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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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Title 5—ADMINISTRATIVE PERSONNEL

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PART 213—EXCEPTED SERVICE

Office of Economic Opportunity

Section 213.3273 is amended to add one position of Acting Regional Director, Austin, Tex., until June 30, 1967. Effective on publication in the FEDERAL REGISTER, paragraph (g) is added to § 213.3273 as set out below.

§ 213.3273 Office of Economic Opportunity

* * * * *

(g) Until June 30, 1967, one Acting Regional Director, Austin, Tex.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-1242; Filed, Feb. 2, 1967; 8:46 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 2]

PART 722—COTTON

Subpart—1967 Crop of Upland Cotton: Acreage Allotments and Marketing Quotas

COUNTY PROJECTED YIELDS

Basis and purpose. This amending document is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.).

The purpose of this amendment is to establish revised county projected yields under section 301(b)(13)(L) of the act for upland cotton of the 1967 crop for counties in New Mexico and Texas. The revisions are required because of corrections in official data used in establishing the yields as previously published (31 F.R. 13168).

Since the yields established by this amendment require immediate action by the Agricultural Stabilization and Conservation State and county committees, it is essential that they be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 (80 Stat. 383) is impracticable and contrary to the public interest, and this document shall be effective upon filing with the Director, Office of the Federal Register.

The tabulation of yields for the following counties in New Mexico and Texas set forth in paragraph (f) of § 722.470 is amended to read as follows:

NEW MEXICO

County	Projected yields (pounds per acre)
De Baca	506
Eddy	789
Guadalupe	499
Lea	486
Quay	591
Roosevelt	576

TEXAS

Willacy	395

(Secs. 301(b)(13)(L), 79 Stat. 1197; 7 U.S.C. 1301(b)(13)(L))

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on January 31, 1967.

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

[F.R. Doc. 67-1304; Filed, Feb. 2, 1967; 8:50 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 1]

PART 1001—MILK IN MASSACHUSETTS-RHODE ISLAND MARKETING AREA

Order Amending Order

§ 1001.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Massachusetts-Rhode Island marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk, as determined pursuant to section 2 of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than February 1, 1967. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued January 17, 1967, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued January 27, 1967. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective February 1, 1967, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553(d) (1966)).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, amending the order, is the only practical means

pursuant to the declared policy of the act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that, on and after the effective date hereof, the handling of milk in the Massachusetts-Rhode Island marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

§ 1001.62 [Amended]

1. In paragraph (b) of § 1001.62 the phrase "Mileage Guide No. 7" is revised to read "Mileage Guide No. 8".

2. In § 1001.62 paragraph (e) is revised to read as follows:

(e) Notwithstanding the provisions of paragraphs (b) and (c) of this section, for any named point located in New England and New York State, determine the highway mileage distance between Boston and the named point by use of the appropriate State maps contained in Mileage Guide No. 7, issued by Household Goods Carriers' Bureau, Agent, Washington, D.C. Such distance shall be the lowest highway mileage between Boston and the named point on the map, over roads designated thereon as paved, all-weather roads. In the event that the named point is not located on a through, paved, all-weather road, such other roads shall be used to reach a through, paved, all-weather road as will result in the lowest highway mileage to Boston, except that such other roads shall not be used for a distance of more than 15 miles if it is otherwise possible to connect with a through, paved, all-weather road. In any instance in which the map does not clearly show the mileage between points on a road, the mileage used shall be the mileage as determined by the highway authority for the State in which the road is located. The mileage so determined, or the mileage determined under paragraphs (b) and (c) of this section, whichever is less, shall be considered to be the lowest highway mileage distance between Boston and the named point.

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

Effective date: February 1, 1967.

Signed at Washington, D.C., on January 31, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-1307; Filed, Feb. 2, 1967; 8:50 a.m.]

[Milk Order 2]

PART 1002—MILK IN NEW YORK-NEW JERSEY MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the New York-New Jersey marketing area (7 CFR Part 1002), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act for the month of February 1967:

In § 1002.40(a)(11) the provision "for the month for which the Class I–A price is being determined." and all of the provisions of the table except the factor "1.04".

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension action will substantially offset a downward price adjustment which results from a reduction in the Class I utilization percentage because of the use of skim milk in standardizing fluid milk which under the existing accounting procedure decreases the volume of milk classified as Class I. Through January, the incident of standardization did not significantly affect the Class I price level because the utilization percentage reflects the utilization in the second and third preceding months related to a base period norm. An inappropriate price decline resulting from an apparent but unreal reduction in the Class I utilization is unwarranted in the face of the downward trend in producer receipts relative to Class I sales.

(4) This suspension action was requested by producers and supported by handlers at a public hearing held January 16–25, 1967, at New York, N.Y., which was called at the request of producers to consider changes that might be needed to accommodate the order to a new permissive milk standardization law for New York State, effective November 1, 1966. At the hearing, witnesses testified that emergency action in the form of a suspension order is necessary to offset the decrease in the Class I price that would otherwise result from inappropriate action of the utilization adjustment percentages pending the time when an amended order can be issued.

The order in its present form was designed to accommodate the situation in the New York-New Jersey market where standardization of milk was not permitted. Because of the manner in which the butterfat accounting system provided in the order operates, the changes in the laws in these States to permit standardization result in a lower total Class I utilization being recorded without a comparable drop in actual use. This in turn inappropriately reduces the Class I utilization adjustment percentages and the Class I prices associated with them. At the hearing, representatives of both producers and handlers estimated that the February Class I price would be reduced by at least 6 cents through the inappropriate reduction in the utilization percentages and that in subsequent months the price reduction would be greater. These representatives also requested that emergency action be taken to prevent declines in Class I prices and producer returns that would otherwise result from the inability of the present order to properly adjust to the practice of standardization now prevailing in the market.

Therefore, good cause exists for making this order effective February 1, 1967.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the period February 1, 1967, through February 28, 1967.

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

Effective date: February 1, 1967.

Signed at Washington, D.C., on January 31, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-1308; Filed, Feb. 2, 1967; 8:51 a.m.]

[Milk Order 15]

PART 1015—MILK IN CONNECTICUT MARKETING AREA

Order Amending Order

§ 1015.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Connecticut marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will

reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than February 1, 1967. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued January 17, 1967, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued January 27, 1967. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective February 1, 1967, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (5 U.S.C. 553(d) (1966).)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Connecticut marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

§ 1015.62 [Amended]

1. In paragraph (b) of § 1015.62 the phrase "Mileage Guide No. 7" is revised to read "Mileage Guide No. 8."

2. In § 1015.62 paragraph (e) is revised to read as follows:

(e) Notwithstanding the provisions of paragraphs (b) and (c) of this section, for any named point located in New England and New York State, determine the highway mileage distance between Hartford and the named point by use of the appropriate State maps contained in Mileage Guide No. 7, issued by Household Goods Carriers' Bureau, Agent, Washington, D.C. Such distance shall be the lowest highway mileage between Hartford and the named point on the map, over roads designated thereon as paved, all-weather roads. In the event that the named point is not located on a through, paved, all-weather road, such other roads shall be used to reach a through, paved, all-weather road as will result in the lowest highway mileage to Hartford, except that such other roads shall not be used for a distance of more than 15 miles if it is otherwise possible to connect with a through, paved, all-weather road. In any instance in which the map does not clearly show the mileage between points on a road, the mileage used shall be the mileage as determined by the highway authority for the State in which the road is located. The mileage so determined, or the mileage determined under paragraphs (b) and (c) of this section, whichever is less, shall be considered to be the lowest highway mileage distance between Hartford and the named point.

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

Effective date: February 1, 1967.

Signed at Washington, D.C., on January 31, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-1305; Filed, Feb. 2, 1967; 8:50 a.m.]

[Milk Order 64]

PART 1064—MILK IN GREATER KANSAS CITY MARKETING AREA

Order Amending Order

§ 1064.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than February 1, 1967. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator was issued January 18, 1967, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued January 27, 1967. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective February 1, 1967, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (5 U.S.C. 553(d) (1966).)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. In § 1064.12 the introductory text and paragraph (b) are revised and a new paragraph (c) is added to read as follows:

§ 1064.12 Pool plant.

"Pool plant" means a plant (except a plant exempt pursuant to § 1064.60 or § 1064.62) specified in paragraph (a), (b), or (c) of this section:

* * * * *

(b) A supply plant from which during the month the volume of Grade A fluid milk products shipped to and received at pool plants pursuant to paragraph (a) of this section and/or disposed of in the marketing area as Class I on routes is not less than 30 percent during November, December, and January and not less than 50 percent during all other months of the volume of Grade A milk received from dairy farmers at such plant (including receipts from a handler pursuant to § 1064.7(c) except receipts of diverted milk pursuant to § 1064.15): *Provided*, That any supply plant which is a pool plant during September through January shall be pooled for the following months of February through August if the required percentages pursuant to this paragraph are not met, unless such operator requests the market administrator in writing that such plant not be a pool plant, such nonpool status to be effective the first month following such notice and thereafter until the plant qualifies as a pool plant on the basis of shipments:

(c) A supply plant which is operated by a cooperative association in any month in which the member producer milk of such cooperative association received during the month at pool distributing plants either by transfer from such supply plant or directly from member producers' farms is equal to or in excess of the following percentages of such cooperatives' total member producer milk: September, October, November, December, and January, 65 percent; all other months, 50 percent. If two or more cooperative associations desire to qualify, a supply plant operated by one of such cooperatives as a pool plant on the basis of their combined deliveries to pool distributing plants and have filed a request to this effect in writing with the market administrator on or before the first day of the month the agreement is effective, such a supply plant shall be a pool plant during the month if the above specified percentages of the total member producer milk of such cooperative associations was received during the month at pool distributing plants.

2. In § 1064.15 paragraphs (a) and (b) are revised to read as follows:

§ 1064.15 Diverted milk.

* * * * *

(a) A handler pursuant to § 1064.7(b) may divert for its account without limit during the other days of the month the milk of any member producer whose milk is received at a pool distributing plant for at least 6 days' production during the month. The total quantity of milk so diverted may not exceed 35 percent in September through January and 100 percent in February through August of the larger of the following amounts: (1) The total quantity of its member producer milk received at all pool distributing plants during the current month, or (2) the average daily quantity of its member producer milk received at pool distributing plants during the previous month multiplied by the number of days in the current month;

(b) A handler in his capacity as the operator of a pool distributing plant may divert for his account the milk of any producer, other than a member of a cooperative association which has diverted milk pursuant to paragraph (a) of this section, whose milk is received at his pool distributing plant for at least 6 days' production during the month, without limit during the other days of such month. However, the total quantity of milk so diverted may not exceed 35 percent in September through January and 100 percent in February through August of the larger of the following amounts: (1) The total quantity of producer milk received at such plant during the current month from producers who are not members of a cooperative association which has diverted milk pursuant to paragraph (a) of this section, or (2) the average daily quantity of producer milk received at such plant during the previous month multiplied by the number of days in the current month from producers who are not members of a cooperative association which has diverted milk in the current month pursuant to paragraph (a) of this section; and

* * * * *

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

Effective date: February 1, 1967.

Signed at Washington, D.C., on January 31, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-1306; Filed, Feb. 2, 1967; 8:50 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 70—SPECIAL NUCLEAR MATERIAL

Requirements for Control and Physical Inventory

On May 27, 1966, the Atomic Energy Commission published in the FEDERAL REGISTER (31 F.R. 7634) proposed amendments to its regulation, 10 CFR Part 70, Special Nuclear Material, which would require holders of licenses for special nuclear material to adopt material control systems to better enable them to account for the special nuclear material which they are licensed to possess and to perform physical inventories of such material.

All interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. Upon consideration of the material submitted in response to the notice of proposed rule making, the views of industry representatives offered during an industry advisory conference convened by the Atomic Energy Commission on July 27, 1966, to discuss the proposed amendments, and other factors involved, the Commission has adopted the amendments set forth below.

The principal differences from the amendments published for comment are:

1. Proposed § 70.22(b) has been revised to require applicants for special nuclear material licenses to possess and use more than 5,000 grams of special nuclear material for activities other than those involved in the operation of a nuclear reactor or as a sealed source to submit to the Commission (1) a full description of their procedures for the control of and accounting for special nuclear material, including certain specified procedures, and (2) an identification of the fundamental material controls provided in the applicant's material control and accounting procedures, which the applicant considers essential for assuring that special nuclear material in his possession will be adequately safeguarded;

2. Proposed § 70.22(b) has been revised to provide that the fundamental material controls identified by the applicant will be considered by the Commission in determining the conditions to be incorporated in the license pursuant to § 70.32(c);

3. Footnotes have been added to §§ 70.22(b)(1) and 70.51(c)(1) to note that as guidance in preparing the required descriptions, an applicant or a licensee may consult "A Guide for the Preparation of Procedure Manuals for Safeguards Control and Inventory Management of Nuclear Materials," which is available upon request to the AEC. In this regard it is noted that the AEC views as high priority the development of more definitive criteria and standards in the safeguarding of special nuclear material and as these are developed they will be included in appropriate AEC regulations or guides;

4. A new § 70.32(c) has been added which provides that each license to possess and use more than 5,000 grams of special nuclear material for activities other than those involved in the operation of a nuclear reactor or as a sealed source shall contain a condition requiring the licensee to maintain such fundamental material controls as were identified pursuant to §§ 70.22(b)(2) and 70.51(c)(2) and such other material control procedures, as the Commission determines to be essential for the safeguarding of special nuclear material;

5. The new requirements relating to the establishment and maintenance of material control and accounting procedures and the performance of physical inventories by special nuclear material licensees, have been included in § 70.51 as paragraphs (b) and (c) rather than in a new § 70.24 as proposed;

6. The present § 70.51 has been redesignated § 70.51(a) and revised to require licensees to keep records of all

special nuclear material in their possession regardless of origin or method of acquisition;

7. Redesignated § 70.51 (b) and (c) have been revised to make clear that the new requirements apply only to licensees authorized to possess and use special nuclear material in a quantity exceeding 5,000 grams of "contained" uranium 235, uranium 233, and plutonium or any combination thereof;

8. Redesignated § 70.51(b)(2) has been revised to make clear that the requirement for an annual physical inventory of material is a minimum requirement and that the Commission may require inventories at more frequent intervals in individual cases if this appears to be necessary;

9. A footnote has been added to redesignated § 70.51(b)(2) to explain that the required physical inventory of the special nuclear material content of irradiated fuel elements may be performed by calculations, using measured indirect parameters such as reactor power output;

10. Redesignated § 70.51(c) has been revised to require licensees authorized to possess and use more than 5,000 grams of special nuclear material for activities other than those involved in the operation of a nuclear reactor or as a sealed source to submit to the Commission (1) a full description of their procedures for the control of and accounting for special nuclear material, including certain specified procedures, and (2) an identification of the fundamental material controls provided in the licensee's material control and accounting procedures, which the licensee considers essential for assuring that special nuclear material in his possession will be adequately safeguarded;

11. Redesignated § 70.51(c) has been revised to provide that the fundamental material controls identified by the licensee will be considered by the Commission in determining the conditions to be incorporated in the license pursuant to § 70.32(c).

Certain editorial changes have also been made in the amendments set forth below.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, the following amendments to 10 CFR Part 70 are published as a document subject to codification to be effective 30 days after publication in the FEDERAL REGISTER.

1. Section 70.4 of 10 CFR Part 70 is amended by adding a new paragraph (q) to read as follows:

§ 70.4 Definitions.

* * * * *

(q) "Sealed source" means any special nuclear material that is encased in a capsule designed to prevent leakage or escape of the special nuclear material.

2. Section 70.22 of 10 CFR Part 70 is amended by redesignating paragraphs (b) and (c) as paragraphs (c) and (d) and adding a new paragraph (b) to read as follows:

§ 70.22 Contents of applications.

* * * * *

(b) Each application for a license to possess at any one time special nuclear material in a quantity exceeding 5,000 grams of contained uranium 235, uranium 233 or plutonium, or any combination thereof, and to use such special nuclear material for activities other than those involved in the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, or as sealed sources, shall contain:

(1) A full description of the applicant's procedures for control of and accounting for special nuclear material which will be in his possession under license, including:

(i) Procedures used in receiving, storing and shipping special nuclear material;

(ii) Procedures for controlling special nuclear material during its processing or use in the facility, if appropriate;

(iii) Procedures by which process losses are determined;

(iv) Special nuclear material records and reporting procedures;

(v) Physical inventory and measurement procedures for special nuclear material, including frequency; and

(vi) Administrative controls (organization and management) for assuring appropriate implementation of the foregoing procedures.[1]

(2) An identification of the fundamental material controls provided in the procedures described in subparagraph (1) (i) through (vi) of this paragraph, which the applicant considers essential for assuring that special nuclear material in his possession under license will be adequately safeguarded. Such proposed controls will be considered by the Commission in determining the conditions to be incorporated in the license pursuant to § 70.32(c).

* * * * *

3. Section 70.23 of 10 CFR 70 is amended by adding a new paragraph (g) to read as follows:

§ 70.23 Requirements for the approval of applications.

A license application will be approved if the Commission determines that:

* * * * *

(g) Where the applicant is required to submit a summary description of the fundamental material controls provided in his procedures for the control of and accounting for special nuclear material pursuant to § 70.22(b)(2), the applicant's proposed controls are adequate.

4. A new paragraph (c) is added to § 70.32 of 10 CFR Part 70 to read as follows:

§ 70.32 Conditions of licenses.

* * * * *

(c) Each license authorizing the possession at any one time of special nuclear material in a quantity exceeding 5,000 grams of contained uranum 235, uranium 233, or plutonium, or any combination thereof, and the use of such special nuclear material except in the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, or in sealed sources, shall contain and be subject to a condition requiring the licensee to maintain (1) such fundamental material controls identified pursuant to §§ 70.22 (b)(2) and 70.51(c)(2), and (2) such other material control procedures, as the Commission determines to be essential for the safeguarding of special nuclear material.

5. The undesignated center head preceding § 70.51 of 10 CFR Part 70 is amended by inserting the words "Special Nuclear Material Control," before the words "Records, Reports and Inspections."

6. Section 70.51 of 10 CFR Part 70 is amended to read as follows:

§ 70.51 Inventory and records requirements.

(a) Each licensee shall keep records showing the receipt, inventory (including location), disposal and transfer of all special nuclear material in his possession regardless of its origin or method of acquisition.

(b) Each licensee who is authorized to possess at any one time special nuclear material in a quantity exceeding 5,000 grams of contained uranium 235, uranium 233, or plutonium, or any combination thereof, shall

(1) Establish and maintain written material control and accounting procedures which are sufficient to enable the licensee to account for the special nuclear material in his possession under license;

(2) Perform annually, or at such other intervals as the Commission may require, a physical inventory[2] of the special nuclear material in his possession under license.

(c) Each licensee who is authorized to possess at any one time special nuclear material in a quantity exceeding 5,000 grams of contained uranium 235, uranium 233, or plutonium, or any combination thereof, and to use such special nuclear material for activities other than those involved in the operation of a nuclear reactor licensed pursuant to Part 50 of this chapter, or as sealed sources, shall submit to the Commission within 60 days after _____:[3]

(1) A full description of his procedures for control of and accounting for special nuclear material in his possession under license, including:

[1] For guidance in preparing the required descriptions, an applicant may consult "A Guide for the Preparation of Procedure Manuals for Safeguards Control and Inventory Management of Nuclear Materials", which is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of this guide may be obtained by addressing a request to the Director of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

[2] The method of physical inventory will vary depending on the material to be inventoried and the process involved. In the case of irradiated fuel elements, the special nuclear material content may be obtained by calculations, using measured indirect parameters such as reactor power output.

[3] Effective date of this amendment.

(i) Procedures used in receiving, storing, and shipping special nuclear material;

(ii) Procedures for controlling special nuclear material during its processing or use in the facility, if appropriate;

(iii) Procedures by which process losses are determined;

(iv) Special nuclear material records and reporting procedures;

(v) Physical inventory and measurement procedures for special nuclear material, including frequency; and

(vi) Administrative controls (organization and management) for assuring appropriate implementation of the foregoing procedures.[4]

(2) An identification of the fundamental material controls provided in the procedures described in subparagraph (1) (i) through (vi) of this paragraph, which the licensee considers essential for assuring that special nuclear material in his possession under license will be adequately safeguarded. Such proposed controls will be considered by the Commission in determining the conditions to be incorporated in the license pursuant to § 70.32(c).

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 30th day of January 1967.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 67-1283; Filed, Feb. 2, 1967; 8:48 a.m.]

[4] For guidance in preparing the required descriptions, a licensee may consult "A Guide for the Preparation of Procedure Manuals for Safeguards Control and Inventory Management of Nuclear Materials", which is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of this guide may be obtained by addressing a request to the Director of Materials Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 20,432]

PART 531—STATEMENTS OF POLICY

General Policy on Advances

JANUARY 30, 1967.

Resolved that the Federal Home Loan Bank Board, upon consideration by it of the advisability of codifying its General Policy on Advances adopted by the Board on August 6, 1965, as Federal Home Loan Bank Board Resolution No. 19,334, and duly published in the FEDERAL REGISTER on August 14, 1965 (30 F.R. 10168), hereby amends Part 531 of the regulations for the Federal Home Loan Bank System (12 CFR Part 531) by adding a new section, § 531.1, to read as follows:

§ 531.1 General policy on advances.

(a) The Federal Home Loan Banks are authorized to make advances to members subject to such regulations, restrictions, and limitations as the Board may prescribe. It should, therefore, be recognized that access by members to advances is a privilege which may be limited in accordance with the provisions and intent of the Federal Home Loan Bank Act. Advances may be made to meet withdrawals, to cover seasonal requirements, and for expansion of residential mortgage portfolios. The Banks are required to give due consideration to the soundness of credit, the need to stabilize home financing, the discouragement of building booms, and prevention of distressed conditions in the housing and mortgage markets in granting advances for expansion of home mortgage portfolios.

(b) In fulfilling the foregoing principles, due regard must be paid to the overall effects of credit extension on economic stability; the soundness of the borrowing institution and the credit it extends; and the effect of credit extensions on the soundness of the mortgage and housing markets in which the institution operates.

(c) When economic considerations dictate, advances may be extended within more liberal limits and at lower interest rates than might normally apply; conversely, if economic conditions suggest a limitation of credit, limits on advances may be tightened and interest rates increased above normal levels.

(d) The soundness of the borrowing institution is always a major consideration in granting advances. Members having lending experience which indicates less than satisfactory credit practices, lower than desirable reserve levels or additions to reserves, high expense ratios, or other relevant characteristics creating a less than satisfactory posture, should be either limited in or denied the use of advances for expansion.

(e) Irrespective of general economic conditions and the member's own performance, primary consideration should be given to the strength of housing demand and the quality of mortgage credit in a member's market. Advances should be granted only if it is clear that the market can absorb the additional funds without contributing to an overhang of housing supply or the deterioration of credit standards.

(f) The use of advances to permit members to obtain what is primarily the advantage of rate differential rather than to meet clearly visible needs for funds should be avoided. Similarly, advances for any purpose not consistent with the intent of the Federal Home Loan Bank Act should be denied. Advances should not be extended to meet those foreseeable needs of a member which can reasonably be met from a member's own resources. Members should not seek credit in anticipation of withdrawals, and credit should not be granted to increase cash positions, to purchase Government securities, or to acquire other investment securities except to the extent that the applicant is reestablishing the association's normal liquidity.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 67-1311; Filed, Feb. 2, 1967; 8:51 a.m.]

[No. 20,433]

PART 531—STATEMENTS OF POLICY

Supplemental Statement of Policy on Advances

JANUARY 30, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising § 531.3 of the regulations for the Federal Home Loan Bank System (12 CFR 531.3) and for the purpose of effecting such revision, hereby revises said § 531.3 to read as follows:

§ 531.3 Supplemental statement of policy on advances.

(a) Withdrawal advances should ordinarily be liquidated in as brief a period as the member's flow of savings would reasonably permit. However, where a member's eligibility to obtain advances for relending purposes has been established, the member may elect to convert its withdrawal advances outstanding on the effective date of this section to advances for relending within its established eligibility.

(b) Continuous borrowing, without due regard to the provisions in § 531.1 or to utilizing advances as permanent capital, is to be discouraged. Large or continuous borrowers should be maintained under close scrutiny and should be required to reduce outstanding advances as conditions in the mortgage market and a member's condition indicates the desirability of such action.

(c) Commitments should not exceed reasonable levels giving due consideration to all factors pertaining to a member's condition and operating situation. Moreover, member institutions should control commitments by giving due regard to reasonably anticipated cash flows, the requirements of the residential mortgage market, and the availability of credit from a member's Bank based on discussion with the Bank.

(d) Members' scheduled item ratios shall be given careful consideration in the extension of credit. Maximum permissible limits are stated below:

Scheduled item percentage to total assets	*Maximum limit in percent of savings capital*
2–2.99	12
3–3.99	9½
4–4.99	6
5 or more	2½

Where members' ratios exceed permissible limits, a reduction should be

achieved as soon as possible, consistent with conditions in the mortgage market. It is likely that some time may be required to effect reductions based on conditions in the mortgage market, but as savings flows generally increase, and mortgage market conditions ease, repayments should be accelerated to bring members into compliance. The repayment programs developed should permit such flexibility at the discretion of each Bank.

(e) Each Bank is authorized to make exceptions to the foregoing scheduled items guideline in cases where there are unusual and extenuating circumstances subject to approval by its Board of Directors and a full statement in the minutes of the Board of Directors' meeting for such action. Such exceptions may be based on significant changes in management and policy, but should not be made merely on the grounds that funds are needed in the market; nor should any exception commit the Banks for more than 6 months.

(f) Loan officers of regional banks are expected to examine each advance application in prudent detail. Previous credit determinations certainly do not preclude such examinations, nor acceptance, rejection or modification of the proposed loan application. Particular attention shall be given to precise purposes of the proposed advance and the type of properties and transactions for which the funds are sought.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 67-1310; Filed, Feb. 2, 1967; 8:51 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER B—SALES AND SERVICES

PART 818—PERSONAL COMMERCIAL AFFAIRS

SUBCHAPTER K—MILITARY TRAINING AND SCHOOLS

PART 908—MEDICAL EDUCATION OF RESERVE AIR FORCE OFFICERS

Miscellaneous Amendments

A new Part 818 implementing § 43.8(c) of Chapter I of this title is added below. Also a new Part 908 is set forth below:

§ 818.1 Locator service.

Those desiring to contact an Air Force member about his indebtedness may obtain the member's address by writing to the Air Force Locator Service at USAFMPC (AFPMDRF), Randolph AFB, Tex. 78148, and including the locator fee of $1.50. (Exception: Banking facilities subsidized by the U.S. Treasury are exempt from charges for locator service.)

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)
[AFR 211-2, July 13, 1966]

Sec.
908.1 Purpose.
908.2 Eligibility criteria for medical training.
908.3 Service commitment incurred.
908.4 How to apply for training.
908.5 Processing responsibility.

AUTHORITY: The provisions of this Part 908 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.

SOURCE: AFR 36-25, Nov. 4, 1966.

§ 908.1 Purpose.

This part shows how a military member or a civilian highly motivated toward an Air Force career in medicine may participate in advanced training that qualifies him as an Air Force physician. It also outlines eligibility requirements and tells how to apply for such training.

§ 908.2 Eligibility criteria for medical training.

If an applicant is a nonrated Reserve officer in grade of first lieutenant or below, a Reserve or active-duty enlisted man, a civilian having received a B.S. degree, or a civilian within 6 months of completion of premedical school, and if he will be under 27 years of age upon entry into medical school and has proof of acceptance by an accredited medical school[1] and has been recommended by the dean of his premedical school, then he may apply under the medical education program, at least 6 months prior to anticipated entry in medical school, for training at an accredited medical school for the period of time normally required to earn an MD degree from the school, usually 4 but sometimes 5 years.

§ 908.3 Service commitment incurred.

A participant in this medical education program:

(a) Must agree to accept appointment or reappointment, in the Reserve of the Air Force Medical Service Corps (MSC) for the duration of his medical school training and, if it is tendered, to accept reappointment in the Reserve of the Air Force Medical Corps (MC) upon graduation.

(b) Is placed on extended active duty (EAD) while attending medical school and is entitled to pay and allowances during that period.

(c) Incurs active duty service commitment (ADSC) prescribed in AFR 36-51 (Career Reserve Status for Reserve Officers and Active Duty Service Commitments for Officers and Warrant Officers). The ADSC will be 3 months, for each month the student attends a medical school, effective upon completion of internship training. (For example, a student who attends school for 4 years, at a school which has an academic year of 9 months, would incur an ADSC of three times 36 months, or 108 months.) If a student is eliminated from training before completion of the first year, he will incur an ADSC of 2 years from date of elimination. Elimination after completion of the first year will result in an ADSC of 2 years, plus 1 month for each month of training received after the first year.

(d) Must complete any unfilled military incurred in obtaining his commission. Students in the program will be fulfilling their service obligation incurred as a result of Reserve Officers' Training Corps (ROTC) or Officer Training School (OTS) participation while they are on active duty at medical school or during an Air Force sponsored internship program.

§ 908.4 How to apply for training.

The applicant will submit a request direct to USAFMPC (AFMSMB4) Randolph AFB, Tex. 78148, for an application kit.

§ 908.5 Processing responsibility.

(a) Headquarters, USAF, after consideration of each application, will make selections by a medical education committee representing the Surgeon General, U.S. Air Force. Career motivation, scholastic standing, and military aptitude will be considered in making selections.

(b) Air University, through the Commandant, Air Force Institute of Technology (AFIT), will negotiate and contract with medical schools for the education authorized by this part. The contract must include payment for all tuition and fees listed in the selected school's official catalog. In addition, AFIT will defray associated educational expenses for books, supplies, thesis preparation, and equipment as follows:

(1) Books and supplies, as required, up to $100 a year.

(2) Any medical equipment the school requires all students to possess.

(3) Doctoral dissertation (when required of students), $50.

By order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 67-1248; Filed, Feb. 2, 1967; 8:46 a.m.]

[1] The letter of acceptance may be contingent upon completion of specified premedical courses, but may not be for premedical training only.

Chapter XVI—Selective Service System

[Amdt. 102]

PART 1622—CLASSIFICATION RULES AND PRINCIPLES

Doctors of Osteopathy

By virtue of the authority delegated to me in Executive Order No. 11266, dated

January 18, 1966, and having been advised by the Secretary of Defense that a special requisition for doctors of osteopathy under authority of § 1631.4 of these regulations will be issued for registrants in such category, § 1622.30a, *Registrants included in the term "allied specialist category" as used in paragraph (a) of § 1622.30*, is amended to read as follows:

§ 1622.30a Registrants included in the term "allied specialist category" as used in paragraph (a) of § 1622.30.

As used in paragraph (a) of § 1622.30, the term "allied specialist category" shall include, but is not limited to doctors of osteopathy, optometrists, and registered professional male nurses.

(Sec. 10, 62 Stat. 618; 50 U.S.C. App. 460; E.O. 11266, Jan. 18, 1966, 31 F.R. 743)

This order shall become effective upon the filing thereof with the Office of the Federal Register, National Archives and Records Service, General Services Administration.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

JANUARY 31, 1967.

[F.R. Doc. 67-1280; Filed, Feb. 2, 1967; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 67-WE-2]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Pullman-Moscow Regional Airport control zone.

The control zone extension SW of the Pullman VOR, described on the 229° radial, was designated to protect a West Coast Airlines (Special ADF) approach based on the privately owned Pullman-Moscow radio beacon. The radio beacon has been decommissioned and the zone extension is no longer required.

Since this action imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, Effective 0001 e.s.t., March 30, 1967, as hereinafter set forth:

In § 71.171 (32 F.R. 2071) the Pullman, Wash., control zone is amended as follows:

PULLMAN, WASH.

Within a 5-mile radius of Pullman-Moscow Regional Airport (latitude 46°44'40" N., longitude 117°06'30" W.) and within 2 miles each side of the Pullman VOR 049° radial, extending from the 5-mile zone to the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(Sec. 307(a), Federal Aviation Act of 1958, as amended; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Los Angeles, Calif., on January 23, 1967.

JOSEPH H. TIPPETS,
Director, Western Region.

[F.R. Doc. 67-1187; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 66-CE-81]

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

Alteration of Control Zone and Transition Area

On November 15, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14557) stating that the Federal Aviation Agency proposed to alter controlled airspace at Liberal, Kans.

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

The phraseology recited in the notice of proposed rule making, concerning the effective dates and times of the Liberal, Kans., control zone, has been changed slightly in this final rule. Since this change is minor in nature and imposes no additional burden on anyone, it is being made in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

1. In § 71.171 (32 F.R. 2071), the Liberal, Kans., control zone is amended to read:

LIBERAL, KANS.

Within a 5-mile radius of Liberal Municipal Airport (latitude 37°02'35" N., longitude 100°57'45" W.); within 2 miles each side of the Liberal VORTAC 025° radial, extending from the 5-mile radius zone to 8 miles NE of the VORTAC; and within 2 miles each side of the Liberal VORTAC 153° radial, extending from the 5-mile radius zone to 8 miles SE of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

2. In § 71.181 (32 F.R. 2148), the Liberal, Kans., transition area is amended to read:

LIBERAL, KANS.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Liberal Municipal Airport (latitude 37°02'35" N., longitude 100°57'45" W.); and that airspace extending upward from 1,200 feet above the surface within a 17-mile radius of Liberal Municipal Airport.

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

Issued in Kansas City, Mo., on January 23, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-1188; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 66-CE-86]

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

Alteration of Control Zone and Transition Area

On November 17, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14652) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Iron Mountain, Mich., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth:

1. In § 71.171 (32 F.R. 2071), the Iron Mountain, Mich., control zone is amended to read:

IRON MOUNTAIN, MICH.

Within a 5-mile radius of Ford Airport, Iron Mountain, Mich. (latitude 45°48'55" N., longitude 88°07'00" W.) and within 2 miles each side of the Iron Mountain VOR 141° and 193° radials extending from the 5-mile radius zone to 8 miles SE and S of the VOR; and within 2 miles each side of the 182° and 276° bearings from Ford Airport extending from the 5-mile radius zone to 8 miles S and W of the airport. This control zone shall be effective during the specific dates and/or times established in advance by a Notice to Airmen and continuously published in the Airman's Information Manual.

2. In § 71.181 (32 F.R. 2148), the Iron Mountain, Mich., transition area is amended to read:

IRON MOUNTAIN, MICH.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Ford Airport, Iron Mountain, Mich. (latitude 45°48'55" N., longitude 88°07'00" W.); and within 5 miles NE and 8 miles SW of the Iron Mountain VOR 141° radial, within 5 miles W and 8 miles E of the VOR 193° radial extending from the VOR to 12 miles SE and S of the VOR; and within 5 miles W and 8 miles E of the 182° bearing from Ford Airport, within 5 miles N and 8 miles S of the 276° bearing from Ford Airport extending from the airport to 12 miles S and W of the airport.

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

Issued in Kansas City, Mo., on January 23, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-1189; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 66-SO-58]

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

Alteration of Federal Airway

On November 11, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14559) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke the V-295 E alternate from Vero Beach, Fla., to Orlando, Fla.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. The Air Transport Association of America offered no objection to the proposal. No other comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

Section 71.123 (32 F.R. 2009) is amended as follows: In V-295 all between "Orlando, Fla., 161° radials;" and "12 AGL INT Orlando 283°" is deleted and "12 AGL Orlando;" is substituted therefor.

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

Issued in Washington, D.C., on January 25, 1967.

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

[F.R. Doc. 67-1190; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 67-SW-2]

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

Alteration of Transition Area

On October 25, 1966, F.R. Doc. 66-11567 was published in the FEDERAL REGISTER (31 F.R. 13698) which designated the Marfa, Tex., transition area.

The Marfa, Tex., transition area is described, in part, as that airspace within 5 miles NE and 8 miles SW of the Marfa VOR 324° and 144° radials extending from the 7-mile radius area to 14 miles SE of the VOR. As the coordinates of the Marfa VOR (latitude 30°17'53" N., longitude 103°57'15" W.) plot approximately one-half mile SW of the VOR location as displayed on the El Paso sectional chart, it has been determined that the description should be redescribed as extending from 5 miles NW to 14 miles SE of the VOR to facilitate charting of this transition area. Accordingly, action is taken herein.

Since this amendment is clarifying in nature and will impose no additional burden on any person, notice and public procedures are unnecessary and this amendment may be made effective immediately.

In consideration of the foregoing Part 71 of the Federal Aviation Regulations is amended, effective immediately, as herein set forth.

In § 71.181 (32 F.R. 2148) the Marfa, Tex., transition area is amended to read as follows:

MARFA, TEX.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Marfa Municipal Airport (latitude 30°22'-15" N., longitude 104°01'15" W.) and within 5 miles NE and 8 miles SW of the Marfa VOR 324° and 144° radials extending from 5 miles NW to 14 miles SE of the VOR.

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

Issued in Fort Worth, Tex., on January 20, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-1191; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 66-CE-76]

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

Designation of Transition Area

On October 27, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 13801) stating that the Federal Aviation Agency proposed to designate controlled airspace at Olney, Ill.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received offered no objection to the proposal.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

OLNEY, ILL.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Olney-Noble Airport, Olney, Ill. (latitude 38°43'20" N., longitude 88°10'25" W.); and within 2 miles each side of the 223° bearing from Olney-Noble Airport, extending from the 5-mile radius area to 8 miles SW of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles NW and 8 miles SE of the 223° bearing from the Olney-Noble Airport, extending from the airport to 12 miles SW of the airport, excluding the airspace within the Evansville, Ind., transition area.

