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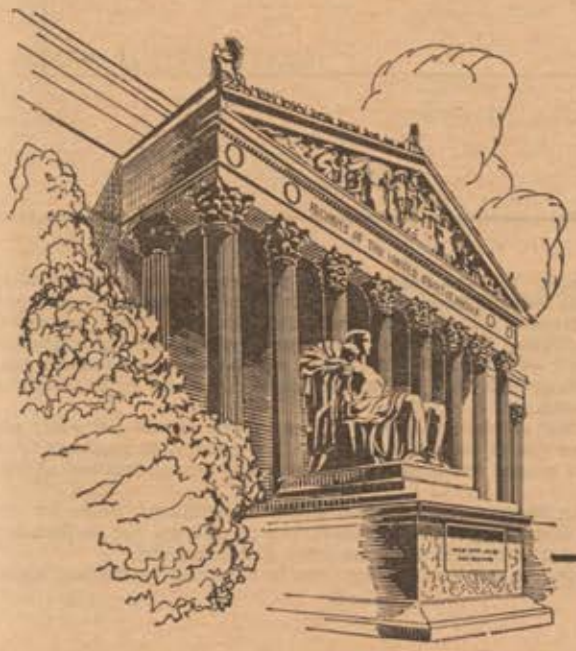

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List of CFR Parts Affected

(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.

Rules and Regulations

Title 7—AGRICULTURE

Chapter II—Consumer and Marketing Service (Consumer Food Programs), Department of Agriculture

[Amdt. 4]

PART 215—SPECIAL MILK PROGRAM FOR CHILDREN

Revision in Maximum Reimbursement Rates

The regulations at 30 F.R. 14910 as amended at 31 F.R. 11743, 31 F.R. 14925, and 32 F.R. 4341, governing the operation of a Special Milk Program for children, are hereby amended to revise the maximum rates of reimbursement.

In § 215.7, paragraph (b) is revised to read as follows:

§ 215.7 Reimbursement payments.

* * * * *

(b) In pricing programs, the maximum rate of reimbursement shall be 4 cents per half pint in schools that serve Type A lunches under the National School Lunch Program and in schools that serve breakfasts under the School Breakfast Program, except that for the period May 1, through June 30, 1967 the maximum rate of reimbursement in such schools shall be 5 cents per half pint. For other schools and for child-care institutions having pricing programs, the maximum rate of reimbursement shall be 3 cents per half pint, except that for the period May 1, through June 30, 1967, the maximum rate of reimbursement in such schools and institutions shall be 4 cents per half pint. Schools and child-care institutions having pricing programs shall make maximum use of the reimbursement payments received under the program to reduce the price of milk to children. The full amount of the payments shall be reflected in reduced prices to children, except that such payments may be used by schools or child-care institutions to defray distribution costs. Distribution costs shall not exceed 1 cent per half pint. Exceptions to this provision may be granted by the State agency, or the Consumer Food Programs District Office, C&MS, where applicable, in instances where the situation in a school or child-care institution justifies distribution costs above 1 cent per half pint, but in no case shall distribution costs be allowed above 1½ cents per half pint.

* * * * *

This amendment shall be effective upon publication.

Approved: April 25, 1967.

[SEAL] GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-4711; Filed, Apr. 27, 1967; 8:47 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 13]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

TRANSFER OF COTTON ACREAGE AFFECTED BY NATURAL DISASTER

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purpose of this amendment is to designate counties in California that have been affected by a natural disaster within the meaning of section 344 (n) of the act for the 1967 crop.

In order that determinations with respect to transfers of acreage for the 1967 crop may be made prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

Section 722.430 of the Regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended), is amended by adding a new paragraph (i) at the end thereof as follows:

§ 722.430 Transfer of farm cotton acreage effected by a natural disaster.

* * * * *

(i) *1967 crop—designated States and counties affected by a natural disaster.* It is hereby determined that a natural disaster consisting of flood or excessive rainfall in 1967 has prevented timely planting or replanting of a portion of the 1967 farm allotments on some farms in the following designated State and counties:

CALIFORNIA

Fresno.	Madera.
Kern.	Merced.
Kings.	Tulare.

(Secs. 344(n), 375; 78 Stat. 177, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

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

Signed at Washington, D.C., on April 25, 1967.

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

[F.R. Doc. 67-4733; Filed, Apr. 27, 1967; 8:49 a.m.]

SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 63]

PART 750—SOIL BANK

Subpart—Conservation Reserve Program for 1956 Through 1959

MISCELLANEOUS AMENDMENTS

The regulations governing the Conservation Reserve Program for 1956 through 1959, 21 F.R. 6289, as amended, are hereby further amended as follows:

Section 750.156(d) is amended by adding a new subparagraph (4) to read as follows:

* * * * *

§ 750.156 Conservation reserve contract.

(d) * * *

(4) If the sale or lease of all or any part of a cotton allotment under section 344a of the Agricultural Adjustment Act of 1938, as amended, occurs during a period in which the farm is covered by a conservation reserve contract, the contract shall be subject to an appropriate adjustment in accordance with instructions issued by the Deputy Administrator, but no adjustment shall be made in the contract of the farm to which the allotment is transferred.

* * * * *

Section 750.157(b)(1) is amended by adding at the end thereof the following:

§ 750.157 Designation and use of conservation reserve.

* * * * *

(b) * * *

(1) * * * Notwithstanding any other provision of this subparagraph, the conservation reserve may be planted (i) in the last year of the contract period to small fruit or bush fruit and (ii) in the last 3 years to nut trees, orchard, and vineyard crops.

* * * * *

Section 750.187 *Incorrect information furnished by the Government,* is amended to read as follows:

§ 750.187 Performance based upon advice or action of county or State committee.

The provisions of Part 790 of this chapter relating to performance based upon action or advice of an authorized representative of the Secretary shall be applicable to the conservation reserve program.

(Sec. 124, 70 Stat. 198; 7 U.S.C. 1812)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 24, 1967.

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

[F.R. Doc. 67-4735; Filed, Apr. 27, 1967; 8:49 a.m.]

[Amdt. 28]

PART 750—SOIL BANK

Subpart—Conservation Reserve Program for 1960

MISCELLANEOUS AMENDMENTS

The regulations governing the Conservation Reserve Program for 1960, 24 F.R. 7987, as amended, are hereby further amended as follows:

Section 750.511 is amended by adding a new paragraph (c) to read as follows:

§ 750.511 Modification and termination of contracts.

* * * * *

(c) If the sale or lease of all or any part of a cotton allotment under section 344a of the Agricultural Adjustment Act of 1938, as amended, occurs during a period in which the farm is covered by a conservation reserve contract, the contract shall be subject to an appropriate adjustment in accordance with instructions issued by the Deputy Administrator, but no adjustment shall be made in the contract of the farm to which the allotment is transferred.

Section 750.513(b)(1) is amended by adding at the end thereof the following:

§ 750.513 Designation and use of conservation reserve.

* * * * *

(b) * * *

(1) * * * Notwithstanding any other provision of this subparagraph, the conservation reserve may be planted (i) in the last year of the contract period to small fruit or bush fruit and (ii) in the last 3 years to nut trees, orchard, and vineyard crops.

* * * * *

Section 750.541 *Incorrect information furnished by the Government*, is amended to read as follows :

§ 750.541 Performance based upon advice or action of county or State committee.

The provisions of Part 790 of this chapter relating to performance based upon action or advice of an authorized representative of the Secretary shall be applicable to the conservation reserve program.

(Sec. 124, 70 Stat. 198; 7 U.S.C. 1812)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 24, 1967.

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

[F.R. Doc. 67-4736; Filed, Apr. 27, 1967; 8:49 a.m.]

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 815.8, Amdt. 1]

PART 815—ALLOTMENT OF DIRECT-CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

Calendar Year 1967

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (hereinafter called the "Act") for the purpose of amending Sugar Regulation 815.8 (32 F.R. 40), which established allotments of the direct-consumption portion of the 1967 mainland quota for Puerto Rico.

This amendment of S.R. 815.8 is necessary to substitute final 1966 data on entries of direct-consumption sugar for estimates of such quantities, and to give effect to Sugar Regulation 811, Amendment 3 (32 F.R. 4015) which established the direct-consumption portion of the 1967 mainland quota for Puerto Rico of 156,000 short tons, raw value, a quantity 3,000 tons greater than the quantity previously established. This order also allots the entire direct-consumption portion of the 1967 quota. Previous 1967 allotments were limited to 90 percent of such quota.

The substitution of final data for estimates of 1966 direct-consumption entries in finding (7) results in the 1962–66 average annual marketings and 1962–66 highest annual marketings as follows, which are used herein in determining the allotments:

Allottee	Average annual marketings 1962-66		Highest annual marketings 1962-66	
	Short tons raw value (1)	Percent of total (2)	Short tons raw value (3)	Percent of total (4)
Central Aguirre Sugar Co., a trust	5,939	3.9534	6,913	4.4227
Central Roig Refining Co.	20,719	13.7921	21,883	14.0001
Central San Francisco	1,040	.6923	1,578	1.0096
Puerto Rican American Sugar Refinery, Inc.	98,700	65.7019	101,511	64.9438
Western Sugar Refining Co.	23,826	15.8603	24,421	15.6238
Total	150,224	100.0000	156,306	100.0000

Findings heretofore made by the Secretary in the course of this proceeding (32 F.R. 40) provide that this order shall be revised without further notice or hearing for the purposes indicated above and such findings set forth the procedure for the revision of allotments.

Accordingly, allotments are herein established on the basis of and consistent with such findings.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with paragraph (c) of § 815.8 of this chapter, it is hereby ordered that paragraph (a) of § 815.8 be amended to read as follows:

§ 815.8 Allotment of the direct-consumption portion of mainland sugar quota for Puerto Rico for the calendar year 1967.

(a) *Allotments.* The direct-consumption portion of the 1967 mainland sugar quota for Puerto Rico, amounting to 156,000 short tons, raw value, is hereby allotted as follows:

Allottee	*Direct-consumption allotment (short tons, raw value)*
Central Aguirre Sugar Co., a trust	6,532
Central Roig Refining Co	21,674
Central San Francisco	1,327
Puerto Rican American Sugar Refinery, Inc	101,884
Western Sugar Refining Co	24,553
Liquid sugar reserve for persons other then named above	30
Total	156,000

* * * * *

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 205, 207, 209; 61 Stat. 926, 927, 928; 7 U.S.C. 1115, 1117, 1119)

Effective date. Allotments established in this order for all allottees are larger than the allotments established in S.R. 815.8 (32 F.R. 40). To afford adequate opportunity to plan and to market the additional quantities of sugar in an orderly manner, it is imperative that this amendment becomes effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement in 5 U.S.C. 553 (80 Stat. 378) is impracticable and contrary to the public interest and, consequently, the amendment made

herein shall become effective when published in the FEDERAL REGISTER.

Signed at Washington, D.C., this 24th day of April 1967.

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

[F.R. Doc. 67-4734; Filed, Apr. 27, 1967; 8:49 a.m.]

SUBCHAPTER I—DETERMINATION OF PRICES

[Sugar Determination 873.19; Suppl.]

PART 873—SUGARCANE; FLORIDA

Finding and Designation of Price of Raw Sugar for 1966 Crop

Pursuant to the provisions of the Sugar Act of 1948, as amended, and the authority contained in 7 CFR 873.19(a) (31 F.R. 13748), § 873.19 is amended by adding at the end of subparagraph (1) of paragraph (a) thereof the following sentence.

§ 873.19 Fair and reasonable prices for the 1966 crop of Florida sugarcane.

* * * * *

(a) *Definitions.* For the purpose of this section the term:

(1) * * * Pursuant to the foregoing provisions of this subparagraph, the Director of the Policy and Program Appraisal Division has determined that the daily spot quotation of raw sugar of the New York Coffee and Sugar Exchange No. 7 domestic contract does not reflect the true market value of raw sugar because trading under such contract has become minimal and the spot price quotations thereunder will cease in the near future; and he designates the daily spot price quotation for raw sugar of the New York Coffee and Sugar Exchange No. 10 domestic contract to be the price which will reflect the true market value of raw sugar for the 1966-crop raw sugar to be sold on and after April 28, 1967.

* * * * *

Statement of bases and considerations. Paragraph (a) of S.D. 873.19, Fair and Reasonable Prices for the 1966 crop of Florida sugarcane, defines the "price of raw sugar" as the daily spot quotation of raw sugar of the New York Coffee and Sugar Exchange No. 7 domestic contract, except that if the Director of the Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, determines that such price does not reflect the true market value of raw sugar, because of inadequate volume or other factors, he may designate the price to be effective under this section which he determines will reflect the true market value of raw sugar. Paragraph (b) of such determination provides that the basic price for sugarcane purchased by a processor from producers shall be not less than $1.09 per ton of standard sugarcane for each 1-cent per pound of the season's average price of raw sugar. The "Season's average price of raw sugar" is defined as (i) the weighted average price of raw sugar for the months in which 1966-crop sugar is delivered to the purchaser, determined by weighting the simple average of the daily prices of raw sugar for each month in which sugar is delivered to the purchaser by the quantity of 1966-crop raw sugar or raw sugar equivalent delivered during each corresponding month, or (ii) the average price of raw sugar received by a processor who disposes of all of his sugar under a single contract with a refiner.

On November 21, 1966, the New York Coffee and Sugar Exchange began trading in a new domestic contract designated as No. 10. The new contract added quality standards to the polarization standard provided in contract No. 7. The daily spot quotations for the No. 7 and No. 10 contracts have been identical for each day since trading began in the new contract. In recent weeks trading in the No. 7 contract has become minimal and will cease altogether when the existing open positions of the No. 7 futures contract are liquidated.

Accordingly, the "price of raw sugar" as defined in paragraph (a) of Part 873 shall be determined by using the daily spot price quotations of the No. 10 contract beginning with the effective date of this amendment.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153; Sec. 301, 61 Stat. 929, as amended, 7 U.S.C. 1131, 7 CFR 873.19)

Effective date: Date of publication.

Signed at Washington, D.C., on April 25, 1967.

J. M. THOMPSON,
Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-4710; Filed, Apr. 27, 1967; 8:47 a.m.]

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

PART 991—HOPS OF DOMESTIC PRODUCTION

Subpart—Administrative Rules and Regulations

HANDLING

Notice was published in the April 12, 1967, issue of the FEDERAL REGISTER (32 F.R. 5838) regarding a proposal based upon the unanimous recommendation of the Hop Administrative Committee to issue Administrative Rules and Regulations with respect to waiving, for the 1968 crop, the requirement that producers make a bona fide effort to produce their annual allotment, transfers of allotment bases, and reporting requirements. The subpart is operative pursuant to Marketing Order No. 991 (7 CFR Part 991; 31 F.R. 9713, 10072), regulating the handling of hops of domestic production effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. The deadline for filing such comments expired April 19, 1967, and comments were received within the prescribed time from one handler of hops and from an attorney representing a handler of hops. Both requested a modification of proposed § 991.160(a) so that the time by which handlers are required to file a report of their acquisitions of hops to the Committee be extended from 1 business day, as was proposed in the notice, to a more realistic time. Accordingly, an appropriate change is made in the provision to provide 10 business days for filing of such report. The attorney requested in his submission that proposed § 991.138a with respect to waiving for 1968, the requirement that producers make a bona fide effort to produce their annual allotment not be issued. Petitioner contended that said proposal would make marketing policy considerations inaccurate, and could cause an inadequate supply of hops being made available for consumption. However, § 991.36 provides that subsequent to marketing policy considerations, the Committee shall, prior to August 1, review its marketing policy and, if conditions warrant, recommend an appropriate increase in the salable quantity. Also, the reserve pool provisions, § 991.40, permit releasing of pooled reserve hops to handlers when necessary to meet domestic and export trade demand. In view of the appropriate stabilization provisions in the marketing order and the unlikely need for increased stocks of hops, the request is denied.

