that he has filed an appeal or has stated his intention to do so. It will be the general policy of the Chief of Naval Personnel to withhold final action pending outcome of the appeal unless

otherwise directed by the Secretary of the Navy.

(7) No member will be administratively discharged under conditions other than honorable if the grounds for such discharge action are based wholly or in part upon acts or omissions for which the member has been previously tried by court-martial resulting in acquittal or action having the effect thereof except when such acquittal or equivalent disposition is based on a legal technicality not involving the basic issue of guilt.

(8) No member will be subjected to administrative-discharge-board action based upon conduct which has previously been the subject of administrative-discharge-board proceedings, when the evidence before the subsequent board would be the same as the evidence before the previous board, except as provided in § 730.15a(a) (6) and in those cases where the findings of the previous board favorable to the respondent are determined to have been obtained by fraud or collusion.

(9) The Chief of Naval Personnel may suspend execution of an approved administrative discharge to afford a deserving member a specified probationary period of sufficient length to demonstrate successful rehabilitation.

(e) *Type of discharge certificate.* Except as indicated in this paragraph, the type and character of discharge issued upon administrative separation from current enlistment or period of service will be determined solely by the member's military record during that enlistment or period of service, plus any extensions thereof prescribed by law or by the Secretary of the Navy, or effected with the consent of the member (§ 730.2). The following shall not be considered:

(1) Prior service activities, including but not limited to records of conviction by courts-martial, records of nonjudicial punishment, records of absence without leave, or commission of other offenses for which punishment was not imposed.

(2) Preservice activities, except misrepresentations including omission of facts which if known would have precluded, postponed or otherwise affected the member's eligibility for enlistment or induction.

(f) *Retention or separation.* In determining whether a member should retain his current military status or be administratively separated, his entire military record, including records of nonjudicial punishment imposed during a prior enlistment or period of service, all records of conviction by courts-martial, and any other factors which are material and relevant, may be evaluated. Administrative discharge boards and higher authority charged with making such determinations will consider records of nonjudicial punishment imposed during a prior enlistment or period of service only if such records of punishment would have, under the particular circumstances of the case, a direct and strong probative value in determining whether retention or administrative separation is appropriate.

(1) Cases in which the circumstances may warrant use of such records shall ordinarily be limited to those involving patterns of conduct which would become manifest only over an extended period of time.

(2) When a record of nonjudicial punishment imposed during a current enlistment or period of service is considered, isolated incidents and events which are remote in time, or have no probative value in determining whether retention or administrative separation should be effected, shall have minimal influence on the determination.

(g) *Periodic explanation.* Commanding officers will prescribe appropriate internal procedures for periodic explanation to members of the types of discharge certificates and basis for issuance and the possible effects of various certificates upon reenlistment, civilian employment, veterans' benefits and related matters. As a minimum such explanation should take place each time the provisions of article 137 of the Uniform Code of Military Justice (10 U.S.C. 937) are complied with (Bureau of Naval Personnel Manual, articles C-1401, C-1401A, and C-10301(7)). Failure on the part of the member to receive or to understand such explanation, however, shall in no event be considered a defense in an administrative discharge proceeding or a bar thereto.

(h) *Separation counseling.* The purpose and scope of the Navy Discharge Review Board and the Board for Correction of Naval Records (Parts 723 and 724 of this chapter) will be explained during the separation processing of any member being discharged under other than honorable conditions.

(i) *Review of §§ 730.12 and 730.13.* When considering an individual for administrative discharge insure that the member is processed under the appropriate sections of this part. For example, chronic military misbehavior or serious involvement with civilian authorities should not be used as the basis for unsuitability processing unless there is a duly diagnosed psychiatric disorder which significantly contributed to the misbehavior. Military misbehavior and involvement with civilian police subject the respondent to the possibility of undesirable discharge, and therefore, should normally be processed under the provisions of § 730.12 or § 730.13 as appropriate.

2. Section 730.2 is amended by revising paragraph (a) (2) to read as follows:

§ 730.2 Determination of types of discharges for enlisted personnel.

(a) *Honorable discharge.* \* \* \*

(2) Proper military behavior and proficient, industrious performance of duty having due regard to the rate held and the capabilities of the individual concerned.

(1) *Personnel on active duty.* During the enlistment, induction, or other service obligation the individual must have made a final average of not less than 2.7 and an average of not less than 3 in military behavior (article C-7821 of the



Bureau of Naval Personnel Manual). An individual who is to be administratively discharged without having received evaluation marks (e.g., a recruit discharged by reason of unsuitability) should normally be issued an honorable discharge if he made a sincere effort to maintain proper military behavior and to perform his duties in a proficient and industrious manner.

(ii) *Personnel on inactive duty.* Since evaluation marks are not given a person on inactive duty, an honorable discharge will normally be issued unless the reservist has performed active duty of 90 days or more during his Naval Reserve enlistment or service obligation and his service upon his most recent release therefrom was characterized as other than honorable, or unless he was transferred from the Regular Navy to the Naval Reserve in order to fulfill his service obligation and his service while on such active duty was characterized as other than honorable.

An individual who is otherwise ineligible may receive an honorable discharge if he has during his current enlistment or other current period of service been awarded a Medal of Honor, Navy Cross, Distinguished Service Medal, Silver Star Medal, Legion of Merit, Distinguished Flying Cross, Navy and Marine Corps Medal, Bronze Star Medal, Air Medal, Commendation Ribbon, Gold Life Saving Medal, Silver Life Saving Medal or any other Armed Forces award corresponding to any of these decorations, or is being discharged as a result of disability incurred in line of duty. In each case the individual's military record should be fully considered in connection with any action taken.

3. Section 730.6 is amended by revising paragraph (a) to read as follows:

**§ 730.6 Separation of enlisted personnel for convenience of the Government.**

(a) The Chief of Naval Personnel may authorize or direct the separation of enlisted or inducted personnel prior to the expiration of their active obligated service dates for any one of the reasons listed in this section. The term "separation" as used in this section includes discharge or transfer to the Naval Reserve and concurrent release to inactive duty, or release to inactive duty in certain cases of Naval Reservists serving on active duty who have time remaining in service obligation or enlistment contract.

(1) General demobilization, reduction in authorized strength, or by an order applicable to all members of a class of personnel specified in the order.

(2) Acceptance of a commission or permanent appointment as officer in any branch of the Armed Forces, for active duty only (includes appointment as warrant officer in U.S. Army Reserve (Active)). Members who initiate application for selection as an officer in any other branch of the Armed Services should be advised to submit, by separate action, request for conditional release to accept such appointment. Requests are to be submitted to the Chief of Naval

Personnel via member's commanding officer with a copy to the appropriate Enlisted Personnel Distribution Office.

(3) To permit immediate reenlistment at the request of the individual prior to normal expiration of enlistment in accordance with article C-1403 of the Bureau of Naval Personnel Manual or other instructions issued from time to time by the Chief of Naval Personnel.

(4) National health, safety or interest.

(5) Erroneous enlistment, reenlistment, extension or induction.

(6) Conscientious objection (article C-5210, Bureau of Naval Personnel Manual).

(7) Disqualified—obesity (article C-7703, Bureau of Naval Personnel Manual).

(8) To accept a public office.

(9) To provide for early separation of personnel under various authorized programs and circumstances.

(10) Repeated below-average or unsatisfactory markings or unfavorable or less than favorable remarks on noncommissioned or petty officer fitness or enlisted performance evaluation reports.<sup>1</sup>

(11) Substandard personal behavior which reflects discredit upon the service or adversely affects the member's performance of duty.<sup>1</sup>

(12) Upon an individual member's written request submitted in accordance with § 730.8, where there is a demonstrated dependency or hardship, even though such dependency or hardship does not meet the criteria specified in that section.<sup>1</sup>

(13) Upon the recommendation of the Chief, Bureau of Medicine and Surgery, that a member of the naval service be separated for administrative reasons when such member is suffering from a condition not considered a physical disability and such condition has interfered with his performance of duty.

(14) When, as determined by a medical officer or his commanding officer, a member is allergic to clothing material or cannot be fitted with appropriate uniform clothing or provided with appropriate bedding.

(15) As a result of action taken with respect to the decisions or recommendations of the Naval Clemency Board, a Navy Review Board, or a Navy Enlisted Performance Board or other similar board.

(16) When, as determined by a medical officer, the member suffers from motion/travel sickness (989—as listed in Department of Defense Disease and Injury Codes, TB MED 15, NAVMED P-5082, AFM 160-24).

(17) Upon determination by a medical officer that a member of the naval service, as a member of any of the various Navy officer candidate officer training, or officer procurement programs, is not physically qualified for appointment as an officer in the naval service, although the member's physical disqualification does not fall within the purview

<sup>1</sup> Requests/recommendations for separation under subpar. (10), (11), or (12) are not desired. The Chief of Naval Personnel will initiate such action when appropriate.

of § 730.5, and although the member is physically qualified to serve as an enlisted member of the naval service.

(18) Where a member is properly inducted, enlisted or reenlisted, but is erroneously given a higher grade than that to which he is entitled under applicable Navy directives.

(19) Where a member is properly inducted, enlisted or reenlisted, but has more than the maximum number of dependents authorized by applicable Navy directives.

(20) Where a member is properly inducted, enlisted or reenlisted, but, because of subsequent increased height, cannot be assigned duties appropriate to his rating.

(21) Where a member is erroneously delivered a punitive discharge before review of the adjudged punitive discharge is final, and as a result of final review, the punitive discharge is set aside, suspended or remitted.

(22) At the individual member's written request, on the ground of being an alien.

(23) Where a member cannot be assigned appropriate duties because of security reasons.

(24) When a member is found to be serving in a constructive enlistment.

(25) As a result of the issuance of a writ of habeas corpus wherein it has been determined that the member's retention in the naval service is illegal.

(26) When a member is disenrolled from the Naval Academy and is not considered qualified for enlisted status.

4. Section 730.10 is revised to read as follows:

**§ 730.10 Discharge of enlisted personnel by reason of unsuitability.**

(a) Members may be separated, by reason of unsuitability, with an honorable or general discharge as warranted by their military records. A discharge by reason of unsuitability in accordance with the provisions of this section, regardless of the attendant circumstances, will be effected only when directed by or authorized by the Chief of Naval Personnel.

(b) Members may be discharged by reason of unsuitability because of:

(1) Inaptitude: Applicable to those persons who are best described as inapt due to lack of general adaptability, want of readiness of skill, unhandiness, or inability to learn.

(2) Apathy, defective attitudes, and inability to expend effort constructively: As a significant observable defect, apparently beyond the control of the individual, elsewhere not readily describable.

(3) Alcoholism.

(4) Financial irresponsibility.

(5) Character and behavior disorders: As determined by medical authority, character and behavior disorders and disorders of intelligence listed in Department of Defense Disease and Injury Codes (TB MED 15, NAVMED P-5082, AFM 160-24), except for combat exhaustion (3263) and other acute situational maladjustments (3264). Discharges



normally should not be effected for combat exhaustion (3263) and other acute situational maladjustments (3264) *per se*, but they may be effected for more basic underlying disorders of which the transient state is a manifestation.

(6) Enuresis.

(7) Homosexual or other aberrant tendencies.

(c) Processing for discharge under paragraph (b) (1), (2), (3), and (4) of this section will normally not be initiated until the individual has been given a reasonable opportunity to overcome his deficiencies. Accordingly, when it is determined that an individual may come within the purview of these specific categories, the individual shall be notified of his deficiencies and shall be counseled in regard thereto. If no improvement is forthcoming within a reasonable time, the individual should be processed in accordance with the provisions of this section.

(d) In each case processed in accordance with this section, the enlisted member shall be informed in writing of the reason(s) he is being considered for discharge and shall be afforded an opportunity to make a statement in his own behalf or decline the opportunity in writing. In the event a statement cannot be obtained, a page 13 entry of explanation shall be made in the individual's service record and a copy of the page 13 forwarded as an enclosure to the letter of transmittal.

(e) Recommendations for discharge by reason of unsuitability processed in accordance with the provisions of this section in the case of personnel with less than 8 years' continuous active duty shall be forwarded with a letter of transmittal similar to the format given in paragraph (h) of this section and shall contain the following information:

(1) Copy of letter notifying member of reason(s) for administrative processing and of the member's rights.

(2) The member's signed statement of awareness.

(3) The member's signed statement in his own behalf or his declination in writing.

(4) Psychiatric or medical evaluation for reasons outlined in paragraph (b) (2), (3), (5), (6) and (7) of this section.

(5) Copy of page 9 of the service record.

(6) Comments and recommendations of the commanding officer.

(f) A member with 8 or more years of continuous active duty processed in accordance with the provisions of this section shall be afforded an opportunity to request or waive, in writing, any or all of the following privileges. (If held by civil authorities or not on active duty, this may be accomplished by registered mail.)

(1) To have his case heard by an administrative discharge board of not less than three officers.

(2) To appear in person before such board (unless in civil confinement or otherwise unavailable).

(3) To be represented by counsel (a lawyer within the meaning of article 27(b) (1) of the Uniform Code of Mil-

itary Justice (10 U.S.C. 827(b) (1)), unless the commanding officer certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel).

(4) To submit statements in his own behalf.

(5) To waive in writing the rights listed in subparagraphs (1) to (4) of this paragraph.

Prior to declaring his intentions concerning the rights listed in this paragraph, the member shall be given an opportunity to consult with counsel (a lawyer within the meaning of article 27 (b) (1), UCMJ, unless the commanding officer certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel). If the member waives his rights, include the same information as required in paragraph (e) of this section plus a signed copy of the waiver. If the member requests an administrative discharge board, comply with the procedures as contained in § 730.15.

(g) Enlisted personnel serving at shore activities shall be retained on board pending receipt of instructions from the Chief of Naval Personnel. Enlisted personnel serving on board ships, who have been fully processed for discharge in accordance with paragraph (b) (5), (6), or (7) of this section, may be transferred to the nearest separation activity to await instructions from the Chief of Naval Personnel. The transfer orders and records must accurately reflect the person's status and reason for transfer in order to insure that the individual is held pending receipt of the instructions from the Chief of Naval Personnel. In this connection insure that a copy of the letter of transmittal with all enclosures is inserted in the member's service record. All other personnel recommended for discharge in accordance with this section shall be retained on board pending receipt of instructions from the Chief of Naval Personnel.

(h) A letter of transmittal in the following format shall be utilized. Minor modifications will be necessary in individual cases.

From: Commanding Officer, U.S.S. EVER-SAIL (DD-00).

To: Chief of Naval Personnel.

Subj: SN John Robert DOE, USN, 123 45 67; recommendation for discharge by reason of unsuitability.

Encl: (1) Copy of letter of notification; (2) Statement of Seaman Doe; (3) Signed copy of waiver of privileges (if applicable); (4) Psychiatric evaluation; (5) Copy of page 9.

1. Pursuant to Article C-10810 of the Bureau of Naval Personnel Manual (this section), the following information is submitted in the case of Seaman Doe:

a. *Basic record data.*

Date of current enlistment: 11-15-61 for 4 years. EAOS (expiration of active obligated service): 11-16-65.

Marital status: Single. Dependents: 0. Month on board: 12. Age: 22. GCT (general classification test): 45. Years education: 12. Total service: (Active) 1 yr., 2 mos. (Inactive) 0.

b. *Diagnosis.* Emotional instability reaction.

c. *Military offenses.* 2-15-62 NJP (non-judicial punishment). Page 13-(3)-UA (unauthorized absence) 2 days—2 wks. restr. (restriction).

d. *Comments and recommendations of commanding officer.* It is recommended that Seaman Doe be separated from the naval service by reason of unsuitability. Further retention in the service would not be in the best interest of the U.S. Navy. (The commanding officer's comments should include information with regard to the counseling requirement for cases processed in accordance with paragraphs (b) (1), (2), (3), and (4) of this section.)

A. B. SEE.

5. Section 730.12 is revised to read as follows:

§ 730.12 Discharge of enlisted personnel by reason of unfitness.

(a) Members may be separated by reason of unfitness with an undesirable discharge, or with a more creditable type discharge when it is warranted by the particular circumstances in a given case. A discharge by reason of unfitness, regardless of the attendant circumstances, will be effected only when authorized by the Chief of Naval Personnel.

(b) Members whose military records are characterized by one or more of the following may be recommended for discharge by reason of unfitness:

(1) Frequent involvement of a discreditable nature with civil or military authorities.

(2) An established pattern for shirking.

(3) An established pattern showing dishonorable failure to pay just debts.

(4) An established pattern showing dishonorable failure to contribute adequate support to dependents or failure to comply with orders, decrees, or judgments of a civil court concerning support of dependents.

(5) Homosexual acts. (SECNAV Instruction 1900.9 series sets forth controlling policy and additional action required in cases involving homosexuality.)

(6) Other sexual perversion including but not limited to (i) lewd and lascivious acts, (ii) sodomy, (iii) indecent exposure, (iv) indecent acts with or assault upon a child, or (v) other indecent acts or offenses.

(7) Drug addiction, habituation, or the unauthorized use or possession of narcotics, hypnotics, sedatives, tranquilizers, stimulants, hallucinogens, and other similar known harmful or habit-forming drugs and/or chemicals.

(8) Unsanitary habits.

(c) Processing for discharge under paragraphs (b) (1), (2), (3), and (4) of this section will normally not be initiated until the individual has been given a reasonable opportunity to overcome his deficiencies. Accordingly, when it is determined that an individual may come within the purview of these specific categories, the individual shall be notified of his deficiencies and shall be counseled in regard thereto. If no improvement is forthcoming within a reasonable time, the individual should be processed in accordance with the provisions of this section.



(d) In each case processed in accordance with this section, the individual is subject to an undesirable discharge. The member must be informed in writing as to the circumstances which are the basis for the contemplated action and must be afforded an opportunity to request or waive in writing any or all of the following privileges: (If not on active duty, this may be accomplished by registered mail.)

- (1) To have his case heard by a board of not less than three officers.
- (2) To appear in person before such board (unless in civil confinement or otherwise unavailable).
- (3) To be represented by counsel.
- (4) To submit statements in his own behalf.
- (5) To waive in writing the rights listed in subparagraphs (1) to (4) of this paragraph.

Prior to declaring his intentions concerning the rights listed in this paragraph (and prior to requesting a discharge to escape trial by court-martial in cases processed under paragraph (b) (5) of this section) the member shall be afforded the opportunity to consult with counsel. If the individual requests that his case be heard by a board of officers, the commanding officer shall convene a board in accordance with § 730.15. In the event the individual refuses to request or waive his privileges, make a page 13 entry of explanation in the individual's service record and forward a copy of the page 13 along with other enclosures to the Chief of Naval Personnel.

(e) Enlisted personnel serving at shore activities shall be retained on board pending receipt of instructions from the Chief of Naval Personnel. Enlisted personnel serving on board ships who have been fully processed for discharge in accordance with paragraph (b) (5), (6), or (7) of this section may be transferred to the nearest separation activity to await instructions from the Chief of Naval Personnel. The transfer orders and records must accurately reflect the person's status and reason for transfer in order to insure that the individual is held pending receipt of instructions from the Chief of Naval Personnel. In this connection, insure that a copy of the letter of transmittal with all enclosures is inserted in the member's service record. All other personnel recommended for discharge in accordance with this section shall be retained on board pending receipt of instructions from the Chief of Naval Personnel.

(f) A letter of transmittal shall be prepared similar to the format given in paragraph (g) of this section and shall contain the following information:

- (1) **Principal reason for processing:** Indicate reason as given in paragraph (b) of this section, such as repeated military offenses, indebtedness, homosexual involvement, etc.
- (2) **Summary of military offenses:** List in chronological order all disciplinary action during current enlistment. Include service-record-entry page numbers, date of nonjudicial punishment or court-martial by type, description of of-

fense(s), nonjudicial punishment or sentence as approved and approval date, and all violations of brig or disciplinary command regulations during current confinement with action taken thereon.

- (3) **Unsanitary habits, if any:** Substantiate all unsanitary habits including the occurrence of repeated venereal infections or other unclean habits during the current enlistment. When reporting venereal diseases, indicate the date of each admission to the sick list or dates of treatment and nature of the infection.
- (4) **Civil convictions, if any, on the basis of information contained in the service record or otherwise readily available:** List date and court in which convicted, offense, and sentence awarded.
- (5) **Remarks:** Include location of the individual and his records, any disciplinary action pending, identification of any other military personnel involved and action taken or contemplated in regard thereto, and other information pertinent to the case.

(6) **Findings and recommendation of administrative discharge board, if held.**

(7) **Comment and recommendation of the commanding officer:** The commanding officer's comments should include information with regard to the counseling requirement for cases processed in accordance with paragraph (b) (1), (2), (3), and (4) of this section.

- (8) **Enclosures:** (i) Copy of letter notifying member of reason(s) for processing and informing him of his rights and privileges.
- (ii) Statement of awareness and request for or waiver of privileges. This must include the following signed statement:

I understand that I am being considered for an administrative discharge which could be under conditions other than honorable because of

(NOTE: In this space list one or more of the reasons outlined in paragraph (b) of this section) and that I am subject to and may be separated with an undesirable discharge.

I understand that an undesirable discharge is under other than honorable conditions and may deprive me of virtually all veterans' benefits based upon my current period of active service, and that I may expect to encounter substantial prejudice in civilian life in situations wherein the type of service rendered in any branch of the Armed Forces or the character of discharge received therefrom may have a bearing.

I have been afforded an opportunity to consult with counsel (a lawyer within the meaning of Article 27(b)(1), UCMJ, unless the commanding officer certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel) and I understand that I am entitled to the privileges listed below.

- I elect:
- To have my case heard by a board of not less than three officers.
- To appear in person before such board (unless in civil confinement or otherwise unavailable).
- To be represented by counsel (a lawyer within the meaning of Article 27(b)(1) UCMJ, unless the commanding officer certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel).

To submit statements in my own behalf.

None of the above privileges.

(iii) Proceedings of administrative discharge board, if held.

(iv) Statements of the member, if made.

(v) Copy of page 9 of the service record.

(vi) Other available documents such as psychiatric or medical evaluation, police reports, member's statement to investigation, etc. If being processed as result of indebtedness, include financial statement as required by article C-11104A(9) of the Bureau of Naval Personnel Manual.

(g) A letter of transmittal in the following format will be utilized. Minor modifications will be necessary in individual cases.

From: Commanding Officer, U.S.S. EVER-SAIL (DD-00).

To: Chief of Naval Personnel.

Subj: SN John Robert DOE, USN, 123 45 67; recommendation for discharge by reason of unfitness.

Encl: (1) Copy of letter of notification; (2) Signed statement of awareness and request for privileges; (3) Proceedings of administrative discharge board; (4) Copy of page 9.

1. Pursuant to Article C-10311 of the Bureau of Naval Personnel Manual (this section), the following information is submitted in the case of Seaman Doe:

a. **Primary reason for processing:** Frequent involvement of a discreditable nature with civil or military authorities.

b. **Basic record data:**  
Date of current enlistment: 11-15-60 for 4 years. EAOS: 2-6-65.  
Marital status: Single. Dependents: 0. Months on board: 12.  
Age: 22. GCT: 45. Years of education: 12. Total service: (Active) 2 years 2 months. (Inactive) 0.

c. **Military offenses:**  
2-15-61 NJP; Pg. 13-(3); UA 2 days—2 wks. restr.  
4-11-61 NJP; Pg. 13-(5); UA 1 day—1 wk. extra duty.  
8-5-61 NJP; Pg. 13-(7); Failed to obey lawful order—2 wks. extra duty.  
5-1-62 SPCM; Pg. 6-(1); UA 15 days—15 days conf. approved.  
10-1-62 SPCM; Pg. 6-(2); UA 20 days—1 month conf. forf. \$30 a month for 1 month approved.  
1-5-63 NJP; Pg. 13-(9); UA 5 hrs.—1 wk. restr.

d. **Other involvements:**  
9-12-61—Convicted by civil authorities of drunkenness and fined \$5.  
11-20-60—Contracted VD infection.  
4-7-61—Contracted VD infection.  
12-5-62—Contracted VD infection.  
1-7-63—Contracted VD infection.

e. **Remarks:** Seaman Doe retained on board to await action by the Chief of Naval Personnel.

f. **Findings:** The Board finds that Seaman Doe has had frequent involvement of a discreditable nature with military authorities.

g. **Recommendation:** Discharge by reason of unfitness.

h. **Type of discharge:** Undesirable.

i. **Comments and recommendations of commanding officer:** Concur. It should be noted that this command has separately counseled Seaman Doe regarding his deficiencies.

A. B. SEE.

6. Section 730.13 is revised to read as follows:



## RULES AND REGULATIONS

## § 730.13 Discharge of enlisted personnel by reason of misconduct.

(a) Members may be separated by reason of misconduct with an undesirable discharge, or with a more creditable type discharge when it is warranted by the particular circumstances in a given case. A discharge by reason of misconduct, regardless of the attendant circumstances, will be effected only when directed by or authorized by the Chief of Naval Personnel.

(b) Processing in accordance with this section is mandatory in any of the following cases:

(1) Conviction by civil authorities (foreign or domestic) or action taken which is tantamount to guilty of an offense for which the maximum penalty under the Uniform Code of Military Justice is death or confinement in excess of 1 year; or which involves moral turpitude; or where the offender is adjudged a juvenile delinquent, wayward minor, or youthful offender or is placed on probation or punished in any way as the result of an offense involving moral turpitude: If the offense is not listed in the MCM (Manual for Courts-Martial, United States, 1951, E.O. 10214, as amended) Table of Maximum Punishments or is not closely related to an offense listed therein, the maximum punishment authorized by the U.S. Code or the District of Columbia Code, whichever is lesser, applies. For the purpose of this subparagraph only, an individual will be processed even though an appeal is pending or is subsequently filed. (See § 730.1(d)(6).)

(2) Procurement of a fraudulent enlistment, induction or period of active service through any deliberate material misrepresentation, omission or concealment which if known at the time might have resulted in rejection: The enlistment of a minor with false representation as to age or without proper consent will not in itself be considered as a fraudulent enlistment.

(3) Prolonged unauthorized absence: When unauthorized continuous absence of 1 year or more has been established and the member is not under military jurisdiction. Action under this subparagraph will normally be initiated only by the Chief of Naval Personnel.

(c) In each case processed in accordance with this section, the individual is subject to an undesirable discharge. If his whereabouts is known, he must be informed in writing as to the circumstances which are the basis for the contemplated action and must be afforded an opportunity to request or waive, in writing, any or all of the following privileges: (If held by civil authorities or not on active duty, this may be accomplished by registered mail.)

(1) To have his case heard by a board of not less than three officers.

(2) To appear in person before such board (unless in civil confinement or otherwise unavailable).

(3) To be represented by counsel.

(4) To submit statements in his own behalf.

(5) To waive in writing the rights listed in subparagraphs (1) to (4) of this paragraph.

Prior to declaring his intentions concerning the rights listed in this paragraph, the member shall be given an opportunity to consult with counsel. If the respondent is in civil confinement or is not reasonably available, consultation with counsel may be accomplished by mail. If the member requests that his case be heard by a board of officers, the commanding officer shall convene an administrative discharge board in accordance with § 730.15. In the event the individual refuses to request or waive his privileges, make a page 13 entry of explanation in his service record and forward a copy of the page 13, along with other enclosures, to the Chief of Naval Personnel.

(d) Personnel processed in accordance with this section normally shall be retained on board pending instructions from the Chief of Naval Personnel. However, if the particular circumstances clearly indicate that the individual should be transferred, a request for transfer, indicating the reason therefor, may be submitted to the Chief of Naval Personnel.

(e) A letter of transmittal shall be prepared similar to the format given in paragraph (f) of this section and shall contain the following information:

(1) Circumstances of offense(s): Include all facts of the offense and surrounding circumstances in sufficient detail to clarify the reasons for the arrest. Indicate whether the member was an unauthorized absentee at the time of the offense.

(2) Action by civil authorities: Include citation of civil statute(s) violated, charge(s) on which tried and convicted, court in which convicted, sentence of court, and maximum punishment which could have been imposed for such a conviction under the UCMJ, District of Columbia Code, or U.S. Code, as applicable.

(3) Previous civil convictions, if any, on the basis of information contained in the service record or otherwise readily available: List date and court in which convicted, offense, and sentence awarded.

(4) Summary of military offenses, if any: List in chronological order all disciplinary action during current enlistment. Include service-record-entry page numbers, date of nonjudicial punishment or court-martial by type, description of offense(s), nonjudicial punishment or sentence as approved and date of approval, and all violations of brig or disciplinary command regulations during the current confinement, with action taken thereon.

(5) Remarks: Include (i) location of the individual and his records, (ii) any unauthorized absence involved, and disciplinary action taken or pending, (iii) identification of any other military personnel involved in the case and action taken or contemplated in regard thereto, and (iv) other information pertinent to the case.

(6) Findings and recommendation of administrative discharge board, if held.

(7) Comments and recommendations of the commanding officer.

(8) Enclosures: (i) Copy of letter notifying member of the reason(s) for ad-

ministrative processing and informing him of his rights and privileges.

(ii) Statement of awareness and request for or waiver of privileges. This must include the following signed statement:

I understand that I am being considered for an administrative discharge which could be under conditions other than honorable because of—Note: In this space list one or more of the reasons outlined in paragraph (b) of this section—and that I am subject to and may be separated with an undesirable discharge.

I understand that an undesirable discharge is under other than honorable conditions and may deprive me of virtually all veterans' benefits based upon my current period of active service, and that I may expect to encounter substantial prejudice in civilian life in situations wherein the type of service rendered in any branch of the Armed Forces or the character of discharge received therefrom may have a bearing.

I have been afforded an opportunity to consult with counsel (a lawyer within the meaning of article 27(b)(1), UCMJ, unless the commanding officer certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel) and I understand that I may request or waive the privileges listed below.

I desire to avail myself of the following:

To have my case heard by a board of not less than three officers.

To appear in person before such board (unless in civil confinement or otherwise unavailable).

To be represented by counsel (a lawyer within the meaning of article 27(b)(1), UCMJ, unless the commanding officer certifies in the permanent record the nonavailability of a lawyer so qualified and sets forth the qualifications of the substituted nonlawyer counsel).

To submit statements in my own behalf.

None of the above privileges.

(iii) Proceedings of administrative discharge board, if held.

(iv) Statements of the member, if made.

(v) Copy of page 9 of the service record.

(vi) Statements of witnesses, arrest reports, copies of court records, probation orders, or any other pertinent documents.

(vii) Other pertinent exhibits.

(viii) In civil conviction cases, if the member has filed an appeal, enclose a copy of the appeal and submit comment as to the anticipated date of hearing on the appeal.

(f) A letter of transmittal in the following format shall be utilized. Minor modifications will be necessary in individual cases.

From: Commanding Officer, U.S.S. "Ever-sail" (DD-00).

To: Chief of Naval Personnel.

