

FEDERAL REGISTER

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Agencies in this issue—

Agency for International Development
Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commodity Exchange Authority
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Register Administrative
Committee
Federal Trade Commission
Food and Drug Administration
Foreign Assets Control Office
General Services Administration
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List of CFR Parts Affected

(Codification Guide)

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

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

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Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register APPENDIX B—LISTS OF ACTS REQUIRING PUBLICATION IN THE FEDERAL REGISTER

Appendix B is amended by adding thereto the list of acts enacted in 1966 requiring or authorizing the publication of documents in the FEDERAL REGISTER, as follows:

1966

Indian Lands (Certain Pueblos).....	80 Stat. 30; (No. U.S.C.).
Cape Lookout National Seashore.....	80 Stat. 35; 16 U.S.C. 459g-2.
Corporation Taxes.....	80 Stat. 112, 113; 26 U.S.C. 1375 note.
Mount Rogers Recreation Area.....	80 Stat. 190; 16 U.S.C. 460r-1.
Fort Union Trading Post Historic Site.....	80 Stat. 211; 16 U.S.C. 461 note.
Publication and Incorporation by reference in the FEDERAL REGISTER.....	80 Stat. 250; 5 U.S.C. 1002.
Quality grading of Tires.....	80 Stat. 729; 15 U.S.C. 1423.
Mining exploration tax treatment.....	80 Stat. 759; 26 U.S.C. 617.
Mining Health and Safety Standards.....	80 Stat. 774; 30 U.S.C. 725.
Foreign Scientific Instruments.....	80 Stat. 900; 19 U.S.C. 1202, Schedule 8, Part 4, headnote 6.
Bighorn Canyon National Recreation Area.....	80 Stat. 913; 16 U.S.C. 460t.
Guadalupe Mountains National Park.....	80 Stat. 920; 16 U.S.C. 283b.
Pictured Rocks National Lakeshore.....	80 Stat. 922; 16 U.S.C. 460s-1, 460s-2.
Conservation of Fish and Wildlife.....	80 Stat. 926; 16 U.S.C. 668aa.
Department of Transportation.....	80 Stat. 950; 49 U.S.C. 1651 note.
Presidential Determination of Foreign Aid.....	80 Stat. 1021; 22 U.S.C. 2370 note.
International Education Agreements.....	80 Stat. 1068; 20 U.S.C. 1174.
Indiana Dunes National Lakeshore.....	80 Stat. 1309; 16 U.S.C. 460u-2.
Tariff schedules for watches.....	80 Stat. 1522; 19 U.S.C. 1202, Schedule 7, Part 2, subpart E, headnote 6.
Presidential Determination of Foreign Aid.....	80 Stat. 1527; 7 U.S.C. 1703.

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3114 is amended to show that 40 positions in Alaska whose function is to aid in carrying out U.S. participation in the Alaska Purchase centennial celebration are excepted under Schedule A until December 31, 1967. Effective on publication in the FEDERAL REGISTER, subparagraph (3) is added to paragraph (1) of § 213.3114 as set out below.

§ 213.3114 Department of Commerce.

(1) Office of the Assistant Secretary for Domestic and International Business. * * *

(3) Until December 31, 1967, 40 positions in Alaska whose function is to aid in carrying out U.S. participation in the Alaska Purchase centennial celebration, as follows: 1 Exposition Officer GS-14; 2 Deputy Exposition Officers GS-13; 9 Guide-Demonstrators GS-6; 9 Building Guards GS-3 and GS-4; 1 Fiscal and Property Officer GS-9; 1 Secretary GS-6; 1 Information Clerk GS-5; and 10 Cleaners, 5 Projectionists, and 1 Electrician to be paid at prevailing rates un-

der the wage board system. The 24 positions under the General Schedule may be established at lower grade levels than those indicated as required.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-58 Comp., p. 218)

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

[F.R. Doc. 67-2760; Filed, Mar. 13, 1967;
8:48 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 3]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements and Quotas for 1967

Basis and purpose and statement of bases and considerations. The purpose of this amendment to Sugar Regulation 811 (31 F.R. 15581, 32 F.R. 2609, 3085) is to revise the determination of sugar requirements for the calendar

year 1967, establish quotas, prorations, and direct-consumption limits consistent with such requirements, and to permit the importation of an additional 50,000 short tons, raw value, of sugar during the second quarter of 1967 pursuant to the Sugar Act of 1948, as amended, hereinafter referred to as the "Act".

Section 201 of the Act directs the Secretary to revise the determination of sugar requirements at such times during the calendar year as he deems necessary.

The spot price of domestic raw sugar at the beginning of this year was 7.10 cents per pound and was 7.22 cents per pound on March 2. In the development of this amendment, consideration has been given to the need to make more sugar available to refiners north of Cape Hatteras during the second quarter and to the desirability of attaining fairly stable prices that will carry out over the long term the price objectives set forth in the Act.

Accordingly, total sugar requirements for the calendar year 1967 are hereby increased by 100,000 short tons, raw value, to a total of 10,400,000 short tons, raw value.

The limitation on total raw sugar imports from foreign countries during the second quarter of 1967 is increased 50,000 tons to 1,150,000 short tons, raw value.

Pursuant to section 202(a)(2)(B) of the Act, the quota for Hawaii has been reduced by 341 short tons, raw value, on the basis of final 1966 crop production data.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.50, 811.51, and 811.53 as follows:

1. Section 811.50 is amended to read as follows:

§ 811.50 Sugar requirements, 1967.

The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1967 is hereby determined to be 10,400,000 short tons, raw value.

2. Section 811.51 is amended by amending paragraph (a) to read as follows:

§ 811.51 Quotas for domestic areas.

(a) For the calendar year 1967 domestic area quotas limiting the quantities of sugar which may be brought into or marketed for consumption in the continental United States are established, pursuant to section 202(a) of the Act, in Column (1) and the amounts of such quotas for offshore areas that may be filled by direct-consumption sugar are established, pursuant to section 207 of the Act, in Column (2) as follows:

Area	Quotas	Direct-consumption limits
	(1)	(2)
	(Short tons, raw value)	
Domestic beet sugar	3,025,000	(1)
Mainland cane sugar	1,100,000	(1)
Hawaii	1,252,543	35,568
Puerto Rico	1,140,000	156,000
Virgin Islands	15,000	0

¹ No limit.

3. Section 811.53 is amended in the following manner: Paragraphs (b) and (c) thereof are amended to read as follows; and paragraph (d) thereof is amended by amending subparagraph (1), subdivision (ii) of subparagraph (2), subdivision (i) of subparagraph (4) and by adding a new subdivision (vi) to subparagraph (4) to read as follows:

§ 811.53 Quotas for foreign countries.

(b) For the calendar year 1967 the quota for the Republic of the Philippines is 1,126,020 short tons, raw value, and the quantity of such quota that may be filled by direct-consumption sugar is 59,920 short tons, raw value.

(c) For the calendar year 1967, the prorations or allocations to individual foreign countries other than the Republic of the Philippines pursuant to section 202(c) (3) and (4) and section 202(d) of the Act are as follows:

Country	Basic quotas	Temporary quotas and prorations pursuant to sec. 202(d) ¹	Total quotas and prorations
	(Short tons, raw value)		
Mexico	211,499	222,079	433,578
Dominican Republic	206,848	217,194	424,042
Brazil	206,848	217,194	424,042
Peru	164,986	173,239	338,225
British West Indies	82,630	73,448	156,078
Ecuador	30,097	31,602	61,699
French West Indies	25,903	23,104	49,007
Argentina	25,446	26,718	52,164
Costa Rica	24,351	27,028	51,379
Nicaragua	24,351	27,028	51,379
Colombia	21,889	22,983	44,872
Guatemala	20,521	22,777	43,298
Panama	15,322	16,088	31,410
El Salvador	15,049	16,708	31,757
Haiti	11,492	12,096	23,588
Venezuela	10,397	10,916	21,313
British Honduras	6,019	6,351	11,370
Bolivia	2,402	2,686	5,088
Australia	98,409	87,000	185,409
Republic of China	41,041	30,250	71,291
India	39,400	34,800	74,200
South Africa	29,003	25,616	54,619
Fiji Islands	21,615	19,092	40,707
Thailand	9,029	7,975	17,004
Mauritius	9,029	7,975	17,004
Malagasy Republic	4,651	4,108	8,759
Swaziland	3,557	3,142	6,699
Ireland	5,351		5,351
Total	1,367,375	1,374,062	2,741,437

¹ Proration of the quotas withheld from Cuba and Southern Rhodesia and the proration of the Honduras quota to Central American Common Market countries.

(d) (1) Of the total quotas and prorations for foreign countries established in paragraphs (b) and (c) of this section, only 2,050,000 short tons, raw value, of raw sugar may be authorized for importation from all such foreign countries

in accordance with Part 817 of this chapter during the first 6 months of 1967, and of such 2,050,000 short tons, raw value, 900,000 short tons, raw value, may be authorized for importation during the first quarter of the year.

(2) * * *
(i) Applications for the importation of sugar during the first quarter received on or before December 19, 1966, will be considered as having been received at the same time. Applications for the importation of sugar during the second quarter received on or before January 13, 1967, will be considered as having been received at the same time. Applications for the importation during the second quarter of 100,000 short tons, raw value of sugar representing an addition to the initial limitation of 1 million short tons, raw value, received on or before February 27, 1967, will be considered as having been received at the same time. Applications for the importation during the second quarter of 50,000 short tons, raw value, of sugar representing an addition to previous limitations of 1,100,000 short tons, raw value, received on or before March 13, 1967, will be considered as having been received at the same time.

(3) * * *
(4) (i) Allocations of second quarter importations among countries will be made in the following manner within the limits of applications received. Allocation among countries of the initial limitation of 1 million short tons, raw value, shall be made as provided in subdivisions (ii), (iii), and (iv) of this subparagraph. Allocation among countries of 100,000 short tons, raw value, representing an addition to the initial limitation of 1 million short tons, raw value, shall be made as provided in subdivision (v) of this subparagraph. Allocation among countries of 50,000 short tons, raw value, representing an addition to previous limitations of 1,100,000 short tons, raw value, shall be made as provided in subdivision (vi) of this subparagraph.

(vi) The 50,000 short tons, raw value, shall be prorated among countries for which applications for importation have been made, on the basis of first half importations from such countries as set forth in subparagraph (5) of this paragraph.

(Secs. 201, 202, 207, and 403; 61 Stat. 923 as amended, 924 as amended, 927 as amended and 932 as amended; 7 U.S.C. 1111, 1112, 1117, and 1153)

Effective date. This action increases quotas for the calendar year by 100,000 tons and raises the limitation on second quarter imports from foreign countries by 50,000 tons. In order to promote orderly marketing, it is essential that all persons selling and purchasing sugar for consumption in the continental United States be able as soon as possible to make plans based on changes in the marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure and 30-day effective date requirements in 5 U.S.C. 553 is unnecessary, impracticable, and

contrary to the public interest and this amendment shall become effective when filed for public inspection in the Office of the Federal Register.

Signed at Washington, D.C., this 9th day of March 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-2796; Filed, Mar. 10, 1967; 9:50 a.m.]

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

[Milk Order 134]

PART 1134—MILK IN WESTERN COLORADO 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 Western Colorado marketing area (7 CFR Part 1134), 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 months of February, March, and April 1967.

In § 1134.12(b) (1) the provisions: "For at least 5 days", and "without limit during the other days of such month," relating to the diversion of milk for the account of a cooperative association.

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 will enable a cooperative association to maintain producer status under the order for its membership, pending a hearing to consider an amendment to the provision in view of changed marketing conditions.

The suspension is needed because handlers are now receiving milk on fewer days of the month than heretofore, and the cooperative association anticipates a greater need to divert large amounts of milk during this period. Without the suspension, continued producer status cannot be assured during this period for all dairy farmers who have been supplying the market. The inability of the cooperative association to maintain producer status for its membership would create disorderly marketing conditions and impede the efficient handling of reserve supplies of milk for the market.

(4) Interested parties were afforded opportunity to file written data, views, or arguments concerning this suspension (32 F.R. 3469). None was filed in opposition.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the months of February, March, and April 1967.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on March 8, 1967.

JOHN A. SCHNITTKER,
Acting Secretary.

[P.R. Doc. 67-2750; Filed, Mar. 13, 1967;
8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1174]

PART 13—PROHIBITED TRADE PRACTICES

Framingham Fur Storage & Mfg. Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.73 *Formal regulatory and statutory requirements*. 13.73-10 *Fur Products Labeling Act*. § 13.155 *Prices*. 13.155-70 *Percentage savings*. 13.155-100 *Usual as reduced, special, etc.* § 13.235 *Source or origin*. 13.235-50 *Maker or seller, etc.* 13.235-50(a) *Fur Products Labeling Act*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*. 13.1108-45 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*. 13.1845-30 *Fur Products Labeling Act*. § 13.1852 *Formal regulatory and statutory requirements*. 13.1852-35 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Framingham Fur Storage & Mfg. Corp., trading as C. F. Carlson Co. et al., Framingham, Mass., Docket C-1174, Feb. 27, 1967]

In the Matter of Framingham Fur Storage & Mfg. Corp., a Corporation, Trading as C. F. Carlson Co., and William Hibel, Individually and as an Officer of Said Corporation

Consent order requiring a Framingham, Mass., manufacturing and retailing furrier to cease falsely invoicing and advertising its fur products.

The order to cease and desist, including further order requiring of compliance therewith, is as follows:

It is ordered, That respondents Framingham Fur Storage & Mfg. Corp., a corporation, trading as C. F. Carlson Co. or any other name, and its officers, and William Hibel, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with

the introduction or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth on an invoice pertaining to such fur product any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb."

5. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

6. Failing to set forth separately information required under section 5(b)(1) of the Fur Products Labeling Act and rules and regulations promulgated thereunder with respect to each section of such fur product composed of two or more sections containing different animal furs.

7. Misrepresenting, directly or by implication, on invoices that their fur products are being offered for sale and sold at factory prices.

8. Misrepresenting, directly or by implication, on invoices, that their fur products are being offered for sale and sold at prices which are less than wholesale.

9. Misrepresenting in any manner the savings available to purchasers of respondents' fur products.

B. Falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Represents, directly or by implication, that respondents manufactured such fur product when such fur product was manufactured by another person.

2. Misrepresents, directly or by implication, that such fur product is being offered for sale and sold at the factory price.

3. Misrepresents, directly or by implication, that such fur product is being offered for sale and sold at a price which is less than wholesale.

4. Misrepresents in any manner the savings available to purchasers of such fur product.

5. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb."

6. Fails to set forth the term "natural" as part of the information required to be disclosed in advertising under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

C. Failing to maintain full and adequate records disclosing the facts upon which pricing claims and representations of the types described in subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act, are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: February 27, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 67-2736; Filed, Mar. 13, 1967;
8:46 a.m.]

[Docket No. C-1176]

PART 13—PROHIBITED TRADE PRACTICES

Rosin-Starr, Inc., and Herman Wizner

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*. 13.30-30 *Fur Products Labeling Act*. § 13.73 *Formal regulatory and statutory requirements*. 13.73-10 *Fur Products Labeling Act*. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*. 13.1108-45 *Fur Products Labeling Act*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*. 13.1185-30 *Fur Products Labeling Act*. § 13.1212 *Formal regulatory and statutory requirements*. 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*. 13.1845-30 *Fur Products Labeling Act*. § 13.1852 *Formal regulatory and statutory requirements*. 13.1852-35 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Rosin-Starr, Inc., et al., Chicago, Ill., Docket C-1176, Feb. 20, 1967]

In the Matter of Rosin-Starr, Inc., a Corporation, and Herman Wizner, individually and as an Officer of Said Corporation

Consent order requiring a Chicago, Ill., manufacturing and retailing furrier to cease misbranding, falsely advertising, and deceptively invoicing its fur products.

The order to cease and desist, including further order requiring of compliance therewith, is as follows:

It is ordered, That respondents Rosin-Starr, Inc., a corporation, and its officers, and Herman Wizner, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Setting forth conflicting information on a label affixed to such fur product.

2. Falsely or deceptively labeling or otherwise identifying such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

4. Failing to set forth the term "Dyed Broadtail-processed Lamb" on a label in the manner required where an election is made to use that term in lieu of the term "Dyed Lamb."

5. Failing to set forth the term "natural" as part of the information required to be disclosed on a label under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

6. Failing to set forth separately on a label attached to such fur product composed of two or more sections containing different animal fur the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder with respect to the fur comprising each section.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth on an invoice pertaining to such fur product the name or names of any animal or animals other than the name of the animal producing the fur contained in the fur product as specified in the Fur Products Name Guide, and as prescribed by the rules and regulations.

3. Setting forth on an invoice pertaining to such fur product any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

4. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb."

5. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe such product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

6. Failing to set forth on an invoice the item number or mark assigned to such fur product.

C. Falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb."

3. Fails to set forth the term "natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe any fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Fails to set forth all parts of the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in type of equal size and conspicuousness and in close proximity with each other.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: February 20, 1967.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[P.R. Doc. 67-2737; Filed, Mar. 13, 1967; 8:46 a.m.]

[Docket No. C-1175]

PART 13—PROHIBITED TRADE PRACTICES

Wasserman & Lavine, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.73 *Formal regulatory and statutory requirements*. 13.73-10 Fur Products Labeling Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*. 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*. 13.1185-30 Fur Products Labeling Act. § 13.1212 *Formal regulatory and statutory requirements*. 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*. 13.1845-30 Fur Products Labeling Act. § 13.1852 *Formal regulatory and statutory requirements*. 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 60f) [Cease and desist order, Wasserman & Lavine, Inc., et al., New York, N.Y., Docket C-1175, Feb. 20, 1967]

In the Matter of Wasserman & Lavine, Inc., a Corporation and David Wasserman and Paul Lavine, Individually and as Officers of Said Corporation

Consent order requiring a New York City manufacturing furrier to cease misbranding, falsely invoicing, and deceptively advertising its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Wasserman & Lavine, Inc., a corporation, and its officers, and David Wasserman and Paul Lavine, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

1. Falsely or deceptively labeling or otherwise identifying such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

2. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

3. Failing to set forth the term "natural" as part of the information required to be disclosed on a label under the Fur

Products Labeling Act and the rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on a label affixed to such fur product.

5. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on a label in the sequence required by Rule 30 of the aforesaid rules and regulations.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b) (1) of the Fur Products Labeling Act.

2. Setting forth on an invoice pertaining to such fur product any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb."

4. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe such fur product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

C. Falsely or deceptively advertising any fur product through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: February 20, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-2738; Filed, Mar. 13, 1967; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-74]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duties; Sugar Content of Certain Articles from Australia

The following information is published pursuant to T.D. 54582 dated April 29, 1958 (23 F.R. 3034).

The Treasury Department is in receipt of official information that the rates of bounties or grants paid or bestowed by the Australian Government within the meaning of section 303, Tariff Act of 1930 (19 U.S.C. 1303), on the exportation during the last 6 months of 1966 of approved fruit products and other approved products containing sugar are the amounts set forth in the following table:

MERCHANDISE—APPROVED FRUIT PRODUCTS AND OTHER APPROVED PRODUCTS

	Net amount of bounty per 2,240 lbs. of sugar content
1966:	
July	Aus\$96.90
August	92.90
September	96.90
October	100.50
November	99.90
December	101.00

The net amounts of bounties or grants on the above-described commodities which are manufactured or produced in Australia are hereby ascertained, determined, and declared to be the amounts set forth in the above table. Additional duties on the above-described commodities, except those commodities covered by T.D. 55716 (27 F.R. 9595), whether imported directly or indirectly from that country, equal to the appropriate net amount of the bounty shown in the above table shall be assessed and collected.

The table in § 16.24(f) of the Customs Regulations is amended by inserting after the last line under "Australia—Sugar content of certain articles" the number of this Treasury decision in the column headed "Treasury Decision" and the words "New rates" in the column headed "Action." Since it has been determined that the retention of references to Treasury decisions publishing countervailing duty orders for a longer period than 1 year serves no real need (T.D. 56258, 29 F.R. 12961), the table is further amended by deleting therefrom under "Australia—Sugar content of certain articles" the number 66-33 in the column headed "Treasury Decision" and the words "New rates" appearing opposite such number in column headed "Action."

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624)

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

Approved: March 6, 1967.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-2764; Filed, Mar. 13, 1967; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

POLOXALENE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by A. E. Staley Manufacturing Co., 2200 East Eldorado Street, Decatur, Ill. 62521, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of poloxalene as a component of molasses blocks for cattle for the prevention of legume (alfalfa, clover) bloat. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended by adding to Subpart C a new section, as follows:

§ 121.295 Poloxalene.

The food additive poloxalene may be safely used in accordance with the following prescribed conditions:

(a) It is used or intended for use as a component of molasses blocks when incorporated therein at a level of 6.6 percent by weight.