After consideration of all relevant matter presented, including that in the notice, the written data, views, or arguments submitted pursuant to the notice, the information and recommendations submitted by the Hop Administrative Committee and other available information, it is hereby found that the issuance, as hereinafter set forth, of the Subpart—Administrative Rules and Regulations, is in accordance with this part and will tend to effectuate the declared policy of the act.

Therefore, Subpart—Administrative Rules and Regulations shall be as follows:

Subpart—Administrative Rules and Regulations

Sec.
991.138a Waiver of requirement as to production of annual allotment—1968 crop.
991.146 Transfer of allotment bases.
991.160 Reports.

AUTHORITY: The provisions of this subpart issued under Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

§ 991.138a Waiver of requirement as to production of annual allotment—1968 crop.

Pursuant to § 991.38(a)(5), the requirements therein for a producer to make a bona fide effort to produce the annual allotment referable to his allotment base is waived for the 1968 crop for all producers.

§ 991.146 Transfer of allotment bases.

(a) Whenever a producer transfers all or part of his allotment base to another person, the annual allotment referable to such transferred base shall be issued to the transferee for the 1967–68 marketing year only if such transfer is made prior to the issuance of an annual allotment to the transferor or prior to May 1, 1967, whichever is earlier, and for the 1968–69 and subsequent marketing years such date shall be April 1.

(b) Whenever a transfer is made of an allotment base, in whole or in part, to another person, or a producer acquires an additional allotment base, no annual allotment on such transfer or acquisition shall be issued by the Committee until both the transferring and the acquiring producer surrender their allotment base certificates for such adjustment and reissuance as is indicated by the transfer. The reissued certificates shall show the original allotment base plus or minus, as appropriate, the adjustment.

§ 991.160 Reports.

(a) Each handler shall, with respect to each lot of hops acquired from a producer, file a report with the Committee on HAC Form No. 1, not later than the close of the 10th business day following such acquisition, showing (1) date of acquisition, (2) name of the producer, (3) name of handler, (4) grower number and lot number, (5) inspection certificate number, (6) handler lot identification number, (7) variety of the hops, and (8) number of bales acquired, including the gross and net weights of such bales. The handler shall cause the report to be signed by the producer, or his agent, and shall also be signed by the handler, or his agent, and shall be accompanied by the applicable weight certificate showing the weight of each bale of hops acquired.

(b) Each handler shall, at the time he acquires hops from a producer, record on the back of such producer's annual allotment certificate the date, name of handler, the number and net weight of the bales of hops acquired, and the cumulative weight.

(c) Each producer-handler not delivering his reserve hops by the closing date for pooling, shall report to the Committee, within 5 business days after the closing date of such pools, the quantity, quality, variety, and location of such reserve hope held by him and such other information as is requested by the Committee.

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) in that: (1) This action should become effective promptly so that producers may plan cultural practices accordingly; (2) the provision applicable to transfers requires certain actions, if applicable, to be completed prior to May 1, 1967; (3) handlers should not need any additional time to prepare for or conduct operations under these provisions; and (4) no useful purpose would be served by delaying the effective time hereof.

Dated: April 25, 1967.

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

[F.R. Doc. 67-4738; Filed, Apr. 27, 1967; 8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. F]

PART 206—SECURITIES OF MEMBER STATE BANKS

Registration of Additional Class of Securities of a Bank

1. Effective April 20, 1967, § 206.4(a) is amended to read as follows:

§ 206.4 Registration statements and reports of banks.

(a) *Requirement of registration statement.* Securities of a bank shall be registered under the provisions of either section 12(b) or section 12(g) of the Act by filing a statement in conformity with the requirements of Form F-1 (or Form F-10, in the case of registration of an additional class of securities). No registration shall be required under the provisions of section 12(b) or section 12(g) of the Act of any warrant or certificate evidencing a right to subscribe to or otherwise acquire a security of a bank if such warrant or certificate by its terms expires within 90 days after the issuance thereof.

* * * * *

2. Effective April 20, 1967, the following is added:

§ 206.46 Form for registration of additional class of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F-10).

FORM F-10—REGISTRATION STATEMENT FOR ADDITIONAL CLASSES OF SECURITIES OF A BANK

PURSUANT TO SECTION 12(b) OR SECTION 12(g) OF THE SECURITIES EXCHANGE ACT OF 1934

(Exact name of bank as specified in charter)

(Address of principal office)

Securities being registered pursuant to section 12(b) of the Act:

Title of class	*Name of each exchange on which class is being registered*

Title of each class of equity securities being registered pursuant to section 12(g) of the Act:

GENERAL INSTRUCTIONS

1. *Applicability of This Form.*

This form may be used for registration of the following securities pursuant to the Securities Exchange Act of 1934:

(a) For registration pursuant to section 12(g) of the Act of any class of equity securities of a bank which has one or more other classes of securities registered pursuant to either section 12 (b) or (g) of the Act.

(b) For registration on a national securities exchange pursuant to section 12(b) of the Act of any class of securities of a bank which has one or more other classes of securities so registered on the same securities exchange.

2. *Preparation of Registration Statement.* This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the general requirements in section 206.4 of Federal Reserve Regulation F. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers with respect thereto are prepared in the manner specified in section 206.4(s).

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. Stock To Be Registered.

If stock is being registered, state the title of the class and furnish the following information (see Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions, and (8) liability to further calls or to assessment.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other document filed with the Board, such description may be incorporated by reference to such other filing in answer to this item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the registration statement filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct résumé is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

Item 2. Debt Securities To Be Registered.

If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant (see Instruction 2 below):

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instruction 1. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction 2. In most cases, debt securities issued by banks need not be registered pursuant to section 12(g) of the Securities Exchange Act; the registration requirements of that section apply only to an "equity security". The term "equity security" is defined by section 3(a)(11) of the Act to mean "any stock or similar security; or any security convertible, with or without consideration, into such a security; or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the (Board) shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as it may prescribe in the public interest or for the protection of investors, to treat as an equity security."

Instruction 3. The instructions to Item 1 also apply to this item.

Item 3. Other Securities To Be Registered.

If securities other than those referred to in Items 1 and 2 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, and the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 1 also apply to this item.

Item 4. Exhibits.

List all exhibits filed as a part of the registration statement.

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

Date ----------

Name of Bank

By ---

(Name and Title of Signing Officer)

INSTRUCTIONS AS TO EXHIBITS

Subject to section 206.4(o) of Regulation P regarding the incorporation of exhibits by reference, the exhibits enumerated hereinafter shall be filed as a part of the registration statement. Exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may bear the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits in Item 4.

1. Specimens or copies of each security to be registered hereunder.

2. Copies of all constituent instruments defining the rights of the holders of each class of such securities, including any contracts or other documents which limit or qualify the rights of such holders.

2a. The purpose of these amendments is to authorize use of a simplified form for registration of additional classes of securities of a member State bank where most of the information necessary for the protection of investors in securities of the bank is already publicly available.

b. Notice of proposed rule making with respect to the new form (§ 206.46) was published for comment in the FEDERAL REGISTER of March 21, 1967 (32 F.R. 4316). No notice was published with respect to the amendment to § 206.4(a), which formally authorizes use of the new form. The amendments were adopted by the Board after consideration of all relevant material, including communications received from interested persons. The effective date was not deferred for the 30-day period referred to in section 553(d), Title 5, United States Code, because the amendments have the effect of alleviating the requirements of the general rule with respect to the form for registration of securities.

Dated at Washington, D.C., this 20th day of April 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 67-4683; Filed, Apr. 27, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 8127; Amdt. 39-406]

PART 39—AIRWORTHINESS DIRECTIVES

Martin Models 202, 202A, and 404 Series Airplanes

Pursuant to the authority delegated to me by the Administrator, an airworthiness directive was adopted on April 20, 1967, and made effective immediately, by telegram, to all known operators of Martin Models 202, 202A, and 404 Series airplanes. Because of reports of additional cracking in the wing outer panel lower front spar cap and failure of the outer panel closing rib, the directive requires inspection of these areas within the next 15 hours' time in service and thereafter at intervals not to exceed 200 hours' time in service. This would supersede AD 59-26-5 which covers similar inspections.

Since it was found that corrective action was required within a very short time, notice and public procedure thereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known operators of the airplanes. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

In view of the foregoing, § 39.13 is amended by adding the following airworthiness directive:

MARTIN 202, 202A, and 404 SERIES AIRPLANES.

(a) Within the next 15 hours' time in service after the effective date of this AD unless already accomplished within the last 185 hours' time in service, and thereafter at intervals not to exceed 200 hours' time in service from the last inspection, inspect the following areas in both outer wing panel front spars located at 25 percent of the wing chord for cracks using X-ray or dye penetrant with a glass of at least 10 power, or an FAA approved equivalent inspection.

(1) The lower spar cap in a region 3 inches long from the outer panel closing rib outboard.

(2) The spar web inboard of the outer panel closing rib between the rib and the splice bolts.

(3) The vertical angle that attaches this web to the outer panel closing rib.

(b) If a crack is found, before further flight replace the cracked part with a part of the same part number that has been inspected in accordance with (a) and found free of cracks or with an equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(c) Equivalent inspections may be approved by an FAA maintenance inspector.

(d) All fuel must be drained before X-ray inspection because of lead in the gasoline.

(e) Upon request of the operator, the Chief, Engineering and Manufacturing Branch, FAA Eastern Region may increase the compliance times specified in this AD if the request contains substantiating data submitted through an FAA maintenance inspector to justify the increase for that operator.

(f) This airworthiness directive supersedes AD 59-26-5.

This amendment becomes effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective by telegram dated April 20, 1967.

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

Issued in Washington, D.C., on April 24, 1967.

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

[F.R. Doc. 67-4689; Filed, Apr. 27, 1967; 8:46 a.m.]

[Docket No. 7523; Amdts. 47-3, 49-3]

PART 47—AIRCRAFT REGISTRATION

PART 49—RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS

Miscellaneous Amendments

The purpose of this action is to dispose of the proceedings instituted by

Federal Aviation Agency notice of proposed rule making 66-27, Changes in Certain FAA Aircraft Registry Procedures (31 F.R. 10282; Docket 7523). Notice 66-27 proposed to limit the activities of the FAA Aircraft Registry to those essential to the discharge of its legally required functions, for the purposes of simplifying and speeding procedures and further increasing the efficiency and reducing the operating costs of the Registry. The principal specific proposals were (1) severance, to the extent possible, of the interrelationship between aircraft registration and recordation of rights in aircraft; (2) permitting registration to continue (for purposes other than operation of the aircraft) in a former owner's name as long as title remained in a U.S. citizen, and correspondingly permitting recordation of documents indicating ownership in a U.S. citizen other than the holder of the last-issued registration certificate; and (3) discontinuation of the "chain of title" requirement. The notice set forth the actual changes proposed in the text of the regulations and explained them in detail.

Certain comments received indicated a belief that the Agency intended the proposed changes to diminish the nationwide notice effect of recordation under section 503(d) of the Federal Aviation Act (49 U.S.C. 1403(d)), and the protection from unrecorded prior claims that section 503(c) (49 U.S.C. 1403(c)) affords to persons acquiring rights in aircraft without actual knowledge of those claims. These changes were not intended, and the FAA has no authority under the Federal Aviation Act to make them. Contrary to suggestions in other comments, the FAA has no authority to require the recording of a lien by a holder in any case in which section 503 (c) and (d) does not induce him to record it.

A number of comments were received that expressed disagreement with the proposals on practical grounds and as a matter of policy. These comments indicated considerable sentiment in the aviation community for an increase rather than a decrease in the level of its services the FAA should perform in this area. Thus, several comments suggested that FAA should issue title certificates or prima facie evidence of title as do the motor vehicle departments of some States. Other comments suggested implementation of section 503(g) of the Federal Aviation Act, which authorizes (but does not require) the Administrator to provide for the endorsement of title information on aircraft certificates and for other facilitation of determining rights in aircraft.

The comments received almost unanimously opposed the proposal to eliminate the chain of title requirement. The proposal to allow aircraft to remain registered in the name of a former owner for nonoperative purposes drew more opposition than support, and the proposal to sever the connection between registration and recordation of rights was also opposed by many of the comments.

In light of these comments, the FAA has determined that a further study of these matters is necessary before determining what policy it will adopt. If, after further study of the matter, the FAA determines to propose further changes to the rules in this area it will issue a new notice of proposed rule making. Those parts of Notice 66-27 that are not adopted as rules by this action are hereby withdrawn.

However, the proposed amendments to §§ 47.13 and 47.47 are substantially adopted at this time. At present § 47.13 (d) requires submission of a copy of an authorization from the Board of Directors of a corporation if a person other than the president, vice president, treasurer, or secretary signs for the corporation, and this requirement is made applicable to the recordation of conveyances by § 49.13(b). The notice proposed deletion of the requirement for submission of an authorization from the Board of Directors and acceptance by the Registry of a conveyance signed by any "authorized person" who has any "title" of an "office" in the corporation. One comment opposed this change on the ground that it could mislead third persons to rely on the action of an agent of a corporation who is actually exceeding his authority. In light of this comment § 47.13(d) is amended to extend the present rule applicable to the four named corporate officers to all persons holding a corporate office or managerial position in the corporation, but not to outside agents.

The proposed amendment of § 47.47(b) is being adopted so far as it codifies the existing practice protecting lien holders in compliance with the Convention on the International Recognition of Rights in Aircraft (4 U.S.T. 1830) of which the United States is a member.

In addition, as an editorial matter, §§ 47.19 of Part 47 and 49.11 of Part 49 are amended to reflect the correct address of the FAA Registry.

(Sec. 313, Title V, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1401 et seq.)

In consideration of the foregoing, FAR Parts 47 and 49 (14 CFR Parts 47 and 49) are amended, effective June 1, 1967, as set forth below.

Issued in Washington, D.C., on April 24, 1967.

WILLIAM F. MCKEE,
Administrator.

1. Section 47.13 is amended by amending paragraph (a), subdivision (i) of subparagraph (3) of paragraph (d), and subparagraph (3) of paragraph (e), to read as follows:

§ 47.13 Signatures and instruments made by representatives.

(a) Each signature on an Application for Aircraft Registration, on a request for cancellation of a Certificate of Aircraft Registration or on a document submitted as supporting evidence under this part, must be in ink.

* * * * *

(d) * * *

(3) * * *

(i) The signer is a corporate officer or holds a managerial position in the corporation and the title of his office is stated in connection with his signature; or

* * * * *

(e) * * *

(3) Have a general partner sign the application or request.

* * * * *

2. Section 47.19 is amended to read as follows:

§ 47.19 FAA Aircraft Registry.

Each application, request, notification, or other communication sent to the FAA under this part must be mailed to the FAA Aircraft Registry, Post Office Box 25082, Oklahoma City, Okla. 73125, or delivered to the Registry at 6400 South MacArthur Boulevard, Oklahoma City, Okla.

3. Section 47.47 is amended by amending paragraph (b), and adding a new paragraph (c), to read as follows:

§ 47.47 Cancellation of certificate for export purpose.

* * * * *

(b) If the aircraft is to be exported to a foreign country that has ratified or adheres to the Convention on the International Recognition of Rights in Aircraft, the holder must also submit evidence satisfactory to the Administrator that each holder of a recorded right has been satisfied, or has consented to the transfer.

(c) The FAA notifies the country to which the aircraft is to be exported of the cancellation by ordinary mail, or by airmail at the owner's request. The owner must arrange and pay for the transmission of this notice by means other than ordinary mail or airmail.

4. Section 49.11 is amended to read as follows:

§ 49.11 FAA Aircraft Registry.

To be eligible for recording, a conveyance must be mailed to the FAA Aircraft Registry, Post Office Box 25082, Oklahoma City, Okla. 73125, or delivered to the Registry at 6400 South MacArthur Boulevard, Oklahoma City, Okla.