Subj: SN John Robert DOE, USN, 123 45 67; recommendation for discharge by reason of misconduct.

Encl: (1) Copy of letter of notification; (2) Signed statement of awareness and request for privileges; (3) Proceedings of administrative discharge board; (4) Copy of page 9; (5) Information concerning arrest, conviction, or disposition (include civil document if available).

1. Pursuant to Article C-10312 of the Bureau of Naval Personnel Manual (this



section), the following information is submitted in the case of Seaman DOE:

a. *Primary reason for processing.* Civil conviction.

b. *Basic record data.*

Date of current enlistment: 11-15-60 for 4 years EAOS: Undetermined. Marital status: Single. Dependents: 0. Months on board: 12. Age: 22. GCT: 45. Years of education: 12. Total service: (Active) 2 yrs., 2 mos. (Inactive) 0.

c. *Circumstances of offense(s) in detail.* While on authorized leave on 1-1-63, arrested by the civil authorities of Colorado Springs, Colo., on the charge of auto theft.

d. *Action of civil authorities.* Tried on 1-5-63 at Colorado Circuit Court, Colorado Springs, Colo., for violation of Title 29, section 133.24, Colorado Penal Code, for five counts of car theft, and convicted. Received an indeterminate term up to 5 years' confinement. Presently serving sentence at the Colorado State Prison, Canon City, Colo. Maximum penalty—Article 121, UCMJ, 5 years.

e. *Summary of military offense(s).* 4-11-61 NJP; Pg 13-(5); UA 1 day—1 wk. extra duty.

f. *Remarks.* Records and effects located at this command. Other personnel involved: Stewardman T. H. SMITH, USN, 645 32 21. Commanding Officer, U.S.S. "Neversall," has been notified.

g. *Finding.* The board finds that Seaman DOE was convicted by the Colorado Circuit Court, Colorado Springs, Colo., of car theft, five counts.

h. *Recommendation.* Discharge by reason of misconduct.

i. *Type of discharge.* Undesirable.

j. *Comments and recommendations of commanding officer.* Concur.

A. B. SEE.

7. Section 730.15 is revised to read as follows:

§ 730.15 Administrative discharge board.

(a) *Appointment and composition.* When an administrative-discharge-board hearing is to be held, the commanding officer shall appoint a board of not less than three commissioned officers, on active duty, at least one of whom shall be serving in the grade of lieutenant commander or higher, to consider the case. The board may be composed of Regular or Reserve Navy or Marine Corps officers, or a combination thereof. If the individual under consideration (hereinafter called respondent) is a woman, the board must include a woman officer. The commanding officer shall also appoint as recorder an officer in an active duty status. The senior member of the board presides at the hearing and is responsible for its proper conduct. Prior to the hearing, the senior member shall insure that all members of the board are familiar with the provisions of pertinent sections of this part.

(1) *Reserve membership.* If the respondent is a Reservist, the membership of the board shall include a majority of Reserve officers if reasonably available. In any instance where a majority of Reserve officers is not available, the board will include not less than one Reserve officer among its members.

(2) *Counsel for the respondent.* In addition to appointed military counsel, a person selected by the respondent may also represent the respondent when the commanding officer or other proper au-

thority determines that the person requested is reasonably available. If the respondent retains civilian counsel at his own expense, or is represented by counsel of his choice, he may excuse appointed military counsel. The hearing should not be unduly delayed to permit attendance by counsel. If undue delay appears likely, other counsel who is immediately available should be selected or appointed.

(3) *Recorder.* The recorder is responsible for the clerical and preliminary work of the hearing, but is not a member of the board. He conducts a preliminary review of available evidence and prior to the hearing interviews prospective witnesses after warning them of their rights under article 31 of the Uniform Code of Military Justice (10 U.S.C. 831), where appropriate. After consultation with the commanding officer and the senior member, he notifies the members, respondent, and counsel as to the time, date, and place of the hearing and of the witnesses expected to be present. Subject to the provisions of paragraph (b) of this section, the recorder arranges for the attendance at the hearing of the respondent, all witnesses for the Government, and military witnesses for the respondent. He verifies the information concerning the respondent and assembles pertinent directives, regulations and records for use by the board. At the hearing he presents the case against the respondent. He is responsible for preparing the record of the hearing.

(4) *Reporter.* Although a summary of testimony will normally suffice, the recorder or senior member may request a reporter for the purpose of making a verbatim record of the testimony if it appears that a substantial number of witnesses will testify, that the testimony will be lengthy, or that other good reason exists for making a verbatim record.

(b) *Obtaining witnesses.* No authority exists for the issuance of subpoenas in connection with these hearings. Appearance as witnesses of civilians, including members of the Armed Forces on inactive duty, may be arranged for on a voluntary basis. Appropriations are not available to pay witnesses' fees or reimbursement for travel or other expenses of such persons, and this fact shall be made known to them if and when they are invited to appear and testify at the hearing. Attendance at the hearing of military personnel on active duty, if reasonably available, shall be arranged for by the recorder. (See par. (e)(4) of this section.) Testimony of active duty military personnel not in the immediate area, if needed, should, in most cases, be obtained and presented in the form of written statements.

(c) *Investigative reports.* Copies of the respondent's statements to any investigative body including Naval Investigative Service (ONI) shall be provided to the board and to the respondent as well as statements of accusers and others. If a statement is requested which cannot be made available in its entirety, a properly excised version shall be obtained from the investigative agency and shall be made available to the re-

spondent and the board. If considered pertinent to the issue at hand, a narrative of the results of the investigation shall also be requested and shall be made available to the respondent and the board. In no case shall the complete investigative file be made available to the board and the respondent unless authorized by the investigative source.

(d) *General procedural instructions.*

(1) The board functions as an administrative rather than a judicial body. Strict rules of evidence need not be observed. Whenever applicable, article 31 of the Uniform Code of Military Justice (10 U.S.C. 831) is to be complied with. Attention is directed to the fact that (i) military personnel on active duty may not be compelled to testify or produce evidence that will incriminate them, nor may they be required to answer questions not material to the issue which might tend to degrade them and (ii) civilians, including members of the Armed Forces on inactive duty, may not be compelled to testify or produce evidence at the hearing. The board should consider any matter presented which is relevant to the issue whether written or oral, sworn or unsworn. Real evidence as distinct from testimonial evidence may be exhibited to the board and should be accurately described or reproduced for the record. The board may refuse to consider or to consider further any oral or written matter presented if it is irrelevant, immaterial, or unnecessarily repetitive and cumulative, but no such matter should be rejected or withheld from consideration on the ground that it would be incompetent for presentation to a court of law. If evidence is classified, the provisions of the Department of the Navy Security Manual for Classified Information shall be observed.

(2) The board will rely on its own judgment and experience in determining the weight and credibility to be given material received in evidence. Board proceedings under this section should not be in the nature of a formal fact-finding tribunal, or judicial trial, but should be formalized to the extent of assuring full opportunity for presentation of the respondent's case. If an objection is made at any stage during the proceedings, the senior member will ensure that the objection and basis therefor are noted in the record but should not make a formal ruling thereon. Any member of the board may be challenged, but only on grounds which show that the member cannot render a fair and impartial decision. The challenged member may be examined by the respondent, his counsel, and other members of the board. The commanding officer, upon being informed of the circumstances of the challenge and the recommendation of the other members, may appoint a substitute for the challenged member if he deems such action appropriate.

(e) *Rights of the respondent.* A respondent who has not waived a hearing before an administrative discharge board and whose case is presented to such a board will be apprised of the following:

(1) He may appear in person, with or without counsel, or in his absence, be



represented by counsel, at all open proceedings of an administrative discharge board. The respondent may have counsel of his own choice provided proper authority determines that the counsel requested is reasonably available. He may employ civilian counsel at his own expense.

(2) He may challenge any voting member of the board for cause only.

(3) He may submit an oral or written statement in his own behalf.

(4) He may request, in writing, the appearance before the board of any witness whose testimony he believes to be pertinent to his case. He will specify in his request the type of information the witness can provide. The board will invite the witness to attend if it considers that the witness is reasonably available and that his testimony can add materially to the case. If a witness on active duty declines the invitation, the board may refer the matter to the convening authority for a decision or orders. However, witnesses not on active duty must appear voluntarily and at no expense to the Government. The record should reflect the reason for any requested witness' absence. If a witness on active duty is determined to be not reasonably available, the record must state the reason therefor.

(5) The respondent may at any time before the board convenes or during the proceedings submit any answer, deposition, sworn or unsworn statement, affidavit, certificate, or stipulation. This includes but is not limited to depositions of witnesses not deemed to be reasonably available or witnesses unwilling to appear voluntarily.

(6) He may or may not submit to examination by the board. The provisions of article 31 of the Uniform Code of Military Justice (10 U.S.C. 831) will apply. The failure of the respondent to submit to examination before the board may not be considered prejudicial.

(7) The respondent and his counsel may question any witness who appears before the board.

(8) Failure of the respondent to invoke any of these rights, after he has been apprised of same, cannot be considered as a bar to the board proceedings, findings, or recommendations.

(f) *Conduct of hearing.* (1) The senior member, upon calling the board to order, should direct the recorder to make a record as to the time, date, and place of the hearing, the identity and presence of the appointed members of the board and of the recorder, the respondent, his counsel and the latter's qualifications, and any witnesses. The senior member should then commence the hearing by explaining in substance the rights of the respondent as indicated in paragraph (e) of this section and the following:

(1) The board has been convened for the purpose of considering the pertinent facts relating to the case of (rate, name, class, and service number), who is alleged (state the specific allegations against the respondent). The board will make findings of fact and will recommend one of the following alternative dispositions: (a) Retention, or (b) dis-

charge. If discharge is recommended, the reason must be stated along with the type of discharge.

(ii) The proceedings are administrative in nature, and the board is not bound by formal rules of evidence.

(iii) The respondent may testify in his own behalf or remain silent, and if he testifies he may be examined on his testimony and on the question of his general credibility.

(iv) Objections will be heard and noted, but there will be no formal ruling thereon.

(2) After the preliminary procedures have been completed, the recorder will present the case for the Government. The respondent will be afforded the opportunity for rebuttal and for presentation of evidence. The general procedural instructions stated in paragraph (d) of this section will be followed. Witnesses will be excluded except while testifying. Before testifying, each witness and the respondent will be asked whether or not he elects to give his testimony under oath or affirmation. After all evidence is in and questioning and oral argument, if any, are complete, the hearing will be closed. When the board meets in closed session, only voting members will be present.

(g) *Proceedings of administrative discharge board, consisting of record and report.* (1) In closed session, the board will make its findings of fact and a recommendation with respect to retention or discharge and, if discharge is recommended, indicate the reason for and type of discharge recommended. Findings and recommendation(s) shall be completed as a report, using the form in paragraph (i) of this section as a guide and shall be signed by all members. The dissent of any member will be duly recorded therein.

(2) The record of proceedings of each administrative discharge board, as a minimum, shall contain:

(i) A resume of the facts and circumstances, accompanied by supporting documents upon which the recommendation of the administrative discharge board is based, including a summary of the testimony of all witnesses heard by the board.

(ii) The identity of the counsel for the respondent and his legal qualifications.

(iii) The identity of the recorder.

(iv) A verbatim record (copy) of the board's findings and recommendation(s) as set forth in its report.

The record will be authenticated by the senior member or, if he is not immediately available, by another member.

(3) The proceedings, consisting of the report and the record, together with such attachments as exhibits and supporting documents, will be made an enclosure to the commanding officer's letter of transmittal to the Chief of Naval Personnel.

(4) Upon request, the respondent will be provided with a copy of the record of proceedings with all exhibits, except that he shall not be furnished a copy of the findings and recommendation(s) or the report, nor a copy of the letter of trans-

mittal forwarding the case. Should the respondent make such a request, apply article 0921e of the Department of the Navy Security Manual for Classified Information (see § 719.207 of this chapter) in regard to his copy should the record or exhibits thereto contain classified information.

(h) *Review and forwarding of proceedings.* After reviewing the record of the hearing and the report of the board, the commanding officer shall note in his letter of transmittal his concurrence or nonconcurrence and enter any comment deemed appropriate. If the commanding officer determines that the respondent should be retained in the service, he may close the case except those cases falling under §§ 730.12(b) (5), (6), and (7) and 730.13. These cases must be forwarded to the Chief of Naval Personnel for final disposition.

(i) *Sample report of administrative discharge board held on board USS "Ever-sail" on January 13, 1966, in the case of: Rate, SN; Name, John Robert DOE; Component, USN; Service No., 123 45 67.*

*Findings of the Board.* The board finds that Seaman John Robert DOE participated in two homosexual acts with Henry White on July 1, 1965, and September 10, 1965, and that such acts occurred during his current enlistment.

*Note:* Findings of the board must relate to one of the reasons for processing as indicated in §§ 730.10, 730.12, or 730.13.

*Recommendation of the Board.* Discharge by reason of unfitness.

*Type of discharge.* Undesirable.  
Signatures of board members:

-----  
(John H. Fox, Lt. Comdr.,  
USN)

-----  
(Paul B. Street, Lt., USN)

-----  
(Jay Appleby, Lt. USNR)

Dissent, if any (explain in detail):

Signature(s) of dissenting member(s):

-----  
(Name) (Grade) (Component)

8. Part 730 is amended by inserting § 730.15a to read as follows:

**§ 730.15a Actions by the Chief of Naval Personnel on administrative discharge proceedings.**

(a) Upon receipt of the board proceedings, the Chief of Naval Personnel may take one of the following actions:

(1) Approve the board's recommendation(s) and direct execution thereof.

(2) Approve the board's recommendation for discharge but change the type of discharge to a more creditable one, e.g., upgrade an undesirable discharge to a general or even an honorable discharge but not direct a less favorable discharge than that recommended by the board.

(3) Approve the board's recommendation for discharge but change the basis therefor when the record indicates that such action would be appropriate, except that he shall not designate unfitness or misconduct as the basis when the board has recommended discharge for unsuitability.

(4) Disapprove the recommendation for discharge and retain the member in the service.



(5) Disapprove the recommendation for retention and direct discharge under honorable conditions with an honorable or general discharge as warranted by the respondent's military record.

(6) Set aside the findings and recommendations and refer the case to a new board if there is legal prejudice to the substantial rights of the respondent. No member of the new board shall have served on a prior board which considered the same matter. The record of the proceedings of the earlier board, minus the findings, recommendations, and prejudicial matter, may be furnished the successor board. The Chief of Naval Personnel may not approve findings or recommendations less favorable to the respondent than those rendered by the previous board.

(b) In reviewing cases of individuals recommended for discharge, the Chief of Naval Personnel will in appropriate cases authorize probation. If it is the decision of the Chief of Naval Personnel that the individual be retained in the service on a probationary basis, then the commanding officer will be advised as to the terms of the probation. A discharge other than the type specified will not be given the probationer unless his case is reprocessed under the provisions of this subpart which govern discharge by reason of unsuitability, unfitness, or misconduct, as applicable, and such discharge is directed by the Chief of Naval Personnel. In all cases wherein a discharge, after probation has been granted by the Chief of Naval Personnel, is executed, the Chief of Naval Personnel will be advised by speedletter as to the reason. (R.S. 161, secs. 280, 1162, 1163, 5031, 6291-6293, 70A Stat. 14, 89, 278, 391-392, as amended; 5 U.S.C. 22, 10 U.S.C. 280, 1162, 1163, 5031, 6291-6293)

By direction of the Secretary of the Navy.

[SEAL] WILFRED HEARN,  
Rear Admiral, U.S. Navy, Judge  
Advocate General of the  
Navy.

JULY 25, 1966.

[F.R. Doc. 66-8266; Filed, July 27, 1966;  
8:49 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

#### SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

[Ex Parte No. MC-19, MC-61]

### PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTER- STATE OR FOREIGN COMMERCE

#### Released Rates and Practices of Mo- tor Common Carriers of House- hold Goods

Upon consideration of the records in the above-entitled proceedings and of requests of American Movers Conference, Household Goods Carriers' Bureau,

Movers' & Warehousemen's Association and Wheaton Van Lines, Inc., for postponement of the effective date of the Commission's order of June 7, 1966 (31 F.R. 8916); and good cause appearing:

It is ordered, That the effective date of the order entered in these proceedings on June 7, 1966, be, and it is hereby, modified so as to postpone the effective date thereof to January 1, 1967, without change in the requirements of said order.

Dated at Washington, D.C., this 18th day of July A.D. 1966.

By the Commission, Chairman Bush.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-8264; Filed, July 27, 1966;  
8:48 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 6—Department of State

[Departmental Reg. 108.535]

#### MISCELLANEOUS AMENDMENTS TO PROCUREMENT REGULATIONS

By virtue of the authority vested in the Secretary of State by the Act of May 26, 1949 (63 Stat. 111; 5 U.S.C. 151c and 22 U.S.C. 311a), as amended, 41 CFR Ch. 6 is amended as follows:

##### PART 6-1—GENERAL

1. The contents table for Part 6-1 is amended as follows: The Subpart 6-1.1 entries are revised, 6-1.302-2, 6-1.307, and 6-1.311 are deleted, and 6-1.354 is redesignated as 6-1.302-3, as follows:

Sec.	
6-1.101	Scope of subpart.
6-1.102	Purpose.
6-1.103	Authority.
6-1.104	Applicability.
6-1.105	Exclusions.
6-1.106	Issuance.
6-1.107	Arrangement.
6-1.107-1	General plan.
6-1.107-2	Numbering.
6-1.107-3	Citation.
6-1.108	Relationship of the DOSPR, FPR, and IAPR.
6-1.109	Control of deviations.
6-1.302-3	Procurement from employees of the Government.

2. Section 6-1.104 is redesignated § 6-1.108 and revised to read as follows:

§ 6-1.108 Relationship of the DOSPR, FPR, and IAPR.

(a) The regulations in the DOSPR implement, supplement, and in some instances deviate from the FPR. Implementing material is that which expands upon or indicates the manner of compliance with related FPR material. Deviating material is defined in § 1-1.009. Supplementing material is that for which there is no counterpart in the FPR.

(b) The FPR as edited for the Foreign Service and the DOSPR have been adopted in general for use by the U.S. Information Service. They are to be used with the U.S. Information Agency

Regulations (IAPR) which implement, supplement and deviate from the FPR-DOSPR. Chapter 19A of IAPR applies only to overseas procurement of USIA.

3. Section 6-1.105 is redesignated § 6-1.104 and paragraph (c) thereof is revised to read as follows:

##### § 6-1.104 Applicability.

(c) The FPR has been edited for use by the Foreign Service. Those portions which are not applicable to procurement outside the United States have been removed except that the contents pages are complete for reference purposes.

4. Sections 6-1.106, 6-1.107, 6-1.108, 6-1.108-1, 6-1.108-2, and 6-1.108-3 are respectively renumbered as §§ 6-1.105, 6-1.106, 6-1.107, 6-1.107-1, 6-1.107-2, and 6-1.107-3, to conform with the numbering of related material in 41 CFR Ch. 1:

§ 6-1.105 Exclusions.

§ 6-1.106 Issuance.

§ 6-1.107 Arrangement.

§ 6-1.107-1 General plan.

§ 6-1.107-2 Numbering.

§ 6-1.107-3 Citation.

5. Sections 6-1.302-2, 6-1.307, and 6-1.311 are deleted.

#### PART 6-2—PROCUREMENT BY FORMAL ADVERTISING

Subparagraph (19) of § 6-2.201(a) is deleted.

#### PART 6-3—PROCUREMENT BY NEGOTIATION

1. The contents table for Part 6-3 is amended by deleting the entries for §§ 6-3.605-1 and 6-3.605-2 and by revising the heading for Subpart 6-3.4 to read as follows:

##### Subpart 6-3.4—Types of Contracts

2. The text heading for Subpart 6-3.4 is revised to read as follows:

##### Subpart 6-3.4—Types of Contracts

3. Sections 6-3.605-1 and 6-3.605-2 are deleted.

4. Paragraph (c) of § 6-3.606-5 is revised to read as follows:

§ 6-3.606-5 Agency implementation under FPR 1-3.606-5.

(c) Contracting Officers may delegate authority to subordinates and to other individuals and offices to obtain supplies and services under blanket purchase arrangements. Such delegations will be in writing and will define the scope and limitations of the authority. The designated individual or office will be instructed on the use of the blanket purchase arrangement including the method and procedures to be followed in obtaining, paying and accounting for supplies. The vendor shall be informed of the individuals or offices authorized to obtain supplies or services.



**PART 6-7—CONTRACT CLAUSES**

Sections 6-7.101-14, 6-7.101-18 and 6-7.101-19 are deleted from both the text and the contents table of Part 6-7. For the Secretary of State.

WILLIAM J. CROCKETT,  
Deputy Under Secretary  
for Administration.

JULY 7, 1966.

[F.R. Doc. 66-7976; Filed, July 27, 1966;  
8:45 a.m.]

**Chapter 101—Federal Property Management Regulations****SUBCHAPTER E—SUPPLY AND PROCUREMENT****PART 101-29—FEDERAL SPECIFICATIONS AND STANDARDS****Amendment of Federal Standard No. 515—Standard Safety Devices for Automotive Vehicles***Correction*

In Federal Register Document No. 66-7794 (31 F.R. 9628), Federal Standard No. 515/17a (§ 101-29.303(b)) is corrected as follows:

1. In the next to last line of S2, the word "accepted" should read "excepted".
2. The last paragraph should be designated "S4" and the last line thereof should read "specified in S3.4."

**Title 43—PUBLIC LANDS:  
INTERIOR****Chapter II—Bureau of Land Management, Department of the Interior****APPENDIX—PUBLIC LAND ORDERS**

[Public Land Order 4063]

[Montana 073738]

**MONTANA****Partial Revocation of Executive Order No. 3195 of December 5, 1919**

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. Executive Order No. 3195 of December 5, 1919, reserving lands for town-site purposes, is hereby revoked so far as it affects the following described lands:

MONTANA PRINCIPAL MERIDIAN  
WEST YELLOWSTONE TOWNSITE

T. 13 S., R. 5 E.,

Sec. 34, that portion of lot 2 lying within the Station Ground and Railroad Rights-of-Way as shown on the Plat of Survey for the West Yellowstone Townsite and more specifically described as beginning at the E $\frac{1}{4}$  section corner of sec. 34, T. 13 S., R. 5 E., P.M., Montana; thence S. 88°50'30" W., 1,541.26 feet along the E-W center line to the center  $\frac{1}{4}$  section corner of sec. 34; thence N. 0°04'30" E., 326.02 feet along the N-S center line of

the section to the north boundary of the railroad station ground; thence S. 89°31' E., 1,540.42 feet along the north boundary of the station ground to the east line of sec. 34 and west boundary of Yellowstone Park; thence S. 0°02' E., 281.91 feet along the east line of sec. 34 to the point of beginning.

The area described contains 10.75 acres.

2. Until 10 a.m. on January 20, 1967, the State of Montana 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 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 20, 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 20, 1967.

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

HARRY R. ANDERSON,  
Assistant Secretary of the Interior.

JULY 21, 1966.

[F.R. Doc. 66-8232; Filed, July 27, 1966;  
8:45 a.m.]

**Title 50—WILDLIFE AND  
FISHERIES****Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior****SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE****PART 10—MIGRATORY BIRDS****Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds**

Section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 703), authorizes and directs the Secretary of the Interior, from time to time, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds, to determine when, to what extent, and by what means, such birds or any part, nest, or egg thereof, may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

By notice of proposed rule making published in the FEDERAL REGISTER of May 24, 1966 (31 F.R. 7479), notification was given that the Secretary of the Interior proposed to amend Part 10, Title 50, Code of Federal Regulations. These

amendments would specify open seasons, certain closed seasons, shooting hours, and bag and possession limits for migratory game birds for the 1966-67 hunting seasons.

In this connection all interested persons were invited to submit their views, data, or arguments regarding such matters in writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, within 30 days following the date of publication of the notice.

Subsequently, after due consideration of migratory game bird survey data obtained through investigations conducted by the Bureau of Sport Fisheries and Wildlife and State game departments, and from other sources, the several State game departments were informed concerning the shooting hours, season lengths, and daily bag and possession limits proposed to be prescribed for the 1966-67 seasons on rails, gallinules, mourning and white-winged doves, band-tailed pigeons, woodcock, and common snipe (Wilson's); on waterfowl, coots, and little brown cranes in Alaska; and on teal ducks in States in the Mississippi and Central Flyways. The State game departments were invited to submit recommendation for hunting seasons to conform to the shooting hours, daily bag and possession limits, and season lengths within frameworks of opening and closing dates, as established by this Department.

Accordingly, each State game department having had an opportunity to participate in selecting the hunting seasons desired for its State on those species of migratory game birds for which open seasons are now to be prescribed, and consideration have been given to all other relevant matters presented, it is determined that certain sections of Part 10 shall be amended as set forth below.

The taking of the designated species of migratory game birds is presently prohibited. These amendments will permit taking of these species within specified periods of time beginning as early as September 1, as has been the case in past years. Since these amendments benefit the public by relieving existing restrictions, they shall become effective upon publication in the FEDERAL REGISTER.

1. Section 10.41 is amended to read as follows:

§ 10.41 Seasons and limits on doves and wild pigeons.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species of doves and wild pigeons designated in this section are prescribed between the dates of September 1, 1966, and January 15, 1967, as follows:

(a) Mourning doves—Eastern Management Unit.

Daily bag limit.....	12
Possession limit.....	24
Shooting hours: 12 o'clock noon (standard time) until sunset.	



Seasons in:

Alabama <sup>1</sup> .....	Sept. 24–Nov. 12. Dec. 22–Jan. 10.
Connecticut.....	Closed season.
Delaware.....	Sept. 16–Oct. 25. Dec. 16–Jan. 14.
District of Columbia.....	Closed season. Oct. 1–Nov. 6.
Florida.....	Nov. 19–Dec. 4. Dec. 17–Jan. 2.
Georgia.....	Sept. 9–Oct. 8. Dec. 6–Jan. 14.
Illinois.....	Sept. 1–Nov. 9.
Indiana.....	Closed season.
Kentucky.....	Sept. 1–Oct. 31. Dec. 1–Dec. 9.
Louisiana.....	Sept. 3–Sept. 18. Oct. 15–Nov. 6. Dec. 16–Jan. 15.
Maine.....	Closed season.
Maryland.....	Sept. 6–Oct. 25. Nov. 24–Dec. 13.
Massachusetts.....	Closed season.
Michigan.....	Do.
Mississippi.....	Sept. 10–Oct. 2. Oct. 22–Nov. 6. Dec. 17–Jan. 15.
New Hampshire.....	Closed season.
New Jersey.....	Do.
New York.....	Do.
North Carolina.....	Sept. 7–Oct. 12. Dec. 10–Jan. 12.
Ohio.....	Closed season.
Pennsylvania.....	Sept. 1–Nov. 9.
Rhode Island.....	Sept. 12–Oct. 12. Oct. 24–Dec. 1.
South Carolina.....	Sept. 14–Oct. 12. Dec. 5–Jan. 14.
Tennessee.....	Sept. 1–Sept. 30. Oct. 15–Nov. 12. Dec. 23–Jan. 2.
Vermont.....	Closed season.
Virginia.....	Sept. 17–Nov. 5. Dec. 19–Jan. 7.
West Virginia.....	Sept. 5–Sept. 30. Oct. 15–Nov. 27.
Wisconsin.....	Closed season.

<sup>1</sup>Check State regulations for additional restrictions.

(b) Mourning doves—Central Management Unit.

Daily bag limit.....	12
Possession limit.....	24
Shooting hours: One-half hour before sunrise until sunset. <sup>1</sup>	
Seasons in:	
Arkansas.....	Sept. 1–Oct. 5. Dec. 18–Jan. 11.
Colorado.....	Sept. 1–Oct. 30.
Iowa.....	Closed season.
Kansas.....	Sept. 1–Oct. 30.
Minnesota.....	Closed season.
Missouri.....	Sept. 1–Oct. 10. Nov. 10–Nov. 29.
Montana.....	Closed season.
Nebraska.....	Do.
New Mexico <sup>2</sup> .....	Sept. 1–Oct. 2. Dec. 3–Dec. 30.
North Dakota.....	Closed season.
Oklahoma.....	Sept. 1–Sept. 30. Nov. 22–Dec. 21.
South Dakota.....	Closed season.
Texas <sup>1, 2</sup> .....	See footnote 3.
Wyoming.....	Closed season.

<sup>1</sup>In Texas, shooting hours are from 12 o'clock noon (standard time) until sunset on all days in all counties.

<sup>2</sup>In New Mexico, the daily bag limit is 12 and the possession limit is 24 on mourning and white-winged doves, singly or in the aggregate of both kinds.

<sup>3</sup>Texas: Mourning doves in Val Verde, Kinney, Uvalde, Medina, Bexar, Comal, Hays,

Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, Sept. 1–Oct. 30; in the rest of the State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), Sept. 24–Nov. 22, in these latter counties, Sept. 3, 4, and 5 and 9, 10, and 11 and Sept. 24–Nov. 16.

(c) Mourning doves—Western Management Unit.

Daily bag limit.....	12
Possession limit.....	24
Shooting hours: One-half hour before sunrise until sunset.	
Seasons in:	
Arizona <sup>2</sup> .....	Sept. 1–Sept. 25. Dec. 9–Jan. 2.
California <sup>1, 2</sup> .....	Sept. 1–Oct. 2. <sup>2</sup> Dec. 10–Dec. 18.
Idaho.....	Sept. 1–Sept. 18.
Nevada <sup>1</sup> .....	Sept. 1–Oct. 20.
Oregon.....	Sept. 1–Sept. 30.
Utah <sup>2</sup> .....	Sept. 1–Sept. 30.
Washington.....	Sept. 1–Sept. 30.

<sup>1</sup>In those counties of California and Nevada having an open season on white-winged doves, the daily bag limit is 12 and possession limit is 24 mourning and white-winged doves, singly or in the aggregate of both kinds.

<sup>2</sup>Check State regulations for additional restrictions.

(d) White-winged doves.

Daily bag and possession limits.....	See footnote 2.
Shooting hours: One-half hour before sunrise until sunset. <sup>1</sup>	
Seasons in:	
Arizona <sup>2</sup> .....	Sept. 1–Sept. 25.
California: <sup>2, 3</sup>	
Counties of Imperial, Riverside and San Bernardino.....	Sept. 1–Oct. 2. <sup>2</sup> Dec. 10–Dec. 18.
Remainder of State.....	Sept. 3–Oct. 2.
Nevada: <sup>2</sup>	
Clark and Nye Counties.....	Sept. 1–Oct. 20.
Remainder of State.....	Closed season.
New Mexico <sup>2</sup> .....	Sept. 1–Oct. 2. Dec. 3–Dec. 30.