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

Issued in Kansas City, Mo., on January 23, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-1192; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 66-CE-84]

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

Designation of Transition Area

On November 17, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14653) stating that the Federal Aviation Agency proposed to designate controlled airspace in the Wisconsin Rapids, Wis., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received offered no objection to the proposal.

The latitude coordinate recited in the 700-foot floor transition area description in the notice of proposed rule making has been changed slightly in this final rule. In addition, a portion of the 1,200-foot floor transition area description recited in the notice of proposed rule making has been reworded in this final rule in order to clarify the description of this airspace. This latter change does not increase the amount of airspace as proposed in the notice. Since these changes are minor in nature and impose no additional burden on anyone, they are being incorporated in the rule without notice and public procedure.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

WISCONSIN RAPIDS, WIS.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Alexander Field-South Wood County Airport (latitude 44°21'30" N., longitude 89°-50'15" W.); and within 2 miles each side of the 191° bearing from Alexander Field-South Wood County Airport, extending from the 6-mile radius to 8 miles S of the airport; and that airspace extending upward from 1,200 feet above the surface within 7 miles N and 14 miles S of the 101° and 281° bearings from Alexander Field-South Wood County Airport extending from 5 miles W to 9 miles E of the airport, excluding the portion of the 1,200-foot transition area, which overlies the Camp Douglas, Wis. and Wausau, Wis., transition areas.

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

Issued in Kansas City, Mo., on January 23, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-1193; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 66-SO-88]

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

Designation of Transition Area

On December 15, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 15814) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Hazlehurst, Ga., transition area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the following transition area is added:

HAZLEHURST, GA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hazlehurst Airport (latitude 31°53'05" N., longitude 82°38'50" W.); within 2 miles each side of the Alma VORTAC 342° radial extending from the 5-mile radius area to 18 miles NE of the VORTAC; and that airspace extending upward from 1,200 feet above the surface bounded on the NE by V-267, on the SE by V-157, and on the SW by V-5/V-51; within the area E of Alma bounded on the NW by V-157, on the NE by V-267, and on the SW by V-51E.

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

Issued in East Point, Ga., on January 24, 1967.

W. B. RUCKER,
Acting Director, Southern Region.

[F.R. Doc. 67-1194; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 67-CE-11]

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

Revocation of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Imperial, Nebr., control zone and transition area.

The Imperial, Nebr., control zone and transition area were designated to provide the controlled airspace necessary to protect aircraft utilizing a public-use instrument approach procedure at the Imperial, Nebr., Municipal Airport predicated on a State-owned radio beacon facility. This instrument approach procedure has now been canceled. Consequently, there is no longer any requirement for a control zone and transition area at this location and action is taken herein to revoke this controlled airspace.

Since this amendment is less restrictive in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

1. In § 71.171 (32 F.R. 2071), the Imperial, Nebr., control zone is revoked in its entirety.

2. In § 71.181 (32 F.R. 2148), the Imperial, Nebr., transition area is revoked in its entirety.

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

Issued in Kansas City, Mo., on January 23, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67-1195; Filed, Feb. 2, 1967; 8:45 a.m.]

[Airspace Docket No. 67-SO-8]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Shelbyville, Tenn., transition area.

The Shelbyville transition area is described in § 71.181 (32 F.R. 2148).

Part of the airspace so described is predicated on the Shelbyville VOR 196° radial. Because of a 1-degree change in the approach radial of the prescribed instrument approach procedure, it is necessary to alter the transition area accordingly.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the Shelbyville, Tenn., transition area is amended by deleting "* * * Shelbyville VOR 196° radial * * *" and substituting "* * * Shelbyville VOR 195° radial * * *" therefor.

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

Issued in East Point, Ga., on January 26, 1967.

W. B. RUCKER,
Acting Director, Southern Region.

[F.R. Doc. 67-1251; Filed, Feb. 2, 1967; 8:46 a.m.]

[Airspace Docket No. 66-EA-48]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On November 19, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 14745) stating that the Federal Aviation Agency was considering an amendment to the Federal Aviation Regulations (FARs) which would alter Restricted Area R-5001, Fort Dix, N.J.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. The only comment received was from the Air Transport Association and they interposed no objection.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 30, 1967, as hereinafter set forth.

Section 73.50 (32 F.R. 2320) is amended as follows:

R-5001 FORT DIX, N.J.

SUBAREA A

Boundaries: Beginning at latitude 40°02'45" N., longitude 74°27'00" W.; to latitude 40°00'00" N., longitude 74°26'20" W.; to latitude 39°59'00" N., longitude 74°25'08" W.; to latitude 39°58'00" N., longitude 74°25'00" W.; to latitude 39°58'45" N., longitude 74°28'00" W.; to latitude 39°58'45" N., longitude 74°31'25" W.; to latitude 39°59'15" N., longitude 74°33'30" W.; to latitude 40°01'53" N., longitude 74°33'30" W.; to latitude 40°02'45" N., longitude 74°32'30" W.; to the point of beginning.

Designated altitudes: Surface to and including 4,000 feet MSL.

Time of designation: Continuous.

Controlling agency: Federal Aviation Agency, New York ARTC Center.

Using agency: Commanding General, Fort Dix, N.J.

SUBAREA B

Boundaries: Beginning at latitude 40°02'45" N., longitude 74°27'00" W.; to latitude 40°00'00" N., longitude 74°26'20" W.; to latitude 39°59'00" N., longitude 74°25'08" W.; to latitude 39°58'00" N., longitude 74°25'00" W.; to latitude 39°58'45" N., longitude 74°28'00" W.; to latitude 39°58'45" N., longitude 74°31'25" W.; to latitude 40°01'53" N., longitude 74°33'30" W.; to latitude 40°02'45" N., longitude 74°32'30" W.; to the point of beginning.

Designated altitudes: From 4,000 feet MSL to and including 8,000 feet MSL.

Time of designation: Continuous, sunrise Friday to sunset Sunday, other times by NOTAM, 48 hours in advance.

Controlling agency: Federal Aviation Agency, New York ARTC Center.

Using agency: Commanding General, Fort Dix, N.J.

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

Issued in Washington, D.C., on January 26, 1967.

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

[F.R. Doc. 67-1196; Filed, Feb. 2, 1967; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7905; Amdt. 521]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

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

ADF STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Duluth VOR	LOM	Direct	3000	T-dn	300-1	300-1	200-½
				C-d	400-1	500-1	500-1½
				C-n	400-1½	500-1½	500-1½
				S-dn-9	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 267° Outbnd, 087° Inbnd, 3000' within 10 miles.
Minimum altitude over facility on final approach crs, 2700'.
Crs and distance, facility to airport, 087°—5.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing LOM, climb to 3000' on 087° bearing from LOM within 10 miles.
MSA within 25 miles of facility: 000°-090°—2700'; 090°-180°—3100'; 180°-360°—2800'.

City, Duluth; State, Minn.; Airport name, Duluth International; Elev., 1429'; Fac. Class., H-SAB; Ident., DL; Procedure No. NDB (ADF) Runway 9, Amdt. 10; Eff. date, 25 Feb. 67; Sup. Amdt. No. ADF 1, Amdt. 9; Dated, 10 July 65

Stockbridge Int	GBR RBn	Direct	4000	T-dn	1000-2	1000-2	NA
Hillsdale Int	GBR RBn	Direct	4000	T-n	NA	NA	NA
				C-d	1700-2	1700-2	NA
				C-n	NA	NA	NA
				A-dn	NA	NA	NA

Procedure turn W side of crs, 165° Outbnd, 345° Inbnd, 4000' within 10 miles.
Minimum altitude over facility on final approach crs, 2420'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of GBR RBn, make right-climbing turn to 4000' returning to the GBR RBn. Hold S of GBR RBn 345° Inbnd, left turns, 1-minute.
NOTES: (1) Approach from a holding pattern not authorized. Procedure turn required. (2) Use Bradley Field altimeter setting. (3) State-owned facility, must be monitored aurally during approach.
CAUTION: High terrain all quadrants.
MSA within 25 miles of facility: 000°-360°—3600'.

City, Great Barrington; State, Mass.; Airport name, Great Barrington; Elev., 726'; Fac. Class., MH; Ident., GBR; Procedure No. NDB (ADF)-1, Amdt. Orig.; Eff. date, 25 Feb. 67

Westfield VOR	PMX RBn	Direct	3000	T-dn	500-1	500-1	NA
Gardner VORTAC	PMX RBn	Direct	3000	C-dn	1200-1½	1200-1½	NA
				A-dn	NA	NA	NA

Procedure turn E side of crs, 216° Outbnd, 036° Inbnd, 2800' within 10 miles.
Minimum altitude over facility on final approach crs, 1610'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of PMX RBn, climb to 2800' on 036° bearing, from PMX RBn. Return to PMX RBn, hold SW 036° Inbnd, right turns, 1 minute.
NOTES: (1) State-owned facility must be monitored aurally during approach. (2) Use Westover AFB altimeter setting. (3) Approach from a holding pattern not authorized. Procedure turn required.
CAUTION: 1094' terrain (unlighted), 1.2 miles E of airport.
MSA within 25 miles of facility: 000°-090°—3200'; 090°-180°—3000'; 180°-270°—2500'; 270°-360°—3000'.

City, Palmer; State, Mass.; Airport name, Metropolitan; Elev., 410'; Fac. Class., MHW; Ident., PMX; Procedure No. NDB(ADF)-1, Amdt. Orig.; Eff. date, 25 Feb. 67

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
PIA VOR	LOM	Direct	2400	T-dn	300-1	300-1	200-½
Pekin Int	LOM	Direct	2400	C-dn	400-1	500-1	500-1½
Mora Int	LOM	Direct	2400	S-dn-30	400-1	400-1	400-1
Mossville Int	LOM	Direct	2400	A-dn	800-2	800-2	800-2
Bradley Int	LOM	Direct	2400				

Procedure turn E side of crs, 123° Outbnd, 303° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 2400'.
Crs and distance, facility to airport, 303°—5.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing LOM, climb to 1800' proceed to PIA VOR, or when directed by ATC, climb to 2400', proceed to Bradley Int.
MSA within 25 miles of facility: 180°-270°—2000'; 270°-180°—2300'.

City, Peoria; State, Ill.; Airport name, Greater Peoria; Elev., 659'; Fac. Class., LOM; Ident., PI; Procedure No. NDB(ADF) Runway 30, Amdt. 4; Eff. date, 25 Feb. 67; Sup. Amdt. No. ADF-1, Amdt. 3; Dated, 14 Dec. 63

Washoe Int	Sparks RBn	Direct	11,000	T-dn%	1000-2	1000-2	1000-2
Wadsworth Int	Sparks RBn	Direct	10,000	C-dn	1600-2	1600-2	1600-2
Verdi Int	Sparks RBn	Direct	10,000	A-dn	2000-3	2000-3	2000-3
Steamboat Int	Sparks RBn	Direct	9000				
Reno VOR	Sparks RBn	Direct	9000				
Mustang Int	Sparks RBn	Direct	9000				
Pyramid Int	Sparks RBn	Direct	9000				
Truckee Int	Sparks RBn	Direct	10,500				
Nixon Int	Sparks RBn	Direct	10,000				

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 9000' within 10 miles.
Minimum altitude over Sparks RBn on final approach crs, 8000'; over Reno RBn, 6700'.
Crs and distance, Sparks RBn to airport, 162°—11.1 miles; RNO RBn to airport, 161°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 11.1 miles after passing Sparks RBn (2.3 miles after RNO RBn), turn left direct to Sparks RBn, climbing to 10,000'. Hold N, Sparks RBn 1-minute pattern, 162° Inbnd, right turns.
AIR CARRIER NOTE: No reduction in visibility authorized for local conditions.
%IFR departures must comply with published Reno SID's or as directed by ATC.
MSA within 25 miles of facility: 320°-050°—9800'; 050°-140°—9400'; 140°-230°—11,800'; 230°-320°—9800'.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., HW; Ident., SPK; Procedure No. NDB (ADF)-2, Amdt. 4; Eff. date, 25 Feb. 67; Sup. Amdt. No. ADF 2, Amdt. 3; Dated, 1 Oct. 66

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

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
R 116°, DLH VOR clockwise	R 192°, DLH VOR	Via 7-mile DME Arc.	3000	T-dn	300-1	300-1	200-½
				C-d	400-1	500-1	500-1½
R 250°, DLH VOR counterclockwise	R 192°, DLH VOR	Via 7-mile DME Arc.	3000	C-n	400-1½	500-1½	500-1½
				S-dn-3	400-1	400-1	400-1
7-mile DME Fix, R 192°	DLH VOR (final)	Direct	2000	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn E side of crs, 192° Outbnd, 012° Inbnd, 3000' within 10 miles.
Minimum altitude over facility on final approach crs, 2000'.
Crs and distance, facility to airport, 012°—2.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.2 miles after passing VOR, climb to 3000' on R 012° within 10 miles and return to VOR.
NOTE: Final approach from holding pattern at VOR not authorized. Procedure turn required.
MSA within 25 miles of facility: 000°-180°—3100'; 180°-360°—2800'.

City, Duluth; State, Minn.; Airport name, Duluth International; Elev., 1429'; Fac. Class., H-BVORTAC; Ident., DLH; Procedure No. VOR Runway 3, Amdt. 6; Eff. date, 25 Feb. 67; Sup. Amdt. No. VOR 1, Amdt. 5; Dated, 22 July 65

Channel Int	Anacapa Int	Direct	2000	T-dn%	300-1	300-1	200-½
VTU VOR	Stack Int	Direct	3000	C-dn	500-1	500-1	500-1½
Anacapa Int	Squid Int	Direct	1500	S-dn-7	400-1	400-1	400-1
OAF VOR	Stack Int	Direct	3000	A-dn*	800-2	800-2	800-2
Squid Int	Stack Int (final)	Direct	700				

Radar available.
Procedure turn S side of crs, 249° Outbnd, 069° Inbnd, 1500' within 10 miles of Stack Int.
Minimum altitude over Stack Int on final approach crs, 700'.
Crs and distance, Stack Int to airport, 069°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles of Stack Int., turn right, climb via R 240° to 1500' within 10 miles, or when directed by ATC, turn right, climb via R 249° to 1500' at Squid Int.
NOTES: (1) Dual VOR receivers required or Stack Int identified by radar. (2) Pilot may expect up to 30 minutes delay during periods of high Air Defense activity.
*Weather service 0600-2200.
%Northeastbound (315° through 155°) IFR departures; climb westbound on OAF VOR R 255° to recross OAF VOR at 4000' minimum. Then via assigned route.
MSA within 25 miles of facility: 000°-090°—7700'; 090°-180°—4100'; 180°-270°—2400'; 270°-360°—8000'.

City, Oxnard; State, Calif; Airport name, Ventura County; Elev., 43'; Fac. Class., L-VORM; Ident., OAF; Procedure No. VOR Runway 7, Amdt. Orig.; Eff. date, 25 Feb. 67

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

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
DLH VOR	8-mile DME Fix, R 018°	Direct	3000	T-dn	300–1	300–1	200–½
R 321°, DLH VOR clockwise	R 018°, DLH VOR	Via 14-mile DME Arc.	3100	C-d	400–1	500–1	500–1½
				C-n	400–1½	500–1½	500–1½
R 046°, DLH VOR counterclockwise	R 018°, DLH VOR	Via 14-mile DME Arc.	3100	S-dn-21	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2
14-mile DME Fix, R 018°	8-mile DME Fix (final)	Direct	2700				

Radar available.
Procedure turn N side of crs, 018° Outbnd, 198° Inbnd, 3000′ between 8- and 18-mile DME Fix, R 018°.
Minimum altitude over 8-mile DME Fix, R 018° on final approach crs, 2700′.
Crs and distance, 8-mile DME Fix, R 018° to airport, 198°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3.1-mile DME Fix, R 018°, proceed to VOR, then climb to 3000′ on R 192° DLH VOR within 10 miles.
MSA within 25 miles of facility: 000°–180°—3100′; 180°–360°—2800′.

City, Duluth; State, Minn.; Airport name, Duluth International; Elev., 1429′; Fac. Class., H-BVORTAC; Ident., DLH; Procedure No. VOR/DME Runway 21, Amdt. 2; Eff. date, 25 Feb. 67; Sup. Amdt. No. VOR/DME 1, Amdt. 1; Dated, 22 July 65

New Castle VORTAC	River Int	064°	2000	T-dn	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn-9	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn not authorized.
River Int/11-mile DME Fix, EWT R 064° to Chester Int/16-mile DME Fix, EWT R 064°, 1500′. Chester Int/16-mile DME Fix, EWT R 064° to Tinicum Int/18-mile DME Fix, EWT R 064°, 900′. Tinicum Int/18-mile DME Fix, EWT R 064° to Marsh Int/20.6-mile DME Fix, EWT R 064°, 614′.
Crs and distance, Tinicum Int/18-mile DME Fix to airport, 064°—2.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at Marsh Int or 20.6-mile DME Fix, climb to 700′ on crs, 085° within 5 miles then make right turn climbing to 2000′ and proceed direct to Woodstown VOR. Hold SW, R 211°, Inbnd crs, 031°, 1-minute left turns.
MSA within 25 miles of facility: 270°–180°—2100′; 180°–270°—1600′.

City, Philadelphia; State, Pa.; Airport name, Philadelphia International; Elev., 14′; Fac. Class., L-BVORTAC; Ident., EWT; Procedure No. VOR/DME Runway 9, Amdt. Orig.; Eff. date, 25 Feb. 67

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Duluth VOR	LOM	Direct	3000	T-dn$	300–1	300–1	200–½
R 175°, DLH VOR clockwise	R 278°, DLH VOR	Via 12-mile DME Arc.	3100	C-d	400–1	500–1	500–1½
				C-n	400–1½	500–1½	500–1½
R 336°, DLH VOR counterclockwise	R 278°, DLH VOR	Via 12-mile DME Arc.	3100	S-dn-9*†	200–½	200–½	200–½
				A-dn	600–2	600–2	600–2
12-mile DME Fix, R 278°, DLH VOR	OM (final)	Via DLH Localizer.	3000				

Radar available.
Procedure turn S side of final approach crs, 267° Outbnd, 087° Inbnd, 3000′ within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 3000′.
Altitude of glide slope and distance to approach end of runway at OM, 2995′—5.6 miles; at MM, 1614′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing LOM, climb to 3000′ on E crs, ILS within 10 miles.
*400-½ required when glide slope not utilized and 400-½ authorized with operative ALS except for 4-engine turbojets.
$RVR 2400′ authorized Runway 9.
†RVR 2400′. Descent below 1629′ not authorized unless approach lights are visible.

City, Duluth; State, Minn.; Airport name, Duluth International; Elev., 1429′; Fac. Class., ILS; Ident., I-DLH; Procedure No. ILS Runway 9, Amdt. 4; Eff. date, 25 Feb. 67; Sup. Amdt. No. ILS-9, Amdt. 3; Dated, 29 Jan. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Hamlin Int	HT LOM	Direct	2600	T-dn	300-1	300-1	200-1½
Wayne Int	HT LOM	Direct	2600	C-dn	500-1	500-1	500-1½
Crown City Int	HT LOM	Direct	2600	S-dn-11#	400-1	400-1	400-1
ECB VOR	Naples Int	Direct	2600	A-dn	800-2	800-2	800-2
YRK VOR	Naples Int	Direct	2600				
Naples Int	HT LOM (final)	Direct	2200				

Procedure turn South side of crs, 294° Outbnd, 114° Inbnd, 2600' within 10 miles.
Minimum altitude over LOM on final approach crs, 2200'.
Crs and distance, LOM to airport 114°—4.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing HT LOM, climb to 2600' on SE crs of ILS to Shoals BCM. Hold SE 1-minute right turns, 294° Inbnd. Alternate missed approach: Make a right-climbing turn to 2600' on crs, 294° return to HT LOM. Hold W, 1-minute right turns, 114° Inbnd.
NOTES: (1) No glide slope. (2) ILS unusable from MM Inbnd.
#400-¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
#400-½ authorized, with operative ALS, except for 4-engine turbojets.
MSA within 25 miles of facility 000°-090°—3100'; 090°-180°—2500'; 180°-270°—2400'; 270°-360°—2500'.

City, Huntington; State, W. Va.; Airport name, Tri-State (Walker-Long Field); Elev., 828'; Fac. Class., ILS; Ident., I-HTS; Procedure No. ILS Runway 11, Amdt. 6; Eff. date, 25 Feb. 67; Sup. Amdt. No. ILS-11, Amdt. 5; Dated, 13 June 65

PIA VOR	LOM	Direct	2400	T-dn*	300-1	300-1	200-1¼
Pekin Int	LOM	Direct	2400	C-dn	400-1	500-1	500-1½
Mora Int	LOM	Direct	2400	S-dn-30#	200-½	200-½	200-½
Mossville Int	LOM	Direct	2400	A-dn	600-2	600-2	600-2
Bradley Int	LOM	Direct	2400				
PIA VOR, R 048° clockwise	PIA VOR, R 117°	Via 17-mile DME Arc (PIA Lead Radial) R 110.	2400				
PIA VOR, R 167° counterclockwise	PIA VOR, R 117°	Via 17-mile DME Arc.	2400				
17-mile DME Fix, PIA R 117°	LOM (final)	Localizer crs	2400				

Procedure turn E side of crs, 123° Outbnd, 303° Inbnd, 2400' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 2400'.
Altitude of glide slope and distance to approach end of Runway 30 at LOM, 2332'—5.3 miles; at LMM, 883'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1800', proceed to PIA VOR, or when directed by ATC, climb to 2400', proceed to Bradley Int.
#300-¾ required when glide slope not utilized and 300-½ authorized with operative ALS, except for 4-engine turbojets.
*RVR 2400' authorized Runway 30.
‡RVR 2400'. Descent below 850' not authorized unless approach lights are visible.

City, Peoria; State, Ill.; Airport name, Greater Peoria; Elev., 659'; Fac. Class., ILS; Ident., I-PIA; Procedure No. ILS Runway 30, Amdt. 6; Eff. date, 25 Feb. 67; Sup. Amdt. No. ILS-30, Amdt. 5; Dated, 11 Dec. 65

PIA VOR	Norwood Int	Direct	2300	T-dn	300-1	300-1	200-1¼
PIA VOR, R 167° clockwise	PIA R 319°	Via 7-mile DME Arc.	2300	C-dn	400-1	500-1	500-1½
PIA VOR, R 048° counterclockwise	PIA R 337°	Via 7-mile DME Arc.	2300	S-dn-12#	400-1	400-1	400-1
PIA VOR, R 337°	PIA Localizer	MC 210°	2300	A-dn	800-2	800-2	800-2
DR Position PIA Localizer	Norwood Int (final)	Localizer crs	1300				
7-mile DME Fix, PIA R 319°	Norwood Int (final)	Localizer crs	1300				

Procedure turn S side of crs, 303° Outbnd, 123° Inbnd, 2300' within 10 miles of Norwood Int.
Minimum altitude over Norwood Int on final approach crs, 1300'.
Crs and distance, Norwood Int to airport, 123°—2.4 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.4 miles after passing Norwood Int, climb to 1800' and proceed to PIA VOR, or when directed by ATC, climb to 2400' and proceed to Bradley Int.
NOTES: (1) Procedure approved for dual omni equipped aircraft only. (2) Final approach from holding pattern at Norwood Int not authorized, procedure turn required.
CAUTION: Unlighted high tension towers, 2.4 miles NW of airport.
#400-¾ authorized with operative HIRL except for 4-engine turbojets; reduction below ¾ not authorized.

City, Peoria; State, Ill.; Airport name, Greater Peoria; Elev., 659'; Fac. Class., ILS; Ident., I-PIA; Procedure No. Localizer (BC) Runway 12, Amdt. 8; Eff. date, 25 Feb. 67; Sup. Amdt. No. ILS-12, Amdt. 7; Dated, 25 June 66

Washoe Int	Sparks RBn	Direct	11,000	T-dn*‡	1000-2	1000-2	1000-2
Wadsworth Int	Sparks RBn	Direct	10,000	C-dn*	1000-2	1000-2	1000-2
Verdi Int	Sparks RBn	Direct	10,000	A-dn	1500-3	1500-3	1500-3
Steamboat Int	Sparks RBn	Direct	9000				
RNO VOR	Sparks RBn	Direct	9000				
Mustang Int	Sparks RBn	Direct	9000				
Truckee Int	Sparks RBn	Direct	10,500				
Pyramid Int	Sparks RBn (final)**	Direct	9000				
Nixon Int	Sparks RBn	Direct	10,000				
Warm Springs DME Fix	Sparks RBn (final)	Direct	8000				

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 9000' within 10 miles.
Minimum altitude over SPK RBn or 11.4-mile DME Fix on final approach crs, 8000'; R 303° RNO VOR or 7.9-mile DME Fix, 6070'; OM or 6-mile DME Fix, 6348'; MM or 2.5-mile DME Fix, 5411'.
Crs and distance, facility to airport MM, 162°—2.3 miles.
Minimum altitude at glide slope intercept Inbnd, 8000'.
Altitude of glide slope and distance to approach end of runway at OM, 6348'—5.8 miles. Minimum altitude on glide slope, 5411'.
Altitude of glide slope at MM, 5209'; not an IFR flight altitude.
If visual contact not established upon descent to authorized landing minimums, over MM/RBn/2.5-mile DME Fix, turn left, proceed direct to Sparks RBn climbing to 10,000'. Hold N Sparks RBn, 1-minute pattern, right turns, 162° Inbnd.
NOTES: (1) DME from RNO VORTAC may be used within 25 miles at 11,000' between R 235° clockwise to R 275° and within 25 miles at 10,000' between R 275° clockwise to R 075° to position aircraft over Warm Springs DME Fix for elimination of procedure turn. (2) No reduction in visibility authorized for local conditions. (3) DME should not be used to determine aircraft position over runway threshold or runway touchdown point. DME located at glide slope.
‡IFR departures must comply with published Reno SID's, or as directed by ATC.
*1000-2 required when glide slope not utilized.
**After intercept of localizer descend on glide slope to cross SPK RBn at 8000'.
MSA within 25 miles of SPK RBn: 320°-050°—9800'; 050°-140°—9400'; 140°-230°—11,800'; 230°-320°—9800'.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., ILS; Ident., I-RNO; Procedure No. ILS Runway 16, Amdt. 4; Eff. date, 25 Feb. 67; Sup. Amdt. No. ILS 16, Amdt. 3; Dated, 1 Oct. 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Minkgrove Int	Franktown Int	Direct	10,700	T-dn%	1000-2	1000-2	1000-2
Franktown Int	Washoe Int	Direct	9700	C-dn	900-2	900-2	900-2
Washoe Int	12-mile DME Fix, BC localizer	Direct	8200	A-dn	1300-3	1300-3	1300-3
12-mile DME Fix, BC localizer	9-mile DME Fix, BC localizer	Direct	7500				
9-mile DME Fix, BC localizer	7-mile DME Fix, BC localizer	Direct	6900				
7-mile DME Fix, BC localizer	4-mile DME Fix, BC localizer	Direct	6000				
4-mile DME Fix, BC localizer	1.5-mile DME Fix, BC localizer	Direct	5311				
Carson City DME Fix	Washoe Int	Direct	9700				

Procedure turn not authorized. Final approach crs, 342° inbnd from Washoe Int.
Minimum altitude over Washoe Int, 9700'; 12-mile DME Fix on final approach crs, 8200'; over 9-mile DME Fix, 7500'; over 7-mile DME Fix, 6900'; over 4-mile DME Fix, 6000'; over 1.5-mile DME Fix, 5311'.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.5-mile DME Fix, climb straight ahead to 7000', right turn continue climb to 9000' direct RNO VOR, thence on the 039° radial within 10 miles of RNO VOR.
NOTES: (1) DME should not be used to determine aircraft position over runway threshold, or runway touchdown point. DME located at glide slope. (2) No reduction in visibility authorized for local conditions. (3) DME from RNO VORTAC may be used within 25 miles at 10,300' between R 035° clockwise to R 179° to position aircraft over Carson City DME for final approach.
%IFR departures must comply with RNO SID's or as directed by ATC.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., ILS; Ident., I-RNO; Procedure No. Localizer (BC) Runway 34, Amdt. 1; Eff. date, 25 Feb. 67; Sup. Amdt. No. ILS-34, Orig.; Dated, 21 July 66

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

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
		Within:		T-dn%	300-1	300-1	200-½
330°	035°	20 miles	8200	C-dn	500-1	500-1	500-1½
035°	156°	20 miles	4600	S-dn-7	500-1	500-1	500-1
156°	270°	20 miles	2600	A-dn*	800-2	800-2	800-2
270°	285°	20 miles	3300				
285°	320°	20 miles	7000				

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right, intercept and climb via OAF VOR, R 240° to 1500' within 10 miles, or when directed by ATC, (1) turn right, intercept and climb via 240° bearing from CAV RBn to 1500' within 10 miles; (2) turn right, climb via 240° heading to 1500' within 10 miles.
NOTE: Pilot may expect up to 30-minute delay during periods of high Air Defense activity.
*Weather Service 0600-2200.
%Northeastbound (315° through 155°) IFR departures; climb westbound on OAF VOR R 258° to recross OAF VOR at 4000' minimum. Then via assigned route.

City, Oxnard; State, Calif.; Airport name, Ventura County; Elev., 43'; Fac. Class. and Ident., Oxnard Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 25 Feb. 67

Radar vector:					Precision approach		
300°	060°	10 miles	2500	T-dn	300-1	300-1	200-½
		20 miles	3500	C-dn*	500-1	500-1	500-1½
		30 miles	8000	S-dn	200-½	200-½	200-½
060°	200°	20 miles	1000	A-dn	600-2	600-2	600-2
		30 miles	3000	Surveillance approach			
200°	244°	15 miles	4100	T-dn	300-1	300-1	200-½
260°	300°	25 miles	4100	C-dn*	500-1	500-1	500-1½
				S-dn-28	400-1	400-1	400-1
				S-dn-10	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 10—Climb to 1700' on 103° bearing SYA RBn within 15 miles. Runway 28—Turn left, climb to 1700' on 103° bearing SYA RBn within 15 miles.
CAUTION: 440' obstruction, 1.1 miles N of approach end of Runway 10 and 330' obstruction, 1 mile N of approach end of Runway 28. Restricted area R 2204, 1.1 miles N of Runways 10/28.
*All maneuvering to Runways 10/28 to be conducted S of runway.

City, Shemya; State, Alaska; Airport name, Shemya AFS; Elev., 95'; Fac. Class. and Ident., Shemya Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 25 Feb. 67

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on January 18, 1967.

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

[F.R. Doc. 67-830; Filed, Feb. 2, 1967; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Delevan National Wildlife Refuge, Calif.

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

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

CALIFORNIA

DELEVAN NATIONAL WILDLIFE REFUGE

Sport fishing and the taking of frogs on the Delevan National Wildlife Refuge, Calif., is permitted only on the area designated by signs as open to fishing. This open area, comprising 30 acres, is delineated on maps available at the refuge headquarters, Sacramento National Wildlife Refuge, Route 1, Box 311, Willows, Calif., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 NE. Pacific Street, Portland, Oreg. 97208. Sport fishing and the taking of frogs shall be in accordance with all applicable State regulations, subject to the following special regulations:

(1) The refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1968.

URBAN C. NELSON,
Acting Regional Director.

JANUARY 26, 1967.

[F.R. Doc. 67-1286; Filed, Feb. 2, 1967; 8:49 a.m.]

PART 33—SPORT FISHING

Colusa National Wildlife Refuge, Calif.

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

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

CALIFORNIA

COLUSA NATIONAL WILDLIFE REFUGE

Sport fishing and the taking of frogs on the Colusa National Wildlife Refuge, Calif., is permitted only on the area designated by signs as open to fishing. This open area, comprising 25 acres, is delineated on maps available at the refuge headquarters, Colusa, Calif., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 NE. Pacific Street, Portland Oreg. 97208. Sport fishing and the taking of frogs shall be in accordance with all applicable State regulations, subject to the following special regulations:

(1) The refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1968.

URBAN C. NELSON,
Acting Regional Director.

JANUARY 26, 1967.

[F.R. Doc. 67-1287; Filed, Feb. 2, 1967; 8:49 a.m.]

PART 33—SPORT FISHING

Sacramento National Wildlife Refuge, Calif.

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

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

CALIFORNIA

SACRAMENTO NATIONAL WILDLIFE REFUGE

Sport fishing and the taking of frogs on the Sacramento National Wildlife Refuge, Calif., is permitted only on the area designated by signs as open to fishing. This open area, comprising 20 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 NE. Pacific Street, Portland, Oreg. 97208. Sport fishing and the taking of frogs shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) No car travel permitted unless authorized by the officer in charge.

(3) Boats are not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1968.

URBAN C. NELSON,
Acting Regional Director.

JANUARY 17, 1967.

[F.R. Doc. 67-1288; Filed, Feb. 2, 1967; 8:49 a.m.]

PART 33—SPORT FISHING

Cold Springs National Wildlife Refuge, Oreg.

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

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

OREGON

COLD SPRINGS NATIONAL WILDLIFE REFUGE

Sport fishing on the Cold Springs National Wildlife Refuge, Oreg., is permitted only on the area designated by signs as open to fishing. This open area, comprising 1,550 acres, is delineated on maps available at the refuge headquarters, McNary National Wildlife Refuge, Burbank, Wash., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 NE. Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The refuge is closed to sport fishing from September 15 to December 31, 1967.

(2) The use of motors on boats is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1968.

URBAN C. NELSON,
Acting Regional Director,
Bureau of Sport Fisheries
and Wildlife.

JANUARY 25, 1967.

[F.R. Doc. 67-1289; Filed, Feb. 2, 1967; 8:49 a.m.]

PART 33—SPORT FISHING

Malheur National Wildlife Refuge, Oreg.

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

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

OREGON

MALHEUR NATIONAL WILDLIFE REFUGE

Sport fishing on the Malheur National Wildlife Refuge, Oreg., is permitted only on the area designated by signs as open to fishing. This open area, comprising 200 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 NE. Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special condition:

(1) Refuge waters with the exception of Krumbo Reservoir are closed to the use of boats for fishing purposes. The use of motors on boats is not permitted.

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

URBAN C. NELSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 25, 1967.

[F.R. Doc 67-1290; Filed, Feb. 2, 1967; 8:49 a.m.]

PART 33—SPORT FISHING

McKay Creek National Wildlife Refuge, Oreg.

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

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

OREGON

MCKAY CREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the McKay Creek National Wildlife Refuge, Oreg., is permitted only on the area designated by signs as open to fishing. This open area, comprising 660 acres, is delineated on maps available at the refuge headquarters, McNary National Wildlife Refuge, Burbank, Wash., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The refuge is closed to sport fishing during the migratory waterfowl hunting season.

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

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1968.

URBAN C. NELSON,
Acting Regional Director, Bureau of Sport Fisheries, and Wildlife.

JANUARY 25, 1967.

[F.R. Doc. 67-1291; Filed, Feb. 2, 1967; 8:49 a.m.]

PART 33—SPORT FISHING

McNary National Wildlife Refuge, Wash.

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

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

WASHINGTON

MCNARY NATIONAL WILDLIFE REFUGE

Sport fishing on the McNary National Wildlife Refuge, Wash., is permitted only on the area designated by signs as open to fishing. This open area, comprising 400 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208. Sport fishing shall be in accordance with all applicable State regulations, subject to the following special conditions:

(1) The refuge is closed to sport fishing during the migratory waterfowl hunting season.

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

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1968.

URBAN C. NELSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 25, 1967.

[F.R. Doc. 67-1292; Filed, Feb. 2, 1967; 8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 1]

ASSOCIATE ADMINISTRATOR

Change in Designation

Sections 2 and 8 of P.L. 89-770 change the titles of the Deputy Administrators of the Small Business Administration to Associate Administrators and provide for a single Deputy Administrator who shall be Acting Administrator of the Administration during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator.

Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by substituting the words "Associate Administrator" for the words "Deputy Administrator" throughout the said Chapter I.

Effective date: January 2, 1967.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-1276; Filed, Feb. 2, 1967; 8:48 a.m.]

[Amdt. 6]

PART 101—ADMINISTRATION

Organization

Paragraph (c) of § 101.1 of Part 101 of Title 13 of the Code of Federal Regulations is hereby amended by revising subparagraph (1) thereof to read as follows:

§ 101.1 Purpose, function, general organization.

* * * * *

(c) *Organization.* (1) Management of the Small Business Administration is vested in an Administrator appointed by the President with the advice and consent of the Senate. The Administrator is authorized to appoint two Associate Administrators under the Small Business Act and one Associate Administrator under the Small Business Investment Act. The Administrator is authorized to appoint a Deputy Administrator who shall be Acting Administrator of the Administration during the absence or disability of the Administrator or in the event of a vacancy in the Office of the Administrator. The Administrator is authorized, subject to the Civil Service and Classification Laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of the Small Business Act and the Small Business Investment Act.

* * * * *

Effective date: January 2, 1967.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-1275; Filed, Feb. 2, 1967; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

PART 230—STANDARD REFERENCE MATERIALS

Viscometer Calibrating Liquids; Notice of Discontinuance

CROSS REFERENCE: For a document affecting § 230.8-8, see F.R. Doc. 67-1245 appearing in the notices section of this issue under Department of Commerce, National Bureau of Standards.