[F.R. Doc. 67-4690; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 67-WE-23]

SUBCHAPTER E—AIRSPACE

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

Alteration of Control Zone

A rule was published in the FEDERAL REGISTER on June 17, 1966 (31 F.R. 8492), that altered the description of the Burbank, Calif., control zone (ASD 66-WE-42). This action was necessitated by the proposed decommissioning of the Glendale, Calif., radio beacon and the redesignation of the control zone extension, southeast of the radio beacon, utilizing the 112° radial of the Van Nuys, Calif., VOR. A recent review of the Burbank,

Calif., control zone has revealed that the correct radial should be the 111° T (096° M) radial of the Van Nuys, Calif., VOR, and action is taken herein to reflect this change.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 22, 1967, as hereinafter set forth:

In § 71.171 (32 F.R. 2080) the description of the Burbank, Calif., control zone is amended by deleting "* * * 112° * * *" where it appears in the text, and substituting "* * * 111° * * *", therefor.

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

Issued in Los Angeles, Calif., on April 19, 1967.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 67-4693; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-10]

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

Designation of Transition Area

On February 21, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3102) stating that the Federal Aviation Administration proposed to designate controlled airspace in the Valparaiso, Ind., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 22, 1967, as hereinafter set forth:

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

VALPARAISO, IND.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Porter County Airport (latitude 41°27'10" N., longitude 87°00'20" W.) and within 2 miles each side of the 077° bearing from Porter County Airport extending from the 5-mile radius area to 8 miles east of the airport.

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

Issued in Kansas City, Mo., on April 14, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-4698; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 67-SO-49]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Albany, Ga. (Turner AFB), control zone.

The Albany (Turner AFB) control zone is described in § 71.171 (32 F.R. 2071).

An extension to the control zone is described as "* * * within 2 miles each side of the 222° radial of the Turner VOR, extending from the 5-mile radius zone to the VOR * * *".

Because of the scheduled decommissioning of the Turner VOR on April 20, 1967, it is necessary to alter the control zone by revoking the above described extension.

Since this amendment lessens the burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., April 20, 1967, as hereinafter set forth.

In § 71.171 (32 F.R. 2071) the Albany, Ga. (Turner AFB), control zone is amended to read:

Within a 5-mile radius of Turner AFB (latitude 31°35'50" N., longitude 84°05'05" W.); within 2 miles each side of the Turner AFB TACAN 038° radial, extending from the 5-mile radius zone to 10 miles northeast of the TACAN.

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

Issued in East Point, Ga., on April 18, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-4694; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-6]

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

Alteration of Transition Area

On February 21, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3102) stating that the Federal Aviation Administration proposed to alter controlled airspace in the Minneapolis, Minn., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 22, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the Minneapolis, Minn., transition area is amended to read:

MINNEAPOLIS, MINN.

That airspace extending upward from 700 feet above the surface within a 23-mile radius of Minneapolis-St. Paul International Airport (latitude 44°53'08" N., longitude 93°13'11" W.); within 5 miles north and 8 miles south of the Flying Cloud, Minn., VOR 292° radial, extending from the 23-mile radius area to 12 miles west of the VOR; and within 5 miles each side of the St. Paul, Minn., VOR 037° radial, extending from the 23-mile radius to 13 miles northeast of the VOR; that airspace extending upward from 1,200 feet above the surface within a 36-mile radius of Minneapolis-St. Paul International Airport; within 9 miles southwest and 6 miles northeast of the Farmington, Minn., VOR 297° radial extending from the 36-mile radius area to 48 miles northwest of the VOR; that airspace west of Farmington, Minn., bounded on the south by V-26, on the northwest by V-148 and on the northeast by V-171; and that airspace west of Minneapolis bounded on the north by V-78, on the south by V-148 and on the southwest by V-171; and that airspace extending upward from 5,000 feet MSL east of Minneapolis bounded on the southeast by V-26, on the southwest by V-2N, and on the north by V-78.

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

Issued in Kansas City, Mo., on April 14, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67-4695; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 67-CE-59]

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

Alteration of Transition Areas

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition areas at Oshkosh, Wis.; Dubuque, Iowa; Springfield, Ill.; Vandalia, Ill.; Grandview, Mo.; Kansas City, Mo.; St. Joseph, Mo.; Sedalia, Mo.

The Oshkosh, Wis., transition area is described in § 71.181 (32 F.R. 2148), and is presently designated, in part, with reference to Federal airway V-255.

The Dubuque, Iowa, transition area is described in § 71.181 (32 F.R. 2148), as amended March 11, 1967 (32 F.R. 3972), and is presently designated, in part, with reference to Federal airway V-63.

The Springfield, Ill., transition area is described in § 71.181 (32 F.R. 2148), and is presently designated, in part, with reference to Federal airway V-233.

The Vandalia, Ill., transition area is described in § 71.181 (32 F.R. 2148), and is presently designated, in part, with reference to Federal airway V-210.

The Grandview, Mo.; Kansas City, Mo.; St. Joseph, Mo.; and Sedalia, Mo., transition areas are described in § 71.181 (32 F.R 2148), and are presently designated, in part, with reference to Federal airway V-205.

Effective June 22, 1967, as specified in Airspace Docket No. 67-WA-41, V-255 from Dells, Wis., to Stevens Point, Wis., will be renumbered V-177; V-63 from Charlotte, Iowa, to Janesville, Wis., will be renumbered V-216; V-233 from the Capital VOR to the Cordova VOR will be renumbered V-129; V-210 from Kansas City, Mo., to Indianapolis, Ind., will be revoked; and V-205 from Walnut Ridge, Ark., to Sioux City, Iowa, will be renumbered V-159. Alteration of the eight transition areas referred to herein is necessary to reflect these airway changes.

Since this amendment is minor in nature and imposes no additional burden

on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 22, 1967, as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition areas are amended as follows:

(1) The description of the Oshkosh, Wis., transition area is amended by deleting "V–255" each place it appears in the text and substituting "V–177" therefor.

(2) The description of the Dubuque, Iowa, transition area is amended by deleting "V–63" each place it appears in the text and substituting "V–216" therefor.

(3) The description of the Springfield, Ill., transition area is amended by deleting "V–233" each place it appears in the text and substituting "V–129" therefor.

(4) The description of the Vandalia, Ill., transition area is amended by deleting "V–210" each place it appears in the text.

(5) The description of the Grandview, Mo., transition area is amended by deleting "V–205" each place it appears in the text and substituting "V–159" therefor.

(6) The description of the Kansas City, Mo., transition area is amended by deleting "V–205" each place it appears in the text and substituting "V–159" therefor.

(7) The description of the St. Joseph, Mo., transition area is amended by deleting "V–205" each place it appears in the text and substituting "V–159" therefor.

(8) The description of the Sedalia, Mo., transition area is amended by deleting "V–205" each place it appears in the text and substituting "V–159" therefor.

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

Issued in Kansas City, Mo., on April 17, 1967.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 67–4696; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 67–CE–3]

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

Designation of Transition Area

On February 21, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3101) stating that the Federal Aviation Administration proposed to designate controlled airspace in the Trenton, Mo., terminal area.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., June 22, 1967, as hereinafter set forth:

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

TRENTON, MO.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Trenton, Mo. Municipal Airport (latitude 40°05'00" N., longitude 93°35'25" W.) and within 2 miles each side of the 172° bearing from Trenton Municipal Airport, extending from the 5-mile radius area to 8 miles south of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles west and 8 miles east of the 172° bearing from Trenton Municipal Airport, extending from the airport to 12 miles south of the airport.

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

Issued in Kansas City, Mo., on April 14, 1967.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 67–4697; Filed, Apr. 27, 1967; 8:46 a.m.]

[Airspace Docket No. 66–EA–27]

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

PART 73—SPECIAL USE AIRSPACE

Alteration of Federal Airways, Designation and Alteration of Controlled Airspace, and Alteration of Restricted Areas

The purpose of these amendments to Parts 71 and 73 of the Federal Aviation Regulations is to designate Restricted Areas R–4005, R–4006, and R–4007, at Patuxent River, Md., as joint use-restricted areas, to designate a control zone at Patuxent River and to reflect these changes in the descriptions of affected airways and controlled airspace.

These changes are the result of an airspace team review the FAA conducted at Patuxent Naval Air Station, Md. The Department of the Navy has agreed to these amendments. The changes will allow public use of these areas when they are not being used for the purpose for which they are designated and will provide controlled airspace for terminal operations at the Patuxent River Naval Air Station when the area is released to the controlling agency. Since all of these actions are necessary to enable the Navy to release restricted airspace for public use, they will reduce the burden upon the public, therefore notice and public procedure thereon are unnecessary and the amendments may be made effective on less than 30 days notice.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective immediately, as hereinafter set forth.

Section 71.123 (32 F.R. 2009, 1144) is amended as follows:

1. In V–31 delete "The airspace within R–4007 is excluded."

2. In V–33 delete "The airspace within R–4007 is excluded."

3. In V–93 delete "The airspace within R–4005, R–4006, and R–4007 is excluded."

4. In V–213 delete "The airspace within R–4005, R–4006, and R–4007 is excluded."

Section 71.151 (32 F.R. 2061) is amended by adding:

1. R–4005 Patuxent River, Md.

2. R–4006 Patuxent River, Md.

Section 71.171 (32 F.R. 2071) is amended by adding:

PATUXENT RIVER, MD.

Within a 5-mile radius of NAS Patuxent River Airport (latitude 38°17'15" N., longitude 76°24'30" W.); within 2 miles each side of the Patuxent River VOR 043° radial extending from the 5-mile radius zone to 7 miles northeast of the VOR; within 2 miles each side of the Patuxent River VOR 234° radial extending from the 5-mile radius zone to 7.5 miles southwest of the VOR and within a ½-mile radius of Park Hall, Md., Airport (latitude 38°13'30" N., longitude 76°26'30" W.).

Section 71.181 (32 F.R. 2148) is amended as follows:

1. In Norfolk, Va., delete "excluding the portions within R–4006, R–5309, R–6606, R–6609, R–5301B, W–386, and the portion below 2,000 feet MSL outside the United States," and substitute therefor "excluding the portion within R–5301B, R–5309, R–6606, R–6609, W–386, and the portion below 2,000 feet MSL outside the United States."

2. In NAS Patuxent River, Md., delete "The portions within R–4002, R–4005, R–4006, R–4007, and R–6609 are excluded." and substitute therefor "The portions within R–4002 and R–6609 are excluded."

3. In Salisbury, Md., delete "The portion within R–4006 is excluded."

Section 73.40 (32 F.R. 2313) is amended as follows:

1. In R–4005 Patuxent River, Md., add to the text "Controlling agency: Federal Aviation Administration Washington ARTC Center."

2. R–4006 Patuxent, Md., is amended as follows:

a. Delete the caption "Patuxent, Md.," and substitute therefor "Patuxent River, Md."

b. In the text, add "Controlling agency: Federal Aviation Administration Washington ARTC Center."

3. R–4007 Patuxent, Md., is amended as follows:

a. Delete the caption "Patuxent, Md.," and substitute therefor "Patuxent River, Md."

b. In the text, add "Controlling agency: Federal Aviation Administration Washington ARTC Center."

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

Issued in Washington, D.C., on April 20, 1967.

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

[F.R. Doc. 67–4692; Filed, Apr. 27, 1967; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8106; Amdt. 533]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

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

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Walnut Ridge VOR	Batesville, Ark., RBn	Direct	2500	T-dn C-dn A-dn	300-1 700-1 NA	300-1 700-1 NA	200-1½ 700-1½ NA

Procedure turn N side of crs, 100° Outbnd, 280° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1160'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing Batesville RBn, turn right, climb to 2300'; hold E of Batesville RBn on bearing 100°—280° bearing inbnd, 1-minute right turns.
NOTE: Use Walnut Ridge, Ark., altimeter setting.
MSA within 25 miles of facility: 000°180°—1700'; 180°-360°—2600'.

City, Batesville; State, Ark.; Airport name, Batesville Municipal; Elev., 464'; Fac. Class., MHW; Ident., BVX; Procedure No. NDB(ADF)-1, Amdt. Orig.; Eff. date, 20 May 67

CRP VOR	CRP RBn	Direct	1600	T-dn C-dn A-dn	300-1 600-1 800-2	300-1 600-1 800-2	200-1½ 600-1¼ 800-2

Radar available.
Procedure turn N side of crs, 039° Outbnd, 219° Inbnd, 1600' within 10 miles.
Minimum altitude over facility on final approach crs, 1100'.
Crs and distance, facility to airport, 216°—2.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.2 miles after passing RBn, turn left, intercept CRP VOR, R 182° and proceed to Pogo Int climbing to 2000'.
MSA within 25 miles of facility: 000°-090°—1400'; 090°-180°—1400'; 180°-270°—2100'; 270°-360°—1400'.

City, Corpus Christi; State, Tex.; Airport name, Corpus Christi International; Elev., 43'; Fac. Class., SBH; Ident., CRP; Procedure No. NDB(ADF)-1, Amdt. 5; Eff. date, 20 May 67; Sup. Amdt. No. ADF 2, Amdt. 4; Dated, 14 May 66

MYS VOR	Fort Knox RBn	Direct	2600	T-dn	300-1	300-1	200-1½
Nadine Int	Fort Knox RBn	Direct	2600	C-dn	600-1	600-1	600-1¼
				S-dn-17	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 353° Outbnd, 173° Inbnd, 2400' within 10 miles.
Minimum altitude over facility on final approach crs, 1500'.
Crs and distance, facility to airport, 173°—2.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing FTK RBn, make a climbing right turn to 2600', crs 266° to MYS VOR.
Hold NE 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-180°—2300'; 180°-270°—2100'; 270°-360°—2100'.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753'; Fac. Class., MH; Ident., FTK; Procedure No. NDB(ADF) Runway 17, Amdt. 4; Eff. date, 20 May 67; Sup. Amdt. No. ADF 1, Amdt. 3; Dated, 30 Apr. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Chili Int	MFI H	Direct	3200	T-dn	300-1	300-1	200-½
Junction City Int	MFI H	Direct	3200	C-d	600-1	600-1	600-1½
				C-n	600-1½	600-1½	600-1½
				S-dn-5	500-1	500-1	500-1
				A-dn	NA	NA	NA

Procedure turn S side of crs, 213° Outbnd, 033° Inbnd, 3200' within 10 miles.
Minimum altitude over facility on final approach crs, 1761'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of H, make right-climbing turn to 3200', return to H, hold SW on 213° magnetic bearing from H.
NOTE: Use Wausau, Wis., altimeter setting.
CAUTION: 1375' stack, ½-mile N of airport.
MSA within 25 miles of facility: 270°–180°—2900'; 180°–270°—2500'.

City, Marshfield; State, Wis.; Airport name, Marshfield Municipal; Elev., 1261'; Fac. Class., MIIW; Ident., MFI; Procedure No. NDB (ADF) Runway 5, Amdt. 1; Eff. date, 29 May 67; Sup. Amdt. No. ADF 1, Orig.; Dated, 23 June 66

PLN VOR	PLN RBn	Direct	2400	T-dn	300-1	300-1	200-½
				C-d	800-1	800-1	800-1½
				C-n	800-2	800-2	800-2
				A-dn	800-2	800-2	800-2
				Minimums with ADF/VOR receivers:			
				C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-dn-32	500-1	500-1	500-1

Procedure turn E side of crs, 135° Outbnd, 315° Inbnd, 2400' within 10 miles.
Minimum altitude over Cedar Int on final approach crs, 1520'.
Facility on airport. Crs and distance, Cedar Int to airport, 315°—2.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing PLN RBn, climb to 2400' on 315° crs and return to PLN RBn.
CAUTION: 1329' tower, 2.8 miles SW of airport.
MSA within 25 miles of facility: 000°–360°—2000'.