Texas:<sup>1, 2</sup>

Counties of Brewster, Brooks, Cameron, Culberson, Dimmit, El Paso, Hidalgo, Hudspeth, Jeff

Sept. 3, 4 and 5.  
Sept. 9, 10 and 11.

Texas—Continued

Davis, Jim Hogg, Kenedy, Kinney, La Salle, Maverick, Presidio, Starr, Terrell, Val Verde, Webb, Willacy, and Zapata.

Remainder of State.... Closed season.

<sup>1</sup>In Texas, shooting hours are from 12 o'clock noon (standard time) until sunset.

<sup>2</sup>In Arizona, the daily bag and possession limit is 25 white-winged doves. In California, Nevada, and New Mexico the daily bag limit is 12 and the possession limit is 24 white-winged and mourning doves, singly or in the aggregate of both kinds. In Texas, the daily bag limit is 12 and the possession limit is 24 white-winged doves.

<sup>3</sup>Check State regulations for additional restrictions.

(e) Band-tailed pigeons.

Daily bag and possession limit.....	8
Shooting hours: One-half hour before sunrise until sunset.	

Seasons in:

California:	
Counties of Butte, Del Norte, Glenn, Humboldt, Lassen, Mendocino, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, and Trinity.....	Oct. 1–Oct. 30.
Remainder of the State.....	Dec. 17–Jan. 15.
Oregon.....	Sept. 1–Sept. 30.
Washington.....	Do.

2. Section 10.46 is amended to read as follows:

§ 10.46 Seasons and limits on gallinules, rails, woodcock, and common snipe (Wilson's).

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed between the dates of September 1, 1966, and January 30, 1967, as follows:

(a) Atlantic Flyway States.

	Rails and gallinules (except coots)	Woodcock	Common snipe (Wilson's)
Daily bag limit.....	15	5	8
Possession limit.....	30	10	16
Shooting hours.....	Sunrise until sunset on all species.		
Seasons in:			
Connecticut.....	Sept. 1–Nov. 9.....	Oct. 15–Dec. 3.....	Oct. 15–Dec. 3.
Delaware.....	.....do.....	Nov. 18–Jan. 6.....	Nov. 4–Dec. 23.
District of Columbia.....	Closed season.....	Closed season.....	Closed season.
Florida.....	Sept. 17–Nov. 25.....	Nov. 12–Dec. 31.....	Nov. 12–Dec. 31.
Georgia.....	Sept. 15–Nov. 23.....	Dec. 12–Jan. 30.....	Nov. 26–Jan. 14.
Maine.....	Sept. 1–Nov. 9.....	Sept. 26–Nov. 14.....	Sept. 26–Nov. 14.
Maryland.....	Sept. 1–Oct. 20.....	Oct. 17–Dec. 5.....	Oct. 17–Dec. 5.
Massachusetts.....	Sept. 10–Nov. 18.....	Oct. 10–Nov. 28.....	Sept. 10–Oct. 29.
New Hampshire.....	.....do.....	Oct. 1–Nov. 19.....	Oct. 1–Nov. 19.
New Jersey <sup>2</sup> .....	.....do.....	Oct. 8–Nov. 26.....	See footnote 2.
New York <sup>1</sup> .....	.....do.....	Oct. 3–Nov. 21.....	Oct. 3–Nov. 21.
North Carolina.....	.....do.....	Nov. 19–Jan. 7.....	Nov. 19–Jan. 7.
Pennsylvania.....	.....do.....	Oct. 15–Dec. 3.....	Oct. 1–Nov. 19.



(c) Central Flyway States.

	Rails and gallinules (except coots)	Woodcock	Common snipe (Wilson's)
Daily bag limit.....	15	5	8
Possession limit.....	30	10	16
Shooting hours..... Sunrise until sunset on all species.			
Seasons in:			
Colorado <sup>1</sup> .....	Sept. 1-Nov. 9	Closed season.	Sept. 1-Oct. 20.
Kansas.....	do	Oct. 22-Dec. 10.	Oct. 15-Dec. 3.
Montana.....	Closed season.	Closed season.	Closed season.
Nebraska.....	Oct. 1-Dec. 9	do	Oct. 1-Nov. 19.
New Mexico.....	Sept. 1-Sept. 30	do	Sept. 1-Sept. 30.
North Dakota.....	Closed season.	do	Oct. 1-Nov. 19.
Ohio.....	Sept. 1-Nov. 9	Nov. 22-Jan. 10.	Oct. 1-Dec. 20.
Oklahoma.....	Closed season.	Closed season.	Sept. 1-Oct. 20.
South Dakota.....	Sept. 1-Nov. 9	Nov. 27-Jan. 15.	Nov. 27-Jan. 15.
Texas.....	Closed season.	Closed season.	Closed season.
Wyoming.....	Closed season.	Closed season.	Closed season.

<sup>1</sup> Check State regulations for additional restrictions.

3. Section 10.51 is amended to read as follows:

§ 10.51 Migratory game bird hunting seasons in Alaska.

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed between the dates of September 1, 1966, and January 27, 1967, as follows:

	Ducks	Geese	Coots	Brant	Common snipe (Wilson's)	Little brown cranes
Daily bag limit.....	15	26	15	3	8	2
Possession limit.....	110	112	15	3	16	4
Season dates in:						
Pribilof and Aleutian Islands except Unimak Island.	Oct. 15-Jan. 27.				Sept. 1-Oct. 31	Sept. 1-Oct. 15.
Rest of Alaska and Unimak Island.	Sept. 1-Dec. 14.				do	Do.
Shooting hours..... One-half hour before sunrise until sunset on all species.						

<sup>1</sup> Ducks: In addition to the basic daily bag and possession limits prescribed above for ducks collectively, a daily bag limit of 2 and a possession limit of 4 scaup ducks is permitted; and a daily bag limit of 15 and a possession limit of 30 is permitted, singly or in the aggregate of the following species: scoter, elder, harlequin, old-squaw and American and red-breasted mergansers.

<sup>2</sup> Geese: The daily bag and possession limits may not include more than 3 daily and 6 in possession, singly or in the aggregate, of white-fronted and Canada geese or their subspecies.

	Rails and gallinules (except coots)	Woodcock	Common snipe (Wilson's)
Daily bag limit.....	15	5	8
Possession limit.....	30	10	16
Shooting hours..... Sunrise until sunset on all species.			
Seasons in:			
Rhode Island.....	Sept. 12-Nov. 20	Oct. 24-Dec. 11	Oct. 24-Dec. 11.
South Carolina.....	Sept. 14-Nov. 22	Dec. 12-Jan. 30	Nov. 26-Jan. 14.
Vermont.....	Closed season.	Oct. 1-Nov. 19	See footnote 2.
Virginia.....	Sept. 9-Nov. 17	Nov. 21-Jan. 9	Nov. 21-Jan. 9.
West Virginia.....	Oct. 15-Dec. 23	Oct. 15-Dec. 3	Oct. 15-Dec. 3.
<sup>1</sup> In New York, shooting hours for woodcock are from 7 a.m. to 5 p.m. based on official prevailing time.			
<sup>2</sup> Season will open and run concurrently with the open season for ducks in the State: <i>Provided</i> , That the open season shall not extend beyond the last day of the duck season or 50 consecutive days, whichever is the shorter period.			
<sup>3</sup> Check State regulations for additional restrictions.			

(b) Mississippi Flyway States.

	Rails and gallinules (except coots)	Woodcock	Common snipe (Wilson's)
Daily bag limit.....	15	5	8
Possession limit.....	30	10	16
Shooting hours..... Sunrise until sunset on all species.			
Seasons in:			
Alabama <sup>1</sup> .....	Nov. 5-Jan. 13.	Dec. 12-Jan. 30.	Nov. 26-Jan. 14.
Arkansas.....	Sept. 1-Nov. 9	do	Nov. 27-Jan. 15.
Illinois <sup>2</sup> .....	Closed season.	Nov. 11-Dec. 30	See footnote 2.
Indiana.....	Sept. 1-Nov. 9	Oct. 9-Nov. 27	Oct. 9-Nov. 27.
Iowa.....	Closed season.	Closed season.	Oct. 17-Nov. 19.
Kentucky.....	Nov. 17-Jan. 5	Nov. 17-Jan. 5	Nov. 17-Jan. 5.
Louisiana.....	Nov. 5-Jan. 13.	Dec. 10-Jan. 28.	Nov. 26-Jan. 14.
Michigan.....	See footnote 2.	do	See footnote 1.
Zone 1 and 2.....	Oct. 1-Nov. 10	Oct. 20-Nov. 18	
Zone 3.....	Sept. 17-Nov. 3	Sept. 17-Nov. 6	Sept. 17-Nov. 5.
Minnesota.....	Oct. 8-Dec. 16	Dec. 1-Jan. 19	Oct. 11-Jan. 15.
Mississippi.....	Sept. 1-Nov. 9	Oct. 11-Nov. 29	Oct. 11-Nov. 29.
Missouri.....	do	Nov. 1-Nov. 19	Oct. 1-Nov. 19.
Ohio.....	See footnote 2.	Nov. 21-Jan. 9	Nov. 21-Jan. 9.
Wisconsin.....	do	Oct. 1-Nov. 19	See footnote 3.

<sup>1</sup> Season will open and run concurrently with the open season for ducks in the State: *Provided*, That the open season shall not extend beyond the last day of the duck season or 50 consecutive days, whichever is the shorter period.

<sup>2</sup> Season will open and run concurrently with the open season for ducks in the State: *Provided*, That the open season shall not extend beyond the last day of the duck season or 70 consecutive days, whichever is the shorter period.

<sup>3</sup> Season will open concurrently with the open season for ducks in the State and will run for 50 consecutive days.

<sup>4</sup> Check State regulations for additional restrictions.



4. Section 10.53 is amended to read as follows:

**§ 10.53 Seasons and limits on waterfowl, coots, gallinules, and Wilson's snipe.**

Subject to the applicable provisions of the preceding sections of this part, the areas open to hunting, the respective open seasons (dates inclusive), the shooting hours, and the daily bag and possession limits on the species designated in this section are prescribed between the dates of September 1, 1966, and March 10, 1967, as follows:

(a) An experimental open season for taking teal ducks (blue-winged, green-winged, and cinnamon teal) under authority of a special Federal permit is prescribed in certain areas subject to the following conditions:

(1) Every hunter must have been issued and carry on his person while hunting teal a properly validated 1966 Special Teal Hunting Permit issued by the Bureau of Sport Fisheries and Wildlife;

(2) Daily shooting hours are from sunrise until sunset;

(3) The daily bag limit is four and the possession limit is eight, singly or in the aggregate of blue-winged, green-winged, and cinnamon teal; and

(4) The open season dates and the areas open to hunting are prescribed as follows: Sept. 3-11 in Kentucky, Nebraska, North Dakota, and South Dakota; Sept. 9-17 in Indiana; Sept. 10-18 in Texas, Kansas, and in those parts of Colorado and Wyoming lying east of the Continental Divide; Sept. 12-20 in Michigan; Sept. 16-24 in Ohio and Arkansas; Sept. 17-25 in Illinois, Iowa, Louisiana, Mississippi, Oklahoma, Missouri, and that part of New Mexico lying east of the

Continental Divide and outside the boundaries of the Jicarilla Apache Indian Reservation; Sept. 18-26 in the Montana counties of Blaine, Fergus, Judith Basin, Wheatland, Sweet Grass, Stillwater, Carbon and all counties east thereof.

(b) (1) A special open season for taking scoter, eider, and old-squaw ducks is prescribed during the period between September 25 and January 10 in all coastal waters and all waters of rivers and streams lying seaward from the first upstream bridge in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Connecticut; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and the waters of Gardiner's Bay lying east of a line from the Long Beach Bay lighthouse to the most easterly point of Ram Head on Shelter Island to the Cedar Point light; but not including any coastal waters of New York lying south of Long Island; and the States of New Jersey, Maryland, and North Carolina in any waters of the Atlantic Ocean and/or in any tidal waters of any bay which are separated by at least one (1) mile of open water from any shore, island and emergent vegetation: *Provided*, That any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States. The daily shooting hours are from sunrise until sunset, and the daily bag limit is 7 and the possession limit is 14, singly or in the aggregate of these species. In all other areas of these States and in all other States in the Atlantic Flyway, scoter, eider, and old-squaw ducks may be taken only during the open season for taking other ducks. During the open

season on other ducks in all States in the Atlantic Flyway, a daily bag limit of 7 and a possession limit of 14 scoter, eider, and old-squaw ducks, singly or in the aggregate of these species, are permitted in addition to the basic daily bag and possession limits prescribed for other ducks.

(2) Notwithstanding the provisions of 50 CFR 10.3(b)(4), the shooting of crippled waterfowl from a motorboat under power will be permitted on those coastal water areas open to sea duck hunting during the special open season and all waters of rivers and streams lying seaward from the first upstream bridge in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Connecticut; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and the waters of Gardiner's Bay lying east of a line from the Long Beach Bay lighthouse to the most easterly point of Ram Head on Shelter Island to the Cedar Point light; but not including any coastal waters of New York State lying south of Long Island; and the States of New Jersey, Maryland, and North Carolina, under the following conditions: Any person who cripples any migratory waterfowl while shooting from a fixed position may, within a 200-yard radius of such fixed position, pursue, shoot, and retrieve such crippled waterfowl from a motorboat under power.

(Sec. 3, 40 Stat. 755, as amended; 16 U.S.C. 703)

J. P. LINDUSKA,  
Acting Director, Bureau of  
Sport Fisheries and Wildlife.

JULY 21, 1966.

[F.R. Doc. 66-8150; Filed, July 27, 1966;  
8:45 a.m.]



# Proposed Rule Making

## INTERSTATE COMMERCE COMMISSION

[ 49 CFR Part 178 ]

[Ex Parte No. MC-29 (Sub-No. 1)]

### PASSENGER TRANSPORTATION IN SPECIAL OPERATIONS

#### Special Procedure and Service List

JULY 18, 1966.

At the request of interested persons, the time for filing of initial verified statements by parties to the above-entitled rule-making proceeding (31 F.R. 7288) is extended to October 17, 1966. Also, the time for filing of replies to such verified statements is extended to December 19, 1966.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-8261; Filed, July 27, 1966;  
8:48 a.m.]

[ 49 CFR Part 178 ]

[Ex Parte No. MC-29 (Sub-No. 2)]

### OPERATIONS OF BROKERS OF PASSENGER TRANSPORTATION

#### Special Procedure and Service List

JULY 18, 1966.

At the request of interested persons, the time for filing of initial verified statements by parties to the above-entitled rule-making proceeding (31 F.R. 7287) is extended to October 17, 1966. Also, the time for filing of replies to such verified statements is extended to December 19, 1966.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-8262; Filed, July 27, 1966;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[ 14 CFR Part 241 ]

[Economic Regs. Docket No. 17461]

### UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

#### Refinements to Facilitate Costing of Services; Supplemental Notice

JULY 22, 1966.

The Board in 31 F.R. 9358 and by circulation of EDR-102, dated July 1, 1966, gave notice that it had under consideration an amendment to Part 241 which

would provide certain additional financial detail to facilitate costing of operations and would update or clarify present provisions of the regulation. Interested persons were invited to participate in the rule-making proceeding by the submission of ten (10) copies of written data, views or arguments to the Docket Section of the Board on or before August 8, 1966.

Because of problems resulting from the present strike, the undersigned finds that it is in the public interest to extend the date for filing comments from August 8 to September 7, 1966.

Accordingly, pursuant to authority delegated under section 7.30 of Public Notice PN-15, dated July 3, 1961, the undersigned hereby extends the date for filing comments until September 7, 1966. All relevant matter received on or before that date will be considered by the Board before taking action on the proposal. Copies of communications will be available for examination in the Docket Section, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

(Secs. 204(a), 407(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766; 49 U.S.C. 1324, 1377)

By the Civil Aeronautics Board.

[SEAL] ARTHUR R. SCHOR,  
Acting Associate General Counsel,  
Rules and Rates Division.

[F.R. Doc. 66-8254; Filed, July 27, 1966;  
8:48 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[ 21 CFR Part 121 ]

### SYNTHETIC TERPENE RESINS FOR CHEWING GUM BASE; PROPOSAL REGARDING COMPOSITION AND SPECIFICATIONS

The Commissioner of Food and Drugs has received a petition (FAP 6A1819) filed by Tenneco Chemicals, Inc., Newport Division, Post Office Drawer 911, Pensacola, Fla. 32502, proposing that the polymer composition of synthetic terpene resins for use in chewing gum base as presently prescribed in § 121.1059(a) of the food additive regulations be broadened to include polymers of  $\alpha$ -pinene and dipentene. Having considered the data submitted in the petition and other relevant information, the Commissioner proposes that, in addition to the amendment petitioned for, the regulation be amended to prescribe specifications for such synthetic terpene resins.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic

Act (sec. 409 (c) (1), (d), 72 Stat. 1786, 1787; 21 U.S.C. 348 (c) (1), (d)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008), it is proposed that § 121.1059(a) be amended by changing the item "Synthetic resin" listed under "Terpene Resins" to read as follows:

§ 121.1059 Chewing gum base.

\* \* \* \* \*

#### TERPENE RESINS

Synthetic resin. Consisting of polymers of  $\alpha$ -pinene,  $\beta$ -pinene, and/or dipentene; acid value less than 5, saponification number less than 5, and color less than 4 on the Gardner scale as measured in 50 percent mineral spirit solution.

Any interested person may, within 30 days from the date of publication of this notice 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 comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: July 22, 1966.

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

[F.R. Doc. 66-8249; Filed, July 27, 1966;  
8:47 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 ]

[Airspace Docket No. 66-EA-55]

### DESIGNATION OF TRANSITION AREA

#### Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations which would designate a Princeton, N.J., transition area.

A new instrument approach procedure for Princeton, N.J., Airport will be established on July 23, 1966. To provide airspace protection for IFR arrival and departure procedures at Princeton Airport, it is required that a 700-foot floor transition area at Princeton, N.J., be designated.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division,



Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief Airspace Branch, Eastern Region.

Any data or views 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 official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a review of the airspace requirements for the terminal area of Princeton, N.J., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Princeton, N.J., transition area as follows:

That airspace extending upward from 700 feet above the surface within a 4-mile radius of the center, 40°23'55" N., 74°39'30" W., of Princeton Airport, within 2 miles each side of the Solberg, N.J., VOR 161° radial extending from the 4-mile radius area to the VOR; and within 2 miles each side of the runway 27 centerline extended from the 4-mile radius area to 6 miles west of the end of the runway.

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

Issued in Jamaica, N.Y., on July 13, 1966.

WAYNE HENDERSHOT,  
Deputy Director, Eastern Region.

[F.R. Doc. 66-8226; Filed, July 27, 1966; 8:45 a.m.]

[ 14 CFR Parts 71 and 75 ]

[Airspace Docket No. 66-WE-7]

**JET ROUTE AND ASSOCIATED CONTROLLED AIRSPACE**

**Proposed Revocation**

The Federal Aviation Agency has under consideration a proposal to revoke Jet Route No. 19 and its associated controlled airspace.

As parts of these proposals relate to the navigable airspace outside the United States, this notice 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 United States 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 responsibilities 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 United States 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 action 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.

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, 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 amendments. The proposals 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.

J-19 extends from Oakland, Calif., via Ukiah, Calif.; Fortuna, Calif.; North Bend, Oreg.; Newport, Oreg.; Hoquiam, Wash.; to Seattle, Wash. This jet route was established to provide an alternate routing via the coastline between Oakland and Seattle when unfavorable meteorological conditions were expected on Jet Route No. 1 which is the primary and inland routing between these two

terminals. The coastal routing via J-19 is 70 miles farther than via J-1.

Experience has indicated that the requirement for use of the alternate routing via J-19 has seldom materialized. A Federal Aviation Agency (FAA) IFR airway traffic survey revealed a peak day count of two flights on this jet route. Such infrequent use does not justify continued designation of the route nor provision of the frequency protection afforded navigational aids which support the jet route structure. It is, therefore, proposed to revoke J-19 and the associated controlled airspace for the offshore portions of J-19 designated as Part 71.

If this action is taken, the FAA plans to establish minimum altitudes for a direct route under Part 95 of the Federal Aviation Regulations which would coincide with the alignment of J-19 to provide authorization for air carrier flights to operate via the coastal route on those rare occasions resulting from unfavorable meteorological conditions on J-1.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on July 20, 1966.

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

[F.R. Doc. 66-8227; Filed, July 27, 1966; 8:45 a.m.]

[ 14 CFR Part 159 ]

[Docket No. 7526; Notice 66-29]

**WASHINGTON NATIONAL AIRPORT  
Limitations Governing Number of Air  
Carrier Operations Each Hour**

Under its general policy to provide the maximum service to the flying public, consistent with safety, the Federal Aviation Agency is considering methods of effecting limitations on the number of air carrier operations during each hour at Washington National Airport.

To provide for the optimum utilization of the airport for both air carrier travelers and others, to emphasize its role as a short-haul commuter and local service airport, to reduce undue congestion of passengers, parking, and ground facilities, to maintain efficient runway operations, and to improve service to the traveling public, the Agency considers that it is necessary to develop an overall method of dividing the operational capability of the airport on a manageable basis of a total number of operations each hour spaced evenly through the hour. The Bureau of National Capital Airports has determined that the instrument flight capacity of the airport is approximately 60 operations per hour. The historical use has been 73 percent air carrier and 27 percent general aviation. The application of these percentages would divide the available capacity between the competing users of the airport by allocating 40 operations per hour to



air carriers (other than air taxi operators) and allowance for extra sections.

Air carrier flights serving passengers at Washington National Airport will continue to be limited to those whose last stop before landing at the airport and whose first stop after taking off at the airport are within 650 statute miles from the airport (in place of the 500-mile limitation in the policy statement of July 1, 1966 (31 F.R. 9143)), except for nonstop flights of less than 1,000 miles operating to or from the following:

- (1) Miami, Fla.
- (2) Memphis, Tenn.
- (3) Minneapolis, Minn.
- (4) Orlando, Fla.
- (5) St. Louis, Mo.
- (6) Tampa, Fla.
- (7) West Palm Beach, Fla.

The types of airplanes used to perform such operations would be subject to the approval of the Director, Bureau of National Capital Airports. The Director will be guided in granting approvals by considerations such as whether the airplane is a type that would increase congestion, whether it is appropriate to the airport's physical limitations, and whether it contributes to the use of the airport on a manageable basis, with due regard to the public need for service.

The Agency hopes that the limitation of 40 air carrier operations an hour can

be accomplished by agreement among the various air carriers. Due to the urgency of the matter and the limited period of time available, agreement by the carriers to schedule operations within the 40 operations an hour limitation will be accepted, provided such schedules would be effective by the date the regulation becomes effective.

Should the above alternative not prove feasible, operational limitations would be imposed by applying a formula that would result in a proportional rollback, on an hourly basis, of current air carrier schedules during those hours of the day when there are more than 40 air carrier operations. Under this latter alternative, any changes to schedules that would result in moving any operation from a crowded to a noncrowded hour would be subject to the approval of the Director, Bureau of National Capital Airports.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. All communications received on or before August 3, 1966, will be con-

sidered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The proposed amendments would become effective September 1, 1966, or at the end of the present strike against the airlines, whichever is later.

The Administrative Procedure Act does not require notice or public rule-making procedures to be used in any matter relating to public property. However, in view of the importance of the proposals contained herein, comments from interested persons concerning the proposed action would be beneficial.

This amendment is proposed under the authority of section 1602, Title 2, District of Columbia Code; section 2, Act of June 29, 1940, as amended (54 Stat. 686); section 4 of the Act of September 7, 1950, as amended (64 Stat. 770).

Issued in Washington, D.C., on July 27, 1966.

ARVEN H. SAUNDERS,  
Director,

Bureau of National Capital Airports.

[F.R. Doc. 66-8346; Filed, July 27, 1966;  
3:53 p.m.]



# Notices

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management  
IDAHO

### Notice of Proposed Withdrawal and Reservation of Lands

JULY 19, 1966.

The Bureau of Land Management has filed an application, Serial Number I-24 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral-leasing laws nor disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended. The applicant desires the land for use as a scenic area overlook and hiking trail.

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

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

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO  
MINERAL RIDGE SCENIC AREA

T. 49 N., R. 3 W.,  
Sec. 1, lots 7 to 10, inclusive.

The area described aggregates 152.15 acres in Kootenai County, Idaho.

ORVAL G. HADLEY,  
Manager, Land Office.

[F.R. Doc. 66-8233; Filed, July 27, 1966;  
8:45 a.m.]

[Montana 38; Group 32]

## MONTANA

### Notice of Filing of Plat of Survey

JULY 21, 1966.

1. Plat of Survey of the lands described below will be officially filed in the Land Office, Billings, Mont., effective 10 a.m., September 26, 1966.

FIFTH PRINCIPAL MERIDIAN, NORTH DAKOTA

T. 137 N., R. 80 W.,  
Sec. 3, lots 14, 15;  
Sec. 4, lot 12.

T. 138 N., R. 80 W.,  
Sec. 28, lots 11, 12, 13, 14, 15, N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 34, lots 19, 20.

The areas described contain 407.38 acres.

2. The described land is withdrawn by Public Land Order No. 1312 of July 6, 1956, for use by the Department of the Army in connection with the Oahe Reservoir Project.

3. The described land will not be subject to disposition under the General Public Land Laws including the mining and mineral leasing laws, except for oil and gas, by reason of the official filing of the plat.

EUGENE H. NEWELL,  
Acting Land Office Manager.

[F.R. Doc. 66-8234; Filed, July 27, 1966;  
8:45 a.m.]

[New Mexico 20]

## NEW MEXICO

### Notice of Proposed Withdrawal and Reservation of Lands

JULY 20, 1966.

The Bureau of Land Management has filed an application, Serial No. New Mexico 20, for the withdrawal of lands described below, from all forms of appropriation, including prospecting, location, entry and purchase under the general mining but not the mineral leasing laws. The applicant desires to withdraw the lands to protect important nesting habitat for the Mexican Duck, listed nationally as a rare and endangered wildlife species whose survival is seriously threatened; to protect a substantial investment on improvements placed thereon in connection with this project, and in implementation of the migratory bird conventions with Great Britain (39 Stat. 1702) and the United Mexican States (50 Stat. 1311).

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 1449, Santa Fe, N. Mex. 87501.

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

ment on the concurrent management of the lands and their resources.

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

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

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

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN,  
NEW MEXICO

T. 25 S., R. 21 W.,  
Sec. 31, lots 3 and 4.

T. 26 S., R. 22 W.,  
Sec. 1, lots 2, 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate 227.05 acres.

W. J. EGAN,  
Acting Chief, Division of Lands  
& Minerals, Program Management and Land Office.

[F.R. Doc. 66-8235; Filed, July 27, 1966;  
8:46 a.m.]

## OUTER CONTINENTAL SHELF OFF LOUISIANA

### Oil and Gas Lease Sale

#### Correction

Federal Register Document No. 66-7927 (31 F.R. 9879) is corrected as follows:

1. In the table for "Official Leasing Map, Louisiana Map No. 3", the description for Tract No. La. 1716, now reading "That portion in Zone 3.\*" should read "That portion in Zone 3.2".

2. In the table for "Official Leasing Map, Louisiana Map No. 10", the heading in the middle column of page 9880, now reading "Mail Pass Area", should read "Main Pass Area".

[Montana 072130]

## MONTANA

### Notice of Proposed Withdrawal and Reservation of Lands

JULY 21, 1966.

The Bureau of Land Management has filed the above application, serial number Montana 072130, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws subject to existing valid claims.

The applicant desires the land for recreation purposes.



For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 318 North 26th Street, Billings, Mont. 59101.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

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

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

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

- T. 7 S., R. 4 W.,  
 Sec. 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 13 S., R. 10 W.,  
 Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
 T. 14 S., R. 10 W.,  
 Sec. 15, W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ .

The areas described aggregate 280.00 acres.

EUGENE H. NEWELL,  
 Acting Land Office Manager.

[F.R. Doc. 66-8255; Filed, July 27, 1966;  
 8:48 a.m.]

National Park Service

[Order 1]

CHIEF, DIVISION OF CONTRACT ADMINISTRATION AND CONSTRUCTION, WASHINGTON

Delegation of Authority Concerning Construction Contracting Activities

SECTION 1. The Chief, Division of Contract Administration and Construction, Washington Planning and Service Center, is hereby authorized to exercise the construction activities of the Service within the areas served by this office. In exercising these activities, the Chief, Division of Contract Administration and Construction may enter into and administer the required contracts and his

staff may directly prosecute the construction contracting program.

Sec. 2. Authority to enter into construction contracts granted by section 1 of this order shall be limited to contracts not to exceed \$200,000. Contracts are to be entered into subject to the provisions of applicable rules and regulations and after determination that funds are available and will be reserved to meet the contractual obligations being entered into. Authorizations for Change Orders and Extra Work Orders are subject to the same regulations and limitations.

(National Park Service Order No. 33, 31 F.R. 769; 245 D.M. 1, 28 F.R. 915; 5 U.S.C. sec. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: June 9, 1966.

J. E. N. JENSEN,  
 Assistant Director,  
 Design and Construction.

[F.R. Doc. 66-8237; Filed, July 27, 1966;  
 8:46 a.m.]

[Order 1]

CHIEF, DIVISION OF CONTRACT ADMINISTRATION AND CONSTRUCTION, PHILADELPHIA

Delegation of Authority Concerning Construction Contracting Activities

SECTION 1. The Chief, Division of Contract Administration and Construction, under the Chief, Office of Design and Construction, Philadelphia Planning and Service Center, is hereby authorized to exercise the construction activities of the Service within the areas served by this office. In exercising these activities, the Chief, Division of Contract Administration and Construction, may enter into and administer the required contracts, and his staff may directly prosecute the construction contracting program.

Sec. 2. Authority to enter into construction contracts granted by section 1 of this order shall be limited to contracts not to exceed \$200,000. Contracts are to be entered into subject to the provisions of applicable rules and regulations and after determination that funds are available and will be reserved to meet the contractual obligations being entered into. Authorizations for change orders and extra-work orders are subject to the same requirements and limitations.

(National Park Service Order No. 33, 31 F.R. 769; 245 D.M. 1, 28 F.R. 915; 5 U.S.C. sec. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: June 14, 1966.

H. REESE SMITH,  
 Chief, Office of Design and Construction, Philadelphia Planning and Service Center.

[F.R. Doc. 66-8236; Filed, July 27, 1966;  
 8:46 a.m.]

Office of the Secretary

EDWARD T. AUGUSTINE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Pro-

duction 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) Delete Hartford Electric Light Co.
- (3) No change.
- (4) No change.

This statement is made as of July 18, 1966.

Dated: July 18, 1966.

EDWARD T. AUGUSTINE.

[F.R. Doc. 66-8238; Filed, July 27, 1966;  
 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

AGREEMENT WITH AMERICAN SHEEP PRODUCERS COUNCIL, INC.