(b) It is used for the prevention of legume (alfalfa, clover) bloat in cattle and is to be fed to cattle at the rate of 0.8 ounce of block per 100 pounds of body weight per day.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in triplicate. Objections shall show where in the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported

by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

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

Dated: March 7, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-2777; Filed, Mar. 13, 1967;
8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

POLYSORBATE 80

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 5H1743) filed by Atlas Chemical Industries, Inc., Wilmington, Del. 19899, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of polysorbate 80 as an adjuvant added to herbicide use and plant-growth regulator use dilutions by a grower or applicator prior to application of such dilutions to the growing crop. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.1009 is amended in the following respects:

§ 121.1009 Polysorbate 80.

(c) * * *

(12) As an adjuvant added to herbicide use and plant-growth regulator use dilutions by a grower or applicator prior to application of such dilutions to the growing crop. Residues resulting from such use are exempt from the requirement of a tolerance. When so used or intended for use, the additive shall be exempt from the requirements of paragraph (d)(1) of this section.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted

if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

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

Dated: March 7, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-2778; Filed, Mar. 13, 1967;
8:49 a.m.]

SUBCHAPTER E—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS OTHER THAN THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

PART 281—ENFORCEMENT OF THE TEA IMPORTATION ACT

Tea Standards 1967-68

Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Tea Importation Act (secs. 2, 10, 29 Stat. 607, 41 Stat. 712, 57 Stat. 500; 21 U.S.C. 42, 50), and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.120), the regulations for the enforcement of this act (21 CFR Part 281) are amended by changing § 281.19(a) to read as follows:

§ 281.19 Tea standards.

(a) Samples for standards of the following teas, prepared, identified, and submitted by the Board of Tea Experts on February 8, 1967, are hereby fixed and established as the standards of purity, quality, and fitness for consumption under the Tea Importation Act for the year beginning May 1, 1967, and ending April 30, 1968:

- (1) Formosa oolong.
- (2) Ceylon-India, Indonesia black (all black tea except Formosa and Japan black and congou type).
- (3) Formosa black (Formosa black, congou type, and Japan black).
- (4) Japan green.
- (5) Canton type (all Canton type teas including scented Canton and Canton oolong types).

These standards apply to tea shipped from abroad on or after May 1, 1967. Tea shipped prior to May 1, 1967, will be governed by the standards that became effective May 1, 1966 (31 F.R. 5071).

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment is based upon the recommendation of the Board of Tea Experts, which is comprised of tea experts drawn from the Food and Drug Administration and the tea trade, so as to be representative of the trade as a whole.

Effective date. This order shall become effective May 1, 1967.

(Secs. 2, 10, 29 Stat. 607, 41 Stat. 712, 57 Stat. 500; 21 U.S.C. 42, 50)

Dated: March 7, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-2779; Filed, Mar. 13, 1967;
8:50 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER D—CLAIMS AND STOLEN PROPERTY

[Dept. Reg. 108.549]

PART 31—ADMINISTRATIVE SETTLEMENT OF TORT CLAIMS AND CERTAIN PROPERTY DAMAGE CLAIMS

In Part 31, §§ 31.1 through 31.15 are revised and the numbering of Subpart D is changed from §§ 31.16 through 31.20 to §§ 31.19 through 31.23. As revised, Part 31 reads as follows.

- Sec.
- 31.1 Purpose.
 - 31.2 Delegation of authority.
- Subpart A—General Provisions**
- 31.3 Definitions.
 - 31.4 Action by claimant.
 - 31.5 Penalties.
 - 31.6 Investigation of claims.
 - 31.7 Determination of claims.
 - 31.8 Adjustment or settlement of claims.
 - 31.9 Payment of claims.
 - 31.10 Final denial of claim.

Subpart B—Federal Tort Claims Act

- 31.11 General.
- 31.12 Allowable claims.
- 31.13 Claims not allowable.
- 31.14 Limitations.
- 31.15 Acceptance of award or settlement by claimant.
- 31.16 Attorneys' fees.
- 31.17 Effective date.

Subpart C—Act of August 1, 1956

- 31.18 General.

Subpart D—Act of June 19, 1939

- 31.19 General.
- 31.20 Exclusion.
- 31.21 Limitations.
- 31.22 Action by claimant.
- 31.23 Payment of claim.

AUTHORITY: The provisions of this Part 31 issued under 49 Stat. 906, as amended, sec. 1, 62 Stat. 983, as amended, sec. 4, 63 Stat. 111, as amended, sec. 2, 70 Stat. 890, sec. 1(a), 80 Stat. 306; 22 U.S.C. 277e, 28 U.S.C. 2672, 5 U.S.C. 151c, 170g; 28 CFR 14.11.

§ 31.1 Purpose.

The purpose of this part is to establish and provide a procedure for the preparation and submission of claims for personal injury, death, and property loss or damage capable of administrative settlement under the Federal Tort Claims Act (28 U.S.C. 2672), as amended and the act of August 1, 1956 (5 U.S.C. 170g), and claims for property loss or damage cognizable under the act of June 19, 1939 (22 U.S.C. 277e), and to authorize certain officers of the Department of State and of the U.S. Section,

International Boundary and Water Commission, United States and Mexico, to consider, ascertain, adjust, determine, and settle such claims.

§ 31.2 Delegation of authority.

The Legal Adviser and the Deputy Legal Advisers are authorized to consider, ascertain, adjust, determine, and settle claims capable of administrative settlement under the Federal Tort Claims Act and the act of August 1, 1956, except claims arising out of activities of the Commission. Awards in excess of \$25,000 require approval by the Attorney General or his designee. Chiefs of mission and principal officers of fiscal reporting posts are authorized to consider, ascertain, adjust, determine, and settle claims in an amount of \$1,000 or less which are capable of administrative settlement under the act of August 1, 1956, arising out of the activities of their respective establishments. The Commissioner is authorized to consider, ascertain, adjust, determine, and settle claims cognizable under the Federal Tort Claims Act and the act of June 19, 1939, arising out of activities of the Commission.

Subpart A—General Provisions

§ 31.3 Definitions.

As used in this part, the term:

- (a) "Secretary" means the Secretary of State.
- (b) "Department" means the Department of State, its offices, bureaus, and divisions and its Foreign Service establishments abroad. It does not include any contractor with the United States.
- (c) "Commission" means the U.S. Section, International Boundary and Water Commission, United States and Mexico.
- (d) "Legal Adviser" means the Legal Adviser of the Department of State.
- (e) "Deputy Legal Advisers" means the Deputy Legal Advisers of the Department of State.
- (f) "Chiefs of mission" means principal officers appointed by the President, by and with the advice and consent of the Senate, in charge of embassies or legations of the United States.
- (g) "Principal officers of fiscal reporting posts" means principal officers in charge of embassies, legations, or other diplomatic missions, or of a consulate general or consulate of the United States, which are designated fiscal reporting posts by the Department of State.
- (h) "Commissioner" means the U.S. Commissioner, International Boundary and Water Commission, United States and Mexico.
- (i) "Employee" includes any officer or employee of the Department or the Commission, or any person acting on behalf of the Department or the Commission in an official capacity, temporarily or permanently in the service of the Department or the Commission, whether with or without compensation. It does not include the employee of a contractor with the United States.

§ 31.4 Action by claimant.

- (a) *Claimant.* Claims for property loss or damage may be filed by the owner of the property, his duly author-

ized agent or legal representative, or survivors. A claim for loss wholly compensated by an insurer with the rights of a subrogee may be presented by the insurer. A claim for loss partially compensated by an insurer with the rights of a subrogee may be presented by the parties individually as their respective interests appear, or jointly. Claims for personal injury may be filed by the injured person, his duly authorized agent or legal representative. Claims for death may be filed by the executor or administrator of the decedent's estate, or by any other person legally or beneficially entitled to assert such a claim in accordance with applicable local law governing the rights of survivors. When filed by an agent or legal representative, the claim must be presented in the name of the real claimant, be signed by the agent or legal representative, show the title or legal capacity of the person signing and be accompanied by evidence of his authority to present a claim on behalf of the claimant as agent, legal representative, executor, administrator, parent, guardian, or other legal representative.

(b) *Form of claim.* Claims arising in the United States and in the Territories and possessions of the United States should be prepared, in duplicate, on the standard form, "Claim for Damage or Injury," promulgated by the Bureau of the Budget. Copies of this form will be furnished upon a request to the Department or the Commission, as the case may be. All information requested therein should be given in detail. It is especially important that the amount claimed for property damage and for personal injury be indicated in the spaces provided. Claims arising in foreign countries should be prepared in form of a sworn statement and submitted in duplicate. The original copy of the claim should be sworn to or affirmed before an official with authority to administer oaths or affirmations and should contain the following information, at least: (1) The name and address of the claimant; (2) the amount claimed for injury or death and for property loss or damage; (3) if property was lost or damaged, the amount paid or payable by the insurer and the name of the insurer; (4) the facts and circumstances in detail giving rise to the claim including the date, place and time of the accident or incident; (5) if property was involved, a description of the same and of the nature and extent of the damage and of the cost of repair or replacement; (6) if personal injury was involved, the nature of the injury, the cost of medical services and time and income lost from incapacitation; (7) if death is involved, the names and ages of the claimants and their relationship to the decedent; (8) the name of the employee of the United States who is alleged to be responsible for the accident or incident and the name and address of the Foreign Service establishment by whom he is or was employed; (9) the names and addresses of any witnesses to the accident or incident; and (10) if desired, the law applicable to the claim.

(c) *Place of filing claim.* Claims should be submitted directly to the office,

bureau, division, or Foreign Service establishment of the Department, or of the Commission, out of whose activities the accident or incident occurred, if known; or, if not known, to the Legal Adviser, Department of State, Washington, D.C. 20520.

(d) *Evidence and information to be submitted by claimant—(1) General.* The amount claimed on account of damage to or loss of property or on account of personal injury or death should, so far as possible, be substantiated by competent evidence. Supporting statements, estimates and the like should, if possible, be obtained from disinterested parties. All evidence should be submitted in duplicate. Original evidence or certified copies should be attached to the original copy of the claim, and simple copies should be attached to the other copy of the claim. All documents in other than the English language should be accompanied by English translations.

(2) *Death.* In support of a claim based on death, the claimant should submit the following evidence or information to the extent necessary to substantiate the elements of the claim:

- (i) An authenticated death certificate or other competent evidence showing cause of death, date of death, and age of the decedent.
- (ii) Decedent's employment or occupation at time of death, including his monthly or yearly salary or earnings (if any), and duration of his last employment or occupation.
- (iii) Full names, addresses, birth dates, kinship, and marital status of the decedent's survivors, including identification of those survivors who were dependent for support upon the decedent at the time of his death.
- (iv) Degree of support afforded by the decedent to each survivor dependent upon him for support at the time of his death.
- (v) Decedent's general physical and mental condition before death.
- (vi) Itemized bills for medical and burial expenses incurred by reason of the incident causing death, or itemized receipts of payment for such expenses.
- (vii) If damages for pain and suffering prior to death are claimed, a physician's detailed statement specifying the injuries suffered, duration of pain and suffering, any drugs administered for pain, and the decedent's physical condition in the interval between injury and death.
- (viii) Any other evidence or information which may have a bearing on either the responsibility of the United States for the death or the damages claimed.

(3) *Personal injury.* In support of a claim for personal injury, including pain and suffering, the claimant should submit the following evidence or information to the extent necessary to establish the elements of the claim.

(4) A written report by his attending physician or dentist setting forth the nature and extent of the injury, nature and extent of treatment, any degree of temporary or permanent disability, the prognosis, period of hospitalization, and any diminished earning capacity. In addi-

tion, the claimant may be required to submit to a physical or mental examination by a physician employed by the Department or another Federal agency. A copy of the report of the examining physician shall be made available to the claimant upon the claimant's written request provided that he has, upon request, furnished the report referred to in the first sentence of this subparagraph and has made or agrees to make available to the Department any other physician's reports previously or thereafter made of the physical or mental condition which is the subject matter of his claim.

(ii) Itemized bills for medical, dental, and hospital expenses incurred, or itemized receipts of payment for such expenses.

(iii) If the prognosis reveals the necessity for future treatment, a statement of expected expenses for such treatment.

(iv) If a claim is made for loss of time from employment, a written statement from his employer showing actual time lost from employment, whether he is a full or part-time employee, and wages or salary actually lost.

(v) If a claim is made for loss of income and the claimant is self-employed, documentary evidence showing the amount of earnings actually lost.

(vi) Any other evidence or information which may have a bearing on either the responsibility of the United States for the personal injury or the damages claimed.

(4) *Damage to personal property.* In support of a claim for damage to, or loss or destruction of personal property, the claimant should submit the following evidence or information to the extent necessary to substantiate the elements of the claim:

(i) Proof of ownership, in cases where doubt exists that claimant was the owner.

(ii) A detailed statement of the amount claimed with respect to each item of property.

(iii) Where the property has been repaired, an itemized receipt, or, where not repaired, itemized estimates of the cost of repairs by two reliable persons who specialize in such work.

(iv) Where the property is not economically repairable, a statement with respect to date of purchase, purchase price and salvage value, accompanied, where doubt exists, by the corroborative statements of two reliable qualified persons.

(v) Any other evidence or information which may have a bearing on either the responsibility of the United States for the damage or loss or the damages claimed.

(5) *Damage to real property.* In support of a claim for damage or destruction of real property, the claimant should submit the following evidence or information to the extent necessary to substantiate the elements of the claim:

(i) Proof of ownership.

(ii) A detailed statement of the amount claimed with respect to each item of the property.

(iii) Where the property has been repaired, an itemized receipt, or, where it has not been repaired, itemized estimates of the cost of repairs by two reliable persons who specialize in such work.

(iv) Where the property is not economically repairable, corroborative statements of two reliable qualified persons with regard to the value of the property before and after the incident and the cost of replacement.

(v) Any other evidence or information which may have a bearing on neither the responsibility of the United States for the damage or the damages claimed.

(6) *Damage to crops.* In support of a claim for damage to crops, the claimant should submit the following evidence or information:

(i) Proof of ownership of the crop.

(ii) An itemized signed statement showing the number of acres or other unit measure of crop damaged, the probable yield per unit, the gross amount which would have been realized from such probable yield, and an estimate of the costs of cultivating, harvesting and marketing the crop; in addition, if the crop is one which need not be planted each year, a statement of the diminution in value of the land beyond the damage to the current year's crop.

(iii) Any other evidence or information which may have a bearing on either the responsibility of the United States for the damage or the damages claimed.

§ 31.5 Penalties.

A person who files a false claim or makes a false or fraudulent statement in a claim against the United States may be liable to a fine of not more than \$10,000 or to imprisonment of not more than 5 years, or both (18 U.S.C. 287, 1001), and, in addition, to a forfeiture of \$2,000 and a penalty of double the loss or damage sustained by the United States (31 U.S.C. 231).

§ 31.6 Investigation of claims.

(a) When a claim is received, the office, bureau, division, or Foreign Service establishment out of whose activities the claim arose shall make such investigation as may be necessary or appropriate for a determination of the validity of the claim and thereafter shall forward the claim, together with all pertinent material, and a recommendation, based on the merits of the case, with regard to allowance or disallowance of the claim, to the Legal Adviser, Deputy Legal Advisers, Commissioner, chief of mission or principal officer of fiscal reporting post, as the case may be.

(b) Pursuant to instructions from the Department, acting at the request of any other federal agency, a Foreign Service establishment shall make such investigations as may be necessary or appropriate for the determination of the validity of the claim arising outside the United States, and thereafter shall forward the claim, together with all pertinent material, and a recommendation regarding allowance or disallowance of the claim, to the Department for transmission to the requesting agency.

§ 31.7 Determination of claims.

Claims will be determined in accordance with the applicable statute and the applicable subpart of this part.

§ 31.8 Adjustment or settlement of claims.

(a) Except on instructions from the Legal Adviser or Deputy Legal Advisers, no claim will be adjusted or settled by a chief of mission, principal officer of a fiscal reporting post if it falls within one of the following categories:

(1) A new precedent or new point of law;

(2) A claim which involves or may involve a question of policy;

(3) A claim in which the United States is or may be entitled to indemnity or contribution from a third party and the claim against the third party has not been settled;

(4) A claim whose adjustment or settlement would, for any reason, control the disposition in a related claim in which the amount to be paid may exceed \$25,000;

(5) A claim in which the United States, an employee, agent or cost-plus contractor is involved in litigation based on a claim arising out of the same transaction.

(b) If a chief of mission or principal officer of a fiscal reporting post considers, after the investigation of the claim has been completed, that the claim falls within one of the categories listed in paragraph (a) of this section, he shall transmit the claim, together with all pertinent material, to the Legal Adviser.

(c) When the Legal Adviser or Deputy Legal Adviser considers that a claim falls within one of the categories listed in paragraph (a) of this section, he shall consult the Department of Justice. Such consultation shall be initiated by a written communication addressed to the Assistant Attorney General, Civil Division, containing (1) a short and concise statement of the facts and of the reasons for the referral, (2) copies of relevant portions of the claim file, and (3) a statement of the recommendations and views of the Department.

(d) The settlement of a claim for an amount in excess of \$25,000 shall not be effected until the Legal Adviser or Deputy Legal Adviser has obtained the written approval of the Department of Justice. Consultations with a view to obtaining such approval shall be initiated as provided in paragraph (c) of this section. For purposes of this paragraph, a principal claim and a derivative or subrogated claim shall be treated as a single claim.

§ 31.9 Payment of claims.

(a) When a claim is approved:

(1) If payment is to be in the amount of \$2,500 or less it will be made out of appropriations available to the Department;

(2) If payment is to be in excess of \$2,500 and not more than \$100,000 it will be obtained by the Department by forwarding Standard Form 1145 to the

Claims Division, General Accounting Office:

(3) If payment is to be in excess of \$100,000 it will be obtained by the Department by forwarding Standard Form 1145 to the Bureau of Accounts, Department of the Treasury, which will be responsible for transmitting the award, compromise, or settlement to the Bureau of the Budget for inclusion in a deficiency appropriation bill.

(b) When the use of Standard Form 1145 is required it shall be executed by the claimant or it shall be accompanied by either a claim settlement agreement or Standard Form 95 executed by the claimant.

(c) If payment is to be in excess of \$25,000, Standard Form 1145 shall be accompanied by evidence that the award has been approved by the Attorney General or his designee.

(d) When the claimant is represented by an attorney, the voucher for payment shall designate both the claimant and his attorney as "payee," and the address of the attorney shall be indicated on the voucher. The check shall be delivered to the attorney.

§ 31.10 Final denial of claim.

Final denial of an administrative claim shall be in writing and sent to the claimant, his attorney, or legal representative by certified or registered mail. Except in the case of claims arising in foreign countries, the notification of final denial shall contain a statement that if the claimant is dissatisfied with the decision, he may file suit in an appropriate U.S. District Court not later than 6 months after the date of mailing of the notification.

Subpart B—Federal Tort Claims Act

§ 31.11 General.

The Federal Tort Claims Act (28 U.S.C. 2672) authorizes the head of each Federal agency, or his designee, to consider, ascertain, adjust, determine, compromise, and settle certain tort claims for money damages against the United States, in accordance with regulations prescribed by the Attorney General. Subpart A of this part is in implementation of the regulations prescribed by the Attorney General.

§ 31.12 Allowable claims.

Tort claims, except those specifically excluded by the Federal Tort Claims Act (28 U.S.C. 2680), are allowable under the act and this subpart for damage to or loss of property and for personal injury or death, caused by the negligent or wrongful act or omission of any employee of the Department or of the Commission, while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable for such damage, loss, injury, or death, in accordance with the law of the place where the act or omission occurred. The size of the payment is not limited by the act. Payments in excess of \$25,000 require the prior written approval of the Attorney General.

§ 31.13 Claims not allowable.

The following claims, among others, are not allowable under the Federal Tort Claims Act and this subpart:

(a) Any claim based upon an act or omission of an employee of the Government, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a Federal agency or an employee of the Government, whether or not the discretion involved be abused.

(b) Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter.

(c) Any claim arising out of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.

(d) Any claim arising in a foreign country. Such claims may be allowable under the act of August 1, 1956. See Subpart C of this part.

§ 31.14 Limitations.

(a) Claims arising under the Federal Tort Claims Act must be presented in writing, within 2 years after accrual.

(b) A suit may not be filed until a claim has been finally denied. If the Department fails to make a final disposition of a claim within 6 months after it is filed, the claim may, at the option of the claimant any time thereafter, be deemed finally denied. If a claim is denied, the claimant may commence action thereon within 6 months from the date of notice of denial. The amount of the suit may not exceed the amount of the claim, except where the increased amount is based upon newly discovered evidence, or upon allegation and proof of intervening facts, relating to the amount of the claim.

§ 31.15 Acceptance of award or settlement by claimant.

The acceptance by the claimant of an award, compromise or settlement is final and conclusive on the claimant, his agent or legal representative and any person on whose behalf or for whose benefit the claim has been presented, and constitutes a complete release of any claim against the United States and against any employee of the Government whose act or omission gave rise to the claim, by reason of the same subject matter.

§ 31.16 Attorneys' fees.

As part of any award or settlement, reasonable attorneys' fees may be allowed out of, but not in addition to, the amount of the award or settlement. Such fees shall not exceed 20 percent of the award or settlement. Any attorney who receives more than the amount allowed may be liable to a fine of not more than \$2,000 or imprisonment of not more than 1 year, or both. Attorneys' fees will be fixed only upon the written request of the claimant or his attorney.