City, Pellston; State, Mich.; Airport name, Emmet County; Elev., 729'; Fac. Class., BMH; Ident., PLN; Procedure No. NDB (ADF) Runway 32, Amdt. 9; Eff. date, 29 May 67; Sup. Amdt. No. ADF 1, Amdt. 8; Dated, 7 Jan. 67

PAE VOR	BF LOM	Direct	2200	T-dn	300-1	300-1	200-1½
SEA VOR	BF LOM	Direct	3000	C-d	800-1	800-1	800-1½
Burton VHF Int	BF LOM	Direct	3000	C-n	800-2	800-2	800-2
Lofall VHF Int	BF LOM	Direct	2200	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 308° Outbnd, 128° Inbnd, 2200' within 10 miles.
Minimum altitude over facility on final approach crs, 2200'; over LMM, 1000'.
Crs and distance, facility to airport, 128°—6.4; LMM to airport, 128°—1.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.4 miles after passing BF LOM, climb straight ahead to intercept the 000° bearing from SE LOM, thence turn right, climb to 2000' direct to SE LOM.
MSA within 25 miles of facility; 000°–180°—5500'; 180°–270°—6800'; 270°–360°—6100'.

City, Seattle; State, Wash.; Airport name, King County (Boeing Field); Elev., 17'; Fac. Class., LOM; Ident., BF; Procedure No. NDE (ADF) Runway 13, Amdt. 7; Eff. date, 29 May 67; Sup. Amdt. No. ADF 1, Amdt. 6; Dated, 9 July 66

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

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300-1	300-1	NA
				C-dn	700-1	700-1	NA
				S-dn-10	700-1	700-1	NA
				A-dn	800-2	800-2	NA

Procedure turn S side of crs, 288° Outbnd, 108° Inbnd, 5000' within 10 miles.
Minimum altitude over facility on final approach crs, 3200'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, climb on R 108° to 5000' within 10 miles and return to the BKW VOR, hold W, 1-minute right turns, 108° Inbnd.
CAUTION: Precipitous terrain underlying this procedure, turbulence of varying intensities may be encountered.
MSA within 25 miles of facility: 000°–090°—5200'; 090°–180°—5200'; 180°–270°—4800'; 270°–360°—4500'.

City, Beckley; State, W. Va.; Airport name, Raleigh County Memorial; Elev., 2504'; Fac. Class., H-BVOR; Ident., BKW; Procedure No. VOR Runway 10, Amdt. 3, Eff. date, 29 May 67; Sup. Amdt. No. Ter VOR R 288°, Amdt. 2; Dated, 25 May 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CRP RBn	CRP VOR	Direct	2000	T-dn	300-1	300-1	200-½
Taft Int	CRP VOR (final)	Direct	1600	C-dn	700-1	700-1	700-1½
				S-dn-17*	700-1	700-1	700-1¼
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 011° Outbnd, 191° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 1600'.
Crs and distance, facility to airport, 191°—7.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.9 miles after passing CRP, VOR turn left, intercept CRP VOR R 182° and proceed to Pogo Int, climbing to 2000'.
*Reduction of landing visibility not authorized.
MSA within 25 miles of facility: 000°-090°—1400'; 090°-180°—1400'; 180°-270°—2100'; 270°-360°—1500'.

City, Corpus Christi; State, Tex.; Airport name, Corpus Christi International; Elev., 43'; Fac. Class., H-BVORTAC; Ident., CRP; Procedure No. VOR Runway 17, Amdt. 12; Eff. date, 20 May 67; Sup. Amdt. No. VOR 1, Amdt. 11; Dated, 14 May 66

MYS VOR	FTK VOR	Direct	2600	T-dn	300-1	300-1	200-½
Nadine Int	FTK VOR	Direct	2600	C-dn	600-1	600-1	600-1½
				S-dn-15	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 325° Outbnd, 145° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1260'.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing FTK VOR, make a climbing right turn to 2600', crs 266° to MYS VOR. Hold NE, 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-180°—2300'; 180°-270°—2100'; 270°-360°—2100'.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753'; Fac. Class., T-VOR; Ident., FTK; Procedure No. VOR Runway 15, Amdt. 4; Eff. date, 20 May 67; Sup. Amdt. No. Ter VOR-15, Amdt. 3; Dated, 30 Apr. 66

MYS VOR	FTK VOR	Direct	2600	T-dn	300-1	300-1	200-½
Nadine Int	FTK VOR	Direct	2600	C-dn	600-1	600-1	600-1½
				S-dn-17	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				If FTK RBn received following minimums apply:			
				S-dn-17	400-1	400-1	400-1

Radar available.
Procedure turn W side of crs, 004° Outbnd, 184° Inbnd, 2300' within 10 miles.
Minimum altitude over FTK RBn on final approach crs, 1260'.
Facility on airport; crs and distance, FTK RBn to VOR, 184°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing FTK VOR, make a climbing right turn to 2600', crs 266° to MYS VOR. Hold NE, 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-180°—2300'; 180°-270°—2100'; 270°-360°—2100'.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753'; Fac. Class., T-VOR; Ident., FTK; Procedure No. VOR Runway 17, Amdt. 4; Eff. date, 20 May 67; Sup. Amdt. No. Ter VOR-17, Amdt. 3; Dated, 30 Apr. 66

MYS VOR	FTK VOR	Direct	2600	T-dn	300-1	300-1	200-½
Nadine Int	FTK VOR	Direct	2600	C-dn	600-1	600-1	600-1½
				S-dn-35	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 166° Outbnd, 346° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1260'.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished after passing FTK VOR, make a climbing left turn to 2600', crs 266° to MYS VOR. Hold NE, 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-180°—2300'; 180°-270°—2100'; 270°-360°—2100'.

City, Fort Knox; State, Ky.; Airport name, Godman AAF; Elev., 753'; Fac. Class., T-VOR; Ident., FTK; Procedure No. VOR Runway 35, Amdt. 3; Eff. date, 20 May 67; Sup. Amdt. No. Ter VOR-35, Amdt. 2; Dated, 18 Sept. 65

RDR VOR	GFK VOR	Direct	2500	T-dn	300-1	300-1	200-½
R 270°, GFK VOR clockwise	R 357°, GFK VOR	Via 9-mile DME Arc.	2500	C-dn	700-1	700-1	700-1½
R 095°, GFK VOR counterclockwise	R 357°, GFK VOR	Via 9-mile DME Arc.	2300	S-dn-17	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
9-mile DME Fix, R 357°	2.5-mile DME Fix, R 357° (final) (Donna Int)	Direct	1542	Minimums with DME or dual VOR receivers:			
				C-dn	400-1	400-1	400-1¾
				S-dn-17§	400-1	400-1	400-1

Radar available.
Procedure turn E side of crs, 357° Outbnd, 177° Inbnd, 2300' within 10 miles.
Minimum altitude over Donna Int or 2.5-miles DME Fix on final approach crs, 1542'.
Facility on airport.
If visual contact not established upon decent to authorized landing minimums or if landing not accomplished within 6 mile of VOR, climb to 2400' on R 104° within 10 miles return to VOR and hold S, 344° Inbnd, right turns.
§400-¾ authorized with operative HIRL except for 4-engine turbojets.
MSA within 25 miles of facility: 000°-360°—2400'.

City, Grand Forks; State, N. Dak.; Airport name, Grand Forks International; Elev., 842'; Fac. Class., L-BVORTAC; Ident., GFK; Procedure No. VOR Runway 17, Amdt. 2; Eff. date, 20 May 67; Sup. Amdt. No. TerVOR-17, Amdt. 1; Dated, 3 Dec. 66

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
RDR VOR	GFK VOR	Direct	2500	T-dn	300-1	300-1	200-½
R 071°, GFK VOR clockwise	R 164°, GFK VOR	Via 9-mile DME Arc.	2400	C-dn	500-1	500-1	500-1½
				S-dn-35	500-1	500-1	500-1
R 270°, GFK VOR counterclockwise	R 164°, GFK VOR	Via 9-mile DME Arc.	2500	A-dn	800-2	800-2	800-2
				Minimums with DME or dual VOR receivers:			
9-miles DME Fix, R 164°	3.6-miles DME Fix, R 164° (final) (Polly Int)	Direct	1342	C-dn	400-1	500-1	500-1½
				S-dn-35$	400-1	400-1	400-1

Radar available.
Procedure turn E side of crs, 164° Outbnd, 344° Inbnd, 2400' within 10 miles.
Minimum altitude over Polly Int or 3.6-miles DME Fix on final approach crs, 1342'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of VOR climb to 2400' on R 357° within 10 miles, return to VOR and hold S, 344° Inbnd, right turns.
$400-¾ authorized with operative HIRL or REIL except for 4-engine turbojets.
MSA within 25 miles of facility: 000°–360°—2400'.

City, Grand Forks; State, N. Dak.; Airport name, Grand Forks International; Elev., 842'; Fac. Class., L-BVORTAC; Ident., GFK; Procedure No. VOR Runway 35, Amdt. 2; Eff. date, 20 May 67; Sup. Amdt. No. Ter VOR-35, Amdt. 1; Dated, 3 Dec. 66

Belton Int	HLR VOR	Direct	2500	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				A-dn	NA	NA	NA

Procedure turn E side of crs, 210° Outbnd, 030° Inbnd, 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 1600'.
Crs and distance, facility to airport 030°—1.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.1 miles after passing HLR VOR, turn right, climbing to 2500' and return to HLR VOR, or when directed by ATC, climb to 2500' on R 030° within 7 miles.
NOTE: Right turn on missed approach must be executed in time to avoid R-6302.
MSA within 25 miles of facility: 000°–090°—2500'; 090°–180°—2400'; 180°–270°—2700'; 270°–360°—2400'.

City, Killeen; State, Tex.; Airport name, Killeen Municipal; Elev., 846'; Fac. Class., L-VORW; Ident., HLR; Procedure No. VOR Runway 1, Amdt. 2; Eff. date, 20 May 67; Sup. Amdt. No. VOR-1, Amdt. 1; Dated, 1 Oct. 66

				T-d	300-1	300-1	200-½
				C-d	900-2	900-2	1000-2
				A-d	NA	NA	NA
				Following minimums authorized when Marfa altimeter setting is received before commencing approach:			
				C-d	400-1	500-1	500-1½
				S-d-30	400-1	400-1	400-1
				A-d	NA	NA	NA

Procedure turn S side of crs, 133° Outbnd, 313° Inbnd, 8000' within 10 miles.
Minimum altitude over facility on final approach crs, 6200'.
Crs and distance, facility to airport, 313°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing MRF VOR, turn left, climb to 8000' direct to MRF VOR, hold SE on R 133°, left turns, 313° Inbnd.
NOTES: (1) If initial arrival over MRF VOR is above 8000', descend to 8000' in holding pattern SE of MRF VOR on R 133°, left turns, 313° Inbnd. (2) Weather service not available. Use Wink altimeter setting when Marfa altimeter setting not available.
MSA within 25 miles of facility: 000°–180°—7900'; 180°–270°—6600'; 270°–360°—9400'.

City, Marfa; State, Tex.; Airport name, Municipal; Elev., 4846'; Fac. Class., L-BVOR; Ident., MRF; Procedure No. VOR Runway 30, Amdt. Orig.; Eff. date, 20 May 67

R 305°, MOT VOR counterclockwise	R 247°, MOT VOR	Via 10-mile DME Arc.	3200	T-dn%	300-1	300-1	200-½
				C-dn	700-1	700-1	700-1½
R 200°, MOT VOR clockwise	R 220°, MOT VOR	Via 10-mile DME Arc.	4100	S-dn-8	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2
R 220°, MOT VOR clockwise	R 247°, MOT VOR	Via 10-mile DME Arc.	3200	Minimums with DME or radar:			
				C-dn	500-1	500-1	500-1½
10-mile DME Fix, R 247°	4-mile DME Fix, R 247° (final)	Direct	2423	S-dn-8	500-1	500-1	500-1

Radar available.
Procedure turn S side of crs, 247° Outbnd, 067° Inbnd, 3200' within 10 miles.
Minimum altitude over 4-mile DME Fix or Radar Fix on final approach crs, 2423'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR climb to 3200' on R 084° within 10 miles.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 500-1, aircraft departing Runways 8 and 12, climb to 2700' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2700' on R 247° prior to proceeding southbound due to towers S of the airport.
MSA within 25 miles of facility: 000°–090°—3200'; 090°–270°—4200'; 270°–360°—3600'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR Runway 8, Amdt. 1; Eff. date, 20 May 67; Sup. Amdt. No. TerVOR-8, Orig.; Dated, 8 Dec. 66

R 151°, MOT VOR counterclockwise	R 084, MOT VOR	Via 7-mile DME Arc.	3400	T-dn%	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
7-mile DME Fix, R 084°	MOT VOR (final)	Direct	2123	S-dn-26	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn N side of crs, 084° Outbnd, 264° Inbnd, 3200' within 10 miles.
Minimum altitude over facility on final approach crs, 2123'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR, climb to 3200' on R 247°, within 10 miles.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 500-1, aircraft departing Runways 8 and 12, climb to 2700' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2700' on R 247° prior to proceeding southbound due to towers S of the airport.
MSA within 25 miles of facility: 000°–090°—3200'; 090°–270°—4200'; 270°–360°—3600'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR Runway 26, Amdt. 1; Eff. date, 20 May 67; Sup. Amdt. No. Ter VOR-26, Orig.; Dated, 8 Dec. 66

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

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
MOT VOR	4-mile DME Fix, R 314°	Direct	3300	T-dn%	300-1	300-1	200-½
R 258°, MOT VOR clockwise	R 314°, MOT VOR	Via 10-mile DME Arc.	3800	C-dn	500-1	500-1	500-1½
				S-dn-12	500-1	500-1	500-1
10-mile DME Fix, R 314°	4-mile DME Fix, R 314° (final)	Direct	2700	A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 314° Outbnd, 134° Inbnd, 3300' between 4- and 14-mile DME Fix, R 314°.
Minimum altitude over 4-mile DME Fix or Radar Fix on final approach crs, 2700'.
Crs and distance, 4-mile DME Fix to airport, 134°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR, climb to 3300' on R 116° within 10 miles.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 500-1, aircraft departing Runways 8 and 12, climb to 2700' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2700' on R 247° prior to proceeding southbound due to towers S of the airport.
MSA within 25 miles of facility: 000°-090°—3200'; 090°-270°—4200'; 270°-360°—3600'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR/DME Runway 12, Amdt. 1; Eff. date, 20 May 67; Sup. Amdt. No. VOR/DME-2, Orig.; Dated, 8 Dec. 66

MOT VOR	3.3-mile DME Fix, R 116°	Direct	3300	T-dn%	300-1	300-1	200-½
R 151°, MOT VOR counterclockwise	R 116, MOT VOR	Via 10-mile DME Arc.	3400	C-dn	500-1	500-1	500-1½
				S-dn-30	400-1	400-1	400-1
R 080°, MOT VOR clockwise	R 116°, MOT VOR	Via 10-mile DME Arc.	3400	A-dn	800-2	800-2	800-2
10-mile DME Fix, R 116°	3.3-mile DME Fix, R 116° (final)	Direct	2500				

Radar available.
Procedure turn E side of crs, 116° Outbnd, 296° Inbnd, 3300' between 3.3- and 13.3-mile DME Fix, R 116°.
Minimum altitude over 3.3-mile DME Fix or Radar Fix on final approach crs, 2500'.
Crs and distance, 3.3-mile DME Fix to airport, 296°—2.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of MOT VOR, climb to 3400' on R 314° within 10 miles.
CAUTION: Runways 18/36 unlighted.
%When weather is less than 500-1, aircraft departing Runways 8 and 12, climb to 2700' on R 116° prior to proceeding southbound. Aircraft departing Runways 18 and 26, climb to 2700' on R 247° prior to proceeding southbound due to towers S of the airport.
MSA within 25 miles of facility: 000°-090°—3200'; 090°-270°—4200'; 270°-360°—3600'.