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

PART 302—RULES AND REGULATIONS UNDER FLAMMABLE FABRICS ACT

Miscellaneous Amendments

On July 13, 1966, a notice of proposed rule making was issued by the Federal Trade Commission and published in the FEDERAL REGISTER on July 16, 1966. Such notice stated that the Commission proposed to give consideration to amendments of §§ 302.5 (Rule 5), 302.6 (Rule

6) and 302.14 (Rule 14) of Part 302, Rules and Regulations under the Flammable Fabrics Act. Such notice provided that interested parties could participate by submitting in writing to the Federal Trade Commission, Washington, D.C. 20580, on or before August 23, 1966, their views, arguments or other data, and further provided that written rebuttal could be submitted until September 13, 1966.

Interested parties were afforded opportunity to submit their views, arguments and other data in writing for the public record through August 23, 1966, and to submit written rebuttal through September 13, 1966.

After due consideration of the proposed amendment and all pertinent information and written material relating thereto, the Commission has determined to amend paragraphs (a) and (b) of § 302.6 (Rule 6); and paragraph (b) of § 302.14 (Rule 14) of Part 302, Rules and Regulations under the Flammable Fabrics Act. Such amendments specify circumstances and conditions under which certain products will or will not be considered to be subject to the provisions of the Flammable Fabrics Act. The amendments are necessary and proper for purposes of administration and enforcement of the Flammable Fabrics Act and provide for the maintenance of certain records and make other provisions necessary for the protection of the purchasing public against the sale and use of highly flammable fabrics in violation of the Act.

The Commission is not at this time acting on its proposed amendment of paragraph (c) of § 302.5 (Rule 5). This matter is retained for further consideration.

The amendments are as follows:

(1) Paragraphs (a) and (b) of § 302.6 (Rule 6) of the Rules and Regulations under the Flammable Fabrics Act are amended to read as follows:

§ 302.6 Application of act to particular types of products.

(a) Fabrics intended or sold for processing into interlinings or other covered or unexposed parts of articles of wearing apparel shall not be subject to the provisions of section 3 of the Act: *Provided*, That an invoice or other paper covering the marketing or handling of such fabrics is given which specifically designates their intended end use: *And provided further*, That with respect to fabrics which under the provisions of section 4 of the Act, as amended, are so highly flammable as to be dangerous when worn by individuals, any person marketing or handling such fabrics maintains records which show the acquisition, disposition and intended end use of such fabrics, and any person manufacturing articles of wearing apparel containing such fabrics maintains records which show the acquisition, and use and disposition of such fabrics. Any person who fails to maintain such records or to furnish such invoice or other paper shall be deemed to have engaged in the marketing or handling of such products for purposes subject to the requirements of the Act and such person and the products shall be subject to the provisions of sections 3, 6, 7, and 9 of the Act.

(b) Fabrics intended or sold for use in those hats, gloves, and footwear which are excluded under the definition of articles of wearing apparel in section 2(d) of the Act shall not be subject to the provisions of section 3 of the Act: *Provided*, That an invoice or other paper covering the marketing or handling of such fabrics is given which specifically designates their intended use in such products: *And provided further*, That with respect to fabrics which under the provisions of section 4 of the Act, as amended, are so highly flammable as to be dangerous when worn by individuals, any person marketing or handling such fabrics maintains records which show the acquisition, disposition, and intended end use of such fabrics, and any person manufacturing hats, gloves, or footwear containing such fabrics maintains records which show the acquisition, end use and disposition of such fabrics. Any person who fails to maintain such records or to furnish such invoice or other paper shall be deemed to have engaged in the marketing or handling of such products for purposes subject to the requirements of the Act and such person and the products shall be subject to the provisions of sections 3, 6, 7, and 9 of the Act.

* * * * *

(2) Paragraph (b) of § 302.14 (Rule 14 of the rules and regulations under the Flammable Fabrics Act is amended to read as follows:

§ 302.14 Shipments under section 11(c) of the Act.

* * * * *

(b) An article of wearing apparel or textile fabric shall not be deemed to fall within the provisions of section 11(c) of the Act as being shipped or delivered for shipment in commerce for the purpose of finishing or processing to render such article of wearing apparel or textile fabric not so highly flammable under section 4 of the Act, as amended, as to be dangerous when worn by individuals, unless the shipment or delivery for shipment in commerce of such article of wearing apparel or textile fabric is made direct to person engaged in the business of processing or finishing textile products for the prearranged purpose of having such article of apparel or textile fabric processed or finished to render it not so highly flammable under section 4 of the Act, as amended, as to be dangerous when worn by individuals, and any person shipping or delivering for shipment the article of wearing apparel or fabric in commerce for such purpose maintains records which establish (1) that the textile fabric or article of wearing apparel has been shipped for appropriate flammability treatment, and (2) that such treatment has been completed, as well as records to show the disposition of such textile fabric or article of wearing apparel subsequent to the completion of such treatment.

* * * * *

Effective date. The aforesaid amendments to Part 302, rules and regulations under the Flammable Fabrics Act, shall become effective 90 days after publication in the FEDERAL REGISTER.

(Sec. 5(c), Flammable Fabrics Act, 67 Stat. 112; 15 U.S.C. 1194)

Issued: January 31, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 67-1279; Filed, Feb. 2, 1967; 8:48 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 800—EQUAL PAY FOR EQUAL WORK UNDER THE FAIR LABOR STANDARDS ACT

Miscellaneous Amendments

Pursuant to the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), I hereby amend Part 800 of Title 29 of the Code of Federal Regulations as set forth below.

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) which require notice of proposed rule making, opportunity for public participation, and delay of effective date are not applicable because 29 CFR Part 800 consists only of interpretative rules. I do not believe such procedures will serve a useful purpose here. Accordingly, the amendment shall become effective immediately.

1. Section 800.10 is amended to read as follows:

§ 800.10 Coverage is not based on amount of covered activity.

The act makes no distinction as to the percentage, volume, or amount of activities of either the employee or the employer which constitute engaging in commerce or in the production of goods for commerce. (Mabee v. White Plains Publishing Co., 327 U.S. 128; United States v. Darby, 312 U.S. 100.) As explained more fully in Part 776 of this chapter, the law is settled that every employee whose activities in commerce or in the production of goods for commerce, even though small in amount, are regular and recurring, is considered "engaged in commerce or in the production of goods for commerce". Also, under the definition in section 3(s) of the act, an enterprise described in any of the four numbered clauses of the subsection is an enterprise "engaged in commerce or in the production of goods for commerce" if, in its activities, some employees are so engaged, "including employees handling, selling, or otherwise working on goods that have been moved in or produced for commerce by any person".

2. Section 800.12 is amended to read as follows:

§ 800.12 Exemptions from section 6 provided by section 13.

The equal pay provisions do not apply to employees exempted from the provisions of section 6 under any provision of section 13(a) of the act. The following employees are among those excluded if their employment fully satisfies all the statutory conditions for exemption: Bona fide executive, administrative, and professional employees, including academic administrative personnel and teachers in elementary and secondary schools, and outside salesmen, as defined in regulations (see Part 541 of this chapter); employees of certain retail or service establishments (see Part 779 of this chapter); employees of certain amusement or recreational establishments (see Act, sec. 13(a)(3)); employees of certain small newspapers (see Act, sec. 13(a)(8)); employees of motion picture theaters (see Act, sec. 13(a)(9)); switchboard operators of independent telephone companies which have fewer than 750 stations (see Act, sec. 13(a)(10)); employees on small farms and certain hand harvest workers paid piece rates (see Part 780 of this chapter).

3. Section 800.104 is amended to read as follows:

§ 800.104 Application to employees.

As has been seen, there must be compliance by the employer with the equal pay requirements within any establishment in which employees subject to the Act's minimum wage provisions are employed by him. The Act's concern with wage discrimination by an employer on account of sex to the detriment of his employees who are subject to the minimum wage provisions is not limited either by its language or by its legislative history to those employees whose work is performed on the premises of their employer's establishment. The Act speaks of the employment of employees in the establishment rather than of their engagement in work there. Also, the legislative history of the Equal Pay Act makes it clear that coverage under the equal pay provisions is equal to that provided by the other provisions of section 6 of the Fair Labor Standards Act, and that those employers and employees who are subject to the minimum wage provisions will be subject to the new provisions on equal pay. (See S. Rept. No. 176, 88th Cong., 1st sess., p. 2; H. Rept. No. 309, 88th Cong., 1st sess., p. 2.) Congress clearly rejected the concept that the equal pay provisions apply only to work performed inside a physical establishment. Otherwise, those employees, subject to section 6 of the Act, would be incongruously deprived of equal pay protection simply because their work is performed away from the physical premises of the establishment in which they are employed. On the other hand, it is clear from the language of the Act that in each distinct physical place of business where employees of an employer work (including, but not limited to, the employer's own establishments), the obligaton of the employer to comply with the equal pay requirements must be determined separately with reference to those of his employees who are employed in that particular establishment. Accordingly, where there are a number of distinct physical places of business in which an employer's employees are employed, compliance with the equal pay provisions must be tested within each establishment by comparing the jobs in which employees are employed in that establishment and the wages paid for work on such jobs when performed by employees of opposite sexes.

4. Section 800.107 is amended to read as follows:

§ 800.107 "Employer", "employee", "employ" defined.

The Act provides its own definitions of "employer", "employee", and "employ", under which "economic reality" rather than "technical concepts" determines whether there is employment subject to its terms (Goldberg v. Whitaker House Cooperative, 366 U.S. 28; United States v. Silk, 331 U.S. 704; Rutherford Food Corp. v. McComb, 331 U.S. 722). An "employer", as defined in section 3(d) of the Act, "includes any person acting directly or indirectly in the interest of an employer in relation to an employee but shall not include the United States or any State or political subdivision of a State (except with respect to employees of a State, or a political subdivision thereof, employed (a) in a hospital, institution, or school referred to in the last sentence of subsection (r) of this section, or (b) in the operation of a railway or carrier referred to in such sentence) or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization". An "employee" as defined in section 3(e) of the Act "includes any individual employed by an employer" and "employ", as used in the Act, is defined in section 3(g) to include "to suffer or permit to work". It should be noted, as explained in the interpretative bulletin on joint employment, Part 791 of this chapter, that in appropriate circumstances two or more employers may be jointly responsible for compliance with the statutory requirements applicable to employment of a particular employee.

5. Section 800.108 is amended to read as follows:

§ 800.108 Meaning of "establishment".

Although not expressly defined in the Act, the term "establishment" has a well settled meaning in the application of the Act's provisions. It refers to a "distinct physical place of business" rather than to "an entire business or enterprise" which may include several separate places of business. This is consistent with the meaning of the term as it is normally used in business and in government, is judicially settled, and has been recognized in the Congress in the course of enactment of amendatory legislation (Phillips v. Walling, 324 U.S. 490; Mitchell v. Bekins Van & Storage Co., 352 U.S. 1027; 95 Cong. Rec. 12505, 12579, 14877; H. Rept. No. 1453, 81st Cong., 1st sess., p. 25). Each physically separate place of business is ordinarily considered a separate establishment. For example, where a manufacturer operates at separate locations a plant for production of its goods, a warehouse for storage and distribution, several stores from which its products are sold, and a central office for the enterprise, each physically separate place of business is a separate establishment. Under certain circumstances, however, two or more portions of a business enterprise, even though located on the same premises and under the same roof, may constitute more than one establishment. This would ordinarily be the case only if these portions of the enterprise are both physically segregated and engaged in operations which are functionally separated from each other and which have separate employees and maintain separate records. The application of these principles is illustrated further and in more detail by the discussion in Part 779 of this chapter of the term "establishment".

6. Section 800.110 is amended to read as follows:

§ 800.110 Meaning of "wages".

The term "wages" used in section 6(d)(1) of the Act is considered to have the same meaning it has elsewhere in the Act. As a general rule, in determining compliance with the equal pay provisions, the wages paid by the employer will be calculated pursuant to the same principles and procedures as have traditionally been followed in calculating such wages for purposes of determining compliance with the minimum wage provisions of the Act. Wages paid to an employee generally include all payments made to or on behalf of the employee as remuneration for employment. The provisions of section 7(e) of the Act under which some such payments may be excluded in computing an employee's "regular rate" of pay for purposes of section 7 do not authorize the exclusion of any such remuneration from the "wages" of an employee in applying section 6(d) of the Act. Thus, vacation and holiday pay, and premium payments for work on Saturdays, Sundays, holidays, regular days of rest, or other days or hours in excess or outside of the employee's regular days or hours of work, are remuneration for employment and therefore wage payments that must be considered in applying the equal pay provisions of the Act, even though not a part of the employee's "regular rate". On the other hand, payments made by an employer to an employee which do not constitute remuneration for employment are not "wages" to be compared for equal pay purposes under section 6(d) of the Act. Examples are payments related to maternity, and such reasonable payments for reimbursable expenses of traveling on the employer's business as are discussed in § 778.217 of this chapter.

7. Section 800.112 is amended to read as follows:

§ 800.112 Cost or value of non-cash items as included in wages.

The reasonable cost or fair value of certain perquisites, as provided in section 3(m) of the Act and Part 531 of this chapter is, by definition, a part of the wage paid to an employee for purposes of the Act. Section 3(m), in part, provides that the wage paid to any employee includes "the reasonable cost, as determined by the Secretary of Labor, to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees". As an exception to this rule, section 3(m) provides the cost of board, lodging, or other facilities shall not be included as a part of the wage paid to any employee to the extent it is excluded therefrom under the terms of a bona fide collective-bargaining agreement applicable to the particular employee. A further provision of section 3(m) authorizes the Secretary "to determine the fair value of such board, lodging, or other facilities for defined classes of employees and in defined areas, based on average cost to the employer or to groups of employers similarly situated, or average value to groups of employees, or other appropriate measures of fair value." The statute directs that such evaluations, "where applicable and pertinent, shall be used in lieu of actual measure of cost in determining the wage paid to any employee". As explained in Part 531 of this chapter, it is the above provision of the Act which governs the payment, otherwise than in cash, of wages which the Act requires. Regulations under which the reasonable cost or fair value of such facilities furnished may be computed for inclusion as part of the wages required by the Act are also contained in Part 531 of this chapter.

8. Section 800.113 is amended to read as follows:

§ 800.113 Particular types of payments as wages.

In addition to the examples referred to in §§ 800.110 through 800.112, some further illustrations of the types of payments that must be considered in computing wages and wage rates for purposes of the equal pay provisions may be helpful. The Act requires comparison of the wage rates paid for "work on jobs", which makes relevant all remuneration for employment and not just that portion which constitutes compensation for particular hours of employment or particular work done. Clearly this includes all payments that may be counted as part of the minimum wage rate per hour required under section 6 of the Act, all payments that are part of the employee's regular rate under section 7 of the Act, and all overtime premiums. It includes in addition, however, other payments (such as the holiday and vacation pay previously mentioned in § 800.110) for the employee's work on the job as a whole which may have no direct relation to particular hours or weeks of work; and the inclusion of such payments in the wages compared for equal pay purposes does not depend on whether they can be counted as a part of the wage rate per hour required under section 6 as a minimum wage or whether they constitute part of the regular rate of pay under section 7. In accordance with the foregoing principles, the wages to be considered in determining compliance with the equal pay provisions include, in addition to such payments as hourly and daily wages, sums paid as weekly, monthly, or annual salaries; wages measured by pieces produced or tasks performed; commissions, bonuses or other payments measured by production, efficiency, attendance, or other job-related factors, or agreed to be paid under the employment contract; standby and on-call pay; and extra payments made for hazardous, disagreeable, or inconvenient working conditions. These are illustrative, although not exhaustive, of the types of payments included, when part of the remuneration for employment, in the wages to be compared where employees of opposite sexes are employed in jobs subject to the equal pay standard. On the other hand, the "wages" which are compared for equal pay purposes do not include bona fide gifts or payments in the nature of gifts which would be excluded from the employee's regular rate under section 7(e)(1) of the Act and § 778.212 of this chapter. Likewise, sums paid as discretionary bonuses are not considered wages for equal pay purposes if such payments meet the requirements of section 7(e)(3)(a) of the Act and § 778.211 of this chapter. Study is still being given to some categories of payments made in connection with employment subject to the Act, to determine whether and to what extent such payments are remuneration for employment that must be counted as part of wages for equal pay purposes. These categories of payments include sums paid in recognition of services performed during a given period pursuant to a bona fide profit-sharing plan or trust meeting the requirements of Part 549 of this chapter or pursuant to a bona fide thrift or savings plan meeting the requirements of Part 547 of this chapter, and contributions irrevocably made by an employer to a trustee or third person pursuant to a bona fide plan for providing old-age, retirement, life, accident, or health insurance or similar benefits for employees. (See §§ 778.214 and 778.215 of this chapter.)

9. Section 800.114 is amended to read as follows:

§ 800.114 "Male jobs" and "female jobs" generally.

(a) Wage classification systems which designate certain jobs as "male jobs" and other jobs as "female jobs" frequently specify markedly lower rates for the "female jobs". Because such a practice frequently indicates a pay practice of discrimination based on sex, where such systems exist a serious question would be raised as to whether prohibited wage differentials are involved. This position is consistent with that taken by the National War Labor Board which found such systems inherently discriminatory and explained that it is not consistent with the principle of equal pay for equal work to designate certain jobs as "female jobs" and other jobs as "male jobs" and on that ground alone establish rate differentials against the former and in favor of the latter. The Board held that the equal pay principle requires that proper rates be set for all jobs, based upon a fair objective evaluation of duties and functions, irrespective of the sex of the workers assigned to them (General Electric Co. and Westinghouse Electric Corp., Case No. 111–17208–D and 111–17209–D, Dec. 12, 1945).

(b) Section 6(d)(1) prohibits discrimination on the basis of sex in the payment of wages to employees "for equal work *on jobs*" which are equal under the standards which it provides (emphasis supplied). (See the discussion in § 800.119 et seq.) The legislative history of the Equal Pay Act expressly refers to the War Labor Board experience as furnishing a guide for testing "the relationship between jobs" and determining "equal work" and "equal skills" for purposes of a "practical" administration and application of the Act's "equal pay policy" (see, e.g. S. Rept. 176, 88th Cong. 1st sess., to accompany S. 1409; H. Rept. 309, 88th Cong. 1st sess., to accompany H.R. 6060). Some of the earliest cases confronting the War Labor Board on the application of the "equal pay for equal work" principle involved situations in which women were being hired to replace men as a result of the manpower shortages. The Board consistently ruled that the principle applied to these situations, as well as to situations where male and female employees performed the same work concurrently and interchangeably, and therefore that women assigned "to take the place of men" to perform substantially the same jobs "formerly performed by men" were entitled to the same rate of pay as the men whom they replaced. Rotary Cut Box Shook Industry, 12 W.L.B. Rept. 605, 606, 608; General Electric Co., and Westinghouse Electric Co., supra, at pp. 668–669, 677, 686.

(c) That the Equal Pay Act was intended to encompass situations of this kind is confirmed by the declared purposes and terms of the Act as well as by the legislative history. The statute is intended to eliminate sex as a basis for wage differentials between employees performing equal work on jobs within the establishment, and if the rates paid for the same jobs are lower when occupants of the jobs are of one sex than they are when the jobs are filled by employees of the opposite sex, such discrimination within the establishment is equally in violation of the statutory prohibition whether or not employees of both sexes are employed in such jobs at the same time. Accordingly, where an employee of one sex is hired or assigned to a particular job to replace an employee of the opposite sex, comparison of the newly assigned employee's wage rate with that of the replaced former employee is required for purposes of section 6(d)(1), whether or

not the job is performed concurrently by employees of both sexes. For example, if a particular job which in the past has been performed by a male employee becomes vacant and is then filled by a female employee, it would be contrary to the equal pay requirement to pay the female employee a lower wage rate than was paid for the same job when performed by the male employee, even though employees of both sexes may not be performing the job at the same time. Payment of the lower wage rate in such circumstances is a prohibited wage differential. The same principle is involved if all employees of one sex are removed from a particular job (by transfer or discharge) so as to retain employees of only one sex in a job previously performed interchangeably or concurrently by employees of both sexes. If a prohibited sex-based wage differential had been established or maintained in violation of the Act when the same job was being performed by employees of both sexes, the employer's obligation to pay the higher rate for the job cannot be avoided or evaded by the device of confining the job to members of the lower paid sex. Compliance with the Act in such circumstances can be achieved only by increasing the wage rate to the higher rate paid for the job when performed by employees of the opposite sex.

10. Paragraph (b) of 29 CFR 800.166 is amended to read as follows:

§ 800.166 Recovery of wages due; injunctions; penalties for willful violations.

* * * * *

(b) The following methods are provided under sections 16 and 17 of the Act for recovery of unpaid wages: The Administrator of the Wage and Hour and Public Contracts Divisions may supervise payment of the back wages and, in certain circumstances, the Secretary of Labor may bring suit for back pay upon the written request of the employee. The employee may sue for back pay and an additional sum, up to the amount of back pay, as liquidated damages, plus attorney's fees and court costs. The employee may not bring suit if he has been paid back wages under supervision of the Administrator, or if the Secretary has filed suit to collect the wages. The Secretary may also obtain a court injunction to restrain any person from violating the law, including the unlawful withholding by an employer of proper compensation. A 2-year statute of limitations applies to the recovery of unpaid wages; except that an action on a cause of action arising out of a willful violation may be commenced within 3 years after the cause of action accrued.

* * * * *

(77 Stat. 56)

Signed at Washington, D.C., this 27th day of January 1967.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 67-1271; Filed, Feb. 2, 1967; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1049]

MILK IN INDIANAPOLIS, IND., MARKETING AREA

Notice of Proposed Suspension of Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Indianapolis, Ind., marketing area is being considered for the period of January 26–31, 1967.

The provisions proposed to be suspended are as follows:

1. In § 1049.44(c) the phrases "As Class I milk"; "located more than 300 miles by the shortest highway distance as determined by the market administrator, from Monument Circle in Indianapolis, Ind."; "except that"; and "so transferred."

2. In § 1049.44(d) the phrase: "Located not more than 300 miles, by the shortest highway distance as determined by the market administrator from Monument Circle in Indianapolis, Ind."

A. A producer association states that, because of the recent severe snow condition in Illinois and southern Wisconsin, it and others have found it necessary to divert approximately 600,000 pounds of of producer milk for the Indianapolis market to manufacturing plants in Wisconsin because the milk could not reach its customary market outlets.

B. Suspension action is requested for the period January 26–31, 1967, the period of such diversion. The effect of the suspension would permit a Class II classification of such milk in lieu of the Class I classification the order normally requires on milk moved to locations beyond 300 miles from Indianapolis.

C. The proponent association makes the request for suspension for the purpose of relieving the financial hardship which it claims would result from usual application of order provisions to diverted milk.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Signed at Washington, D.C., on February 1, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-1384; Filed, Feb. 2, 1967; 9:19 a.m.]

[7 CFR Part 1128]

[Docket No. AO 238-A20]

MILK IN CENTRAL WEST TEXAS MARKETING AREA

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

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Starlite Motor Hotel, 3425 South First Street, Abilene, Tex., beginning at 9:30 a.m., local time, on February 9, 1967, with respect to proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Central West Texas marketing area.

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

Evidence also will be received at the hearing on (1) whether there is need for emergency action and omission of a recommended decision on the issues and/or (2) whether such critical conditions exist under Proposal No. 1 as to warrant suspension action pending issuance of a decision. The proposals also raise the issue of the appropriate Class I prices and location adjustments applied at other points in the area on which evidence will be received at the hearing.

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

Proposed by The Borden Company, Southern Division and Central West Texas Producers Association:

Proposal No. 1. Revise §§ 1128.53(a) and 1128.91(a)(1) to eliminate the 15-cent per hundredweight location adjustment in the Class I price and uniform price for milk received from producers at an approved plant located within 70 miles of Midland, Tex.

Proposed by Foremost Dairies, Inc.:

Proposal No. 2. Revise § 1128.50 to read as follows:

§ 1128.50 Class I milk.

Subject to the provisions of §§ 1128.52 and 1128.53, the minimum price per hundredweight to be paid by each handler for milk received at his plant from producers and classified as Class I milk shall be the price for Class I milk established under Part 1126 of this chapter regulating the handling of milk in the North Texas marketing area, plus 10 cents.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 3. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Byford W. Bain, Post Office Box 35225, Airlawn Station, Dallas, Tex. 75235, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on January 31, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-1267; Filed, Feb. 2, 1967; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 1997]

AIRWORTHINESS DIRECTIVES

Dart 525 Through 529, 531 and 532–7 Series Engines, With Rolls Royce Modification 529 (Part 2) Bearing in Rear Position

Amendment 629 (28 F.R. 10868), AD 63–21–7, requires inspection of the oil filters, and repair, if necessary, of the rear bearing on Dart 525 through 529 Series engines, with Rolls Royce Modification 529 (Part 2), bearing in the rear position. After issuing Amendment 629, due to changes in the Rolls Royce reference document applicable to these engines, the Agency is now considering superseding Amendment 629. The new AD would require inspection and repair, and would apply to Dart 531 and 532–7 Series engines in addition to Dart 525 through 529 Series engines with Rolls Royce Modification 529 (Part 2). In addition, the new repair for defective rear bearings would be incorporated. No other changes are considered.

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 March 6, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposals 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.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

ROLLS ROYCE. Applies to all Dart Series 525, 526, 527, 528, 529, 531, and 532-7 Series engines with Rolls Royce Modification 529 (Part 2) bearing in the rear position.

Compliance required as indicated.

(a) Inspect the oil filter on all Dart 525, 526, 527, 528, 529, 531, and 532-7 Series engines modified in accordance with Rolls Royce Modification 529 Part 2 Standard at the following times:

(1) Within 25 hours' time in service after the effective date of this AD, unless already accomplished within the last 25 hours, and thereafter at intervals not exceeding 50 hours' time in service from the last inspection; and

(2) Before further flight, when an increase in oil consumption or a drop in oil pressure is reported.

(b) If metal particles are found in the filters, remove the engine from service and further inspect to determine whether repairs are required.

(c) If the inspection in paragraph (b) indicates that repairs are required, modify the rear bearing in accordance with Rolls Royce Dart Service Bulletin No. Da. 72-232, by implementing any of the following modifications as applicable—

(1) Mod. 1023, Mod. 1030 and DRS 411;

(2) Mod. 1106 or Mod. 1109; or

(3) Mod. 1167.

(d) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, Europe, Africa and Middle East Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This would supersede Amendment 629 (28 F.R. 10868), AD 63-21-7.

Issued in Washington, D.C., on January 27, 1967.

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

[F.R. Doc. 67-1249; Filed, Feb. 2, 1967; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-89]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Agency is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Dow Air Force Base, Bangor, Maine control zone and transition area.

The current Bangor, Maine control zone and 700-foot floor transition area were predicated in part on KC-97 aircraft operations at Dow AFB. The KC-97 aircraft have since been replaced by KC-135 aircraft. Therefore, because of this and other procedural changes, it will be necessary to alter the existing Bangor, Maine control zone and transition area.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: 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 may be made for informal conferences with Federal Aviation Agency officials by contacting the Chief, Airspace and Standards 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 Bangor, Maine, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Bangor, Maine control zone in its entirety and substitute the following:

BANGOR, MAINE

Within a 5 mile radius of the center (44°48'20" N., 68°49'32" W.) of Dow AFB, Bangor, Maine excluding the portion within a 1-mile radius of the center (44°49'15" N., 68°43'00" W.) of the Down East Seaplane Base, Brewer, Maine; within 2 miles each side of the Bangor VORTAC 318° radial, extending from the 5-mile radius zone to 7 miles NW of the VORTAC; within 2 miles each side of the extended centerline of Runway 33 extending from the 5-mile radius zone to 4.5 miles NW of the lift-off end of the runway; within 2 miles each side of the Bangor VORTAC 135° radial, extending from the 5-mile radius zone to 12 miles SE of the VORTAC; within 2 miles each side of the Bangor ILS localizer SE course extending from the 5-mile radius zone to 8 miles SE of the OM; and within 2 miles each side of the Bangor VORTAC 053° radial extending from the VORTAC to the Old Town, Maine control zone.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Bangor, Maine 700-foot floor transition area in its entirety and substitute the following:

BANGOR, MAINE

That airspace extending upward from 700 feet above the surface within a 7-mile radius arc of the center (44°48'20" N., 68°49'32" W.), of the Dow AFB, Bangor, Maine, extending clockwise from 245° to 093°; within a 12-mile radius arc of Dow AFB extending clockwise from 093° to 245°; within 2 miles each side of the Bangor VORTAC 318° radial extending from the VORTAC to 12 miles NW of the VORTAC; within 5 miles E and 8 miles W of the Bangor ILS localizer SE course extending from the OM to 12 miles SE of the OM; within a 4-mile radius area of the center (44°57'10" N., 68°40'15" W.), of Old Town Municipal Airport, Old Town, Maine, and within 2 miles each side of the Bangor VORTAC 053° radial extending from the Old Town Municipal Airport 4-mile radius area to the VORTAC.

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 January 16, 1967.

WAYNE HENDERSHOT,
Deputy Director, Eastern Region.

[F.R. Doc. 67-1250; Filed, Feb. 2, 1967; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 21]

[Docket No. 17023; FCC 66-1086]

DOMESTIC PUBLIC RADIO SERVICES OTHER THAN MARITIME MOBILE

Notice of Proposed Rule Making; Correction

In the matter of amendments of Subparts C, G, H and I of Part 21 of the Commission's rules to reduce the separation between assignable frequencies in the 450-470 Mc/s band for Domestic Public Radio Services (other than Maritime Mobile); Docket No. 17023.

In the notice of proposed rule making in this proceeding released December 2, 1966 (FCC 66-1086) and published in the FEDERAL REGISTER on December 10, 1966 (31 F.R. 15600), the following changes should be made:

1. Footnote 1 to § 21.604(a) in paragraph 6 should also apply to type F3 emission for 20 kc/s authorized bandwidth and 5 kc/s deviation.

2. In paragraph 9, the authorized bandwidth for type F2 emission in the 50-150 Mc/s and 150-500 Mc/s bands

should be 3 kc/s in lieu of 15 kc/s shown in § 21.703(e).

Released: January 31, 1967.

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

[F.R. Doc. 67-1296; Filed, Feb. 2, 1967; 8:49 a.m.]

[47 CFR Part 64]

[Docket No. 17152; FCC 67-127]

USE OF RECORDING DEVICES BY TELEPHONE COMPANIES

Notice of Proposed Rule Making

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission proposes in this rule making to prohibit any telephone company, subject to its jurisdiction, from using any recording devices to record interstate or foreign telephone conversations between members of the public, on the one hand, and officers, agents, or employees of the telephone companies, on the other hand, without the use of the "beep" tone.

3. Under the Commission's decision and orders In Use of Recording Devices in Connection With Telephone Service, Docket 6787, 11 F.C.C. 1033; 12 F.C.C. 1005, 1008; the Commission prescribed the substance of tariff regulations that would permit the use of customer-provided telephone recording devices in connection with interstate and foreign message toll telephone conversation subject to certain specified conditions, including the "beep" tone, intended to insure that all parties to a telephone conversation have adequate notification that a telephone recording device is being used. These prescribed tariff regulations are now in effect and have been since 1948.

4. The tariff regulations that have been filed pursuant to the aforesaid decision of the Commission are specifically applicable to "customer-provided" recording devices and are couched in terms of an exception to the "foreign attachment" prohibitions contained in the tariffs. Such tariff provisions do not literally apply to the use of recording devices by the telephone companies themselves.

5. The Commission is informed that certain telephone companies, in practice, impose upon themselves the same notice requirements on telephone calls to or from the telephone company that are imposed under the tariffs upon customers in their use of customer-provided recording devices. Other telephone companies, we are informed, do not follow such practice and engage in the practice of recording telephone calls made to or from the telephone company without providing any notice to the other party that a recording device is being used.

6. We believe that the principles that governed our decision in 1947, and our orders implementing that decision, apply with equal force to the recording of telephone conversations by the telephone companies when they are the called or calling party to a telephone conversation. It appears, therefore, that the same rules and practices that are applicable to the general public in their use of recording devices should apply equally to the telephone companies.

7. In view of the foregoing, it is proposed to amend Part 64 of the rule as set forth below.

8. This notice of proposed rule making is issued under authority of sections 4(i), 201(b), and 202(a) of the Communications Act of 1934, as amended, and in implementation of section 605 of said act.

9. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before March 21, 1967, and reply comments on or before April 10, 1967. All relevant and timely comments and reply comments will be considered by the Commission before a final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

10. In accordance with the provisions of § 1.419 of the Commission's rules, an original and 14 copies of all statements or briefs shall be furnished to the Commission.

Adopted: January 30, 1967.

Released: January 31, 1967.

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

Part 64—Miscellaneous Rules Relating to Common Carriers, is amended to add a new Subpart E as follows:

§ 64.501 Recording of telephone conversations with telephone companies.

No telephone common carrier, subject in whole or in part to the Communications Act of 1934, as amended, may use any recording device in connection with any interstate or foreign telephone conversation between any member of the public, on the one hand, and any officer, agent, or other person acting for or employed by any such telephone common carrier, on the other hand, except under the following conditions:

(a) That such use shall be accompanied by adequate notice to all parties to the telephone conversation that the conversation is being recorded;

(b) That such notice shall be given by the use of an automatic tone warning device, which will automatically produce a distinct signal that is repeated at regular intervals during the course of the telephone conversation when the recording device is in use;

(c) That the characteristics of the warning tone shall be the same as those specified in the Orders of this Commission adopted by it "In Use of Recording Devices in Connection With Telephone Service," Docket 6787; 11 F.C.C. 1033 (1947); 12 F.C.C. 1005 (Nov. 26, 1947); 12 F.C.C. 1008 (May 20, 1948).

(d) That no recording device shall be used unless it can be physically connected to and disconnected from the telephone line or switched on and off.

[1] Concurring statement of Commissioner Cox, joint dissenting statement of Commissioners Loevinger and Wadsworth, and concurring opinion of Commissioner Johnson filed as part of original document.

[F.R. Doc. 67-1297; Filed, Feb. 2, 1967; 8:50 a.m.]

[47 CFR Part 73]

[Docket No. 17145; FCC 67-114]

STATION IDENTIFICATION REQUIREMENTS

Notice of Proposed Rule Making

1. Notice of proposed rule making is hereby given in the above-entitled matter.

2. The Commission's present rules regarding station identification (§§ 73.117, 73.287, and 73.652) were adopted in order to require licensees clearly to identify both the call letters of their stations and the cities which they are primarily licensed to serve as specified in their instruments of authorization. One of the basic purposes underlying this requirement is to enable the public and the Commission's own monitoring stations readily to identify the stations to which they are listening, and further, to identify the communities which they are primarily licensed to serve.

3. Through the receipt of complaints and by the monitoring of stations which were the subject of such complaints, the Commission has become aware that some licensees have been broadcasting identification or promotional announcements which tend to lead listeners to believe that their stations are licensed to cities other than those designated in their licenses. In most cases, the licensees involved in such conduct appear to be making the correct identification of their stations' licensed locations at the times specified in the identification rules. However, the Commission has observed that misleading identifications of location frequently are broadcast at times other than those specified in the identification rules and appear in such cases to constitute part of a concerted effort to confuse or mislead the listening public as to the licensed location of the station. The broadcast of misleading announcements implying that stations are licensed to cities other than those designated in their licenses defeats the intent and purpose of the Commission's identification rules and is inconsistent with the public interest.

4. Our policy with respect to misleading identification has been clearly annunciated in prior decisions of the Commission. In Gulf Television Co., 12 RR 447, 470(1), for example, we stated as follows:

* * * extreme caution must be exercised to the end that viewers and listeners be not misled to believing that the station has been assigned to more than one city or to a city other than that specified in the construction permit; studied attempts may not be made to conceal the true location of broadcast facilities.

5. In view of the foregoing, we believe that it would be desirable to amend the present identification rules, and to that end we are proposing amendments to the rules as set forth below. The proposed amendments permit stations to identify themselves at times other than those presently specified for AM, FM, or TV. However, the amendments would prohibit the broadcast at any time of station identification announcements, promotional announcements or other matter which would lead listeners to believe that the station had been assigned to a city other than that specified in its license.

6. We believe that nothing short of a general prohibition such as that herein proposed would cover all situations and prevent the defeat of the intent and purpose of our station identification rules. For example, we have determined that the practices of Station KABL, Oakland, Calif., were undesirable but not in violation of our present rules.[1] KABL, in making the required identification, coupled the mention of its call letters and actual location with language concerning its coverage of San Francisco and the clanging of a cable car bell identified with San Francisco. Further, in announcments and program vignettes broadcast both before and after the announcements made at the required times, KABL repeatedly sought to identify itself with San Francisco rather than with Oakland.

[1] 5 FCC 2d 855.

7. We believe the proposed amendments would bring about an end to efforts to confuse or mislead the audience as to the city to which a station is licensed, and that they are appropriate and necessary means to carry out our functions under the public interest standard of the Communications Act.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before March 6, 1967, and reply comments on or before March 21, 1967. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

9. Authority for the amendments proposed herein is contained in section 4(i) and 303(r) of the Communications Act of 1934, as amended.

10. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: January 25, 1967.

Released: January 31, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[2]

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

[2] Commissioner Lee absent; Commissioner Loevinger dissenting; concurring statement of Commissioner Johnson filed as part of original document.

1. Section 73.117 of the Commission's rules and regulations is amended by adding new paragraph (g) thereto as follows:

§ 73.117 Station identification.

* * * * *

(g) A licensee shall not in station identification announcements, promotional announcements or any other broadcast matter either lead or attempt to lead the station's listeners to believe that the station has been assigned to a city other than that specified in its license.