§ 31.17 Effective date.

Subparts A and B shall apply only to claims arising out of acts or omissions occurring on or after January 18, 1967.

Subpart C—Act of August 1, 1956

§ 31.18 General.

The act of August 1, 1956 (5 U.S.C. 170g) authorizes the Secretary of State, when funds are appropriated therefor, to pay tort claims in the manner authorized in the first paragraph of 28 U.S.C. 2672, as amended, when such claims arise in foreign countries in connection with Department of State operations abroad. Consequently, the Federal Tort Claims Act and Subpart B of this part are applicable to claims filed under the act of August 1, 1956, except that no provision has been made in that act for the institution of suit if a claim is denied.

Subpart D—Act of June 19, 1939

§ 31.19 General.

The act of June 19, 1939 (53 Stat. 841; 22 U.S.C. 277e), provides as follows:

The Secretary of State acting through such officers as he may designate, is further authorized to consider, adjust, and pay from funds appropriated for the project, the construction of which resulted in damages, any claim for damages occurring after March 31, 1937, caused to owners of land or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of any project constructed or administered through the American Commission, International Boundary Commission, United States and Mexico, if such claim does not exceed \$1,000 and has been filed with the American Commissioner within 1 year after the damage is alleged to have occurred, and when in the opinion of the American Commissioner such claim is substantiated by a report of a board appointed by the said Commissioner.

This act covers only claims for damages to lands or other private property and not claims for personal injuries. (Decision Comptroller General B-36817, Sept. 28, 1943, unpublished.) To the extent that claims for damages to lands or other private property are based upon negligence, the provisions of this act have been superseded by the Federal Tort Claims Act (28 Comp. Gen. 452, Decision B-61757, Jan. 6, 1947). Hence claims cognizable under the act of June 19, 1939, are limited to claims for damages accruing after March 31, 1937; (a) for damages to lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of any project constructed or administered through the Commissioner; (b) where such claims do not exceed \$1,000; and (c) which claims are not based upon the negligence of any officer or employee of the Government acting within the scope of his employment.

§ 31.20 Exclusion.

Claims which are cognizable under the Federal Tort Claims Act are not cognizable under the act of June 19, 1939.

§ 31.21 Limitations.

The claim will be considered by the Commissioner under this subpart unless filed with him within 1 year after the damage is alleged to have occurred.

§ 31.22 Action by claimant.

The provisions of § 31.4 shall be applicable to claims for damages cognizable under this subpart, except those provisions relating to personal injury or death.

§ 31.23 Payment of claim.

Upon receipt of a claim by the Commissioner, the Commissioner will appoint a board to investigate the facts surrounding the claim and to make its report and recommendations to the Commissioner. The Commissioner will thereupon approve the claim in whole or in part, or disapprove the claim. If the claim is approved in whole or in part, and claimant accepts the settlement tendered by the Commissioner, the claimant will execute a release of his claim in the form prescribed by the Commissioner and will execute a voucher in the sum approved by the Commissioner. The file on the case, including the claim, the findings of the board, the approval of the Commissioner, the release, and the voucher, will thereupon be transmitted by the Commissioner through the Department to the General Accounting Office for settlement.

For the Secretary of State.

IDA RIMESTAD,
Deputy Under Secretary
for Administration.

MARCH 1, 1967.

[F.R. Doc. 67-2747; Filed, Mar. 13, 1967;
8:47 a.m.]

SUBCHAPTER F—NATIONALITY AND PASSPORTS
[Dept. Reg. 108.550]

PART 51—PASSPORTS**Violation of Geographical Limitations**

Part 51, Chapter I, is amended to exclude unauthorized travel to restricted countries or areas as violations of 8 U.S.C. 1185 and/or 18 U.S.C. 1544. Section 51.74 is amended to read as follows:

§ 51.74 Violation of geographical limitations.

Travel to, in or through a restricted country or area without a passport or without a passport specifically validated for such travel is ground for revocation or cancellation of a passport and for denial of an application for a passport or renewal of a passport until such time as the Secretary receives formal assurance and is satisfied that the person will not again travel in violation of the travel restrictions.

Dated: March 6, 1967.

PHILIP B. HEYMANN,
Acting Administrator, Bureau of
Security and Consular Affairs.

[F.R. Doc. 67-2746; Filed, Mar. 13, 1967;
8:47 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 525—RHODESIAN TRANSACTION REGULATIONS

Transactions Involving Copper Products; Correction

In F.R. Doc. 67-2394 appearing on page 3448 in the issue of Thursday, March 2, 1967, the following correction is made: In the schedule following § 525.201(c), the TSUS Reference following the commodity "copper products" which reads "Schedule 6, Part 3" is corrected to read "Schedule 6, Part 2, Subpart C, and Part 3."

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

[F.R. Doc. 67-2765; Filed, Mar. 13, 1967;
8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-34—EMERGENCY PREPAREDNESS PLANNING

Procedures are provided in a new Part 101-34 to establish the supply support position of GSA and actions required by agencies to which this supply support is to be furnished during designated periods of national emergency.

Subchapter E is amended by the addition of new Part 101-34.

Sec.

- 101-34.000 Scope of part.
- 101-34.001 Applicability.
- 101-34.002 Definitions.
- 101-34.003 Handbook, Emergency Supply Support Operations.

Subpart 101-34.1—Preattack Defense Emergency Plans

- 101-34.100 Scope of subpart.
- 101-34.101 General.
- 101-34.102 Prepositioned stocks.
- 101-34.103 Logistics Control Centers.
- 101-34.104 Agency supply requirements.
- 101-34.105 Agency supply liaison.

Subpart 101-34.2—Postattack Defense Emergency Plans [Reserved]

AUTHORITY: The provisions of this Part 101-34 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

§ 101-34.000 Scope of part.

This part provides policies and procedures relating to procurement and supply of personal property and nonpersonal services during periods of national emergency.

§ 101-34.001 Applicability.

The provisions of this part are applicable to all executive agencies. Other Federal agencies are encouraged to conform with the provisions of this part.

§ 101-34.002 Definitions.

As used in this part the following terms have the described meaning:

(a) *Defense Readiness Conditions (DEFCONS)*. Reference to the use of DEFCONS to trigger nonmilitary defense actions is made in OEP Circular 9410.1A. DEFCONS 5 and 4 periods require only normal emergency planning preparations and most civil agencies are not notified when DEFCON 5 is changed to DEFCON 4. This means that primary emphasis is placed on activating emergency preparedness measures for stepped-up readiness during DEFCONS 3, 2, and 1. Although it is recognized that a surprise attack or rapid progression from a DEFCON 4 to an attack warning may not permit the accomplishment of certain of these measures, it should be understood that the availability of communications in the preattack period will permit appropriate instructions to be issued.

(b) *Preattack*. That period between the declaration of a national defense emergency and an attack upon the United States, or between the establishment of DEFCON 3 (or a DEFCON 4 under certain circumstances) and an attack upon the United States. Since certain emergency preparedness actions may not be practical or feasible during the early stages of a national emergency, the term "preattack" is used to indicate that period when the impact of international tension, limited war, or a general war causes supply shortages, resulting in stepped up readiness actions. This period generally conforms to the period between DEFCON 3 and an air raid warning, except in those cases when an agency is required to step up its readiness in DEFCON 4.

(c) *Attack*. That period during which the United States is under attack. Such attack may involve either nuclear or conventional weapons.

(d) *Postattack*. That period following an attack upon the United States.

(e) *Preposition*. The storing of records, reserve supplies, equipment, and other administrative type items at or near a predetermined relocation site.

§ 101-34.003 Handbook, Emergency Supply Support Operations.

Detailed instructions and guidelines to assist agencies in implementing GSA's preparedness plans and programs and coordinating emergency supply operations are included in the GSA Handbook, Emergency Supply Support Operations. This handbook will be issued and maintained by the Commissioner, Federal Supply Service.

Subpart 101-34.1—Preattack Defense Emergency Plans**§ 101-34.100 Scope of subpart.**

This subpart provides policy, procedures, and guidelines relating to the pro-

curement of personal property and non-personal services from GSA during periods of national defense emergency.

§ 101-34.101 General.

Normal procurement and order processing procedures shall be followed during the preattack period to the extent practicable. Where modifications are required because of emergency conditions, agencies will be notified accordingly. Instructions supplementing the provisions of this Subpart 101-34.1 are contained in the GSA Handbook, Emergency Supply Support Operations.

§ 101-34.102 Prepositioned stocks.

(a) *Requirements determination.* The Office of Emergency Planning encourages agencies to preposition essential supplies at their relocation sites as a part of their normal relocation program. Such stockage will assure operating supplies in case of a surprise attack or rapid progression from a DEFCON 4 to an attack warning. It will also allow the necessary time for GSA to evaluate its surviving resources and adapt its distribution system to post-attack operations. Agencies with a relocation program should develop, prior to the preattack period, a listing by Federal stock number of office supplies and equipment and other administrative type items sufficient to take care of the first 30 days of their relocation site operations.

(b) *Shipment from GSA stock.* Requisitions for minimum operating requirements of items stocked by GSA should be submitted to the appropriate GSA regional office prior to the preattack period. Although it is preferable to request shipment before DEFCON 3, agencies may consider it advisable to submit a separate requisition for immediate shipment of items with no shelf life or with an extended (at least 2 years) shelf life, and a separate requisition covering items with less than a 2-year shelf life for shipment upon the establishment of DEFCON 3. GSA will hold such short shelf life requisitions in a suspense file for automatic DEFCON 3 shipment to the named destination without further direction from the ordering agency. If DEFCON 3 is bypassed, shipment will be made (time permitting) on DEFCON 2 or 1, or at such time as the ordering agency determines it advisable.

(c) *Return of requisitions or unused stocks.* In the absence of instructions from the ordering activity, requisitions held for shipment upon a designated DEFCON period will be returned if such DEFCON is not declared within the period of 1 year from the date of the requisition. Agencies should keep their copy of such requisitions in a tickler file and notify the holding GSA region of any additions, deletions, or other changes

necessary to update the requisition and maintain its current status. If prepositioned stocks purchased from GSA are not utilized through relocation site operations, agencies will be expected to utilize them through their normal agency supply operations. Such items as cannot be utilized in this manner will be considered for return to GSA supply depot stocks.

§ 101-34.103 Logistics Control Centers.

Upon declaration of DEFCON 3, FSS Logistics Control Centers will be established at the GSA Central Office and at appropriate GSA regional offices to serve as contact points for agencies during off duty hours. GSA will keep agencies currently informed of these designated contact points. These centers may be contacted for information on the emergency plans for FSS support support, for specialized procurement assistance, or to expedite delivery of orders which are important to the defense effort. Under certain circumstances, such centers will be established prior to DEFCON 3 and, in such event, agency supply liaison contacts will be notified.

§ 101-34.104 Agency supply requirements.

(a) Although GSA records will permit an analysis of past shipments to its customer agencies, GSA will require assistance in determining agency supply requirements. In order for GSA to develop plans for meeting substantial increases in agency requirements for certain supply items, agencies should develop listings which will identify such items, for submission to GSA prior to the preattack period. These listings should identify by Federal stock number those supply items purchased from or through GSA which are expected to be required in substantially increased quantities and the expected volume or percentage increase over normal requirements. If it is not feasible to identify individual stock numbers, it is permissible to use the four digit Federal Supply Classification Class, or the two digit group (when such group is limited to a small number of classes). The primary objective is for agencies to break down their requirements to the degree that GSA can alert appropriate suppliers of anticipated increases, arrange for increased quantities under present contracts, provide for increased GSA inventories, or develop data on additional sources of supply.

(b) It is not considered feasible to provide instructions to agencies for submitting expected postattack supply requirements to GSA until such time as further guidelines on postattack planning assumptions are available from the Office

of Emergency Planning. If such guidelines are not available prior to an attack upon the United States, agencies should submit their requirements as they are determined, for processing by GSA in accordance with instructions contained in the GSA Handbook, Emergency Supply Support Operations.

§ 101-34.105 Agency supply liaison.

Agency supply or mobilization planning officials should take action prior to the preattack period to designate a GSA supply liaison contact and an alternate, at both their Central Office and regional office or other field relocation sites. Names of Central Office and field office designees with title and office and home telephone numbers should be directed to:

General Services Administration, Federal Supply Service, FSS Defense Coordinator—FP, Washington, D.C. 20409.

(a) Designated personnel should be familiar with the agency's emergency supply plans and should be in a position to take direct action in coordinating GSA supply support instructions within their agency.

(b) Agencies are also requested to submit to each GSA regional office the name of their field office relocation site liaison contact, title, and office and home telephone number within the boundaries of such GSA region. A GSA regional map is located inside the back cover of the GSA Handbook, Emergency Supply Support Operations. The Central Office, FSS, will maintain the GSA headquarters listings on a current basis by periodic contacts with agency liaison representatives. GSA regional offices will follow similar procedures in the field. Certain agencies may find it necessary to designate liaison supply officers at the bureau or State level, or in the case of military activities it may be necessary to specify liaison contacts at the using activity level. The primary objective is to limit the number of liaison officers to the minimum and whenever possible have only one designee and alternate to work with each GSA regional office.

Subpart 101-34.2—Postattack Defense Emergency Plans [Reserved]

Effective date. These regulations are effective upon publication in the FEDERAL REGISTER.

Dated: February 17, 1967.

J. E. MOODY,
Acting Administrator
of General Services.

[F.R. Doc. 67-2776; Filed, Mar. 13, 1967; 8:49 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 67-SO-24]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Gastonia, N.C., transition area.

The Gastonia transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Gastonia Municipal Airport (latitude 35°11'54" N., longitude 81°08'48" W.), excluding the portion that coincides with the Charlotte transition area.

The proposed transition area is required for the protection of IFR operations at the Gastonia Municipal Airport. A prescribed instrument approach procedure to this airport utilizing the radar facility located on the Douglas Airport, Charlotte, N.C. (10 miles east of the Gastonia Municipal Airport) is proposed in conjunction with the designation of this transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Agency, Room 724, 3400 Whipple Street, East Point, Ga.

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

Issued in East Point, Ga., on March 3, 1967.

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

[F.R. Doc. 67-2730; Filed, Mar. 13, 1967; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

[17 CFR Part 1]

DEFINITIONS; RECORDS OF CASH COMMODITY AND FUTURES TRANSACTIONS

Notice of Hearing

On January 28, 1967, there was published in the *FEDERAL REGISTER* (32 F.R. 1042) a notice of proposed amendments to §§ 1.3 and 1.35 of the general regulations (17 CFR 1.3, 1.35) under the Commodity Exchange Act, as amended (7 U.S.C. 12a). The volume of futures trading in regulated commodities has increased tremendously and is expected to continue at very high levels. Because of this, the Commodity Exchange Authority must make use of electronic data processing equipment and techniques in the enforcement of the Commodity Exchange Act. Electronic data processing requires that more uniform, and some additional, records be maintained by members of contract markets and the contract markets themselves. The proposed revision of § 1.35 is intended to make available the information needed by the Authority to enable it to detect illegal trading practices which are detrimental to market users and to the general public. The definition of "floor trader" would be added to § 1.3 for purposes of clarity. The notice afforded opportunity for interested persons to submit written data, views, or arguments concerning the proposed amendments. An oral hearing has been requested.

Therefore, notice is hereby given that an oral public hearing with respect to the proposed amendments will be held commencing at 10 a.m. on March 28, 1967, in Room 2-W, Administration Building, U.S. Department of Agriculture, 12th-14th Streets and Independence Avenue, SW., Washington, D.C.

Adequate opportunity will be afforded all persons to present their views at the hearing.

The Presiding Officer at the hearing will be a hearing examiner from the Office of Hearing Examiners of the Department designated for that purpose.

Any interested person may present any views, facts, or arguments he wishes to offer at the hearing. It will facilitate the hearing if persons who wish to testify at the hearing will notify the Administrator of the Commodity Exchange Authority as soon as possible to that effect, stating they wish to testify and how long a time they would like to have to present their testimony. However, any person who wishes to testify at the hearing will be afforded opportunity to do so, whether he has given such advance notice or not.

The hearing will be open to the public. A stenographic transcript will be made of

the hearing and copies of the transcript can be obtained from the reporter by interested persons upon request and payment of the cost of such copies.

After the hearing, the Department will evaluate all relevant material presented at the hearing or otherwise in the possession of the Department and will determine what action should be taken with respect to the proposed amendments.

Done at Washington, D.C., this 8th day of March 1967.

ALEX C. CALDWELL,
Administrator,
Commodity Exchange Authority.

[F.R. Doc. 67-2740; Filed, Mar. 13, 1967; 8:47 a.m.]

Consumer and Marketing Service

[7 CFR Part 917]

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Proposed Handling

Notice is hereby given that the Department is considering a proposed amendment, as hereinafter set forth, to the rules and regulations (Subpart—Rules and Regulations; 7 CFR 917.100-917.179; 31 F.R. 7476) currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment to the said rules and regulations was proposed by the Control Committee, established under the said amended marketing agreement and order as the agency to administer the terms and provisions thereof. The amendment changes the representation areas of certain districts for nomination of Plum Commodity Committee members.

The said amendment is as follows:

§ 917.116 Changes in nomination of Plum Commodity Committee members.

Nominations for membership on the Plum Commodity Committee shall be made by the growers of plums in the respective representative areas, as follows:

- (a) Kern District, Tehachapi District, South Coast District, and Southern California District one nominee.
- (b) Tulare District two nominees.
- (c) Fresno District five nominees.
- (d) Placer-Colfax District two nominees.
- (e) North Sacramento Valley District and Central Sacramento Valley District one nominee.

(f) All of the production area not included in the Kern District, Tehachapi District, South Coast District, Southern California District, Tulare District, Fresno District, Placer-Colfax District, North Sacramento Valley District, and Central Sacramento Valley District one nominee.

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

Dated: March 8, 1967.

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

[P.R. Doc. 67-2751; Filed, Mar. 13, 1967; 8:47 a.m.]

POST OFFICE DEPARTMENT

[39 CFR Part 132]

SECOND CLASS MAIL

Publications Prepared in Imitation of Typewriting

Notice is hereby given of proposed rule making consisting of a revision to § 132.2 (b) (3) of Title 39, Code of Federal Regulations, to set the criteria used to make a determination whether a publication is prepared in imitation of typewriting.

Although the procedures in 39 CFR Part 132 relate to a proprietary function of the Government, it is the desire of the Postmaster General voluntarily to observe the rule making requirements of the Administrative Procedure Act (5 U.S.C. 553) in order that patrons of the Postal Service may have an opportunity to comment on the proposed change. Written data, views, and arguments may be filed with the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the *FEDERAL REGISTER*.

Accordingly, the proposed change as set out above in Part 132 reads as follows:

§ 132.2 Qualifications for second-class privileges.

(b) Basic qualifications. . . .

(3) *Preparation.* Publications must be formed of printed sheets. They may not be produced by the stencil, mimeograph, or hectograph process or in imitation of typewriting. Publications may be produced by any printing process, and any style of type may be used, provided

the final printing is not in imitation of typewriting. When the printing process includes the preparation of the original copy with a typewriter, the final printing is in imitation of typewriting when either the left or right margins of the textural columns are uneven, but the final printing is not in imitation of typewriting when both the left and right margins are even.

NOTE: The corresponding Postal Manual section is 132.223.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

MARCH 9, 1967.

[P.R. Doc. 67-2756; Filed, Mar. 13, 1967; 8:47 a.m.]

[39 CFR Part 143]

METERED STAMPS

Preparation and Date of Mailing

Notice is hereby given of proposed rule making consisting of amendments to §§ 143.4 and 143.6 of Title 39, Code of Federal Regulations. One proposed amendment to § 143.4(f) would require the date of mailing on certified mail, and a second proposed amendment would revise § 143.6 to require that metered mailings of five or more letter type pieces must be bundled, boxed, or otherwise packaged, and would establish the procedure for handling irregularities in preparation, and would give instructions for handling metered mail bearing the wrong date.

Although the procedures in 39 CFR Part 143 relate to a proprietary function of the Government, it is the desire of the Postmaster General voluntarily to observe the rule making requirements of the Administrative Procedure Act (5 U.S.C. 553) in order that patrons of the Postal Service may have an opportunity to comment on the proposed changes. Written data, views, and arguments may be filed with the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the *FEDERAL REGISTER*.

Accordingly, the proposed changes as set out above in Part 143 read as follows:

§ 143.4 Meter stamps.

(f) *Date of mailing.* Meter stamps must show the date of mailing (month, day, and year) on all first-class mail, special delivery, special handling, or airmail; on all mail sent registered, certified, insured, or COD; and when printed on separate tapes used on first-class mail. The month and year must be shown on tapes on second-, third-, and fourth-class mail, but the day may be omitted. When tapes are not used, no date may be shown in meter stamps on second-, third-, or fourth-class mail.

NOTE: The corresponding Postal Manual section is 143.46.

§ 143.6 Mailings.