Notice of Referendum Among Producers and Procedure for Conduct of Referendum

A referendum is being held to determine producer approval of an agreement between the Secretary of Agriculture and the American Sheep Producers Council, Inc., for the advertising and sales promotion of lamb and wool pursuant to section 708 of the National Wool Act of 1954, as amended (68 Stat. 912, 7 U.S.C. 1787). The procedure for conducting the referendum follows:

1. *Definitions.* For the purpose of this notice, the following terms shall have the following meanings:

(a) *ASC County Committee.* The group of persons elected within a county as the County Committee pursuant to the regulations governing the election and functioning of the County Agricultural Stabilization and Conservation Committees.

(b) *ASC State Committee.* The group of persons designated within any State to act as the State Agricultural Stabilization and Conservation Committee.

(c) *Cooperative association.* An incorporated group of producers which (1) is operated for the mutual benefit of its members as producers; (2) markets the members' sheep or wool; (3) does not deal in sheep and wool for nonmembers to an amount greater in value than the amount representing the value of sheep and wool handled by the association for members, and (4) permits every member to have only one vote irrespective of the amount of stock or membership capital he may own in the association.

(d) *Deputy Administrator.* The Deputy or Acting Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(e) *Eligible voter.* A producer who owned any sheep or lambs, 6 months of age or older, located in the United States, continuously during a single period of at least 30 days between January 1, 1966, and the date his ballot is cast constitutes an eligible voter. Two or more pro-



ducers who are required by § 1472.1243 of the wool payment program regulation (31 F.R. 4582) to apply jointly for a payment constitute an eligible voter and only one ballot may be cast for all. A cooperative association which qualifies for voting in accordance with section 6 (c) of this notice is an eligible voter and may cast one ballot for eligible voters who on the date the ballot is cast are members of, stockholders in, or are under contract to sell their wool or lambs through the association in the 1966 marketing year (January 1 through December 31, 1966), which ballot shall be counted as votes in behalf of each such eligible voter who shall not otherwise cast a ballot.

(f) *Individual voter.* An individual voter is a producer who is an eligible voter and casts a ballot in this referendum, or two or more joint producers who constitute an eligible voter and cast a ballot in this referendum.

(g) *Producer.* A producer is any person (i.e., an individual, partnership, corporation, association, business trust, any organized unincorporated group of persons, or a State or any subdivision thereof) who has an interest in sheep as owner or part owner thereof or who, by agreement with such owner, furnishes labor in connection with caretaking, lamb production, or feeding and is entitled either to a share of the wool or lamb production or the sales proceeds thereof.

(h) *Secretary of Agriculture.* The Secretary or Acting Secretary of Agriculture of the United States, or any officer or employee of the U.S. Department of Agriculture to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

2. *Agreement considered in this referendum.* The agreement being considered in this referendum would be between the Secretary of Agriculture and the American Sheep Producers Council, Inc., a nonprofit membership corporation organized under the laws of the State of Illinois, for the purpose of developing and conducting an advertising and sales promotion program for wool, sheep, and products thereof, subject to the determination by the Secretary that the agreement has the approval of the producers as provided in section 708 of the National Wool Act of 1954, as amended (68 Stat. 912, 7 U.S.C. 1787). The text of the agreement follows:

#### AGREEMENT

Pursuant to section 708 of the National Wool Act of 1954, as amended, agreements have been entered into, beginning with March 17, 1955, between the U.S. Secretary of Agriculture (hereinafter referred to as "Secretary") and the American Sheep Producers Council, Inc., a nonprofit membership corporation organized under the laws of the State of Illinois (hereinafter referred to as "Council"), providing for the conduct of sales and promotion programs for wool and lambs and the products thereof, financed by deductions from incentive payments to wool producers. This agreement provides for continuing such sales and promotion programs pursuant to section 708, to be financed by deductions from producer wool payments

made under the Act for the years commencing January 1, 1966, and ending December 31, 1969.

#### WITNESSETH

Whereas, the Secretary, pursuant to the National Wool Act of 1954, as amended, 7 U.S.C. 1781-1787 (hereinafter referred to as the "Act"), has announced an incentive payment program for wool marketed during 1966;

Whereas, the incentive payments under the program will be made by the Commodity Credit Corporation to producers of wool as soon as practicable after the end of the year in which the wool is marketed;

Whereas, it is anticipated that similar programs will be instituted for subsequent marketing years under the Act;

Whereas, section 708 of the Act authorizes the Secretary to enter into agreements with marketing cooperatives, trade associations or other organizations engaged or whose members are engaged in the handling of wool, sheep, and the products thereof, for the purpose of developing and conducting on a National, State, or regional basis advertising and sales promotion programs for wool, sheep, and the products thereof;

Whereas, it is desirable that there be continued an advertising and sales promotion program conducted on a National basis for wool, sheep, and products thereof, to be financed by pro rata deductions from incentive payments to wool producers;

Now, therefore, the parties hereto agree as follows:

1. Whenever incentive payments are made to producers under the Act, the Secretary will make a pro rata deduction from payments and pay the amount so deducted to the Council to provide the funds necessary to defray the expenses of the Council incurred pursuant to this agreement. Deductions will be made only from payments, if any, which are made to producers for marketings during the years beginning January 1, 1966, and ending December 31, 1969. Deductions from payments for marketings during 1966 shall be at the rate of 1½ cents per pound of shorn wool marketed, and at a comparable rate, as determined by the Secretary, on unshorn lambs and yearlings (pulled wool) marketed; thereafter, the deductions shall be at such rates as the Secretary and Council may agree upon, but in no event shall be in excess of the rates specified for 1966.

2. For each fiscal year beginning July 1, 1966, until all activities are completed under this agreement, the Council shall develop and submit to the Secretary for approval proposed advertising and sales promotion programs and supporting budgets for wool and lambs and the products thereof and such amendments thereto as may be needed. Each submission shall describe the annual plan of operation, commodities to be promoted, the proposed media and methods which the Council intends to use in advertising and promoting, and the benefits to be derived by producers on a National basis. After the proposed programs and budgets, including amendments thereto, have been approved by the Secretary, the Council will enter into such agreements with advertising and promotional agencies, radio and television stations, and others, and employ such personnel, and will take such other action as the Council deems appropriate or necessary to effectuate such programs.

3. The Council shall furnish the Secretary with an annual report of its activities and a copy of an audit, prepared by a Certified Public Accountant, of its operations during each fiscal year. The Council shall also furnish the Secretary with a statement of assets and liabilities as of June 30th of each year and with such other reports and information as he may from time to time request. The

Council shall keep accurate records of all its transactions, and these records shall be subject to inspection and audit by representatives of the Secretary at all times during regular business hours after the date of this agreement until 3 years after the Council has completed performance of all contracts made and obligations incurred hereunder.

4. Either party may terminate this agreement with respect to the continuation of all programs hereunder by delivering, or mailing by registered mail, a written notice of such termination effective on the date to be specified therein, but not earlier than 30 days after giving of such notice. After any such termination, the activities of the Council hereunder shall be liquidated promptly and no deductions from payments to producers shall thereafter be made to defray expenses of the Council under this agreement except such deductions from payments made in connection with a prior marketing year as the Secretary determines necessary or desirable to effectuate such liquidation. If, on or after January 1, 1967, the Secretary determines upon petition or referendum of the wool producers or otherwise that this agreement is no longer favored by the requisite number of producers, he shall so declare. After such determination, no deductions from payments to producers shall be made to defray the expenses of the Council under this agreement except deductions from payments made in connection with a prior marketing year.

5. Funds obtained by the Council pursuant to the agreement of October 18, 1962, and unobligated on the date when this agreement becomes effective shall become subject to the terms and conditions of this agreement and be available to finance, either separately or in combination with other funds made available under this agreement, sales promotion and advertising programs established pursuant to this agreement.

6. Upon termination of all programs under this agreement, if all the funds of the Council were derived from deductions from wool payments (including interest earned thereon), all such funds remaining unobligated in the hands of the Council shall be returned to the Secretary of Agriculture, together with a statement explaining the various items which entered into the amount returned to the Secretary. If the Council received funds from sources other than the Secretary acting pursuant to this agreement, the Council shall return to the Secretary the same proportion of the unobligated funds as the funds contributed by the Secretary bore to all funds received by the Council. A statement of the assets and liabilities of the Council shall be furnished to the Secretary within 60 days after such termination becomes effective. The provision with respect to the return of unobligated funds shall also apply in case of dissolution or liquidation of the affairs of the Council.

7. Any amendments or additions to the charter or bylaws of the Council shall be subject to the approval of the Secretary.

8. The authority reserved to the Secretary under the provisions of this agreement may be exercised by an official or officials of the Department of Agriculture designated by him for such purpose.

9. During the performance of this agreement, it is further agreed that:

(1) The Council will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The Council will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruit-



ment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Council agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(2) The Council will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(3) The Council will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the Council's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The Council will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The Council will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Council's noncompliance with the nondiscrimination clauses of this agreement or with any of such rules, regulations, or orders, this agreement may be canceled, terminated or suspended in whole or in part and the Council may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies involved as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Council will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Council will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however*, That in the event the Council becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Council may request the United States to enter into such litigation to protect the interests of the United States.

10. This agreement shall not become effective until and unless the Secretary has determined on the basis of a producer referendum that at least two-thirds of the total number of producers or two-thirds of the volume of production represented approve his entering into this agreement.

**3. Agencies conducting referendum.** The Deputy Administrator shall be in charge of conducting this referendum. Each ASC State Committee shall be in charge of conducting the referendum in

its State and each ASC county committee shall be in charge of conducting the referendum in its county.

**4. Period of referendum.** ASCS county offices will have ballot boxes available from September 12, 1966, to September 23, 1966, both dates inclusive. Any completed ballot received by an ASCS county office before September 12, 1966, will be placed in the ballot box. Ballots reaching an ASCS county office after close of business September 23, 1966, cannot be counted.

**5. Notice of referendum.** Full and accurate public notice of the time and place of balloting in the referendum and the rules governing the eligibility to vote will be provided by the ASCS State and county offices by means of newspapers, radio, or any other method they deem desirable, without incurring advertising expense.

**6. Voting—(a) Mailing of ballots to eligible voters.** Each ASCS county office will mail ballots to all producers, of whom the committee has knowledge, having ranch or farm headquarters located in its county. The mailing of a ballot is not a determination of eligibility to vote and if a producer has not received a ballot, he can obtain one in the ASCS State or county office upon request. The Farmer Programs Division, Agricultural Stabilization and Conservation Service, will mail ballots to all cooperative associations which qualify to vote on behalf of their members and others in accordance with paragraph (c) of this section.

**(b) Place and manner of voting by individuals.** The ASCS county office serving the county in which the producer's farm or ranch headquarters is located shall be his polling place. A ballot may be cast on Form CCC-1160 either by personal delivery to, or by mailing the form so that it will reach, the polling place on or before the close of business September 23, 1966.

**(c) Place and manner of voting by cooperative associations.** A cooperative association may cast only one ballot. The ballot shall be cast for all eligible voters who on the date the ballot is cast are members of, stockholders in, or are under contract to sell their wool or lambs through the association in the 1966 marketing year. A cooperative association must qualify for voting by filing with the Director of the Farmer Programs Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250, not later than September 1, 1966, each of the following: (1) A certified copy of the Articles of Incorporation of the Association and bylaws of the association and (2) a certified copy of the resolution adopted by the association's Board of Directors authorizing such vote. The Farmer Programs Division will send a ballot to each cooperative association which establishes eligibility to vote.

The cooperative association shall return the marked ballot to the Director of the Farmer Programs Division so that it will reach that office not later than September 16, 1966. Each ballot cast by a cooperative association shall be accompanied by the original and two

copies of a listing showing the names and addresses of all producers, otherwise eligible to vote, who on the date the vote is cast are members of, stockholders in, or under contract to sell their wool or lambs through the association in the 1966 marketing year. The producers' names shall be arranged alphabetically, on a separate sheet for each county. The listing for each county shall be headed by the name and address of the cooperative association and show whether voting "Yes" or "No" in the referendum. In preparing the listings, the cooperative association shall show for each producer the number of sheep and lambs, 6 months of age or older, located in the United States, which the producer owned continuously during a single period of at least 30 days from January 1, 1966, through the date of voting. After checking the ballots and lists received from cooperative associations for completeness, the lists of producers for whom cooperative associations have voted will be forwarded by the Farmer Programs Division to the ASCS State offices concerned for distribution to the respective ASCS county offices.

**7. Determining volume of production represented.** The volume of production represented by each producer voting or for whom a cooperative ballot is cast will be determined by the number of sheep, 6 months of age or older, which he owned continuously in the United States during a single period, selected by the producer of at least 30 days from January 1, 1966, through the date his ballot is cast.

**8. Challenge of ballots.** A ballot may be challenged on the basis of the knowledge of any ASC State, county, or community committeeman, employee of an ASCS State or county office, or any other person. Before a challenged ballot is either counted or declared invalid, a determination shall be made by the ASC county committee in connection with such challenged ballot. The determination shall cover all questions as to the eligibility of the individual voter or any producer for whom a cooperative association has cast a ballot and the accuracy of the number of sheep represented. If two or more cooperative associations cast ballots for the same producer, and the ballots take the same position with reference to the agreement which is the subject of the referendum, the producer's vote will be counted only once. If they take different positions, his vote will not be counted.

**9. Canvass of ballots.** The ASC county committees will make a count of the eligible voting producers, determining (a) the number of eligible voting producers favoring the agreement and the number of sheep represented by them, (b) the number of eligible voting producers disapproving the agreement and the number of sheep represented by them, and (c) the number of voting producers found to be ineligible. All ballots shall be treated as confidential and the contents of the ballots shall not be divulged, except as provided in this notice or as the Secretary may direct.



10. *Reporting results of referendum.* Each ASCS county office will transmit a written summary of the results of the referendum in its county to its ASCS State office. Each ASCS State office will transmit a written summary of the referendum results received from the ASCS county offices within its State to the Director of the Farmer Programs Division, ASCS, Washington, D.C. 20250, and maintain one copy of the summary in the ASCS State office where it shall be available for public inspection for a period of 5 years following the end of the referendum period. The Director of the Farmer Programs Division, Agricultural Stabilization and Conservation Service, shall prepare and submit to the Secretary a report as to the results of the referendum.

11. *Additional instructions and forms.* The Deputy Administrator is hereby authorized to prescribe additional instructions and forms not inconsistent with the provisions of this notice to govern the procedure to be followed in the conduct of this referendum.

(Sec. 708, 68 Stat. 912; 7 U.S.C. 1787)

Signed at Washington, D.C., on July 25, 1966.

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

[F.R. Doc. 66-8243; Filed, July 27, 1966; 8:47 a.m.]

**Consumer and Marketing Service  
MARKET AGENCIES AT TULSA  
STOCKYARDS**

**Notice of Complaint, Order of Suspension, and Hearing Regarding Modifications of Schedule of Rates and Charges**

Notice is hereby given that on June 24, 1966, the following market agencies at the Tulsa Stockyards, Tulsa, Okla., filed a proposed tariff, to be effective July 5, 1966, containing certain increases in their current schedule of rates and charges, under Title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.): Dan Lackey, Jr. and Phil H. Lackey, doing business as The American Livestock Commission Co.; Roger D. Morris, doing business as Roger Morris Livestock Commission Co.; Wayne Chidester and Grant P. Clay, doing business as National Livestock Commission Co.; Oklahoma Livestock Commission Co., a corporation; and B. J. Bee. on and D. A. Newsom, doing business as Stockman's Livestock Commission Co.

The proposed tariff reads as follows:

**SECTION A—DEFINITIONS**

A-1 A consignment, for the purpose of assessing selling charges is all the livestock of one species (cattle, calves, and bulls, to be considered as different species) delivered in the name of one person to one market agency to be offered for sale during the trading hours of 1 day.

A-2 A purchase order, for the purpose of assessing buying charges is all the livestock of one species (cattle, calves, and bulls to be considered as different species), bought at any time, shipped or delivered to one person on one market day, except where separate accounts of purchaser requested to segregate different classes of grades of any one species for the purpose of determining costs, or ownership, then each account rendered shall be considered as a separate purchase order for the assessment of buying commissions.

A-3 A draft, is all the animals in one consignment weighed as a single sales or purchase classification.

A-4 A person, is an individual, a partnership, a corporation and/or an association of any such acting as a unit.

A-5 Calves, are animals of the bovine species weighed in drafts, the average weight of the animals in which is under 400 pounds.

A-6 Cattle, are animals of the bovine species weighed in drafts, the average weight of the animals in which is 400 pounds or over.

A-7 Bulls, are uncastrated male animals of the bovine species weighed in drafts, the average weight of the animals in which is 600 pounds or more.

A-8 Hogs, are swine, irrespective of weight.

A-9 Sheep, are animals of the ovine species, irrespective of weight. (In this tariff goats are treated as if they were sheep.)

**SECTION B—SELLING CHARGES**

B-1 Cattle:  
Consignments of one head and one head only..... \$2.00  
Consignments of more than one head..... 1.75

B-2 Bulls:  
Weighing 600 pounds or over, per head..... 2.50

B-3 Calves:  
Consignments of one head and one head only..... 1.40  
Consignments of more than one head..... 1.15

B-4 Hogs:  
Consignments of one head and one head only..... .85  
Consignments of more than one head.....  
First 25 head in each consignment..... .70  
Each additional head over 25 in each consignment... .60

B-5 Sheep or goats:  
Consignments of one head and one head only..... .60  
Consignments of more than one head..... .40

B-6 NOTE: When livestock bought from other firms by the purchaser himself, is paid for by a firm, the regular buying commission shall be charged to the purchaser by the firm which pays.

B-7 NOTE (exception): A Market Agency, using livestock out of a consignment received for sale, to fill, in part, or in whole, an order received from a buyer will be presumed to be acting solely as the agent of the consignor and shall collect the regular selling charges from the consignor. Collection shall also be made from the buyer to cover expenses incurred of an amount equal to one-half the regular buying charge.

**SECTION C—BUYING CHARGES**

C-1 Cattle:  
Purchase of one head and one head only..... \$1.50  
Purchase of more than one head..... 1.30

C-2 Calves:  
Purchase of one head and one head only..... 1.00  
Purchase of more than one head..... .90

C-3 Bulls:  
Weighing 600 pounds or over, per head..... 2.00

C-4 Hogs:  
Purchase of one head and one head only..... .65  
Purchase of more than one head..... .50

C-5 Sheep or goats:  
Purchase of one head and one head only..... .60  
Purchase of more than one head..... .40

C-6 NOTE: When livestock bought from other firms by the purchaser himself, is paid for by a firm, the regular buying commission shall be charged to the purchaser by the firm which pays.

**SECTION D—EXTRA SERVICE CHARGES**

Proration: When prorating is necessary or requested there shall be a charge of 30 cents for each proration with a minimum of 60 cents and a maximum of \$3 on any one consignment.

Drafts: In each consignment where more than three drafts are necessary or are requested, there shall be a charge of 25 cents per draft for each draft in excess of three, provided however, that the draft charges on any one consignment shall not exceed \$3. There will be no extra drafts in purchasing livestock.

**SECTION E—RESALES IN THE YARD**

Commission charges are the same as in section B.

**SECTION F—FIRE INSURANCE**

Cattle and calves—1 cent per 2 head; minimum 1 cent maximum 15 cents on each 35 head.  
Hogs—1 cent per 4 head; minimum 1 cent maximum 15 cents on each 80 head.  
Sheep—1 cent per 5 head; minimum 1 cent maximum 15 cents on each 100 head.  
(NOTE: Drop all fractions in computing insurance charges above the minimum.)

Except when in each case otherwise stipulated, when livestock cross scales weighed to purchaser, delivery is final and unconditional.

Market agencies are on notice by statute of that part of section 306 (F) P. & S. Act, reading: "Nor charge, demand or collect a greater or less or different compensation—nor refund or remit in any manner any portion of the rates or charges—specified."

We will not solicit nor permit anyone in our employ to solicit consignments of livestock nor influence, or attempt to influence shippers of livestock in consigning their livestock nor permit our employees to do so, at either hog, sheep, or cattle drive-in docks nor at any point adjacent thereto outside of the Tulsa Stockyards proper, nor solicit a consignment of livestock within the stockyards after it has been consigned to a market agency.

We deny responsibility for the collection of any charges not mentioned in this tariff or those of the Tulsa Stockyard Co., and such as are made for the convenience of the shipper and at his instructions.



Notice is hereby also given that on July 1, 1966, the Packers and Stockyards Division, Consumer and Marketing Service, U.S. Department of Agriculture, filed a "Complaint, Order of Suspension, and Notice of Hearing" with respect to the proposed amendments of the current schedule of rates and charges. The contents of such document are as follows:

This proceeding is instituted pursuant to the provisions of Title III of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), hereafter referred to as the Act.

I. The respondents are now, and at all times mentioned herein were, registered with the Secretary of Agriculture as market agencies to buy and sell on a commission basis at the Tulsa Stockyards, Tulsa, Okla., which is now, and at all times mentioned herein was, a posted stockyard subject to the provisions of the Act.

II. In accordance with the requirements of the Act, the respondents have heretofore filed and presently have in effect a schedule of rates and charges for the stockyard services furnished by them at the Tulsa Stockyards.

III. On June 24, 1966, the respondents filed a tariff effective July 5, 1966, containing certain increases in the current rates and charges.

IV. Upon an analysis of the information available to the Packers and Stockyards Division, Consumer and Marketing Service, U.S. Department of Agriculture, there is reason to believe that such increases are unjust, unreasonable, or discriminatory.

V. It is concluded, therefore, that a proceeding under Title III of the Act should be instituted for the purpose of determining the reasonableness and lawfulness of the rates and charges set forth in the respondents' schedule of rates and charges as modified by the tariff filed on June 24, 1966, and that pending a hearing and decision in this proceeding, the operation of the modifications of the current schedule of rates and charges should be suspended and the use of such modified rates and charges deferred.

VI. It is further concluded that a hearing should be had for the purpose of determining the lawfulness of all rates and charges of the respondents and of any rule, regulation, or practice affecting said rates and charges.

It is, therefore, ordered, That the operation and use by the respondents of the modifications of the current schedule of rates and charges filed on June 24, 1966, to become effective on July 5, 1966, are hereby suspended and deferred until the expiration of thirty days beyond the time when such tariff would otherwise go into effect.

It is further ordered, That notice to the respondents shall be, and is hereby, given that a hearing concerning the matters set forth herein will be held before an Examiner of the Department at a time and place to be specified at a later date, of which the respondents will receive adequate notice. At such hearing the respondents and all other interested persons will have a right to appear and present such evidence with respect to the matters and things set forth herein as may be relevant and material.

It is further ordered, That any and all interested persons who may wish to appear and present evidence relative to the issues in this proceeding shall give notice thereof by filing a statement to that effect with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, within 20 days from the date of the publication hereof in the FEDERAL REGISTER.

It is further ordered, That a copy hereof be served upon the respondents.

It is further ordered, That this document be published in the FEDERAL REGISTER.

Done at Washington, D.C., this 22d day of July 1966.

DONALD A. CAMPBELL,  
Director, Packers and Stock-  
yards Division, Consumer and  
Marketing Service.

[F.R. Doc. 66-8259; Filed, July 27, 1966;  
8:48 a.m.]

## ATOMIC ENERGY COMMISSION

[Docket No. 50-182]

### PURDUE UNIVERSITY

#### Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 2, set forth below, to Facility License No. R-87, authorizing Purdue University to operate its pool-type nuclear reactor located on the University's campus in West Lafayette, Ind., until August 7, 1966.

The expiration date specified in Facility License No. R-87, as originally issued, was August 7, 1966. In an application dated July 5, 1966, Purdue University requested a renewal of the license for a period of 20 years. No change in operating conditions is involved.

Within 15 days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice," 10 CFR 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see the application for renewal, a copy of which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 19th day of July 1966.

For the Atomic Energy Commission.

R. L. DOAN,  
Director,

Division of Reactor Licensing.

[License No. R-87; Amtd. 2]

The Atomic Energy Commission having found that:

a. The application for license amendment dated July 5, 1966, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

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

c. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant

hazards considerations different from those previously evaluated.

Facility License No. R-87, as amended, which authorizes Purdue University to operate its pool-type nuclear reactor located on the University's campus in West Lafayette, Ind., is hereby further amended in accordance with the application.

1. Paragraph 5 is amended to read as follows:

"5. This amended license shall expire on August 7, 1986, unless sooner terminated."

2. This amendment is effective as of the date of issuance.

Date of Issuance: July 19, 1966.

For the Atomic Energy Commission,

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

[F.R. Doc. 66-8222; Filed, July 27, 1966;  
8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 16857]

### MOTOR CARRIER-AIR FREIGHT FORWARDER INVESTIGATION

#### Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding will commence on Tuesday, September 20, 1966, at 10 a.m., local time, in Room 284, U.S. Court of Appeals and Post Office Building, Seventh and Mission Streets, San Francisco, Calif., before Examiner Merritt Ruhlen. At the close of the session in San Francisco, the hearing will be adjourned to reconvene in Washington, D.C., at a time and place to be announced at that time.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the prehearing conference report served on March 11, 1966, the supplemental prehearing conference report served on April 1, 1966, and all other documents which are in the docket of this case on file in the docket section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 22, 1966.

[SEAL]

MERRITT RUHLEN,  
Hearing Examiner.

[F.R. Doc. 66-8250; Filed, July 27, 1966;  
8:47 a.m.]

[Docket No. 17541; Order No. E-23977]

### MODERN AIR TRANSPORT, INC.

#### Order Granting Special Operating Authorization and Exemption

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of July, 1966.

By telegraphic application dated July 16, 1966, Modern Air Transport, Inc. (Modern), a supplemental air carrier, requested special operating authorization pursuant to section 417 of the Act,



to engage in individually ticketed service between Miami, on the one hand, and Washington and New York, on the other, on flights which originate or terminate at Miami, subject to the same terms and conditions as those contained in Order E-23963, July 15, 1966.

According to Modern, it is now based in Miami and can best utilize its DC-7C equipment over the aforementioned route.

We shall grant the requested authority. The public interest findings contained in Order E-23963, are equally applicable here and we incorporate them by reference. In both markets 200 or more passengers a day were exchanged as of the third quarter of 1965, and 50 percent or more of the flights were performed by struck carriers. Although Northeast has increased its service in both markets, because of their size additional emergency capacity appear to be required.

Because of the emergency nature of the situation and the obvious time limitation, we shall exempt Modern from the requirements of section 403 of the Act, provided that the rates charged by it are equal to those currently in effect for the struck carriers or the competing carriers for the same classes of service. In addition, we shall require Modern to submit to the Board a daily report setting forth relevant traffic data with respect to any operations conducted pursuant to this order.

Based upon the foregoing facts and circumstances, the Board finds that the capacity for air transportation being offered by the holders of certificates of public convenience and necessity between Miami, on the one hand, and Washington and New York on the other, will be temporarily insufficient to meet the requirements of the public and that Modern can provide additional service temporarily required in the public interest. In view of the unprecedented demand for service created by the strike emergency, the inability of the route carriers still operating to meet that need, and the limited volume of service the supplemental carrier will be able to provide with its limited equipment availability, it is apparent that grant of the authority will not result in significant diversion from the holders of certificates for the route. Accordingly, the Board will issue to Modern special operating authorization to engage in air transportation between such points, upon the terms and conditions set forth herein. The Board further finds that to provide for notice and protest of such special operating authorization by air carriers certificated to provide service between the points involved, would unduly delay issuance of such special operating authorization, taking into account the degree of emergency involved. Any objection or protest shall be filed within 5 days but such filing will not stay the effectiveness of this order.

The Board further finds that the enforcement of the provisions of section 403 of the Act and the Board's regulations thereunder, would be an undue burden upon Modern by reason of the

unusual circumstances affecting its operations and is not in the public interest.

Accordingly, it is ordered, That:

1. Modern be and it hereby is granted special operating authorization to engage in individually ticketed air transportation of persons between Miami, on the one hand, and Washington and New York, on the other, on flights originating or terminating at Miami, subject to the condition that the fares charged for such transportation are equal to those currently in effect in the markets for the same types of service;

2. Modern be and it hereby is exempted from the tariff filing requirements of section 403 of the Act and the Board's regulations thereunder, for the services authorized herein;

3. Modern shall file by telegram on a daily basis, with the Director, Bureau of Operating Rights, a report showing for each market (a) the number of flights operated, (b) aircraft type utilized (c) the number of passengers carried, and (d) number of tickets sold by the supplemental carrier or by another air carrier or travel agent;

4. Any objections to any provision of this order shall be filed within 5 days of the date of service of this order: *Provided*, That objections shall not stay the effectiveness of this order;

5. This order shall become effective immediately and shall remain effective for 30 days unless extended or sooner terminated by further Board order;

6. This order may be amended or revoked as to the markets, or otherwise, at any time in the discretion of the Board without notice or hearing; and

7. This order shall be served on all certificated air carriers and the Federal Aviation Agency.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 66-8251; Filed, July 27, 1966;  
8:47 a.m.]

[Docket No. 17546; Order No. E-23978]

### SOUTHERN AIRWAYS, INC.

#### Order Granting Exemption During Strike Emergency

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of July 1966.

By telegraphic application Southern Airways, Inc. (Southern), requests an immediate emergency exemption pursuant to section 416(b) of the Act and § 302.410 of the Board's rules of practice to permit the carrier to operate flights on a regularly scheduled basis between Huntsville, Ala., and Washington, D.C., via Greenville/Spartanburg, S.C.

Southern asserts that the National Aeronautics and Space Administration has urgently requested this service. Because of the current airline strike, Southern is now the only carrier operating at Huntsville or Greenville/Spartan-

burg. The carrier proposes to start operations with one daily roundtrip using Martin 404 equipment. This frequency may be increased at a later date depending on the demand and availability of equipment and crew.<sup>1</sup>

We will grant the exemption for the period of the strike emergency. The same type of consideration which warranted the broad exemptions authorized by Order E-23928, July 9, 1966, apply here and warrant and specific authority requested.

On the basis of the foregoing, the Board concludes that the enforcement of section 401 and the terms, conditions and limitations of Southern's certificate to the extent that they would otherwise prevent the service authorized herein would be an undue burden on Southern by virtue of the unusual circumstances affecting its operations and it not in the public interest.

Accordingly, it is ordered:

1. That Southern be, and it hereby is, exempted from section 401 of the Act and the terms, conditions, and limitations of its certificate of public convenience and necessity to the extent necessary to permit the carrier to provide service between Huntsville, Ala., and Washington, D.C., via Greenville/Spartanburg, S.C.

2. Services conducted pursuant to the exemption granted herein shall not be subsidized and mail payments therefor, if any, shall be limited to the service mail rate to be paid entirely by the Postmaster General under section 406(c) of the Act.