2. Section 73.287 of the Commission's rules and regulations is amended by adding new paragraph (g) thereto as follows:

§ 73.287 Station identification.

* * * * *

(g) A licensee shall not in station identification announcements, promotional announcements or any other broadcast matter either lead or attempt to lead the station's listeners to believe that the station has been assigned to a city other than that specified in its license.

3. Section 73.652 of the Commission's rules and regulations is amended by adding a new paragraph (c) thereto as follows:

§ 73.652 Station identification.

* * * * *

(c) A licensee shall not in station identification announcements, promotional announcements or any other broadcast matter either lead or attempt to lead its audience to believe that the station has been assigned to a city other than that specified in its license.

[F.R. Doc. 67-1298; Filed, Feb. 2, 1967; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

WASHED (SCOURED) CASHMERE

Importation Directly From and Available Certifications by Government of the United Kingdom

Notice is hereby given that certificates of origin issued by the Customs and Excise of the Government of the United Kingdom under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from the United Kingdom of the following additional commodity:

Cashmere, washed (scoured).

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

[F.R. Doc. 67-1281; Filed, Feb. 2, 1967; 8:48 a.m.]

TANNIC ACID

Importation Directly From and Available Certifications by Government of Belgium

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Government of Belgium under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Belgium of the following additional commodity:

Tannic acid.

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

[F.R. Doc. 67-1282; Filed, Feb. 2, 1967; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Survey Group 17; ES 1961]

MISSISSIPPI

Notice of Filing of Plat of Survey

The plat of dependent resurvey and extension survey, including lands erroneously omitted from the original survey, and the survey of 12 islands in secs. 15, 16, 17, 20, 21, 22, 23, and 24, T. 7 S., R. 10 W., St. Stephens meridian, Mississippi, was accepted on September 19, 1966. The plat will be officially filed in this Office effective at 10 a.m. on March 7, 1967.

ST. STEPHENS MERIDIAN, MISSISSIPPI

T. 7 S., R. 10 W.,
Sec. 15, lot 3,
Sec. 16, lots 1, 2, 3, 4, 5,
Sec. 17, lots 7, 8,
Sec. 20, lots 5, 6,
Sec. 21, lots 1, 2, 3, 4,
Sec. 22, lots 1, 2, 3,
Sec. 23, lots 4, 5, 6,
Sec. 24, lots 4, 5, 6, 7, 8.
The areas described aggregate 735.28 acres.

This plat represents a dependent resurvey of a portion of the subdivisional lines, designed to restore the corners in their true original locations according to the best available evidence; the survey of 12 islands in Back Bay of Biloxi which were not included in the original surveys; and, an extension survey of lands omitted from the original survey and not embraced within areas shown on the plat approved December 31, 1828.

Subject to valid existing rights, and applicable laws, rules and regulations, the lands will be opened under the public land laws on the date and time specified above. The lands are determined to be more than 50 percent swamp in character within the meaning of the Swamp Land Act of September 28, 1850, and title thereto inured to the State under that Act. The lands are included in the swampland selection application filed by the State of Mississippi under BLM 065374.

All inquiries relating to the lands should be sent to the Manager, Eastern States Land Office, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Md. 20910.

DORIS A. KOIVULA,
Manager, Land Office.

JANUARY 30, 1967.

[F.R. Doc. 67-1269; Filed, Feb. 2, 1967; 8:47 a.m.]

[Serial No. N-279]

NEVADA

Notice of Classification of Public Lands for Multiple Use Management

JANUARY 27, 1967.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR, Parts 2410 and 2411, the public lands described below are hereby classified for multiple-use management. Publication of this notice segregates (a) all the public lands described in this notice from appropriation under the agricultural land laws (43 U.S.C., Ch. 7, 43 U.S.C., Ch. 9, and 25 U.S.C. 331); from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the Public Land Sale Act of September 19, 1964 (43 U.S.C. 1421-27); from disposition through exchange under section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g); from lease or sale under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869; 869-1 to 869-4), and (b) the lands described in paragraph 4 of this notice from appropriation under the mining laws.

2. The classified public lands are located within the Eastgate Hydrological Study Area and are shown on maps, designated as N-279, which are on file in the Carson City District Office, 807 North Plaza Street, Carson City, Nev., and the Land Office, Bureau of Land Management, Federal Building, 300 Booth Street, Reno, Nev.

3. The lands involved are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 16 N., R. 35 E., unsurveyed,
Sec. 1.
T. 17 N., R. 35 E.,
Secs. 25, 36.
T. 15 N., R. 36 E., unsurveyed,
Secs. 1, 2, 12.
T. 16 N., R. 36 E., unsurveyed,
Secs. 1 to 18, incl.;
Secs. 20 to 28, incl.;
Secs. 33 to 36, incl.
T. 17 N., R. 36 E.,
Secs. 1 to 24, incl.;
Sec. 25, N½, SE¼;
Sec. 26, N½, SW¼, N½SE¼, SW¼SE¼;
Sec. 27;
Sec. 28, N½, N½S½, SE¼SW¼, S½SE¼;
Secs. 29, 30, 31;
Sec. 32, NE¼NE¼, W½E½, W½, E½SE¼;
Secs. 33 to 36, incl.
T. 18 N., R. 36 E., unsurveyed,
Secs. 1 to 17, incl.;
Secs. 20 to 29, incl.;
Secs. 32 to 36, incl.
T. 19 N., R. 36 E.,
Sec. 15;
Secs. 20 to 23, incl.;
Secs. 25 to 29, incl.;
Secs. 32 to 35, incl.
T. 15 N., R. 37 E., unsurveyed,
Secs. 1 to 10, incl.;
Secs. 11, 12, 14, lying within Churchill County;
Secs. 15 to 18, incl.;
Sec. 21;
Secs. 22, 23, lying within Churchill County.
T. 16 N., R. 37 E., unsurveyed.
T. 17 N., R. 37 E., unsurveyed,
Sec. 1, lying within Churchill County;
Secs. 2 to 11, incl.;
Secs. 12, 13, lying within Churchill County;
Secs. 14 to 36, incl.
T. 18 N., R. 37 E.,
Secs. 7, 18, 19;
Sec. 20, N½NE¼, SE¼NE¼, W½, S½SE¼, NE¼SE¼;
Secs. 23 to 36, incl.
T. 15 N., R. 38 E.,
Secs. 6, 7, lying within Churchill County.
T. 16 N., R. 38 E.,
Secs. 5, 6, lying within Churchill County;
Sec. 7;
Secs. 8, 16, 17, lying within Churchill County;
Sec. 18;
Sec. 19, NE¼NE¼, N½N½SE¼NE¼, W½E½, W½, S½NE¼SE¼, SE¼SE¼;
Secs. 20, 21, 29, lying within Churchill County;
Sec. 30;
Secs. 31, 32, lying within Churchill County.

T. 17 N., R. 38 E., unsurveyed,
Secs. 18, 19, 30, 31, lying within Churchill County.
T. 18 N., R. 38 E., partially unsurveyed,
Sec. 30;
Sec. 31, lying within Churchill County.

The area described aggregates approximately 156,000 acres.

4. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the mining laws:

MOUNT DIABLO MERIDIAN, NEVADA

T. 17 N., R. 37 E.,
Sec. 3, NW¼NW¼.
T. 18 N., R. 37 E.,
Sec. 29, S½NE¼SW¼, N½SE¼SW¼;
Sec. 30, NE¼SE¼;
Sec. 33, S½NW¼.

The area described next above aggregates approximately 200 acres.

5. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240. (43 CFR 2411.1–2(d).)

DANIEL P. BAKER,
Acting State Director.

[F.R. Doc. 67–1270; Filed, Feb. 2, 1967; 8:48 a.m.]

[Sacramento 071587]

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

JANUARY 27, 1967.

Notice of a Bureau of Reclamation, U.S. Department of the Interior application, Sacramento 071587, for withdrawal and reservation of lands for the Trinity River Division of the Central Valley Project, California, was published as F.R. Doc. No. 62–8128 on pages 8124 and 8125 of the issue for August 15, 1962. The applicant agency has canceled its application insofar as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 37 N., R. 7 W.,
Sec. 32, That portion of lot 6 lying within SW¼SE¼.

Therefore, pursuant to the regulations contained in 43 CFR part 2311, such lands at 10 a.m. on March 3, 1967, will be relieved of the segregative effect of the above-mentioned application.

R. J. LITTEN,
Chief, Lands Adjudication Section.

[F.R. Doc. 67–1293; Filed, Feb. 2, 1967; 8:49 a.m.]

[OR711]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

JANUARY 27, 1967.

The Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, has filed an application, Serial No. OR 711, for the withdrawal of the public lands described below, from all forms of appropriation under the mining laws (ch. 2, 30 U.S.C.) but not from leasing under the mineral leasing laws.

The applicant desires the land as an addition to the Oregon Islands National Wildlife Refuge.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 Northeast Oregon Street (Post Office Box 2965), Portland, Oreg. 97208.

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

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

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

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

The lands involved in the application are:

WILLAMETTE MERIDIAN

All of the islands, or groups of islands, rocks, pinnacles, and reefs along the west coast of Oregon within the exterior limits of the following described areas:

1. T. 5 N., R. 11 W., in section 1, unsurveyed, Tillamook Head Rocks, west of Tillamook Head.
2. T. 5 N., R. 11 W., in section 13, unsurveyed, Sea Lion Rocks, off Ecola State Park.
3. T. 5 N., R. 10 W., in section 19, unsurveyed, Bird Rocks, near Chapman Point.
4. T. 5 N., R. 10 W., in section 30, unsurveyed, Haystack Rock, off Cannon Beach.
5. T. 4 N., R. 11 W., in section 25, unsurveyed, Castle Rock, formerly known as Arch Cape Rock.
6. T. 1 S., R. 11 W., in section 12, unsurveyed, Pyramid Rock.
7. T. 1 S., R. 11 W., in section 13, unsurveyed, Pillar Rock (both rocks).
8. T. 4 S., R. 11 W., in section 24, unsurveyed, Haystack Rock, off Cape Kiwanda.
9. T. 6 S., R. 11 W., in section 10, unsurveyed, Two Arches Rock, off Cascade Head, five main islands.
10. T. 9 S., R. 11 W., in section 31, unsurveyed, Gull Rock, off the town of Otter Rock.
11. T. 10 S., R. 11 W., in section 30, unsurveyed, Yaquina Head Rocks.
12. T. 16 S., R. 12 W., in section 33, unsurveyed, Conical Rock.
13. T. 17 S., R. 12 W., in section 9, unsurveyed, Cox Rock, near Heceta Head.
14. T. 28 S., R. 15 W., section 25, unsurveyed, section 26, lots 1, 2, 3, and 4, and section 35, unsurveyed, being rocks off Coquille Point near Bandon including Table and Face Rocks.
15. T. 31 S., R. 16 W., in section 24, unsurveyed, Tower Rock, off Blacklock Point south of Cape Arago.
16. T. 31 S., R. 16 W., in section 25, unsurveyed, Castle Rock, off the mouth of Sixes River. Series of unnamed rocks many above the mean high tide.
17. T. 31 S., R. 16 W., in section 35, unsurveyed, Gull Rock, off mouth of Sixes River.
18. T. 32 S., R. 16 W., in sections 17, 21, 28, 29, 30, and 31, unsurveyed, Orford Reef, southwest of Cape Blanco and including several named and unnamed rocks rising from 15 to 150 feet above the sea. Among the named are NW Rock, Large Brown Rock, Long Brown Rock, Table Rock, Best Rock, Seal Rock, Square White Rock, Flat Rock, White Rock, Flat Black Rock, Arch Rock, West Conical Rock, Steamboat Rock, and Fox Rock.
19. T. 33 S., R. 15 W., in sections 21 and 22, unsurveyed, Redfish Rocks, off Coal and Rocky Points near Humbug Mountain. Includes five prominent rocks rising to 140 feet.
20. T. 33 S., R. 15 W., in section 33, unsurveyed, Island Rock. T. 34 S., R. 15 W., in section 4, unsurveyed, Group.
21. T. 36 S., R. 15 W., in sections 2 and 11, unsurveyed, Hubbard Mound Reef.
22. T. 38 S., R. 15 W., in section 1, unsurveyed, Hunter Island, lying off Hunter Cove, southern tip Cape Sebastian.
23. T. 38 S., R. 14 W., in section 30, unsurveyed, unnamed islands, off Crook Point.
24. T. 38 S., R. 14 W., section 31, unsurveyed, Saddle Rock, off Crook Point.
25. T. 39 S., R. 14 W., in section 6, unsurveyed, Mack Reef, including Mack Arch and four large unnamed rocks.
26. T. 39 S., R. 14 W., in sections 8 and 17, unsurveyed, Deer Point Rocks, including Leaning Rock, Black Rock, and Yellow Rock.
27. T. 40 S., R. 14 W., in section 4, unsurveyed, Whalehead Islands, a group of three lying about three miles north of Cape Perrelo.
28. T. 40 S., R. 14 W., in section 22, unsurveyed, Twin Rocks, south of Cape Perrelo.

The areas described aggregate 346.06 acres.

ERLING A. OLSON,
Chief, Lands Adjudication Section.

[F.R. Doc. 67–1294; Filed, Feb. 2, 1967; 8:49 a.m.]

[Los Angeles 0158928]

CALIFORNIA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

JANUARY 25, 1967.

Notice of a Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service application, Los Angeles 0158928, for withdrawal and reservation of lands for enlargement of the Havasu Lake National Wildlife Refuge, was published as Federal Register Document No. 59–11125, on pages 10987–10988 of the issue for December 30, 1959, as corrected by notice published as Federal Register Document No. 60–628, on pages 519–520 of the issue for January 21, 1960. The applicant agency has canceled its application insofar as it affects the following described lands:

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 5 N., R. 24 E.,
Sec. 1, lot 1.

The area described contains 30.06 acres.

Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands, at 10 a.m. on February 27, 1967, will be relieved of the segregative effect of the above mentioned application.

WALTER F. HOLMES,
Acting Manager.

[F.R. Doc. 67-1268; Filed, Feb. 2, 1967; 8:47 a.m.]

Fish and Wildlife Service

[Docket No. C-264]

BERNARD J. BLOCKER

Notice of Loan Application

Bernard J. Blocker, 8916 Jamacha Boulevard, Spring Valley, Calif. 92077, has applied for a loan from the Fisheries Loan Fund to aid in financing the construction of a new 73-foot vessel to engage in the fishery for tuna and tuna-like species.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

RALPH C. BAKER,
Acting Director,
Bureau of Commercial Fisheries.

JANUARY 30, 1967.

[F.R. Doc. 67-1266; Filed, Feb. 2, 1967; 8:47 a.m.]

National Park Service

PICTURED ROCKS NATIONAL LAKESHORE, MICH.

Notice of Filing of Map

Notice is hereby given that, in accordance with the requirements of section 2 of the Act of October 15, 1966 (80 Stat. 922) the boundary map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL-PR-7100A, July 1966" has been filed with the Office of the Federal Register.[1] Such map is also on file and available for inspection in the Office of the Director, National Park Service, Washington, D.C.

Dated: January 27, 1967.

HOWARD W. BAKER,
Acting Director,
National Park Service.

[F.R. Doc. 67-1295; Filed, Feb. 2, 1967; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case No. 329]

PEAK PRODUCTS CO. AND L. KANNER

Order Conditionally Restoring Export Privileges

In the matter of Peak Products Co. and L. Kanner, Eastcheap Building, 19 Eastcheap, London, E.C. 3, England, Case No. 329; respondents.

By order dated June 11, 1964 (29 F.R. 8496), the above-named respondents were denied all U.S. export privileges for the duration of export controls. The order was also effective against L. Kanner & Son Ltd., London, England, which firm was the owner of Peak Products Co. The order provided that 2 years after the effective date thereof the respondents might apply to have the effective denial of export privileges held in abeyance while they remain on probation. The said respondents have filed such an application and have submitted evidence to show their compliance with the terms of said order and information concerning the transaction on which the denial order was based.

The respondents' application was referred to the Compliance Commissioner and considered by him. He has recommended that an order be entered conditionally restoring export privileges to said respondents.

The undersigned has carefully considered the record herein and is of the opinion that the action recommended by the Compliance Commissioner is fair and just and is consistent with the purposes of the U.S. Export Control Act and regulations.

Accordingly, it is hereby ordered, That the export privileges of the above-named respondents and of L. Kanner & Sons Ltd. be and hereby are restored conditionally, and the said parties are placed on probation for the duration of export controls. The conditions of probation are that the said parties shall fully comply with all of the requirements of the Export Control Act of 1949, as amended, and all regulations, licenses, and orders issued thereunder.

Upon a finding by the Director, Office of Export Control, or such other official as may be exercising the duties now exercised by him, that said parties have knowingly failed to comply with the conditions of probation, said official, with or without prior notice to said parties, by supplemental order, may revoke the probation of said parties and deny to said parties all export privileges for such period as said official may deem appropriate. Such order shall not preclude the Bureau of International Commerce from taking further action for any violation as may be warranted.

This order shall become effective forthwith.

Dated: January 27, 1967.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 67-1246; Filed, Feb. 2, 1967; 8:46 a.m.]

National Bureau of Standards

VISCOMETER CALIBRATING LIQUIDS

Notice of Discontinuance

Effective July 1, 1967, the National Bureau of Standards will discontinue supplying its Viscometer Calibrating Liquids (§ 230.8-8, Title 15, Code of Federal Regulations). An equivalent series of liquids is now available from the Cannon Instrument Co., Box 812, State College, Pa., sponsored and supervised by Research Division VII, Section A of American Society for Testing and Materials Committee D-2. Orders for delivery of these liquids after July 1, 1967, should be addressed directly to Cannon Instrument Co. at the address above.

This transfer is made following a lengthy joint study by representatives of the National Bureau of Standards and the American Society for Testing and Materials to develop a more effective and efficient method of supplying all laboratories in the United States with the calibrating liquids they require. The need for such liquids developed more or less simultaneously among two different groups, one primarily from the petroleum industry which has been met by the American Society for Testing and Materials series and one from other industries and university laboratories which has been met by the National Bureau of Standards series. A slightly greater range will be provided initially by the combined series which is now available from Cannon (the National Bureau of Standards has collaborated and will continue to collaborate with the American Society for Testing and Materials in this program). It is hoped and expected that combining these two series into a single one will permit economies which will enable the range to be expanded somewhat when and if satisfactory liquids are found.

Future National Bureau of Standards activities in this field, in addition to its continuing collaboration with the American Society for Testing and Materials on the new series, will be devoted to accelerating its present work on new and improved measurement methods which should lead to increased accuracy of

[1] Map filed as part of original document.

calibrating liquids available, particularly in the higher viscosity ranges.

Dated: January 19, 1967.

A. V. ASTIN,
Director.

[F.R. Doc. 67-1245; Filed, Feb. 2, 1967; 8:46 a.m.]

Office of the Secretary

[Dept. Order 152; Amdt. 3]

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

Delegation of Authority

The following order was issued by the Secretary of Commerce on January 10, 1967. This material further amends the material appearing at 29 F.R. 5408-5409 of April 22, 1964, 30 F.R. 15238 of December 9, 1965, and 31 F.R. 14751 of November 19, 1966.

Department Order 152, dated April 2, 1964, is hereby further amended as follows:

1. SEC. 3. *Delegation of authority.* The following subparagraph is added to paragraph .01 of this section:

"11 The Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897), except that the approval of the Assistant Secretary for Domestic and International Business shall be obtained before issuance by the Administrator of any rules, regulations, or procedures required by this Act."

2. SEC. 4. *General functions.* The following subparagraph is added to paragraph .01 of this section:

"12 Evaluate and process applications for importation of educational, scientific and cultural materials under Public Law 89-651."

Date of issuance: January 10, 1967.

Effective date: January 10, 1967.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 67-1247; Filed, Feb. 2, 1967; 8:46 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR METROPOLITAN DEVELOPMENT; REGION III (ATLANTA)

Designation

Thomas J. Armstrong, Deputy Assistant Regional Administrator for Metropolitan Development, Region III (Atlanta), is hereby designated to serve as Acting Assistant Regional Administrator for Metropolitan Development, Region III, during the present vacancy in the position of Assistant Regional Administrator for Metropolitan Development, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Metropolitan Development, Region III.

(Secretary's delegation effective Nov. 16, 1966)

Effective date. This designation shall be effective as of December 31, 1966.

DWIGHT A. INK,
Assistant Secretary for Administration.

[F.R. Doc. 67-1312; Filed, Feb. 2, 1967; 8:51 a.m.]

ATOMIC ENERGY COMMISSION

STATE OF LOUISIANA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

On July 12, 19, 26, and August 2, 1966, the U.S. Atomic Energy Commission published for public comment prior to action thereon a proposed agreement received from the Governor of the State of Louisiana for assumption of certain of the Commission's regulatory authority, pursuant to section 274b. of the Atomic Energy Act of 1954, as amended. The proposed effective date included in the proposed agreement was September 1, 1966. Because of continuing discussions with the State concerning the regulation of licensed activities in the areas offshore of the State in the Gulf of Mexico, the proposed agreement did not become effective on September 1, 1966.

It is now proposed that the agreement become effective on May 1, 1967, and it is hereby republished. Also published herewith are: (1) A proposed Memorandum of Understanding between the State of Louisiana and the Commission designed to facilitate the parties' administration of the proposed section 274b. agreement, and (2) a proposed agreement between the State of Louisiana and the AEC, to be entered into under section 274i. of the Atomic Energy Act of 1954, as amended, under which the State would be authorized to perform certain functions on behalf of the Commission.

All interested persons desiring to submit comments and suggestions for consideration by the Commission in connection with the proposed section 274b. agreement, the proposed Memorandum of Understanding, or the proposed section 274i. agreement should send them in triplicate to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement the proposed section 274b. agreement were published as part 150 of the Commission's regulations in FEDERAL REGISTER issuances of February 14, 1962, 27 F.R. 1351; September 22, 1965, 30 F.R. 12069; and March 19, 1966, 31 F.R. 4668. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemtions.

Dated at Washington, D.C., this 30th day of January 1967.

For the Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

PROPOSED AGREEMENT BETWEEN THE U.S. ATOMIC ENERGY COMMISSION AND THE STATE OF LOUISIANA FOR DISCONTINUANCE OF CERTAIN COMMISSION REGULATORY AUTHORITY AND RESPONSIBILITY WITHIN THE STATE PURSUANT TO SECTION 274 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

Whereas the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8 and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, the Governor of the State of Louisiana is authorized under West's LSA-R.S. 51:1051 et seq., to enter into this Agreement with the Commission; and

Whereas, the Governor of the State of Louisiana certified on June 15, 1966, that the State of Louisiana (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this Agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, the Commission found on _____, 1967, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, the State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commision programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this Agreement; and

Whereas, this Agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

ARTICLE I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

ART. II. This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

ART. III. Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

ART. IV. This Agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

ART. V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

ART. VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

ART. VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

ART. VIII. This Agreement shall become effective on May 1, 1967, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VII.

PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE STATE OF LOUISIANA AND THE U.S. ATOMIC ENERGY COMMISSION

The State of Louisiana ("State") and the U.S. Atomic Energy Commission ("Commission") have this date entered into an "Agreement between the United States Atomic Energy Commission and the State of Louisiana for Discontinuance of Certain Commission Regulatory Authority and Responsibility within the State pursuant to section 274 of the Atomic Energy Act of 1954, as Amended" ("274b. Agreement"), the effective date of which is May 1, 1967.

An area of submerged land off the coast of the State is currently in dispute between the State and the United States in a cause pending before the U.S. Supreme Court, styled United States of America v. State of Louisiana et al, No. 9 Original ("pending litigation").

This Memorandum of Understanding between the State and the Commission is made solely to facilitate the parties' administration of the 274b. Agreement in view of, but without prejudice to, the pending litigation.

It is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State as follows:

First: The State shall not license or regulate, on its own behalf, those materials subject to the 274b. Agreement ("agreement materials") and located in the disputed area or seaward thereof which (a) are in the possession of noncitizens of the State or (b) are on or in the seabed or structures affixed thereto.

Second: The Commission acknowledges its present practice of regarding possession and use of agreement materials on the high seas by the citizens of littoral states which have entered into agreements with the Commission pursuant to section 274b. of the Atomic Energy Act of 1954, as amended, as properly subject to the regulatory authority assumed by such states pursuant to such agreements: *Provided, however,* That nothing herein shall in any way be construed to affect or limit the right of the Commission to alter or amend such practice at any time. Should the Commission decide to eliminate or alter or amend such practice, it will consult with the State before taking action to implement such decision offshore of the State.

Third: Nothing herein nor in the 274b. Agreement nor any action or abstention taken pursuant to either document shall in any manner affect, or be alleged to affect, the position of either party in the pending litigation.

Fourth: This Memorandum of Understanding shall become effective on May 1, 1967, and shall remain in effect so long as the 274b. Agreement remains in effect, but shall be subject to modification from time to time by agreement of the parties and shall be subject to the outcome of the pending litigation.

PROPOSED AGREEMENT BETWEEN THE STATE OF LOUISIANA AND THE U.S. ATOMIC ENERGY COMMISSION PURSUANT TO SECTION 274I. OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

The State of Louisiana ("State") and the U.S. Atomic Energy Commission ("Commission") have this date entered into an "Agreement between the United States Atomic Energy Commission and the State of Louisiana for Discontinuance of Certain Commission Regulatory Authority and Responsibility within the State pursuant to section 274 of the Atomic Energy Act of 1954, as Amended" ("274b. Agreement"), the effective date of which is May 1, 1967.

The State and the Commission have this date also entered into a "Memorandum of Understanding between the State of Louisiana and the U.S. Atomic Energy Commission," with the same effective date, in order to facilitate the parties' administration of the 274b. Agreement in view of, but without prejudice to, a cause pending before the U.S. Supreme Court, styled United States of America v. State of Louisiana et al., No. 9 Original ("pending litigation") concerning an area of submerged land off the coast of the State which is currently in dispute between the State and the United States.

Under section 274i. of the Atomic Energy Act of 1954, as amended, the Commission in carrying out its licensing and regulatory responsibilities under the Act is authorized to enter into agreements with any State to perform inspections or other functions on a cooperative basis as the Commission deems appropriate. In view of the pending litigation, but without prejudice thereto, the parties deem it appropriate that the State be authorized to perform certain functions for and on behalf of the Commission.

It is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

First: The Commission hereby authorizes the State to perform, for and on behalf of the Commission, the following functions with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass in the possession of Commission licensees in and seaward of the area of submerged land which is the subject of the pending litigation:

(a) perform inspections to determine compliance with the Commission's rules and regulations and with the provisions of the applicable Commission licenses;

(b) notify Commission licensees in writing of any items of noncompliance disclosed by such inspections, and request the licensees concerned to advise the State of corrective action taken or to be taken;

(c) with respect to emergency situations in which an immediate and serious hazard to public health and safety, or property, exists, take such temporary emergency measures as may be required to eliminate the hazard.

Such functions as are performed by the State pursuant hereto shall be performed without cost or expense to the Commission.

Second: The functions authorized to be performed hereunder shall be subject to the Commission's supervision and shall be performed by the State in accordance with such standards, criteria, policies, and procedures as may be specified by the Commission from time to time. The State shall promptly notify the Commission of all activities performed by the State hereunder.

Third: In taking any actions authorized hereunder, the State shall not undertake to amend or revoke Commission licenses, nor to institute judicial action against Commission licensees.

Fourth: Nothing herein nor in the 274b. Agreement nor any action or abstention taken pursuant to either document shall in any manner affect, or be alleged to affect, the position of either party in the pending litigation.

Fifth: Nothing herein shall be deemed to preclude or affect in any manner the authority of the Commission to perform or to have performed by others any or all of the functions described herein. Should the Commission decide to have others perform such functions, it will use its best efforts to provide the State with advance notice thereof.

Sixth: This Agreement shall become effective on May 1, 1967, and shall remain in effect so long as the 274b. Agreement remains in effect unless sooner terminated by either party on thirty days' prior written notice.

[F.R. Doc. 67-1241; Filed, Feb. 2, 1967; 8:46 a.m.]

[Docket No. 50-101]

UNITED NUCLEAR CORP.

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. 5, set forth below, to Facility License

No. R-49. The license, as previously issued, authorizes United Nuclear Corp. to possess and operate the nuclear reactor designated as the Pawling Lattice Test Rig and located at the UNC Remote Experimental Station in Pawling, Dutchess County, N.Y. The amendment authorizes the licensee (1) to convert its existing reactor to a light water moderated reactor so that measurements can be made of various lattice parameters for slightly enriched oxide fuel rods in a light water environment, (2) to receive, possess and use up to 5,500 kilograms of uranium containing up to 150 kilograms of uranium-235 instead of 1,550 kilograms of uranium containing up to 11.5 kilograms of uranium-235 in connection with operation of the reactor and (3) incorporates technical specifications in the license. The amendment was requested by the licensee in an application dated May 11, 1966, and supplements thereto dated May 12, 1966, May 31, 1966, and September 22, 1966.

Within fifteen (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 Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the application for license amendment and the supplements thereto, (2) a related safety evaluation prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing, and (3) the Technical Specifications, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of items (2) and (3) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 27th day of January 1967.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

FACILITY LICENSE AMENDMENT

[License No. R-49; Amdt. 5]

The Atomic Energy Commission having found that:

a. The application for license amendment dated May 11, 1966, as amended and superseded by letters dated May 12, 1966, May 31, 1966, and September 22, 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 I, CFR;

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

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

d. The licensee has furnished proof of financial protection to satisfy the requirements of 10 CFR Part 140;

e. 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

f. 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-49, as amended, is hereby amended in its entirety to read as follows:

1. This license applies to the light water moderated reactor designated as the Pawling Lattice Test Rig (PLATR) (hereinafter "the reactor"), which is owned by the United Nuclear Corp. (hereinafter "the licensee"), located at the UNC Remote Experimental Station in Pawling, Dutchess County, N.Y., and described in the application for license dated April 2, 1958, as amended (hereinafter "the application").

2. Subject to the conditions and requirements incorporated herein, the Atomic Energy Commission (hereinafter "the Commission") hereby licenses the United Nuclear Corp.:

A. Pursuant to section 104c of the Atomic Energy Act of 1954, as amended (hereinafter "the Act"), and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the reactor as a utilization facility at the designated location in Pawling, Dutchess County, N.Y.

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 40, "Licensing of Source Material," and Part 70, "Special Nuclear Material," to receive, possess and use up to 5,500 kilograms of uranium containing up to 150 kilograms of uranium-235 in connection with operation of the reactor.

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Licensing of Byproduct Material," to possess, but not to separate, such byproduct material as may be produced by operation of the reactor.

3. This license shall be deemed to contain and is subject to the conditions specified in Part 20, § 30.34 of Part 30, §§ 50.54, and 50.59 of Part 50 and § 70.32 of Part 70 of the Commission's regulations; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. *Maximum power level.* The licensee is authorized to operate the reactor at power levels up to a maximum of 100 watts thermal.

B. *Technical specifications.* The Technical Specifications contained in Appendix A[1] to this license (hereinafter "the Technical Specifications") are hereby incorporated in this license. The licensee shall operate the reactor in accordance with the Technical Specifications unless authorized by the Commission as provided in 10 CFR 50.59.

C. *Reports.* In addition to reports otherwise required under this license and applicable regulations:

1. The licensee shall inform the Commission of any incident or condition relating to the operation of the reactor which prevented or could have prevented a nuclear system from performing its safety function as described in the Technical Specifications or in the Hazards Summary Report. For each such occurrence, the licensee shall promptly notify by telephone or telegraph, the Director of the appropriate Atomic Energy Commission Regional Compliance Office listed in Appendix D of 10 CFR Part 20 and shall submit within ten (10) days a report in writing to the Director, Division of Reactor Licensing (hereinafter "the Director, DRL") with a copy to the Regional Compliance Office.

2. The licensee shall report to the Director, DRL, in writing within thirty (30) days of its observed occurrence any substantial variance disclosed by operation of the reactor from performance specifications contained in the Hazards Summary Report or the Technical Specifications.

3. The licensee shall report to the Director, DRL, in writing within (30) days of its occurrence any significant changes in transient or accident analysis as described in the Hazards Summary Report.

D. *Records.* In addition to those otherwise required under this license and applicable regulations the licensee shall keep the following records:

(1) Reactor operating records, including power levels.

(2) Records of in-pile irradiations.

(3) Records showing radioactivity released or discharged into the air or water beyond the effective control of the licensee as measured at the point of such release or discharge.

(4) Records of emergency reactor scrams, including reasons for emergency shutdowns.

4. This license, as amended, is effective as of the date of issuance and shall expire at midnight October 6, 1978, unless sooner terminated.

Date of issuance: January 27, 1967.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 67-1252; Filed, Feb. 2, 1967; 8:46 a.m.]

[1] This item was not filed with the Office of the Federal Register but is available for inspection in the Public Document Room of the Atomic Energy Commission.

CIVIL SERVICE COMMISSION

PROFESSIONAL ENGINEERS, CERTAIN PHYSICAL SCIENTISTS, AND MATHEMATICIANS

Notice of Adjustment of Minimum Rates and Rate Ranges

1. Under the authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has increased the minimum salary rates and rate ranges for grades GS-9, GS-10, GS-11, and GS-12, in the following occupations under the General Schedule:

a. All professional series in the Engineering and Architecture Group, GS-800.

Professional series at present in the GS-800 Group are:

GS-801	General
GS-803	Safety
GS-804	Fire Prevention
GS-806	Materials
GS-807	Landscape Architecture
GS-808	Architecture
GS-810	Civil
GS-819	Sanitary
GS-830	Mechanical
GS-840	Nuclear

GS–850	Electrical
GS–855	Electronic
GS–861	Aerospace
GS–870	Marine
GS–871	Naval Architecture
GS–880	Mining
GS–881	Petroleum
GS–890	Agricultural
GS–892	Ceramic
GS–893	Chemical
GS–894	Welding
GS–896	Industrial

b. Science series and specializations.

GS–015	Operations Research
GS–1221	Patent Adviser
GS–1223	Patent Classifying
GS–1224	Patent Examining
GS–1301.1	Physical Science Subseries
GS–1306	Health Physics
GS–1310	Physics
GS–1313	Geophysics
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–1510	Actuary
GS–1520	Mathematics
GS–1529	Mathematical Statistics

c. Industrial Hygiene Series, GS–690.

2. The revised rates are as follows:

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS–9	$9,001	$9,262	$9,523	$9,784	$10,045	$10,306	$10,567	$10,828	$11,089	$11,350
GS–10	9,573	9,861	10,149	10,437	10,725	11,013	11,301	11,589	11,877	12,165
GS–11	10,481	10,796	11,111	11,426	11,741	12,056	12,371	12,686	13,001	13,316
GS–12	11,806	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338	14,717

3. Geographic coverage: worldwide.

4. The effective date will be the first day of the first pay period which begins on or after February 1, 1967.

5. All new employees in the specified occupational classes will be hired at the new minimum rates.

6. As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational classes. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the existing special rate range, shall receive compensation at the corresponding numbered rate authorized by this notice on and after such date.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-1243; Filed, Feb. 2, 1967; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16678, 16831; FCC 66R-36]

BAY BROADCASTING CO. AND REPORTER BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In re applications of Bay Broadcasting Co., San Francisco, Calif., Docket No. 16678, File No. BPCT-3621; Reporter Broadcasting Co., San Francisco, Calif., Docket No. 16831, File No. BPCT-3562; for construction permit for new television broadcast station.

1. Bay Broadcasting Co. (Bay) and Reporter Broadcasting Co. (Reporter) are competing for a construction permit for UHF television channel 38 in San Francisco, Calif. The applications were designated for comparative hearing by Commission order released August 31, 1966 (FCC 66-765).[1] The designation order specified a number of financial issues as to each applicant and a staffing issue as to Reporter, as well as the usual comparative and ultimate issues. Now before the Board is a motion to enlarge issues, filed by Bay on September 22, 1966.[2] The motion requests against Reporter a total of 14 additional issues under 5 headings; Legal Qualifications, Financial Qualifications, Program Proposals—Preparation and Planning, Equipment and Technical Facilities Proposed and Comparative Coverage. The requests will be considered seriatim.

Legal qualifications. 2. Based on the fact that the Commission has addressed a large number of letters to Reporter pointing out deficiencies in the latter's application and amendments thereto, Bay requests against Reporter an "ineptness" issue identical to that added by the Board in Beamon Advertising, Inc., 63R-467, 1 RR 2d 285). Beamon, however, is distinguishable on at least three counts: (a) There it appeared to the Board that the "deficiencies" went well beyond mere "inadvertence and carelessness"; (b) Beamon's majority stockholder was "an experienced broadcaster"; and (c) Beamon was "represented by legal counsel long familiar with Commission processes and requirements." The most that can be said against Reporter here is that its principals—essentially unacquainted with the requirements relating to the Commission's application form—attempted to file and subsequently perfect their application without the benefit of experienced communications counsel.[3] Although it is clear that Reporter's procedure made for many deficiencies in the Reporter application and subsequent amendments, the Board does not believe that the overall matter is significant from either an absolute or a comparative standpoint. In the latter connection it can be observed that on February 7, 1966—at a time prior to Bay's retention of its present communications counsel—the Commission pointed out (by letter) numerous deficiencies in Bay's application. In view of all of the above, the request for an "ineptness" issue is denied.