City, Minot; State, N. Dak.; Airport name, Minot International; Elev., 1723'; Fac. Class., L-BVORTAC; Ident., MOT; Procedure No. VOR/DME Runway 30, Amdt. 1; Eff. date, 20 May 67; Sup. Amdt. No. VOR/DME-1, Orig.; Dated, 8 Dec. 66

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Mentor Int	LOM	Direct	2300	T-dn	300-1	300-1	300-1
Strongsville Int	LOM	Direct	3000	C-dn#	700-1	700-1	700-1½
Vermillion Int	LOM	Via SUM RBn	2400	S-dn-24R&L*	600-1	600-1	600-1
				A-dn$	800-2	800-2	800-2

Radar available.
Procedure turn NW side of crs, 062° Outbnd, 242° Inbnd, 2300' within 10 miles.
Minimum altitude over LOM on final approach crs, 1700'.
Crs and distance, LOM to airport, 242°—5.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at the middle marker, make immediate right to turn 330° heading, climb to 2000', intercept CXR, R 285°, climb to 3000', proceed to Crib Int. Hold E, 1-minute left turns, 285° Inbnd, or when directed by ATC, make immediate right-climbing turn to 2300', proceed to LOM. Hold NE, 1-minute right turns, 242° Inbnd.
NOTES: (1) Use Cleveland, Ohio, altimeter setting when control zone not in effect. (2) No glide slope.
CAUTION: Numerous high structures S in immediate vicinity of airport.
#Circling not authorized SE of Runways 6-24.
$Alternate minimums not authorized during time control zone not in effect.
*Reduction not authorized.
MSA within 25 miles of LOM: 000°-090°—2600'; 090°-180°—2700'; 180°-270°—3000'; 270°-360°—2100'.

City, Cleveland; State, Ohio; Airport name, Burke Lakefront; Elev., 583'; Fac. Class., ILS; Ident., I-BFT; Procedure No. LOC Runway 24 R and L, Amdt. Orig.; Eff. date, 20 May 67 or upon commissioning of facility

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Sally Int	LOM	Direct	1800	T-dn%	300-1	300-1	200-½
Wave Int	LOM	Direct	1800	C-dn	400-1	500-1	500-1½
Tibby VOR	Turtle Int	Direct	1800	S-dn-10#	200-½	200-½	200-½
MSY VOR	LOM	Direct	1800	A-dn	600-2	600-2	600-2
French Int	LOM	Direct	1800	Category II special authorization required: TDZ elevation 2'; decision heights: S-dn-10, DH 150, RVR 1600, 152' MSL, RA 152'.			
Turtle Int	LOM (final)	Direct	1800				

Radar available.
Procedure turn S side of crs, 279° Outbnd, 099° Inbnd, 1800' within 10 miles.
Minimum altitude at glide slope interception inbnd, 1800'.
Altitude of glide slope and distance to approach end of runway at OM, 1842'—6.6 miles; at MM, 209'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2000' on E crs ILS within 20 miles, or when directed by ATC: (1) Turn left, climb to 1500' on R 064° MSY VOR or (2) turn right, climb to 1500' on R 175° MSY VOR or (3) turn left, climb to 1500' on R 030° MSY VOR, all within 20 miles of MSY VOR.
Category II missed approach: Climb to 2000' on E crs of ILS within 20 miles, or when directed by ATC: (1) Turn left, climb to 1500' on R 064° MSY VOR or (2) turn right, climb to 1500' on R 175° MSY VOR or (3) turn left, climb to 1500' on R 030° MSY VOR, all within 20 miles of MSY VOR if contact with visual guidance system not established at DH.
CAUTION: 409' radio tower, 2.3 miles N of airport.
*400-½ required when glide slope not utilized; 400-½ authorized with operative ALS except for 4-engine turbojets.
% RVR 2400' authorized Runway 10.
#RVR 2000' 4-engine turbojets; RVR 1800' other aircraft. Descent below 203' not authorized unless ALS visible.

City, New Orleans; State, La.; Airport name, New Orleans International (Moisant Field); Elev., 3'; Fac. Class., ILS; Ident., I-MSY; Procedure No. ILS Runway 10, Amdt. 19; Eff. date, 20 May 67; Sup. Amdt. No. ILS-10, Amdt. 18; Dated, 19 Feb. 66

PAE VOR	BF LOM	Direct	2200	T-dn	300-1	300-1	200-½
SEA VOR	BF LOM	Direct	3000	C-d	800-1	800-1	800-1½
Burton VHF Int	BF LOM	Direct	3000	C-n	800-2	800-2	800-2
Lofall VHF Int	BF LOM	Direct	2200	S-dn-13*	400-¾	400-¾	400-¾
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 308° Outbnd, 128° Inbnd, 2200' within 10 miles.
Minimum altitude at glide slope interception inbnd, 2200'.
Altitude of glide slope and distance to approach end of runway at OM, 2115'—6.4 miles; at MM, 500'—1.6 miles.
If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 6.4 miles after passing BF LOM or 1.6 miles, after passing FI LMM, climb straight ahead to intercept R 024° SEA VOR, thence turn left, climb to 3100' to Sammamish Int via R 024° SEA VOR, or when directed by ATC, climb straight ahead to intercept the 000° bearing from SE LOM, thence turn right, climb to 2000' direct to SE LOM.
NOTE: Back crs unusable. Localizer unusable beyond 35° either side of front crs. Glide slope unusable beyond 6° E of front crs.
*Circling minimums authorized when glide slope inoperative. MM altitude 1000'.
*AIR CARRIER NOTE: Sliding scale not authorized for landing.
MSA within 25 miles of facility: 000°-180°—5500'; 180°-270°—6600'; 270°-360°—6100'.

City, Seattle; State, Wash.; Airport name, King County (Boeing Field); Elev., 17'; Fac. Class., ILS; Ident., I-BFI; Procedure No. ILS Runway 13, Amdt. 9; Eff. date, 20 May 67; Sup. Amdt. No. ILS-13, Amdt 8; Dated, 9 July 66

Long Lake VHF/DME Int	Elkhart VHF/DME Int	Via GSH, R 018° and E crs ILS.	2400	T-dn#	300-1	300-1	200-½
				C-dn	**400-1	500-1	500-1½
North Liberty VHF/DME Int	LOM	Direct	2900	S-dn-27*##	200-½	200-½	200-½
South Bend VOR	LOM	Direct	2400	A-dn	600-2	600-2	600-2
Bristol VHF/DME Int	Elkhart VHF/DME Int	Via E crs ILS	2400				
Elkhart VHF/DME Int	LOM (final)	Direct	1900				
Goshen VOR	Norman VHF/DME Int	Via R 345°, GSH VOR.	2400				
Norman VHF/DME Int	LOM (final)	Direct	1900				

Procedure turn N side of final approach crs, 089° Outbnd, 269° Inbnd, 2200' within 10 miles.
Minimum altitude at glide slope interception inbnd 1900'.
Altitude of glide slope and distance to approach end of runway at OM, 1900'—3.8 miles; DME distance 3.9 miles at MM, 975'—0.6 mile; DME distance 0.7 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing OM, make climbing right turn to 2000' and proceed direct to the SBN VOR or make climbing right turn to 2300' and proceed direct to SB LOM.
CAUTION: 1918' tower, 5.6 miles S of LOM.
NOTE: DME distances are predicated on zero reference point abeam SBN ILS (Channel 30) glide slope. DME should not be used to determine aircraft position over MM, runway threshold or runway touchdown point.
*500-¾ required when glide slope not utilized. 500-½ authorized with operative ALS except for 4-engine turbojets.
#RVR (2400') authorized Runway 27.
##RVR (2400'). Descent below 985' not authorized unless approach lights are visible.
**500-1 required when glide slope not utilized.
MSA within 25 miles of SB LOM: 000°-090°—2400'; 090°-270°—3000'; 270°-360°—2200'.

City, South Bend; State, Ind.; Airport name, St. Joseph County; Elev., 785'; Fac. Class., ILS; Ident., I-SBN; Procedure No. ILS Runway 27, Amdt. 21; Eff. date, 20 May 67; Sup. Amdt. No. ILS Runway 27, Amdt. 20; Dated, 28 Jan. 67

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

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	Radar site	Within 30 miles	2500	T-dn	300-1	300-1	#200-½
				C-dn	400-1	500-1	500-1½
				S-dn-17L*	400-1	400-1	400-1
				S-dn-35R*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

All bearings and distances from radar site. Radar control will provide 1000' vertical clearance within 3-mile radius of TV/radio towers 9.9 miles W, 2147'; 19.5 miles SSE, 1701', and 19 miles SE, 2549'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished; Runway 35R—Climb to 2500' on R 357°, TUL VOR within 10 miles, or when directed by ATC, turn right and climb to 2500' on R 035°, TUL VOR within 10 miles. Runway 17L—Turn right and climb to 2500' on R 219° TUL VOR within 10 miles, or when directed by ATC, turn left and climb to 2500' on R 113°, TUL VOR within 10 miles.

#300-1 required on Runways 3L, 17R, 35L, 21R.

*400-½ authorized with operative HIRL and 400-½ authorized with operative ALS, except for 4-engine turbojets.

City, Tulsa; State, Okla.; Airport name, Tulsa International; Elev., 674'; Fac. Class. and Ident., Tulsa Radar; Procedure No. 1, Amdt. 6; Eff. date, 20 May 67; Sup. Amdt. No. 1, Amdt. 5; Dated, 11 Feb. 67

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on April 13, 1967.

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

[F.R. Doc. 67-4403; Filed, Apr. 27, 1967; 8:45 a.m.]

SUBCHAPTER G—AIR CARRIER AND COMMERCIAL OPERATOR CERTIFICATIONS AND OPERATIONS

[Docket No. 8126; Amdt. No. 135-4]

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS OF SMALL AIRCRAFT

Applicability of Grace Provision to Pilot Checks; Airman's Information Manual

The purpose of this amendment to Part 135 of the Federal Aviation Regulations is to clarify the applicability of the 1 month grace provision of § 135.133 to the initial pilot in command checks required by §§ 135.129(a) and 135.131(a) and to update the references in § 135.39 to the "Airman's Guide" and "Flight Information Manual."

Section 135.133 provides that if a pilot who is required to take a check by § 135.129 or § 135.131 takes that check in the calendar month before or the calendar month after, the month in which it becomes due, he is considered to have taken it during the month it became due. Under this provision a pilot in command is given a grace period of one calendar month before, and 1 calendar month after, the month in which the check is due to pass the periodic multiengine or instrument check required by § 135.129 (a)(2) or § 135.131(a) without changing the anniversary month.

However, it has been brought to the attention of the FAA that this 1 month grace period could be interpreted to permit a pilot in command to legally conduct his initial multiengine or IFR flight provided he passes the required check in the calendar month after the month in which he conducts this initial flight. Such an interpretation obviously defeats the safety purpose of the initial checks required by §§ 135.129(a)(2) and 135.131(a) to determine the competency of a pilot to act as pilot in command of a multiengine airplane, or of any aircraft under IFR, before he makes his initial flight in that capacity.

Therefore, in order to avoid such an erroneous interpretation, this amendment expressly limits the applicability of the grace period provision of § 135.133 to the periodic multiengine or instrument checks which are required by §§ 135.129 and 135.131, respectively, after an appropriate initial check. To accomplish this clarification the periodic check requirements of §§ 135.129 and 135.131 have been separated from the initial check requirements and placed in a new paragraph (b) in each of these sections. In turn, the grace period provision of § 135.133 has been amended to expressly refer to the periodic check requirements of the new paragraph (b) of §§ 135.129 and 135.131.

The meaning of the words "most recent" that modify instrument check in § 135.131(a) has also been clarified in this amendment. To accomplish this, a new sentence has been added to § 135.131 (b) to expressly provide that a pilot who has unsatisfactoril/ performed an instrument check may not then act as pilot in command of an aircraft under IFR until he has satisfactorily performed the check.

Present § 135.39 requires each ATCO certificate holder to make available to each of its pilots the "Airman's Guide" and "Flight Information Manual." Since the FAA has now consolidated these two manuals into one publication entitled "Airman's Information Manual" (except in the Alaskan and Pacific Regions where it is entitled "Airman's Guide") this section is being amended to reference the current publication. In addition, since the information contained in the Airman's Information Manual may also be obtained in commercial publications this section is amended to permit the use of a commercial publication if it covers the required material.

Since this amendment merely clarifies existing provisions, imposes no additional burden on any person, and is necessary in the interest of safety, I find that notice and public procedure hereon are unnecessary and that good cause exists for making it effective with less than 30 days' notice.

In consideration of the foregoing, Part 135 of Chapter I of Title 14 of the Code of Federal Regulations is amended, effective April 28, 1967, as follows:

1. Paragraphs (a) and (c) of § 135.39 are amended to read as follows:

§ 135.39 Informing personnel of operational information.

* * * * *

(a) Airman's Information Manual (Airman's Guide in Alaskan and Pacific Regions) or a commercial publication that contains the same information.

* * * * *

(c) Aircraft Equipment Manuals, and Aircraft Owner's Manual, or Owner's or Flight Handbook.

* * * * *

§ 135.129 [Amended]

2. The first sentence of § 135.129(a) is amended by striking out the word "No" at the beginning thereof and inserting the words "Initially, no" in place thereof.

3. Section 135.129 is amended by redesignating present paragraph (b) as paragraph (c), and by adding the following new paragraph (b):

(b) No person who has passed the initial multiengine check or satisfied the initial pilot-in-command time required by paragraph (a) of this section may thereafter act as pilot in command of a small multiengine airplane unless each 12 calendar months he passes a similar multiengine check or satisfies a similar requirement for pilot-in-command time.

4. Section 135.131 is amended by redesignating present paragraphs (b) through (f) as paragraphs (c) through (g), respectively, by adding a new paragraph (b), and by amending paragraph (a) to read as follows:

§ 135.131 Pilot-in-command: Instrument check requirements.

(a) Initially, no person may act as pilot in command of an aircraft under IFR unless he has passed within the preceding 6 calendar months an instrument check given to him by the Administrator or an authorized check pilot.

(b) No person who has passed the initial instrument check required by paragraph (a) of this section may thereafter act as pilot in command of an aircraft under IFR unless each 6 calendar months he passes a similar instrument check. If a pilot being checked is unable to demonstrate satisfactory performance during the check, the holder of an ATCO certificate may not use him as pilot in command of an aircraft under IFR until he has satisfactorily shown his proficiency.

* * * * *

§ 135.133 [Amended]

5. Section 135.133 is amended by inserting the letter "(b)" immediately after each of the section references, "§ 135.129" and "§ 135.131."

(Secs. 313(a), 307, 601, 604, 607, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1348, 1421, 1424, 1427)

Issued in Washington, D.C., on April 19, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-4691; Filed, Apr. 27, 1967; 8:46 a.m.]

Chapter V—National Aeronautics and Space Administration

PART 1204—ADMINISTRATIVE AUTHORITY AND POLICY

Subpart 7—Collection of Civil Claims of the United States Arising Out of the Activities of the National Aeronautics and Space Administration

A new Subpart 7 is added to Part 1204, reading as follows:

Subpart 7—Collection of Civil Claims of the United States Arising Out of the Activities of the National Aeronautics and Space Administration

Sec.

AUTHORITY: The provisions of this Subpart 7 issued under 42 U.S.C. 2473(b)(1).

§ 1204.700 Scope of subpart.

This subpart: (a) Sets forth certain procedures relating to the collection, compromise, suspension or termination of collection action, and referral, of civil claims of the United States arising out of the activities of the National Aeronautics and Space Administration (NASA); (b) designates NASA officials authorized to effect such actions; and (c) incorporates the "Joint Regulations Prescribing Standards for Administrative Collection, Compromise, Termination of Agency Collection Action, and Referral to General Accounting Office, and to Department of Justice for Litigation, of Civil Claims by Government for Money or Property" (4 CFR Chapter II).

§ 1204.701 Incorporation of 4 CFR Chapter II.

The "Joint Regulations Prescribing Standards for Administrative Collection, Compromise, Termination of Agency Collection Action, and Referral to General Accounting Office, and to Department of Justice for Litigation, of Civil Claims by Government for Money or Property" (4 CFR Chapter II) is hereby incorporated in and made a part of this subpart.