(a) *Preparation.* The mailer must bundle, box, or otherwise package mailings of five or more letter-type pieces with the addresses facing in one direction. This prevents the pieces from becoming mixed with other mail which has to be faced, canceled, and postmarked in the post office. Properly prepared metered mail can go direct to the distribution cases in post offices and thereby be expedited in dispatch. Metered mail not properly bundled, boxed, or otherwise packaged as required will be reported by telephone or personal visit to the mailer or his authorized agent. A record of this action will be maintained by the postmaster on Form 1835—"Record of Call or Visit." If the mailer or his agent disregards such report and the irregularity is repeated, the mail will be retained by the postmaster and the mailer immediately notified by telephone so that the mailing can be picked up for proper preparation before acceptance and dispatch. Each class and denomination should be bundled separately. Special delivery and airmail should always be bundled separately or located on the top of a bundle. (See Part 134 of this chapter for mailing of third-class bulk mail. See § 144.5(f) (2) of this chapter regarding payment of fractional postage in cash when the meter stamp does not fully pay the minimum per piece charge.)

(b) *Place of mailing.* Metered mail, other than reply mail (see § 143.5), must be mailed from the post office shown in the meter stamp. To secure the fastest dispatch, metered mail should be deposited at the main post office or a station or branch thereof. Except for bulk mailings of third-class mail, metered mail may, if prepared as required by paragraph (a) of this section, be deposited in any street collection box, building receptacle or other place, under the jurisdiction of the post office of meter settings, where mail is accepted.

(c) *Wrong date.* Metered mail bearing the wrong date of mailing will be run through a canceling machine or otherwise postmarked to show the proper date. Form 3611—"Notice of Improperly Prepared Meter Mail," will be used by postmasters to call the irregularity to the attention of the mailer. If the irregularity is repeated, the postmaster will notify the head of the firm or his authorized agent. If a mailer disregards such notices, the postmaster may return the mail with instructions to enclose in new envelopes bearing the correct date in the meter stamp.

NOTE: The corresponding Postal Manual section is 143.6.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

MARCH 9, 1967.

[P.R. Doc. 67-2757; Filed, Mar. 13, 1967; 8:48 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development VITA (VOLUNTEERS FOR INTERNATIONAL TECHNICAL ASSISTANCE), INC.

Registration as Voluntary Foreign Aid Agency

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (AID Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a certificate of registration¹ as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development of the following agency:

VITA (Volunteers for International Technical Assistance), Inc., College Campus, Schenectady, N.Y. 12308.

HERBERT J. WATERS,
Assistant Administrator
for Material Resources.

FEBRUARY 28, 1967.

[F.R. Doc. 67-2744; Filed, Mar. 13, 1967;
8:46 a.m.]

TEXAS PARTNERS OF THE ALLIANCE, INC.

Registration as Voluntary Foreign Aid Agency

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (AID Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a certificate of registration¹ as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

Texas Partners of the Alliance, Inc., 108 Western Republic Building, Post Office Box 772, Austin, Tex. 78767.

HERBERT J. WATERS,
Assistant Administrator
for Material Resources.

FEBRUARY 28, 1967.

[F.R. Doc. 67-2745; Filed, Mar. 13, 1967;
8:46 a.m.]

¹ Certificate filed as part of original document.

Office of the Secretary

[Public Notice 255]

SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Assignment of Compliance Functions Under Title VI of Civil Rights Act of 1964

Notice is hereby given that the Secretary of State, pursuant to the authority vested in him by 22 CFR 141.11(b), has assigned to the Secretary of Health, Education, and Welfare, in accordance with the letter of agreement set forth below dated July 2, 1966, the following responsibilities under Title VI of the Civil Rights Act of 1964.

The responsibilities listed below of the Department of State and of the responsible Department of State official under Title VI of the Civil Rights Act of 1964 and the Department of State regulations issued thereunder (22 CFR Part 141) with respect to institutions of higher education:

1. Compliance reports, including mailing, receiving, and evaluation thereof under § 141.5(b);
2. Other actions under § 141.5;
3. All actions under § 141.6 including periodic compliance reviews, receiving of complaints, investigations, determination of recipient's apparent failure to comply, and resolution of matters by informal means.

The Department of State specifically reserves to itself the responsibilities for the effectuation of compliance under 22 CFR 141.7, 141.8, and 141.9.

Dated: March 2, 1967.

NICHOLAS DEB. KATZENBACH,
Under Secretary of State.

DEPARTMENT OF STATE

WASHINGTON, D.C.,
July 2, 1966.

HOB. JOHN W. GARDNER,
Secretary, Department of Health, Education, and Welfare.

DEAR MR. SECRETARY: Pursuant to the authority of section 141.11(b) (22 CFR 141), I hereby assign to you the responsibilities listed below of the Department of State and of the responsible Department of State official under Title VI and the Department of State's regulations issued thereunder (22 CFR 141) with respect to institutions of higher education.

1. Compliance Reports, including mailing, receiving, and evaluation thereof under Section 141.5(b);
2. Other actions under section 141.5;
3. All actions under section 141.6 including periodic compliance reviews, receiving of complaints, investigations, determination of recipient's apparent failure to comply, and resolution of matters by informal means.

The Department of State specifically reserves to itself the responsibilities for the effectuation of compliance under sections 141.7, 141.8, and 141.9.

The responsibilities so designated to you are to be exercised without reimbursement in accordance with the Plan for Coordinated Enforcement Procedures for Higher Education dated February 1966, developed by the interested governmental agencies and approved by the Department of Justice, and may be redelegated by you to other officials of your Department. The Department of State also retains the right to exercise these responsibilities itself in special cases with the agreement of the appropriate official in your Department.

If you consent to this assignment, please indicate your acceptance by signing in the space provided on the attached copy of this letter and return a true copy to me.

Sincerely,

GEORGE W. BALL,
Acting Secretary of State.

Accepted: July 23, 1966.

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

[F.R. Doc. 67-2748; Filed, Mar. 13, 1967;
8:47 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of the Public Debt

ASSISTANT COMMISSIONER ET AL.

Order of Succession and Provisions for Continuous Performance of Functions

Order of succession of officials to act as Commissioner of the Public Debt, and provisions for the continuous performance of functions of the Bureau of the Public Debt in the event of an enemy attack on the continental United States.

1. It is hereby ordered that the following officers of the Bureau of the Public Debt, in order of succession enumerated, shall act as Commissioner in the event of the absence or disability of the Commissioner or a vacancy in the office:

1. Assistant Commissioner.
2. Deputy Commissioner.
3. Deputy Commissioner, Chicago Office.
4. Technical Assistant to the Commissioner.
5. Chief Counsel of the Bureau.
6. Director, Parkersburg Office.
7. Chief, Division of Loans and Currency.
8. Chief, Division of Public Debt Accounts and Audit.
9. Chief, Division of Retired Securities.
10. Assistant Deputy Commissioner, Chicago Office.
11. Assistant Director, Parkersburg Office.

2. In the event of an enemy attack on the continental United States and without regard to the matter of succession, the Deputy Commissioners and the Director of the Parkersburg Office are hereby authorized to perform any function of the Secretary of the Treasury or Commissioner of the Public Debt (whether or not otherwise delegated), (a) if it is essential to the carrying out of respon-

sibilities otherwise assigned to them, and (b) if, and so long as, they are unable to ascertain (in a manner consistent with the efficient performance of such responsibilities) whether the Commissioner or any official acting in his stead is available to discharge the Commissioner's duties with respect to the performance of those functions.

3. The foregoing order of succession and provisions for the continuous performance of functions are made under the authority of Treasury Department Order No. 129, Revision No. 2 dated April 22, 1955. This order of succession supersedes the order of this Bureau dated April 9, 1962.

[SEAL] D. M. MERRITT,
Commissioner of the Public Debt.

MARCH 8, 1967.

[P.R. Doc. 67-2766; Filed, Mar. 13, 1967;
8:48 a.m.]

Office of the Secretary

[Antidumping--ATS 643.3-b]

SHOES FROM ROMANIA

Determination of Sales at Not Less Than Fair Value

MARCH 6, 1967.

On November 8, 1966, there was published in the FEDERAL REGISTER a "Notice of Intent To Discontinue Investigation and To Make Determination That No Sales Exist Below Fair Value" with respect to shoes, leather (other than men's and boys' of welt construction) imported from Romania. That notice was issued because of revisions in the price of the merchandise and because of unconditional assurances given by the exporter that no future sales of the merchandise to the United States will be made at less than fair value.

No persuasive evidence or argument to the contrary having been presented within 30 days of the publication of the above-mentioned notice in the FEDERAL REGISTER, I hereby determine that for the reasons stated above shoes, leather (other than men's and boys' of welt construction) from Romania are not being, nor likely to be, sold at less than fair value within the meaning of section 201 (a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination and the statement of the reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

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

[P.R. Doc. 67-2767; Filed, Mar. 13, 1967;
8:48 a.m.]

[Antidumping--ATS 643.3-b]

SHOES FROM ROMANIA

Determination of Sales at Not Less Than Fair Value

MARCH 6, 1967.

On November 8, 1966, there was published in the FEDERAL REGISTER a "Notice

of Intent To Discontinue Investigation and To Make Determination That No Sales Exist Below Fair Value" with respect to shoes, leather, men's and boys', welt construction, imported from Romania. That notice was issued because of the termination of sales of the merchandise and because of unconditional assurances given by the exporter that sales, if resumed, would not be below fair value.

No persuasive evidence or argument to the contrary having been presented within 30 days of the publication of the above-mentioned notice in the FEDERAL REGISTER, I hereby determine that for the reasons stated above shoes, leather, men's and boys', welt construction, imported from Romania, are not being, nor are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination and the statement of the reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

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

[P.R. Doc. 67-2768; Filed, Mar. 13, 1967;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 1418]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

MARCH 3, 1967.

The Department of Agriculture, on behalf of the Forest Service, has filed application, Montana 1418, for the withdrawal of the lands described below, from location and entry under the mining laws, subject to existing valid claims.

The applicant desires the land for protection of a ranger station and a campground in the Kaniksu National Forest.

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, 316 North 26th Street, Billings, Mont. 59101.

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

to reach agreement on the concurrent management of the lands and their resources.

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

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

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

The lands involved in the application are:

KANIKSU NATIONAL FOREST

PRINCIPAL MERIDIAN, MONT.

Trout Creek Administrative Site and Campground

T. 24 N., R. 31 W.,
Sec. 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$, lots 6 and 7.

The area described aggregates 105.83 acres.

EUGENE H. NEWELL,
Land Office Manager.

[P.R. Doc. 67-2752; Filed, Mar. 13, 1967;
8:47 a.m.]

NEVADA

Notice of Filing of Plat of Survey and Order Providing for Opening of Lands

1. The Plat of Survey of lands described below will be officially filed at the Nevada Land Office, Reno, Nev., effective 10 a.m. on April 11, 1967.

MOUNT DIABLO MERIDIAN, NEVADA

T. 20 N., R. 34 E. (Group 424).

2. The surveyed area described above aggregates 15,487.60 acres. The plat was accepted September 26, 1966. Available data indicates the land surveyed ranges from about 3,550 to 4,000 feet above sea level, with general drainage from east and west toward the center. Soil consists of rocky alluvial deposits in the eastern and western portions ranging to sandy clay in the center. Access to the area is provided by an improved gravel road traversing the township north to south, and a bladed dirt road traversing the area NNE to SSW. There are no settlers within the township; grazing constitutes the principal use of the area. The vegetation consists of sagebrush, shadscale, and very sparse native grasses. There are no water sources or mineral deposits evident in the area.

3. Subject to any existing valid rights and the requirements of applicable law, the above-described lands are hereby opened to filing applications, selections, and location, except for applications under the Small Tract, Desert Land and Homestead Laws, in accordance with the following: Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of the order. Such applications, selections

and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs: Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of such claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph. All valid applications and selections under the nonmineral public land laws presented prior to 10 a.m., April 11, 1967, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications, which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations. Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 300 Booth Street, Reno, Nev. 89502.

DANIEL P. BAKER,
Manager, Nevada Land Office.

[F.R. Doc. 67-2739; Filed, Mar. 13, 1967;
8:46 a.m.]

ALL PUBLIC LAND STATES

Amendment of Notice of Proposed Withdrawal and Reservation of Lands

MARCH 13, 1967.

The notice published in the *FEDERAL REGISTER* on page 2588 of the issue for February 7, 1967, is hereby amended to read as follows:

The Bureau of Land Management has filed an application for withdrawal of the lands described below, from all appropriations under the public land laws, including, without limitation, the mining laws and the mineral leasing laws. The applicant desires the withdrawal for the protection and conservation of natural resources, including geothermal steam resources and the mineral and other resource values in the lands.

During the period ending April 30, 1967, 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, Washington, D.C. 20240.

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

The determination of the Secretary on the application will be published in the *FEDERAL REGISTER*. A separate notice

will be sent to each interested party of record.

The lands involved in the application are all public lands which are valuable or prospectively valuable for geothermal steam.

JOHN O. CROW,
Acting Director.

[F.R. Doc. 67-2855; Filed, Mar. 13, 1967;
10:38 a.m.]

UTAH, WYOMING, AND COLORADO Amendment of Notice of Proposed Withdrawal and Reservation of Lands

MARCH 13, 1967.

The notice published in the *FEDERAL REGISTER* on page 1058 of the issue for January 28, 1967, is hereby amended to read as follows:

The Bureau of Land Management has filed an application for withdrawal of the lands described below, from (1) appropriation under the mining laws relating to metalliferous minerals, and (2) from sodium leasing except where the Secretary finds that development of the sodium deposits would not adversely affect in any significant way the oil shale values of the lands. The applicant desires the withdrawal to protect the multiple-use development of the minerals and other resources in the lands.

During the period ending April 30, 1967, 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, Washington, D.C. 20240.

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

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

The lands involved in the application are: All deposits of oil shale and all lands containing such deposits in the States of Colorado, Utah, and Wyoming which are owned by the United States and which are under the administrative jurisdiction of the Department of the Interior.

JOHN O. CROW,
Acting Director.

[F.R. Doc. 67-2856; Filed, Mar. 13, 1967;
10:38 a.m.]

Office of the Secretary DARIUS N. KEATON, JR.

Statement of Changes in Financial Interests

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

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

This statement is made as of March 14, 1967.

Dated: March 1, 1967.

D. N. KEATON, JR.

[F.R. Doc. 67-2753; Filed, Mar. 13, 1967;
8:47 a.m.]

DIRECTOR, BUREAU OF OUTDOOR RECREATION

Delegation of Authority

The following Delegation of Authority is a part of the Departmental Manual and the numbering is that of the Manual.

The Delegation of Authority to the Director, Bureau of Outdoor Recreation appearing in the *FEDERAL REGISTER* at 30 F.R. 4210 and 30 F.R. 15598 is amended by the addition of the following section:

248 DM 1.1 *Delegation*. The Director, Bureau of Outdoor Recreation, is authorized, except as provided in 200 DM 2.1, to exercise the program authority of the Secretary of the Interior with respect to the supervision, management and operations of the Bureau of Outdoor Recreation:

248 DM 1.1.H. by cooperating and consulting with the Secretary, Department of Transportation, in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed and in undertaking and coordinating Interior Department participation in the planning of transportation programs and projects which require the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site to insure that there is no feasible and prudent alternative to the use of such land and that such programs and projects include all possible planning to minimize harm to such lands. In carrying out this delegated authority the Director, Bureau of Outdoor Recreation shall consult and coordinate with the Director, Bureau of Sport Fisheries and Wildlife, the Director, National Park Service, and the heads of other Interior bureaus (section 4(f) of the Act of Oct. 15, 1966 (80 Stat 931)).

STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 67-2754; Filed, Mar. 13, 1967;
8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration ABRIL INDUSTRIAL WAXES LTD.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Abril Industrial Waxes Ltd., Queens Road, Industrial Estate, Bridgend, Glamorgan, England, has withdrawn its petition (FAP 7B2106), notice of which was published in the FEDERAL REGISTER of October 28, 1966 (31 F.R. 13874), proposing an amendment to § 121.2507 *Cellophane* to provide for the safe use of stearamido-ethyl stearate as a component of vinylidene chloride coatings on cellophane for food-contact use.

Dated: March 7, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-2780; Filed, Mar. 13, 1967;
8:50 a.m.]

E. I. DU PONT DE NEMOURS & CO., INC.

Notice of Filing of Petitions for Pesticide and Food Additive Maneb (Manganese Ethylenebisdithiocarbamate)

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348(b)(5)), notice is given that a petition (PP 7F0563) has been filed by E. I. du Pont de Nemours & Co., Inc., Wilmington, Del. 19898, proposing the establishment of pesticide tolerances for residues of the fungicide maneb (manganese ethylenebisdithiocarbamate), calculated as zinc ethylenebisdithiocarbamate, in or on raw agricultural commodities, as follows: 5 parts per million in or on the grain of barley, oats, rye, and wheat; and 45 parts per million in or on the hay, forage, and straw of barley, oats, rye, and wheat.

Notice is also given that E. I. du Pont de Nemours & Co., Inc., has filed a related petition (FAP 7H2147) proposing the establishment of a food additive tolerance of 20 parts per million for residues of the fungicide in milled fractions (except flour) derived from barley, oats, rye, and wheat.

The analytical method proposed for determining residues of the fungicide is that of H. L. Pease, published in the Journal of the Association of Official Agricultural Chemists, volume 40 (1957), pages 1113-1118.

Dated: March 3, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-2781; Filed, Mar. 13, 1967;
8:50 a.m.]

NALCO CHEMICAL CO.

Notice of Filing of Petition for Food Additive Chlorinated Levulinic Acids

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 7H2149) has been filed by Nalco Chemical Co., 180 North Michigan Avenue, Chicago, Ill. 60601, proposing an amendment to § 121.2505 *Slimicides* to provide for the safe use of chlorinated levulinic acids (minimum chlorine content 45 percent) as antimicrobial agents to control slime in the manufacture of paper and paperboard that contact food.

Dated: March 3, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-2782; Filed, Mar. 13, 1967;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-130]

NORTHERN STATES POWER CO.

Notice of Issuance of Order Extending Expiration Date of Provisional Operating License

Please take notice that the Atomic Energy Commission has issued an order ex-

PER ANNUM RATES

Grade.....	1 ¹	2	3	4	5	6	7	8	9	10
GS-2.....	\$4,590	\$4,723	\$4,856	\$4,989	\$5,122	\$5,255	\$5,388	\$5,521	\$5,654	\$5,787
GS-3.....	4,989	5,133	5,277	5,421	5,565	5,709	5,853	5,997	6,141	6,285

¹ Corresponding statutory rate: GS-2—Sixth; GS-3—Sixth.

Coverage is the District of Columbia Government, Metropolitan Police Department.

The effective date will be the first day of the first pay period beginning on or after March 12, 1967.

All new employees in the specified occupational levels will be hired at the new minimum rate.

As of the effective date, the agency will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the statutory rate range shall receive basic compensation at the corresponding numbered rate authorized by this notice on and after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-2761; Filed, Mar. 13, 1967;
8:48 a.m.]

tending to September 12, 1968, the expiration date specified in Provisional Operating License No. DPR-11 issued to Northern States Power Co. authorizing operation of its Pathfinder nuclear reactor located near Sioux Falls, S. Dak.

Copies of the Commission's order and the application dated January 19, 1967, filed by Northern States Power Co. are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 6th day of March 1967.

For the Atomic Energy Commission.

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

[F.R. Doc. 67-2728; Filed, Mar. 13, 1967;
8:45 a.m.]

CIVIL SERVICE COMMISSION

POLICE CADETS, WASHINGTON, D.C.

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and E.O. 11073, the Civil Service Commission has increased the minimum rates and rate ranges for positions of Police Cadet, GS-301-2 and 3. The revised rate ranges are:

DIRECTOR, BUREAU OF HEALTH INSURANCE, SOCIAL SECURITY ADMINISTRATION

Notice of Manpower Shortage

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found, effective March 3, 1967, that there is a manpower shortage for the single position of Director, Bureau of Health Insurance GS-340-18, Social Security Administration, Department of Health, Education, and Welfare, Baltimore, Md. This finding will terminate when the position is filled.

The appointee to this position may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-2762; Filed, Mar. 13, 1967;
8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18229]

LLOYD INTERNATIONAL
AIRWAYS, LTD.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 22, 1967, at 10 a.m., e.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Leslie G. Donohue.

Dated at Washington, D.C., March 8, 1967.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[P.R. Doc. 67-2759; Filed, Mar. 13, 1967;
8:48 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[FCC 67-306]

STANDARD BROADCAST
APPLICATION

Availability for Processing

MARCH 9, 1967.

The application listed below is mutually exclusive with the application, File No. BR-2959, of the licensee of Station WBAM, Montgomery, Ala., for renewal of license. The proposal is for essentially the same facilities of this Class II station except that a different site is proposed. Therefore, we have this date accepted the application for filing. Similarly, we will accept any other applications for consolidation proposing these facilities.

New, Montgomery, Ala.
Barbara Bennis.
Req: 740 kc, 50 kw, DA, Day.