3. The authority granted herein shall be effective on the date of issuance of this order and shall continue in effect until further order of the Board; and

4. Petitions for review of this order will not stay the effective date of this order.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 66-8252; Filed, July 27, 1966;  
8:47 a.m.]

[Docket No. 16236; Order No. E-23996]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 21st day of July 1966.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic

<sup>1</sup> The carriers authorized to serve the markets involved have been contacted and have advised that they will not object to the granting of the exemption.



Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letter dated July 3, 1966, as set forth in the attachment hereto, (1) names rates under new commodity descriptions, (2) names additional rates under existing commodity descriptions, and (3) cancels rates under existing commodity descriptions. The new rates under the new and existing commodity descriptions reflect reductions ranging from 27.7 to 73.5 percent and are consistent with the present level of specific commodity rates within the applicable area.

While the agreement provides for the cancellation of certain rates under commodity items 2002 and 2102, the agreement also establishes the same rates under item 2199. The commodity description for item 2199 incorporates the description presently applicable separately under items 2002 and 2102. In essence, the canceled rates will remain in effect but under a broader commodity description.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement CAB 18683, R-20 through R-33, be approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 66-8253; Filed, July 27, 1966; 8:47 a.m.]

### CIVIL SERVICE COMMISSION

#### INDUSTRIAL HYGIENE SERIES, ETC.

#### Notice of Adjustment of Minimum Rates and Rate Ranges

1. Under authority of section 504 of the Federal Salary Reform Act of 1962 and Executive Order 11073, the Civil Service Commission has determined

that the minimum rates and rate ranges for occupations for which special rates are currently established will be adjusted as set forth in this notice. Action has been taken to increase certain of the special ranges cited below so that they would continue to bear the same relationship to the new statutory salary schedule that they bore to the old schedule on and after the effective date of the Classification Act and Postal Field Service salary schedules provided in the Federal Employees Salary Act of 1966.

For the following occupations on a worldwide basis:

GS-690 Industrial Hygiene Series.  
All professional series in the GS-800 Engineering and Architectural Group.

The following Science series and Specializations:

GS-1221 Patent Adviser.

- GS-1224 Patent Examining.
- GS-1301.1 Physical Science Subseries.
- GS-1306 Health Physics.
- GS-1310 Physics.
- GS-1313 Geophysics (Seismology).
- GS-1313 Geophysics (Geomagnetics).
- GS-1313 Geophysics (Earth Physics).
- GS-1315 Hydrology.
- GS-1320 Chemistry.
- GS-1321 Metallurgy.
- GS-1330 Astronomy and Space Science.
- GS-1340 Meteorology.
- GS-1360 Oceanography.
- GS-1372 Geodesy.
- GS-1380 Forest Products Technology.
- GS-1386 Photographic Technology.
- GS-1390 Technology, in the following specializations: Aviation Survival Equipment; Industrial Radiography; Packaging and Preservation.
- GS-1510 Actuary.
- GS-1520 Mathematics.
- GS-1529 Mathematical Statistics.

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-5	\$6,387	\$6,563	\$6,739	\$6,915	\$7,091	\$7,267	\$7,443	\$7,619	\$7,795	\$7,971
GS-6	7,055	7,253	7,451	7,649	7,847	8,045	8,243	8,441	8,639	8,837
GS-7	7,729	7,942	8,155	8,368	8,581	8,794	9,007	9,220	9,433	9,646

2. Special rates for Dental Officer (Public Health-Pedodontia), GS-680-14, are being discontinued effective the first pay period that begins after July 28, 1966. When a special rate range for a class of positions is discontinued, the regular statutory rates apply.

3. Special rates not listed will be adjusted in accordance with § 530.307(a) of the Commission's regulations.

4. The new rate ranges will be effective as of the effective date of the Classification Act and Postal Field Service sal-

ary schedules provided in the Federal Employees Salary Act of 1966.

5. The pay of employees on the rolls will be converted in accordance with § 530.307(b) of the Commission's regulations.

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] MARY V. WENZEL,  
Executive Assistant to the Commissioners.

[F.R. Doc. 66-8242; Filed, July 27, 1966; 8:46 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Change List No. 215]

### CANADIAN BROADCAST STATIONS

#### Changes, Proposed Changes and Corrections in Assignments

JULY 8, 1966.

Notification 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 Canadian Broadcast Stations modifying appendix containing assignments of Canadian Stations (Mimeograph No. 47214-3) attached to the recommendation of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
CKVD (now in operation with increased power and change in frequency as notified in List No. 189).	Val D'OR, Province of Quebec.	900 kilocycles 10 kw D/2.5 kw N.	DA-1	U	II	
CHER (now in operation).	Sydney, Nova Scotia.	960 kilocycles 10 kw	DA-1	U	III	
CHRD (PO: 1340 kc. 0.25 kw ND IV).	Drummondville, Province of Quebec.	1180 kilocycles 10 kw	DA-2	U	III	E.I.O. 7-8-67.
(New) (delete assignment-vide: 1510 kcs).	Sherbrooke, Province of Quebec.	1180 kilocycles 10 kw	DA-1	U	III	
(New)	Sherbrooke, Province of Quebec.	1510 kilocycles 10 kw	DA-2	U	II	E.I.O. 7-8-67.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
BEN F. WAPLE,  
Secretary.

[F.R. Doc. 66-8217; Filed, July 27, 1966; 8:45 a.m.]

<sup>1</sup> Filed as part of the original document.



[Docket No. 15011; FCC 66-675]

**AMERICAN TELEPHONE & TELEGRAPH CO.**

**Memorandum Opinion and Order**

In the matter of American Telephone & Telegraph Co., Docket No. 15011; charges, practices, classifications, and regulations for and in connection with Teletypewriter Exchange Service.

1. We have reviewed the findings of fact and conclusions in the Recommended Decision and the exceptions and written submittals concerning such exceptions, with due regard for the fact that, following the close of the record herein, the Commission instituted a general investigation of rates of the Bell System companies for their interstate and foreign communications services (Docket 16258). The purposes of the latter investigation are to determine the overall revenue requirements of Respondents' interstate and foreign communications services and the principles that should apply in the distribution of those revenue requirements among the principal classes of Respondents' services. Because of the pendency of the instant proceeding, the lawfulness of TWX rates was excluded as a specific issue in Docket 16258.

2. We note that the adjustments made by the Recommended Decision on the claimed rate base, which adjustments are supported by the record, would result in a return of 8.99 percent if the proposed rates of Respondents were to be permitted to go into effect on August 1, 1966, as now scheduled. Such return is considerably in excess of the earnings objective set by Respondents according to the record herein. We further note that the rates proposed by Respondents involve very substantial increases over present rates. In fact, Respondents estimated that the proposed rates would result in increases of more than 100 percent in the charges to about 30 percent of all present users. As a consequence, Respondents assumed these users would discontinue their TWX service. In addition, another 45 percent of all users would experience rate increases of up to 100 percent.

3. As we have already noted, we are now engaged in an overall proceeding in Docket No. 16258. The determinations we make in the broader context of that proceeding will address themselves to the proper overall return for Respondents as well as the contribution that the TWX service should make to such overall return. It could, and probably will, affect materially any determination we might now make in the limited context of this proceeding. Under these circumstances, and particularly in the absence of appropriate evidence as to the proper earnings level herein, we are of the opinion that we should not make definitive rulings on this subject here or rule finally on the

numerous exceptions to the recommended decision. Instead, we will defer definitive rulings in this regard until we dispose of these matters in our decision in Docket No. 16258. Accordingly, we will consolidate the proceedings herein with the proceedings in Docket No. 16258.

4. We must now determine what rates Respondents shall be permitted to put into effect during the interim period, that is until we reach our final determination in Docket No. 16258. On the one hand, we cannot, on the basis of the evidence of record herein when considered within the limited context of the proceeding, permit the rates proposed by Respondents to be effective for the interim period, for we cannot make the requisite findings of justness and reasonableness. On the other hand, again within the context of this proceeding, we are of the opinion that the earnings presently realized from TWX service should be adjusted upward by considerable amounts in order that the TWX service shall make a reasonable and adequate contribution to Respondents' revenue requirements during the interim period and not be a burden on other services. After review of the entire matter, we believe that the objective can be achieved if the rates set forth in Attachments A and B herein were to become effective. These rates for the basic TWX service are not inconsistent with the evidence of record and would be acceptable to the Commission for interim application without prejudice to such revisions as may be required or authorized in our final decision in the light of the determinations to be made in Docket No. 16258, with which this proceeding is now being consolidated. It is to be noted that these rates, which we will permit Respondents to make effective on not less than 1 day's notice, while providing revenues of some \$5,000,000 less per year than those proposed by Respondents will, however, increase present earnings substantially. Should Respondents revise their proposed rates on an interim basis, in accordance with the suggestions set forth in Attachments A and B hereof, we would be disposed to delete that part of our order herein of January 28, 1965, which requires Respondents to keep an accounting of the amounts collected by reason of the increased charges proposed by Respondents.

**Conclusion.** 5. On the basis of all of the foregoing, we find and conclude that Respondents have not demonstrated that the increases proposed by them are, or would be, just and reasonable, if permitted to be applied during the interim period until a decision is reached in Docket No. 16258 and that such proposed rates should not be permitted to become effective. We further conclude that the rates set forth in Attachments A and B hereto are warranted and should be per-

mitted to become effective on not less than 1 day's notice. Finally, we conclude that the proceedings herein should be consolidated with the proceedings in Docket No. 16258 and that the hearing order in that Docket should be amended accordingly.

*Accordingly, it is ordered,* This 20th day of July 1966, that the proceedings herein in Docket 15011 are hereby consolidated with the proceedings in Docket 16258, and Issue 3 of our Order of October 27, 1965, in Docket 16258 (FCC 65-959), is amended to read: "Whether the charges for (1) message toll telephone service, (2) WATS, (3) TWX, (4) private line telephone grade service, (5) private line telegraph grade service and (6) all other service, except TELPAK (as to which a separate proceeding is now pending in Docket No. 14251) \* \* \*"; and

*It is further ordered,* That the TWX tariff schedules filed by Respondents to become effective August 1, 1966, insofar as they are applicable to the basic TWX service for which rates are set forth in Attachments A and B hereof, may not become effective and shall be cancelled; and

*It is further ordered,* That Respondents are hereby granted special permission to file tariff schedules on not less than 1 day's notice to the Commission and to the public establishing the TWX rates set forth on Attachments A and B hereof.

Released: July 22, 1966.

FEDERAL COMMUNICATIONS COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,

Secretary.

*Suggested Monthly Charges for Basic TWX Service*

	<i>A month</i>
60 Speed typewritten connection using a 15 type keyboard sending and receiving (KSR) teletypewriter with type bars.....	\$40.00
60 Speed typewritten connection using a 19 type automatic sending and receiving (ASR) teletypewriter with type bars.....	60.00
100 Speed typewritten connection using a 33 type keyboard sending and receiving (KSR) teletypewriter with type wheel.....	45.00
100 Speed typewritten connection using a 33 type automatic sending and receiving (ASR) teletypewriter with type wheel.....	60.00

*Installation and Move Charges for Basic TWX Service*

Initial installation of a basic TWX service.....	\$50.00
Move of basic TWX service to different premises.....	50.00
Move of basic TWX service on same premises.....	25.00

<sup>1</sup> Commissioners Hyde, Chairman; and Lee dissenting; and Commissioner Johnson not participating.



SUGGESTED MONTHLY CHARGES FOR TWX CONNECTIONS

Rate airline miles		Interstate two point connections paid <sup>1</sup> rate or fraction thereof	Interstate conference connections paid <sup>2</sup> the basis of charges is	
Over	Up to and including		Between the two exchanges farthest apart and including one station in each of these exchanges (for initial period of 1 minute) <sup>3</sup>	For each additional station regardless of location
0	50	\$0.20	\$0.30	\$0.20
50	110	.25	.40	.25
110	185	.30	.45	.30
185	280	.35	.55	.35
280	450	.40	.60	.40
450	800	.45	.70	.45
800	1300	.50	.75	.50
1300	2000	.55	.85	.55
2000	-----	.60	.90	.60

<sup>1</sup> For collect calls, add \$0.15 to the total charge on a "Paid" basis.  
<sup>2</sup> On collect calls add \$0.15 to the total conference charge computed on a "Paid" basis.  
<sup>3</sup> Additional period rate per minute is same as initial period rate.

[F.R. Doc. 66-8218; Filed, July 27, 1966; 8:45 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CP67-11]

### ATLANTIC SEABOARD CORP.

#### Notice of Application

JULY 21, 1966.

Take notice that on July 18, 1966, Atlantic Seaboard Corp. (Applicant), 1700 MacCorkle Avenue SE., Charleston, W. Va., filed in Docket No. CP67-11 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to construct and operate certain measuring and related facilities on its 20-inch line in Harford County, Md., for the sale for resale, of natural gas to Baltimore Gas & Electric Co. (Baltimore), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant specifically proposes to construct an additional point of delivery to Baltimore together with a positive displacement meter and gauge and related facilities.

Applicant states that such facilities are necessary in order to allow Baltimore to distribute natural gas in two new suburban areas near Rutledge, Harford County, Md. Applicant alleges that Baltimore will construct the necessary distribution facilities.

Applicant estimates that its natural gas requirements at the new delivery point will be as follows:

	First year	Second year	Third year
Annual (McF).....	4,356	8,712	13,068
Peak day (McF).....	25.2	50.4	75.6

Applicant states that the estimated cost of the proposed facilities will be \$3,050, which will be paid from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in ac-

cordance 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 11, 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. 66-8228; Filed, July 27, 1966; 8:45 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4399]

### ALABAMA POWER CO.

#### Notice of Proposed Issue and Sale

JULY 22, 1966.

Notice is hereby given that Alabama Power Co. ("Alabama"), 600 North 18th Street, Birmingham, Ala. 35202, an exempt holding company and an electric utility subsidiary company of The Southern Co., a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"),

designating sections 6 and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Alabama proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$33,500,000 principal amount of First Mortgage Bonds, \_\_\_\_\_ percent Series due 1996. The interest rate of the new bonds (which will be a multiple of 1/8 of 1 percent) and the price, exclusive of accrued interest, to be paid to Alabama (which will be not less than 99 percent nor more than 102 3/4 percent of the principal amount thereof) will be determined by the competitive bidding. The new bonds will be issued under an Indenture dated as of January 1, 1942, between Alabama and Chemical Bank New York Trust Co., Trustee, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture presently intended to be dated as of the first day of the calendar month in which such new bonds are issued.

Alabama also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 70,000 shares of its cumulative preferred stock, par value \$100 per share. The dividend rate of the new preferred stock (which will be a multiple of 0.04 percent) and the price, exclusive of accrued dividends, to be paid to Alabama (which will be not less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding. The general provisions which apply to Alabama's preferred stocks of all classes which are now or may hereafter be authorized or created are set forth in the joint agreement of merger between Alabama & Birmingham Electric Co. In addition to the terms and conditions therein, Alabama has agreed to the additional terms and conditions applicable to its preferred stocks that were imposed by the order of the Commission dated March 15, 1961, in File No. 70-3941 (Holding Company Act Release No. 14389).

The proceeds from the issue and sale of the new bonds and preferred stock will be applied by Alabama, together with funds available from other sources, to finance its 1966 construction program (presently estimated at \$89,262,000), to reimburse its treasury for the retirement of previously outstanding bonds, to pay outstanding short-term bank loans, and for other corporate purposes.

Alabama proposes to issue and sell, from time to time prior to December 1, 1966, unsecured promissory notes to a group of banks up to an aggregate maximum amount outstanding of about \$35 million. Included within said amount of notes to be outstanding are approximately \$30 million of notes which may be issued pursuant to the 5 percent exemptive provision of section 6(b) of the Act. The notes are to be dated in each case on the date of issue, are to mature not more than 9 months thereafter, are to bear interest at the prime rate (presently 5 1/2 percent per annum) in effect



at the Chemical Bank New York Trust Co. on the date of issue, and may be prepaid in whole or in part without penalty or premium. Alabama states that all of such notes will be paid from the proceeds of the issue and sale of the new bonds and preferred stock. The names of the lending banks and the maximum amount to be borrowed from each are as follows:

The Bank of Abbeville, Ala.....	\$50,000
The First National Bank, Alexander City, Ala.....	50,000
The Anniston National Bank, Anniston, Ala.....	200,000
The Commercial National Bank of Anniston, Ala.....	100,000
The First National Bank of Anniston, Ala.....	275,000
First National Bank of Attalla, Ala.....	50,000
Auburn National Bank of Auburn, Ala.....	75,000
The First National Bank of Auburn, Ala.....	60,000
Baldwin County Bank, Bay Minette, Ala.....	50,000
Birmingham Trust National Bank, Birmingham, Ala.....	1,100,000
Central Bank & Trust Co., Birmingham, Ala.....	275,000
Exchange Security Bank, Birmingham, Ala.....	400,000
The First National Bank of Birmingham, Ala.....	2,500,000
Steiner Bank, Birmingham, Ala.....	60,000
Citizens-Farmers & Merchants Bank, Brewton, Ala.....	60,000
The Commercial National Bank of Demopolis, Ala.....	36,000
Robertson Banking Co., Demopolis, Ala.....	50,000
The Citizens Bank, Enterprise, Ala.....	50,000
Eufaula Bank & Trust Co., Eufaula, Ala.....	50,000
Merchants & Farmers Bank of Greene County, Eutaw, Ala.....	100,000
The Citizens Bank of Fayette, Ala.....	50,000
The First National Bank, Fayette, Ala.....	50,000
Alabama City Bank of Gadsden, Ala.....	50,000
The American National Bank, Gadsden, Ala.....	200,000
State National Bank of Alabama, Gadsden, Ala.....	750,000
The Citizens Bank of Geneva, Ala.....	50,000
The Headland National Bank, Headland, Ala.....	50,000
The First National Bank of Jasper, Ala.....	135,000
Walker County Bank, Jasper, Ala.....	50,000
American National Bank & Trust Co., Mobile, Ala.....	300,000
First National Bank of Mobile, Ala.....	750,000
The Merchants National Bank of Mobile, Ala.....	1,000,000
The Monroe County Bank, Monroeville, Ala.....	54,000
The Alabama National Bank of Montgomery, Ala.....	300,000
The First National Bank of Montgomery, Ala.....	675,000
Union Bank & Trust Co., Montgomery, Ala.....	300,000
The Bank of Ozark, Ala.....	50,000
The Commercial Bank of Ozark, Ala.....	40,000
Bank of Prattville, Ala.....	50,000
Citizens Bank & Trust Co., Selma, Ala.....	50,000

The City National Bank of Selma, Ala.....	100,000
The Peoples Bank & Trust Co., Selma, Ala.....	110,000
The Selma National Bank, Selma, Ala.....	200,000
The First National Bank in Sylacauga, Ala.....	50,000
The Isbell National Bank, Talladega, Ala.....	60,000
The Talladega National Bank, Talladega, Ala.....	60,000
The City National Bank, Tuscaloosa, Ala.....	200,000
The First National Bank of Tuscaloosa, Ala.....	280,000
Chemical Bank New York Trust Co., New York, N.Y.....	19,400,000
Irving Trust Co., New York, N.Y.....	2,300,000
Morgan Guaranty Trust Co., New York, N.Y.....	1,000,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.....	650,000
	34,955,000

The issuance and sale of the new bonds and preferred stock have been expressly authorized by the Alabama Public Service Commission, the State commission of the State in which Alabama is organized and doing business. The application-declaration states that no other State commission and that no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Estimates of fees and expenses to be incurred in connection with the proposed transactions are to be filed by further amendment.

Notice is further given that any interested person may, not later than August 15, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the amended application-declaration, as filed or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 66-8241; Filed, July 27, 1966;  
8:46 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

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 regulation on employment of full-time students (29 CFR Part 519), the Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the statutory minimum of \$1.25 an hour.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is less, in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

Alexander's Food Market, Inc., food store; 904 West Seventh Street, Clovis, N. Mex.; 7-8-66 to 7-7-67.

Bill Crook's Food Town, food store; No. 1, Nashville, Tenn.; 7-1-66 to 6-30-67.

Bischoff's Food Center, food store; 2940 Sylvania Avenue, Toledo, Ohio; 6-22-66 to 6-21-67.

W. T. Grant Co., variety stores; No. 847, Reseda, Calif. (6-27-66 to 6-26-67); No. 494, Leominster, Mass. (6-16-66 to 6-15-67); No. 445, Columbus, Ohio (6-20-66 to 6-19-67).

Kline's Department Store, department store; 14 East Front Street, Monroe, Mich.; 6-27-66 to 6-26-67.

S. S. Kresge Co., variety stores; No. 4600, Chicago, Ill. (6-3-66 to 6-2-67); No. 244, Atchison, Kans. (6-10-66 to 6-9-67); No. 610, Mount Rainier, Md. (6-27-66 to 6-26-67); No. 659, Detroit, Mich. (6-24-66 to 6-23-67); No. 689, Grandview, Mo. (6-20-66 to 6-19-67); No. 249, Joplin, Mo. (6-27-66 to 6-26-67); No. 451, Springfield, Mo. (7-14-66 to 7-13-67); No. 231, Fargo, N. Dak. (6-27-66 to 6-26-67); No. 4559, La Crosse, Wis. (6-23-66 to 6-22-67).

S. H. Kress and Co., variety store; 300 South Main Street, Anderson, S.C.; 6-1-66 to 5-31-67.

Moser's Super Market, food store; No. 1, Lebanon, Tenn.; 6-27-66 to 6-26-67.

R & G Market, food store; 523 South 17th Street, Manhattan, Kans.; 6-14-66 to 6-13-67.

Rhea's, Inc., bakery store; 441 Market Street, Pittsburgh, Pa.; 7-7-66 to 6-9-67.

T.G. & Y. Stores Co., variety store; No. 153, Minden, La.; 6-27-66 to 6-26-67.



The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum of \$1.25 an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Amato Foodland, food store; Shelby, Ohio; bagger, checker, stock clerk; 10 percent for each month; 6-27-66 to 6-26-67.

W. T. Grant Co., variety stores: No. 936, Forest Park, Ga. (sales clerk, between 1.0 percent and 10 percent, 7-14-66 to 7-13-67); No. 997, Mundelein, Ill. (sales clerk, stock clerk, cashier, between 2.3 percent and 10 percent, 6-27-66 to 6-26-67); No. 958 Bristol, Tenn. (sales clerk, cashier, between 6.3 percent and 10 percent, 9-3-66 to 9-2-67); No. 1159, Madison, Wis. (sales clerk, stock clerk, office clerk, cashier, between 8.3 percent and 10 percent, 6-24-66 to 6-23-67).

H. E. B. Food Store, food stores for the occupations of package boy, bottle boy, sacker: No. 110, Georgetown, Tex. (10 percent for each month, 6-17-66 to 6-16-67); No. 109, Marble Falls, Tex. (10 percent for each month, 6-17-66 to 6-16-67).

S. S. Kresge Co., variety stores for the occupation of sales clerk: No. 4138, Atlanta, Ga. (between 3.5 percent and 10 percent, 7-7-66 to 7-6-67); No. 585, Lincoln, Neb. (between 3.2 percent and 10 percent, 6-17-66 to 6-16-67); No. 72, St. Louis, Mo. (10 percent for each month, 6-29-66 to 6-28-67).

Lenoir Crest 5-10-25<sup>+</sup> Stores Co., variety store; Lenoir, N.C.; sales clerk, stock clerk; 10 percent for each month; 7-14-66 to 7-13-67.

Lincolnton Crest 5-10-25<sup>+</sup> Stores Co., variety store; Lincolnton, N.C.; sales clerk, stock clerk; 10 percent for each month; 7-14-66 to 7-13-67.

McCrorry-McLellan-Green Store, variety stores for the occupations of sales clerk, stock clerk, office clerical: No. 396, Punta Gorda, Fla. (between 8.0 percent and 10 percent, 7-13-66 to 7-12-67); No. 397, Kutztown, Pa. (10 percent for each month, 6-27-66 to 6-26-67).

Moser's Super Market, food store; No. 2, Lebanon, Tenn.; carry-out boy, stock clerk; between 9.2 percent and 10 percent; 6-27-66 to 6-26-67.

G. C. Murphy Co., variety store; No. 299, Nashville, Tenn.; sales clerk, stock clerk, office clerical, janitor; between 4.7 percent and 10 percent; 7-1-66 to 6-30-67.

Neisner Bros., Inc., variety store; No. 61, San Antonio, Tex.; sales clerk, stock clerk, office clerical; 10 percent for each month; 7-20-66 to 7-19-67.

Pence Food Center, food store; Highway 169 North, Humboldt, Kans.; sacker, carryout boy, stock clerk, janitor, checker; between 8 percent and 10 percent; 6-20-66 to 6-19-67.

T.G. & Y. Stores Co., variety store; No. 87, Oklahoma City, Okla.; office clerical, sales clerk, stock clerk; 10 percent for each month; 7-2-66 to 7-1-67.

The following certificate was issued under paragraph (k) of § 519.6 of 29 CFR Part 519, for the occupations, ratio of full-time student hours below \$1.25 an hour to total hours of employment of all

employees, and certificate minimum as indicated.

Zukors of Lloyd Center, Inc., apparel store; 1232 Lloyd Center, Portland, Oreg. (office clerk, stock clerk, customer service, cashier, between 7.6 percent and 10 percent, \$1.21 per hour, 7-11-66 to 1-31-67).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 22d day of July 1966.

ROBERT G. GRONEWALD,  
Authorized Representative of  
the Administrator.

[F.R. Doc. 66-8239; Filed, July 27, 1966;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 949]

### MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

JULY 22, 1966.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by

<sup>1</sup> Copies of Special Rule 1.247 (as amended), can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 263 (Sub-No. 171), filed July 7, 1966. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Maurice H. Greene, 334 First Security Bank Building, Boise, Idaho 83702. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber, from Salmon, North Fork, Challis, Emmett, Boise, McCall, and Payette, Idaho, to points in Colorado. NOTE: Applicant states it proposes to tack at North Fork, Idaho, in connection with authorized regular authority covering points in western Montana. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 531 (Sub-No. 216), filed July 13, 1966. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petrola-



tum, in bulk, in tank vehicles, from the plantsite of Witco Chemical Co., Gretna, La., to Dyersburg, Tenn. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 1187 (Sub-No. 28), filed July 7, 1966. Applicant: CUSHMAN MOTOR DELIVERY COMPANY, a corporation, 1480 West Kinzie Street, Chicago, Ill. 60622. Applicant's representative: David Axelrod, 39 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except commodities in bulk, serving the plantsite of Senco Products, Inc., located approximately 2 miles east and north of Newtown (Hamilton County), Ohio, as an off-route point in connection with applicant's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 4687 (Sub-No. 4), filed July 7, 1966. Applicant: BURGESS & COOK, INC., 21 North Second Street, Fernandina Beach, Fla. 32304. Applicant's representative: Dan R. Schwartz, 1730 American Heritage Life Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pulp and paper products*, from points in Nassau County, Fla., to points in Alabama on and south of U.S. Highway 80 (except Montgomery, Ala., and points within its commercial zone), Georgia and South Carolina, restricted to shipments originating in Nassau County, Fla., and destined for delivery at points in the destination territory above-described, and (2) *pulp and paper products*, from Brewton, Ala., and Doctortown, Ga., to points in Nassau County, Fla. NOTE: Applicant does not intend to join or tack the authority sought in (1) above. It does intend to join or tack the authority sought in (2) above. The point or points where the physical operation will connect is any point in Nassau County, Fla., located on applicant's existing regular routes. The territory that will be served through such joinder are those points in Duvall County, Fla., located on said regular routes. Applicant states that it does not seek authority to transport commodities in bulk. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Jacksonville, Fla.

No. MC 9269 (Sub-No. 12), filed June 30, 1966. Applicant: BEST WAY MOTOR FREIGHT, INC., 1765 Sixth Avenue South, Seattle, Wash. 98134. Applicant's representative: William J. Dahl (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment). Regular routes: (1) Between Seattle, Wash., and Spokane, Wash., from Seattle over U.S. Highway 10 to Spokane (also from Burke, Wash., over Washington High-

way 281 to junction Washington Highway 28 at Quincy, Wash., thence over Washington Highway 28 to junction U.S. Highway 2, thence over U.S. Highway 2 to Spokane) (also from junction Washington Highways 17 and 28, over Washington Highway 17 to junction U.S. Highway 2 near Coulee City, Wash., thence over U.S. Highway 2 to Spokane) and (2) between Puyallup, Wash., and Renton, Wash., from Puyallup over Washington Highway 163 to junction Washington Highway 167, thence over Washington Highway 167 to Renton, and return over the same routes, serving all intermediate points in connection with (1) and (2) above.

Irregular routes: (1) Between Seattle, Tacoma, and Everett, Wash., on the one hand, and, on the other, points in the Columbia Basin which are located in Franklin, Grant, Lincoln, Adams, and Benton Counties, Wash., (2) from Spokane, Wash., to points in the Columbia Basin which are located in Franklin, Grant, Lincoln, Adams, and Benton Counties, Wash., and (3) between points in Pierce County, Wash., located on U.S. Highway 99 on the one hand, and, on the other, points in that part of Washington east of the summit of the Cascade Mountains. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle or Spokane, Wash.

No. MC 10207 (Sub-No. 13), filed July 7, 1966. Applicant: McCLAIN DRAY LINE, INC., 404 Railroad Avenue, Marion, Ind. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, Ohio, Kentucky, and Keokuk, Fort Madison, Burlington, Muscatine, Davenport, Bettendorf, Clinton, and Dubuque, Iowa, and Huntington, Charleston, Parkersburg, Wheeling, and Moundsville, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 10875 (Sub-No. 24), filed July 11, 1966. Applicant: BRANCH MOTOR EXPRESS COMPANY, a corporation, 114 Fifth Avenue, New York, N.Y. 10011. Applicant's representative: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between York, Pa., and Elmira, N.Y., as an alternate route for operating convenience only, in connection with carrier's presently authorized regular route operations, serving no intermediate points; from York over Interstate Highway 83 to Lemoyne, Pa., thence over city streets to U.S. Highway

15, thence over U.S. Highway 15 to junction Pennsylvania Highway 14 (at Trout Run, Pa.), thence over Pennsylvania Highway 14 and New York Highway 14 to Elmira, N.Y., and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 10875 (Sub-No. 25), filed July 11, 1966. Applicant: BRANCH MOTOR EXPRESS COMPANY, a corporation, 114 Fifth Avenue, New York, N.Y. 10011. Applicant's representative: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Lancaster, Pa., and junction Walnut and Front Streets near Lemoyne, Pa., as an alternate route for operating convenience only, in connection with carrier's presently authorized regular route operations, serving no intermediate points and serving junction Walnut and Front Streets for the purpose of joinder with carrier's present authority; from Lancaster, Pa., over U.S. Highway 230 to Harrisburg, Pa., thence across the Susquehanna River to junction Walnut and Front Streets (near Lemoyne, Pa.), and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 10875 (Sub-No. 26), filed July 11, 1966. Applicant: BRANCH MOTOR EXPRESS COMPANY, a corporation, 114 Fifth Avenue, New York, N.Y. 10011. Applicant's representative: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Lancaster, Pa., and Elmira, N.Y., as an alternate route for operating convenience only, in connection with carrier's presently authorized regular route operations, serving no intermediate points; from Lancaster over U.S. Highway 230 to Harrisburg, Pa., thence across the Susquehanna River to U.S. Highway 15, thence over U.S. Highway 15 to junction Pennsylvania Highway 14 (at Trout Run, Pa.), thence over Pennsylvania Highway 14 and New York Highway 14 to Elmira, N.Y., and return over the same route. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 11220 (Sub-No. 107), filed July 12, 1966. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. 38102. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. Authority sought to op-



erate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except livestock, dangerous explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Pelham, Ala., as an off-route point in connection with applicant's presently authorized regular route authority from and to Birmingham, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, or Montgomery, Ala.