3. Arguing that, at best, Reporter's application and associated amendments present an unclear picture as to Reporter's present and contemplated stock ownership, Bay requests four factual issues in this respect as well as a conclusionary issue cast in terms of legal qualifications. Notwithstanding a lack of perfection in Reporter's submissions, it seems clear that (a) Dr. Goodlett would own 45 percent of the stock, Mrs. Fielder, Dr. Feigen, Mr. Rumford, Mr. Turner, and Mr. Keating, 10 percent each, and Mr. Rayon, 5 percent; and (b) the respective holdings could be substantially affected if one or more of Goodlett, Feigen, and Rumford choose to purchase appropriate percentages of stock from Reporter rather than advance the funds involved ($75,000 each) under loan arrangements. While the Board believes that it would be administratively advantageous for the latter three to choose their courses and declare their final intentions in the foregoing respect on the hearing record, there is no clear requirement that they do so. However, should Reporter allow the present uncertain picture to remain, there would appear to be no alternative but to construe all affected and related showings against that applicant.[4] Based on the above, the request for an issue seeking inquiry into "the nature and extent of all existing and proposed interests in the stock of Reporter Broadcasting Company" is denied.

4. Two independent facts form the basis for another of Bay's requested issues: (a) A Reporter letter of April 4, 1966 (received by the Commission on April 6, 1966) appears to indicate that Keating presently holds 1,000 shares of stock (10 percent) and that the balance of the stock "is being held in escrow by [Reporter's] corporate attorneys"; (b) attached to Bay's petition is a copy of a divorce complaint filed by Willette Goodlett against Dr. Goodlett, Reporter's proposed 45 percent stockholder.[5] Praying for an interlocutory decree of divorce,

[1] Bay's application was first designated for hearing by Commission order of June 2, 1966 (FCC 66-501, released June 8, 1966); in a "by-direction" letter of June 2, 1966, the Commission advised Reporter of a number of deficiencies in the Reporter application, the letter advising Reporter that to be entitled to comparative consideration with Bay it must submit appropriate amendments no later than July 11, 1966.

[2] Associated pleadings are Bay's supplement of September 29, 1966, the Broadcast Bureau's comments in partial support of October 24, 1966, Reporter's opposition and statement in partial support of October 24, 1966, and Bay's reply of November 3, 1966.

[3] It appears that Reporter did not retain communications counsel until September 30, 1966, after the filing of Bay's motion to enlarge.

[4] For example, should Reporter rely upon the complete integration of one of its 10 percent stockholders, there would have to be weighed against that showing the possibility that the foregoing percentage could shrink substantially.

[5] The complaint was filed on Sept. 2, 1966, in the Superior Court of the State of California, in and for the city and county of San Francisco.

the complaint requests (among other things) an equitable division of the couple's community property, including "Investments in television stations in amounts known to defendant but unknown to plaintiff." By virtue of the foregoing factual situations, Bay seeks an issue "To determine whether Willette Goodlett and/or the corporation's attorneys are principals and, if so, to develop information regarding same as called for under section II of FCC Form 301." The Board agrees with Reporter and the Broadcast Bureau that the possible effects of the divorce action are completely conjectural; unless and until there is a decree awarding Mrs. Goodlett a share of Dr. Goodlett's interest in Reporter, there is no basis for regarding her as a principal in Reporter's application. As to the escrow matter, there is nothing either in Bay's pleadings or in Reporter's application or amendments even slightly suggesting that Reporter's corporate attorneys have any present or potential ownership interest or voting rights in the corporation, or that the attorneys' roles are other than to serve as custodians of the stock pending completion of Reporter's financial plans and related organizational matters. Accordingly, the requested issue is denied in its entirety.

5. Throughout the processing of Reporter's application, Reporter represented that it had on deposit with the Bank of Tokyo in San Francisco the sum of $10,000. As part of its response to a Commission letter of February 7, 1966, Reporter submitted copies of a bank statement of March 31, 1966, and a deposit slip of April 4, 1966, the statement showing a cash balance of $681.55 and the deposit slip reflecting a deposit of five checks in a total amount of $7,000. In light of the foregoing unexplained inconsistencies, the Board believes that inquiry into the matter is warranted, and an appropriate issue is added herein. Bay has requested an issue in the foregoing respect in the context of "legal" qualifications, and has not suggested that the facts should be considered as a matter of "character" or "requisite" qualifications. Although the Board is not associating a conclusionary issue with the added factual issue, the Examiner is not precluded from drawing whatever conclusions (from either an absolute or comparative standpoint) are warranted by the facts adduced.[6]

Financial qualifications. 6. The financial issues as to Reporter already in the proceeding are of an Ultravision nature, the Commission raising no question as to the availability of the $10,000 specified as existing capital and stating that the three stockholders proposing loans of $75,000 each "appear to be financially qualified to meet their commitments." The three proposed lenders are Drs. Goodlett and Feigen and Mr. Rumford, and Bay seeks an issue designed to test the foregoing determination. Dr. Goodlett has total assets of over $660,000[7] including cash of $81,500, insurance policies cashable at $5,000, and securities with a declared value of $12,000. Goodlett has total liabilities of $100,000, of which $15,000 are current. Even if Goodlett's securities are disregarded,[8] his net current position is $71,500, only $3,500 short of the required figure of $75,000. Without considering current assets, Goodlett's declared fixed and other assets exceed his total liabilities by well over $400,000. Under such circumstances, the Board has no difficulty in declaring Goodlett to be financially qualified.[9] Bay again raises the question of the divorce action against Goodlett, and the suggestion is that Goodlett's cash and other assets could be reduced substantially if Mrs. Goodlett prevails on her pleas. But the merits of such pleas cannot be determined on the Commission's hearing record, and the better procedure appears to be to preclude present inquiry into the matter in the Commission's proceeding.[10]

7. Dr. Feigen has total assets of over $286,000, including cash of $15,000, insurance policies cashable at $8,000, and securities with a declared value of $40,000. Disregarding Feigen's securities and disregarding accounts receivable of $11,000 and notes receivable of $6,000,[11] Feigen's nonliquid assets exceed his liabilities (of which there are none) by over $200,000. Bay has not challenged the values placed on such nonliquid assets in Feigen's balance sheet,[12] and, as in Goodlett's case, there is no realistic or reasonable basis for adding a financial issue against Feigen.

8. Rumford has total assets of over $328,000, including cash of $25,500, insurance policies cashable at $5,000, and securities with a declared value of nearly $100,000. His liabilities total to $46,500, of which $15,300 are current, and Rumford's nonliquid assets exceed his total liabilities by nearly $100,000. Accordingly, unless Rumford has grossly overvalued his securities and his fixed assets,[13] he should have no difficulty in meeting his commitment to the applicant. Based on all of the foregoing, Bay's request for a financial issue against Goodlett, Feigen and Rumford is denied.

Program proposals—preparation and planning. 9. Reporter's difficulties in perfecting its application have already been referred to, and as the present pleadings suggest, Reporter's various programing submissions were among those affected. At the time of the Commission's "by direction" letter of June 2, 1966, Reporter's application, as amended, indicated that with a proposed broadcast week of (4–12 p.m., daily), it would have the following percentages as to types of programs:[14] Entertainment, 42.50 percent; Religious, 7.40 percent; Agricultural, 1.90 percent; Educational, 7.40 percent; News, 7.40 percent; Discussion, 7.40 percent; Talks, 5.55 percent; Miscellaneous, 5.55 percent; and undescribed types, 14.90 percent. A proposed program schedule was contained in the application, but the programs thereon were not described as to type or class, and Reporter had not furnished the class-analysis required by section IV, par. 4(b) of the application form.

10. As part of its response to the Commission's letter of June 2, 1966, Reporter, on July 11, 1966, submitted another amendment to its application.[15] A class-analysis was included in the amendment and it showed, among other things, a 53.3–46.7 percent ratio of recorded-to-live programs, and a 96.6–3.4 percent ratio of commercial-to-sustaining programs. A new program schedule was included (still, however, for a 56-hour week), but none of the programs were described as to class or type. As previously indicated, the Commission's designation order in this proceeding was released on August 31, 1966. The designation order noted Reporter's deficiency with respect to program classification, and directed Reporter (within 20 days of the release date of the order) to amend its application to furnish "the information required by section IV–B, page 4, FCC Form 301."[16] In an apparent effort to comply with the designation order, Reporter submitted a proposed amendment under cover of a letter (dated Sept. 8, 1966) received by the Commission on September 9, 1966.[17] The

[6] Conceivably, the facts adduced might also be relevant to the question of Reporter's financial qualifications, a matter already in issue.

[7] For convenience, the Board has used approximate and rounded-off figures in this and the next two paragraphs.

[8] In the designation order in this proceeding (FCC 66–501) the Commission indicated at par. 2(2) that applicants have a duty to disclose "the exchange, if any, upon which their securities are listed." This information has not been supplied in Reporter's application.

[9] "Where a small amount of money must be obtained from a large amount of nonliquid assets, the Board will not add a financial qualifications issue." United Artists Broadcasting, Inc., FCC 64R–551, 4 RR 2d 453.

[10] However, § 1.65 of the Commission's rules requires applicants to report substantial changes in information set forth in pending applications.

[11] These items cannot be considered in the absence of a showing as to how they would be used to provide the necessary funds (see FCC Form 301, section III, par. 4d).

[12] Similarly, Bay has not challenged the figures set forth in the Goodlett and Rumford balance sheets.

[13] Again, there is no allegation or suggestion by Bay that he has.

[14] See resubmitted application of May 3, 1965, and amendment of Apr. 6, 1966.

[15] The amendment was returned to the applicant by Commission letter of July 13, 1966, and resubmitted on July 27, 1966.

[16] The page referred to defines the various classes of programs, such as commercial, sustaining, recorded, local live, etc.

[17] On Sept. 20, 1966, Bay filed a "Motion To Reject Amendment and To Dismiss Application," requesting therein that the Commission (as opposed to the Hearing Examiner) act on the motion. Thereafter, Reporter retained Washington communications counsel, and such counsel, on Oct. 11, 1966, filed a "Petition for Leave To Amend Application"; this petition also requested action by the Commission. Subsequently, the motion and the petition and the related pleadings were referred to the Hearing Examiner for action. The Examiner has not yet passed on either request, and therefore the amendment involved has been neither accepted nor rejected. The Board's action with respect to the instant motion to enlarge issues is without prejudice to whatever action the Examiner deems appropriate with respect to the matters before him.

proposed amendment repeats the program schedule contained in Reporter's amendment of July 11, 1966 (see note 15, supra), but each program is now described as to type (entertainment, news, talk, etc.) and as to class (local live, recorded, commercial, etc.). But whereas Reporter had previously proposed (for example) educational and religious programs in the amount of 7.40 percent each, and agricultural programs in the amount of 1.90 percent, none of the programs in the schedule are described in the proffered amendment as being of those types.[18]

11. After reciting the substance of the above, Bay requests three programing issues relating to Reporter's proposal. In large measure the requested issues add up (in part) to a Suburban issue,[19] and the Board is of the view that such an issue is warranted by the substantial and unexplained changes in Reporter's proposals. Thus, Reporter has apparently completely eliminated educational and agricultural programs, and has similarly eliminated or greatly reduced its religious proposals. The Board believes that in the absence of a satisfactory showing as to the factors and circumstances dictating the changes, programing revisions of such magnitude warrant evidentiary inquiry. See Charlottesville Broadcasting Corp., 1 FCC 2d 1323, 6 RR 2d 744 (Rev. Bd., 1965). Accordingly, an appropriate Suburban issue is added herein. In the remainder, Bay's requests for programing issues constitute a request for a comparison of its own proposal with Reporter's, the comparison to extend to preparation and planning as well. But, aside from suggesting that its own programing represents better "program balance" and that it has engaged in "careful and assiduous preparation and planning," Bay has set forth nothing concerning such programing and preparational efforts. As a result, Bay's showing is even less than that before the Board in Adirondack Television Corp., 5 FCC 2d 170, FCC 66R-381, where the Board, after summarizing the Commission's policy with respect to comparative programing matters, denied a similar request. See, also, Chapman Radio and Television Co., 5 FCC 2d 416, FCC 66R-412.

12. Reporter's opposition pleading does not oppose a comparative programing issue; on the contrary, it counterattacks with claims that the "distinguishing characteristic [of Bay's proposal] seems to be heavy concentration on telecasts of athletic events", while Reporter "proposes a vibrant new service primarily designed to serve the needs of various minority groups in the Bay area". However, the foregoing assessment of Reporter's proposal finds little (if any) support in the application and amendments submitted by Reporter's principals. Aside from its proposed "Chinese Hour" (Sunday, 7:30–8:30 p.m., described as "LC Variety-Ent."), and its proposed "Spanish American Hour (Saturday, 7–8 p.m., described as "LC Variety"), there is nothing in Reporter's schedule suggesting that Reporter proposes other than general-service (as opposed to specialized) programing. To add comparative-programing or specialized-programing issues on the basis of the scant and unsupported allegations presently before us would be, in the Board's view, clearly inconsistent with the Commission's pronouncements in Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, 5 RR 2d 1901, discussed in the Adirondack and Chapman cases cited above. In view of all of the above, the requests for such issues in the pleadings before us are denied.

Equipment and technical facilities proposed. 13. Bay states that whereas it has proposed total construction costs of $904,735, including $273,500 for studio technical equipment, Reporter has proposed total costs of only $385,000, budgeting only $89,585 for studio technical equipment. Bay admits of the possibility "that a television station could be constructed within the budget of Reporter", but alleges "that such a station would be equipped with a bare minimum of facilities, particularly in the studio room." Arguing (a) that Reporter proposes 26 hours of local live programing per week, (b) that several of the live programs "appear to be substantial undertakings", and (c) that "in a number of instances two local live programs are scheduled back-to-back", Bay requests the Board to add an issue inquiring as to whether Reporter "can effectuate the type of operation proposed with the equipment and technical facilities proposed."

14. As the Board reads the Commission's Policy Statement, supra, inquiry as to the adequacy of studios or technical equipment can be permitted only upon a showing by the petitioning party that its opponent has "a serious deficiency" in the foregoing respect and will be unable to carry out its programing proposals. It is clear to the Board that the Commission contemplated allegations more specific and persuasive than the generalized, speculative and conclusionary statements advanced by Bay. As Reporter points out, Bay's budget-comparisons are meaningless, and they as much support that Bay is overspending as that Reporter is underspending. Accordingly, for want of sufficient and persuasive factual allegations, Bay's request for a technical-facilities issue is denied.

Comparative coverage. 15. Alleging that its proposed grade A and grade B contours would extend ten miles beyond Reporter's corresponding contours, Bay seeks three issues of a comparative-coverage nature. Bay's technical showing (contained in its supplement of Sept. 29, 1966) which utilizes population data published by the California Department of Finance, is not disputed by Reporter. Among other things, the showing indicates the following figures for unshadowed (by terrain) land areas within the respective theoretical contours:

Contour	Bay	Reporter
Grade A area (sq. mi.)	2,210	2,105
Grade B area (sq. mi.)	3,040	2,955
Grade A population	2,268,200	2,050,810
Grade B population	2,418,600	2,210,100

From the above table it can be determined that Bay's Grade A contour would enclose 8.65 percent more persons than Reporter's, and that Bay's edge as to the Grade B contours would be 9.43 percent. In the Board's view, the foregoing differences are sufficient to permit evidentiary inquiry on the coverage factor. Accordingly, the Examiner is hereby authorized to adduce the pertinent evidence under the standard comparative issue. See Adirondack Television Corp., FCC 66R-400, 5 FCC 2d 376. Bay's technical showing also provides the figures for land areas within the theoretical contours irrespective of terrain shadows. Bay's consulting engineer asserts that the figures in the above table represent "the approximate practical limit of service due to shadowing by hilly terrain based upon the reported reception of Channel 7 which utilizes the same site".[20]

16. Finally, here, it appears from the second of Bay's requested coverage issues that Bay may be contemplating evidence establishing that Bay would reach with an aural-only signal areas and populations which Reporter would not. Bay has offered no support for the proposition that a coverage preference can properly be based on less than complete (aural and visual) coverage, and evidence on the point in question should be rejected by the Examiner.[21]

For the reasons stated above: *It is ordered*, This 30th day of January 1967, that the motion to enlarge issues, filed by Bay Broadcasting Co. on September 22, 1966, is granted in part and denied in the remainder.

[18] The schedule proposes "Religion" as a program on Sunday (15 min.), Tuesday (5 min.), Thursday (5 min.) and Saturday (10 min.); in each case, however, the program is described as a "talk" program. Even if the programs should properly be described as "religious," the time involved would calculate to only 1.04 percent of the broadcast week—a substantial drop from the 7.40 percent previously proposed.

[19] See *Suburban Broadcasters*, 30 FCC 1021, 20 RR 951 (1961), affirmed *sub nom. Henry* v. *F.C.C.*, 112 U.S. App. D.C. 257, 302 F. 2d 191, cert. denied, 371 U.S. 821 (1962).

[20] Depending upon the basis for the determination, the shadowing effect upon the UHF signal would not necessarily duplicate the shadowing effect upon the VHF signal.

[21] Conceivably there is a typographical error in the requested issue, Bay having meant *actual* service and not *aural* service. However, Bay has submitted no corrective amendment, and, to save confusion on the point, the Board has deemed it advisable to allow for the possibility that Bay intended the word actually used.

It is further ordered, That the issues in this proceeding are enlarged to include the following:

To determine the dates and amounts of all deposits in and withdrawals from the account of Reporter Broadcasting Co. in the Bank of Tokyo, San Francisco, Calif., and the facts and circumstances relating to Reporter Broadcasting Co.'s representations to the Commission concerning such account.

To determine the efforts made by Reporter Broadcasting Co. to ascertain the needs and interests of the area it proposes to serve, and the manner in which it would meet such needs and interests.

Released: January 31, 1967.

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

[F.R. Doc. 67-1299; Filed, Feb. 2, 1967; 8:50 a.m.]

[Docket Nos. 16476-16478; FCC 67M-162]

ARTHUR A. CIRILLI ET AL.

Order Regarding Further Prehearing Conference

In re applications of Arthur A. Cirilli, Trustee in Bankruptcy (WIGL), Superior, Wis., Docket No. 16476, File No. BR-4080, BRRE-7740, for renewal of license of station WIGL; Quality Radio, Inc. (WAKX), Superior, Wis., Docket No. 16477, File No. BP-16497, for construction permit; Arthur A. Cirilli, Trustee in Bankruptcy (Assignor) and D.L.K. Broadcasting Co., Inc. (Assignee), Docket No. 16478, File No. BAL-5627, BALRE-1336, for assignment of license of station WIGL.

On the Hearing Examiner's own motion: *It is ordered*, This 31st day of January 1967, that a further prehearing conference will be held on February 17, 1967, at 10 a.m., in the offices of the Commission, Washington, D.C., for the rescheduling of procedural dates in preparation for the hearing and for consideration of other appropriate matters related thereto.

Released: January 31, 1967.

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

[F.R. Doc. 67-1300; Filed, Feb. 2, 1967; 8:50 a.m.]

[Docket Nos. 17026, 17027; FCC 67M-155]

D & T BROADCASTING CO. AND SERVICE COMMUNICATIONS, INC.

Order Concerning Issues

In re applications of D & T Broadcasting Co., Dumas, Ark., Docket No. 17026, File No. BP-16729; Service Communications, Inc., Augusta, Ark., Docket No. 17027, File No. BP-17040; for construction permits.

The Hearing Examiner has for consideration a Motion to Dismiss With Prejudice the application of D & T Broadcasting Co., filed on January 6, 1967, by Service Communications, Inc., together with Comments thereon filed by the Broadcast Bureau. No responsive pleading has been filed by D & T within the time provided by the Commission rules;

It appearing, that D & T has not filed a notice of appearance, although specifically directed to do so by the order designating its application for hearing; has not appeared at a prehearing conference convened on January 5, 1967; and has demonstrated no interest in the prosecution of its application;

It further appearing, that in such circumstances Rule 1.221(c) provides that the nonparticipating "application will be dismissed with prejudice for failure to prosecute";

It further appearing, that the dismissal of the D & T application will moot all of the designated issues except so much of issue No. 1 as purports to apply to the Service application:

It is ordered, This 30th day of January 1967, that the subject motion is granted; the application of D & T Broadcasting Co. is dismissed with prejudice; and that the present hearing schedule is affirmed, with the evidence to be adduced being limited to so much of issue No. 1 as purports to apply to the application of Service Communications, Inc., and an appropriate affidavit on behalf of Service Communications, Inc. relating to what, if any, communications or consideration passed between itself and D & T Broadcasting Co. relative to D & T's failure to prosecute its application.

Released: January 30, 1967.

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

[F.R. Doc. 67-1301; Filed, Feb. 2, 1967; 8:50 a.m.]

[Docket No. 16980; FCC 67M-161]

MADISON COUNTY BROADCASTING CO., INC. (WRTH)

Order Continuing Prehearing Conference

In re application of Madison County Broadcasting Co., Inc. (WRTH), Wood River, Ill., Docket No. 16980, File No. BP-16612; for construction permit.

The Hearing Examiner having under consideration a petition for continuance of prehearing conference filed January 26, 1967, by Madison County Broadcasting Co., Inc.;

It appearing, that due to developments in the case a continuance of the prehearing conference is advisable and has the consent of all parties:

It is ordered, This 30th day of January 1967, that the aforesaid petition is granted and the conference scheduled for January 30, 1967, is continued to March 16, 1967.

Released: January 31, 1967.

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

[F.R. Doc. 67-1302; Filed, Feb. 2, 1967; 8:50 a.m.]

[Docket Nos. 17065, 17066; FCC 67M-163]

STEPHEN VAUGHAN & ASSOCIATES AND MULTIVISION NORTHWEST, INC.

Order Continuing Prehearing Conference

In re petitions by Stephen Vaughan & Associates, Cleveland, Tenn., Docket No. 17065, File No. CATV 100-7; Multivision Northwest, Inc., Dalton, Ga., Docket No. 17066, File No. CATV 100-73; for authority pursuant to § 74.1107 to operate CATV systems in Cleveland and Dalton.

The Hearing Examiner having under consideration a motion for continuance of prehearing conference and hearing filed January 30, 1967, by Rust Craft Broadcasting of Tennessee, Inc.;

It appearing, that said motion is based on the pending petition for reconsideration filed on January 27, 1967, by Stephen Vaughan & Associates, the petition to intervene filed January 26, 1967, by Jay Sadow and other pleadings which may affect both the issues and parties herein:

It is ordered, This 30th day of January 1967, that said motion for continuance is granted and the prehearing conference herein presently scheduled for January 31, 1967, is continued to March 2, 1967, commencing at 9 a.m. in the offices of the Commission at Washington, D.C. and the hearing presently scheduled for February 6, 1967, is continued to a date to be subsequently specified.

Released: January 31, 1967.

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

[F.R. Doc. 67-1303; Filed, Feb. 2, 1967; 8:50 a.m.]

FEDERAL HOME LOAN BANK BOARD

[No. 20,431]

STATEMENT OF POLICY

Rescission

JANUARY 30, 1967.

Whereas by Federal Home Loan Bank Board Resolution No. 20,372, dated December 28, 1966, and duly published in the FEDERAL REGISTER on December 31, 1966 (31 F.R. 16802), this Board determined to rescind its statements of policy and terminate its policy of restricting advances to member institutions of the Federal Home Loan Bank System.

Now, therefore, it is hereby resolved that Federal Home Loan Bank Board

[*] Review Board Member Berkemeyer abstaining.

Resolution No. 20,218, dated October 5, 1966, is hereby rescinded.

It is further resolved that the Secretary to the Board is hereby directed to transmit a copy of the foregoing statement approved by this Board to the Office of the Federal Register for publication.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 67-1309; Filed, Feb. 2, 1967; 8:51 a.m.]

FEDERAL MARITIME COMMISSION

SPLOSNA PLOVBA ET AL.

Notice of Proposed Cancellation of Agreement

Notice is hereby given that a request for cancellation of the following agreement, pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814), has been filed with the Commission.

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of intent to cancel agreement 9310 filed by:

Mr. James F. O'Donnell, president, Monitor Steamship Agency, Inc., 2 Pine Street, San Francisco, Calif. 94111.

Agreement 9310, approved December 28, 1964, between Splosna Plovba, Jugoslavenska Oceanska Plovidba and Atlantska Plovidba covers the establishment and maintenance by the parties of sailings in a joint Round the World Service.

Dated: January 31, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-1244; Filed, Feb. 2, 1967; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI67-263 etc.]

PETROLEUM, INC., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JANUARY 26, 1967.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 15, 1967.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-263	Petroleum Inc. (Operator) et al., 300 West Douglas, Wichita, Kans. 67202.	34	4	Northern Natural Gas Co. (Sitka Field, Clark County, Kans.).	$401	12-27-66	[2] 1-27-67	6-27-67	[3] 16.0	[3] [4] [5] 17.0025	
RI67-264	Seneca Oil Co., 3022 Northwest Highway, Oklahoma City, Okla. 73112.	3	6	Northern Natural Gas Co. (Southeast Dower Field, Beaver County, Okla.) (Panhandle Area).	250	1-3-67	[2] 2-3-67	7-3-67	[6] 16.5	[4] [7] 17.5	RI62-178.
RI67-265	Frederic C. and Ferris F. Hamilton d.b.a. Hamilton Brothers, Ltd., 1517 Petroleum Club Bldg., Denver, Colo. 80202.	20	1	J. C. Wynne d.b.a. The Bering Co. (Horizon Field, Ochiltree County, Tex.) (R.R. District No. 10).	61	1-3-67	[2] 2-3-67	[8] 6-1-67	10.5	[4] [9] 11.5	
RI67-266	Claud B. Hamill, 2306 First City National Bank Bldg., Houston, Tex. 77002.	8	1	Natural Gas Pipeline Co. of America (Spanish Camp Field, Wharton County, Tex.) (R.R. District No. 3).	2,738	12-30-66	[2] 2-1-67	7-1-67	[4] [10] 15.0	[3] [4] [11] 16.0	

[2] The stated effective date is the effective date requested by Respondent.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Includes 0.0025 cent partial reimbursement of assessment by Kansas State Board of Health.
[6] Subject to a downward B.t.u. adjustment.
[7] Includes 1.0 cent paid to seller for relinquishing right to process gas.
[8] The stated effective date is the first day after expiration of the statutory notice.
[9] Or, until such future date as the buyer makes its related increased rate effective in Docket No. RI67-222.
[10] Revenue-sharing rate increase. Seller contractually receives 6.0 cents less than buyer's resale rate.
[11] Initial service rate.

Frederic C. and Ferris F. Hamilton doing business as Hamilton Brothers, Ltd. (Hamilton), proposes a revenue-sharing increase in rate from 10.5 cents to 11.5 cents per Mcf for a sale of gas to J. C. Wynne doing business as The Bering Co. (Bering) from the Horizon Field, Ochiltree County, Tex. (Railroad District No. 10). Bering gathers and compresses the gas and resells it to Northern Natural Gas Co. Bering's related increased resale rate of 17.5 cents per Mcf is currently suspended until June 1, 1967, in Docket No. RI67-222. Hamilton is contractually entitled to receive a rate which is 6.0 cents less than Bering's resale rate. Hamilton's rate therefore is directly geared to the resale rate. Hamilton's proposed rate also exceeds the area increased rate ceiling as set forth in the Commission's statement of general policy No. 61-1, as amended, even though such ceiling is applicable to Bering's resale rate, not Hamilton's rate. Hamilton has requested that its increase be made effective on the same date as the related increase of Bering. Since Bering's resale rate was suspended by the Commission's order issued December 20, 1966, in Docket No. RI67-222, until June 1, 1967, and thereafter until made effective in the manner prescribed by section 4(e) of the Natural Gas Act, we conclude that Hamilton's rate should be suspended until June 1, 1967, or such future date as the buyer's related increased rate is made effective in Docket No. RI67-222.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 67-1261; Filed, Feb. 2, 1967; 8:45 a.m.]

[Docket No. RI67-268 etc.]

M. F. POWERS ESTATE ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JANUARY 26, 1967.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 15, 1967.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-268	M. F. Powers Estate, Post Office Box 1733, Tulsa, Okla. 74102.	[2]9	1	Cities Service Gas Co. (Kansas Hugoton Field, Kearny County, Kans.).	$56	1-3-67	[3]2-3-67	[4]2-4-67	[7]12.0	[5][7]13.0	
RI67-269	Texaco Inc., Post Office Box 52332, Houston, Tex. 77052.	242	5	Panhandle Eastern Pipe Line Co. (Hugoton Field, Stevens County, Kans.).	4	1-3-67	[3]2-3-67	[4]2-4-67	12.0	[6][8]12.0025	RI66-397.

[2] Basic contract dated after Sept. 28, 1960, the date of issuance of the Commission's General Policy Statement No. 61-1.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The suspension period is limited to 1 day.
[5] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a downward B.t.u. adjustment.
[8] Tax reimbursement increase. Reflects partial reimbursement of assessment by Kansas State Board of Health.

M. F. Powers Estate (Powers) requests an effective date of January 15, 1967, for its proposed rate increase. Texaco, Inc. (Texaco) requests an effective date of January 1, 1967. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Powers and Texaco's rate filings and such requests are denied.

The contract related to the rate filing proposed by Powers was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rate is above the applicable area ceiling for increased rates but below the initial service ceiling for the area involved. We believe, in this situation, Powers' rate filings should be suspended for one day from February 3, 1967, the date of expiration of the statutory notice.

The proposed increased rate submitted by Texaco exceeds the applicable area rate ceiling for Kansas. However, since the filing relates only to a tax reimbursement increase, we conclude that such increase should be suspended for one day from February 3, 1967, the date of expiration of the statutory notice.

[F.R. Doc. 67-1262; Filed, Feb. 2, 1967; 8:45 a.m.]

[Docket No. G-15298, etc.]

J. LEE YOUNGBLOOD ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

JANUARY 26, 1967.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 16, 1967.

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 all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-15298 ..... E 1-18-67	J. Lee Youngblood (successor to L. S. Youngblood), Post Office Box 1855, Dallas, Tex. 75221.	Colorado Interstate Gas Co., Keyes Field, Cimarron County, Okla.	[2] 15.0	14.65
G-16867 ..... E 1-18-67	Piney Point Petroleums, Operator (successor to Tenneco Oil Co. (Operator) et al.), 206 Southwest Tower, Houston, Tex. 77001.	United Gas Pipe Line Co., Northwest Corpus Field, Nueces County, Tex.	15.0	14.65
CI60-392 ..... D 1-16-67	Mobil Oil Corp., Post Office Box 2444, Houston, Tex. 77001 (partial abandonment).	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Northwest Chalkley Field, Calcasieu Parish, La.	Depleted	.....
CI63-55 ..... C 1-16-67	Texaco Inc., Post Office Box 52332, Houston, Tex. 77052.	Arkansas Louisiana Gas Co., Marlow Field, Stephens County, Okla.	15.0	14.65
CI63-1396 ..... A 5-13-63	Little Nick Oil Co. (Operator) et al., 515 Petroleum Bldg., Chickasha, Okla. 73018.	Arkansas Louisiana Gas Co., acreage in Grady County, Okla.	12.0	14.65
CI63-1415 ..... D 1-17-67	Tenneco Oil Co., Post Office Box 2511, Houston, Tex. 77001 (partial abandonment).	Northern Natural Gas Co., Kiowa Creek Field, Lipscomb County, Tex.	(3)	.....
CI64-841 ..... C 12-8-66	St. Clair Oil Co., St. Clairsville, Ohio 43950.	Equitable Gas Co., Skin Creek District, Lewis County, W. Va.	25.0	15.325
CI66-1387 ..... C 11-22-66	Sun Oil Co.[4] (Southwest Division), 1608 Walnut St., Philadelphia, Pa. 19103.	El Paso Natural Gas Co., Coyanosa Field, Pecos County, Tex.	16.5	14.65
CI66-1295 ..... C 1-17-67	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo. 80206.	Northern Natural Gas Co., Mocane Field, Beaver County, Okla.	[2] 17.0	14.65
CI67-204 ..... C 1-18-67	Anadarko Production Co., Post Office Box 9317, Fort Worth, Tex. 76107.	Panhandle Eastern Pipe Line Co., Panoma Council Grove Field, Stevens and Grant Counties, Kans.	14.0	14.65
CI67-841 ..... A 1-6-67	Carl Perkins, Route No. 3, Pennsboro, W. Va. 26415.	Equitable Gas Co., Clay District, Ritchie County, W. Va.	25.0	15.325
CI67-855 ..... A 1-12-67	Michael V. Kelly (Operator) et al., 1412 Americana Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., acreage in Fort Bend County, Tex.	14.0	14.65
CI67-856 ..... A 1-12-67	Plateo Corp., Suite 1911, Tower Bldg., 1700 Broadway, Denver, Colo. 80202.	Lake Shore Pipe Line Co., Bushnell (Pennsylvania) Field, Erie County, Pa.	27.0	15.025
CI67-857 ..... A 1-13-67	Earl Clayton and J. M. Hawley, Individually and as Independent Executor and Trustee of the Estate of W. H. Taylor, Deceased, 1100 Oil & Gas Bldg., Wichita Falls, Tex. 76307.	Phillips Petroleum Co., West Panhandle Field, Gray County, Tex.	12.0	14.65
CI67-858 ..... B 1-12-67	Coastal States Gas Producing Co., Post Office Box 521, Corpus Christi, Tex. 78403.	South Texas Natural Gas Gathering Co., North Sun Field, Starr County, Tex.	Depleted	.....
CI67-859 ..... B 1-13-67	L. B. Horn (Operator) et al., 642 Milan Bldg., San Antonio, Tex. 78205.	Coastal States Gas Producing Co., and Southern Coast Corp., A & H Field, Duval County, Tex.	Depleted	.....
CI67-860 ..... A 1-13-67	Sun Oil Co. (Southwest Division).	Northern Natural Gas Co., Perryton Field, Ochiltree County, Tex.	[2] 18.7	14.65
CI67-861 ..... A 1-16-67	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a Division of Tenneco, Inc., Ship Shoal Block 169 Field, Offshore Louisiana.	19.5	15.025
CI67-862 ..... A 1-16-67	Tidewater Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Ship Shoal Block 169 Field, Offshore Terrebonne Parish, La.	19.5	15.025
CI67-863 ..... A 1-16-67	H- Tex, Inc., 919 Americana Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., East Bastian Bay Field, Plaquemines Parish, La.	21.25	15.025
CI67-864 ..... A 1-16-67	Cities Service Oil Co., Cities Service Bldg., Bartlesville, Okla. 74003.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Ship Shoal Block 169 Field, Offshore Terrebonne Parish, La.	19.5	15.025
CI67-866 ..... A 1-16-67	Phillips Petroleum Co., Bartlesville, Okla. 74003.	Panhandle Eastern Pipe Line Co., Permian (Council Grove) Field, Beaver County, Okla.	[2] 17.0	14.65
CI67-867 ..... A 1-16-67	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla. 74102.	Southern Natural Gas Co., East Franklin Field, St. Mary Parish, La.	15.0	15.025
CI67-868 ..... A 1-17-67	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Ship Shoal Block 169 Field, Terrebonne Parish, La.	19.5	15.025
CI67-869 ..... B 1-16-67	Sinclair Oil & Gas Co.	Cities Service Gas Co., Hugoton Field, Finney County, Kans.	Depleted	.....
CI67-871 ..... A 1-18-67	Hulsache Operating Co. (Operator), et al., 2010 The 600 Bldg., Corpus Christi, Tex. 78401.	Banquete Gas Co., a division of Crestmont Oil & Gas Co., East Plymouth Field, San Patricio County, Tex.	12.0	14.65
CI67-872 ..... A 1-18-67	Wessely Petroleum, Ltd., 2002 Republic National Bank Bldg., Dallas, Tex. 75201.	Michigan Wisconsin Pipe Line Co., Mocane-Laverne Field, Harper County, Okla.	[2] 17.0	14.65
CI67-873 ..... A 1-17-67	Cain-Lemon, et al., c/o Francis E. Cain, agent, Big Bend, W. Va. 26130.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	25.0	15.325
CI67-874 ..... A 1-18-67	Micos, Inc., c/o Jerry Massoner, 211 Water St., Weston, W. Va. 26452.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	25.0	15.325
CI67-876 ..... A 1-18-67	J. and B. Drilling and Operating Co., c/o Allen Beard, Post Office Box 58, Spencer, W. Va. 25276.	Consolidated Gas Supply Corp., Spencer District, Roane County, W. Va.	25.0	15.325
CI67-877 ..... A 1-18-67	Mesa Petroleum Co. et al., 1501 Taylor, Amarillo, Tex. 79105.	Northern Natural Gas Co., Lovedale Field, Harper County, Okla.	[2] 17.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
C167-878..... A 1-18-67	Mobil Oil Corp.....	Panhandle Eastern Pipe Line Co., Bishop, et al Fields, Ellis County, Okla.	[4] [6] 18.8938	14.65
C167-879..... A 1-18-67	Houston Royalty Co. (Operator) et al., 2087 Humble Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., GoWitt Field, Goliad and De Witt Counties, Tex.	15.0	14.65
C167-880..... A 1-19-67	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	The Shamrock Oil & Gas Corp., Mather Field, Ochiltree County, Tex.	17.0	14.65

[1] Subject to upward and downward B.t.u. adjustment.
[2] Declined in pressure.
[3] By letter filed Jan. 9, 1967, Applicant agrees to accept permanent authorization for the additional acreage containing conditions similar to those imposed by Opinion No. 468.
[4] Includes 1.7 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
[5] Includes 1.8938 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
[6] If gas does not meet contract standards, Buyer may desulfurize and Seller to pay Buyer's cost, not to exceed 2.0 cents per Mcf.