Accordingly, notice is hereby given that the above application is accepted for filing and that on April 18, 1967, the application will be considered as ready and available for processing, and pursuant to § 1.227(b)(1) and § 1.591(b) of the Commission's rules, an application in order to be considered with this application, or with any other application on file by the close of business on April 17, 1967, which involves a conflict necessitating a hearing with either this application, or the WBAM renewal application must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on April 17, 1967, or (b) the earlier effective cutoff date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(d) of the Commission's rules for the pro-

visions governing the time of filing and other requirements relating to such pleadings.

Adopted: March 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-2769; Filed, Mar. 13, 1967;
8:49 a.m.]

[Docket Nos. 17261, 17262; FCC 67-285]

BILL GARRETT BROADCASTING CORP.
AND FAULKNER RADIO, INC.Order Designating Applications for
Consolidated Hearing on Stated
Issues

In re applications of Bill Garrett Broadcasting Corp., Slidell, La., Docket No. 17261, File No. BPH-5482; requests: 105.3 mc, No. 287; 57.2 kw; 128 ft.; Faulkner Radio, Inc., Slidell, La., Docket No. 17262, File No. BPH-5493; requests: 105.3 mc, No. 287; 27 kw; 123 ft.; for construction permits.

1. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 1st day of March 1967;

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

3. According to its application, Bill Garrett Broadcasting Corp. will require \$76,361 to construct and operate the proposed station for the first year without revenue. To meet its needs, it is relying on cash of \$6,740, a \$50,000 loan from its principal stockholder, profits from its existing standard broadcast station (which currently approximate \$800 per month), for a total of \$66,340. Although a bank has indicated its willingness to lend up to \$100,000, the bank's letter fails to indicate the terms and conditions under which it would lend the money. Consequently, an issue has been specified regarding the availability of the additional \$10,021 which is required for construction and initial operation of the station.

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

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

1. To determine whether, and if so, under what conditions, Bill Garrett Broadcasting Corp. has available to it

¹ Commissioner Wadsworth absent.

the additional \$10,021 it indicates is required to construct and operate the proposed station for one year without revenue and thus demonstrate its financial qualifications.

2. To determine, if issue number one is resolved in Bill Garrett Broadcasting Corp.'s favor, which of the proposals would better serve the public interest.

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

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

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

Released: March 9, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-2770; Filed, Mar. 13, 1967;
8:49 a.m.]

[Docket Nos. 17263, 17264; FCC 67-286]

BIRNEY IMES, JR., AND RADIO
COLUMBUS, INC.Order Designating Applications for
Consolidated Hearing on Stated
Issues

In re applications of Birney Imes, Jr., Columbus, Miss., Docket No. 17263, File No. BPH-5515; requests: 103.1 mc, No. 276; 3 kw; 289 ft.; Radio Columbus, Inc., Columbus, Miss., Docket No. 17264, File No. BPH-5581; requests: 103.1 mc, No. 276; 3 kw; 256 ft.; for construction permits.

1. At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 1st day of March 1967;

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

3. Birney Imes, Jr., is also licensee of FM station WELQ-FM in Tupelo, Miss., although there is no overlap of the 1 mv/m contour of WELQ-FM and the proposed station at Columbus as WELQ-FM is presently operating (100 kw at 378

feet above average terrain), there would be substantial overlap of the 1 mv/m contours of the two stations were WELO-FM to be operated at the maximum height and power permitted stations of its class; i.e., 100 kw at 2,000 feet above average terrain. Accordingly, we will specify an issue to determine whether grant of the Birney Imes, Jr., application would impede or prevent a full and efficient utilization of the WELO-FM assignment.

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

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

1. To determine whether grant of the Birney Imes, Jr., application would impede or prevent a full and efficient utilization of the WELO-FM, Tupelo, Miss., channel assignment.

2. To determine, in the event the foregoing issue is resolved favorably, which of the proposals would better serve the public interest.

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

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

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

Released: March 9, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-2771; Filed, Mar. 13, 1967;
8:49 a.m.]

¹ Commissioners Hyde, Chairman; and Loevinger dissenting to the inclusion of the overlap issue and commissioner Wadsworth absent.

[Docket Nos. 17256, 17257; FCC 67-284]

EAST ST. LOUIS BROADCASTING CO., INC., AND METRO-EAST BROAD- CASTING, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of East St. Louis Broadcasting Co., Inc., East St. Louis, Ill., Docket No. 17256, File No. BP-16579; Requests: 1490 kc, 250 w, 1 kw-LS, U; Metro-East Broadcasting, Inc., East St. Louis, Ill., Docket No. 17257, File No. BP-16682; Requests: 1490 kc, 250 w, 1 kw-LS, U; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 1st day of March 1967:

1. The Commission has before it the above-captioned and described applications, each requesting authority to construct and operate a new standard broadcast station on the frequency formerly assigned to Station WAMV, East St. Louis, Ill.¹ Also before the Commission is a "Petition in Opposition to Proposed Construction Permit" filed against the application of the East St. Louis Broadcasting Co., Inc., by Luther W. Martin, trading as "Show Me" Broadcasting Co., licensee of Station KTTR, Rolla, Mo. (1490 kc, 250 w, 1 kw-LS, U, Class IV).

2. The petitioner requests the denial of the East St. Louis Broadcasting Co. application on the basis of assertions which are essentially conclusions without fact support. Therefore, no substantial or material question of fact has been raised which requires consideration in a hearing on the applications. In addition, there is no indication that a copy of the petition was served on the applicant as required by section 309(d)(1) of the Communications Act of 1934, as amended. For this reason, the petition is procedurally defective and will be dismissed.

3. Nevertheless, the Commission will consider the petition as an informal objection under § 1.587 of the rules. The petitioner's first contention is that the East St. Louis Broadcasting Co. proposal violates § 73.37 of the rules, presumably because of overlap of the proposed contours with those of existing stations, including KTTR, prohibited by that section. The Commission released a public notice of the acceptance of the application of the East St. Louis Broadcasting Co., Inc., on February 25, 1965. In announcing the acceptance of the application and that other applications would be accepted for concurrent consideration, the Commission, in effect, waived the provisions of § 73.37 of the rules for the purpose of holding a comparative hearing with the then pending, mutually exclusive WAMV renewal. The application of Metro-East Broadcasting, Inc., was filed in response to that notice. The

¹ The above applications were filed during the pendency of an application for renewal of the license of WAMV. On May 11, 1965, the WAMV renewal application was dismissed at the request of the applicant, and the call letters were deleted.

WAMV application has since been dismissed (Note 1, supra). In this connection, the Commission finds that where, as here, the Commission retains jurisdiction in a matter in which the ultimate determination concerns the possibility of restoring a service for which there was an outstanding authorization that new applicants seek to acquire, the licensee of an existing station which received interference from the former station has no standing to oppose applications proposing to restore the service formerly provided. Cf. *Beloit Broadcasters, Inc., v. FCC*, — U.S. App. D.C. —, 365 F.2d 962, 7 RR 2d 2155 (1966), *Lorain Community Broadcasting Co.*, 5 FCC 2d 133, *Audubon Broadcasting Corp.*, Docket No. 16879, FCC 67R-45 released February 6, 1967 (Review Board).

4. The petitioner's second conclusion is that WAMV was forced to cease operation "due to the highly competitive economic situation". The petitioner provided no factual support for this conclusion, and the Commission has no information which would indicate that competitive factors caused the financial difficulties which WAMV apparently encountered. In any event, WAMV's failure to achieve financial success does not, standing alone, constitute a valid basis for denying the present applications.

5. The petitioner's next assertion is that the former WAMV site, then proposed by the East St. Louis Broadcasting Co., is not available for its proposed operation. The application as originally filed contained evidence that the applicant had a reasonable expectation of securing the former WAMV site. However, the application has since been amended to specify a different site, and the availability of the former site is no longer material.

6. Finally, the petitioner urges that in no event should a new facility be authorized to permit radiation toward KTTR in excess of that authorized for WAMV. The applicant proposes to use a series resistor to limit radiation to that specified in the WAMV authorization and, in the event of a grant of the application of the East St. Louis Broadcasting Co., Inc., the construction permit will be appropriately conditioned. Therefore, the petitioner has no cause for complaint in this regard.

7. Neither applicant has submitted adequate exhibits to demonstrate that the nighttime limitation contour would cover the city and that the proposed 25 mv/m contour would cover the principal business district. An appropriate issue will be specified to permit resolution of this matter.

8. Except as indicated by the issues specified below, each of the applicants is qualified to construct, own and operate its station as proposed, but in view of the fact that the proposals are mutually exclusive, they must be designated for hearing on the issues set forth below.

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

1. To determine whether each of the proposals would provide coverage of the city sought to be served as required by § 73.188(b) (1) and (2) of the Commission's rules, and, if not, whether circumstances exist which would warrant a waiver of said section.

2. To determine, in the event the foregoing issue is resolved favorably with respect to both applicants, which of the proposed operations would better serve the public interest.

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

It is further ordered, That the "Petition in Opposition to Proposed Construction Permit" filed by Luther W. Martin trading as "Show Me" Broadcasting Co. is dismissed.

It is further ordered, That, in the event of a grant of either application, the construction permit shall contain the following conditions:

Permittee shall accept such interference as may be imposed by existing 250 watt Class IV stations in the event they are subsequently authorized to increase power.

Permittee shall submit with the application for license antenna resistance measurements made in accordance with § 73.54 of the Commission's rules.

It is further ordered, That, in the event of a grant of the application of the East St. Louis Broadcasting Co., Inc., the construction permit shall contain the following condition:

A complete nondirectional proof of performance shall be submitted before program tests are authorized to establish that the inverse distance field strength at 1 mile does not exceed essentially 150 mv/m/kw as proposed.

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

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

Released: March 9, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-2772; Filed, Mar. 13, 1967;
8:49 a.m.]

* The statements of Commissioner Bartley and Commissioner Cox in which they concur in part and dissent in part filed as part of the original document; Commissioner Wadsworth absent.

[Docket Nos. 16942, 17073; FCC 67M-384]

MESSAGE TOLL TELEPHONE SERVICE ET AL.

Order Scheduling Further Prehearing Conference

In the matter of use of the carterphone device in message toll telephone service, Docket No. 16942; in the matter of Thomas F. Carter and Carter Electronics Corp., Dallas, Tex., Complainants versus American Telephone and Telegraph Co., Associated Bell System Cos., Southwestern Bell Telephone Co., and General Telephone Company of the Southwest, Defendants, Docket No. 17073.

The Hearing Examiner having for consideration the memorandum opinion and order of the Commission released herein on March 8, 1967;

It appearing, that the said order disposes of the pleadings which occasioned the continuance ordered by the Examiner on January 3, 1967, and that it is now appropriate to reestablish procedures and dates;

It is ordered, This 8th day of March 1967, that a further prehearing conference shall convene on March 16, 1967, at 9 a.m. in the offices of the Commission at Washington, D.C.

Released: March 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-2773; Filed, Mar. 13, 1967;
8:49 a.m.]

[Docket No. 16921; FCC 67M-383]

ULTRAVISION BROADCASTING CO. AND COURIER CABLE CO., INC.

Statement and Order After Further Prehearing Conference

In the matter of the petition of Florian R. Burezynski, Stanley J. Jasinski, and Roger K. Lund, doing business as Ultravision Broadcasting Co., Buffalo, N.Y., Docket No. 16921; to stay construction and prevent extension of CATV system operated in Buffalo by Courier Cable Co., Inc.

At today's further prehearing conference the following schedule was set up:

Courier Cable to furnish exhibits under issues on which it has burden of going forward by: March 28, 1967.

Similarly as to other parties: May 12, 1967. (At same time parties will specify witnesses for oral presentation.)

Hearing: May 15, 1967.

So ordered, this 7th day of March 1967.

Released: March 8, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-2774; Filed, Mar. 13, 1967;
8:49 a.m.]

[Docket No. 17171; FCC 67M-385]

VALLEY-VISION, INC.

Order Advancing Hearing

In the matter of cease and desist order to be directed against Valley-Vision, Inc., owner and operator of a community antenna television system at Placerville, Calif., Docket No. 17171.

It is ordered, This 8th day of March 1967, that the order of the Chief Hearing Examiner released in the above-entitled proceeding on February 17, 1967 (FCC 67M-288), is hereby amended to provide that the hearing in said proceeding shall commence on April 3 in lieu of April 18, 1967.

Released: March 9, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-2775; Filed, Mar. 13, 1967;
8:49 a.m.]

FEDERAL MARITIME COMMISSION BAHAMA ISLANDS RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 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 agreement filed for approval by:

Mr. Stephen Doolos, Secretary, Bahama Islands Rate Agreement, 1 Whitehall Street, New York, N.Y. 10004.

Agreement 9558-1 between Atlantic Lines, Ltd., Blue Ribbon Line, Ltd., and United Fruit Co., common carriers operating in the trade between ports in the Bahama Islands and U.S. Atlantic and Gulf ports modifies the basic agreement so that (1) expenses incurred thereunder shall be apportioned as may be agreed rather than equally among the member lines and (2) meetings will be held as may be necessary instead of on fixed dates as heretofore provided.

Dated: March 8, 1967.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 67-2724; Filed, Mar. 13, 1967;
8:45 a.m.]

ITALY, SOUTH FRANCE/UNITED STATES GULF CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 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 agreement filed for approval by:

Mr. G. Ravera, Secretary, Italy, South France/Gulf Conference, Vico San Luca 4, Genoa, Italy.

Agreement 9522-3, between the members of the Italy, South France/United States Gulf Conference, has been refilled and revised to modify Article 4(c) of the basic agreement to read as follows:

In the event that any Member fails to have a sailing within a period of 90 consecutive days, such Member, upon expiration of such period, shall automatically lose his voting rights.

However, in the event of such Member furnishing satisfactory proof that (a) the failure to maintain sailings was due to "force majeure" and/or (b) that the service will be resumed in the near future, the Conference, at a Principals' Meeting has the authority to decide that such Member will continue to maintain his voting rights. The inactive Member will continue to pay his share of Conference expenses as agreed upon by the Conference.

The voting rights on all matters shall be restored by a Principals' resolution, only after such Member shall have submitted satisfactory evidence of the resumption of regular service.

Notice of the change of status to inactive membership as well as notice of the loss and/or restoration of voting rights pursuant to this article shall be furnished promptly to the commission by the Conference Secretary. Inactive Members shall not be counted in establishing the quorum for any meeting.

Notice of the filing of Agreement 9522-3, which proposed the acceptance by the Conference of inactive members when it is deemed that such membership is bene-

ficial to the trade and contributes to its stability, was published in the FEDERAL REGISTER of January 5, 1967.

Dated: March 8, 1967.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 67-2725; Filed, Mar. 13, 1967;
8:45 a.m.]

PORT OF SEATTLE AND MATSON NAVIGATION CO.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 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 agreement filed for approval by:

W. T. Thompson, Assistant Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T-57-2, between the Port of Seattle (Port) and Matson Navigation Co. (Matson) modifies the basic agreement which provides for the lease to Matson of a portion of Pier 46 in Seattle, Wash. The purpose of the modification is to permit Matson, at its option, to publish a service and facilities charge by filing an appropriate tariff concurrence in the appropriate Port tariff and retain any revenue received therefrom.

Dated: March 7, 1967.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary,

[F.R. Doc. 67-2726; Filed, Mar. 13, 1967;
8:45 a.m.]

TRANS-PACIFIC FREIGHT CONFERENCE ET AL.

Notice of Proposed Cancellation of Agreement

Notice is hereby given that a request for cancellation of the following agree-

ment, 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 301; 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.

Trans-Pacific Freight Conference, Indo-China Steam Navigation Co., Ltd., Norwegian Asia Line, China Navigation Co., Ltd.

Notice of intent to cancel agreement 7949 filed by:

Mr. D. Dick,
Trans-Pacific Freight Conference,
P. & O. Building, 17th Floor, 77 Des Voeux Road Central, Hong Kong, B.C.C.

Agreement 7949, approved on February 24, 1954, between Member Lines of the Trans-Pacific Freight Conference (Hong Kong), as on carriers, and China Navigation Co., Ltd., China Siam Line, and Indo-China Steam Navigation Co., Ltd., as precarriers, covers the transportation of cargo from Bangkok and Kohsichang, Siam (now Thailand) to United States and Canadian Pacific Coast ports and Honolulu, Hawaii, with transshipment at Hong Kong. The participating precarriers have notified the Conference of their intention to terminate their participation in Agreement 7949 pursuant to Article 7 thereof, effective April 27, 1967.

Dated: March 8, 1967.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 67-2727; Filed, Mar. 13, 1967;
8:45 a.m.]

FEDERAL POWER COMMISSION

[Project No. 2637]

GREAT NORTHERN PAPER CO.

Notice of Application for License for Constructed Project

MARCH 6, 1967.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Great Northern Paper Co. (correspondence to: Robert Hellendale, Vice President and Secretary, Great Northern Paper Co., 522 Fifth Avenue, New York, N.Y. 10036), for constructed Project No. 2637, known as Ragged Lake Headwater

Storage Project, located on Ragged Stream, in Piscataquis County, Maine.

The existing project consists of: (1) A composite dam about 1,230 feet long and about 30 feet high, made of a concrete gravity spillway section about 50 feet long which is tied to the right abutment by an earthfill dike 930 feet long and to the left abutment by a similar dike 250 feet long; (2) a reservoir with surface area of 2,786 acres at an elevation of 1,135 feet, and usable storage capacity of 33,200 acre-feet at a drawdown of 20 feet; and (3) three 8- by 14-foot steel gates at the spillway section.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is April 27, 1967. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-2732; Filed, Mar. 13, 1967;
8:45 a.m.]

[Docket No. E-7342]

IOWA ELECTRIC LIGHT AND POWER CO.

Notice of Application

MARCH 7, 1967.

Take notice that on February 27, 1967, Iowa Electric Light and Power Co. (Applicant), filed an application seeking authority pursuant to section 204 of the Federal Power Act to issue short-term notes in an aggregate amount not to exceed \$18 million.

Applicant is incorporated under the laws of the State of Iowa with its principal business office at Cedar Rapids, Iowa, and is engaged in the electric utility business in 51 counties in the State of Iowa.

The notes to be issued by the Applicant will evidence loans from commercial banks and will have maturities not in excess of 1 year from their dates of issuance. The interest rate will be 5% percent or the prime rate in effect at the time of the borrowing. Applicant presently has \$6.4 million in short-term notes outstanding. Notes in addition to those presently outstanding will be issued to the First National Bank of Chicago in an amount not to exceed \$6,600,000 and the Northern Trust Co. in an amount not to exceed \$5 million.

Proceeds from the issuance of these notes will be used to finance in part construction of Applicant's 140 mw Prairie Creek generating unit and construction of 36 miles of a 161 kv transmission line in central Iowa.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 24, 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. 67-2733; Filed, Mar. 13, 1967;
8:45 a.m.]

[Docket No. CP67-240]

MONTANA-DAKOTA UTILITIES CO.

Notice of Application

MARCH 6, 1967.

Take notice that on February 27, 1967, Montana-Dakota Utilities Co. (Applicant), 831 Second Avenue South, Minneapolis, Minn. 55402, filed in Docket No. CP67-240 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7(b) of the regulations under the Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct during the calendar year 1967, and operate various natural gas facilities necessary for the connection of additional supplies of gas contiguous to its system which may become available during the year 1967 and which will be purchased from the producers thereof and to make extensions and revisions to connect additional wells in existing producing areas.

The total estimated cost of Applicant's proposed construction is not to exceed \$200,000, with no single project to exceed \$50,000. Applicant proposes to finance the proposed construction with internally generated funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 31, 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 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. 67-2734; Filed, Mar. 13, 1967;
8:45 a.m.]

[Docket No. CP67-241]

NORTHERN NATURAL GAS CO.

Notice of Application

MARCH 6, 1967.

Take notice that on February 27, 1967, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP67-241 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to provide firm natural gas service to a large volume industrial consumer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, The Interstate Power Co. (Inter) has requested Applicant to reserve 400 Mcf per day of natural gas of its existing contract demand for the Libby-Owens-Ford Glass Plant now under construction at Mason City, Iowa. Natural gas will be used at the plant for processing on a 24-hour day, 7-day week basis. Initial natural gas service is proposed to begin on May 1, 1967.

Applicant does not propose to construct any new facilities to provide the service herein requested.

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 March 31, 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 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. 67-2735; Filed, Mar. 13, 1967;
8:46 a.m.]

[Project No. 2290]

SOUTHERN CALIFORNIA EDISON CO.**Notice of Land Withdrawal in California**

MARCH 8, 1967.

By notice of land withdrawal dated July 31, 1961, and published in the FEDERAL REGISTER August 4, 1961, this Commission gave notice of the reservation of approximately 427.87 acres of U.S. lands for which application for license was filed January 6, 1961, by Southern California Edison Co. in connection with the Kern River Plant No. 3, designated as Project No. 2290.

The Southern California Edison Co., in accordance with Article 43 of its license, issued August 7, 1964, filed revised maps, Exhibit J, sheets 1 through 3, and Exhibit K, sheets 4 through 29 (FPC Nos. 2290-1 through -29, respectively).

Therefore, conformable to the provisions of section 24 of the Act of June 10, 1920, as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are from the date of said filing, reserved from entry, location or other disposition under the laws of the United States until otherwise directed by this Commission or by Congress.