§ 1204.702 Delegation of authority.

(a) The following NASA officials are hereby delegated authority to take such action as is authorized by the provisions of this subpart and other applicable laws and regulations, including action to effect the collection, compromise, suspension or termination of collection action, and referral, of claims:

(1) With respect to claims which arise out of the activities of a NASA field installation: The Director of that installation or a designee reporting directly to him. A copy of each such designation, if any, by the Director of the installation shall be sent to the Director of Financial Management, NASA Headquarters, to assist him in fulfilling his functional responsibilities.

(2) With respect to all other claims: The Director, Headquarters Administration Office or a designee reporting directly to him.

(b) For the purposes of this § 1204.702, "claim" means a civil claim of the United States, arising from the activities of NASA, for such an amount, or for such specific property, as has been determined by a cognizant NASA official (e.g., the contracting officer or the NASA Board of Contract Appeals, as may be appropriate, in regard to a claim against a contractor arising under a contract; or a Chief Counsel or the General Counsel or Deputy General Counsel, in regard to a claim arising from tortious injury to Government property).

§ 1204.703 Consultation with appropriate officials; negotiation.

The authority, pursuant to § 1204.702, to determine to forego the collection of interest, to accept payment of a claim in installments, or, as to claims which do not exceed $20,000 exclusive of interest, to compromise a claim or to refrain from doing so, or to suspend or terminate collection action or to refrain from such action shall be exercised only after consultation with the following NASA officials or their designees, who may be requested to negotiate the appropriate agreements or arrangements with the debtor:

(a) With respect to claims against contractors or grantees arising in connection with contracts or grants: The contracting officer.

(b) With respect to claims against commercial carriers for loss of or damage to in-transit NASA freight: The cognizant transportation officer, or the official who determined the amount of the claim, as appropriate.

(c) With respect to claims against employees of NASA incident to their employment: The personnel officer of the installation concerned.

(d) With respect to all other claims: The Chief Counsel of the installation concerned; or, in the case of such claims arising out of the activities of NASA Headquarters, the General Counsel.

§ 1204.704 Legal review.

The installation counsel's office shall review and concur in the following:

(a) All communications to and agreements with debtors relating to claims collection.

(b) All determinations to compromise a claim, or to suspend or terminate collection action.

(c) All referrals of claims, other than referrals to the Department of Justice pursuant to § 1204.707(a).

(d) All documents releasing debtors from liability to the United States.

(e) All other actions relating to the collection of a claim which in the opinion of the official designated in or pursuant to § 1204.702 may affect the rights of the United States.

§ 1204.705 Services of Inspections Division.

At the request of an official designated in or pursuant to § 1204.702, the Inspections Division (including regional inspectors) will, where practicable, conduct such investigations as may assist in the collection, compromise, or referral of claims of the United States, including investigations to determine the location and financial resources of debtors.

§ 1204.706 Execution of releases.

Upon receipt of full payment of a claim, or the amount in compromise of a claim as determined pursuant to this subpart, the official designated in or pursuant to § 1204.702 will, upon demand by the debtor, prepare and execute, on behalf of the United States, an appropriate release, which release shall include the provision that it shall be void if procured by fraud, misrepresentation, the presentation of a false claim, or mutual mistake of fact.

§ 1204.707 Fraud, false claims, misrepresentation.

Any claim as to which, in the opinion of an official designated in or pursuant to § 1204.702 or § 1204.703, there may be an indication of fraud, the presentation of a false claim, or misrepresentation on the part of the debtor or any other party having an interest in the claim, shall be referred by such official to the Director, Inspections Division, NASA Headquarters, or to the nearest NASA regional inspector who after such investigation as may be appropriate shall:

(a) Refer the claim to the Department of Justice in accordance with the provisions of Part 101 of 4 CFR Chapter II; or

(b) If it is found that there is no such indication of fraud, the presentation of a false claim, or misrepresentation, return the claim to the official from whom it was received.

Effective date. The provisions of this Subpart 7 are effective upon publication in the FEDERAL REGISTER.

JAMES E. WEBB,
Administrator.

[F.R. Doc. 67-4688; Filed, Apr. 27, 1967; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1188]

PART 13—PROHIBITED TRADE PRACTICES

Samuel Kamens

Subpart—Concealing, obliterating or removing law required and informative marking: § 13.525 *Wool products tags or identification.* 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; 13.1212-90 Wool 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; secs. 2-5, 54 Stat. 1128-1130; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68, 69f) [Cease and desist order, Samuel Kamens, Dallas, Tex., Docket C-1188, Mar. 30, 1967]

Consent order requiring a Dallas, Tex., retailer of fur and wool products to cease misbranding and falsely invoicing his fur products and unlawfully removing required labels from his wool products.

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

It is ordered, That respondent Samuel Kamens, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, selling, advertising, or offering for sale in commerce, or transporting or distributing in commerce any fur product; or from selling, advertising, offering for sale, transporting, or distributing 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:

A. Which is falsely or deceptively labeled or otherwise identified as to the name or designation of the animal or animals that produced the fur contained in such fur product.

B. Unless there is securely affixed to each such product a label showing in words and in figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

C. To which fur product is affixed a label required by section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder:

1. Which sets forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

2. Which fails to set forth the term "natural" as part of the information required to be included on such label to describe any such product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. That does not comply with the minimum size requirements of 1¾ inches by 2¾ inches.

4. Which sets forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

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

6. Which fails to set forth the item number or mark assigned to each such fur product.

It is further ordered, That respondent Samuel Kamens, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the 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 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. Failing to set forth on an invoice the item number or mark assigned to such fur product.

B. 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 respondent Samuel Kamens, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from removing, or causing or participating in the removal of, the stamp, tag, label, or other identification required by the Wool Products Labeling Act of 1939 to be affixed to wool products subject to the provisions of such Act, prior to the time any wool product subject to the provisions of said Act is sold and delivered to the ultimate consumer without substituting therefor labels conforming to section 4(a)(2) of said Act.

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

Issued: March 30, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-4723; Filed, Apr. 27, 1967; 8:48 a.m.]

[Docket No. C-1187]

PART 13—PROHIBITED TRADE PRACTICES

Earl Marcus

Subpart—Concealing, obliterating or removing law required and informative marking: § 13.525 *Wool products tags or*

identification. 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; 13.1212–90 Wool 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; secs. 2–5, 54 Stat. 1128–1130; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68, 69f) [Cease and desist order, Earl Marcus, Oklahoma City, Okla., Docket C–1187, Mar. 30, 1967]

Consent order requiring an Oklahoma City, Okla., retailer of fur products and wool products to cease misbranding and falsely invoicing his fur products and unlawfully removing required labels from his wool products.

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

It is ordered, That respondent Earl Marcus, individually and as a former co-partner in the firm of Peyton & Marcus, and respondent's representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, selling, advertising, or offering for sale in commerce, or transporting or distributing in commerce any fur product; or from selling, advertising, offering for sale, transporting, or distributing 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:

A. Which is falsely or deceptively labeled or otherwise identified as to the name or designation of the animal or animals that produced the fur contained in such fur product.

B. Unless there is securely affixed to each such product a label showing in words and in figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

C. To which fur product is affixed a label required by section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder:

1. Which sets forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

2. Which fails to set forth the term "natural" as part of the information required to be included on such label to describe any such product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. That does not comply with the minimum size requirements of 1¾ inches by 2¾ inches.

4. Which sets forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

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

6. Which fails to set forth the item number or mark assigned to each such fur product.

It is further ordered, That respondent Earl Marcus, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the 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 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. Failing to set forth on an invoice the item number or mark assigned to such fur product.

B. 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 respondent Earl Marcus, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from removing, or causing or participating in the removal of, the stamp, tag, label, or other identification required by the Wool Products Labeling Act of 1939 to be affixed to wool products subject to the provisions of such Act, prior to the time any wool product subject to the provisions of said Act is sold and delivered to the ultimate consumer without substituting therefor labels conforming to section 4(a)(2) of said Act.

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

Issued: March 30, 1967.

By the Commission.

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

[F.R. Doc. 67–4724; Filed, Apr. 27, 1967; 8:48 a.m.]

[Docket No. C–1189]

PART 13—PROHIBITED TRADE PRACTICES

Herman Marcus

Subpart—Concealing, obliterating or removing law required and informative marking: § 13.525 *Wool products tags or identification.* 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; 13.1212–90 Wool 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; secs. 2–5, 54 Stat. 1128–1130; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 68, 69f) [Cease and desist order, Herman Marcus, Dallas, Tex., Docket C–1189, Mar. 30, 1967]

Consent order requiring a Dallas, Tex., retailer of fur and wool products to cease misbranding and falsely invoicing his fur products and unlawfully removing required labels from his wool products.

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

It is ordered, That respondent Herman Marcus, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from introducing into commerce, selling, advertising, or offering for sale in commerce, or transporting or distributing in commerce any fur product; or from selling, advertising, offering for sale, transporting, or distributing 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:

A. Which is falsely or deceptively labeled or otherwise identified as to the name or designation of the animal or animals that produced the fur contained in such fur product.

B. Unless there is securely affixed to each such product a label showing in words and in figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

C. To which fur product is affixed a label required by section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder:

1. Which sets forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

2. Which fails to set forth the term "natural" as part of the information required to be included on such label to describe any such product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

3. That does not comply with the minimum size requirements of 1¾ inches by 2¾ inches.

4. Which sets forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

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

6. Which fails to set forth the item number or mark assigned to each such fur product.

It is further ordered, That respondent Herman Marcus, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the 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 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. Failing to set forth on an invoice the item number or mark assigned to such fur product.

B. 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 respondent Herman Marcus, individually and as a former copartner in the firm of Peyton & Marcus, and respondent's agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from removing, or causing or participating in the removal of, the stamp, tag, label, or other identification required by the Wool Products Labeling Act of 1939 to be affixed to wool products subject to the provisions of such Act, prior to the time any wool product subject to the provisions of said Act is sold and delivered to the ultimate consumer without substituting therefor labels conforming to section 4(a)(2) of said Act.

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

Issued: March 30, 1967.

By the Commission.

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

[F.R. Doc. 67-4725; Filed, Apr. 27, 1967; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER B—PERSONNEL; MILITARY AND CIVILIAN

PART 53—WEARING OF UNIFORM BY MEMBERS OF AND PERSONS HONORABLY DISCHARGED FROM ARMED FORCES OF UNITED STATES

The Deputy Secretary of Defense approved the following revision to Part 53 on March 29, 1967:

Sec.
53.1 Purpose.
53.2 Policy.

AUTHORITY: The provisions of this Part 53 issued under 10 U.S.C. 772(e).

§ 53.1 Purpose.

This part (a) prescribes limitations upon the wearing of the uniform by members of the Armed Forces; and (b) implements the authority in 10 U.S.C. 772(e), as delegated by Executive Order 10554 dated August 18, 1954, regarding wearing of the uniform by persons honorably discharged.

§ 53.2 Policy.

(a) *For members of the Armed Forces.* The wearing of the uniform of any of the Armed Forces by members thereof (including retired members and members of reserve components) is prohibited under any of the following circumstances:

(1) At any meeting or demonstration which is a function of, or sponsored by any organization, association, movement, group, or combination of persons which the Attorney General of the United States has designated, pursuant to Executive Order 9835, March 21, 1947, as amended by Executive Order 10450, April 27, 1953, as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny others their rights under the Constitution of the United States, or as seeking to alter the form of Government of the United States by unconstitutional means.

(2) During or in connection with the furtherance of private employment or commercial interests when an inference of official sponsorship for the activity or interest would be drawn.

(3) Under circumstances which would tend to bring discredit upon the Armed Forces.

(4) Under such other circumstances as may be specified and published by the Secretary of the Military Department concerned.

(b) *For former members of the Armed Forces.* (1) The wearing of the uniform of any of the Armed Forces by former members thereof is permitted under the following circumstances:

(i) Pursuant to 10 U.S.C. 772(e), any person who has served honorably in the Army, Navy, Air Force, or Marine Corps of the United States during war, whether declared or not, and whose most recent service was terminated under honorable conditions, shall, although not in the active military service of the United States, be entitled to wear the uniform of the highest grade held during his or her war service upon the ceremonious occasions listed below. (Authority to wear the uniform includes periods while traveling to or from a ceremony, provided such travel in uniform is performed within 24 hours of the time of the ceremony.)

(*a*) Military funerals, memorial services, and inaugurals.

(*b*) Patriotic parades on national holidays; or other military parades or ceremonies in which any active or reserve U.S. military unit is taking part.

(ii) Persons awarded the Medal of Honor are authorized to wear the uniform at any time, except as prescribed in paragraph (a) (1), (2), and (3) of this section.

(2) Nothing in subparagraph (1)(i) of this paragraph shall prevent the wearing of uniforms when authorized under other provisions of section 772, title 10, United States Code. The proscriptions of paragraph (a)(1), (2), and (3) of this section apply.

(3) When the uniform is so worn by honorably discharged persons who served during World War II, the Honorable Discharge Emblem will also be worn.

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

[F.R. Doc. 67-4679; Filed, Apr. 27, 1967; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter I—Federal Procurement Regulations

PART 1-1—GENERAL

Orders From Small Business Concerns Under Federal Supply Schedule Contracts

The table of contents for Part 1-1 is amended to add a new entry as follows:

Subpart 1-1.7—Small Business Concerns

Section 1-1.711 is added to provide for preferences for small business in the placing of orders under Federal Supply Schedule contracts.

§ 1-1.711 **Federal Supply Schedule contracts.**

Where orders are placed under Federal Supply Schedule contracts and one or more of the contractors for an item on a given schedule are small business concerns, the orders shall be placed in accordance with the policies and procedures set forth in § 101-26.408-4(b) of the Federal Property Management Regulations.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

Dated: April 24, 1967.

LAWSON B. KNOTT, Jr.,
Administrator of General Services.

[F.R. Doc. 67-4717; Filed, Apr. 27, 1967; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

DILUENTS IN COLOR ADDITIVE MIXTURES FOR FOOD USE, EXEMPT FROM CERTIFICATION; POLYVINYLPYRROLIDONE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376(b)(1), (c)(2), (d)) and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.120), the Commissioner of Food and Drugs, based on a petition (CADP 2) filed by Colorcon, Inc., Box 24, West Point, Pa. 19486, and other relevant material, finds that polyvinylpyrrolidone may be safely used, under the conditions prescribed in this order, as a diluent in color additive mixtures used in or as food-tablet coatings. *Therefore, it is ordered,* That § 8.300(b) be amended by adding thereto a new subparagraph, as follows:

§ 8.300 **Diluents in color additive mixtures for food use exempt from certification.**

* * * * *

(b) * * *

(3) *Miscellaneous special uses.* Items listed in paragraph (a) of this section and the following:

Substances	Definitions and specifications	Restrictions
Polyvinylpyrrolidone	As set forth in § 121.1139 of this chapter.	In or as food-tablet coatings; limit, not more than 0.1 percent in the finished food; labeling of color additive mixtures containing polyvinylpyrrolidone shall bear adequate directions for use that will result in a food meeting this restriction.

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. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

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

(Sec. 706(b)(1), (c)(2), (d), 74 Stat. 399, 402; 21 U.S.C. 376(b)(1), (c)(2), (d))

Dated: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4745; Filed, Apr. 27, 1967; 8:50 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

RESINOUS AND POLYMERIC COATINGS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B1415) filed by CIBA Products Co., Division of CIBA Corp., 556 Morris Avenue, Summit, N.J. 07901, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of dibutyl phthalate, 4,4'-methylenedianiline, salicylic acid, and styrene oxide as components of epoxy resins in resinous and polymeric coatings for surfaces of articles that contact food.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2514(b)(3)(viii)(*b*) is amended by alphabetically inserting in the list of substances new items, as follows:

§ 121.2514 **Resinous and polymeric coatings.**

* * * * *

(b) * * *

(3) * * *

(viii) * * *

(*b*) Catalysts and cross-linking agents for epoxy resins:

* * * * *

Dibutyl phthalate, for use only in coatings for containers having a capacity of 1,000 gallons or more when such containers are intended for repeated use in contact with alcoholic beverages containing up to 8 percent of alcohol by volume.