[F.R. Doc. 67-1264; Filed, Feb. 2, 1967; 8:45 a.m.]

[Docket No. G-585 etc.]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Petition To Amend

JANUARY 27, 1967.

Take notice that on December 28, 1966, Alabama-Tennessee Natural Gas Co. (Petitioner), Post Office Box 918, Florence, Ala. 35630, filed in Docket No. G-585 et al., a petition to amend the orders issuing it certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act by authorizing Petitioner to continue the sales and transportation of natural gas authorized therein as an Alabama corporation in lieu of as a Delaware corporation, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

The petition states that effective January 1, 1967, Petitioner will have changed the State of its incorporation from Delaware to Alabama, that there will be no change in operation or corporate activity as a result of the change in the State of incorporation, and that the Alabama corporation will adopt the tariff of the Delaware corporation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 20, 1967.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-1253; Filed, Feb. 2, 1967; 8:46 a.m.]

[Docket No. CP67-67]

CITIES SERVICE GAS CO.

Order Setting Hearing Date and Prescribing Procedure

JANUARY 25, 1967.

Notice of application in the above-entitled case was issued September 27, 1966 (31 F.R. 12975). The final date for filing protests, notices of intervention, and petitions to intervene was October 24, 1966. None was filed.

By application filed September 19, 1966, pursuant to section 7(c) of the Natural Gas Act, Cities Service Gas Co., Oklahoma City, Okla., requested a certificate of public convenience and necessity authorizing it to construct and operate additional natural gas pipeline facilities estimated to cost $459,400 and to sell and deliver natural gas to the Gas Service Co. for resale and distribution by it in and about the cities of Ash Grove, Walnut Grove, and Willard, Mo.

The Commission orders:

(A) A public hearing on the issues presented by the application in the above-entitled case will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., commencing at 10 a.m. on March 6, 1967.

(B) The applicant shall file with the Commission and serve on the Commission's staff on or before February 15, 1967, the proposed evidence comprising its case in chief, including prepared testimony of witnesses, exhibits, and a detailed showing of how its lateral pipeline construction policy, as stated in its FPC gas tariff, second revised volume No. 1, original sheet No. 37A, effective January 5, 1967, is applied in this case.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 67-1254; Filed, Feb. 2, 1967; 8:46 a.m.]

[Docket No. CP67-203]

CITIES SERVICE GAS CO.

Notice of Application

JANUARY 27, 1967.

Take notice that on January 20, 1967, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP67-203 an application pursuant to sections 7 (b) and (c) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities for the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon the following:

(1) Abandon by reclaiming approximately 3.9 miles of 2-inch, 3-inch, and 4-inch gas pipeline in the Wherry Lateral, Rice County, Kans.

(2) Abandon by reclaiming 7,000 horsepower at Applicant's existing Wichita Compressor Station, Sedgwick County, Kans.

(3) Replace approximately 5.1 miles of 18-inch gas pipeline with 5.1 miles of 16-inch gas pipeline and related appurtenant facilities in Washington County, Okla.

Applicant seeks a certificate of public convenience and necessity to construct and operate the following:

(1) Install and operate one 500-horsepower compressor unit at Applicant's existing Beloit Compressor Station in Mitchell County, Kans.

(2) Install and operate three 2,400-horsepower compressor units and related appurtenant facilities at Applicant's proposed Haysville Compressor Station, Sedgwick County, Kans.

(3) Construct and operate approximately 7.8 miles of 20-inch pipeline and related appurtenant facilities from the existing Wichita Compressor Station to the site of the proposed Haysville Compressor Station.

(4) Construct and operate approximately 7.6 miles of 20-inch pipeline and related appurtenant facilities from Applicant's existing Pampa-Wichita 20-inch pipeline to the site of the proposed Haysville Compressor Station.

(5) Construct and operate approximately 1 mile of 20-inch pipeline and related appurtenant facilities from Applicant's existing Blackwell-Wichita pipeline to the proposed Haysville Compressor Station.

(6) Construct and operate approximately 24.4 miles of 26-inch gas pipeline and related appurtenant facilities paralleling and looping Applicant's existing 26-inch Blackwell-Grabham pipeline in Osage County, Okla., and in Cowley and Chautauqua Counties, Kans.

The total estimated cost of the proposed facilities is $6,668,479, which cost reflects the cost of removal and salvage credit for facilities to be abandoned and which cost will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before February 23, 1967.

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 and permission-and-approval for the proposed abandonment 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. 67-1255; Filed, Feb. 2, 1967; 8:47 a.m.]

[Docket No. E-7331]

DUQUESNE LIGHT CO.

Notice of Application

JANUARY 25, 1967.

Take notice that on January 10, 1967, Duquesne Light Co. (Applicant) filed an application with the Federal Power Commission seeking an order pursuant to section 203 of the Federal Power Act authorizing the acquisition of certain electric facilities of the Borough of Aspinwall (Borough), Allegheny County, Pa.

Applicant is incorporated under the laws of the Commonwealth of Pennsylvania and is qualified to do business in Pennsylvania and West Virginia with its principal business office at Pittsburgh, Pa. Applicant is engaged in the production, distribution and sale of electric energy in the greater parts of Allegheny and Beaver Counties, Pa.

Under an agreement dated October 12, 1966, Duquesne will acquire all of the electric facilities (except the power plant site and building, generating facilities and telegraph switchboard, motor vehicles, maintenance tools, and storeroom stock and equipment) owned by the Borough. Duquesne has agreed to pay to the Borough the total purchase price of $510,000 for the electric facilities covered by the agreement upon the effective date thereof.

The electric facilities described above are presently used by the Borough in furnishing electric service to the public in the Borough and to several customers in an adjacent municipality. Duquesne will employ these facilities for the same purpose.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 13, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-1256; Filed, Feb. 2, 1967; 8:47 a.m.]

[Docket No. RI67-267]

VERNON W. FROST ET AL.

Order Accepting Contract Agreement, Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

JANUARY 26, 1967.

On December 27, 1966, Vernon W. Frost et al. (Frost)[1] tendered for filing a proposed change in their presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: (1) Contract agreement, dated February 1, 1966.[2] (2) Notice of change, dated December 15, 1966.
Purchaser and producing area: Union Texas Petroleum, a Division of Allied Chemical Corp.[3] (Fig Ridge Field, Chambers County, Tex.) (RR. District No. 3.)
Effective date: (1) January 27, 1967.[4] (2) January 27, 1967.[4]
Rate schedule designation: (1) Supplemental No. 1 to Frost's FPC Gas Rate Schedule No. 1. (2) Supplement No. 2 to Frost's FPC Gas Rate Schedule No. 1.
Amount of annual increase: (2) $15,563.
Effective rate: 1.57 cents per Mcf.[5]
Proposed rate: 14.0 cents per Mcf.[6][7]
Pressure base: 14.65 p.s.i.a.

Frost requests a retroactive effective date of February 1, 1966, for their proposed rate increase. Good cause has not been shown for waiving the 30-day-notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Frost's rate filing and such request is denied.

Frost's proposed renegotiated rate increase to 14 cents per Mcf is for a sale of gas to Union Texas Petroleum, a Division of Allied Chemical Corp. (Texas Union), from the Fig Ridge Field, Chambers County, Tex. (RR. District No. 3). Union Texas gathers the subject gas, together with gas produced from other producers in the area, and delivers such gas to its Winnie Plant for the extraction of liquid hydrocarbons. The residue gas is sold to Texas Eastern Transmission Corp. (Texas Eastern) pursuant to Union Texas' FPC Gas Rate Schedule No. 66. Union Texas is currently selling such gas at a 14.3875-cent rate (14.3 cents base plus 0.0875 cents tax reimbursement) which is being collected subject to refund in Docket No. RI62-250. Although Frost's proposed rate does not exceed the area increased rate ceiling for Texas Railroad District No. 3 as announced in the Commission's Statement of General Policy No. 61-1, as amended, it should be suspended because such ceiling is applicable to Union Texas' resale rate, not to Frost's rate. In view of the fact that the resale rate of Union Texas is in effect subject to refund, we conclude that a one day suspension from January 27, 1967, the date of expiration of the statutory notice, is appropriate.

Concurrently with the filing of its rate increase, Frost submitted its renegotiated contract agreement dated February 1, 1966, designated as Supplement No. 1 to Frost's FPC Gas Rate Schedule No. 1. We believe that it would be in the public interest to accept for filing Frost's aforementioned contract agreement to become effective on January 27, 1967, the date of expiration of the statutory notice, but not the proposed rate contained therein which is suspended as hereinafter ordered.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Frost's proposed contract agreement dated February 1, 1966, designated as Supplement No. 1 to Frost's FPC Gas Rate Schedule No. 1, and for permitting such supplement to become effective on January 27, 1967, the date of expiration of the statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Frost's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Frost's contract agreement dated February 1, 1966, designated as Supplement No. 1 to Frost's FPC Gas Rate Schedule No. 1, is accepted for filing and permitted to become effective on January 27, 1967.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Frost's FPC Gas Rate Schedule No. 1.

(C) Pending a hearing and decision thereon, Supplement No. 2 to Frost's FPC Gas Rate Schedule No. 1 is hereby suspended and the use thereof deferred until January 28, 1967, and thereafter until such further time as it is made ef-

[1] Address is: 2610 Tennessee Building, Houston, Tex. 77002.

[2] Provides for the sale of casinghead gas produced from 8500 to 8700 foot depth interval and delivered at a pressure of 800 p.s.i.g. at a price of 14 cents per Mcf for the life of the contract. Also provides for the termination and supersession of any prior contracts, to the extent that such contracts cover the sale of casinghead gas covered by such agreement.

[3] Buyer processes the subject gas at its Winnie Plant and sells a portion of the residue gas to Texas Eastern under its FPC Gas Rate Schedule No. 66 at a rate of 14.3875 cents per Mcf, effective subject to refund in Docket No. RI62-250.

[4] The stated effective date is the first day after expiration of the statutory notice.

[5] Based upon the gasoline content of the gas plus a proportionate amount received by seller for the residue gas sold by the buyer.

[6] Renegotiated rate increase.

[7] As provided by the Agreement dated Feb. 1, 1966.

fective in the manner prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Frost, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order, Frost shall execute and file under Docket No. RI67–267, with the Secretary of the Commission, its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon Union Texas Petroleum, a Division of Allied Chemical Corp. Unless Frost is advised to the contrary within 15 days from the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 15, 1967.

By the Commission.

[SEAL] GORDON M. GRANT, *Acting Secretary.*

[F.R. Doc. 67–1257; Filed, Feb. 2, 1967; 8:47 a.m.]

[Docket No. E–7333]

IOWA-ILLINOIS GAS AND ELECTRIC CO. AND IOWA SOUTHERN UTILITIES CO.

Notice of Application

JANUARY 27, 1967.

Take notice that on January 19, 1967, Iowa-Illinois Gas and Electric Co. (Iowa-Illinois) filed an application seeking an order pursuant to section 203 of the Federal Power Act authorizing the disposition of certain electric facilities to Iowa Southern Utilities Co. (Iowa Southern). Iowa Southern joined in this application by a certificate of concurrence filed on January 23, 1967.

Iowa-Illinois is incorporated under the laws of the State of Illinois and is authorized to carry on business in the States of Illinois and Iowa with its principal business office in Davenport, Iowa. Iowa-Illinois is engaged in the electric utility business in Rock Island, Henry, and Whiteside Counties in the State of Illinois and in Scott, Johnson, Linn, Webster, and Wapello Counties in the State of Iowa.

Iowa Southern is incorporated under the laws of Delaware with its principal business office at Centerville, Iowa, and is engaged in the electric utility business along and across the southerly counties in Iowa.

Iowa-Illinois proposes to sell to Iowa Southern a portion of its 161-kv transmission line which extends from Milan, Ill., to Fort Madison, Iowa. The portion of the line to be sold extends from a point in Des Moines County, Iowa, southerly to a point in Lee County, Iowa, at which the line connects with the facilities of Union Electric Co. and its Viele Substation, being approximately 28.19 miles in length. The consideration for the sale of this line is to be in the amount of $721,497.

Iowa-Illinois together with Iowa Southern and other utilities, has entered into an agreement for the construction and operation of a 345-kv line, extending in its entirety from St. Louis, Mo., to Minneapolis, Minn., and a 345–kv substation at Hills, Iowa, that connects this 345-kv transmission line with 161-kv and 69-kv transmission facilities in Iowa. Iowa Southern is located some distance from the proposed 345-kv transmission line and substation and has, therefore, entered into the proposed agreement with Iowa-Illinois to purchase a portion of Iowa-Illinois 161-kv transmission line, in lieu of its proportionate contribution toward the 345-kv transmission line and substation as herein described.

Any person desiring to be heard or to make any protest with reference to the application should on or before February 17, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and is available for public inspection.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 67–1258; Filed, Feb. 2, 1967; 8:47 a.m.]

[Docket No. RI61–475 [1]]

SHELL OIL CO. ET AL.

Order Terminating Proceeding in Part, Discharging Refund Obligation Therefor, and Redesignating Proceeding

JANUARY 27, 1967.

By letter dated October 27, 1966, Ashmun & Hilliard No. 5 Ltd. (Operator) et al., hereinafter referred to as Respondents, requested termination of the suspension proceeding in Docket No. RI61–475 insofar as said proceeding pertains to their interest, and that Respondents be relieved of refund obligations in this proceeding so that they could distribute the funds collected subject to refund among the dissolved partnership covering their interest in this proceeding.

The proceeding involves a rate change of 14.189 cents per Mcf, effective subject to refund, for a jurisdictional sale of casinghead gas to El Paso Natural Gas Co. from the Monahans Field, Ward and Winkler Counties, Tex. in the Permian Basin area. On April 1, 1965, Cities Service Oil Co. (Operator) et al., succeeded to Respondents' interest in the subject sale.[2] Accordingly, this proceeding, insofar as it relates to Respondents' interest, covers only a locked-in period. The applicable area base rate prescribed in Opinion No. 468, as modified, for this sale is 14.5 cents per Mcf.

Ashmun & Hilliard have been issued a small producer certificate in Docket No. CS66–120 for a sale not involved here. Since they qualify as small producers, and the subject rate is less than the applicable area base rate ceiling determined in Permian, it is appropriate to grant the requested relief.

The Commission finds: For the foregoing reasons, good cause exists for terminating the proceeding in Docket No. RI61–475 only insofar as such proceeding relates to Respondents, and for discharging Respondents' refund obligations therefor.

The Commission orders:

(A) The proceeding in Docket No. RI61–475 is terminated only insofar as it pertains to the interest therein of Ashmun & Hilliard No. 5 Ltd. (Operator) et al.

(B) Ashmun & Hilliard No. 5 Ltd. (Operator) et al., refund obligation in Docket No. RI61–475 is discharged.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 67–1259; Filed, Feb. 2, 1967; 8:47 a.m.]

[Project No. 516]

SOUTH CAROLINA ELECTRIC & GAS CO.

Notice of Application for Amendment of License for Constructed Project

JANUARY 25, 1967.

Public notice is hereby given that application for amendment of license has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by South Carolina Electric & Gas Co. (correspondence to: A. M. Williams, Jr., President, South Carolina Electric & Gas Co., Post Office Box 764, Columbia, S.C. 29202) for constructed Project No. 516, known as the Saluda project, located on the Saluda River in the counties of Lexington, Richland, Newberry and Saluda, S.C.

The application seeks to authorize inclusion in the license of a proposed extension of the existing powerhouse and to install therein a single hydroelectric generating unit (No. 5) with a rated capacity of 78,750 kw, and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice

[1] This docket is involved in the "show cause" proceeding in Docket No. AR61–1 et al.

[2] This proceeding involves a number of interests besides Ashmun & Hilliard as indicated in the caption.

and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 13, 1967. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-1260; Filed, Feb. 2, 1967; 8:47 a.m.]

[Docket Nos. G-14788 etc.]

SUNSET INTERNATIONAL PETROLEUM CORP.

Order Amending Orders Issuing Certificates, Redesignating Proceedings, Redesignating FPC Gas Rate Schedules, and Accepting Agreement and Undertaking for Filing

JANUARY 26, 1967.

On September 28, 1966, Sunset International Petroleum Corp., a California corporation (petitioner), filed in Docket No. G-14788, etc., a petition to amend the orders issuing the certificates of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act in said dockets to Sunset International Petroleum Corp., a Delaware corporation, by authorizing petitioner to continue the authorized sales of natural gas, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

The petition states that effective as of April 29, 1966, Sunset International Petroleum Corp., a Delaware corporation, was merged by Sipco, Inc., a California corporation; that effective as of April 30, 1966, Sipco, Inc., was merged by SSI, Inc., a California corporation; and that simultaneously with the last mentioned merger the name of SSI, Inc., was changed to Sunset International Petroleum Corp., petitioner herein. The petition states further that no change in service is proposed and that the mergers have resulted only in a change in the state of domestication. Petitioner requests that the certificate orders issued in the following dockets be amended to reflect the change in certificate holder;

G-14788	CI60-468	CI61-1742
G-14789	CI60-679	CI62-140
G-16436	CI60-696	CI62-711
G-18955	CI60-749	CI63-258
G-19065	CI60-793	CI63-421
G-19686	CI60-832	CI63-803
CI60-31	CI60-833	CI63-1073
CI60-147	CI61-46	CI63-1342
CI60-183	CI61-549	CI64-1423
CI60-302	CI61-609	CI64-1490
CI60-405	CI61-710	CI65-932
CI60-406	CI61-852	CI66-826
CI60-425	CI61-1180	CI66-1190
CI60-445	CI61-1203	

Petitioner further requests that the proceedings in the following dockets in which Sunset International Petroleum Corp., a Delaware corporation, is respondent be redesignated by changing the respondent:

RI61-389	RI64-724	RI66-310
RI61-545	RI64-725	RI66-368
RI63-107	RI64-727	RI67-52

Petitioner has submitted an agreement and undertaking to assure the refund of any amounts collected in excess of the just and reasonable rate determined in said proceedings. Said agreement and undertaking will be accepted for filing in the abovementioned proceedings, petitioner will be substituted as respondent in said proceedings and the proceedings will be redesignated accordingly.

After due notice, no petitions to intervene, notices of intervention or protest to the granting of the petition have been received.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing the above-listed certificates of public convenience and necessity be amended to reflect the change in certificate holder.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that petitioner be substituted as respondent in the proceedings pending in the aforementioned rate dockets, that said proceedings should be redesignated accordingly, and that the agreement and undertaking submitted by petitioner should be accepted for filing.

The Commission orders:

(A) The orders issuing the certificates of public convenience and necessity in the above-listed dockets are amended to reflect the change in certificate holder.

(B) Petitioner is substituted as respondent in the proceedings pending in the aforementioned rate dockets, said proceedings are redesignated accordingly, and the agreement and undertaking submitted by petitioner in said proceedings is accepted for filing.

(C) Petitioner shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking submitted by petitioner in said proceedings shall remain in full force and effect until discharged by the Commission.

(D) The FPC gas rate schedules of Sunset International Petroleum Corp., a Delaware corporation, are redesignated as those of Sunset International Petroleum Corp., a California corporation (petitioner), and shall retain the numerical designations heretofore assigned.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-1263; Filed, Feb. 2, 1967; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

SOCIETY CORP.

Notice of Withdrawal of Application To Acquire Shares of Bank

Notice is hereby given that the application made to the Board of Governors of the Federal Reserve System (notice of filing published in 31 F.R. 13873) pursuant to section 3(a) of the Bank Holding Company Act of 1956, by Society Corp., Cleveland, Ohio, a registered bank holding company, for the prior approval of applicant's acquisition of 80 percent or more of the voting shares of The First National Bank of Ashland, Ashland, Ohio, has been withdrawn.

Dated at Washington, D.C., this 27th day of January 1967.

By order of the Board of Governors.

[SEAL] KENNETH A. KENYON,
Assistant Secretary.

[F.R. Doc. 67-1265; Filed, Feb. 2, 1967; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4449]

OHIO EDISON CO.

Notice of Proposed Exchange of Utility Assets

JANUARY 30, 1967.

Notice is hereby given that an application has been filed with this Commission by Ohio Edison Co. ("Ohio Edison"), 47 North Main Street, Akron, Ohio 44308, a registered holding company and a public-utility company, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9, 10, and 12(d) of the Act and rule 44(b)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Ohio Edison proposes to exchange with the Village of Hudson ("Hudson"), an Ohio municipal corporation, certain electric distribution and related facilities, and pay Hudson $2,793 in cash, subject to certain adjustments. The properties to be acquired by Ohio Edison, which include 4.3 pole miles of overhead distribution facilities, are adjacent to the distribution facilities of Ohio Edison.

As of April 30, 1966, 79 retail customers located in Hudson were served by Ohio Edison through facilities to be transferred to Hudson and the related billings for the 12 months then ended amounted to $20,568. The original cost of these facilities were stated on Ohio Edison's books at $23,567. Upon the transfer of these facilities to Hudson it will serve all the retail electric customers within its corporate limits. As of the same date, 164 retail customers not within Hudson's corporate limits were served by Hudson through the facilities to be transferred to Ohio Edison and the related billings amounted to $25,669 for the 12 months then ended. Ohio Edison will state the properties to be acquired at their original cost to the extent that the same can be determined. It is stated that the terms of the exchange have been arrived at arm's-length bargaining between the parties and that the proposed exchange should result in operating economies and improved service.

It is stated that the abandonment of service by Ohio Edison to the electric customers who will then be served by Hudson is subject to the jurisdiction of the Public Utilities Commission of Ohio. No other State commission and no Federal commission, other than this commission, has jurisdiction over the proposed transactions. It is further stated that the accounting entries by Ohio Edison to reflect the proposed acquisition and disposition will be made in accordance with, and subject to, the accounting regulations and orders of the Public Utilities Commission of Ohio and the Federal Power Commission.

Expenses to be incurred by Ohio Edison in connection with the proposed transactions are estimated at $500.

Notice is further given that any interested person may, not later than February 20, 1967, 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 application 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 (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant 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 application, as filed or as amended, may be granted 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. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this proceeding, including the date of hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-1272; Filed, Feb. 2, 1967; 8:48 a.m.]

[812-1929]

WYLE CAPITAL CORP.

Notice of Filing of Application for Order Exempting Company

JANUARY 30, 1967.

Notice is hereby given that Wyle Capital Corp. (applicant), 128 Maryland Street, El Segundo, Calif., a California corporation licensed under the Small Business Investment Act of 1958, and a registered closed-end, diversified management investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 (the Act) for an order exempting it from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

The only securities of applicant presently outstanding consist of 10 shares of its capital stock and $550,000 principal amount of subordinated debentures (debentures) of its predecessor company, Capital for Small Business, Inc. (CFSB), which debentures have been assumed by applicant. All of the outstanding 10 shares of applicant's capital stock are owned by Wyle Laboratories (Laboratories), a California corporation, and all of the outstanding debentures are held by the U.S. Small Business Administration.

Laboratories has outstanding common stock and convertible subordinated debentures, both of which are publicly held and are traded in the over-the-counter market. Laboratories was organized in 1953 to continue operation of a business established in 1949. The application states that Laboratories is primarily engaged, directly and through a wholly-owned subsidiary, in the business of operating testing facilities for the aerospace industry, manufacturing electronic and scientific equipment and certain types of testing equipment, and in distributing industrial electronic components. Its operations are carried on at El Segundo, Norco, and Inglewood, Calif., and at Huntsville, Ala. Laboratories employs about 700 persons in all of its operating divisions.

Applicant was incorporated in California on November 3, 1965, by Laboratories for the purpose of acquiring the business and assets and assuming certain liabilities of CFSB, a California corporation which prior to the sale of its assets was licensed under the Small Business Investment Act of 1958. On December 16, 1965, Laboratories acquired the business and assets of CFSB in exchange for 131,890 shares of Laboratories' common stock. Subsequently, Laboratories transferred such business and assets to applicant. In connection with the foregoing, certain liabilities of CFSB were assumed by Laboratories and subsequently were assumed by applicant. The application states that the 131,890 shares of Laboratories common stock which were issued for the CFSB business and assets had a value of about $1,100,000 based upon the market quotations for such stock at the time of the execution of the purchase contract on September 13, 1965.

The application states that the acquisition of the business and assets of CFSB and their transfer to applicant was the first step in Laboratories' plan to diversify into the small business investment company field; and that Laboratories has entered that field to enable it to offer new businesses not only capital but also management and technical and scientific assistance. In accordance with such plan, Laboratories started to formulate a program for the acquisition of a second and larger small business investment company through the purchase in the over-the-counter market of a portion of the latter company's shares to be followed by an invitation for tender of additional shares and, finally, by an offer to exchange shares of Laboratories for shares of the second small business investment company. Laboratories acquired 68,636 shares or 4 percent of the outstanding common stock of the second small business investment company at a cost of about $508,421. However, the balance of that acquisition program was abandoned because consummation of such a program could have arguably caused Laboratories to be an investment company; and if Laboratories were deemed an investment company, the acquisition of both small business investment companies might have been prohibited by reason of section 12(d)(1) of the Act.

In support of its statement that Laboratories is engaged in the industrial businesses mentioned hereinabove, applicant has submitted a schedule showing the composition of Laboratories' assets in accordance with the tests described in section 3(a)(3) of the Act on the basis of Laboratories' balance sheet at December 31, 1965, and as restated to reflect valuation of Laboratories' assets. On the basis of Laboratories' balance sheet at December 31, 1965, the book value of investment securities was equal to 13.86 percent of total book value of assets, exclusive of cash. On the basis of Laboratories' assets as restated, the value of investment securities was equal to 16.6 percent of the total assets, exclusive of cash.

If the valuation of Laboratories' assets, particularly that committed to the investment business, were increased by $550,000 to reflect Laboratories' guarantee of debt of applicant and by $300,000 to reflect a certain holding of investment securities at market price rather than at a discount from market price, the adjusted value of investment securities would have been equal to 20.6 percent of the adjusted value of Laboratories' assets, exclusive of cash.

Applicant is and will continue to be an "investment company" as defined in section 3(a) of the Act. Section 3(b)(3) of the Act, generally speaking, excepts from the definition of investment company any issuer all of the outstanding securities of which (other than short-term paper and directors' qualifying shares) are owned by a company primarily engaged in a business other than that of investing, reinvesting, owning, holding, or trading in securities. As stated hereinabove all of the outstanding securities of applicant are now owned by Laboratories except for the debentures owned by the U.S. Small Business Administration. Under the conditions noted below, to which applicant has agreed in the event the Commission grants the application, Laboratories will not dispose of any securities of applicant (other than short-term paper) now or hereafter held by it and applicant will not issue any securities (other than short-term paper) except to Laboratories or the Small Business Administration.

Consequently, if there is compliance with these conditions, applicant would be entitled to an exception under section 3(b)(3) of the Act except for the fact the outstanding long-term debt is and may continue to be owned by the Small Business Administration rather than by Laboratories.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant states that it is not in the public interest to regulate applicant under Act because all of the outstanding capital stock of applicant is owned by Laboratories, which is not an investment company, and the debentures are held by the U.S. Small Business Administration which is in a position to protect its investment in applicant under the provisions of the Small Business Investment Act of 1958.

Applicant has agreed, in the event the Commission grants the application, that the Commission's order may be issued subject to the following conditions:

1. Applicant shall—

(a) Not issue any securities (other than short-term paper as defined in sec. 2(a)(36) of the Act) except to (i) Wyle Laboratories or (ii) the U.S. Small Business Administration, unless this order is modified expressly by another order of this Commission to permit such transaction;

(b) File with the Commission, within 120 days after the close of each fiscal year of applicant, the data required by items 5, 6, 7 and 8 of the annual report on Form N–5R adopted by the Commission pursuant to section 30(a) of the Act;

(c) File with the Commission within 120 days after the close of each fiscal year of applicant and Wyle Laboratories (i) a balance sheet of each company showing assets in reasonable detail as of the close of such fiscal year, with a schedule showing such assets at value (taking securities for which market quotations are readily available at market value and taking other securities and assets at value as determined in good faith by the board of directors) and (ii) a statement of income for such fiscal year and a statement of paid-in surplus and retained earnings as of the close of such fiscal year for applicant and Wyle Laboratories. Applicant may incorporate by reference in any material filed to meet the requirements of this condition, any document or part thereof previously or concurrently filed with the Commission pursuant to any of the Acts administered by the Commission.

2. No person other than Wyle Laboratories or the U.S. Small Business Administration shall at any time own any outstanding security of applicant (other than short-term paper).

Notice is further given that any interested person may, not later than February 14, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in the case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

It is ordered, That the Secretary of the Commission shall send a copy of this Notice by certified mail to the Deputy Administrator for Investments, Small Business Administration, Washington, D.C. 20416.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67–1273; Filed, Feb. 2, 1967; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 31, 1967.

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. 40878—*Wrought iron or steel pipe from Minnequa, Colo.* Filed by Southwestern Freight Bureau, agent (No. B–8946), for interested rail carriers. Rates on wrought iron or steel pipe, also oil country tubular goods, in carloads, as described in the application, from Minnequa, Colo., to Brownsville, Edinburg, Harlingen, Hebbronville, and McAllen, Tex.

Grounds for relief—Market competition.

Tariff—Supplement 58 to Southwestern Freight Bureau, agent, tariff ICC 4620.

FSA No. 40879—*Sewer pipe—Illinois territory to Aurora, N.C.* Filed by Illinois Freight Association, agent (No. 322), for interested rail carriers. Rates on sewer pipe and related articles, in carloads, from specified points in Illinois, to Aurora, N.C., and points grouped therewith.

Grounds for relief—Shortline distance formula and grouping.

Tariff—Supplement 18 to Illinois Freight Association, agent, tariff ICC 902.

FSA No. 40880—*Lumber from and to points in southwestern territory.* Filed by Southwestern Freight Bureau, agent (No. B–8950), for interested rail carriers. Rates on lumber and related articles, in carloads, between points in southwestern territory, on the one hand, and points in Virginia on the Virginia Central Railway, on the other.

Grounds for relief—Market competition.

Tariff—Supplement 26 to Southwestern Freight Bureau, agent, tariff ICC 4688.

FSA No. 40881—*Commodity rates from and to Rio Grande City, Tex.* Filed by Southwestern Freight Bureau, agent (No. B–8958), for interested rail carriers. Rates on property moving on import or export commodity rates, in carloads and less-than-carloads, between Rio Grande City, Tex. (on traffic imported from or exported to Mexico), on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—Rate relationship.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67–1284; Filed, Feb. 2, 1967; 8:48 a.m.]

EUGENE S. ROOT

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Office of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475, 9198; 22 F.R. 3777, 9450; 23 F.R. 3798, 9501; 24 F.R. 4187, 9502; 25 F.R. 102; 26 F.R. 1693, 6405; 27 F.R. 648, 6409; 28 F.R. 197, 7060; 29 F.R. 1675, 981; 20 F.R. 1073; 30 F.R. 9342; 31 F.R. 592 and 9432) for the period from July 1, 1966, through December 31, 1966.

Nothing to report.

EUGENE S. ROOT.

JANUARY 11, 1967.

[F.R. Doc. 67–1285; Filed, Feb. 2, 1967; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 5, Rev. 1 (Amdt. 1)]

ASSOCIATE ADMINISTRATOR FOR PROCUREMENT AND MANAGEMENT ASSISTANCE

Delegation of Authority Regarding Procurement Assistance

Pursuant to the authority vested in the Administrator of the Small Business Administration by the Small Business Act, 72 Stat. 384, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; and Title IV of the Economic Opportunity Act of 1964, 78 Stat. 526, as amended, Delegation of Authority No. 5, Revision 1, 32 F.R. 178, paragraph III is hereby amended to read as follows:

III. All authorities delegated herein may be exercised by any employee of SBA designated as Acting Associate Administrator for Procurement and Management Assistance.

Effective date: September 1, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 67-1274; Filed, Feb. 2, 1967; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—FEBRUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during February.

FEDERAL REGISTER

VOLUME 32 • NUMBER 23

Friday, February 3, 1967 • Washington, D.C.

PART II

Department of Commerce

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Initial Federal Motor Vehicle Safety Standards

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

[Docket No. 3]

PART 255—INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

This order establishes Initial Federal Motor Vehicle Safety Standards for new motor vehicles and equipment. A notice of rule making proposing the Initial Standards was issued on November 30, 1966 (31 F.R. 15212, corrected 31 F.R. 15600). All pertinent matter in the written and oral comments received has been fully considered. Considerations of time prevent discussion of comments on individual standards.

The motor vehicle safety standards are rules as that term is defined in 5 U.S.C. sec. 551(4). The established practice is that the public record of a rule-making proceeding under 5 U.S.C. section 553 (former sec. 4 Administrative Procedure Act), involving a substantive rule and instituted upon an agency's own initiative, begins with the notice of rule making. An agency is under no legal duty to reveal the internal processes that shaped the project, and interested persons are not entitled to comment thereon, 5 U.S.C. section 553(b)(3). Where, as here, the addressees of a proposed rule are themselves actively engaged as experts on the subject matter, their understanding of the meaning and effect of a rule is certainly not impaired by the absence of such a disclosure. As a practical proposition, this Agency intends to adopt a policy of the greatest possible disclosure of underlying considerations in future substantive rule making when it will not operate under an unusually tight time schedule. In this instance, such disclosure was not possible, and administrative due process required no more than publication of the notice. The requirement that the standards be based on a record does not operate to require insertion in the record of matter not required as part of a rule-making notice.

The following findings are made with respect to all standards—

(1) Each standard is a minimum standard for motor vehicle or equipment performance which is practicable and meets the need for motor vehicle safety, and provides objective criteria;

(2) Each standard is reasonable, practicable, and appropriate for the particular class of motor vehicle or item of equipment for which it is prescribed;

(3) Each standard will contribute substantially to the purpose of reducing traffic accidents, and deaths and injuries to persons resulting therefrom, in the United States; and

(4) The matter incorporated by reference is reasonably available to the persons affected by this regulation.

In addition to the vehicle classes of passenger cars, motorcycles, trucks, buses, and trailers proposed in the Notice, the Initial Standards as herein established introduce the new class of "multipurpose passenger vehicles." Only standards proposed in the Notice for vehicles now in this class are made applicable to this class. Each standard applies only to the class of vehicles to which it is made applicable by its terms.

The initial standards may be amended from time to time. Each standard remains in effect until rescinded or superseded by a Revised Standard actually becoming effective.

The requirements of Standard No. 209 were originally published on August 31, 1966 (31 F.R. 11528), as a revision to the existing seat belt standard that had been promulgated by the Secretary of Commerce under the authority of Public Law 88-201. At that time, it was provided that the revised standards would become mandatory after February 28, 1967, and would be an optional alternative to the existing standard until that date. As a result seat belt manufacturers had already taken steps to meet the March 1, 1967 date before the Notice for the Initial Federal Motor Vehicle Safety Standards was issued on December 3, 1966. To preserve the continuity of this change to the new seat belt standard, the March 1, 1967 effective date was included in the proposed Initial Federal Motor Vehicle Safety Standards. This places no certification requirement on the vehicle manufacturer, however, until the effective date of the first Standard applicable to a motor vehicle rather than motor vehicle equipment.

In consideration of the foregoing, Chapter II of Title 23 of the Code of Federal Regulations is amended by adding a new Subchapter C—Motor Vehicle Safety Regulations, effective January 1, 1968 except Motor Vehicle Safety Standard No. 209, "Seat Belt Assemblies—Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses," which becomes effective March 1, 1967, to read as set forth below.

This regulation was proposed as Part 245 but will, for reasons of organization of subject matter, be issued as Part 255.

This rule-making action is taken under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. sec. 1392, 1407) and the delegations of authority of October 20, 1966 (31 F.R. 13952) and January 24, 1967 (32 F.R. 1005).

Issued in Washington, D.C., on January 31, 1967.

LOWELL K. BRIDWELL,
Acting Under Secretary of Commerce for Transportation.

Subpart A—General

Subpart B—Standards

AUTHORITY: The provisions of this Part 255 issued under 80 Stat. 718.

Subpart A—General

§ 255.1 Scope.

This part contains the initial Federal Motor Vehicle Safety Standards for motor vehicles and motor vehicle equipment established under section 103 of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718).

§ 255.3 Definitions.

(a) *Statutory definitions.* All terms defined in section 102 of the Act are used in their statutory meaning.

(b) *Other definitions.* As used in this part—

"Act" means the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718).

"Approved," unless used with reference to another person, means approved by the Secretary.

"Bus" means a motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons.

"Curb weight" means the weight of a motor vehicle with standard equipment; maximum capacity of engine fuel, oil, and coolant; and, if so equipped, air conditioning and additional weight optional engine.

"Driver" means the occupant of a motor vehicle seated immediately behind the steering control system.

"Emergency brake" means a mechanism designed to stop a motor vehicle after a failure of the service brake system.

"Forward control" means a configuration in which more than half of the engine length is rearward of the foremost point of the windshield base and the steering wheel hub is in the forward quarter of the vehicle length.

"H point" means the mechanically hinged hip point of a manikin which simulates the actual pivot center of the human torso and thigh, described in SAE Recommended Practice J826, "Manikins for Use in Defining Vehicle Seating Accommodations," November 1962.

"Head impact area" means all nonglazed surfaces of the interior of a vehicle that are within the limits of the locus of points contacted by the head established by—

(1) Placing a 95th percentile adult male manikin restrained by a Type 1 seat belt assembly with sufficient slack to allow a 5-inch forward movement of the manikin's "H" point in each designated seating position;

(2) Adjusting the seat occupied by the manikin to its most forward position and moving the head and torso of the manikin in all directions to the extent allowed by the seat belt; and

(3) Repeating this procedure with a 5th percentile adult female manikin with the seat adjusted to its rearmost position.