MOUNT DIABLO MERIDIAN

Those portions of the following described subdivisions lying within the project boundary as depicted on maps, Exhibit K, sheet 5 and sheet 7 (FPC Nos. 2290-5 and -7, respectively) filed in the office of the Federal Power Commission March 30, 1966:

T. 23 S., R. 32 E.,
Sec. 24, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 24 S., R. 33 E.,
Sec. 6, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The additional area included in this notice of land withdrawal is approximately 0.79 acre, located entirely within the Sequoia National Forest.

Copies of the aforementioned project maps, Exhibit K, sheet 5 and sheet 7 (FPC Nos. 2290-5 and -7, respectively), have been transmitted to the Bureau of Land Management, Geological Survey, Forest Service, and Army Corps of Engineers.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-2731; Filed, Mar. 13, 1967;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2081]

NATIONAL AVIATION CORP.**Notice of Filing of Application for Order of Exemption To Permit Purchase of Securities During an Underwriting**

MARCH 8, 1967.

Notice is hereby given that National Aviation Corp. ("Applicant"), 111 Broadway, New York, N.Y. 10006, a closed-end,

nondiversified management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 10(f) of the Act for an order of the Commission exempting from the provisions of section 10(f) a proposed purchase by the Applicant at the public offering price of up to \$2 million principal amount Convertible Subordinated Debentures due 1992 ("the debentures") which Trans World Airlines, Inc. ("the Issuer") proposes to issue. The proposed purchase is a portion of an offering of \$100 million principal amount of debentures expected to be offered to the public as soon as the registration statement on Form S-1 of the Issuer, filed February 16, 1967 shall be made effective pursuant to section 8(a) of the Securities Act of 1933. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

The firm of Hornblower & Weeks-Hemphill, Noyes will probably be one of the principal underwriters for the issue. Howard E. Buhse, a director of Applicant and a member of the executive committee, is a partner of that firm. Section 10(f) of the Act, as here pertinent, provides that no registered investment company shall knowingly purchase or otherwise acquire, during the existence of any underwriting or selling syndicate, any security (except a security of which such company is the issuer) if a director of the registered investment company is an affiliate of a principal underwriter of such security. Since one of the Applicant's directors is an affiliated person of one of the principal underwriters offering the debentures, the purchase thereof by the Applicant is prohibited. The Commission may exempt a transaction from this prohibition if and to the extent that such exemption is consistent with the protection of investors.

The Applicant in support of its application asserts that the proposed purchase of the debentures is consistent with Applicant's investment objectives and policies and is not proposed for the purpose of stimulating the market in the debentures or for the purpose of relieving the underwriters of securities otherwise unmarketable, that it will not purchase the debentures from Hornblower & Weeks-Hemphill, Noyes, that the terms of the proposed investment, if consummated, are fair and reasonable, that the amount paid will represent 2.11 percent of the Applicant's assets as of February 20, 1967, and that the investment of the Applicant in all securities of the Issuer will represent approximately 2.92 percent of the Applicant's assets as of February 20, 1967.

Notice is further given that any interested person may, not later than March 22, 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 reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a

hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. 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.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-2741; Filed, Mar. 13, 1967;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 (Rocky Mountain Area) Amdt. 1]

LOAN OFFICER (ECONOMIC DEVELOPMENT)**Delegation of Authority To Conduct Program Activities in the Rocky Mountain Area**

Pursuant to the authority delegated to the Area Administrators by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, Delegation of Authority No. 30 (Rocky Mountain Area), 32 F.R. 2873, is hereby amended by adding new item I.C. as follows and relettering items I.C., I.D., I.E., I.F., and I.G. to read I.D., I.E., I.F., I.G., and I.H., respectively:

I. * * *

C. Loan Officer (Economic Development). 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans.

3. To cancel wholly or in part undischarged balances of partially disbursed sections 501 and 502 loans.

4. To approve final actions concerning current direct, participation, and 40 percent First Mortgage Plan—501 and 502 loans.

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to applications against premiums.

c. Minor modifications in the authorization.

- d. Extension of disbursement period.
- e. Extension of initial principal payments.
- f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of \$500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed \$500.

Effective date: September 1, 1966.

GEORGE E. SAUNDERS,
Area Administrator.

[P.R. Doc. 67-2742; Filed, Mar. 13, 1967;
8:46 a.m.]

[Delegation of Authority No. 30 (Midwestern Area) Amdt. 1]

LOAN OFFICER (ECONOMIC DEVELOPMENT)

Delegation of Authority To Conduct Program Activities in the Midwestern Area

Pursuant to the authority delegated to the area administrators by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, Delegation of Authority No. 30 (Midwestern Area) 32 F.R. 3192 is hereby amended by adding new item I.C. as follows and relettering items I.C., I.D., I.E., I.F., and I.G. to read I.D., I.E., I.F., I.G., and I.H., respectively:

I. * * *

C. Loan Officer (Economic Development). 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans.

3. To cancel wholly or in part undisbursed balances of partially disbursed sections 501 and 502 loans.

4. To approve final actions concerning current direct, participation, and 40 percent First Mortgage Plan—501 and 502 loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to applications against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of \$500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed \$500.

Effective date: September 1, 1966.

RICHARD E. LASSAR,
Area Administrator,
Midwestern Area.

[P.R. Doc. 67-2743; Filed, Mar. 13, 1967;
8:46 a.m.]

TARIFF COMMISSION

[APTA-W-11]

WORKERS' PETITION FOR DETERMINATION OF ELIGIBILITY TO APPLY FOR ADJUSTMENT ASSISTANCE

Notice of Investigation

Upon receipt on March 8, 1967 of a request therefor from the Automotive Agreement Adjustment Assistance Board, the Tariff Commission instituted an investigation pursuant to section 302(e), Automotive Products Trade Act of 1965, with respect to a petition filed with the Board by the International Union, United Automobile Workers, on behalf of a group of workers at the Chrysler Jefferson Plant, Detroit, Mich. The petition alleges that dislocation of the group of workers has occurred and that the operation of the United States-Canadian Automotive Agreement has been the primary factor in causing such dislocation. The Commission is conducting the investigation to provide a factual record on the basis of which the Board may make the determinations required by section 302 of the Act.

No hearing has been scheduled. A hearing will be held on request of any party showing a proper interest in the subject matter of the investigation, provided the request is filed with the Secretary of the Tariff Commission within 10 days after this notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 at the Customhouse.

By order of the Commission.

Issued: March 9, 1967.

[SEAL]

DONN N. BENT,
Secretary.

[P.R. Doc. 67-2763; Filed, Mar. 13, 1967;
8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly

wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

A. J. Bayless Markets, Inc., food stores from 2-1-67 to 1-31-68: No. 32, Apache Junction, Ariz.; No. 29, Goodyear, Ariz.; No. 3, Mesa, Ariz.; No. 2, No. 4, No. 5, No. 7, No. 8, No. 11, No. 12, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, No. 23, No. 25, No. 26, and No. 30, Phoenix, Ariz.; No. 31 and No. 38, Scottsdale, Ariz.; No. 28, Sierra Vista, Ariz.; No. 6, Tempe, Ariz.; No. 33, No. 34, and No. 35, Tucson, Ariz.; No. 14 and No. 24, Yuma, Ariz.

A & R Super Stores, Inc., food stores from 2-15-67 to 2-14-68: 930 Oxmoor Road, Birmingham, Ala.; 230 Sixth Street South, Clanton, Ala.

Baenziger Model Market, food store; 510 Court, Seguin, Tex.; 2-1-67 to 1-31-68.

Best Food Store, food store; 4737 Marlboro Pike, Coral Hills, Md.; 2-10-67 to 2-9-68.

Blackburn Jobbing Co., food store; Mountain City, Tenn.; 1-5-67 to 1-4-68.

Bond Stores, Inc., apparel store; Garden State Plaza, Paramus, N.J.; 1-19-67 to 1-18-68.

Geo. E. Brett Co., department store; Mankato, Minn.; 2-20-67 to 2-19-68.

Carson Pirie Scott & Co., department store; 124 South West Adams Street, Peoria, Ill.; 2-1-67 to 1-31-68.

Charles Store, department store; 607-609 State Street, Bristol, Va.; 1-27-67 to 1-26-68.

Crest 5-10-25¢ Stores Co., variety store; Hendersonville, N.C.; 1-6-67 to 1-5-68.

J. S. Dillon & Sons Stores Co., Inc., food stores from 2-24-67 to 2-23-68: No. 2 and No. 12, Dodge City, Kans.; No. 15, Garden City, Kans.; No. 3 and No. 20, Great Bend, Kans.; No. 22, Greensburg, Kans.; No. 16, Hays, Kans.; No. 9, Larned, Kans.; No. 23, Lyons, Kans.; No. 17, McPherson, Kans.; No. 32, Mulvane, Kans.; No. 6 and No. 24, Newton, Kans.; No. 14 and No. 21, Pratt, Kans.; No. 11, St. John, Kans.; No. 5, No. 27, and No. 41, Salina, Kans.; No. 7, Sterling, Kans.; No. 4, No. 18, No. 19, No. 26, No. 28, No. 29, No. 30, No. 31, No. 33, No. 36, and No. 42, Wichita, Kans.

Dixon's Master Market, food store; 210 Locust Street, Des Moines, Iowa; 2-10-67 to 2-9-68.

Dixon's Super-Duper, food store; 136 Maple Avenue, Claremont, N.H.; 1-8-67 to 1-7-68.

Eagle Stores Co., food store; No. 26, Statesville, N.C.; 2-1-67 to 1-31-68.

Epps Super Market, Inc., food stores from 2-1-67 to 1-31-68: No. 2 and 1356 Federal Road, Houston, Tex.; No. 3, Pasadena, Tex.

Farmer Jack's, food stores from 2-1-67 to 3-31-67: 24501 West Seven Mile, Detroit, Mich.; 29505 Plymouth, Livonia, Mich.

Ferri Super Market, Inc., food store; Old William Penn Highway, Murrysville, Pa.; 2-9-67 to 2-8-68.

Field-Schlick, Inc., department store; 14 West Fifth Street, St. Paul, Minn.; 2-16-67 to 2-15-68.

Food Fair Market, food stores from 2-1-67 to 3-31-67: 6728 Roosevelt, Allen Park, Mich.; 2105 South Telegraph, Bloomfield, Mich.; 110 North Rochester, Clawson, Mich.; 22060 West Outer Drive, Dearborn, Mich.; 14614 Ker-

cheval, 8000 Schaefer, 6561 Gratiot, 20221 Joy Road, 20540 Lahser, 16145 East Eight Mile, 20200 West Seven Mile, 14600 Dequindre, 10220 Gratiot, 18801 East Nine Mile, and 1620 East Grand Boulevard, Detroit, Mich.; 23391 Farmington and 33330 Twelve Mile, Farmington, Mich.; 430 West Nine Mile, Ferndale, Mich.; 31938 Groesbeck, Fraser, Mich.; 32550 Cherry Hill, Garden City, Mich.; 20382 Mack, Grosse Pointe Woods, Mich.; 330 West Nine Mile, Hazel Park, Mich.; 26020 Coolidge, Huntington Woods, Mich.; 3647 Dix, Lincoln Park, Mich.; 27428 West Six Mile and 35323 Plymouth, Livonia, Mich.; 27117 John Road, Madison Heights, Mich.; 705 West Main, Plymouth, Mich.; 27200 Joy Road, Redford, Mich.; 3616 North Woodward and 217 East Eleven Mile, Royal Oak, Mich.; 29000 Little Mack, St. Clair Shores, Mich.; 14441 Eureka, Southgate, Mich.; 8370 Pelham, Taylor, Mich.; 8955 Clinton River, Utica, Mich.; 4545 East Eight Mile, and 2003 Twelve Mile, Warren, Mich.; 8244 Merriman, Westland, Mich.

Wm. Y. Gilmore & Sons, department store; 137 North Oak Park Avenue, Oak Park, Ill.; 2-14-67 to 2-13-68.

W. T. Grant Co., variety stores: No. 265, Kansas City, Mo. (2-10-67 to 2-9-68); No. 183, Bayonne, N.J. (1-1-67 to 12-31-67); No. 381, Elizabeth, N.J. (1-5-67 to 1-4-68).

Haak Brothers, Inc., department store; 737-751 Cumberland Street, Lebanon, Pa.; 2-1-67 to 1-31-68.

Handy-Andy, Inc., food stores from 2-14-67 to 2-13-68: No. 31 and No. 32, Austin, Tex.; No. 41, No. 42, and No. 43, Corpus Christi, Tex.; No. 1, No. 2, No. 4, No. 5, No. 7, No. 8, No. 9, No. 10, No. 11, No. 12, No. 14, No. 15, No. 16, No. 17, No. 18, No. 19, No. 20, No. 21, No. 22, and No. 23, San Antonio, Tex.

Highway Foods, Inc., food store; 3600 Military Highway, Norfolk, Va.; 1-19-67 to 1-18-68.

Kay Baum, Inc., apparel store; 165 West Maple, Birmingham, Mich.; 2-13-67 to 2-12-68.

Klaus Stores, Inc., department store; 2885 Milwaukee Avenue, Chicago, Ill.; 1-19-67 to 1-18-68.

S. S. Kresge Co., variety stores: No. 750, St. Petersburg, Fla. (3-1-67 to 2-28-68); No. 717, Atlanta, Ga. (1-27-67 to 1-26-68); 637 Wabash, Terre Haute, Ind. (1-16-67 to 1-15-68); No. 560 (1-17-67 to 1-16-68) and No. 565 (2-1-67 to 1-31-68), Detroit, Mich.; No. 699, Drayton Plains, Mich. (1-17-67 to 1-16-68); No. 604, Columbus, Ohio (1-23-67 to 1-22-68); No. 588, Youngstown, Ohio (1-3-67 to 1-2-68); No. 126 (1-27-67 to 1-26-68) and No. 592 (1-19-67 to 1-18-68), Philadelphia, Pa.

Mayers Department Stores, Inc., department store; 4805 South Ashland Avenue, Chicago, Ill.; 1-11-67 to 1-10-68.

Minyard's Food Stores, Inc., food stores from 2-20-67 to 2-19-68: No. 1, No. 4, No. 5, No. 6, and No. 10, Dallas, Tex.; No. 3, Irving, Tex.; No. 9, Lancaster, Tex.; No. 7, Mesquite, Tex.

Morgan & Lindsey, Inc., variety stores from 1-22-67 to 1-21-68 except when otherwise indicated: No. 3024, Amite, La.; No. 3004, DeRidder, La.; No. 3021, Hammond, La.; No. 3041, Kosciusko, Miss. (1-19-67 to 1-18-68).

New Cornelia Cooperative Mercantile Co., food store; Ajo, Ariz.; 2-1-67 to 1-31-68.

Patterson Fletcher Co., apparel stores from 2-10-67 to 2-9-68: Northcrest Shopping Center and 133 West Wayne Street, Fort Wayne, Ind.

Phelps Dodge Mercantile Co., food stores from 2-1-67 to 1-31-68: Plaza, Bisbee, Ariz.; Clifton, Ariz.; 1012 G Avenue, Douglas, Ariz.; Plantate and Stargo, Morenci, Ariz.; 405 Arizona Street, Warren, Ariz.

Piggly Wiggly, Inc., food stores from 2-24-67 to 2-23-68: Grundy, Va.; Williamson, W. Va.

Pruett's Food Town, Inc., food stores from 2-24-67 to 2-23-68: 427 Cherokee Boulevard

and 2108 East Third Street, Chattanooga, Tenn.; Daisy, Tenn.

Emma Lange, Inc., apparel store; 323 East Wisconsin Avenue, Milwaukee, Wis.; 2-20-67 to 2-19-68.

Reinhardt's IGA Foodliner, food stores; East Center Street, Coloma, Mich.; 1-14-67 to 1-13-68.

Shop-Rite, Inc., food stores from 2-19-67 to 2-18-68: Fort Oglethorpe, Ga.; Ringgold, Ga.; Trenton, Ga.

Smathers Market, food store; 118 Main Street, Canton, N.C.; 1-23-67 to 1-22-68.

Stephersons Big Star 10, food store; 4625 Poplar, Memphis, Tenn.; 2-10-67 to 2-9-68.

The Stern & Mann Co., apparel store; 301 Tuscarawas Street West, Canton, Ohio; 2-1-67 to 1-31-68.

Tom Thumb Stores, Inc., food stores from 2-24-67 to 2-23-68: 209 Caddo Street, Cleburne, Tex.; 5515 Denton Road, 4120 Loma Alto, 1904 Skillman, 6800 Snider Plaza, 3046 Mockingbird Lane, 522 Preston Royal, 116 Dallas West Center, 114 P & H Center, 6709 Preston Road, 2536 Gus Thomasson, 131 Walnut Hill Center, 202 Lake Highlands Shopping Center, 615 Lochwood Center and 316 A. Harris Center, Dallas, Tex.; 1110 East California, Gainesville, Tex.

Webb's City, Inc., department store; 128 Ninth Street, South, St. Petersburg, Fla.; 2-1-67 to 1-31-68.

Whittaker Food Store, Inc., food store; 5720 North West 39th, Oklahoma City, Okla.; 1-19-67 to 1-18-68.

P. Wiest's Sons, department store; 14-20 West Market Street, York, Pa.; 2-10-67 to 2-9-68.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

A. J. Bayless Markets, Inc., food stores from 2-1-67 to 1-31-68, package boy—service clerk, 21.9 percent for each month except as otherwise indicated: No. 53, Chandler, Ariz.; No. 37, Douglas, Ariz. (20.5 percent for each month); No. 36, Flagstaff, Ariz.; No. 50, Mesa, Ariz.; No. 39 (22 percent for each month), No. 40 (21.5 percent for each month), No. 42 (23.7 percent for each month), and No. 54, Phoenix, Ariz.; No. 51, Tempe, Ariz.; No. 43, No. 44, No. 45, No. 46, No. 47, No. 49, and No. 55, Tucson, Ariz.; No. 41, Youngtown, Ariz.

A & R Super Markets, Inc., food stores from 2-15-67 to 2-14-68, stock clerk, produce clerk, carry-out boy and meat clerk, 22.7 percent for each month: Brent, Ala.; Calera, Ala.; Selma, Ala.

Autry Greer & Sons, Inc., food stores; 911 South Wilson Avenue, Prichard, Ala.; bagger; 10 percent for each month; 1-19-67 to 1-18-68.

Big Bee Market, food store; Marysville, Pa.; bagger; 7.5 percent for each month; 2-10-67 to 2-9-68.

Commonwealth Foods, Inc., food stores from 2-1-67 to 1-31-68, fountain clerk, bagger, and scale clerk, 9.8 percent for each month: 9710 Jefferson Avenue, Newport News, Va.; 1849 East Little Creek Road, Norfolk, Va.; 4717 Jefferson Davis Highway, Richmond, Va.

Cooper & Ratcliff of Martinsville, Inc., food store; Brookdale Street, Martinsville, Va.; bagger, carry-out; 10 percent for each month; 1-2-67 to 1-1-68.

J. S. Dillon & Sons Stores Co., Inc., food stores from 2-24-67 to 2-23-68, cashier, clerk, carry-out, wrapper, and maintenance, 22.7 percent for each month except as otherwise indicated: No. 101, Fayetteville, Ark.; No. 103, Ozark, Ark.; No. 102, Paris, Ark.; No. 104, Prairie Grove, Ark.; No. 49, Lawrence, Kans. (17.6 percent per month); No. 76, Manhattan, Kans. (17.6 percent per month); No. 78, Topeka, Kans. (17.6 percent per month); No. 75, Valley Center, Kans.; No. 35 (12.2 percent per month), No. 71 (12.2 percent per month), No. 72 (12.2 percent per month), No. 77 (18.2 percent per month), Wichita, Kans.

Dyche Jones Food Stores, Inc., food store; No. 4, Manchester, Ky.; bagger, carry-out, clean-up, stock clerk; between 4.5 percent and 10 percent; 1-12-67 to 1-11-68.

Epps Super Markets, Inc., food stores from 2-1-67 to 1-31-68, carry-out, clean-up, sacker, produce helper, stocker-checker, 10 percent for each month: No. 4 and No. 5, Houston, Tex.

Farmer Jack's, food stores from 2-1-67 to 3-31-67, bagger, carry-out: 14550 Southfield, Allen Park, Mich. (6.2 percent for each month); 4889 Dixie Highway, Drayton Plains, Mich. (8.6 percent for each month); 1626 Leonard, North East, Grand Rapids, Mich. (6.9 percent for each month); 3600 Oakwood Boulevard, Melvindale, Mich. (8.6 percent for each month); 1701 Apple Avenue, Muskegon, Mich. (6.9 percent for each month); 21160 Greenfield, Oak Park, Mich. (9.1 percent for each month); 29 South Glenwood, Pontiac, Mich. (8.6 percent for each month); 3520 Pine Grove, Port Huron, Mich. (6.7 percent for each month); 14001 Telegraph, Redford, Mich. (10 percent for each month); 25960 Gratiot, Roseville, Mich. (8.1 percent for each month); 3800 Dixie Highway, Saginaw, Mich. (8.6 percent for each month); 30600 Southfield Road, Southfield, Mich. (10 percent for each month); 39000 Van Dyke, Utica, Mich. (6.7 percent for each month); 31150 van Dyke (8.7 percent for each month), 13877 East Eight Mile (10 percent for each month) and 21056 Dequindre, Warren, Mich. (10 percent for each month); 425 South Telegraph, Waterford, Mich. (8.6 percent for each month); 34630 Michigan Avenue, Wayne, Mich. (6.2 percent for each month); 4500 Clyde Park, Wyoming, Mich. (6.9 percent for each month).