No. MC 14295 (Sub-No. 7), filed July 13, 1966. Applicant: D. G. & U. TRUCK LINES, INC., 1215 West Mound Street, Columbus, Ohio 43223. Applicant's representative: William E. Rance, 1200 West Fifth Avenue, Columbus, Ohio 43223. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from junction Ohio Highway 49 and Interstate Highway 70, over Interstate Highway 70 to junction Indiana Highway 121, and return over the same route, serving no intermediate points, and as an alternate route for operating convenience only, in connection with applicant's presently authorized regular route operations between Dayton, Ohio, and Muncie, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 14552 (Sub-No. 23), filed July 11, 1966. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal, Youngstown, Ohio. Applicant's representative: Paul F. Berry, 100 East Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel products, and steel mill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Hawaii and Alaska). NOTE: Applicant holds contract carrier authority under MC 123991 and MC 123991 Sub 4, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 20729 (Sub-No. 7), filed July 8, 1966. Applicant: FREDDIE AHRENSTORFF, doing business as AHRENSTORFF TRANSFER, Lake Park, Iowa 51347. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, urea, acids and chemicals*, from points in Woodbury County, Iowa, to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, or Des Moines, Iowa.

No. MC 22995 (Sub-No. 4), filed July 8, 1966. Applicant: PEETERS TRANSPORTATION CO., INC., 1425 Donner Avenue, San Francisco, Calif. 94124. Applicant's representative: Marvin Handler, 405 Montgomery Street, Suite 1401, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between San Francisco, Calif., on the one hand, and, on the other, points in Santa Barbara, San Luis Obispo, Santa Clara, Sacramento, Fresno, Placer, Tulare, Santa Cruz, Monterey, and San Joaquin Counties, Calif. NOTE: Applicant states it intends to tack at San Francisco commercial zone for points within 50 miles of San Francisco, and Lodi, Calif., for points within 25 miles of Lodi. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 29840 (Sub-No. 1), filed July 12, 1966. Applicant: TRI STATE MOTOR EXPRESS, INC., 2510 North 11th Street, Omaha, Nebr. Applicant's representative: Grant J. Merritt, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between Omaha, Nebr., and Sioux City, Iowa, over U.S. Highway 73, as an alternate route for operating convenience only, serving no intermediate points and (2) between Sioux City, Iowa, and Omaha, Nebr., over U.S. Highways 75 and alternate 30, as an alternate route for operating convenience only, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 31220 (Sub-No. 23), filed July 13, 1966. Applicant: DANIELS MOTOR FREIGHT, INC., Niles Avenue Extension, Warren, Ohio. Applicant's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives and household goods, as defined by the Commission), between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 31321 (Sub-No. 7) (Amendment), filed May 19, 1966, published FEDERAL REGISTER issue of June 16, 1966, amended July 5, 1966, and republished as amended this issue. Applicant: SOUTHWESTERN TRANSFER COMPANY, INC., 1730 Bassett Avenue, Post Office Box 1161, El Paso, Tex. Applicant's representative: Joe G. Fender, 2033 Norfolk Street, Houston, Tex.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (other than oilfield and pipeline commodities as defined by the Commission in No. MC-74595, Sub 15, T. E. Mercer and G. E. Mercer Extension—Oilfield Commodities, 74 M.C.C. 459), between Pueblo and Minnequa, Colo., on the one hand, and, on the other, points in Arizona, California, Utah, Texas, New Mexico, Nevada, Oklahoma, Kansas, Nebraska, and Colorado. NOTE: The purpose of this republication is to re-describe the commodity description. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 34689 (Sub-No. 8), filed July 11, 1966. Applicant: H. MAYNARD GOULD CO., a trust, Union Street, East Walpole, Mass. 02081. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper, paper products, roofing, floor covering, wallboard, fiberboard, and materials and supplies used in the installation thereof*, from Walpole and Norwood, Mass., to Boston, Mass., and points in Connecticut, Rhode Island, Vermont, New Hampshire, and those in Saratoga, Rensselaer, Washington, Albany, Schenectady, Columbia, Dutchess, Putnam, Westchester, Greene, Ulster, and Orange Counties, N.Y.; (2) *paper felt*, from Phillipsdale, R.I., to points in Massachusetts; (3) *paper felt*, from Phillipsdale, R.I., to New London, Conn.; (4) *felt base floor covering*, from New London, Conn., to Walpole and Norwood, Mass.; (5) *roll paper felt*, from Phillipsdale, R.I., to Salem, N.J.; (6) *rolls of unfinished floor covering*, from Salem, N.J., to Norwood, Mass.; (7) *metal cores*, (a) from Salem, N.J., to Phillipsdale, R.I.; and (b) from Norwood, Mass., to Salem, N.J.; (8) *roofing, and materials and supplies* (except commodities in bulk, in tank vehicles) used in the installation thereof, from Phillipsdale, R.I., to points in Saratoga, Rensselaer, Washington, Albany, Schenectady, Columbia, Dutchess, Putnam, Westchester, Greene, Ulster, and Orange Counties, N.Y., and points in Connecticut, Massachusetts, Vermont, and New Hampshire; (9) *plastic flower pots, peat flower pots, and siding*.

(a) From Norwood and Walpole, Mass., to points in York, Cumberland, Oxford, Androscoggin, Sagadahoc, Franklin, Kennebec, Waldo, Lincoln, Knox, Penobscot, Hancock, and Somerset Counties, Maine; Saratoga, Rensselaer, Washington, Albany, Schenectady, Columbia, Dutchess, Putnam, Westchester, Greene, Ulster, and Orange Counties, N.Y.; and Connecticut, New Hampshire, Rhode Island, and Vermont; and (b) from Phillipsdale, R.I., to points in York, Cumberland, Oxford, Androscoggin, Sagadahoc, Franklin, Kennebec, Waldo, Lincoln, Knox, Penobscot, Hancock, and Somerset Counties, Maine; Saratoga, Rensselaer, Washington, Albany, Schenectady, Columbia, Dutchess, Putnam, Westchester, Greene, Ulster,



and Orange Counties, N.Y., and Connecticut, Massachusetts, New Hampshire and Vermont; (10) *paper, paper products, roofing, floor covering, wallboard, fiberboard, and materials and supplies* (except commodities in bulk, in tank vehicles) used in the installation thereof, from Norwood and Walpole, Mass., to points in York, Cumberland, Oxford, Androscoggin, Sagadahoc, Franklin, Kennebec, Waldo, Lincoln, Knox, Penobscot, Hancock, and Somerset Counties, Maine; (11) *roofing, and materials and supplies* (except commodities in bulk, in tank vehicles) used in the installation thereof, from Phillipsdale, R.I., to points in York, Cumberland, Oxford, Androscoggin, Sagadahoc, Franklin, Kennebec, Waldo, Lincoln, Knox, Penobscot, Hancock, and Somerset Counties, Maine; and (12) *paper products, waste paper, and plastic flower pots*, from Waterville, Maine, to Norwood and Walpole, Mass., and Phillipsdale, R.I. **NOTE:** Applicant is presently conducting operations as a contract carrier in permit No. MC 43251 and subs thereunder. The purpose of this application is to eliminate applicant's dual operations pursuant to order of Commission, Docket No. MC 43251 (Sub-No. 12), served April 29, 1966. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 34689 (Sub-No. 9), filed July 11, 1966. Applicant: H. MAYNARD GOULD CO., a trust, Union Street, East Walpole, Mass. 02081. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Boston, Mass., and Providence, R.I.: (1) From Boston over U.S. Highway 1 to Providence; (2) from Boston over Massachusetts Highway 1A to junction U.S. Highway 1, and thence over U.S. Highway 1 to Providence; (3) from Boston over Massachusetts Highway 1A to junction Massachusetts Highway 121 (formerly Massachusetts Highway 11), thence over Massachusetts Highway 121 to the Massachusetts-Rhode Island State line, thence over Rhode Island Highway 121 (formerly Rhode Island Highway 11) to junction Rhode Island Highway 114 (formerly Rhode Island Highway 11), thence over Rhode Island Highway 114 to Woonsocket, R.I., and thence over Rhode Island Highway 122 to Providence; (4) from Boston over Massachusetts Highway 1A to Walpole, Mass., thence over unnumbered highway via South Walpole, Mass., to junction U.S. Highway 1, and thence over U.S. Highway 1 to Providence; and (5) from Boston to Walpole, as specified above, thence over Massachusetts Highway 27 to junction U.S. Highway 1, and thence over U.S. Highway 1 to Providence; and return over the same routes, serving all intermediate points, and the off-route points of Franklin, Norfolk, and Fox-

boro, Mass.; Slatersville, R.I.; points within 10 miles of Boston, and points within 15 miles of Providence. **NOTE:** Applicant is presently conducting operations as a contract carrier in permit No. MC 43251 and subs thereunder. The purpose of this application is to eliminate applicant's dual operations pursuant to order of Commission, Docket No. MC 43251 (Sub-No. 12), served April 29, 1966. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 36536 (Sub-No. 18), filed July 12, 1966. Applicant: FAB TRANSPORTATION, INC., 15 Warren Street, Jersey City, N.J. 07302. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y. 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Port Newark and Weehauken, N.J., and New York, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, New Jersey, Pennsylvania, Rhode Island, Vermont, and Virginia. **NOTE:** Applicant states it is not seeking duplicate authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 37490 (Sub-No. 5), filed July 5, 1966. Applicant: KENNETH G. DUNCAN, WILLIAM J. DUNCAN, AND LLOYD G. DUNCAN, a partnership, doing business as DUNCAN TRUCK SERVICE, Flandreau, S. Dak. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Regular routes: General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, as an off-route point in connection with applicant's regular route operations. *Irregular routes:* (1) *Binder twine*, from the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, to Dell Rapids, Egan, White, Brookings, Bruce, Baltic, Clear Lake, Colman, De Smet, Elkton, Lake Preston, Madison, Mitchell, Salem, Sioux Falls, Toronto, Wessington Springs, and Wentworth, S. Dak., and (2) *seeds*, between the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction

Minnesota Highways 49 and 55, on the one hand, and, on the other, points in South Dakota in an area bounded by U.S. Highway 212 on the north, U.S. Highway 81 on the west, and U.S. Highway 14 on the south, and the South Dakota-Minnesota State line on the east, including points on the indicated portions of the highways specified. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 45764 (Sub-No. 12), filed July 13, 1966. Applicant: MAURICE ROBBINS, doing business as ROBBINS MOTOR TRANSPORTATION, Industrial Highway and Saville Avenue, Eddystone, Pa. 19029. Applicant's representative: Alan I. Roberts, Post Office Box 38, Essington, Pa. 19029. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel pipe* exceeding 8 inches outside diameter, from the plantsite of Raymond Metal Products Co., Northpoint Boulevard and Wise Avenue, Sparrows Point, Md., to points in Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, North Carolina, Florida, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Baltimore, Md., or Philadelphia, Pa.

No. MC 48958 (Sub-No. 95), filed July 7, 1966. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Robert W. Wright, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, intoxicating liquors, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Logan, N. Mex., and Chicago, Ill.; (1) From Logan, N. Mex., over U.S. Highway 54 to junction Interstate Highway 35 (near Wichita, Kans.), thence over Interstate Highway 35 to junction Interstate Highway 70 (near Topeka, Kans.), thence over Interstate Highway 70 to Kansas City, Mo., thence over U.S. Highway 69 to Cameron, Mo., thence over U.S. Highway 36 to Springfield, Ill., thence over U.S. Highway 66 (Interstate Highway 55) to Chicago, Ill., (2) from Logan, N. Mex., over U.S. Highway 54 to junction Interstate Highway 35, thence over Interstate Highway 35 to junction U.S. Highway 36 (near Cameron, Mo.), thence over U.S. Highway 36 to Springfield, Ill., thence over U.S. Highway 66 (Interstate Highway 55), to Chicago, Ill., and (3) from Logan, N. Mex., over U.S. Highway 54 to Springfield, Ill., thence over U.S. Highway 66 (Interstate Highway 55), to Chicago, Ill., and return over the same



route, serving no intermediate points and as alternate routes for operating convenience only, in (1), (2), and (3) above, in connection with applicant's authorized regular route authority. **NOTE:** Applicant states it cannot serve any point on U.S. Highway 66 in Illinois, therefore, alternate route must begin or end at Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo., Amarillo, Tex., or Chicago, Ill.

No. MC 49661 (Sub-No. 1), filed July 8, 1966. Applicant: CINQUE TRUCKING COMPANY, INCORPORATED, 509 Laurel Street, East Haven, Conn. 06512. Applicant's representative: Sidney L. Goldstein, 109 Church Street, New Haven, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coke*, foundry; domestic and industrial, in bulk, in dump vehicles, from New Haven, Conn., to Cranston, Cumberland, Georgiaville, Johnston, Pascoag, Providence, River Point, Warren, Woonsocket, and Warwick, R.I., Chicopee, Westfield, Springfield, and Indian Orchard, Mass. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn., or New York, N.Y.

No. MC 52139 (Sub-No. 7), filed July 11, 1966. Applicant: CHICAGO, MICHIGAN & EASTERN FREIGHT LINES, INC., 9625 South Colfax Avenue, Chicago, Ill. Applicant's representative: Ferdinand Born, 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, and commodities in bulk, in tank vehicles), between points in Putnam County, Ill., on the one hand, and, on the other, points in Indiana, the Lower Peninsula of Michigan, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52964 (Sub-No. 11), filed July 8, 1966. Applicant: EUGENE PIKOVSKY, doing business as FREIGHT TRANSIT CO., 2690 Prior Avenue North, St. Paul, Minn. 55113. Applicant's representative: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting—Regular routes: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of a terminal proposed to be constructed by Spector Freight Systems, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, as an off-route point in connection with applicant's regular route operations. Irregu-

lar routes: (1) *General commodities* (except those of unusual value, classes A and B explosives (household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, on the one hand, and, on the other, points in Iowa, restricted against service over irregular routes to those points in Iowa on U.S. Highway 218 between Charles City and Keokuk; those on U.S. Highway 34 between Mount Pleasant and Burlington; and those on U.S. Highway 61 between Burlington and Keokuk, and (2) *animal and poultry feed ingredients*, from the site of the Allied Chemical & Dye Corp. plant near La Platte, Nebr., to the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55. **NOTE:** If a hearing is deemed necessary, applicant does not specify a location.

No. MC 61403 (Sub-No. 158), filed July 11, 1966. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox, Eastman Road, Kingsport, Tenn. 37662, and W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium thiocyanate liquor*, in bulk, in tank vehicles, from Le Moyne, Ala., to points in Ohio, Iowa, Illinois, Missouri, Indiana, and West Virginia, except points in Kanawha County, W. Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61440 (Sub-No. 103), filed July 7, 1966. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. 73108. Applicant's representative: Richard H. Champlin, Post Office Box 82488, Oklahoma City, Okla. 73108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Amarillo, Tex., and Los Angeles, Calif.; from Amarillo over U.S. Highway 66 (Interstate Highways 40 and 15) to Los Angeles, (2) between Amarillo, Tex., and Prescott, Ariz.; from Amarillo over U.S. Highway 66 (Interstate Highway 40) to junction U.S. Highway 89 at or near Ash Fork, Ariz., and thence over U.S. Highway 89 to Prescott, (3) between Amarillo and El Paso, Tex.; from Amarillo over U.S. Highway 60 to junction U.S. Highway 70 at or near Clovis, N. Mex., thence over U.S. Highway 70 to Alamogordo, N. Mex., and thence over U.S. Highway 54 to El Paso, and (4) between Amarillo,

Tex. and Phoenix, Ariz.; from Amarillo over U.S. Highway 66 (Interstate Highway 40) to Santa Rosa, N. Mex., thence over U.S. Highway 54 to junction U.S. Highway 60 at or near Vaughn, N. Mex., and thence over U.S. Highway 60 to Phoenix, and return over the same routes, serving no intermediate points as alternate routes for operating convenience only in connection with applicant's authorized regular-route operations between Oklahoma City, Okla., and Los Angeles, Calif. **NOTE:** Applicant states the proposed routes set forth above will be restricted against traffic originating at or destined to Amarillo, Tex., on the one hand, and, on the other, Los Angeles, Calif., El Paso, Tex., and Phoenix, Ariz. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 61825 (Sub-No. 29), filed July 7, 1966. Applicant: ROY STONE TRANSFER CORPORATION, V.C. Drive, Collinsville, Va. 24078. Applicant's representative: J. C. Wilson, Post Office Box 385, Collinsville, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool and mineral wool products*, from points in Wood County, W. Va., to points in Georgia, South Carolina, and Tennessee, and *damaged, rejected and returned shipments*, on return. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 76177 (Sub-No. 307), filed July 11, 1966. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, blasting materials, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plantsites of the MacMillan-Bloedel United, Inc., and Harmac Alabama, Inc., located on the Alabama River approximately 8 miles from Camden, Ala., as off-route points in connection with its regular route operations between Selma, Ala., and Mobile, Ala. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 78947 (Sub-No. 7), filed July 11, 1966. Applicant: ELLIOTT BROS. TRUCK LINE, INC., Dysart, Iowa. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, between points in Putnam County, Ill., on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Minnesota, Missouri, Ne-



braska, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 79619 (Sub-No. 3), filed July 8, 1966. Applicant: ALLEN M. GALLO-WAY, doing business as EAGLE EXPRESS, 828 Garland, Kansas City, Mo. Applicant's representatives: Carl V. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106, and L. L. Knipmeyer, 2804 Power & Light Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting—Regular routes: *General commodities* (except classes A and B explosives, and commodities injurious or contaminating to other lading), (1) between points in the Kansas City, Mo.-Kans., commercial zone, as defined by the Commission, and, Grant City, Mo., over U.S. Highway 169, and return over the same route, serving the intermediate points of Avenue City, Rochester, Union Star, King City, Stanberry, Carmack, Gentry, and Worth, Mo., and the off-route points of Allendale, Sheridan, Denver, Albany, and Ford City, Mo.; (2) between points in the St. Joseph, Mo., commercial zone, as defined by the Commission, and, Grant City, Mo., over U.S. Highway 169, and return over the same route, serving the intermediate points of Avenue City, Rochester, Union Star, King City, Stanberry, Carmack, Gentry, and Worth, Mo., and the off-route points of Allendale, Sheridan, Denver, Albany, and Ford City, Mo.; and (3) between junction U.S. Highway 169 and Missouri Highway 31 near Gower, Mo., and junction Missouri Highway 31 and U.S. Highway 169 east of Union Star, Mo., over Missouri Highway 31, and return over the same route, serving no intermediate or off-route points, as an alternate route for operating convenience only. Irregular routes: (1) *General commodities*, as specified above, between Albany, Worth, Carmack, Gentry, Denver, Grant City, and Allendale, Mo., on the one hand, and, on the other, points in Missouri; (2) *Household goods*, as defined by the Commission, between points in Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 82079 (Sub-No. 12), filed July 11, 1966. Applicant: KELLER TRANSFER LINE, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49502. Applicant's representative: J. M. Neath, Jr., 900 One Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk flour*, (1) from Fort Wayne, Ind., to points in Michigan, (2) from Hillsdale, Mich., to Canton, Ohio, and (3) from Quincy and Lowell, Mich., to Chicago, Ill., and points in its commercial zone. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Fort Wayne, Ind.

No. MC 84993 (Sub-No. 3), filed July 11, 1966. Applicant: PERILLO'S EXPRESS, INC., 33 Marion Avenue, New Providence, N.J. 07974. Applicant's repre-

sentative: Charles J. Williams, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules*, except shipments in bulk, between New Castle, Del., and Berkeley Heights, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

No. MC 87107 (Sub-No. 3), filed July 5, 1966. Applicant: KELLEHER & FLAHERTY, INC., 100 Summer Street, Worcester, Mass. 01605. Applicant's representative: Arthur A. Wentzell, Post Office Box 720, Worcester, Mass. 01601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Regular routes: To be specified at the hearing, (1) between Worcester and Sturbridge (Fiskdale), Mass., passing through Auburn, Oxford, Charlton, and Southbridge, (2) between a point at the Massachusetts-Connecticut State line at Southbridge and Boston Mass., passing through Southbridge, Dudley, Webster, Oxford, Auburn, Worcester, Millbury, Shrewsbury, Northboro, Westboro, Southboro, Framingham, Natick, Wellesley, Newton, and Brookline, Mass., and (3) between Worcester, Mass., and a point at the Massachusetts-Connecticut State line at Dudley, passing through Auburn, Oxford, Charlton, Sturbridge, Southbridge, and Dudley, Mass. Irregular routes: Between points in Massachusetts. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston or Springfield, Mass.

No. MC 95876 (Sub-No. 51) (Clarification), filed May 2, 1966, published in FEDERAL REGISTER issue of May 19, 1966, and republished as clarified this issue. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, and fiberboard*, from points in Washington, Oregon, Idaho, Montana, and California, to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: The purpose of this republication is to name all the destination States. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg., or Seattle, Wash.

No. MC 95876 (Sub-No. 52), filed July 8, 1966. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Putnam County, Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin. NOTE: Applicant states no duplicating authority sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 99467 (Sub-No. 3), filed July 5, 1966. Applicant: MID-SOUTH TRANSPORTS, INC., 109 West McLemore, Post Office Box 2854, Desoto Station, Memphis, Tenn. Applicant's representative: Dale Woodall, 150 East Court Avenue, Post Office Box 123, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods, commodities in bulk, and those requiring special equipment), serving Scotts Hill and Sardis, Tenn., as off-route points in connection with applicant's previously authorized regular route operations between Memphis and Nashville, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 100666 (Sub-No. 83), filed July 11, 1966. Applicant: MELTON TRUCK LINES, INC., Box 7295, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition boards and parts, materials, supplies and accessories* incidental thereto, from the plantsite of The Celotex Corp., at Marrero, La., to points in Arkansas, Oklahoma, Kansas, and Missouri (except Kansas City and St. Louis, Mo.). NOTE: Applicant states that it could tack proposed authority with presently held authority (Sub-No. 67), in which it is authorized to operate in the States of Oklahoma, Texas, Kansas, New Mexico, Colorado, Missouri, Arkansas, and Louisiana. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., Shreveport, La., or Oklahoma City, Okla.

No. MC 102295 (Sub-No. 10), filed July 11, 1966. Applicant: GUY HEAVENER, INC., Harleysville, Pa. Applicant's representative: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag*, from Philadelphia, Pa., to points in Maryland, Delaware, New Jersey, New York, and the District of Columbia. NOTE: If a hearing is deemed necessary,



applicant requests it be held at Philadelphia, Pa.

No. MC 106298 (Sub-No. 7), filed July 8, 1966. Applicant: BEN BLINDER, doing business as TRI-STATE TRANSPORTATION CO., 2690 Prior Avenue North, St. Paul, Minn. 55113. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting—Regular routes: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, as an off-route point in connection with applicant's regular route operations. Irregular routes: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Minneapolis, St. Paul, South St. Paul, Inver Grove, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron Lake, Fort Snelling, and State Fair Grounds, Minn., and the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 107403 (Sub-No. 688), filed July 5, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue Lansdowne, Pa. 19050. Applicant's representative: C. W. Zook (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid adhesives*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Iowa. NOTE: Applicant states the authority presently held by it which could or would be tacked or joined to that sought in the instant application is as follows: MC 107403 Sub 147 which authorizes the transportation of *maleic acid, liquid resin, and coal tar products*, as defined by the Commission, and *acids and chemicals* as defined by the Commission, except petroleum and petroleum products as defined by the Commission, in bulk in tank vehicles, between Philadelphia, Pa., on the one hand, and, on the other, points in Ohio, with tacking at Columbus, Ohio, territory served from Philadelphia, Pa., to points in Iowa. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107515 (Sub-No. 550), filed July 12, 1966. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road SE., Post Office Box

10799, Station A, Atlanta, Ga. 30310. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as defined by the Commission (except hides and except in bulk, in tank vehicles), from Fort Wayne, Ind., to points in Kansas, Missouri, Nebraska, Minnesota, Wisconsin, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107515 (Sub-No. 551), filed July 11, 1966. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as defined by the Commission (except in bulk in tank vehicles), from Fort Wayne, Ind., to points in Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107871 (Sub-No. 51), filed July 8, 1966. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse, N.Y. 13201. Applicant's representative: Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Silicate of soda*, dry, in bulk, in tank or hopper type vehicles, from Skaneateles Falls, N.Y., to points in Connecticut, Massachusetts, New Jersey, New York (except Nassau and Suffolk Counties), Ohio, and Pennsylvania, and (2) *sodium phosphates*, dry, in bulk, in tank or hopper type vehicles, from Morrisville, Pa., and points in New Jersey to Skaneateles Falls, N.Y. NOTE: Applicant states no duplicative authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., New York or Syracuse, N.Y.

No. MC 108207 (Sub-No. 198), filed July 6, 1966. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Delicatessen items and foodstuffs*, from points in the Kansas City, Kans.-Mo., commercial zone, to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans.

No. MC 108449 (Sub-No. 238), filed July 11, 1966. Applicant: INDIAN-HEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representatives: W. A. Mylenbeck (same address as applicant), and Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Jet fuel*, in bulk, from

American Oil Co.'s O'Hare terminal at or near Elk Grove Village, Ill., to points in Iowa on and east of U.S. Highway 69, the Upper Peninsula of Michigan and Wisconsin. NOTE: Applicant states it intends to tack with presently held authority from La Crosse, Wis., Minneapolis and St. Paul, Minn., to points in Iowa, Minnesota, South Dakota, North Dakota, and Montana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108835 (Sub-No. 11), filed July 8, 1966. Applicant: HYMAN TRANSPORTATION COMPANY, a corporation, 2690 Prior Avenue North, St. Paul, Minn. 55113. Applicant's representative: David Axelrod, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting—Regular routes: *General commodities* (except those of unusual value, and except dangerous explosives, alcoholic beverages, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Minnesota Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55, as an off-route point in connection with applicant's authorized regular route authority. Irregular routes: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment), between Minneapolis, St. Paul, South St. Paul, Inver Grove, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron Lake, Fort Snelling, and State Fair Grounds, Minn., and the site of a terminal proposed to be constructed by Spector Freight System, Inc., on Highway 49 in Egan Township, Dakota County, Minn., located approximately one-half mile south of junction Minnesota Highways 49 and 55. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 109821 (Sub-No. 22), filed July 11, 1966. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. 16901. Applicant's representative: Robert DeKroyft, 233 Broadway, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk beverages, made of condensed, evaporated or sterilized milk, liquid, flavored or malted, and articles, used in the sale, manufacture and distribution thereof* (except in bulk or in tank vehicles), from Wellsboro, Pa., to Corning and Elmira, N.Y.; restricted to shipments which are to be transferred or interlined with other carriers at Elmira or Corning, N.Y. NOTE: Applicant states that it does not propose to handle shipments having as their ultimate des-



tinuation either Corning or Elmira, N.Y. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 110420 (Sub-No. 528), filed July 11, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils, vegetable oils and blends thereof*, in bulk, from Pensauckee (Oconto County), Wis., to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 110420 (Sub-No. 529), filed July 11, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils, vegetable oils, and blends thereof*, in bulk, from Menominee, Mich., to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 110420 (Sub-No. 530), filed July 11, 1966. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils, vegetable oils and blends thereof*, in bulk, from Marinette, Wis., to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 110525 (Sub-No. 795), filed July 11, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C. 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum oils and grease*, in bulk, in tank vehicles, from Philadelphia, Pa., to points in Illinois, Indiana, Kentucky, North Carolina, Ohio, South Carolina, Virginia and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111375 (Sub-No. 22), filed July 7, 1966. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., 3567 East Bernard Avenue, Cudahy, Wis. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flavoring compounds* other than liquid, in tank vehicles, from Sheboygan, Wis., to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Wash-

ington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 111812 (Sub-No. 352), filed July 5, 1966. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 747, Sioux Falls, S. Dak. 57101. Applicant's representatives: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102, and William J. Walsh (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) from points in Washington, Oregon, Idaho, California, and Maine, to Bonner Springs, Kans., and Kansas City, Mo.-Kans., for storage-in-transit, and (2) from Bonner Springs, Kans., and Kansas City, Mo.-Kans., to points in Illinois, Indiana, Iowa, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., Denver, Colo., or Portland, Ore.

No. MC 111981 (Sub-No. 14), filed July 12, 1966. Applicant: ROBIDEAU'S EXPRESS, INC., 460 East Oregon Avenue, Philadelphia, Pa. 19148. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York, N.Y. 10017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act if transported in vehicles not used in carrying any other property, when moving in the same vehicle at the same time with meats, meat products and frozen foods (presently authorized), from Philadelphia, Pa., to points in Delaware, Maryland, New Jersey, New York, Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 112148 (Sub-No. 41), filed July 7, 1966. Applicant: JAMES H. POWERS, INC., Melbourne, Iowa 50162. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Carrollton, Macon, Milan, Moberly, and Marshall, Mo., to points in Iowa, Minnesota, Nebraska, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 112148 (Sub-No. 42), filed July 11, 1966. Applicant: JAMES H. POWERS, INC., Melbourne, Iowa 50162. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in Berrien County, Mich., to points in Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant states in the authority herein, that no tacking is intended. If a hear-

ing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 112372 (Sub-No. 11), filed July 10, 1966. Applicant: CLARENCE G. JEWELL, Post Office Box 703, Leesburg, Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in section A, appendix 1, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Purcellville, Va., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112617 (Sub-No. 238), filed July 7, 1966. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. 40205. Applicant's representative: L. A. Jaskiewicz, 600 Madison Building, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paints, lacquers, latices, resins, coatings, and ingredients and supplies* used in the manufacture thereof, between the plant and warehouse sites of Celanese Coatings Co. divisions located at or near Belvidere and Newark, N.J., Detroit, Mich., Houston, Tex., Louisville, Ky., Los Angeles, Riverside, and San Francisco, Calif., and Malden, Mass. NOTE: Applicant requests that the authority, if granted, be restricted against tacking with other authorities held by applicant. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 113089 (Sub-No. 10), filed July 11, 1966. Applicant: ED GALIGHER, Box 163, Bowerston, Ohio. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hydraulic railroad car pushers*, from Bowerston, Ohio, to points in the United States, except Alaska and Hawaii, under contract with the Nolan Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 113325 (Sub-No. 110), filed July 6, 1966. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. 63104. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, from El Dorado, Ark., to Elwood and Joliet, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113435 (Sub-No. 2), filed July 11, 1966. Applicant: PAUL GROCE AND ROBERT SHELLEY, doing business as SHELLEY AND GROCE, Burnside, Ky.



Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, pallets, mattress frames, and hardwood dimensions*, from points in Pulaski County, Ky., to points in Indiana, Ohio, and Tennessee. NOTE: Applicant states in the authority herein, its service will be under contracts with Vaught Bros. Manufacturing Co., and Grissom Rake-straw Lumber Co. If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio, or Louisville, Ky.

No. MC 113495 (Sub-No. 25), filed July 8, 1966. Applicant: GREGORY HEAVY HAULERS, INC., 51 Oldham Street, Post Office Box 5266, Nashville, Tenn. 37213. Applicant's representative: Wilmer B. Hill, 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles, and steelmill equipment, materials, and supplies*, between points in Putnam County, Ill., on the one hand, and, on the other, points in the United States except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Pittsburgh, Pa.

No. MC 113624 (Sub-No. 32), filed July 11, 1966. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: Alvin J. Meiklejohn, Jr., 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (other than oilfield and pipeline commodities as defined by the Commission in T. E. Mercer and G. E. Mercer, Extension—Oilfield Commodities, 74 M.C.C. 459), from the plant and warehouse sites and storage yards of the Colorado Fuel & Iron Corp. (which name will be changed to C.F. & I. Steel Corp. effective August 1, 1966), located in Pueblo, Colo., to points in Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Wyoming; restricted to shipments originating at the plant and warehouse sites and storage yards of the Colorado Fuel & Iron Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113843 (Sub-No. 119), filed July 15, 1966. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, M.C.C. 207, from Lemont, Ill., to points in Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, West Virginia, Virginia, Delaware, and Maryland, and the

District of Columbia. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 113908 (Sub-No. 190), filed July 8, 1966. Applicant: ERICKSON TRANSPORT CORPORATION, Post Office Box 3180, 706 West Tampa Street, Springfield, Mo. 65804. Applicant's representative: Robert K. Allen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water*, in bulk, in tank vehicles, from points in Arkansas, to points in Arizona, California, Colorado, Delaware, Georgia, Indiana, Iowa, Kentucky, Maryland, Minnesota, Michigan, Nebraska, New Jersey, New Mexico, North Dakota, Nevada, New York, Ohio, Pennsylvania, South Dakota, Utah, West Virginia, Wisconsin, and Washington, D.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 113908 (Sub-No. 191), filed July 8, 1966. Applicant: ERICKSON TRANSPORT CORPORATION, Post Office Box 3180, 706 West Tampa, Springfield, Mo. 65804. Applicant's representative: Robert K. Allen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water*, in bulk, in tank vehicles, from points in Arkansas, to points in Alabama, Florida, Illinois, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 114194 (Sub-No. 136), filed July 11, 1966. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glues and adhesives*, in bulk, from Chicago, Ill., to points in Wisconsin, Michigan, Indiana, Colorado, Missouri, Oklahoma, Tennessee, Mississippi, Kentucky, Pennsylvania, Kansas, and Iowa. NOTE: Applicant states it proposes to tack the proposed operations at St. Louis, Mo. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114364 (Sub-No. 121) (Amendment, filed May 13, 1966, published FEDERAL REGISTER issue of June 9, 1966, amended July 12, 1966, and published, as amended, this issue. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 672, Rocky Ford, Colo. Applicant's representative: Alvin J. Meiklejohn, Jr., Suite 420, Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (other than oilfield and pipeline commodities as defined by the Commission in T. E. Mercer and G. E. Mercer, Extension—Oilfield Commodities, 74 M.C.C. 459), from the plant and warehouse sites and storage yards of the Colorado Fuel & Iron Corp. (which name will be changed to C. F. & I. Steel Corp. ef-

fective August 1, 1966), to points in Arizona, Arkansas, Kansas, Louisiana, Nebraska, Nevada, New Mexico, Oklahoma, Utah, Texas, and Wyoming, restricted to shipments originating at the plant and warehouse sites and storage yards of the Colorado Fuel & Iron Corp. (which name will be changed to C. F. & I. Steel Corp. effective August 1, 1966). NOTE: The purpose of this republication is to reduce the scope of the origin and the commodities to be transported. This eliminates as States of destination the States of Idaho, Missouri, and South Dakota. It adds the State of Nevada. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114389 (Sub-No. 11), filed July 7, 1966. Applicant: GALE B. ALEXANDER, 120 South Ward Street, Ottumwa, Iowa 52501. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Peoria, Ill., to Kirksville, Mo., and *empty containers*, on return, under contract with North Missouri Beverage Co., Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 114552 (Sub-No. 29), filed July 11, 1966. Applicant: SENN TRUCKING COMPANY, a corporation, Post Office Box 333, Newberry, S.C. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urethane insulation board*, from points in Camden County, N.J., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C., Charlotte, N.C., or Washington, D.C.

No. MC 115353 (Sub-No. 9), filed July 13, 1966. Applicant: LOUIS J. KENNEDY, 342 Schuyler Avenue, Kearny, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, gypsum, gypsum products* (except liquid commodities in bulk), and *materials and supplies* used in the installation and application of such commodities, from the plants and warehouses of United States Gypsum Co., Stony Point, N.Y., to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont, and the District of Columbia; and *returned shipments, and materials, equipment and supplies* used in the manufacture and distribution of the commodities described above (except liquid commodities in bulk), on return; under contract with United States Gypsum Co., Chicago, Ill. NOTE: Applicant states that it presently holds duplicating authority in New York, Pennsylvania, New Jersey, Connecticut, Massachusetts, New



Hampshire, Rhode Island, and Vermont. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 115668 (Sub-No. 12) (Amendment), filed May 19, 1966, published in FEDERAL REGISTER, issue of June 23, 1966, amended July 12, 1966, and republished as amended, this issue. Applicant: WYLLIS B. HERRICK, doing business as W. B. HERRICK, Rural Route 2, Kendallville, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stoves or ranges, gas or electric, stove tops or ovens, gas or electric, electric appliances, hoods or vents, stoves or ranges, kitchen cabinets, counter tops, sinks, shower bath doors, faucets and plumbing*, from Kendallville, Ind., to points in Mercer, Auglaize, Hardin, Wyandot, Crawford, Huron, Erie, Ottawa, Sandusky, Seneca, Hancock, Wood, Lucas, Fulton, Henry, Putnam, Allen, Van Wert, Paulding, Defiance, Williams, Darke, Shelby, and Miami Counties, Ohio; points in Allegan, Barry, Eaton, Ingham, Livingston, Oakland (south of Michigan Highway 59 and west of U.S. Highway 24), Van Buren, Berrien, Kalamazoo, Cass, Saint Joseph, Calhoun, Branch, Jackson, Hillsdale, Washtenaw, Lenawee, Monroe, Muskegon, Ottawa, Kent, Ionia, Clinton, Midland, Bay, Saginaw, Tuscola, Shiawassee, Genesee, Lapeer, Saint Clair, and Macomb Counties, Mich.; and Trenton (Wayne County), Mich.; and *returned or rejected commodities*, on return. NOTE: The purpose of this republication is to broaden the commodity and territorial authorizations sought herein. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 115841 (Sub-No. 296), filed July 11, 1966. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, 1215 Bankhead Highway West, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, including butter, powdered milk, condensed milk, ice cream mix, and oleomargarine*, (1) between Dubuque, Iowa, and Hamilton, Mo., on the one hand, and, on the other, Indianapolis, Ind., Louisville, Ky., Knoxville, Tenn., and points in Illinois (except points in the Chicago, Ill., commercial zone), and (2) between Louisville, Ky., on the one hand, and, on the other, Knoxville, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Knoxville, Tenn., or Chicago, Ill.

No. MC 115876 (Sub-No. 11) (Correction), filed June 2, 1966, published FEDERAL REGISTER issues of June 30, 1966, and July 14, 1966, respectively, and corrected and republished, this issue. Applicant: ERWIN HURNER, 2605 South River-shore Drive, Moorhead, Minn. 56560. Applicant's representative: Alan Foss,

502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and articles dealt in by wholesale beverage distributors*, from Milwaukee, Wis., and Detroit, Mich., to Moorhead, Minn., and Fargo, N. Dak. NOTE: Applicant states that the proposed operations will be under contract with Persellin Distributing Co., Moorhead, Minn. Applicant holds common carrier authority in certificate No. MC 117148, therefore, dual operations may be involved. The purpose of this correction is to delete the broadening amendment published in this application adding "points in Big Horn County, Wyo.," as an origin point. The broadening amendment was filed under MC 115931 (Sub-No. 14) and inadvertently published under the above number. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Fargo, N. Dak.

No. MC 116048 (Sub-No. 17), filed July 13, 1966. Applicant: MANGUM TRUCKING COMPANY, INC., Arrowood, Post Office Box 3491, Charlotte, N.C. Applicant's representative: William J. Augello, Jr., 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potato flakes*, from Presque Isle, Maine, to points in Alabama, Georgia, North Carolina, South Carolina, and West Virginia. NOTE: Applicant states the sole purpose of this application is to add a new commodity description to applicant's present authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116048 (Sub-No. 18), filed July 13, 1966. Applicant: MANGUM TRUCKING COMPANY, INC., Arrowood, Post Office Box 3491, Charlotte, N.C. Applicant's representative: William J. Augello, Jr., 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes, frozen potato products, and potato flakes*, from Presque Isle, Maine, to points in Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 116048 (Sub-No. 19), filed July 13, 1966. Applicant: MANGUM TRUCKING COMPANY, INC., Arrowood, Post Office Box 3491, Charlotte, N.C. Applicant's representative: William J. Augello, Jr., 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and frozen potato products*, from Portland, Maine, to points in Alabama, Georgia, North Carolina, South Carolina, Tennessee, and West Virginia. NOTE: Applicant states the sole purpose of this application is to add the shipper's storage facilities in Portland as an additional origin point. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116763 (Sub-No. 96), filed July 11, 1966. Applicant: CARL

SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, supplies, accessories, fixtures, and parts*, from Chicago, Ill., and points in Wisconsin, to points in Auglaize, Darke, Mercer, Miami, Montgomery, Preble, and Shelby Counties, Ohio, and Randolph County, Ind., restricted to traffic originating at the specified origin points or territory and destined to points in the counties specified. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 117119 (Sub-No. 383), filed July 4, 1966. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods and pies*, not baked, from Turlock, Calif., to points in Washington, Oregon, and Idaho. NOTE: Applicant states that it intends to tack the above proposed authority with that authority previously granted in MC 117119, Subs 2, 6, and 33, wherein applicant is authorized to serve points in the States of Alabama, Arkansas, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Ohio, Pennsylvania, Tennessee, Texas, Utah, Virginia, Wisconsin, Idaho, and Arizona. If a hearing is deemed necessary, applicant requests it be held at San Francisco or Los Angeles, Calif.

No. MC 117310 (Sub-No. 4), filed July 11, 1966. Applicant: FRANK C. CICONI, 117 West Washington Street, Shenandoah, Pa. 17976. Applicant's representative: John W. Frame, Post Office Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass*, used in the manufacture of storm windows and doors, from docks, piers, or wharves located at points in the Philadelphia, Pa., and New York, N.Y., commercial zones as defined by the Commission, to Mount Carmel, Pa., having a prior movement in interstate or foreign commerce by water carriage. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 117427 (Sub-No. 55), filed July 8, 1966. Applicant: G. G. PARSONS TRUCKING CO., a corporation, Post Office Box 1085, North Wilkesboro, N.C. Applicant's representative: Francis J. Ortman, 1366 National Press Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from the site of the Vancouver Plywood Co. in or near Charlotte, N.C., to points in Virginia, Tennessee, Indiana, New Jersey, Pennsylvania, Delaware, New York, West Virginia, Kentucky, Maryland, and Ohio.



NOTE: Applicant holds contract carrier authority under MC 116145 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117765 (Sub-No. 49), filed July 12, 1966. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla. 73111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, carbonated and noncarbonated (nonalcoholic), in containers, from Ottumwa, Iowa, to points in Arkansas, Illinois, Kansas, Missouri (except Kansas City and St. Joseph), Nebraska, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Kansas City, Mo.

No. MC 119226 (Sub-No. 55), filed July 11, 1966. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis, Ind. 46227. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. 46227. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup*, unmixed (glucose), *corn syrup and blends thereof*, *dextrine*, *starch*, *steepwater*, *corn oil*, and *corn flour*, from Lafayette, Ind., to points in the United States (except points in Alaska and Hawaii). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119777 (Sub-No. 66), filed July 7, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., U.S. Highway 41 South, Post Office Box 31, Madisonville, Ky. 50601. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard*, *wood fiberboard faced or finished with decorative or protective materials*, and *accessories and supplies* used in the installation thereof, when moving with shipments of fiberboard or fiberboard faced or finished with decorative or protective materials, from Chicago, Ill., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, Ill., or Louisville, Ky.

No. MC 119777 (Sub-No. 67), filed July 13, 1966. Applicant: LIGON SPECIALIZED HAULER, INC., U.S. Highway 41 South, Post Office Box 31, Madisonville, Ky. 42431. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, from Kokomo, Ind., to points in Alabama (except within a 65-mile radius of Birmingham), Arkansas, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., Washington, D.C., or Indianapolis, Ind.

No. MC 120836 (Sub-No. 3), filed July 11, 1966. Applicant: BARTON LYMAN, doing business as LYMAN TRUCK LINE, Post Office Box 377, Blanding, Utah. Applicant's representative: William S. Richards, 1610 Walker Bank Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: Over irregular routes, (1) *General commodities* (except commodities requiring special equipment, petroleum products and ores and ore concentrates in bulk), between points in that area in San Juan County, Utah, located on, and south of, U.S. Highway 160, between Monticello, Utah, and the Utah-Colorado State line, and located on the east of Utah Highway 47, said area being bounded on the south by the Utah-Arizona State line, on the east by the Utah-Colorado State line, on the north by U.S. Highway 160, and on the west by Utah Highway 47, and (2) *general commodities* (except commodities in bulk and those requiring special equipment) between Blanding, Utah, on the one hand, and, on the other, those points in San Juan County, Utah, west of Utah Highway 47 (east of the Colorado River and south of a line running due west from Monticello, Utah), and over regular routes, *general commodities*, (a) between the Utah-Arizona State line and junction Arizona Highway 64 and U.S. Highway 89; from the Utah-Arizona State line over Arizona Highway 464 to junction Arizona Highway 64, thence over Arizona Highway 64 to junction U.S. Highway 89, and return over the same route, serving all intermediate and off-route points, (b) between Monticello, Utah, and the Utah-Arizona State line, over Utah Highway 47, serving all intermediate points, and (c) between Blanding and Natural Bridge National Monument, Utah, over Utah Highway 95, with service to be an on-call service only. NOTE: Applicant holds common carrier authority in MC 120835 Subs 1 and 2 (BOR 99 and 100) as a passenger operator. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Phoenix, Ariz.

No. MC 121318 (Sub-No. 5), filed July 13, 1966. Applicant: YOURGA TRUCKING, INC., 104 Church Street, Wheatland, Pa. Applicant's representative: Harold G. Heryn, 711 14th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, between points in Mercer County, Pa., on the one hand, and, on the other, points in Delaware. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 123048 (Sub-No. 94), filed July 12, 1966. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay filled panels and clay*, from Belle Fourche, S. Dak., and Colloid Spur, Wyo. (near Upton, Wyo.), to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, and (2) *clay filled panels, clay and foundry molding sand additives*, from points in Alabama and Mississippi, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, restricted to serving the plantsites of the American Colloid Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Madison, Wis., or Washington, D.C.

No. MC 123061 (Sub-No. 34), filed July 5, 1966. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah. Applicant's representative: Harry D. Pugsley, 600 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber mill products*, between points in and east of Umatilla, Grant, and Harney Counties, Oreg., on the one hand, and, on the other, points in Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 123067 (Sub-No. 50), filed July 8, 1966. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's representative: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral filler and pulverized slate*, in bulk, in tank vehicles, from points in Stanley County, N.C., to points in South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, Raleigh, N.C., or Columbia, S.C.

No. MC 123294 (Sub-No. 12), filed July 7, 1966. Applicant: WARSAW TRUCKING CO., INC., 1102 West Winona Avenue, Warsaw, Ind. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Putnam County, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming.



NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123415 (Sub-No. 8), filed July 5, 1966. Applicant: JAMES STUFFO, INC., Box 1061, Route 130 and Prince Avenue, Pennsauken, N.J., Merchantville, N.J. Applicant's representative: Raymond A. Thistle, Jr., Suite 1408-09, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum extrusions*, from the plantsite of Aluminum Shapes, Inc., at Delair, N.J., to points in Pennsylvania, (2) *aluminum extrusions*, from Philadelphia, Pa., to points in Delaware, New Jersey, and Maryland. Applicant presently holds authority as follows: *Building materials*, except lumber, structural steel, sand, gravel, and crushed stone, from Philadelphia, Pa., to points in Delaware, and points in that part of New Jersey and Maryland within 100 miles of Philadelphia, Pa. The main purpose of this portion of the application is for clarification as to whether aluminum extrusions are a building material. In addition applicant seeks additional authority in Maryland beyond 100 miles of Philadelphia, (3) *metal windows, metal window sections, and metal doors*, glazed and unglazed, uncrated, *parts and fittings* incidental to the erection and installation of such metal windows, sections, and doors, uncrated, *aluminum extrusions*, uncrated, and *sample metal windows, sample metal window sections, and sample metal doors*, crated, from Philadelphia, Pa., to points in Illinois, Indiana, Michigan, New York, Ohio, and West Virginia. This authority sought is to be in lieu of present authority of applicant found in Paragraph 2, Sheet No. 2 of the Lead Docket at MC 123415, and in effect seeks only the elimination of the restriction therein pertaining to aluminum extrusions of: " \* \* \* ", when moving with shipments of metal windows, metal window sections, metal doors, and parts and fittings for such windows, doors, and window sections, also uncrated;" and (4) *metal windows, metal window sections, and metal doors*, all uncrated, *aluminum extrusions and parts and fittings* for said windows, doors, and window sections, all uncrated, and *sample metal windows, sample metal window sections, and sample metal doors*, all uncrated, from Philadelphia, Pa., to points in Massachusetts, Rhode Island, and Connecticut. This authority sought is to be in lieu of present authority of applicant found in Paragraph 4, Sheet No. 2 of the Lead Docket at MC 123415, and in effect seeks only the elimination of the restriction therein of: " \* \* \* ", when moving with shipments of said metal windows, metal window sections, and metal doors." NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 123888 (Sub-No. 13), filed July 11, 1966. Applicant: CANA TRANSPORT CO., INC., 706 Franklin Avenue, Endicott, N.Y. Applicant's representative: Donald C. Carmien, 300 Press Building, Binghamton, N.Y. 13902. Authority

sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Leather*, from Waukegan, Ill.; Fond du Lac and Milwaukee, Wis.; Grand Haven, Mich.; and Elkland and Westfield, Pa., to Endicott, N.Y.; for the account of Endicott-Johnson Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 124078 (Sub-No. 237), filed July 7, 1966. Applicant: SCHWERTMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Perlite and vermiculite*, in bulk, from De Kalb and Chicago, Ill., to points in Minnesota, Iowa, Missouri, Wisconsin, Michigan, Indiana, and Ohio. NOTE: Applicant states it intends to tack at De Kalb and Chicago, Ill., thereby serving points in Minnesota, Iowa, Wisconsin, and Michigan in connection with presently authorized authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124211 (Sub-No. 102) (Amendment), filed April 18, 1966, published in FEDERAL REGISTER, issue of May 5, 1966, amended July 15, 1966, and republished as amended, this issue. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined by the Commission, and liquid commodities, in bulk, in tank vehicles), between Hennepin, Ill., and points within 15 miles thereof, on the one hand, and, on the other, points in Arkansas, California, Illinois, Indiana, Iowa, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, and Washington. NOTE: The purpose of this amendment is to change the scope of the commodities to be carried, and to add the destination States of California, Nebraska, New Mexico, Oregon, Utah, and Washington. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 124605 (Sub-No. 3), filed July 11, 1966. Applicant: HOWELL TRANSPORTATION, INC., 201 Platt Street, West Lafayette, Ohio. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, from Washington, Pa., points in Wayne, Randolph, and Jay Counties, Ind., and Hancock, Brooke, Ohio, Marshall, Wetzel, Pleasants, Wood, Jackson, Mason, Cabell, and Wayne Counties, W. Va., to Coshocton, Ohio, under contract with St. Regis Paper Co., New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 124652 (Sub-No. 5), filed July 11, 1966. Applicant: JULIAN F. DUNCAN, doing business as DUNCAN TRANSFER, Box 1, Riverton, Va. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment and supplies used in the manufacture of mortar cement, including but not limited to fish oil, mineral pigments and grinding shot*, from points in Delaware, Maryland, New Jersey, North Carolina, Pennsylvania, and West Virginia, to Riverton, Va., restricted to transportation performed under a continuing contract with Riverton Lime & Stone Co., Inc., Riverton, Va. NOTE: Applicant states it is now authorized to transport mortar cement from Riverton, Va., to the above-named States under permit MC 124652. Applicant holds common carrier authority in MC 110422, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124688 (Sub-No. 2), filed July 7, 1966. Applicant: INDEPENDENT DELIVERY, INC., 1000 South Weller, Seattle, Wash. 98104. Applicant's representative: George Kargianis, 609 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between airports in King, Pierce, Snohomish, Skagit, Kitsap, Thurston, and Mason Counties, Wash., on the one hand, and, on the other, points in King, Pierce, Snohomish, Skagit, Kitsap, Thurston, and Mason Counties, Wash.; restricted to shipments having a prior or subsequent movement by air. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 124813 (Sub-No. 28), filed July 8, 1966. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Putnam County, Ill., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Applicant holds contract carrier authority in MC 118468 Sub 16. Dual operations were approved in No. MC 124813 Sub 19. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125717 (Sub-No. 9), filed July 19, 1966. Applicant: NORMAN JOSEPH CHOPLIN, doing business as JOE CHOPLIN, 1301 North Spring, Independence, Mo. Applicant's representative:



Frank W. Taylor, Jr., 1221 Baltimore, Kansas City, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy replacement products*, from Kansas City, Mo., to points in Illinois, Iowa, and Minnesota; under contract with Presto Food Products, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City or Topeka, Kans.

No. MC 126899 (Sub-No. 23), filed July 12, 1966. Applicant: USHER TRANSPORT, INC., 1415 South Third Street, Paducah, Ky. 42001. Applicant's representative: Louis J. Amato, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Newport, Ky., to Evansville, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind., or Louisville, Ky.

No. MC 127154 (Sub-No. 4), filed July 8, 1966. Applicant: BOCK TRANSPORT COMPANY, INC., Garner, Iowa 50438. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients, urea, acids, and chemicals*, from points in Woodbury County, Iowa, to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City or Des Moines, Iowa.

No. MC 127568 (Sub-No. 5), filed July 5, 1966. Applicant: MID SOUTH DELIVERY SERVICE CO., a corporation, 3215 Tulane Road, Memphis, Tenn. Applicant's representative: Dale Woodall, Post Office Box 123, 150 East Court, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid corn syrup*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Kentucky, Alabama, Louisiana, Missouri, and Mississippi, and (2) *liquid sugar and blends of liquid sugar and corn syrup*, in bulk and tank vehicles, from Memphis, Tenn., to points in Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 127638 (Sub-No. 1), filed July 12, 1966. Applicant: RALPH BEYER, doing business as RALPH BEYER TRUCKING CO., 3808 Carman Road, Schenectady, N.Y. 12303. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone*, in bulk and bags, from Croghan, N.Y., to points in Ohio, New York, Pennsylvania, New Jersey, Rhode Island, Maine, Vermont, Massachusetts, Connecticut Delaware, and New Hampshire. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 128115 (Sub-No. 1), filed July 14, 1966. Applicant: ANDREW G. PHILIPP AND ROLAND A. PHILIPP, a partnership, 215 South Seventh Street, Osage, Iowa. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feed*, from Minneapolis, Minn., to points in Iowa on and east of U.S. Highway 69 between the Minnesota-Iowa State line and the junction of U.S. Highway 69 and Iowa Highway 3 on and north of Iowa Highway 3 between the junctions of U.S. Highway 69 and Iowa Highway 150 and on and west of Iowa Highway 150 between its junction with Iowa Highway 3 and Calmer, Iowa, and on and west of U.S. Highway 52 between Calmer, Iowa, and the Minnesota-Iowa State line, under contract with Fruen Milling Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 128331 (Sub-No. 2), filed July 11, 1966. Applicant: CONTINENTAL BARREL & DRUM COMPANY, INC., 2829 East Fourth Avenue, Columbus, Ohio 43219. Applicant's representative: William E. Rance, 1200 West Fifth Avenue, Columbus, Ohio 43212. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Used wooden barrels, used fiber drums and used and reconditioned steel drums*, between Columbus, Ohio, on the one hand, and, on the other, Illinois, Ill., and points in Illinois on and east of U.S. Highway 51, Indiana, points in Kentucky on and north of U.S. Highway 60, points in the Lower Peninsula of Michigan on and south of Michigan Highway 46, points in Pennsylvania on and west of U.S. Highway 219, and points in West Virginia in Kanawha County, and within 10 miles of the Ohio River, under contract with Franklin Steel Co. (Columbus Steel Drum Co. Division). NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Cincinnati, Ohio.

No. MC 128351 (Sub-No. 2), filed July 7, 1966. Applicant: WILLIAM MOSS, 25 West Jefferson Street, Winchester, Ill. Applicant's representative: Robert T. Lawley, 308 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, tile, clay products, and refractory cements*, between Alsey, Ill., on the one hand, and, on the other, points in Iowa, Indiana, Kentucky, Michigan, Missouri, Nebraska, and Wisconsin. NOTE: Applicant states in the authority herein, its service will be with Alsey Refractories Co., Alsey, Ill. Applicant holds common carrier authority in MC 116438, therefore, dual operations may be involved, applicant will move to cancel this certificate in the event the instant application is granted. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill., or St. Louis, Mo.

No. MC 128383, filed July 1, 1966. Applicant: PINTO TRUCKING SERVICE, INC., 1219 Morris Avenue, Philadel-

phia, Pa. Applicant's representative: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk), between Friendship International Airport, Anne Arundel County, Md., La Guardia Airport, New York, N.Y., John F. Kennedy International Airport, New York, N.Y., Washington National Airport, Gravelly Point, Va., Dulles International Airport, Loudoun and Fairfax Counties, Va., Newark Airport, Newark, N.J., and Philadelphia International Airport, Philadelphia, Pa. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 128388, filed July 7, 1966. Applicant: COMMERCIAL COURIER, INC., Post Office Box 591, Elizabethtown, Ky. Applicant's representative: Rudy Yessin, Post Office Box 457, Sixth Floor, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commercial papers, documents, and written instruments*, ordinarily used in banks and banking institutions (excluding coins, currency, bullion, and negotiable instruments), (2) *business papers, records, audit and accounting media* (except plant removals), (3) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising material* moved therewith, between Evansville, Ind., on the one hand, and, on the other, points in Kentucky, on and west of U.S. Highway 231. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Evansville, Ind., or Louisville, Ky.

No. MC 128392, filed July 12, 1966. Applicant: HARNER'S EXPRESS, INC., 6541 Eastern Avenue, Baltimore, Md. 21224. Applicant's representative: Harry F. Gillis, 919 18th Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard and pulpboard boxes*, from Baltimore, Md., to Hanover, York, Harrisburg, Lebanon, Lancaster, Shippensburg, and Gettysburg, Pa., Wilmington, Del., Alexandria, and Richmond, Va., and Washington, D.C., under contract with Container Corp. of America (Baltimore, Md., plant). NOTE: By this application, applicant states it seeks to convert its presently certified common carrier authority in MC 46036, Sub 1 to contract carrier and, with the issuance of such proposed contract authority, to have canceled the remaining portion of its presently certificated authority to transport macaroni, noodles, spaghetti, and the sauces therefor, from Lebanon, Pa., to Baltimore, Md., and Washington, D.C. If a hearing is deemed necessary, applicant requests it be held at Baltimore, Md., or Washington, D.C.