"Includes" means includes but is not limited to.

"Knee and leg impact area" means all nonglazed surfaces of the interior of a vehicle that are within the limits of the locus of points contacted by the knees and legs established by—

(1) Placing a 95th percentile adult male manikin restrained by a Type 1 seat belt assembly with sufficient slack to allow a 5-inch forward movement of the manikin's "H" point in each designated seating position;

(2) Adjusting the seat occupied by the manikin to its rearmost position and moving the knees and legs of the manikin in all directions to the extent allowed by the seat belt while keeping the manikin's feet on the floor and on the toe board; and

(3) Repeating this procedure with the seat adjusted to its most forward position.

"Motorcycle" means a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.

"Motor-driven cycle" means a motorcycle with a motor that produces 5-brake horsepower or less.

"Multipurpose passenger vehicle" means a motor vehicle with motive power, except a trailer, designed to carry 10 persons or less which is constructed either on a truck chassis or with special features for occasional off-road operation.

"Occupant" means a person or manikin seated in the vehicle, and, unless otherwise specified in an individual standard, having the dimensions and weight of the 95th percentile adult male.

"Parking brake" means a mechanism designed to prevent the movement of a stationary motor vehicle.

"Passenger car" means a motor vehicle with motive power, except a multipurpose passenger vehicle, motorcycle, or trailer, designed for carrying 10 persons or less.

"Pelvic impact area" means that area of the side panel adjacent to the occupant below a horizontal plane 4.5 inches above the "H" point of the normally seated 95th percentile adult male manikin with the seat in the highest adjusted position.

"Pole trailer" means a motor vehicle without motive power designed to be drawn by another motor vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable generally of sustaining themselves as beams between the supporting connections.

"School bus" means a bus designed primarily to carry children to and from school, but not including buses operated by common carriers in urban transportation of school children.

"Semitrailer" means a trailer, except a pole trailer, so constructed that a substantial part of its weight rests upon or is carried by another motor vehicle.

"Service brake" means the primary mechanism designed to stop a motor vehicle.

"Torso line" means the line connecting the "H" point and the shoulder reference point as defined in SAE Recommended Practice J787g, "Motor Vehicle Seat Belt Anchorage," September 1966.

"Trailer" means a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle.

"Trailer converter dolly" means a trailer chassis equipped with one or more axles, a lower half of a fifth wheel and a drawbar.

"Truck" means a motor vehicle with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment.

"Truck tractor" means a truck designed primarily for drawing other motor vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn.

"95th percentile adult male" means a person possessing the dimensions and weight of the 95th percentile adult male specified in Public Health Service Publication No. 1000, Series 11, No. 8, "Weight, Height, and Selected Body Dimensions of Adults."

§ 255.5 Matter incorporated by reference.

(a) *Incorporation.* There are hereby incorporated, by reference, into this part, all materials referred to in any standard in Subpart B of this part that are not set forth in full in the standard. These materials are thereby made part of this regulation. Materials subject to change are incorporated as they are in effect on the date of adoption of this part, unless the reference to them provides otherwise.

(b) *Availability.* The materials incorporated by reference, other than acts of Congress and matter published elsewhere in the FEDERAL REGISTER, are available as follows:

(1) *Standards of the Society of Automotive Engineers (SAE).* They are published by the Society of Automotive Engineers, Inc. Information and copies may be obtained by writing to: Society of Automotive Engineers, Inc., 485 Lexington Avenue, New York, N.Y. 10017.

(2) *Standards of the American Society for Testing and Materials.* They are published by the American Society for Testing and Materials. Information on copies may be obtained by writing to the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pa. 19103.

(3) *Standards of the United States of America Standards Institute.* They are published by the United States of America Standards Institute. Information and copies may be obtained by writing the United States of America Standards Institute, 10 East 40th Street, New York, N.Y. 10016.

(4) *Data from the National Health Survey, Public Health Publication No. 1000, Series 11, No. 8.* This is published by the U.S. Department of Health, Education, and Welfare. Copies may be obtained for a price of 35 cents from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

All incorporated materials are available for inspection in the Docket Room 3807, National Traffic Safety Agency, U.S. Department of Commerce, Washington, D.C. 20230.

§ 255.7 Applicability.

(a) *General.* Each standard set forth in Subpart B of this part applies according to its terms to new motorcycles and trailers regardless of weight and to all other new motor vehicles over 1,000 pounds curb weight, or items of motor vehicle equipment, the manufacture of which is completed after the effective date of the standard.

(b) *Military vehicles.* No standard applies to a vehicle or item of equipment manufactured for, and sold directly to, the Armed Forces of the United States in conformity with contractual specifications.

(c) *Export.* No standard applies to a vehicle or item of equipment in the circumstances provided in section 108(b)(5) of the Act (15 U.S.C. 1397(b)(5)).

§ 255.9 Separability.

If any standard established in this part or its application to any person or circumstance is held invalid, the remainder of the part and the application of that standard to other persons or circumstances is not affected thereby.

§ 255.11 Equivalent demonstration procedure.

An approved equivalent may be substituted for any required destructive demonstration procedure.

Subpart B—Standards

§ 255.21 Federal Motor Vehicle Safety Standards.

The Federal Motor Vehicle Safety Standards are set forth in this subpart.

Motor vehicle safety standard numbers and titles

101 Control Location and Identification—Passenger Cars

102 Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect—Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses

103 Windshield Defrosting and Defogging—Passenger Cars and Multipurpose Passenger Vehicles

104 Windshield Wiping and Washing Systems—Passenger Cars

105 Hydraulic Service Brake, Emergency Brake, and Parking Brake Systems—Passenger Cars

106 Hydraulic Brake Hoses—Passenger Cars and Multipurpose Passenger Vehicles

107 Reflecting Surfaces—Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses

108 Lamps, Reflective Devices, and Associated Equipment—Multipurpose Passenger Vehicles, Trucks, Trailers, and Buses, 80 or More Inches Wide Overall

111 Rearview Mirrors—Passenger Cars and Multipurpose Passenger Vehicles

203 Impact Protection for the Driver From the Steering Control System—Passenger Cars

204 Steering Control Rearward Displacement—Passenger Cars

205 Glazing Materials—Passenger Cars, Multipurpose Passenger Vehicles, Motorcycles, Trucks, and Buses

206 Door Latches and Door Hinge Systems—Passenger Cars

207 Anchorage of Seats—Passenger Cars
208 Seat Belt Installations—Passenger Cars
209 Seat Belt Assemblies—Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses
210 Seat Belt Assembly Anchorages—Passenger Cars
211 Wheel Nuts, Wheel Discs, and Hub Caps—Passenger Cars and Multipurpose Passenger Vehicles
301 Fuel Tanks, Fuel Tank Filler Pipes, and Fuel Tank Connections—Passenger Cars

MOTOR VEHICLE SAFETY STANDARD No. 101

CONTROL LOCATION AND IDENTIFICATION—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies the requirements for location and identification of certain controls to facilitate their selection and ensure their accessibility.

S2. *Application.* This standard applies to passenger cars.

S3. *Requirements.*

S3.1 *Location.* Control of the following shall be provided within operational reach of a person seated at the controls, restrained by a Type 2 seat belt system with a reasonable degree of slack in the upper torso portion of the belt assembly—

(a) Steering;
(b) Horn;
(c) Transmission, except transfer case;
(d) Ignition;
(e) Headlamps;
(f) Turn signal;
(g) Windshield wiping system;
(h) Windshield washing system;
(i) Choke (if manual); and,
(j) Driver's sun visor.

S3.2 *Identification.* The following controls, when mounted on the instrument panel, shall be identified to permit recognition—

(a) Headlamps;
(b) Windshield wiping system;
(c) Windshield washing system;
(d) Windshield defrosting and defogging system; and,
(e) Choke (if manual).

MOTOR VEHICLE SAFETY STANDARD No. 102

TRANSMISSION SHIFT LEVER SEQUENCE, STARTER INTERLOCK, AND TRANSMISSION BRAKING EFFECT—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, AND BUSES

S1. *Purpose and scope.* This standard specifies the requirements for the transmission shift lever sequence, a starter interlock, and for a braking effect of automatic transmissions, to reduce the likelihood of shifting errors, starter engagement with vehicle in drive position, and to provide supplemental braking at speeds below 25 miles per hour.

S2. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, trucks, and buses.

S3. *Requirements.*

S3.1 *Automatic transmissions.*

S3.1.1 *Location of transmission shift lever positions on passenger cars.* A neutral position shall be located between forward drive and reverse drive positions. If a steering-column-mounted transmission shift lever is used, movement from neutral position to forward drive position shall be clockwise. If the transmission shift lever sequence includes a park position, it shall be located at the end, adjacent to the reverse drive position.

S3.1.2 *Transmission braking effect.* In vehicles having more than one forward transmission gear ratio, one forward drive position shall provide a greater degree of engine braking than the highest speed transmission ratio at vehicle speeds below 25 miles per hour.

S3.1.3 *Starter interlock.* The engine starter shall be inoperative when the transmission shift lever is in a forward or reverse drive position.

S3.2 *Automatic and manual transmissions.* Identification of shift lever positions of automatic transmissions and of the shift lever pattern of manual transmissions, except three forward speed manual transmissions having the standard "H" pattern, shall be permanently displayed in view of the driver.

MOTOR VEHICLE SAFETY STANDARD No. 103

WINDSHIELD DEFROSTING AND DEFOGGING—PASSENGER CARS AND MULTIPURPOSE PASSENGER VEHICLES

S1. *Purpose and scope.* This standard specifies requirements for providing vision through the windshield during frosting and fogging conditions.

S2. *Application.* This standard applies to passenger cars and multipurpose passenger vehicles manufactured for sale in the Continental United States.

S3. *Requirement.* A windshield defrosting and defogging system shall be provided.

MOTOR VEHICLE SAFETY STANDARD No. 104

WINDSHIELD WIPING AND WASHING SYSTEMS—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies requirements for windshield wiping and washing systems.

S2. *Application.* This standard applies to passenger cars of 68 or more inches overall width.

S3. *Definitions.*

"Glazing surface reference line" means the line of intersection of the glazing surface and a horizontal plane 25 inches above the driver's "H" point as indicated on Figure 1 of SAE Recommended Practice J903a.

"Plan view reference line" means:

1. For bench type seats, a line outboard of the steering wheel centerline that is parallel to the vehicle centerline at a distance 0.15 times the difference between one-half of the shoulder room dimension indicated on Figure 2 of SAE Recommended Practice J903a and the distance from steering wheel centerline to car centerline.

2. For individual type seats, a line that is parallel to the vehicle centerline through the center of the seat.

S4. *Requirements.*

S4.1 *Windshield wiping system.*

S4.1.1 *General characteristics.* A power-driven windshield wiping system shall be provided that—

(a) Meets the performance requirements of S4.1.2; and,

(b) Provides two or more frequencies or speeds at least one of which exceeds 45 cycles per minute regardless of engine load.

S4.1.2 *Wiped area.* When tested wet in accordance with Society of Automotive Engineers Recommended Practice J903a, "Passenger Car Windshield Wiper Systems," May 1966, the windshield wiping system shall cleanly wipe the percentage specified in Column 2 of Table I of that area determined in accordance with S4.1.2.1 listed in Column 1 that is not within 1 inch of the edge of the glazed area.

S4.1.2.1 The glazing surface reference line and the plan view reference line shall be established with the driver's seat in the rearmost position. Areas A, B, and C shall be established using the angles specified in Table I applied as shown in Figures 1 and 2 of Society of Automotive Engineers Recommended Practice J903a, "Passenger Car Windshield Wiper Systems," May 1966.

TABLE I

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
Area	Minimum percent to be wiped	Angles in degrees			
		Left	Right	Up	Down
A	80	18	56	10	5
B	94	14	53	5	3
C	99	10	15	5	1

S4.2 *Windshield washing system.* A windshield washing system shall be provided that meets the requirements of SAE Recommended Practice J942, "Passenger Car Wildshield Washer Systems," November 1965.

MOTOR VEHICLE SAFETY STANDARD No. 105

HYDRAULIC SERVICE BRAKE, EMERGENCY BRAKE, AND PARKING BRAKE SYSTEMS—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies requirements for hydraulic service brake, emergency brake, and parking brake systems intended to ensure adequate braking performance under normal and emergency conditions.

S2. *Application.* This standard applies to passenger cars.

S3. *Definitions.* "Pressure component" means any internal component of the brake master cylinder or master control unit, wheel brake cylinder, brake line, brake hose, or equivalent, except vacuum assist components.

S4. *Requirements.*

S4.1 *Service brake system.* The performance ability of the fully operational service brake system for passenger cars shall be not less than that described in section D of Society of Automotive Engineers Recommended Practice J937, "Service Brake System Performance Requirements—Passenger Car," June 1966, and tested in accordance with SAE Recommended Practice J843a, "Brake System Road Test Code—Passenger Car," June 1966.

S4.2 *Emergency brake system.* Rupture or leakage-type failure of any single pressure component of the service brake system, except structural failures of the brake master cylinder body or effectiveness indicator body, shall not result in complete loss of function of the vehicle brakes when force on the brake pedal is continued.

S4.2.1 *Emergency brake system performance.* If failure of a pressure component or insufficient hydraulic fluid in the system causes loss of pressure in any part of the brake system, the remaining portion of the brake system shall provide a stop of the vehicle loaded in accordance with SAE Recommended Practice J843a, June 1966, without pulling or swerving to the extent that would cause the vehicle to leave a level, 12-foot wide lane on a clean, dry, smooth, Portland cement concrete pavement (or other surface with equivalent coefficient of surface friction).

S4.2.2 *Emergency brake system effectiveness indication.* An electrically operated red light, mounted on the instrument panel in view of the driver, shall illuminate before or upon application of the brakes in the event of a hydraulic-type complete failure of a partial system. The indicator light shall have sufficient luminous intensity to be plainly visible in daylight and shall include a means for testing by the vehicle operator to ensure that the bulb is operable. No single failure in the internal components of the system effectiveness indicator, except the body of the device, shall permit the total loss of effectiveness of the braking system.

S4.3 *Parking brake system.* A parking brake system of a friction type with a solely mechanical means to retain engagement shall be provided that will hold the vehicle loaded in accordance with SAE Recommended Practice J843a, June 1966, to the limit of traction of the braked wheels in both forward and reverse directions on clean, dry, smooth, Portland cement concrete pavement (or other surface with equivalent coefficient of surface friction) of a 30 percent grade.

MOTOR VEHICLE SAFETY STANDARD NO. 106

HYDRAULIC BRAKE HOSES—PASSENGER CARS AND MULTIPURPOSE PASSENGER VEHICLES

S1. *Purpose and scope.* This standard specifies requirements for hydraulic brake hoses that will reduce brake failures due to fluid leakage.

S2. *Application.* This standard applies to hydraulic brake hoses for use in passenger cars and multipurpose passenger vehicles.

S3. *Requirements.* Hydraulic brake hoses shall meet the requirements of Society of Automotive Engineers Standard J40b, "Automotive Brake Hoses," July 1966, except as follows:

(a) Delete "Water Absorption Test."

(b) Add "viscose" and "polyester" to acceptable braid materials.

(c) Specify the following dates for referenced ASTM tests:

(1) ASTM D 571—1955; and

(2) ASTM B 117—1964.

(d) Revise "End Connections" paragraph to read: "Exposed steel or brass end connections of the hose assembly shall be protected against rust or corrosion."

MOTOR VEHICLE SAFETY STANDARD NO. 107

REFLECTING SURFACES—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, AND BUSES

S1. *Purpose and scope.* This standard specifies reflecting surface requirements for certain vehicle components in the driver's field of view.

S2. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, trucks, and buses.

S3. *Definitions.*

"Field of view" means the area forward of a lateral vertical plane which is located tangent to the rearmost boundary of the SAE 99th percentile eye range contour of SAE Recommended Practice J941, November 1965. "Specular gloss" means the luminous fractional reflectance of a specimen at the specular direction.

S4. *Requirements.* The specular gloss of the surface of the materials used for the following bright metal components in the driver's field of view shall not exceed 40 units when measured by the 20° method of ASTM Standard D523–62T, June 1962—

(a) Windshield wiper arms and blades;

(b) Inside windshield mouldings;

(c) Horn ring and hub of steering wheel assembly; and

(d) Inside rearview mirror frame and mounting bracket.

MOTOR VEHICLE SAFETY STANDARD NO. 108

LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT—MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, TRAILERS, AND BUSES, 80 OR MORE INCHES WIDE OVERALL

S1. *Purpose and scope.* This standard specifies requirements for lamps, reflective devices, and associated equipment, for signaling and to enable safe operation in darkness and other conditions of reduced visibility.

S2. *Application.* This standard applies to multipurpose passenger vehicles, trucks, trailers, and buses, that are 80 or more inches wide overall, except pole trailers and converter dollies.

S3. *Requirements.*

S3.1 *Equipment.*

S3.1.1 Except as provided in S3.1.1.1, S3.1.1.2, and S3.1.1.3, vehicles shall be equipped with lamps, reflective devices, and associated equipment, in the numbers of units and designed to conform to the standards specified in Table I.

S3.1.1.1 Truck tractors need not be equipped with turn signal lamps mounted on the rear if the turn signal lamps at or near the front are so constructed (double-faced) and so located that they are visible to overtaking passing drivers.

S3.1.1.2 Intermediate side marker lamps and intermediate reflex reflectors are required only on vehicles that are 30 or more feet long overall.

S3.1.1.3 Additional lamps, reflective devices, and associated equipment may be installed, provided they do not impair the effectiveness of the required equipment.

S3.2 *Location of Lamps and Reflectors.*

S3.2.1 Except as provided in S3.2.1.1, S3.2.1.2, and S3.2.1.3, lamps and reflective devices required by S3.1 shall be installed in accordance with Table II.

S3.2.1.1 On Tractor-trailer combination vehicles, the requirement that intermediate reflex reflectors and intermediate side marker lamps be located at or near the midpoint between the side reflex reflectors applies only to the trailer.

S3.2.1.2 On truck tractors, the red rear reflex reflectors may be mounted on the back of the cab.

S3.2.1.3 The visibility provision for backup lamps need not be complied with until January 1, 1969.

S3.3 *Lamp Combinations and Equipment Combinations.* Two or more lamps, reflective devices, and items of associated equipment may be combined if the requirements for each lamp, reflective device, and item of associated equipment are met, except that—

(a) No turn signal lamp may be combined optically with any lamp that produces a greater light intensity than the turn signal;

(b) No turn signal lamp may be combined optically with a stoplamp unless the stoplamp is extinguished when the turn signal is flashing; and

(c) No clearance lamp may be combinded optically with any taillamp or identification lamp.

S3.4 *Special Wiring Requirements.*

S3.4.1 A means for switching between lower and upper headlamp beams shall be provided in accordance with SAE Recommended Practice J564a, "Headlamp Beam Switching," April 1964, or with SAE Recommended Practice J565a, "Semi-Automatic Headlamp Beam Switching Devices," April 1965.

S3.4.2 A means for indicating to the driver when the upper beams of the headlamps are on shall be provided in accordance with SAE Recommended Practice J564a, April 1964.

S3.4.3 Taillamps, license plate lamps, and side marker lamps shall be illuminated when the headlamps are illuminated.

S3.4.4 Except as provided in S3.4.4.1 through S3.4.4.3, stoplamps shall be actuated upon application of any service brakes.

S3.4.4.1 Actuation of stoplamps is not required upon actuation of the trailer emergency brakes by means of either manual or automatic control on the towing vehicle.

S3.4.4.2 Stoplamps on a towing vehicle need not be actuated when service brakes are applied to the towed vehicle or vehicles only.

S3.4.4.3 Stoplamps that are combined optically with turn signal lamps need not be operable when the combination is in use as a turn signal or as a vehicular hazard warning signal.

S3.4.5 The vehicular hazard warning signal operating unit shall operate independently of the ignition switch, and when energized, cause all turn signal lamps to flash simultaneously.

S3.4.6 After January 1, 1969, on all vehicles required to carry backup lamps by this standard, the backup lamp shall be illuminated when the ignition switch is energized and reverse gear is engaged.

S3.4.7 A means for indicating to the driver that the turn signal system is energized shall be provided in accordance with SAE Standard J588d, "Turn Signal Lamps," June 1966.

S3.5 *Lighting Display.* When energized, each lamp specified in Table I shall be steady-burning except turn signal lamps, which shall flash.

TABLE I—EQUIPMENT

Item	Number and color in accordance with Society of Automotive Engineers Standard J578a, April 1965, required on—			In accordance with SAE standard or recommended practice
	Multipurpose passenger vehicles, trucks (other than truck tractors), and buses	Trailers	Truck tractors	
Headlamps	2 white, 7-inch, Type 2 headlamp units; or 2 white, 5¾-inch, Type 1 headlamp units and 2 white, 5¾-inch, Type 2 headlamp units.		Same as trucks and buses.	J580a, June 1966, and J579a, August 1965.
Taillamps	2 red	2 red	2 red	J585c, June 1966.
Stoplamps	2 red to amber	2 red to amber	2 red to amber	J586b, June 1966.
License plate lamp	1 white	1 white	1 white	J587b, April 1964.
Reflex reflectors	4 Class A red; 2 Class A amber.	4 Class A red; 2 Class A amber.	2 Class A red (on rear); 2 Class A amber.	J594c, February 1965.
Side-marker lamps	2 red; 2 amber	2 red; 2 amber	2 amber	J592b, April 1964.
Backup lamp	1 white		1 white	J592b, May 1966.
Turn-signal lamps	2 Class A red to amber; 2 Class A amber.	2 Class A red to amber.	2 Class A red to amber; 2 Class A amber.	J588d, June 1966.
Turn-signal operating unit.	1		1	J589, April 1964.
Turn-signal flasher	1		1	J590b, October 1965.
Vehicular hazard warning signal operating unit.	1		1	J910, January 1966.
Vehicular hazard warning signal flasher.	1		1	J945, February 1966.
Identification lamps	3 amber and 3 red	3 red	3 amber	J592b, April 1964.
Clearance lamps	2 amber and 2 red	2 amber and 2 red	2 amber	J592b, April 1964.
Intermediate side marker lamps.	2 amber	2 amber		J592b, April 1964.
Intermediate reflex reflectors.	2 Class A amber	2 Class A amber		J594c, February 1965.

TABLE II—LOCATION OF EQUIPMENT

Item	Location on—			Height above road surface measured from center of item on unloaded vehicle
	Multipurpose passenger vehicles, trucks (other than truck tractors), and buses	Trailers	Truck tractors	
Headlamps	Type 1 headlamps at the same height, 1 on each side of the vertical centerline; Type 2 headlamps at the same height, 1 on each side of the vertical centerline, as far apart as practicable.		Same as trucks and buses.	Not less than 24 inches, nor more than 54 inches.
Taillamps	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	Not less than 15 inches, nor more than 72 inches.
Stoplamps	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	Not less than 15 inches, nor more than 72 inches.
License plate lamp	At rear license plate	At rear license plate	At rear license plate.	
Reflex reflectors	2 red—on rear, 1 on each side of the vertical centerline, as far apart as practicable and at the same level. 2 red—on sides, 1 on each side as far aft as practicable. 2 amber—on sides, 1 on each side as far forward as practicable.	2 red—on rear, 1 on each side of the vertical centerline, as far apart as practicable and at the same level. 2 red—on sides, 1 on each side as far aft as practicable. 2 amber—on sides, 1 on each side as far forward as practicable.	2 red—on rear, 1 on each side of the vertical centerline, as far apart as practicable and at the same level. 2 amber—on sides, 1 on each side as far forward as practicable.	Not less than 15 inches, nor more than 60 inches.
Side marker lamps	On each side: 1 red lamp as far to the rear as practicable and 1 amber lamp as far forward as practicable.	On each side: 1 red lamp as far to the rear as practicable and 1 amber lamp as far forward as practicable.	On each side: 1 amber lamp as far forward as practicable.	Not less than 15 inches.
Backup lamp	On rear, so that it is visible to pedestrians that are 6 feet or less in height from each position in the area to the rear of the vehicle, and from each position on either side of that rear area, that is 5 feet or less from the vehicle.		On rear, so that it is visible to pedestrians that are 6 feet or less in height from each position in the area to the rear of the vehicle, and from each position on either side of that rear area, that is 5 feet or less from the vehicle.	
Turn-signal lamps	At or near the front: 1 amber on each side of the vertical centerline, at the same level, and as far apart as practicable. On rear: 1 red to amber on each side of the vertical centerline, at the same level, and as far apart as practicable.	On rear: 1 red to amber on each side of the vertical centerline, at the same level, and as far apart as practicable.	At or near the front: 1 amber on each side of the vertical centerline, at the same level, and as far apart as practicable. On rear: 1 red to amber on each side of the vertical centerline, at the same level, and as far apart as practicable.	Not less than 15 inches.

TABLE II—LOCATION OF EQUIPMENT—Continued

Item	Location on			Height above road surface measured from center of item on unloaded vehicle
	Multipurpose passenger vehicles, trucks (other than truck tractors), and buses	Trailers	Truck tractors	
Identification lamps	On front and rear: 3 lamps, amber in front, red in rear, grouped in a horizontal row, with lamp centers spaced not less than 6 inches, nor more than 12 inches, apart and mounted as close as practicable to the vertical centerline.	On rear: 3 red lamps grouped in a horizontal row with lamp centers spaced not less than 6 inches nor more than 12 inches apart and mounted as close as practicable to the vertical centerline.	On front: 3 amber lamps grouped in a horizontal row with lamp centers spaced not less than 6 inches, nor more than 12 inches, apart and mounted as close as practicable to the vertical centerline.	On front only: No part of the lamps or mountings may extend below the top of the vehicle's windshield.
Clearance lamps	On front and rear: 1 lamp, amber in front, red in rear, as near as practicable to the upper left and right extreme edges of the vehicle. When the rear identification lights are mounted at the extreme height of the vehicle, rear clearance lamps may be mounted at optional heights.	On front and rear: 1 lamp, amber in front, red in rear, as near as practicable to the upper left and right extreme edges of the vehicle. When the rear identification lights are mounted at the extreme height of the vehicle, rear clearance lamps may be mounted at optional heights.	On front: 1 amber lamp as near as practicable to the upper left and right extreme edges of the vehicle.	.....
Intermediate side marker lamps.	On each side: 1 amber lamp located at or near the midpoint between the forward and aft side marker lamps.	On each side: 1 amber lamp located at or near the midpoint between the forward and aft side marker lamps.	.....	Not less than 15 inches.
Intermediate reflex reflectors.	On each side: 1 located at or near the midpoint between the forward and aft side reflex reflectors.	On each side: 1 located at or near the midpoint between the forward side reflex reflectors.	.....	Not less than 15 inches, nor more than 60 inches.

MOTOR VEHICLE SAFETY STANDARD NO. 111

REARVIEW MIRRORS—PASSENGER CARS AND MULITPURPOSE PASSENGER VEHICLES

S1. *Purpose and scope.* This standard specifies requirements for rearview mirrors to provide the driver with a clear and reasonably unobstructed view to the rear.

S2. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, and passenger car and multipurpose passenger vehicle equipment.

S3. *Requirements.*

S3.1 *Inside rearview mirrors.*

S3.1.1 *Field of view.* A mirror shall be installed that provides the driver a view to the rear, of substantially unit magnification, with an included horizontal angle of at least 20 degrees and sufficient vertical angle to provide a view of a level road surface extending to the horizon beginning at a point not greater than 200 feet to the rear of the vehicle when the vehicle is occupied by the driver and four passengers or the designed occupant capacity, if less, based on 150 pound average occupant weight. The line of sight may be partially obscured by seated occupants or by head restraints.

S3.1.2 *Mounting.*

S3.1.2.1 The mirror mounting shall provide a stable support for the mirror, and shall provide for mirror adjustment by tilting in both horizontal and vertical directions.

S3.1.2.2 If the mirror is in the head impact area, the mounting shall break away without leaving sharp edges or deflect or collapse when the mirror is subjected to a force of 90 pounds in a forward or sideward direction in any plane 45° above or below the horizontal.

S3.2 *Outside mirrors.*

S3.2.1 *Driver's side.*

S3.2.1.1 *Field of view.* An outside mirror shall be installed that provides the driver a view, of substantially unit magnification, of a level road surface extending to the horizon from a line perpendicular to a plane tangent to the driver's side of the vehicle at the widest point and parallel to the longitudinal axis of the vehicle extending 8 feet out from the tangent plane 35 feet behind the driver's eyes, with the seat in the rearmost position. The line of sight may be partially obscured by rear body or fender contours.

S3.2.1.2 *Mounting.* The mounting shall provide a stable support for the mirror and neither the mirror nor the mounting shall protrude further than the widest part of the vehicle body, except to the extent necessary to meet the requirements of S3.2.1.1. The mirror shall not be obscured by the unwiped portion of the windshield, and shall be adjustable from the driver's seated position. The mirror and mounting shall be free of sharp points or edges that could contribute to pedestrian injury.

S3.2.2 *Passenger's side.* If the inside mirror required by S3.1 does not meet the field of view requirements of S3.1.1, an outside mirror of substantially unit magnification shall be installed on the passenger's side.

S3.2.2.1 *Mounting.* The mounting shall provide a stable support for the mirror, and the mirror and mounting shall be free of sharp points or edges that could contribute to pedestrian injury.

S3.3 *Mirror construction.* The reflectance value of the reflective film employed shall be at least 35 percent. If a mirror is of the selective position prismatic type, the reflectance value in the night driving position shall be at least 4 percent.

S.4. *Demonstration procedures.* Reflectance shall be determined in accordance with Society of Automotive Engineers Recommended Practice J964, "Test Procedure for Determining Reflectivity of Rearview Mirrors," June 1966.

MOTOR VEHICLE SAFETY STANDARD NO. 201

OCCUPANT PROTECTION IN INTERIOR IMPACT—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies requirements for instrument panels, seat backs, protrusions (including knobs, switches, levers, handles, bezels, and panel contours), sun visors, and armrests to afford impact protection for occupants.

S2. *Application.* This standard applies to passenger cars.

S3. *Requirements.*

S3.1. *Instrument panels.* Except as provided in S3.1.1, when that area of the instrument panel that is within the head impact area or knee and leg impact area is impacted by a 15 pound, 6.5 inch diameter head form at a relative velocity of 15 miles per hour, the deceleration of the head form shall not exceed 80g for 1.0 millisecond.

S3.1.1 The requirements of S3.1 do not apply to areas—

(a) Less than 5 inches inboard from the juncture of the instrument panel attachment to the body side inner structure; or,

(b) Closer to the windshield juncture than those contactable by the head form with the windshield in place.

S3.1.2 *Demonstration procedures* Tests shall be performed as described in Society of Automotive Engineers Recommended Practice J921, "Instrument Panel Laboratory Impact Test Procedure," June 1965, except that areas of contact within the knee and leg impact area shall be oriented to simulate the anticipated direction of contact.

S3.2 *Seat backs.* Except as provided in S3.2.1, when that area of the seat back that is within the head impact area or knee and leg impact area is impacted by a 15 pound, 6.5 inch diameter head form at a relative velocity of 15 miles per hour, the deceleration of the head form shall not exceed 80g for 1.0 millisecond or more:

S3.2.1 The requirements of S3.2 do not apply to areas of tops and backs of rearmost, side-facing, back-to-back, folding, and temporary seats.

S3.2.2 *Demonstration procedures.*

S3.2.2.1 Tests shall be performed as described in Society of Automotive Engineers Recommended Practice J921, "Instrument Panel Laboratory Impact Test Procedure," June 1965, except that areas of contact within the knee and leg impact area shall be substituted for the instrument panel and oriented to simulate the anticipated direction of contact.

S3.2.2.2 Adjustable forward seats shall be in the rearmost and lowest adjusted position that permits the accommodation of a 95th percentile male manikin in the rear seat. If the space available for sitting height or buttock-knee length in the rear seat is less than that required by the 95th percentile male manikin, the largest manikin that can be accommodated in the space available shall be used, and the forward seat adjusted back as far as space permits.

S3.2.2.3 Reclinable seat backs shall be in their full upright position.

S3.3 *Protrusions.* Protrusions in the head impact area and knee and leg impact area, including knobs, switches, levers, handles, bezels, and panel contours, shall conform to the following:

(a) Protrusions shall—

(1) Meet the performance requirements of S3.1;

(2) Be recessed in, or shielded by, a panel that meets the performance requirements of S3.1 and prevents contact with the protrusion by the head form during the demonstration procedure specified in S3.1.2;

(3) In the case of head impact area protrusions on the instrument panel, protrude not more than 0.375 inch during application of a load of 90 pounds in the direction of head impact, or, in the case of knee and leg impact area protrusions and head impact area protrusions not on the instrument panel, protrude not more than 1.0 inch during application of a load of 90 pounds in the direction of head, knee, or leg impact, with the protrusion in the most adverse normal position, and have an included area of not less than 1.0 square inch when sectioned perpendicular to the direction of impact not more than 0.125 inch from the first point of contact between the test manikin and the protrusion; or

(4) Detach upon application of a load of 90 pounds in the direction of head, knee, or leg impact, leaving no residual protrusion that does not meet the requirements of (1), (2), or (3).

(b) Edge radii shall not be less than 0.125 inch.

(c) Protrusion of bezels shall not exceed 0.375 inch.

(d) Transmission shift levers shall have an included area of not less than 1.0 square inch when sectioned perpendicular to the axis of the lever within 0.25 inch from the tip.

(e) For any protrusion consisting of energy-absorbing material over a rigid support, the measurements specified in (a) through (d) apply only to the rigid support.

S3.4 *Sun visors.*

S3.4.1 Two sun visors shall be provided that are constructed of, or covered with energy-absorbing material.

S3.4.2 Each sun visor mounting shall present no rigid material edge radii of less than 0.125 inch that is contactable by a spherical 6.5 inch diameter head form.

S3.5 *Armrests.*

S3.5.1 *General.* Each armrest, installed, shall conform to at least one of the following:

(a) It shall be constructed with energy-absorbing material that deflects or collapses laterally away from the occupant at least 2 inches without permitting contact with any underlying rigid material.

(b) It shall be constructed with energy-absorbing material that deflects or collapses to within 1.25 inches of a rigid test panel surface without permitting contact with any rigid material. Any rigid material between 0.5 and 1.25 inches from the panel surface shall have a minimum vertical height of not less than 1.00 inch. Upper and side edges of rigid material contactable by the occupant shall have radii of not less than 0.75 inch.

(c) In any adjusted position of the seat, with adjusted seat back angle not exceeding 28° from vertical, it shall provide not less than 2 inches of substantially vertical overlap of the pelvic impact area, and, as installed, the top and sides of the mounting bracket contactable by the occupant shall not have any edges of rigid material of less than 0.75 inch radius.

S3.5.2 *Folding Armrests.* Each armrest that folds into the seat shall either—

(a) Meet the requirements of S3.5.1; or,

(b) Be constructed of or covered with energy-absorbing material.

Motor Vehicle Safety Standard No. 203

Impact protection for the driver from the steering control system—passenger cars

S1. *Purpose and scope.* This standard specifies requirements for steering control systems that will minimize chest, neck, and facial injuries to the driver as a result of impact.

S2. *Application.* This standard applies to passenger cars.

S3. *Definitions.* "Steering control system" means the basic steering mechanism and its associated trim hardware, including any portion of a steering column assembly that provides energy absorption upon impact.

S4. *Requirements.*

S4.1 Except as provided in S4.2, when the steering control system is impacted by a body block in accordance with Society of Automotive Engineers Recommended Practice J944, "Steering Wheel Assembly Laboratory Test Procedure," December 1965, or an approved equivalent, at a relative velocity of 15 miles per hour, the impact force developed on the chest of the body block transmitted to the steering control system shall not exceed 2,500 pounds.

S4.2 A Type 2 seat belt assembly that conforms to Motor Vehicle Safety Standard No. 209 shall be installed for the driver of any vehicle with forward control configuration that does not meet the requirements of S4.1.

S4.3 The steering control system shall be so constructed that no components or attachments, including horn actuating mechanisms and trim hardware, can catch the driver's clothing or jewelry during normal driving maneuvers.

Motor Vehicle Safety Standard No. 204

Steering control rearward displacement—passenger cars

S1. *Purpose and scope.* This standard specifies requirements limiting the rearward displacement of the steering control into the passenger compartment to reduce the likelihood of chest, neck, or head injury.

S2. *Application.* This standard applies to passenger cars.

S3. *Definitions.*

"Steering column" means a structural housing that surrounds a steering shaft.

"Steering shaft" means a component that transmits steering torque from the steering wheel to the steering gear.

S4. *Requirements.*

S4.1 Except as provided in S4.2, the upper end of the steering column and shaft shall not be displaced horizontally rearward parallel to the longitudinal axis of the vehicle relative to an undisturbed point on the vehicle more than 5 inches, determined by dynamic measurement, in a barrier collision test at 30 miles per hour minimum conducted in accordance with Society of Automotive Engineers Recommended Practice J850, "Barrier Collision Tests," February 1963.

S4.2 A Type 2 seat belt assembly that conforms to Motor Vehicle Safety Standard No. 209 shall be installed for the driver of any vehicle with forward control configuration that does not meet the requirements of S4.1.

Motor Vehicle Safety Standard No. 205

Glazing materials—passenger cars, multipurpose passenger vehicles, motorcycles, trucks, and buses

S1. *Purpose and scope.* This standard specifies requirements for glazing materials to reduce lacerations to the face, scalp, and neck, and to minimize the possibility of occupants being thrown through the vehicle windows in collisions.