Food Fair Markets, food stores from 2-1-67 to 3-31-67, bagger, carry-out, 10 percent for each month except as otherwise indicated: 25855 Ford Road, Dearborn Heights, Mich.; 15510 Joy Road, 16520 West Warren (between 8.3 percent and 9.2 percent), 12701 East Seven Mile (between 9.5 percent and 10 percent), 201 East McNichols, 4031 Oakman Boulevard, 14470 Livernois, 14424 Schaefer (7.5 percent for each month), 3830 West Vernor and 2411 Central, Detroit, Mich.; 19230 Harper, Harper Woods, Mich. (between 9.2 percent and 10 percent); 29380 West Seven Mile Road, 27451 Schoolcraft and 36622 Five Mile Road, Livonia, Mich. (9.8 percent for each month); 388 North Cratiot, Mount Clemens, Mich. (6.8 percent for each month); 1647 Merri-man, Nankin, Mich. (6.3 percent for each month); 18257 Ten Mile Road, Southfield, Mich.; 21800 West Eleven Mile Road, Southfield, Mich.; 2880 West Maple, Troy, Mich.; 4242 East Ten Mile Road (8.7 percent for each month) and 11660 Eleven Mile Road, Warren, Mich. (8.8 percent for each month).

W. T. Grant Co., variety stores: No. 802, Rolling Meadows, Ill. (sales clerk, stock clerk, office clerk, cashier, between 2.3 percent and 10 percent, 12-16-66 to 12-15-67); No. 90, Pottsville, Pa. (sales clerk, between 8.0 percent and 15 percent, 2-23-67 to 2-22-68).

H. E. Butt Grocery Co., food store; No. 94, Portland, Tex.; package boy, bottle boy, sack boy, 10 percent for each month; 1-4-67 to 1-3-68.

Handy-Andy, Inc., food stores from 2-14-67 to 2-13-68, package boy, stock clerk, checker, porter, office clerk, bakery sales, produce clerk, and bottle sorter, 26.9 percent for each month except as otherwise indicated: No. 33 and No. 34, Austin, Tex.; No. 44, Corpus Christi, Tex. (27.4 percent for each month); No. 3 (27.4 percent for each month); No. 24 (26.5 percent for each month); No. 25 (31.3 percent for each month); No. 26 (26.5 percent for each month); and No. 27, San Antonio, Tex.

K-Mart Foods, food stores from 2-1-67 to 3-31-67, bagger, carry-out, 10 percent for each month except as otherwise indicated: 18211 Plymouth Road, Detroit, Mich.; 13311 Eureka Road, Southgate, Mich. (8.9 percent for each month); 21111 Van Born, Taylor, Mich. (8.8 percent for each month); 100 East Maple, Troy, Mich.

Kay Baum, Inc., apparel stores from 2-13-67 to 2-12-68, stock clerk, 12.9 percent for each month: Liberty at Thompson, Ann Arbor, Mich.; 16822 Kercheval and 1550 Woodward Avenue, Detroit, Mich.

S. S. Kresge Co., variety stores for the occupation of salesclerk, except as otherwise indicated: No. 4052, Fort Smith, Ark. (between 3.8 percent and 10 percent, 1-14-67 to 1-13-68); No. 4072, Atlanta, Ga. (between 3.5 percent and 10 percent, 2-1-67 to 1-31-68); No. 226, Calumet City, Ill. (10 percent for each month, 1-19-67 to 1-18-68); No. 4595, Olney, Ill. (salesclerk, checker, office clerk, stock clerk, 11.7 percent for each month, 2-20-67 to 2-19-68); No. 4063, Alexandria, La. (between 2.4 percent and 10 percent, 1-14-67 to 1-13-68); No. 4128, Lake Charles, La. (between 3.7 percent and 10 percent, 1-19-67 to 1-18-68); No. 39, Hyattsville, Md. (between 9.2 percent and 10 percent, 1-24-67 to 1-23-68); No. 4027, Detroit, Mich. (10 percent for each month, 1-11-67 to 1-10-68); No. 4040, Flint, Mich. (10 percent for each month, 1-19-67 to 1-18-68); No. 4066, Jackson, Mich. (10 percent for each month, 1-3-67 to 1-2-68); No. 4015, Port Huron, Mich. (between 9.5 percent and 10 percent, 1-8-67 to 1-7-68); No. 4169, Massillon, Ohio (between 6.4 percent and 10 percent (1-19-67 to 1-18-68); No. 4110, High Point, N.C. (salesclerk, stock clerk, 10 percent for each month, 2-7-67 to 2-6-68); 400 East Six Forks Road, Raleigh, N.C. (10 percent for each month, 2-1-67 to 1-31-68); No. 721, Anderson, S.C. (between 6.7 percent and 10 percent, 2-2-67 to 2-1-68); No. 4139, Dallas, Tex. (between 7.2 percent and 10 percent, 1-19-67 to 1-18-68); No. 4161, Dallas, Tex. (between 7.2 percent and 10 percent, 1-19-67 to 1-18-68); No. 4090, Charlottesville, Va. (between 2.7 percent and 10 percent, 1-7-67 to 1-6-68).

McCrory-McLellan-Green, variety store; No. 338, Fort Lauderdale, Fla.; salesclerk, office clerk, stock clerk; 10 percent for each month; 1-19-67 to 1-18-68.

Marco Supermarkets, Inc., food store; 5555 East Fifth Street, Tucson, Ariz.; carry-out, clean-up, stock clerk; 10 percent for each month; 1-11-67 to 1-10-68.

Millner-Aycock's, Inc., department store; 118 South Broad Street, Monroe, La.; salesclerk, cashier; 5.4 percent for each month; 2-11-67 to 11-30-67.

Minyard's Food Stores, Inc., food stores from 2-20-67 to 2-19-68, package boy, 13.7 percent for each month; No. 12, Arlington, Tex.; No. 20, Arlington, Tex.; No. 2, Dallas, Tex.; No. 8, Dallas, Tex.; No. 11, Dallas, Tex.; No. 14, Dallas, Tex.; No. 15, Dallas, Tex.; No. 18, Dallas, Tex.; No. 19, Dallas, Tex.; No. 17, Irving, Tex.; No. 16, Lewisville, Tex.

Morgan & Lindsey, Inc., variety store; No. 3104, Houma, La.; salesclerk, clerical, stock clerk; between 2.6 percent and 10 percent; 1-26-67 to 1-25-68.

Phelps Dodge Mercantile Co., food store; San Jose, Bisbee, Ariz.; carry-out, janitorial,

stock room housekeeping; 10 percent for each month; 2-1-67 to 1-31-68.

Piggly Wiggly, Inc., food stores; Siloam Springs, Ark. (sack boy, between 6.6 percent and 10 percent, 1-19-67 to 1-18-68); Pikeville, Ky. (bagger, carry-out, stock clerk helper, 24.7 percent for each month, 2-24-67 to 2-23-68).

Pruett's Food Town, Inc., food stores from 2-24-67 to 2-23-68, sack boy, 10 percent for each month; No. 4, Dayton, Tenn.; 5738 Ringgold Road, East Ridge, Tenn.

Shop-Rite, Inc., food stores from 1-19-67 to 1-18-68, bagger, stock clerk, 10 percent for each month; Chatsworth, Ga.; LaPayette, Ga.; 6329 East Brainerd Road, Chattanooga, Tenn.

The Stern & Mann Co., apparel store; 3040 Cromer Northwest, Canton, Ohio; delivery clerk, stock clerk, service desk, alteration, gift wrapper, teen board; between 1.3 percent and 7.6 percent; 2-1-67 to 1-31-68.

Tom Thumb Stores, Inc., food stores from 2-24-67 to 2-23-68, package boy, 10.3 percent for each month: Medallion Center, Dallas, Tex.; 7932 South Loop 12, Dallas, Tex.; 4123 Cedar Springs, Dallas, Tex.; 6707 West Northwest Highway, Dallas, Tex.; 424 Bruton Terrace, Dallas, Tex.; 131 Marib Plaza, Dallas, Tex.; 4121 Gaston Avenue, Dallas, Tex.; 370 Hillside Village, Dallas, Tex.; 7117 Inwood Road, Dallas, Tex.; 7115 Polk Street, Dallas, Tex.; 216 Josey Square, Farmers Branch, Tex.; First and Kingsley, Garland, Tex.; Shiloh and Walnut Streets, Garland, Tex.; 160 Grand Central Center, Grand Prairie, Tex.; 39 Arapaho Center, Richardson, Tex.

Whittaker, Inc., food store; No. 3, Bethany, Okla.; sack boy, carry-out; between 3.8 percent and 4.5 percent; 1-19-67 to 1-18-68.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 3d day of March 1967.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[P.R. Doc. 67-2740; Filed, Mar. 13, 1967;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 9, 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. 40934—*Pig iron to Charlotte, N.C.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2881), for interested rail carriers. Rates on pig iron, in carloads, from Buffalo, Green Island, Niagara Falls, North Tonawanda, Suspension Bridge, and Troy, N.Y., and Swedeland, Pa., to Charlotte, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 168 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-334.

FSA No. 40935—*Iron and steel articles to Jackson, Miss.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2882), for interested rail carriers. Rates on sheet steel, strip steel, bars and plate or sheet, n.o.i.b.n., in carloads, from specified points in Michigan, Ohio, Pennsylvania, and West Virginia, to Jackson, Miss.

Grounds for relief—Truck-barge-rail, barge-rail and market competition.

Tariff—Supplement 63 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-428.

FSA No. 40936—*Carbide of calcium residue—Calvert, Ky., to southern territory.* Filed by O. W. South, Jr., agent (No. A4998), for interested rail carriers. Rates on carbide of calcium residue, as described in the application, in carloads, from Calvert, Ky., to points in southern territory.

Grounds for relief—Shortline distance formula and grouping.

Tariff—Supplement 86 to Southern Freight Association, agent, tariff ICC S-257.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-2765; Filed, Mar. 13, 1967;
8:50 a.m.]

[Notice 349]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 9, 1967.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can

and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 4483 (Sub-No. 9 TA), filed March 6, 1967. Applicant: MONSON DRY LINE, INC., Rural Route 1, Red Wing, Minn. 55066. Applicant's representative: Donald B. Taylor, 3464 Minnehaha Avenue South, Post Office Box 5068, Minneapolis, Minn. 55406. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay sewer pipe, clay sewer pipe fittings, and kindred clay products*, from the plantsite of Red Wing Sewer Pipe Co. located at Red Wing, Minn., and the plantsite of Iowa Clay Products Co. located at Grimes, Iowa, to points in Iowa, Minnesota, and Nebraska, for 180 days. Supporting shipper: Red Wing Sewer Pipe Corp., Featherstone Road, Red Wing, Minn. 55066. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 9325 (Sub-No. 32 TA), filed March 6, 1967. Applicant: K LINES, INC., Post Office Box 216, Lebanon, Oreg. 97355. Applicant's Representative: White, Sutherland and Gilbertson, 1200 Jackson Tower Building, Portland, Oreg. 97201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bulk cement*, in pneumatic equipment, from Gray Rocks, Calif., to points in Lake, Klamath, Deschutes, Jackson, Josephine, and Curry Counties, Oreg., for 180 days. Supporting shipper: Builders Supply Co., Medford, Oreg.; Calaveras Cement Co., San Francisco, Calif.; Grants Pass Ready Mix, Grants Pass, Oreg.; Concrete-Steel Corp., Medford, Oreg.; and Acme Concrete, Klamath Falls, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 20722 (Sub-No. 18 TA), filed March 3, 1967. Applicant: M & G CONVOY, INC., 590 Elk Street, Post Office Box 218, Buffalo, N.Y. 14205. Applicant's representative: Walter N. Biene-man, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and parts thereof moving therewith, in secondary movements, in truckway and driveway service, from Selkirk, N.Y., and Framingham, Mass., to points in Vermont, New Hampshire, Maine, and Rhode Island. Restriction: Service shall be restricted to traffic originating at the

plantsite of Kaiser Jeep Corp. at Toledo, Ohio, and having an immediately prior movement by rail, for 180 days. Supporting shipper: Kaiser Jeep Corp., Toledo, Ohio 43601. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 121 Ellicott Street, Room 324, Buffalo, N.Y. 14203.

No. MC 51146 (Sub-No. 53 TA), filed March 3, 1967. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54303. Applicant's representative: D. J. Schneider (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pulpboard boxes, and inserts and liners used in connection therewith*, from the plantsite of Menasha Corp., Container Division, Chicago, Ill., to points in Columbia, Dane, Dodge, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Ozaukee, Racine, Richland, Rock, Sauk, Walworth, Washington, and Waukesha Counties, Wis., and damaged and rejected shipments, on return, for 180 days. Supporting shipper: Menasha Corp., Box 191, Menasha, Wis. 54952. Carl H. Kraus, corporation traffic manager. Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 61396 (Sub-No. 183 TA), filed March 3, 1967. Applicant: HERMAN BROS. INC., 2501 North 11 Street, Omaha, Nebr. 68110. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Limestone mineral filler*, in bulk, in tank vehicles, from Weeping Water, Nebr., to Akron, Iowa, for 180 days. Supporting shipper: United Mineral Products Co., 1117 WOW Building, Omaha, Nebr., 68102. Send protests to: Keith P. Kohrs, District Supervisor, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 103880 (Sub-No. 383 TA), filed March 7, 1967. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Post Office Box 7211, Akron, Ohio 44306. Applicant's representative: T. J. Bird (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Cities Service Pipeline Terminal approximately 2½ miles west of West Corporate limits of South Bend, Ind., to points in the Lower Peninsula of Michigan, for 150 days. Supporting shipper: Cities Service Oil Co., Oil Center Building, Box 300, Tulsa, Okla. 74102. Send protests to: G. J. Baccel, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 435 Federal Building, Cleveland, Ohio 44114.

No. MC 107496 (Sub-No. 535 TA), filed March 3, 1967. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to

operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in pneumatic vehicles, from Clinton, Iowa, to points in Minnesota, Wisconsin, Illinois, Missouri, Nebraska, and Indiana, for 180 days. Supporting shipper: International Minerals & Chemical Corp., 5401 Old Archard Road, Skokie, Ill. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 110988 (Sub-No. 234 TA), filed March 3, 1967. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. 54957. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizers and fertilizer materials*, from Henry, Ill., to points in Minnesota, Wisconsin, Iowa, Missouri, Indiana, Kentucky, Ohio, and Michigan for 180 days. Supporting shipper: W. R. Grace & Co., Post Office Box 277, 147 Jefferson Avenue, Memphis, Tenn. 38101. Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 111069 (Sub-No. 40 TA), filed March 3, 1967. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, State Highway 131, Clarksville, Ind. 47131. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Bakery goods and fruit*, prepared, in vehicles equipped with mechanical refrigeration, (1) from Louisville, Ky., Atlanta, Ga., and New Albany, Ind., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, District of Columbia, Montana, South Dakota, North Dakota, and (2) from East Greenville, Pa., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, District of Columbia, Montana, North Dakota, and South Dakota, for 180 days. Supporting shipper: The Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402. Send protests to: R. M. Hagarty, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 114364 (Sub-No. 133 TA), filed March 3, 1967. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Marlon F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over

irregular routes, transporting: *Glass containers, and cartons* knocked down, from Ada, Okla., to points in Arizona, New Mexico, and those in Texas on and north of U.S. Highway 62, for 180 days. Supporting shipper: Brockway Glass Co., J. W. Pennington, traffic manager, Post Office Box 8, Muskogee, Okla. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 114364 (Sub-No. 134 TA), filed March 3, 1967. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, and materials and supplies* used in the installation and distribution thereof, from Florence, Colo., to points in Arizona, for 180 days. Supporting shipper: Fibreboard Corp., P. W. Pollock, Manager of Rail and Truck Traffic, 475 Brannan Street, San Francisco, Calif. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 117651 (Sub-No. 8 TA), filed March 6, 1967. Applicant: FEASTER TRUCKING SERVICE, INC., Claffin, Kans. 67525. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Mason City, Iowa, and points within 10 miles thereof, to points in Missouri and Kansas, for 180 days. Supporting shipper: The Carter-Waters Corp., Kansas City, Mo. Send protests to: M. E. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 906 Schweitzer Building, Wichita, Kans. 67202.

No. MC 118959 (Sub-No. 29 TA), filed March 6, 1967. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. 63701. Applicant's representative: Stuart Symington, Jr., 434 Paul Brown Building, 808 Olive Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods, dangerous explosives, articles of unusual value and commodities requiring special equipment), from points in St. Louis, Mo., East St. Louis, Ill., commercial zone, to points in Florida, and return. Applicant will interline traffic with other motor carriers at St. Louis, Mo., and will handle shipments originating at or destined to foreign countries when interchanged at St. Louis, Mo., or points in Florida. Supporting shipper: There are 82 supporting statements attached which may be examined here at the Interstate Commerce Com-

mission, in Washington, D.C. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 3248-B, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 124265 (Sub-No. 2 TA), filed March 3, 1967. Applicant: JOHN CRONIN AND ANDREW STEINERT, a partnership, doing business as J AND A PARCEL SERVICE, 53-24 195th Street, Flushing, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caps, gowns, robes and accessories; and gym and athletic outfits; and school wear coordinates; and worn and used caps, gowns, robes and accessories; and worn and used gym and athletic outfits; and worn and used school wear coordinates; between New York, N.Y., Carle Place, N.Y., and Newark, N.J., on the one hand, and, on the other, points in New York, New Jersey, Maine, New Hampshire, Vermont, Massachusetts, Pennsylvania, Connecticut, Rhode Island, Virginia, Maryland, Delaware, and the District of Columbia, for 150 days.* Supporting shipper: E. R. Moore Co., 7230 North Caldwell Avenue, Niles, Chicago, Ill. 60648. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 127093 (Sub-No. 7 TA), filed March 6, 1967. Applicant: BASIL J. SMEESTER AND JOSEPH G. SMEESTER, a partnership, doing business as SMEESTER BROTHERS TRUCKING, 1330 South Jackson, Iron Mountain, Mich. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boards, building, wall and/or insulating, and parts, materials and accessories incidental thereto; (2) manufactured and/or composition boards, and parts and accessories incidental thereto; and (3) roofing and/or insulating materials, and parts and accessories incidental thereto: Provided,* That the items specified in 1, 2, and 3 shall be restricted against the transportation of finished lumber and commodities in bulk, between the plantsite of Celotex Corp. at L'Anse, Mich., and warehouses owned or leased by Celotex Corp. in the Upper Peninsula of Michigan, on the one hand, and, on the other, points in Iowa, Missouri, Tennessee, Kentucky, Ohio, Pennsylvania, New York, Indiana (except Lake and Porter Counties), Illinois (except points in the Chicago commercial zone, and points in Illinois within 50 miles of Chicago, and except Cook, Du Page, Kane, Kendall, Lake, McHenry, and Will Counties), Wisconsin (except Florence, Marinette, Oconto, Brown, Manitowish, Calumet, Sheboygan, Ozaukee, Milwaukee, Racine, and Kenosha Counties) and West Virginia, for 180 days. Supporting shipper: The Celotex Corp., 1500 North Dale Mabry, Tampa, Fla. 33607. Send protests to: C. R. Flemming, District Supervisor, Inter-

state Commerce Commission, Bureau of Operations and Compliance, 221 Federal Building, Lansing, Mich. 48933.

No. MC 127100 (Sub-No. 3), filed March 3, 1967. Applicant: B&B MOTOR LINES, INC., 911 Summit Street, Toledo, Ohio 43604. Applicant's representative: Earl F. Boxell, Toledo Trust Building, Toledo, Ohio 43604. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer and ale*, in bottles, cans and kegs, cases, and other containers, from South Bend, Ind., to Toledo, Sandusky, Defiance, and Lima, Ohio; from Toledo, Sandusky, Defiance, and Lima, Ohio, to South Bend, Ind., for 150 days. Supporting shippers: Metropolitan Distributing Co., Toledo, Ohio, the Thornburgh Sales Co., Sandusky, Ohio, the Defiance Beverage Co. of Defiance, Ohio, and Shawnee Distributors, Inc., of Lima, Ohio. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, Toledo, Ohio 43604.

No. MC 128904 TA, filed March 2, 1967. Applicant: GLENN NAREHOOD AND JAY NAREHOOD, a partnership, doing business as NAREHOOD TRUCKING CO., Rural Delivery 1, Milton, Pa. 17847. Applicant's Representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, other than in bulk, from Milton, Pa., to points in Connecticut, Massachusetts, and Rhode Island under contract with American Home Foods, Division of American Home Products Corp., for 180 days. Supporting shipper: American Home Foods, 685 Third Avenue, New York, N.Y. 10017. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa. 17101.