* * * * *

4,4'-Methylenedianiline, for use only in coatings for containers having a capacity of 1,000 gallons or more when such containers are intended for repeated use in contact with alcoholic beverages containing up to 8 percent of alcohol by volume.

* * * * *

Salicylic acid, for use only in coatings for containers having a capacity of 1,000 gallons or more when such containers are intended for repeated use in contact with alcoholic beverages containing up to 8 percent of alcohol by volume.

Styrene oxide, for use only in coatings for containers having a capacity of 1,000 gallons or more when such containers are intended for repeated use in contact with alcoholic beverages containing up to 8 percent of alcohol by volume.

* * * * *

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: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4747; Filed, Apr. 27, 1967; 8:50 a.m.]

PART 121—FOOD ADDITIVES

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

VINYL CHLORIDE-PROPYLENE COPOLYMERS

The Commissioner of Food and Drugs, having evaluated the data in petitions (FAP 7B2137, 7B2142) filed by Air Reduction Co., Inc., Airco Chemicals and Plastics Division, 150 East 42d Street, New York, N.Y. 10017, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of vinyl chloride-propylene copolymers as components of articles intended for use in contact with all types of foods including foods containing free fat or oil or more than 8 percent of alcohol. 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), § 121.2521 is amended by revising the introduction to the section to read as follows:

§ 121.2521 Vinyl chloride-propylene copolymers.

The vinyl chloride-propylene copolymers identified in paragraph (a) of this section may be safely used as components of articles intended for contact with food, under condition of use D, E, F, or G described in table 2 of § 121.2526(c), subject to the provisions 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: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4748; Filed, Apr. 27, 1967; 8:51 a.m.]

PART 121—FOOD ADDITIVES

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

ANTIOXIDANTS AND/OR STABILIZERS FOR POLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7B2121) filed by Imperial Chemical Industries, Ltd., Heavy Organic Chemicals Division, Organic House, Billingham, County Durham, England, and other relevant material, has concluded that the food additive regulations should be amended to delete the restriction, specified below, on use of tris(2-methyl-4-hydroxy-5-*tert*-butylphenyl) butane as an antioxidant and/or stabilizer at levels not to exceed 0.1 percent by weight of olefin and/or vinyl chloride polymers used in food-contact articles. 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 as follows:

In § 121.2566 *Antioxidants and/or stabilizers for polymers*, paragraph (b), list of substances, limitation number 3 for item "Tris(2-methyl-4-hydroxy-5-*tert*-butylphenyl) butane" is amended by changing the colon to a period and deleting the portion that reads "*Provided*, That such articles are not used for packing or holding food during cooking."

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: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4746; Filed, Apr. 27, 1967; 8:50 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER A—GENERAL

[Dept. Reg. 108.556]

PART 3—ACCEPTANCE OF GIFTS AND DECORATIONS FROM FOREIGN GOVERNMENTS

Part 3 is added to Title 22 of the Code of Federal Regulations to read as set forth below.

Sec.
3.1 Purpose.
3.2 Applications of this part.
3.3 Definitions.
3.4 Release of gifts and decorations on deposit in the Department of State through October 14, 1966.
3.5 Gifts and decorations received by any person after October 14, 1966.
3.6 Use or disposal of gifts and decorations which become the property of the United States.
3.7 Revocation of previous regulations.

AUTHORITY: The provisions of this Part 3 issued under sec. 7, Foreign Gifts and Decorations Act of 1966, 80 Stat. 952; sec. 4, 63 Stat. 111, as amended; 22 U.S.C. 2626, 5 U.S.C. 151c; E.O. 11320, 31 F.R. 15789.

§ 3.1 Purpose.

The purpose of this part is to establish uniform basic standards for the acceptance of gifts and decorations from foreign governments by U.S. Government officers and employees, including members of the armed forces, and members of their families.

§ 3.2 Application of this part.

This part applies to all persons occupying an office or a position in the Executive, Legislative and Judicial branches of the Government of the United States.

§ 3.3 Definitions.

As used in this part—

(a) The term "person" includes every person who occupies an office or a position in the Government of the United States, its territories and possessions, the Canal Zone Government, and the Government of the District of Columbia, or is a member of the Armed Forces of the United States, or a member of the family and household of any such person. For the purpose of this part, "member of the family and household" means a relative by blood, marriage or adoption who is a resident of the household.

(b) The term "foreign government" includes every foreign government and every official, agent, or representative thereof.

(c) The term "gift" includes any present or thing, other than a decoration, tendered by or received from a foreign government.

(d) The term "decoration" includes any order, device, medal, badge, insignia, or emblem tendered by or received from a foreign government.

(e) The term "gift of minimal value" includes any present or other thing, other than a decoration, which has a retail value not in excess of $50 in the United States.

(f) The term "outstanding or unusually meritorious performance" includes performance of duty by a person determined by the appropriate agency to have contributed to an unusually significant degree to the furtherance of good relations between the United States and the foreign government tendering the decoration.

(g) The term "special or unusual circumstances" includes any circumstances which would appear to make it improper for the donee to receive a gift or decoration, and also includes, in some instances, the very nature of the gift itself.

(h) The term "appropriate agency" means the department, agency, office, or other entity in which a person is employed or enlisted, or to which he has been appointed or elected. If the donee is not so serving, but is a member of the family and household of such a person, then the "appropriate agency" is that in which the head of the household is serving.

(i) The term "approval by the appropriate agency" includes approval by such person or persons as are duly authorized by such agency to give the approval required by these regulations.

(j) The term "Chief of Protocol" means the Chief of Protocol of the Department of State.

§ 3.4 Release of gifts and decorations on deposit in the Department of State through October 14, 1966.

Any gift or decoration on deposit with the Department of State on the effective date of this part shall, following written application to the Chief of Protocol and subsequent approval by the Chief of Protocol and the appropriate agency, be released through the appropriate agency to the donee or his legal representative. Such donee may also, if authorized by the appropriate agency, wear any decoration so released. Approval for release will normally be given unless, from the special or unusual circumstances involved, it would appear to the Chief of Protocol to be improper to release the item. Any gifts or decorations not approved for release will become the property of the U.S. Government and will be used or disposed of in accordance with the provisions of § 3.6.

§ 3.5 Gifts and decorations received by any person after October 14, 1966.

(a) *General policy.* No person shall request or otherwise encourage the tender of a gift or decoration.

(b) *Gifts of minimal value.* Subject to individual agency regulations, table favors, mementos, remembrances, or other tokens bestowed at official functions, and other gifts of minimal value received as souvenirs or marks of courtesy from a foreign government may be accepted and retained by the donee. The burden of proof is upon the donee to establish that the gift is of minimal value as defined by this part.

(c) *Gifts of more than minimal value.* Where a gift of more than minimal value is tendered, the donor should be advised that it is contrary to the policy of the United States for persons in the service thereof to accept substantial gifts. If, however, the refusal of such a gift would be likely to cause offense or embarrassment to the donor, or would adversely affect the foreign relations of the United States, the gift may be accepted and shall be deposited with the Chief of Protocol for disposal in accordance with the provisions of § 3.6.

(d) *Decorations.* Decorations received which have been tendered in recognition of active field service in connection with combat operations, or which have been awarded for outstanding or unusually meritorious performance, may be accepted and worn by the donee with (1) the approval by the appropriate agency and (2) the concurrence of the Chief of Protocol. Within the Department of State, the decision as to whether a decoration has been awarded for outstanding or unusually meritorious performance will be the responsibility of the supervising Assistant Secretary of State or comparable officer for the person involved. In the absence of approval and concurrence under this paragraph, the decoration shall become the property of the United States and shall be deposited by the donee with the Chief of Protocol for use or disposal in accordance with the provisions of § 3.6. Notwithstanding the foregoing, decorations tendered to U.S. military personnel for service in Viet-Nam may be accepted and worn as provided by the Act of October 19, 1965, Public Law 89-257, 79 Stat. 982.

§ 3.6 Use or disposal of gifts and decorations which become the property of the United States.

Any gift or decoration which becomes the property of the United States under this part may be retained for official use by the appropriate agency with the approval of the Chief of Protocol. Gifts and decorations not so retained shall be forwarded to the General Services Administration by the Chief of Protocol for transfer, donation, or other disposal in accordance with such instructions as may be furnished by that officer. In the absence of such instructions, such property will be transferred or disposed of by the General Services Administration in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, and the Federal Property Management Regulations (41 CFR Ch. 101, Subchapter H). Standard Form 120, Report of Excess Personal Property, and Standard Form 120A, Continuation Sheet, shall be used in reporting such property, and the Foreign Gifts and Decorations Act of 1966 shall be cited on the reporting document. Such reports shall be submitted to General Services Administration, Region 3, Attention: Property Management and Disposal Service, Seventh and D Streets SW., Washington, D.C. 20407.

§ 3.7 Revocation of previous regulations.

The regulations in this part shall supersede all regulations heretofore in effect concerning the acceptance of gifts and decorations from foreign governments to persons in the service of the United States or to members of their families.

Effective date. These regulations are effective as of October 15, 1966.

Dated: April 14, 1967.

[SEAL] NICHOLAS DEB KATZENBACH,
Acting Secretary of State.

[F.R. Doc. 67-4784; Filed, Apr. 27, 1967; 8:52 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

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

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

In Part 200 in the Table of Contents the heading of § 200.320 is amended to read as follows:

Sec.
200.320 Subdivision report and multifamily, land development, and group practice facilities preapplication analysis.

In Part 200 the title of Subpart I is amended to read "Subpart I—Nondiscrimination and equal opportunity in housing and group practice facilities".

Subpart I—Nondiscrimination and Equal Opportunity in Housing and Group Practice Facilities

Section 200.300 is amended to read as follows:

§ 200.300 Nondiscrimination policy.

The regulations in this subpart are prescribed pursuant to the provisions of Executive Order 11063, issued by the President under date of November 20, 1962, and are designed to assure compliance with the established policy of the United States that housing or related facilities and group practice facilities financed with assistance under the provisions of the National Housing Act will be made available for use without discrimination based on race, color, creed, or national origin.

Section 200.305 is amended to read as follows:

§ 200.305 Notice to public.

Participants in insurance programs of the Federal Housing Administration

shall be informed of the established policy on nondiscrimination and equal opportunity in housing and in group practice facilities through all appropriate means and as early as possible in their negotiations or upon indicating interest in the sponsorship or financing of housing, related facilities, and group practice facilities.

In § 200.310 the introductory text is amended to read as follows:

§ 200.310 Definition of "discriminatory practice".

As used in this subpart, the term "discriminatory practice" shall mean any discrimination because of race, color, creed, or national origin in lending practices or in the sale, rental, or other disposition of residential property or related facilities and group practice facilities, or in the use or occupancy thereof, if:

* * * * *

Section 200.320 and the heading thereof are amended to read as follows:

§ 200.320 Subdivision report and multifamily, land development, and group practice facilities preapplication analysis.

All requests for a subdivision report under home mortgage procedures or requests for preapplication analysis of multifamily, land development, and of group practice facilities projects, shall be accompanied by a statement of the applicant in which he agrees to comply with the regulations in this subpart. The statement shall be in a form satisfactory to the Commissioner.

Section 200.325 is amended to read as follows:

§ 200.325 Corporate charters and regulatory agreements.

Corporate charters, regulatory agreements, and other instruments relating to multifamily, land development and group practice facilities projects, insured pursuant to applications received after November 20, 1962, under which the Commissioner exercises controls over rentals or methods of operation of mortgagors participating in the programs of the Federal Housing Administration shall contain provisions requiring compliance with the regulations in this subpart.

Subpart J—Equal Employment Opportunity

Section 200.405 is amended to read as follows:

§ 200.405 Notice to public.

Participants in insured programs of the Federal Housing Administration shall be informed of the established policy of nondiscrimination in employment on work involving the construction, repair, or rehabilitation of housing and group practice facilities through all appropriate means and as early as possible in their negotiations or upon indicating interest in the sponsorship or financing of housing and related facilities.

In § 200.410 paragraph (a) is amended to read as follows:

§ 200.410 Definition of term "applicant".

(a) In multifamily housing and group practice facilities transactions where controls over the mortgagor are exercised by the Commissioner either through the ownership of corporate stock or under the provisions of a regulatory agreement, the term "applicant" as used in this subpart shall mean the mortgagor.

* * * * *

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

In Chapter II a new Subchapter W and a new Part 1100 are added as follows:

SUBCHAPTER W—GROUP PRACTICE FACILITIES INSURANCE

PART 1100—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Subpart A—Eligibility Requirements

DEFINITIONS

Sec.
1100.1 Definitions.

PRELIMINARY EXAMINATION

1100.5 Preliminary examination.

APPLICATION, FEES, AND CHARGES BY MORTGAGEE

1100.10 Application filing, required fees, and charges by mortgagee.
1100.12 Unavailability of conventional financing.
1100.15 Extension of commitment.

ELIGIBLE MORTGAGORS

1100.20 Eligible mortgagors.

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1100.25 Qualifications for lenders.

MAXIMUM MORTGAGE AMOUNTS

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1100.32 Maximum mortgage amount—loan-to-value limitation.
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1100.65 Prepayment privilege, prepayment, and late charges.
1100.67 Insured advances—building loan agreement.

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1100.70 Prevailing wage requirements.
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FUNDS AND FINANCES

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1100.85 Funds and finances—deposits and letters of credit.
1100.87 Funds and finances—offsite utilities and streets.
1100.90 Funds and finances—insured advances—general requirements.
1100.92 Funds and finances—insured advances—working capital.
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1100.120 Eligibility of property.
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COST CERTIFICATION

1100.140 Certification of cost requirements.
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1100.145 Form of contract.
1100.147 Certificate of actual costs.
1100.150 Certificate of actual costs—general contractor's costs.
1100.152 Certificate of actual costs—subcontractor's costs.
1100.155 Records.
1100.157 Adjustment of cost—new construction.
1100.160 Adjustment of cost—rehabilitation.
1100.162 Reduction in mortgage amount.
1100.165 Effect of agreement.
1100.167 Cost certification incontestable.

TITLE

1100.180 Eligibility of title.
1100.182 Title evidence.

AMENDMENTS

1100.185 Amendment of regulations.

Subpart B—Contract Rights and Obligations

1100.251 Incorporation by reference.

AUTHORITY: The provisions of this part 1100 issued under Sec. 1101, 80 Stat. 1255, 1274; 12 U.S.C. 1749aaa–1 et seq.

Subpart A—Eligibility Requirements

DEFINITIONS

§ 1100.1 Definitions.

As used in this subpart, the term:

(a) "Act", "Commissioner", "mortgagor", and "mortgagee" shall have the same meaning as prescribed in § 207.251 of this chapter.

(b) "Group practice facility" means an establishment designed for operation primarily by a medical or dental group which provides preventive, diagnostic, and treatment services to ambulatory patients under the professional supervision of persons licensed to practice dentistry, medicine, or optometry in the State.

(c) "Group practice unit" means a private nonprofit organization of one of the following types:

(1) An organization which undertakes to provide (directly or through arrangements with a medical or dental group) complete dental, medical, or optometric care, or any combination thereof. It may also provide health insurance to members or subscribers on a group practice prepayment basis.

(2) An organization established for the purpose of providing dental, medical, or optometric care or for performing functions related to such care through arrangements for the use of the group practice facility by a medical or dental group.

(d) "Medical or dental group" means a partnership or other association of persons licensed to practice dentistry, medicine, or optometry in the State who, as their principal professional activity and as a group responsibility, engage in the coordinated practice of their profession in one or more group practice facilities. The group shall share common overhead expenses, shall jointly establish medical and other records, and shall jointly use substantial portions of the equipment and the services of professional, technical, and administrative staffs. It shall be composed of such types of professional personnel and shall make available such health services as may be required to meet the standards prescribed by the Commissioner.