S2. *Application.* This standard applies to glazing materials for use in passenger cars, multipurpose passenger vehicles, motorcycles, trucks, and buses.

S3. *Requirements.*

S3.1 *Materials.* Glazing materials used in windshields, windows, and interior partitions shall conform to United States of America Standards Institute "American Standard Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways," USA Standard Z26.1–1966, July 15, 1966.

S3.2 *Edges.* In vehicles, except school buses, exposed edges shall be treated in accordance with Society of Automotive Engineers Recommended Practice J673, "Automotive Glazing," June 1960. In school buses, exposed edges shall be banded.

MOTOR VEHICLE SAFETY STANDARD NO. 206

DOOR LATCHES AND DOOR HINGE SYSTEMS—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies load requirements for door latches and door hinge systems to minimize the probability of occupants being thrown from the vehicle in a collision.

S2. *Application.* This standard applies to latches and door hinge systems for side doors used for occupant ingress or egress on passenger cars.

S3. *Requirements.*

S3.1 *Door locks.* Each door shall be equipped with a locking device with an operating means in the interior of the vehicle.

S3.2 *Door hinges.* Each door hinge system shall support the door and withstand an ultimate longitudinal load of 2,500 pounds and an ultimate transverse load of 2,000 pounds.

S3.3 *Door latches.*

S3.3.1 *Longitudinal load.* The door latch and striker assembly shall withstand a longitudinal load of 2,500 pounds in the fully latched position and 1,000 pounds in the secondary latched position.

S3.3.2 *Transverse load.* The door latch and striker assembly of hinged doors shall withstand a transverse load of 2,000 pounds in the fully latched position and 1,000 pounds in the secondary latched position.

S3.3.3 *Inertia load.* The door latch shall not move from the fully latched position when a longitudinal or transverse inertia load of 30g is applied to the door latch system (including the latch and its actuating mechanism).

S4. *Demonstration procedures.*

S4.1 *Door hinges.* Door hinges shall be tested in accordance with the Society of Automotive Engineers Recommended Practice J934, "Vehicle Passenger Door Hinge Systems," July 1965.

S4.2 *Door latches.* Door latches shall be tested in accordance with Society of Automotive Engineers Recommended Practice J839b, "Passenger Car Side Door Latch Systems," May 1965.

S4.3 *Inertia load.* Ability of the latch system to meet the requirements for inertia load shall be demonstrated by approved tests or in accordance with Section 5 of SAE Recommended Practice J839b, May 1965.

MOTOR VEHICLE SAFETY STANDARD NO. 207

ANCHORAGE OF SEATS—PASSENGER CARS

S1. *Purpose and scope.* This standard establishes requirements for seats, their attachment assemblies, and their installation to minimize the possibility of failure by forces acting on the seat as a result of vehicle impact.

S2. *Application.* This standard applies to passenger cars.

S3. *Requirements.*

S3.1 *General.* Except for folding auxiliary jump seats and sidefacing seats, each occupant seat installation shall withstand the loads specified in S3.1.1, S3.1.2, and S3.1.3.

S3.1.1 The following loads shall be applied simultaneously—

(a) Twenty times the weight of the entire seat in a forward longitudinal direction; and

(b) If the seat belt assembly is directly attached to the seat, the total load imposed on the seat by simultaneous application of maximum loads required by Motor Vehicle Safety Standard No. 209 for all attached seat belt assemblies.

S3.1.2 A load equal to 20 times the weight of the entire seat shall be applied in a rearward longitudinal direction.

S3.1.3 A load equal to a 3,300 inch pound moment about the "H" point for each occupant position for which the seat is designed shall be applied to the upper cross member in a rearward longitudinal direction.

S3.2 The seat adjusters need not be operable after the application of the loads specified in S3.1.1, S3.1.2, and S3.1.3.

S3.3 *Folding and hinged seats.* A hinged or folding seat or seat back shall be equipped with a self-locking, restraining device and a control for releasing the restraining device.

S3.3.1 The release control shall be readily accessible to the occupant of that seat and to the occupant of any seat immediately behind that seat, and shall be constructed to preclude inertial release when loaded longitudinally to 20g.

S3.3.2 The restraining device shall not release or fail when a forward longitudinal load equal to 20 times the weight of the entire seat back is applied at the center of gravity of the seat back.

S4. *Demonstration procudures.*

S4.1 Dynamic or static testing techniques may be used.

S4.2 Static testing of seats shall be conducted in accordance with Society of Automotive Engineers Recommended Practice J879, "Passenger Car Front Seat and Seat Adjuster," November 1963, using the values specified in and the procedures applicable to this standard.

S4.3 Distributed loads may be replaced by concentrated loads at the loading centroid.

MOTOR VEHICLE SAFETY STANDARD NO. 208

SEAT BELT INSTALLATIONS—PASSENGER CARS

S1. *Purpose and scope.* This standard establishes requirements for seat belt installations.

S2. *Application.* This standard applies to passenger cars.

S3. *Requirements.*

S3.1 Except as provided in S3.1.1 and S3.1.2, a Type 1 or Type 2 seat belt assembly that conforms to Motor Vehicle Safety Standard No. 209 shall be installed in each passenger car seat position.

S3.1.1 Except in convertibles a Type 2 seat belt assembly that conforms to Motor Vehicle Safety Standard No. 209 shall be installed in each outboard passenger car seat position that includes the windshield header within the head impact area.

S3.1.2 The requirements of S3.1 do not apply to folding auxiliary jump seats, side-facing seats, and rearfacing seats.

MOTOR VEHICLE SAFETY STANDARD NO. 209

SEAT BELT ASSEMBLIES—PASSENGER CARS, MULTIPURPOSE PASSENGER VEHICLES, TRUCKS, AND BUSES

S1. *Purpose and scope.* This standard specifies requirements for seat belt assemblies.

S2. *Application.* This standard applies to seat belt assemblies for use in passenger cars, multipurpose passenger vehicles, trucks, and buses.

S3. *Requirements.* Seat belt assemblies shall meet the requirements of Department of Commerce, National Bureau of Standards, *Standards for Seat Belts for Use in Motor Vehicles* (15 CFR 9) (31 F.R. 11528).

This Standard supersedes Department of Commerce, National Bureau of Standards, *Standards for Seat Belts for Use in Motor Vehicles* (15 CFR 9) (30 F.R. 8432).

MOTOR VEHICLE SAFETY STANDARD NO. 210

SEAT BELT ASSEMBLY ANCHORAGES—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies the requirements for seat belt assembly anchorages to ensure proper location for effective occupant restraint and reduce the likelihood of failure in collisions.

S2. *Application.* This standard applies to passenger cars.

S3. *Definitions.*

"Seat belt anchorage" means the provision for transferring seat belt assembly loads to the vehicle structure.

S4. *Requirements.*

S4.1 *Type.* Except as provided in S4.1.1 and S4.1.2, anchorages for a Type 1 or Type 2 seat belt assembly, as applicable, shall be provided for each designated seating position in accordance with Table I.

S4.1.1 Anchorages for either a Type 1 or Type 2 seat belt assembly shall be provided for each designated seating position in a convertible.

S4.1.2 Anchorages need not be provided for folding, auxiliary jump seats.

TABLE I

Seating position		Seat belt assembly required
Forward-facing seat	(Outboard	Type 2.
	(Inboard	Type 1.
Rearward-facing seat	Outboard and inboard.	Type 1.
Side-facing seat		Type 1.

S4.2 *Strength.*

S4.2.1 When tested in accordance with S5.1 or an equivalent dynamic test, no anchorage shall fail when a 5,000 pound load is applied to the body block.

S4.2.2 When tested in accordance with S5.2 or an equivalent dynamic test, no anchorage shall fail when a 3,000 pound load is applied to the pelvic body block together with a 3,000 pound load on the upper torso body block.

S4.2.3 Permanent deformation, including rupture or breakage, of any anchorage or surrounding area shall not constitute failure if the required load is attained.

S4.2.4 Except as provided in S4.2.5, belt assemblies having a common anchorage shall be tested simultaneously.

S4.2.5 Common anchorages for forward and rearward facing seating positions shall not be tested simultaneously.

S4.3 *Location.*

S4.3.1 *Type 1 and pelvic portion of Type 2 seat belt assembly anchorages.*

S4.3.1.1 For installations in which the belt passes around the outside of the seat, a line from the anchorage to the occupant's "H" point shall make an angle with the horizontal as near as practicable to 45 degrees with the seat at the midpoint of its adjustment range.

S4.3.1.2 For installations in which the belt passes through the springs or over the seat frame, the anchorage shall be aft of the rearmost position of the springs or seat bottom frame rear bar and the angle between the horizontal and the line of the belt from the occupant's "H" point with the belt snug, but not loaded, shall be as near as practicable to 45 degrees.

S4.3.1.3 Anchorages for an individual seat belt assembly shall be located, as near as practicable, 15 inches apart laterally.

S4.3.2 *Type 2 upper torso seat belt assembly anchorages.*

S4.3.2.1 With the seat in its rearmost position, and the seat back in its rearmost driving position, the anchorage for the upper end of the upper torso restraint shall be to the rear of the extension of the torso line of the two-dimensional manikin described in Society of Automotive Engineers Standard J826, "Manikins for Use in Defining Vehicle Seating Accommodation," November 1962. If the angle of the upper torso restraint passing from the shoulder of a seated 95th percentile adult male to the anchorage, or to a structure between the shoulder point and the anchorage is downward from the horizontal, it shall be not more than 40 degrees.

S5. *Demonstration procedures.*

S5.1 *Seats with Type 1 or Type 2 seat belt anchorages.* With the seat in its rearmost position, the load specified in S4.2.1 shall be applied at an angle of 5 degrees or more, but less than 15 degrees above the horizontal to an appropriate body block restrained by a Type 1 or pelvic portions of a Type 2 seat belt assembly, as applicable.

S5.2 *Seats with Type 2 seat belt anchorages.* With the seat in its rearmost position, the load specified in S4.2.2 shall be applied at an angle of 5 degrees or more but less than 15 degrees above the horizontal to an appropriate body block restrained by a Type 2 seat belt assembly.

MOTOR VEHICLE SAFETY STANDARD NO. 211

WHEEL NUTS, WHEEL DISCS, AND HUB CAPS—PASSENGER CARS AND MULTIPURPOSE PASSENGER VEHICLES

S1. *Purpose and scope.* This standard precludes the use of wheel nuts, wheel discs, and hub caps that constitute a hazard to pedestrians and cyclists.

S2. *Application.* This standard applies to passenger cars, multipurpose passenger vehicles, and passenger car and multipurpose passenger vehicle equipment.

S3. *Requirements.* Wheel nuts, hub caps, and wheel discs for use on passenger cars and multipurpose passenger vehicles shall not incorporate winged projections.

MOTOR VEHICLE SAFETY STANDARD NO. 301

FUEL TANKS, FUEL TANK FILLER PIPES, AND FUEL TANK CONNECTIONS—PASSENGER CARS

S1. *Purpose and scope.* This standard specifies requirements for the integrity and security of fuel tanks, fuel tank filler pipes, and fuel tank connections to minimize fire hazard as a result of collision.

S2. *Application.* This standard applies to passenger cars.

S3. *Requirements.* When tested in accordance with S4:

(a) Fuel tank filler pipes, fuel tank connections to fuel lines, and fuel tanks filled to at least 90 percent of capacity with a liquid having substantially the same viscosity as, and specific gravity no less than, the fuel used in the vehicle, shall not discharge fluid at a rate greater than 1 ounce (by weight) per minute after termination of impact.

(b) Fluid losses during impact shall not exceed 1 ounce (by weight).

S4. *Demonstration procedures.* A front end longitudinal barrier collision test shall be conducted at a speed of at least 30 miles per hour in accordance with Society of Automotive Engineers Recommended Practice J850, "Barrier Collision Test," February 1963.

[F.R. Doc. 67-1352; Filed, Feb. 2, 1967; 8:45 a.m.]

DEPARTMENT OF COMMERCE

National Traffic Safety Agency

[23 CFR Part 255]

[Docket No. 7; Notice No. 67-1]

INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Advance Notice of Proposed Rule Making

Motor Vehicle Safety Standards No. 104, "Windshield Wiping and Washing Systems—Passenger Cars," No. 201, "Occupant Protection in Interior Impact—Passenger Cars," and No. 206, "Door Latches and Door Hinge Systems—Passenger Cars" were issued on January 31, 1967, under the provisions of the National Traffic and Motor Vehicle Safety Act of 1966. The Agency has under consideration the issuance of a proposed amendment to each of these standards.

This advance notice of proposed rule making is being issued pursuant to the Agency's policy for the early institution of public rule making proceedings. An advance notice is issued when it is found that the resources of the Agency and reasonable inquiry outside the Agency do not yield a sufficient basis to identify and select tentative or alternate courses of action upon which a rule making procedure might be undertaken, or when it would otherwise be helpful to invite early public participation in the identification and selection of such tentative or alternate courses of action. The subject matter has been found to involve the situation contemplated by this policy.

Interested persons are invited to participate in the making of these amendments by submitting such written data, views, or arguments as they may desire.

All comments must identify the docket and notice number and be submitted to the National Traffic Safety Agency, U.S. Department of Commerce, Room 3807, Washington, D.C. 20230. Ten copies are required.

All communications received will be available both before and after the closing date for examination by interested persons.

Comments must be submitted on or before April 10, 1967 with respect to Standard No. 104 and on or before May 9, 1967 with respect to Standards Nos. 201 and 206. All timely comments will be considered.

Standard No. 104 applies to passenger cars of 68 or more inches overall width and specifies requirements for windshield wiping and washing systems. The Agency is considering the issuance of a proposed amendment to extend the applicability of the standard to passenger cars of less than 68 inches overall width, multipurpose passenger vehicles, trucks, and buses, and solicits comments pertaining to windshield wiping and washing requirements that provide a level of safety performance for these vehicles equivalent to that required by the standard for the larger passenger cars.

It is requested that the comments include, wherever possible, information in terms of required angles of vision compatible with the wiped area percentages shown in Table I of the standard.

Standard No. 201 specified requirements for instrument panels, seat backs, protrusions, sun visors, and armrests to afford impact protection for occupants. It was the Agency's intent to provide special means of protection for the unrestrained child in addition to the protection afforded to all occupants by the standard. However, it was necessary to delete the phrase "unrestrained child impact area" from the adopted standard because of difficulties encountered with the proposed definition of the term which could not be resolved in time to be included in the initial standards.

The Agency intends to proceed with the development of requirements to further reduce the impact hazard to the unrestrained child and therefore is considering the issuance of a proposed amendment to achieve this objective. Comments are requested to assist the Agency in arriving at a reasonable, practicable and effective solution to the problem.

Standard No. 206 specifies load requirements for door latches and door hinge systems to minimize the probability of occupants being thrown from the vehicle in a collision. The Agency is considering the issuance of a proposed amendment to paragraph S3.1 of this standard to minimize the possibility of door openings due to inadvertent or accidental operation of the inside latch handle; to prevent accidental operation of the outside latch release; and to minimize the difficulty of gaining access to the interior of the vehicle after a crash with the occupants immobilized. Comments are solicited as to performance standards for accomplishing these desired results in a reasonable and practical manner.

It is also requested that comments include, wherever possible, performance standards to make it more difficult for unauthorized persons to gain access to a parked and locked vehicle. This benefit, while related to reducing thievery, is an important safety feature insofar as a substantial percentage of stolen vehicles later become involved in accidents.

This action is taken under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegations of authority of October 20, 1966 (31 F.R. 13952) and January 24, 1967 (32 F.R. 1005).

Issued in Washington, D.C., on January 31, 1967.

LOWELL K. BRIDWELL,
Acting Under Secretary of Commerce for Transportation.

[F.R. Doc. 67-1353; Filed, Feb. 2, 1967; 8:45 a.m.]

[23 CFR Part 255]

[Docket No. 8; Notice No. 67-2]

INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Advance Notice of Proposed Rule Making

Twenty Initial Motor Vehicle Safety Standards were established under section 103 of the National Traffic and Motor Vehicle Safety Act of 1966 on January 31, 1967. However, Notice of Proposed Rule Making No. 1 of November 30, 1966, 31 F.R. 15212, was not finalized with respect to proposed Standards Nos. 109, 110, and 202 because of lack of complete and sufficient reliable information on the subject matters of these Standards and in order to take into consideration new technical or medical information that has become available.

This advance notice is issued to pursue these matters further. It supersedes the proposals relating to these Standards in Notice No. 1.

MOTOR VEHICLE SAFETY STANDARD NO. 109

NEW PNEUMATIC TIRES; PASSENGER CARS

The Agency is considering the issuance of a proposed motor vehicle safety standard on new pneumatic tires for use on passenger cars, and solicits comments on safety performance requirements that are both reasonable and practicable and provide an adequate level of safety.

Persons commenting are invited to make suggestions on incorporating into the proposed initial Federal standards of any part or all of any tire standard in existence at the time of this notice, including such standards as promulgated by the Vehicle Equipment Safety Commission, the General Services Administration, The Tire and Rim Association, Rubber Manufacturers Association or others.

Particular attention is directed to the possibility of adapting the recently published Society of Automotive Engineers Recommended Practice J918b (January 1967) as a basis in whole or part for the proposed Federal standard with appropriate modifications to take into account sizes and types of tires not adequately covered in the Practice; to reconcile the differences between the load-pressure schedules used in the various countries, especially in the case of radial tires; and to cover cases in which tires of the same material and the same nominal load-carrying capacity are considered to have different carcass strength and bead unseating requirements.

The Act provides in section 201 of Title II that in all standards for new pneumatic tires established under Title I, the Secretary shall require that tires subject thereto be permanently and conspicuously labeled with appropriate safety information. Comments are invited as to how these labeling requirements can best be met.

MOTOR VEHICLE SAFETY STANDARD No. 110

TIRE SELECTION AND RIMS, PASSENGER CARS

This Standard as proposed before utilized tire load rating values and other requirements specified in Motor Vehicle Safety Standard No. 109—New Pneumatic Tires—Passenger Cars which also was not finalized.

The Agency is considering the issuance of an initial motor vehicle safety standard on tire selection and rims for passenger cars and solicits comments as to safety performance requirements that are both reasonable and practicable and provide an adequate level of safety performance.

It is requested that comments be directed toward incorporating in this proposed standard the tire load rating and other requirements for tire safety performance that might be established in Standard No. 109 for new pneumatic tires—passenger cars.

MOTOR VEHICLE SAFETY STANDARD No. 202

HEAD RESTRAINTS PASSENGER CARS

The Agency is considering the issuance of a proposed motor vehicle safety standard on head restraints (headrests) or other systems that will reduce the likelihood of neck injuries sustained in rear end crashes, and solicits comments on safety performance requirements that are both reasonable and practicable and provide an adequate level of safety performance.

Persons commenting are invited to direct their attention to the possibility of amending any or all of the following motor vehicle safety standards so as to incorporate head restraint requirements within a single unified system of occupant seating and restraint arrangements: Motor Vehicle Safety Standard No. 207—Anchorage of Seats—Passenger Cars; Motor Vehicle Safety Standard No. 208—Seat Belt Installations—Passenger Cars; Motor Vehicle Safety Standard No. 209—Seat Belt Assemblies—Passenger Cars, Multipurpose Passenger Vehicles, Trucks, and Buses; Motor Vehicle Safety Standard No. 210—Seat Belt Assembly Anchorages—Passenger Cars.

It is requested that comments include full engineering and medical information and other supporting evidence.

It is further requested that attention be directed to the problem of manufacturers being able to produce enough head restraints to meet the demand that would be created by adoption of a proposed standard.

Interested persons are invited to participate in the making of these amendments by submitting such written data, views, or arguments as they may desire. All comments must identify the docket and notice number and be submitted to the National Traffic Safety Agency, U.S. Department of Commerce, Room 3807, Washington, D.C. 20230. Ten copies are required. All comments must comply with the requirements of Part 215 (31 F.R. 13129) of Title 23, Code of Federal Regulations.

All communications received will be available both before and after the closing date for examination by interested persons.

Comments must be submitted on or before May 9, 1967 with respect to Standard No. 202 and on or before March 9, 1967 with respect to Standards Nos. 109 and 110. All timely comments will be considered.

The action is taken under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegations of authority of October 20, 1966 (31 F.R. 13952) and January 24, 1967 (32 F.R. 1005).

Issued in Washington, D.C., on January 31, 1967.

LOWELL K. BRIDWELL,
Acting Under Secretary of Commerce for Transportation.

[F.R. Doc. 67-1354; Filed, Feb. 2, 1967; 8:45 a.m.]

[23 CFR Part 255]

[Docket No. 9; Notice No. 67-3]

INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Notice of Proposed Rule Making

Motor Vehicle Safety Standards No. 103, "Windshield Defrosting and Defogging—Passenger Cars and Multipurpose Vehicles," No. 105, "Hydraulic Service Brake, Emergency Brake, and Parking Brake Systems—Passenger Cars," and No. 108, "Lamps, Reflective Devices, and Associated Equipment—Multipurpose Passenger Vehicles, Trucks, Trailers, and Buses, 80 or more Inches Wide Overall" were issued on January 31, 1967, under the provisions of the National Traffic and Motor Vehicle Safety Act of 1966. The Agency has under consideration the issuance of a proposed amendment to each of these standards and the issuance of an initial Motor Vehicle Safety Standard No. 112, "Lamps, Reflective Devices, and Associated Equipment—Passenger Cars; Motorcycles; and, Multipurpose Passenger Vehicles, Trucks, Trailers, and Buses, less than 80 Inches Wide Overall."

Interested persons are invited to participate in the making of these amendments by submitting with written data, views, or arguments as they may desire.

All comments must identify the docket and notice number and be submitted to the National Traffic Safety Agency, U.S. Department of Commerce, Room 3807, Washington, D.C. 20230. Ten copies are required.

All communications received will be available both before and after the closing date for examination by interested persons.

Comments must be submitted on or before March 9, 1967, with respect to Standard No. 105 and on or before April 10, 1967, with respect to Standards Nos. 103, 108, and 112. All timely comments will be considered.

Standard No. 103 requires a windshield defrosting and defogging system. The Agency is considering amending Standard No. 103 to specify performance requirements for this system.

Standard No. 105 requires that if failure of pressure components or insufficient hydraulic fluid in the service brake system causes loss of pressure in a pressure component, the remaining portion of the brake system shall provide a stop of the loaded vehicle. The Agency is considering amending Standard No. 105 to include specified emergency system performance.

The Agency also is considering amending Standard No. 103 to specify certain additional lighting requirements for these vehicles and issuing Standard No. 112 which specifies lighting requirements for passenger cars; motorcycles; multipurpose vehicles, and trucks, trailers, and buses, less than 80 inches wide overall.

In consideration of the foregoing it is proposed to amend section 255.21 of Part 255 of the Motor Vehicle Safety regulations as set forth below.

This notice is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 and the delegations of authority of October 20, 1966 (31 F.R. 13952) and January 24, 1967 (32 F.R. 1005).

Issued in Washington, D.C., on January 31, 1967.

LOWELL K. BRIDWELL,
Acting Under Secretary of Commerce for Transportation.

(1) Amend Motor Vehicle Safety Standard No. 103 to read:

WINDSHIELD DEFROSTING AND DEFOGGING—PASSENGER CARS AND MULTIPURPOSE PASSENGER VEHICLES

S1. *Purpose and scope.* This standard specifies requirements for providing reasonable vision through the windshield during frosting and fogging conditions.

S2. *Application.* This standard applies to passenger cars and multipurpose passenger vehicles, manufactured for sale in the Continental United States.

S3. *Requirement.* A windshield defrosting and defogging system shall be provided that meets the requirements of section 3 of Society of Automotive Engineers Recommended Practice J902, "Passenger Car Windshield Defrosting System," August 1964, when tested in accordance with S4., except that the critical area shall be that established as Area C in accordance with Motor Vehicle Safety Standard No. 104.

S4. *Demonstration procedures.* The windshield defrosting and defogging system shall be tested in accordance with the applicable portions of section 4 of SAE Recommended Practice J902, August 1964, except that:

(a) Engine speed shall not exceed that at 25 m.p.h. in the highest gear.

(b) Room air change of 90 times per hour is not required.

(c) Windshield wipers may be used during test provided they are operated without manual assist.

(d) One window may be open one inch.

(2) Amend Motor Vehicle Safety Standard No. 105, paragraph S4.2.1 to read:

Emergency System Performance. If failure of a pressure component or insufficient hydraulic fluid in the system causes loss of pressure in any part of the brake system, the remaining portion of the brake system shall provide a stop of the vehicle loaded in accordance with SAE Recommended Practice J843a, June 1966, from a speed of 60 m.p.h., in not more than 646 feet, without pulling or swerving to the extent that would cause the vehicle to leave a level, 12-foot wide lane on a clean, dry, smooth, Portland cement concrete pavement (or other surface with equivalent coefficient of surface friction).

(3) Amend Motor Vehicle Safety Standard No. 108 by adding the following new paragraphs after paragraph S3.1.1.3:

S3.1.1.4 Reflective material conforming to Federal Specification L–S–300, "Sheeting and Tape, Reflective; Nonexposed Lens, Adhesive Backing," September 7, 1965, may be used in lieu of the side reflex reflectors prescribed in S3.1.1: *Provided*, That this material, as used on the vehicle, meets the performance standards in Table I of SAE Standard J594c, "Reflex Reflectors," February 1965.

S3.1.2 *School buses.*

S3.1.2.1 School buses shall be equipped with four red signal lamps designed to conform to SAE Standard J887, "School Bus Red Signal Lamps," July 1964, and four amber signal lamps designed to conform to that standard, except for color.

S3.1.2.2 Except as provided in S3.1.2.-2.1 and S3.1.2.2.2, the red and amber signal lamps prescribed in S3.1.2.2 shall be installed in accordance with SAE Standard J887, July 1964.

S3.1.2.2.1 An amber signal lamp shall be located near each red signal lamp, at the same level, but closer to the vertical centerline of the bus.

S3.1.2.2.2 The system of red and amber signal lamps shall be wired so that:

(a) The amber signal lamps are energized manually; and

(b) The red signal lamps are automatically energized, and the amber signal lamps are automatically deenergized, when the bus entrance door is opened.

(4) Amend Motor Vehicle Safety Standard No. 108, paragraphs S3.4.2 through S3.4.4.3 to read:

S3.4.2 A means for indicating to the driver when the upper beams of the headlamps are on shall be provided in accordance with SAE Recommended Practice J564a, April 1964, except that the signal color need not be red.

S3.4.3 Taillamps, license plate lamps, clearance lamps, identification lamps, and side-marker lamps shall be illuminated when the headlamps are illuminated.

S3.4.4 Except as provided in S3.4.4.1 through S3.4.4.4, stoplamps shall be actuated upon application of any service or emergency brakes.

S3.4.4.1 Stoplamps need not be actuated upon application of the parking brake. If the emergency brake system is used also as a parking brake, the stoplamps need not be actuated when the vehicle is parked.

S3.4.4.2 Stoplamps on a towing vehicle need not be actuated upon application of brakes to the towed vehicle only.

S3.4.4.3 Stoplamps on a towed vehicle need not be actuated in the event it is separated from the towing vehicle.

(5) Add the following new paragraph after S3.4.4.3:

S3.4.4.4 Stoplamps that are combined optically with turn-signal lamps need not be actuated when the combination is used as a turn signal or as a vehicular hazard warning signal.

(6) Add the following new initial Motor Vehicle Safety Standard No. 112 to read:

MOTOR VEHICLE SAFETY STANDARD NO. 112

LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT—PASSENGER CARS; MOTORCYCLES; MULTIPURPOSE PASSENGER VEHICLES, AND, TRUCKS, TRAILERS

S1. *Purpose and scope.* This standard specifies requirements for lamps, reflective devices, and associated equipment, for signalling and to enable safe operation in darkness and other conditions of reduced visibility.

S2. *Application.* This standard applies to passenger cars; motorcycles; multipurpose passenger vehicles, and, trucks, trailers, and buses, that are less than 80 inches wide overall, except pole trailers and trailer converter dollies.

S3. *Requirements.*

S3.1 *Equipment.*

S3.1.1 Except as provided in S3.1.1.1 through S3.1.1.7, vehicles shall be equipped with lamps, reflective devices, and associated equipment, in the numbers of units and designed to conform to the standards specified in Table I.

S3.1.1.1 Truck tractors need not be equipped with more than two red Class A reflex reflectors (mounted on the rear), nor any red side marker lamps.

S3.1.1.2 Until January 1, 1969, passenger cars, trucks, trailers, and buses may be equipped with Class B red reflex reflectors on the rear of the vehicle.

S3.1.1.3 Until January 1, 1969, passenger cars, trucks, trailers, and buses may be equipped, on each side of the vehicle, with either:

(a) 1 Class A (red) and 1 Class A (amber) reflex reflector; or

(b) 1 red and 1 amber side marker lamp.

S3.1.1.4 Until January 1, 1969, passenger cars, trucks, trailers, and buses may be equipped with Class B turn signal lamps.

S3.1.1.5 Truck tractors need not be equipped with turn-signal lamps mounted on the rear if the turn-signal lamps at or near the front are so constructed (double-faced) and so located that they are visible to overtaking passing drivers.

S3.1.1.6 Additional lamps, reflective devices, and associated equipment may be installed, provided they do not impair the effectiveness of the required equipment.

S3.1.1.7 Reflective material conforming to Federal Specification L–S–300, "Sheeting and Tape, Reflective; Nonexposed Lens, Adhesive Backing," September 7, 1965, may be used in lieu of the side reflex reflectors prescribed in S3.1.1: *Provided*, That this material, as used on the vehicle, meets the performance standards in Table I of Society of Automotive Engineers Standard J594c, "Reflex Reflectors," February 1965.

S3.1.2 *School buses.*

S3.1.2.1 School buses shall be equipped with four red signal lamps designed to conform to SAE Standard J887, "School Bus Red Signal Lamps," July 1964, and four amber signal lamps designed to conform to that standard, except for color.

S3.1.2.2 Except as provided in S3.1.2.2.1 and S3.1.2.2.2, the red and amber signal lamps prescribed in S3.1.2.2 shall be installed in accordance with SAE Standard J887, July 1964.

S3.1.2.2.1 An amber signal lamp shall be located near each red signal lamp, at the same level, but closer to the vertical centerline of the bus.

S3.1.2.2.2 The system of red and amber signal lamps shall be wired so that:

(a) The amber signal lamps are energized manually; and

(b) The red signal lamps are automatically energized, and the amber signal lamps are automatically deenergized, when the bus entrance door is opened.

S3.2 *Location of lamps and reflectors.*

S3.2.1 Except as provided in S3.2.1.1 and S3.2.1.2, lamps, reflective devices, and associated equipment required by S3.1 shall be installed in accordance with Table II.

S3.2.1.1 On truck tractors, the red rear reflex reflectors may be mounted on the back of the cab.

S3.2.1.2 The visibility provision for backup lamps need not be complied with until January 1, 1969.

S3.2.2 The red to amber turn-signal lamps on trailers required by S3.1 shall be mounted on the rear in accordance with Table II.

S3.3 *Lamp combinations and equipment combinations.* Two or more lamps, reflective devices, and items of associated equipment may be combined if the requirements for each lamp, reflective device, and item of associated equipment are met, except that:

(a) No turn-signal lamp may be combined optically with any lamp that pro-

duces a greater light intensity than the turn signal;

(b) No turn-signal lamp may be combined optically with a stoplamp unless the stoplamp is extinguished when the turn signal is flashing.

S3.4 *Special wiring requirements.*

S3.4.1 A means for switching between lower and upper headlamp beams shall be provided in accordance with SAE Recommended Practice J564a, "Headlamp Beam Switching," April 1964, or with SAE Recommended Practice J565a, "Semi-Automatic Headlamp Beam Switching Devices," April 1965.

S3.4.2 A means for indicating to the driver when the upper beams of the headlamps are on shall be provided in accordance with SAE Recommended Practice J564a, April 1964, except that the signal color need not be red.

S3.4.3 Taillamps, license plate lamps, and side-marker lamps shall be illuminated when the headlamps are illuminated.

S3.4.4 Except as provided in S3.4.4.1 through S3.4.4.4, stoplamps shall be actuated upon application of any service or emergency brakes.

S3.4.4.1 Stoplamps need not be actuated upon application of the parking brake. If the emergency brake system is used also as a parking brake, the stoplamps need not be actuated when the vehicle is parked.

S3.4.4.2 Stoplamps on a towing vehicle need not be actuated upon application of brakes to the towed vehicle only.

S3.4.4.3 Stoplamps on a towed vehicle need not be actuated in the event it is separated from the towing vehicle.

S3.4.4.4 Stoplamps that are combined optically with turn-signal lamps need not be operable when the combination is in use as a turn signal or as a vehicular hazard warning signal.

S3.4.5 The vehicular hazard warning signal operating unit shall operate independently of the ignition switch, and when energized, cause all turn signal lamps to flash simultaneously.

S3.4.6 On passenger cars and, after January 1, 1969, on all vehicles required to carry backup lamps by this standard, the backup lamp shall be illuminated when the ignition switch is energized and reverse gear is engaged.

S3.4.7 A means for indicating to the driver that the turn-signal system is energized shall be provided in accordance with SAE Standard J588d, "Turn Signal Lamps," June 1966.

S3.5 *Lighting display.* When energized, each lamp specified in Table I shall be steady-burning except turn-signal lamps, which shall flash.

TABLE I—EQUIPMENT

Item	Number and color in accordance with Society of Automotive Engineers Standard J578a, April 1965, required on—			In accordance with SAE standard or recommended practice
	Passenger cars, multipurpose passenger vehicles, trucks, and buses	Trailers	Motorcycles	
Headlamps	2 white, 7-inch, Type 2 headlamp units; or 2 white, 5¾-inch, Type 1 headlamp units and 2 white, 5¾-inch, Type 2 headlamp units.			J580a, June 1966, and J579a, August 1965.
			1 white	J584, April 1964.
Taillamps	2 red	2 red	1 red	J585c, June 1966.
Stoplamps	2 red to amber	2 red to amber	1 red to amber	J586b, June 1966.
License plate lamp	1 white	1 white	1 white	J587b, April 1964.
Parkinglamps	2 amber			J592b, April 1964.
Reflex reflectors	4 Class A red; 2 Class A amber.	4 Class A red; 2 Class A amber.	3 Class B red; 2 Class B amber.	J594c, February 1965.
Side-marker lamps	2 red; 2 amber	2 red; 2 amber		J592b, April 1964.
Backup lamp	1 white			J593b, May 1966.
Turn-signal lamps	2 Class A red to amber; 2 Class A amber.	2 Class A red to amber.		J588d, June 1966.
Turn-signal operating unit	1			J589, April 1964.
Turn-signal flasher	1			J590b, October 1965.
Vehicular hazard warning signal operating unit	1			J910, January 1966.
Vehicular hazard warning signal flasher	1			J945, February 1966.

TABLE II—EQUIPMENT LOCATION

Column 1	Column 2	Column 3	Column 4
Item	Location on—		Height above road surface measured from center of item on unloaded vehicle
	Passenger cars, multipurpose passenger vehicles, trucks, trailers, and buses	Motorcycles	
Headlamps	Type 1 headlamps at the same height, 1 on each side of the vertical centerline; Type 2 headlamps at the same height, 1 on each side of the vertical centerline, as far apart as practicable.	On front centerline, except that, if two lamps are used, they may be symmetrically disposed about the front centerline.	Not less than 24 inches, nor more than 54 inches.
Taillamps	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	On rear centerline, except that, if two lamps are used, they may be symmetrically disposed about the rear centerline.	Not less than 15 inches, nor more than 72 inches.
Stoplamps	On the rear, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.	On rear centerline, except that, if two lamps are used, they may be symmetrically disposed about the rear centerline.	Not less than 15 inches, nor more than 72 inches.
License plate lamp	At rear license plate	At rear license plate	
Parkinglamp	On front, 1 on each side of the vertical centerline, at the same level, and as far apart as practicable.		Not less than 15 inches nor more than 72 inches.
Reflex reflectors	2 red—on rear, 1 on each side of the vertical centerline, as far apart as practicable and at the same level. 2 red—1 on each side as far aft as practicable. 2 amber—1 on each side as far forward as practicable.	1 red on rear centerline, except that, if two reflectors are used on the rear, they may be symmetrically disposed about the centerline. 2 red—1 on each side, as far aft as practicable. 2 amber—1 on each side as far forward as practicable.	Not less than 15 inches nor more than 60 inches.
Backup lamp	On rear, so that it is visible to pedestrians that are 6 feet or less in height from each position in the area to the rear of the vehicle, and from each position on either side of that rear area, that is 5 feet or less from the vehicle.		

TABLE II—EQUIPMENT LOCATION—Continued

Column 1	Column 2	Column 3	Column 4
Item	Location on—		Height above road surface measured from center of item on unloaded vehicle
	Passenger cars, multipurpose passenger vehicles, trucks, trailers, and buses	Motorcycles	
Turn-signal lamps...	At or near the front: 1 amber on each side of the vertical centerline, at the same level, and as far apart as practicable. On rear: 1 red to amber on each side of the vertical centerline, at the same level, and as far apart as practicable.	.....	Not less than 15 inches.
Side marker lamps...	On each side: 1 red lamp as far to the rear as practicable and 1 amber lamp as far forward as practicable.	.....	Not less than 15 inches.

Effective dates. It is anticipated that these amendments to § 255.21 will become effective January 1, 1968.

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