No. MC 128907 TA, filed March 2, 1967. Applicant: THE SUPERIOR TRANSPORTER COMPANY, doing business as: LEDON CONSTRUCTION COMPANY, INC., 830 Cherry Street, Chattanooga, Tenn. 37402. Applicant's representative: Don Moore, Jr., James Building, Chattanooga, Tenn. 37401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty, used, and rebuilt tubular cylinders upon tube trailers*, between Altoona (Juniata-Altoona), Pa., Atlanta, Ga., Baltimore, Md., Barboursville, Ohio, Belton, Tex., Billings, Mont., Bossier City, La., Buffalo, N.Y., Charlotte, N.C., Chattanooga, Tenn., Cincinnati, Ohio, Cleveland, and Columbus, Ohio, Conshohocken, Pa., Dallas and Richardson, Tex., Denver, Colo., Detroit, Mich., Evansville, Ind., Ferndale, Mich., Fort Smith, Ark., Grand Junction, Colo., Hodgkins, Ill., Houston, Tex., Indianapolis, Ind., Jackson, Miss., Jacksonville, Fla., Kansas City, Kans., Knoxville, Tenn., La Grange, Ill., Los Angeles, Calif., Louisville, Ky., Lowellville, Ohio, Lubbock, Tex., Mansfield, Ohio, McKees-

Rocks, Pa., Memphis, Tenn., Miami, Fla., Milwaukee, Wis., Natrona, Pa., New Orleans, La., Niagara Falls, N.Y., North Bergen, N.J., North Grafton, Mass., Oklahoma City, Okla., Omaha, Nebr., Peoria, Ill., Portland, Oreg., Portsmouth, Va., Pueblo, Colo., Saginaw, Mich., St. Louis, Mo., St. Paul, Minn., Salt Lake City, Utah, San Diego, Calif., San Francisco, Calif., Seattle, Wash., Sharon, Pa., South Chicago, Ill., South Meriden, Conn., Struthers-Lowellville, Ohio, Stuyvesant Falls, N.Y., Tampa, Fla., Tulsa, Okla., Waynesboro, Va., for 180 days. Supporting shipper: National Cylinder Gas, 1329 Chestnut Street, Chattanooga, Tenn. Send protests to: J. E. Gamble, District Supervisor, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 128909 TA, filed March 3, 1967. Applicant: COMMODORE CONTRACT CARRIERS, INC., 2410 Dodge Street, Omaha, Nebr. 68131. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (A) *Mobile homes, house trailers designed to be drawn by passenger autos, and homes designed to be drawn by motor vehicles only when partially disassembled, in initial and secondary movements, in tow-away and truckaway service:* (1) Between Falls City and North Bend, Nebr.; Arlington (Shelby County), Tenn.; Hamilton, Haleyville, and Red Bay, Ala.; Danville, Va.; and Rosenberg, Oreg.; (2) between Falls City, Nebr., on the one hand, and, on the other, points in Arizona, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Tennessee, Texas, Utah, Washington, Wyoming, and Wisconsin, and ports of entry on the United States-Canadian border in Minnesota, North Dakota, Montana, and Washington; (3) between North Bend, Nebr., on the one hand, and, on the other, points in Arizona, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Montana, Nevada, New Mexico, North Dakota, South Dakota, Oklahoma, Oregon, Utah, Tennessee, Texas, Wyoming, Washington, and Wisconsin, and ports of entry on the United States-Canadian border in Minnesota, North Dakota, and Montana.

(4) Between Haleyville and Red Bay, Ala., and Arlington (Shelby County), Tenn., on the one hand, and, on the other, points in Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia; (5) between Danville, Va., on the one hand, and, on the other, points in Delaware, Georgia, Kentucky, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, West Virginia, and the District of Columbia; (6) between Roseburg, Oreg., on the one hand, and,

on the other, points in Washington, California, Nevada, Arizona, New Mexico, Colorado, Utah, Idaho, Montana, and Wyoming, and ports of entry on the United States-Canadian border in Washington and Montana, and (B) *wheels, axles, and hitches, between points in the United States (except Alaska and Hawaii), on the one hand, and, on the other, Falls City and North Bend, Nebr.; Arlington (Shelby County), Tenn.; Hamilton, Haleyville, and Red Bay, Ala.; Danville, Va.; and Roseburg, Oreg.* Restriction: All service included herein to be performed under continuing contracts with The Commodore Corp., Omaha, Nebr., its wholly owned subsidiaries and its divisions, having plants at the specific named points set out in Parts A and B above, for 180 days. Supporting shipper: The Commodore Corp., 2410 Dodge Street, Omaha, Nebr. (Moreley Zipursky, Executive Vice President). Send protests to: Keith P. Kohrs, District Supervisor, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 128910 TA, filed March 3, 1967. Applicant: WILLIAM K. WOOD, 809 East Eighth Street, Moscow, Idaho 83843. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, in bags and bulk, from points in Franklin and Benton Counties, Wash., to points in Latah County, Idaho, for 180 days.* Supporting shipper: Latah County Grain Growers, Inc., Moscow, Idaho. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 128911 (Sub-No. 1 TA), filed March 7, 1967. Applicant: JAY'S DELIVERY SERVICE, INC., 1154 Flushing Avenue, Brooklyn, N.Y. 11237. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a contract carrier, by motor vehicle, over regular routes, transporting: *Cut goods, piece goods, and trimmings used in the manufacture of ladies wearing apparel, and ladies wearing apparel, on hangers and/or boxed in cartons, between Rutherford, N.J., and New York, N.Y., via New Jersey Highway 3 and the Lincoln Tunnel, for 180 days.* Supporting shipper: Latest Trends, Inc., 309 Veterans Boulevard, Rutherford Industrial Park, Rutherford, N.J. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 346 Broadway, New York, N.Y. 10013.

No. MC 128915 TA, filed March 6, 1967. Applicant: W. H. EDWARDS, doing business as EDWARDS BROS. VAN & STORAGE CO., 302 F. North Russell, Santa Maria, Calif. 93454. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used household goods, between points in Santa Barbara and San Luis Obispo Counties, Calif., on traffic having a prior or subsequent out-of-State movement, for 180 days.* Supporting shipper: Alaska HHG Movers, Inc.,

5053 East Marginal Way South, Seattle, Wash. 98134. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Federal Building, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 128917 TA, filed March 7, 1967. Applicant: HANDY TRUCK LINE, INC., Heyburn, Idaho 83336. Applicant's representative: Leo J. Handy (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement, from Inkom, Pocatello, Idaho Falls, Heyburn, and Twin Falls, Idaho, to points in Montana, Wyoming, and Nevada, for 180 days.* Supporting shipper: Idaho Portland Cement Co., Inkom, Idaho 83245. Send protests to: C. W. Campbell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 203 Eastman Building, Boise, Idaho 83702.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-2786; Filed, Mar. 13, 1967;
8:50 a.m.]

[Notice 1489]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 9, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69472. By order of March 7, 1967, the Transfer Board approved the transfer to Whalen's Moving & Storage Co., Inc., Mount Kisco, N.Y., of permits Nos. MC-123404 (Sub-No. 2) and MC-123404 (Sub-No. 3), issued March 14, 1962, and April 13, 1962, respectively, to William H. Whalen, Jr., doing business as Whalen's Moving & Storage, Mount Kisco, N.Y., and authorizing the transportation of telephone equipment, tools, materials, and supplies, over irregular routes, from Mount Kisco, N.Y., to points in Westchester and Putnam Counties, N.Y., and such commodities as are dealt in by wholesale farm supply houses, in containers, from Bound Brook, Newton, Cranbury, Millville, Carteret, and Jersey City, N.J., to points in Westchester, Putnam, and Dutchess Counties, N.Y., and from Mount Kisco, N.Y., to points in Fairfield County, Conn. William H. Whalen, Jr., Kisco, and

Columbus Avenues, Mount Kisco, N.Y. 10549, representative for applicants.

No. MC-FC-69499. By order of March 8, 1967, the Transfer Board approved the transfer to Giant Transport, Inc., Paterson, N.J., of permit No. MC-112748, is-

sued September 28, 1964, to Philip R. Waldman, Secaucus, N.J., and authorizing the transportation, over irregular routes, of cloth piece goods, between Paterson, N.J., and New York, N.Y. Martin Werner, 2 West 45th Street, New York, N.Y. 10036, attorney for transferor.

A. Victor Koch, 5 Colt Street, Paterson, N.J. 07505, attorney for transferee.

[SEAL]

H. NEIL GARSON,
Secretary.

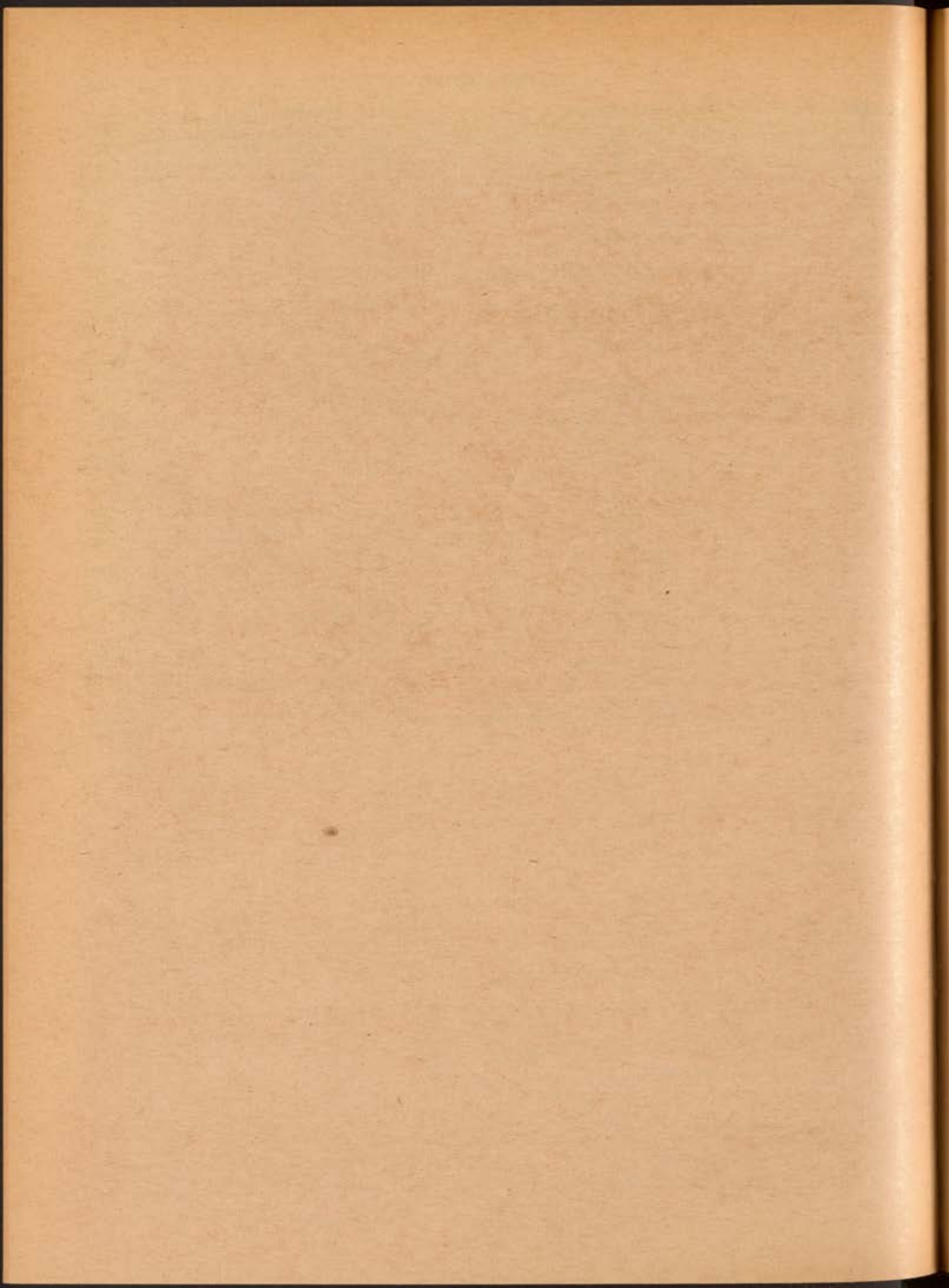
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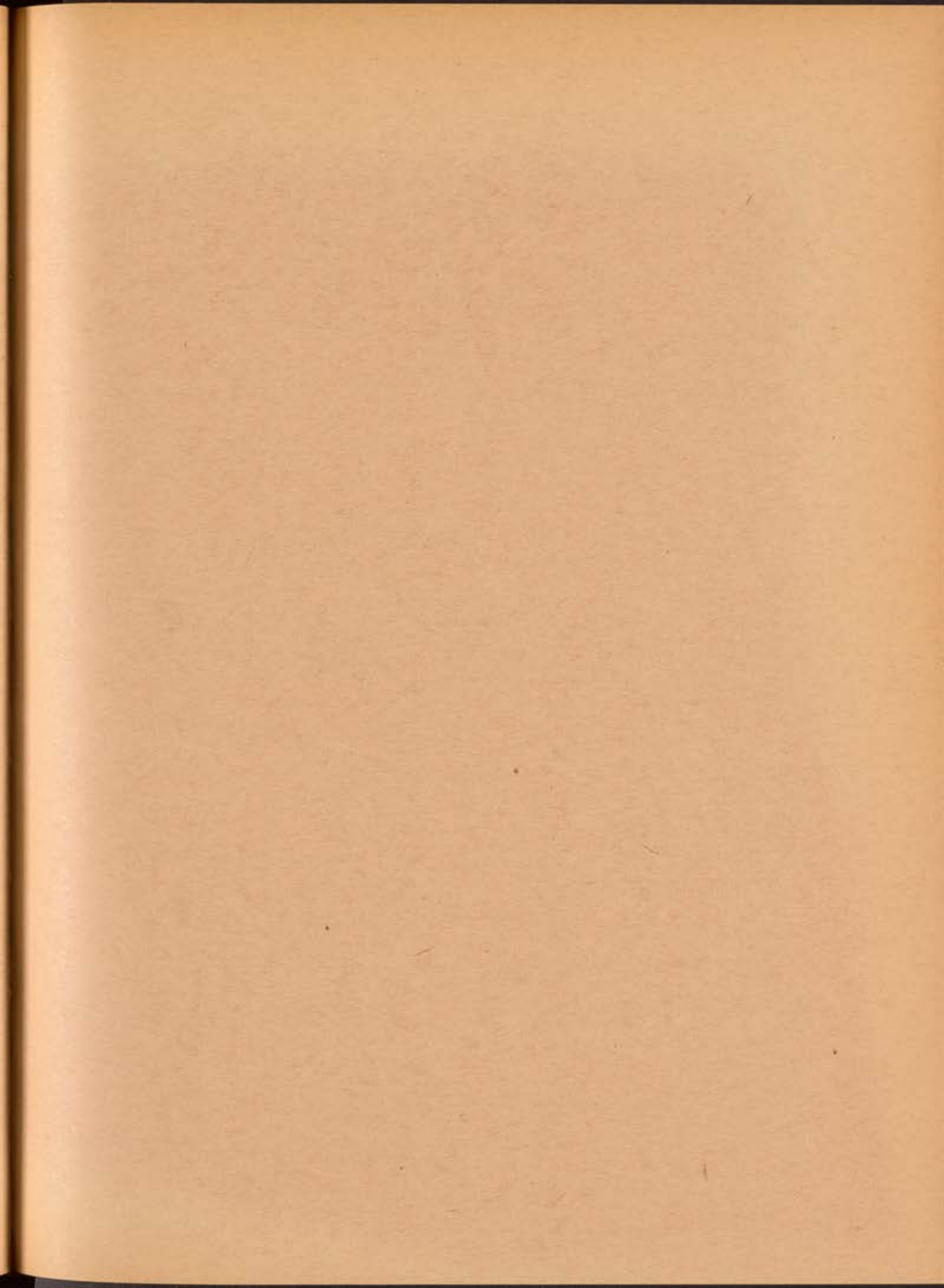
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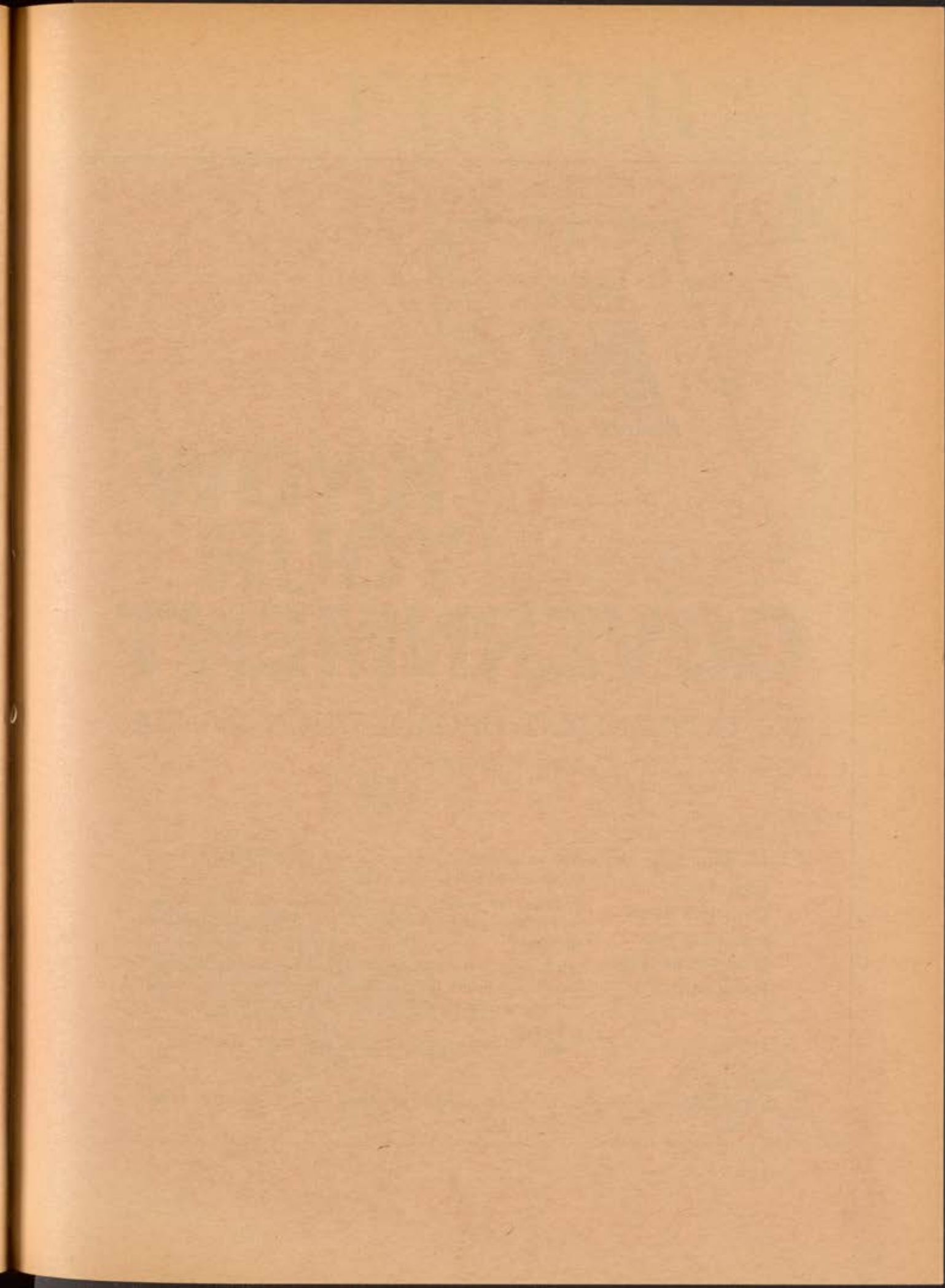
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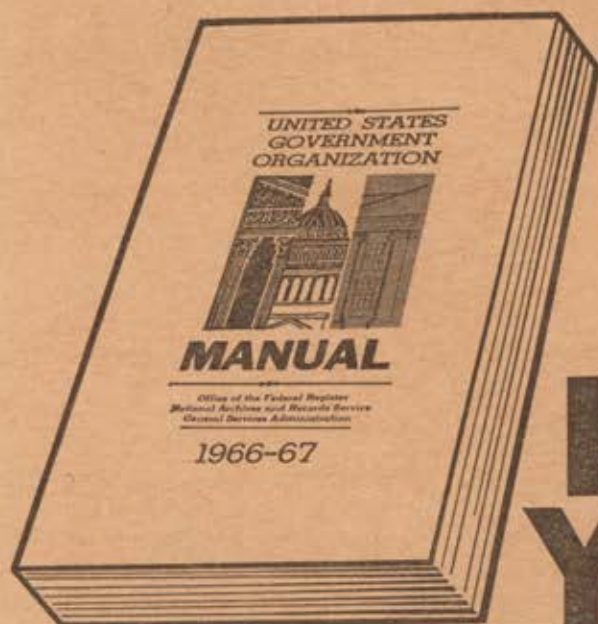
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