No. MC 128393, filed July 11, 1966. Applicant: DAVID LAWRENCE BAIR, doing business as BAIR LOGGING CO.,



479 Rose Avenue, Veronia, Oreg. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery*, which because of size or weight requires the use of special equipment or handling, between points in Columbia County, Oreg., on the one hand, and, on the other, points in Wakiham, Pacific, Grays Harbor, Lewis, and Cowlitz Counties, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 128394, filed July 7, 1966. Applicant: CECIL J. SOUTH, 5733 31st Street, Birmingham, Ala. Applicant's representative: J. Madden Hatcher, Jr., 307 Empire Building, Columbus, Ga. 31902. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, tile, and related clay products*, between 10 miles of Bessemer, Ala., Phenix City, Ala., Chattanooga, Tenn., and Macon, Miss., on the one hand, and, on the other, points in Alabama, Georgia, Mississippi, Tennessee, and counties in Northwest Florida including Hamilton, Suwanee, Madison, Jefferson, Gadsden, Leon, Wakulla, Franklin, Liberty, Jackson, Calhoun, Gulf, Washington, Lafayette, Taylor, and Bay. NOTE: Applicant states in the authority herein, its service will be under contract with Bickerstaff Clay Products Co., Inc. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 128397, filed July 11, 1966. Applicant: CLEARING TRUCKING COMPANY, a corporation, 645 East 155th Place, Phoenix, Ill. 60426. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel sheets and coils*, from Chicago, Ill., to Detroit, Mich., Olive Branch, Miss., Nashville, Tenn., Chattanooga, Tenn., Milwaukee, Wis., and Cudahy, Wis., under contract or continuing contract with Clearing Steel, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128397 (Sub-No. 1), filed July 11, 1966. Applicant: CLEARING TRUCKING COMPANY, a corporation, 645 East 155th Place, Phoenix, Ill. 60426. Applicant's representative: Charles W. Singer, 33 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap or waste paper and bags*, (1) from points in Michigan and Indiana, Louisville, Ky., St. Louis, Mo., and Memphis, Tenn., to Chicago, Ill.; and (2) from Chicago, Ill., to Griffith, Ind., under contract or continuing contract with Peoples Iron & Metal Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128400, filed July 11, 1966. Applicant: WILLIS VOIGHT, doing business as ZINKE DRAY LINE, 109 East Albert Street, Post Office Box 318,

Portage, Wis. 53901. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), having a prior or subsequent movement in interstate commerce by common motor carrier, between Portage, Wis., and junction U.S. Highway 51 and Portage County D Road over U.S. Highway 51, serving the intermediate points of Endeavor, Westfield, Coloma, and Hancock, Wis., and the off-route points of Almond, Oxford, Packwaukee, and Plainfield, Wis. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 3600 (Sub-No. 7), filed July 7, 1966. Applicant: FRANK MARTZ COACH COMPANY, a corporation, 239 Old River Road, Wilkes-Barre, Pa. 18702. Applicant's representative: John J. Dempsey, Jr., Suite 1200, Miners National Bank Building, Wilkes-Barre, Pa. 18701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, (1) between junction U.S. Highway 22 and Interstate Highway 287, at or near Somerville, N.J., and the Lincoln Tunnel Plaza, serving no intermediate points but serving junction U.S. Highway 22 and Interstate Highway 287, for purpose of joinder only; as alternate routes for operating convenience only in connection with applicant's presently authorized regular route operations between New York, N.Y., and points in New Jersey and Pennsylvania; from junction U.S. Highway 22 and Interstate Highway 287, at or near Somerville, N.J., thence over Interstate Highway 287 (also known as Interstate Highway 95) to junction U.S. Highway 1, thence over U.S. Highway 1 to junction U.S. Highway 9 at or near Woodbridge, N.J., thence over U.S. Highway 9 to the New Jersey Turnpike Interchange 11, thence over the New Jersey Turnpike to Interchange 16, thence over New Jersey Highway 3 to the Lincoln Tunnel Plaza, and return over the same route; and (2) between junction U.S. Highway 22 and the New Jersey Turnpike, in Newark, N.J., at the Newark Airport, and the Lincoln Tunnel Plaza, serving no intermediate points but serving junction U.S. Highway 22 and the New Jersey Turnpike, and the Lincoln Tunnel Plaza, for purposes of joinder only; as alternate routes for operating convenience only in connection with applicant's presently authorized regular route operations between New York, N.Y., and points in New Jersey and Pennsylvania; from junction U.S. Highway 22 and the New Jersey Turnpike, in Newark, N.J., at the Newark Airport, thence from Interchange 14, over the New Jersey Turnpike to Interchange 16, thence over New Jersey Highway 3 to the Lincoln Tunnel Plaza, and return over the same route. NOTE to (1) above: Upon completion of

the segment of Interstate Highway 287 between its present easterly terminus and the New Jersey Turnpike, a distance of approximately 1 mile, applicant desires to use such as its alternate route in lieu of U.S. Highway 1 and U.S. Highway 9; thus operating exclusively over Interstate Highway 80 between U.S. Highway 22 and the New Jersey Turnpike. NOTE: If a hearing is deemed necessary, applicant requests it be held at Scranton, or Philadelphia, Pa., and New York, N.Y.

No. MC 109897 (Sub-No. 1), filed July 11, 1966. Applicant: GRAY LINE NEW YORK TOURS CORP., 460 42d Street, New York, N.Y. Applicant's representative: Julian Freret, 1740 N Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in round-trip and one-way sightseeing and pleasure tours, with or without guides, beginning and ending at New York, N.Y., and extending to ports of entry on the international boundary line between the United States and Canada, located in Maine, New Hampshire, Vermont, New York, and Michigan, limited to trips to the Montreal World's Fair (Exposition, 1967). NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 127138 (Sub-No. 2), filed July 8, 1966. Applicant: VINCENT DALESIO, 926 Fifth Street, New Martinsville, W. Va. Applicant's representative: D. L. Bennett, 213 First National Bank Building, 2207 National Road, Wheeling, W. Va. 26003. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, between Jacksonburg, W. Va., and Hannibal, Ohio, as follows: From Jacksonburg, over West Virginia Highway 20 to New Martinsville, W. Va., thence over the Ohio River to Ohio Highway 7, thence over Ohio Highway 7 to Hannibal, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wheeling, W. Va., or Pittsburgh, Pa.

#### APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12942 (Sub-No. 1), filed July 7, 1966. Applicant: METRIC TEEN TOURS, INC., 9 Vivian Drive, Scarsdale, N.Y. 10583. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. For a license (BMC 5) to engage in operations as a *broker* at Scarsdale, Larchmont, and New Rochelle, N.Y., in arranging for the transportation of passengers and their baggage (restricted to youth groups accompanied by tour directors and supervisors or chaperons), in round-trip, all-expense tours (except ski tours), in special or charter operations, beginning and ending at points in Westchester County, N.Y., and New York, N.Y., and extending to points in the United States (except Alaska and Hawaii).

No. MC 12982, filed February 28, 1966. Applicant: WILCOX TRAVEL AGENCY,



INC., 211 South Depot Street, Boone, N.C. Applicant's representative: Harry DuMont, 311 Jackson Building, Asheville, N.C. 28807. For a license (BMC 5) to engage in operations as a *broker* at Boone and Asheville, N.C., in arranging for transportation by motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, beginning and ending at points in North Carolina, Virginia, and Tennessee, and extending to points in the United States, including Alaska and Hawaii.

**APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED**

No. MC 2229 (Sub-No. 141), filed July 13, 1966. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 10837, Dallas, Tex. 75207. Applicant's representative: Charles D. Mathews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, unrestricted, serving the plantsite of Kaiser Steel Corp. at York Canyon, N. Mex., as an off-route point in connection with applicant's existing operations between Raton and Taos, N. Mex., over U.S. Highway 64.

No. MC 17002 (Sub-No. 37), filed July 7, 1966. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60 East, Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles* (except those commodities which, because of size or weight require special equipment and except those materials which are building materials), from Huntington, W. Va., to points in Michigan. NOTE: Applicant states it intends to tack at Huntington, W. Va., with existing authority from points in Kentucky and West Virginia.

No. MC 111401 (Sub-No. 201), filed July 7, 1966. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Authority sought to operate as a *Common Carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients and fertilizer compounds*, dry, in bulk, from Sheerin, Tex., to points in Colorado, Kansas, Nebraska, New Mexico, and Oklahoma.

No. MC 113624 (Sub-No. 31), filed June 27, 1966. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients and fertilizer compounds*, dry, in bulk, from Sheerin, Tex., to points in Colorado, Kansas, Nebraska, New Mexico, and Oklahoma.

No. MC 116063 (Sub-No. 94), filed July 8, 1966. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Post Office Box 270, Fort Worth, Tex. 76101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Fertilizer, fertilizer ingredients, and fertilizer compounds*, dry, in bulk, from Sheerin, Moore County, Tex., to points in Colorado, Kansas, Nebraska, New Mexico, and Oklahoma. NOTE: Applicant states the proposed authority herein sought can or will be joined with its presently authorized authority in MC 116063, Subs. 11, 12, 29, 33 and 42, wherein it is authorized to operate in the States of Arizona, Colorado, New Mexico, Nebraska, Kansas, Texas, Oklahoma, Iowa, Missouri, Arkansas, Louisiana, Mississippi, and Tennessee.

No. MC 123185 (Sub-No. 1) (Correction), filed June 27, 1966, published FEDERAL REGISTER issue of July 14, 1966, under MC 126556 (Sub-No. 2), corrected and republished, this issue. Applicant: TALLYHO TRANSPORT, INC., 211½ West Main Street, Marshalltown, Iowa 50158. Applicant's representative: Max M. Mills (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), having immediately prior or subsequent movement by air, between Marshalltown, Iowa, and Chicago, Ill., area airports. NOTE: The purpose of this republication is to show the correct Docket No. MC 123185 (Sub-No. 1), in lieu of MC 126556 (Sub-No. 2), as previously published.

No. MC 124328 (Sub-No. 25), filed July 11, 1966. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: F. D. Partlan (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Currency, coin, negotiable and nonnegotiable documents*, between South Bend, Ind., and Niles, Mich., and points within 8 miles of Niles, Mich. NOTE: Common control may be involved.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-8186; Filed, July 27, 1966;  
8:45 a.m.]

[Notice 1390]

**MOTOR CARRIER TRANSFER PROCEEDINGS**

JULY 25, 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-68736. By order of July 19, 1966, the Transfer Board approved the transfer to Samuel J. Hoffman, doing business as Hoffman's Express, West Long Branch, N.J., of certificates in Nos. MC-73935 and MC-73935 (Sub-No. 2), issued November 30, 1943, and August 15, 1951, respectively, to Nathan Hoffman, Rose Hoffman, Administratrix, doing business as Hoffman's Express, West Long Branch, N.J., authorizing the transportation of wearing apparel, cut and uncut goods, trimmings, buttons, clips, clasps, and other articles utilized in the manufacture of wearing apparel, over regular routes, between Long Branch, N.J., and New York, N.Y., with service authorized to and from all intermediate points; and ladies garments on hangers, and materials and supplies used in the manufacture of ladies garments, over irregular routes, between Long Branch, N.J., and Mechanicville, N.Y. Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., attorney for applicants.

No. MC-FC-68798. By order of July 19, 1966, the Transfer Board approved the transfer to S. Santini Storage Corp., a corporation, New York, N.Y., of the certificate in No. MC-92979, issued October 9, 1958, to A. J. Madden & Son, Inc., White Plains, N.Y., authorizing the transportation of: Household goods, between White Plains, N.Y., on the one hand, and, on the other, points in Connecticut and New Jersey; and between White Plains, N.Y., and points in New York and Connecticut within 10 miles of White Plains, on the one hand, and, on the other, points in New York, New Jersey, and Connecticut. Alvin Altman, 1776 Broadway, New York, N.Y. 10019, attorney for applicants.

No. MC-FC-68903. By order of July 19, 1966, the Transfer Board approved the transfer to Fulton-Oswego Motor Express, Inc., Fulton, N.Y., of certificate of registration in No. MC-99560 (Sub-No. 1), issued December 17, 1963, to Edward F. Milovic, doing business as Mexico Motor Express, Mexico, N.Y., authorizing the transportation of: General commodities, as defined, between Syracuse, N.Y., and Mexico, N.Y., serving specified intermediate and off-route points. L. H. Amdursky, 26 East Oneida Street, Oswego, N.Y., attorney for transferor. Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202, attorney for transferee.

No. MC-FC-68908. By order of July 19, 1966, the Transfer Board approved the transfer to Samuel J. Hoffman, doing business as Hoffman's Express, West Long Branch, N.J., of certificate in No. MC-41556, issued June 8, 1949, to Abe Hoffman and Sam Hoffman, a partnership, doing business as A & S Express, West Long Branch, N.J., authorizing the transportation, over irregular routes, of garments and materials for the manufacture thereof between New York, N.Y., on the one hand, and, on the other, Elizabeth, Linden, Rahway, Roselle, Newark, Harrison, and Kearney, N.J., and points and places in Monmouth and Middlesex



Counties, N.J. Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J., attorney for applicants.

No. MC-FC-68912. By order of July 19, 1966, the Transfer Board approved the transfer to Clifford L. Oberst, Inc., Conyngham, Pa., of the contract carrier operating rights in permits Nos. MC-68502 (Sub-No. 1), MC-68502 (Sub-No. 4) and MC-68502 (Sub-No. 5), issued September 17, 1957, January 12, 1960, and February 20, 1961, respectively, to Clifford L. Oberst, Conyngham, Pa., authorizing the transportation of: Bakery products from Binghamton, N.Y., to Wilkes-Barre, Hazleton, and Shamokin, Pa.; bakery products, ingredients of bakery products and empty containers used in the transportation of such commodities, between West Hazleton, Pa., and Middletown, N.Y.; and bakery products, between West Hazleton, Pa., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Virginia and the District of Columbia. Israel T. Klapper, 200 Hazleton National Bank Building, Hazleton, Pa. 18201, attorney for applicants.

No. MC-FC-68926. By order of July 19, 1966, the Transfer Board approved the transfer to Charles E. Longanacre, McElhenny Road, Lewisburg, W. Va. of certificate of registration No. MC-58072 (Sub-No. 1) evidencing a right to engage in interstate or foreign commerce, issued December 17, 1963 to C. W. Sallsbury, McElhenny Road, Lewisburg, W. Va., authorizing the transportation of: General commodities, subject to certain restrictions, between specified points in West Virginia.

No. MC-FC-68927. By order of July 19, 1966, the Transfer Board approved the transfer of the operating rights in certificate No. MC-85788 (Sub-No. 1) and certificate of registration No. MC-85788 (Sub-No. 3) issued September 6, 1960, and March 6, 1964, respectively, to Geneva Transfer, Inc., Geneva, Nebr., to Jacobsen Transfer, Inc., Fairmont, Nebr., authorizing the transportation of: General commodities, with certain exceptions, between specified points in Nebraska. Donald E. Leonard, Post Office Box 2028, 605 South 14th, Lincoln, Nebr., attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-8260; Filed, July 27, 1966;  
8:48 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 25, 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. 40634—*Phosphatic fertilizer solution to Vertagreen, Ala.* Filed by O. W. South, Jr., agent (No. A4921), for

interested rail carriers. Rates on phosphatic fertilizer solution, in tank carloads, subject to minimum of 270 tons of 2,000 pounds per shipment, from points in Florida, to Vertagreen, Ala.

Grounds for relief—Truck-barge competition.

Tariff—Supplement 47 to Southern Freight Association, agent tariff ICC S-548.

FSA No. 40635—*Iron or steel articles to Gulfport, Miss.* Filed by O. W. South, Jr., agent (No. A4924), for interested rail carriers. Rates on iron or steel plate or sheet, noibn, galvanized, painted or plain, corrugated or not corrugated, strip steel, noibn, in carloads, from Ashland, Ky., to Gulfport, Miss.

Grounds for relief—Barge-rail competition.

Tariff—Supplement 76 to Southern Freight Association, agent tariff ICC S-502.

FSA No. 40636—*Soda ash to Hillsboro, Fla.* Filed by O. W. South, Jr., agent (No. A4923), for interested rail carriers. Rates on soda ash, in bulk, in covered hopper cars, in carloads, from Saltville, Va., to Hillsboro, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 58 to Southern Freight Association, agent tariff ICC S-517.

FSA No. 40637—*Phosphate rock from Sutton and Tencor, Fla.* Filed by O. W. South, Jr., agent (No. A4927), for interested rail carriers. Rates on phosphate rock, in carloads, from Sutton and Tencor, Fla., to points in official (including Illinois), southern, southwestern, western trunkline and Canadian territories.

Grounds for relief—Market competition and rate relationship.

Tariff—Supplement 117 to Southern Freight Association, agent tariff ICC S-140.

FSA No. 40638—*Joint motor-rail rates—Central and Southern.* Filed by Central and Southern Motor Freight Tariff Association, Inc., agent (No. 113), 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, on the one hand, and points in Central States territory, on the other.

Grounds for relief—Motortruck competition.

Tariff—Supplement 47 to Central and Southern Motor Freight Tariff Association, Inc., agent, tariff MF-ICC 309.

FSA No. 40639—*Class and commodity rates from and to East Raleigh, N.C.* Filed by O. W. South, Jr., agent (No. A4926), for interested rail carriers. Rates on property moving on class and commodity rates, between East Raleigh, N.C., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

FSA No. 40640—*Joint motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 42), for interested carriers. Rates on property moving on class and

commodity rates over joint routes of applicant rail and motor carriers, between points in Central States and middlewest territories, on the one hand, and points in Provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief—Motortruck competition.

FSA No. 40641—*Vinyl acetate to Tuscola, Ill.* Filed by O. W. South, Jr., agent (No. A4928), for and on behalf of Illinois Central Railroad Co. Rates on vinyl acetate, in tank carloads, from Geismar, La., to Tuscola, Ill.

Grounds for relief—Market competition.

Tariff—Supplement 135 to Southern Freight Association, agent, tariff ICC S-272.

FSA No. 40642—*Petroleum lubricating oil to Cleveland, Ohio.* Filed by O. W. South, Jr., agent (No. A4925), for interested rail carriers. Rates on petroleum lubricating oil, in tank carloads, also minimum shipments of 3 tank carloads, from Baton Rouge, La., to Cleveland, Ohio.

Grounds for relief—Barge-truck competition.

Tariff—Supplement 226 to Southern Freight Association, agent, tariff ICC S-85.

FSA No. 40643—*Vegetable oils and related articles from and to points in southern territory.* Filed by O. W. South, Jr., agent (No. A4920), for interested rail carriers. Rates on vegetable oils, and related articles, in tank carloads, between L. & N. R.R. common points, on the one hand, and points in official (including Illinois), southwestern and western trunkline territories, on the other.

Grounds for relief—Market competition.

Tariffs—Supplement 15 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-558, and other schedules listed in the application.

FSA No. 40644—*Anhydrous ammonia to Rexburg, Miss.* Filed by Southwestern Freight Bureau, agent (No. B-8889), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, subject to minimum of 3 tank carloads per shipment, from Armored, Ark., to Rexburg, Miss.

Grounds for relief—Barge and private truck competition.

Tariff—Supplement 9 to Southwestern Freight Bureau, agent, tariff ICC 4682.

FSA No. 40646—*Joint motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 43), for interested carriers. Rates on property moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Central States, Middle Atlantic and New England territories, on the one hand, and points in Provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief—Motortruck competition.

FSA No. 40647—*Mill feed and mill feed pellets to gulf ports.* Filed by Southwestern Freight Bureau, agent (No. B-8891), for interested rail carriers. Rates on mill feed and mill feed pellets, in bulk, or in bags, in carloads, from



points in Arkansas, Colorado, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Texas, also East St. Louis, Ill., to gulf ports, Pensacola, Fla., to Corpus Christi, Tex. (for export).

Grounds for relief—Rate relationship. Tariffs—Supplement 17 to Atchison, Topeka & Santa Fe Railway Co. tariff ICC 15044, and other schedules named in the application.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40645—*Anhydrous ammonia to Rexburg, Miss.* Filed by Southwestern Freight Bureau, agent (No. B-8890), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, subject to minimum shipment of 3 tank carloads, from Armored, Ark., to Rexburg, Miss.

Grounds for relief—Maintenance of depressed rates published to meet barge

and private truck competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 9 to Southwestern Freight Bureau, agent, tariff ICC 4682.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 66-8263; Filed, July 27, 1966; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

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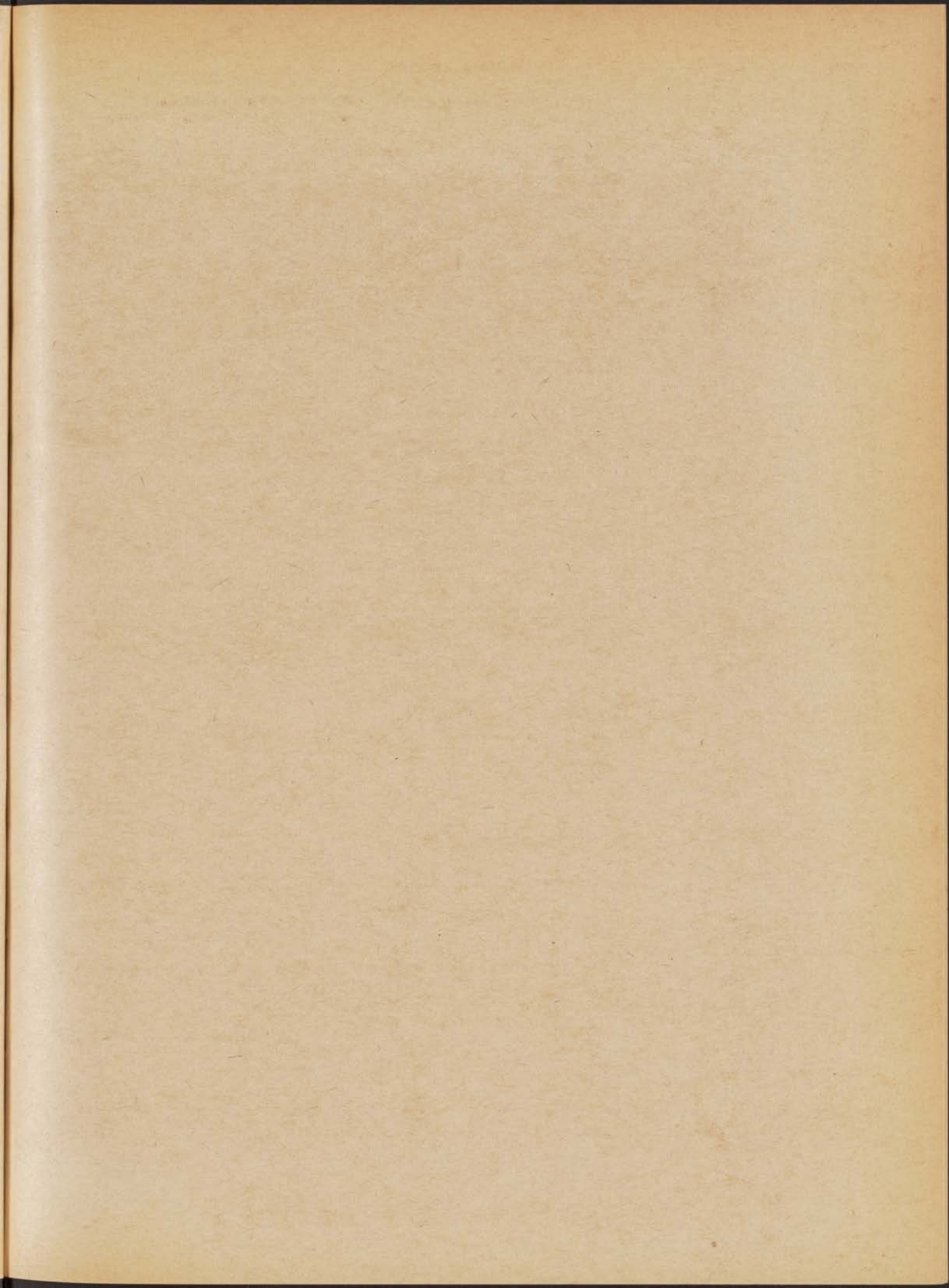
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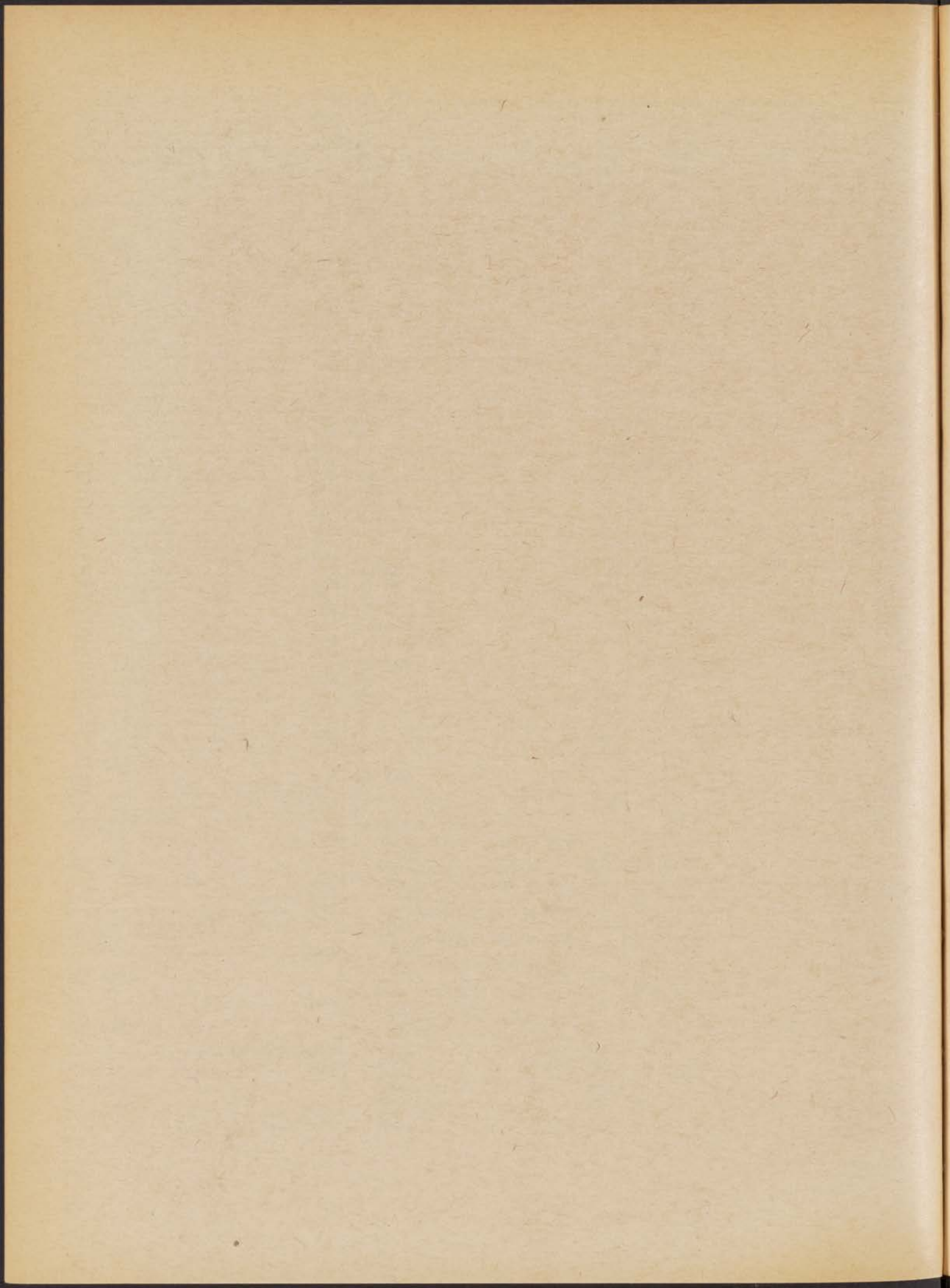


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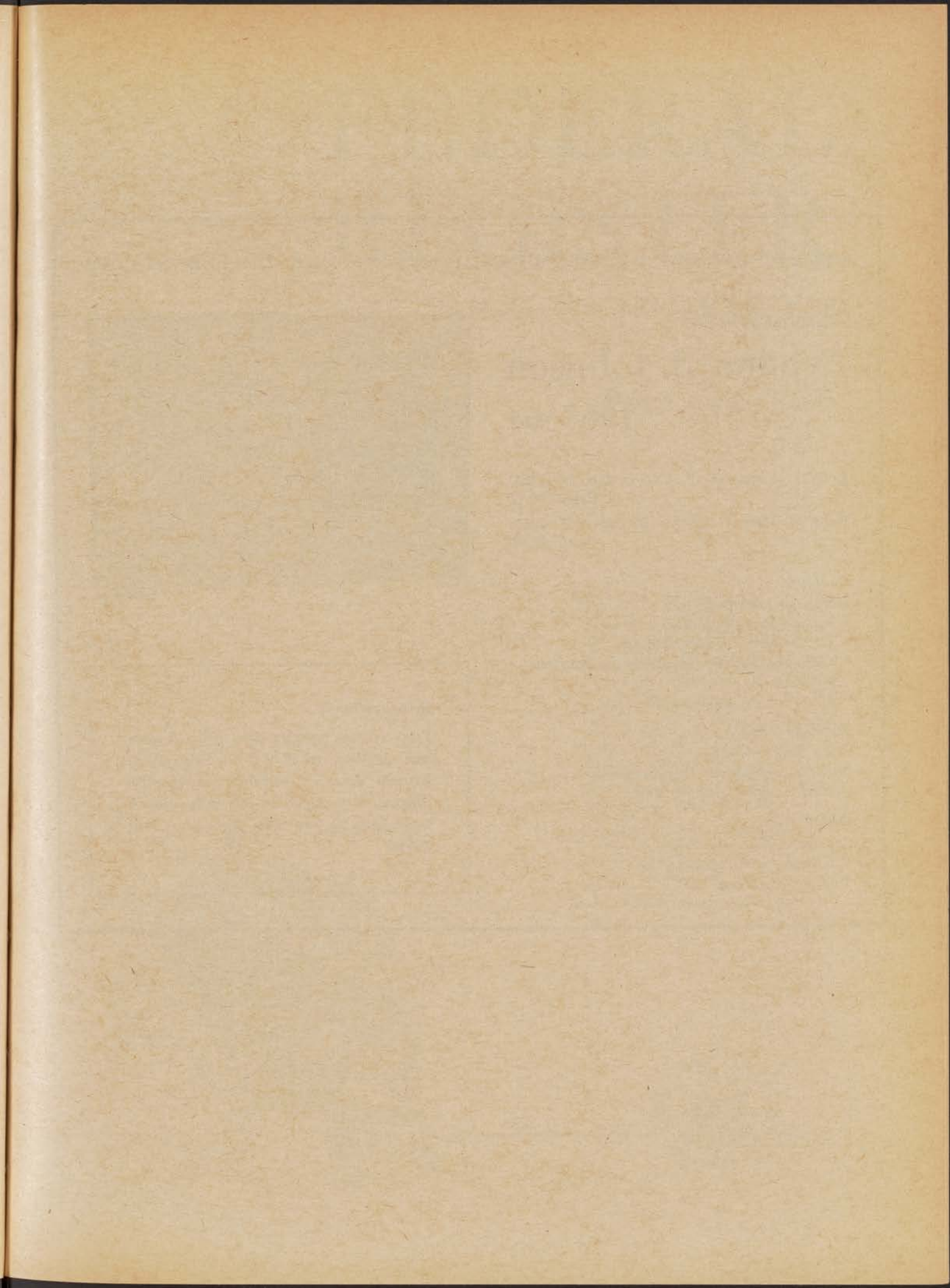














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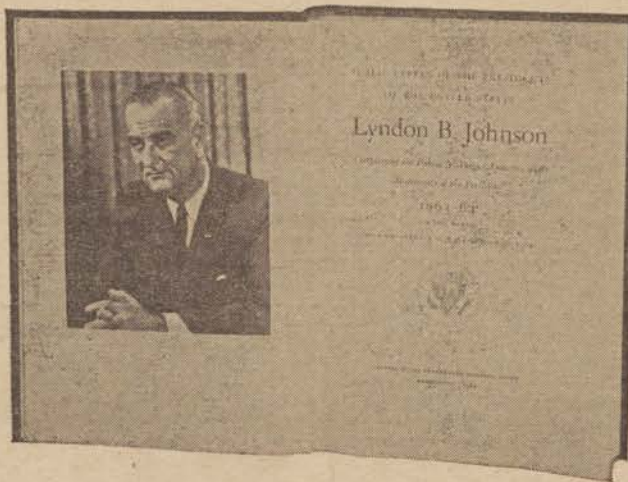
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