(e) "Mortgage" means such classes of first liens as are commonly given to secure advances on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with any credit instrument or instruments secured thereby. The mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust securing notes, bonds, or other credit instruments; and by the same instrument or by a separate instrument, it may create a security interest in initial equipment whether or not the equipment is attached to the realty.

(f) "Nonprofit organization" means a corporation, association, foundation, trust, or other organization no part of the net earnings of which may lawfully inure to the benefit of any private shareholder or individual. The provision by a nonprofit organization of personal health services to members or subscribers or their dependents under a plan which may also provide for other services or insurance benefits, shall not make the organization ineligible under this definition.

(g) "State" includes the several States, Puerto Rico, the District of Columbia, Guam, the Virgin Islands, and American Samoa.

PRELIMINARY EXAMINATION

§ 1100.5 Preliminary examination.

Prior to the filing of an application, the sponsor of a proposed group practice facility may request and shall be given an analysis of the project. A fee of $400 shall accompany the request for analysis.

APPLICATION, FEES, AND CHARGES BY MORTGAGEE

§ 1100.10 Application filing, required fees, and charges by mortgagee.

All of the provisions of §§ 207.1 and 207.2 of this chapter apply to mortgages insured under this subpart. These provisions relate to the filing of an application for insurance, the application fee, the issuance of a commitment, the commitment fee, the inspection fee, the fees on increase in the commitment or mortgage, the reopening fee, the transfer fee, the refund of fees, and the maximum charges that may be collected by the mortgagee from the mortgagor.

§ 1100.12 Unavailability of conventional financing.

The application for insurance shall be accompanied by such evidence as the Commissioner may require to establish that the mortagagor or sponsor has been unable to obtain an uninsured mortgage loan for financing the proposed project with terms comparable to those prescribed in §§ 1100.30 through 1100.50 for a mortgage insured under this subpart.

§ 1100.15 Extension of commitment.

When the mortgagee has failed to take action within the period of time required in order to prevent the expiration of a commitment or in order to reopen an expired commitment, the Commissioner may extend such period and may retroactively reinstate or reopen such commitment.

ELIGIBLE MORTGAGORS

§ 1100.20 Eligible mortgagors.

In order to be eligible as a mortgagor under this subpart, the applicant shall establish to the satisfaction of the Commissioner that it qualifies as a group practice unit as that term is defined in § 1100.1(c).

ELIGIBLE MORTGAGEES

§ 1100.25 Qualifications for lenders.

The provisions of §§ 203.1 through 203.4 of this chapter and §§ 203.6 through 203.9 of this chapter shall govern the eligibility, qualifications and requirements of mortgagees under this subpart.

MAXIMUM MORTGAGE AMOUNTS

§ 1100.30 Maximum mortgage amounts—dollar limitation.

The mortgage shall involve a principal obligation not in excess of $5 million.

§ 1100.32 Maximum mortgage amount—loan to value limitation.

In addition to meeting the dollar limitation set forth in § 1100.30, the mortgage shall involve a principal obligation not in excess of 90 percent of the Commissioner's estimate of the value of the property when construction or rehabilitation is completed. The value of the property may include the land and proposed physical improvements, equipment, utilities within the boundaries of the property, architect's fees, taxes, and interest accruing during construction, and other miscellaneous charges approved by the Commissioner as incident to the construction or rehabilitation.

§ 1100.35 Adjusted mortgage amount—rehabilitation projects.

In addition to meeting the dollar and loan-to-value limitations set forth in §§ 1100.30 and 1100.32, a mortgage financing the rehabilitation of existing improvements shall be subject to the following additional limitations:

(a) *Property held unencumbered.* If the mortgagor is the fee simple owner of the property and the ownership is not encumbered by an outstanding indebtedness, the mortgage shall not exceed 100 percent of the Commissioner's estimate of the cost of the proposed rehabilitation.

(b) *Property subject to existing mortgage.* If the mortgagor owns the property subject to an outstanding indebtedness, which is to be refinanced with part of the insured mortgage, the mortgage shall not exceed the total of the following:

(1) The Commissioner's estimate of the cost of rehabilitation, plus

(2) Such portion of the outstanding indebtedness as does not exceed 90 percent of the Commissioner's estimate of the fair market value of such land and improvements prior to rehabilitation.

(c) *Property to be acquired.* If the property is to be acquired by the mortgagor and the purchase price is to be financed with a part of the insured mortgage, the mortgage shall not exceed 90 percent of the total of the following:

(1) The Commissioner's estimate of the cost of rehabilitation, plus

(2) The actual purchase price of the land and improvements or the Commissioner's estimate (prior to rehabilitation) of the fair market value of such land and improvements, whichever is the lesser.

§ 1100.37 Reduced mortgage amount—leaseholds.

If the mortgage is on a leasehold estate rather than a fee simple holding, the maximum mortgage amount based upon the limitations of this part is subject to reduction by an amount equal to the capitalized value of the ground rent.

§ 1100.40 Mortgage provisions.

All of the provisions of § 207.3 of this chapter apply to mortgages insured under this subpart. These provisions prescribe the mortgage form and the obligation of the mortgagee for disbursing the mortgage proceeds.

ELIGIBLE MORTGAGES

§ 1100.45 Maximum interest rate.

The mortgage may bear interest at such rate as may be agreed upon by the mortgagee and the mortgagor but in no case shall the interest rate exceed 6 percent per annum.

§ 1100.47 Maximum mortgage maturity.

The mortgage shall have a maturity not to exceed 25 years from the date it becomes effective and shall contain amortization or sinking fund provisions satisfactory to the Commissioner.

§ 1100.50 Payment requirements.

The mortgage shall provide for payments on the first day of each month on account of interest and for payments to principal in accordance with an amortization plan or sinking fund provisions agreed upon by the mortgagor, the mortgagee and the Commissioner.

§ 1100.52 Application of payments.

All payments to be made by the mortgagor to the mortgagee shall be added together and the aggregate amount thereof shall be paid by the mortgagor each month in a single payment. The mortgagee shall apply each payment received to the following items in the order set forth:

(a) Premium charges under the contract of insurance.

(b) Ground rents, taxes, special assessments, and fire and other hazard insurance premiums.

(c) Interest on the mortgage.

(d) Amortization of the principal of the mortgage.

§ 1100.55 Accumulation of accruals.

All of the provisions of § 207.12 of this chapter apply to mortgages insured under this subpart. These provisions relate to payments to be made by the mortgagor to be accumulated by the mortgagee for paying the annual mortgage insurance premium, ground rents, taxes, water rates, special assessments, and fire and other hazard insurance premiums.

§ 1100.57 Mortgage covenants.

The mortgage shall contain covenants relating to liens, property insurance, and use of property as prescribed in §§ 207.9, 207.10 and 207.16 of this chapter.

§ 1100.58 Racial restriction covenant.

Under the mortgage instrument, the mortgagor shall covenant that until the mortgage has been paid in full, or the contract of insurance otherwise terminated, he will not execute or file for record any instrument which imposes a restriction upon the sale or use of the mortgaged property on the basis of race, color, or creed. This covenant shall be binding upon the mortgagor and his assigns and shall provide that upon violation thereof, the mortgagee may, at its option, declare the unpaid balance of the mortgage immediately due and payable.

§ 1100.60 Issuance of bonds secured by trust indenture.

All of the provisions of § 207.15 of this chapter apply to mortgages insured under this subpart. These provisions relate to the issuance of bonds secured by a trust indenture.

§ 1100.62 Mortgage lien.

The mortgagor shall certify at the final endorsement of the mortgage for insurance as to each of the following:

(a) That the mortgage is the first lien upon and covers the entire project including the equipment financed with mortgage proceeds.

(b) That the property upon which the improvement have been made or constructed, and the equipment financed with mortgage proceeds, are free and clear of all liens other than the insured mortgage and such other liens as may be approved by the Commissioner.

(c) That the certificate sets forth all unpaid obligations in connection with the mortgage transaction, the purchase of the mortgaged property, the construction or rehabilitation of the project or the purchase of the equipment financed with mortgage proceeds.

§ 1100.65 Prepayment privilege, prepayment and late charges.

All of the provisions of § 207.14 of this chapter apply to mortgages insured under this subpart. These provisions cover the mortgagor's prepayment privilege, the prepayment charge that may be made by the mortgagee, and the late charge that may be collected by the mortgagee.

§ 1100.67 Insured advances—building loan agreement.

Prior to the initial endorsement of the mortgage for insurance, the mortgagor and mortgagee shall execute a building loan agreement, approved by the Commissioner, setting forth the terms and conditions under which progress payments may be advanced during construction. To be covered by mortgage insurance, each progress payment shall be approved by the Commissioner prior to disbursement.

WAGE STANDARDS

§ 1100.70 Prevailing wage requirements.

Any contract, subcontract, or building loan agreement executed for the performance of construction of the project shall contain provisions requiring compliance with all applicable regulations of the Secretary of Labor relating to the payment of prevailing wages. In addition, a requirement shall be included that each laborer or mechanic employed on the project receive compensation at a rate not less than one and one-half times his basic rate of pay for all work time, in excess of 8 hours during any workday or in excess of 40 hours during any workweek.

§ 1100.72 Prevailing wage determination.

After the filing of the application for insurance and prior to the beginning of construction, the Commissioner shall obtain from the Secretary of Labor a determination as to the wages prevailing for the various classes of laborers and mechanics in the area where the project is to be constructed.

§ 1100.75 Ineligible contracts.

(a) Contracts relating to the construction of the project shall not be made with a general contractor or a subcontractor (or any firm, corporation, partnership, or association in which such contractor or subcontractor has a substantial interest), the name of which is on the ineligible list of contractors or subcontractors established by the Commissioner or by the Comptroller General under the applicable regulations of the Secretary of Labor.

(b) If the Commisisoner determines that a contract has been made contrary to the requirements of paragraph (a) of this section and so notifies the mortgagee, the Commissioner may refuse to insure any subsequent advances of mortgage proceeds.

§ 1100.77 Wage certificate.

No advance under the mortgage shall be eligible for insurance unless there is filed with the application for such advance a wage certificate as required by the Commissioner. The certificate shall state that the laborers and mechanics employed in the construction of the project have been paid not less than the prevailing wages determined by the Secretary of Labor and any overtime wages at a rate not less than one and one-half times the basic rate of pay for all work time, in excess of 8 hours during any workday, or in excess of 40 hours during any workweek.

FUNDS AND FINANCES

§ 1100.85 Funds and finances—deposits and letters of credit.

(a) *Deposits.* Where the Commissioner requires the mortgagor to make a deposit of cash or securities, such deposit shall be with the mortgagee or a depository acceptable to the mortgagee. The deposit shall be held by the mortgagee in a special account or by the depository under an appropriate agreement approved by the Commissioner.

(b) *Letter of credit.* Where a letter of credit is acceptable to the Commissioner in lieu of deposit of cash or securities, the letter of credit shall be unconditional and irrevocable. The letter of credit shall be issued to the mortgagee by a banking institution. The mortgagee shall be responsible to the Commissioner for collection under the letter of credit. In the event a demand for payment under the letter of credit is not immediately met, the mortgagee shall forthwith provide a cash deposit equivalent to the undrawn balance of the letter of credit.

§ 1100.87 Funds and finances—offsite utilities and streets.

The Commissioner may require a cash deposit with the mortgagee (or with an acceptable trustee or escrow agent designated by the mortgagee) in such amounts as may be necessary to complete offsite public utilities and streets. The mortgagee may accept, in lieu of a required cash deposit, a letter of credit meeting the requirements of § 1100.85(b).

§ 1100.90 Funds and finances—insured advances—general requirements.

(a) *Establishment of funds.* If the commitment provides for insurance of advances during construction, the mortgagor shall, prior to initial endorsement, make each of the following deposits:

(1) An amount determined by the Commissioner as sufficient (when added to the proceeds of the insured mortgage) to assure completion of the project and to pay the initial service charge, the

carrying charges, and the legal and organization expenses incident to the project. The deposit shall be in cash and shall be held by the mortgagee under an appropriate agreement, approved by the Commissioner, requiring that prior to the advance of any mortgage money, all the cash be disbursed for work and material on the physical improvements, and for any other charges and expenses which are payable.

(2) An amount representing all fees and charges to be paid by the mortgagor in connection with financing which are in excess of the initial service charge and which have been approved by the Commissioner.

(b) *Deposit and use of funds.* Unless other arrangements acceptable to the Commissioner are made, the funds referred to in paragraph (a) of this section shall be subject to the provisions of § 1100.85(a).

(c) *Letter of credit.* The mortgagee may accept, in lieu of a cash deposit required by paragraph (a)(2) of this section, a letter of credit as provided in § 1100.85(b).

§ 1100.92 Funds and finances—insured advances—working capital.

(a) The amount of working capital, if any, required by the Commissioner to be deposited by the mortgagor with the mortgagee or in a depository satisfactory to the mortgagee and under its control, shall not exceed 2 percent of the original amount of the mortgage. Disbursement from such deposit shall be made only in a manner prescribed by the Commissioner.

(b) The mortgagee may accept, in lieu of a cash deposit required by paragraph (a) of this section, an unconditional irrevocable letter of credit issued to the mortgagee by a banking institution. In the event a demand under the letter of credit is not immediately met, the mortgagee shall forthwith provide cash equivalent to the undrawn balance thereunder.

§ 1100.95 Funds and finances—insured advances—assurance of completion.

(a) *In general.* In order to assure completion of the project, the mortgagor shall furnish a bond to the mortgagee, establish an escrow deposit, or furnish the mortgagee with a letter of credit. The bond, escrow deposit or letter of credit shall be in an amount of at least 10 percent of the Commissioner's estimated cost of constructing the project.

(b) *Bond requirements.* The bond shall be on a standard form prescribed by the Commissioner and be that of a surety company satisfactory to him.

(c) *Escrow deposit requirements.* The escrow deposit shall consist of cash, securities of the United States, or securities which are fully guaranteed by the United States as to principal. The deposit shall meet the requirements of § 1100.85(a).

(d) *Letter of credit requirements.* The letter of credit shall meet the requirements of § 1100.85(b).

SUPERVISION OF MORTGAGOR

§ 1100.100 Supervision of mortgagor—form of regulation.

The Commissioner may regulate and restrict the mortgagor as long as the Commissioner is the insurer or reinsurer of the mortgage or while the Secretary is the holder of the mortgage. Such regulation or restriction may be in the form of a regulatory agreement, corporate charter or such other means as the Commissioner approves.

§ 1100.102 Supervision of mortgagor—maintenance of project.

The mortgagor shall maintain the project's grounds and buildings and the equipment financed with mortgage proceeds in good repair. It shall promptly complete such repairs and maintenance as the Commissioner considers necessary and required.

§ 1100.105 Supervision of mortgagor—books and accounts.

The books and accounts of the mortgagor relating to the operation of the physical facilities of the project (exclusive of the books and records relating to the group practice of medicine, dentistry, or optometry) shall be established and maintained in a manner satisfactory to the Commissioner. They shall be kept in accordance with the requirements of the Commissioner so long as the mortgage is insured by the Commissioner or the mortgage is held by the Secretary. The mortgagor shall file with the Commissioner such financial reports as the Commissioner may require.

§ 1100.107 Supervision of mortgagor—inspection of facilities by Commissioner.

The mortgagor's property, equipment, buildings, plans, offices, apparatus, devices, books, contracts, records, documents, and papers relating to the operation of the physical facilities of the project (exclusive of the books and records relating to the group practice of medicine, dentistry or optometry) shall be subject to inspection and examination by the Commissioner or his duly authorized representative at all reasonable times.

§ 1100.110 Supervision of mortgagor—control over surplus cash.

Surplus cash acquired by the mortgagor from the operation of the project may be used only for such specific purposes as may be approved by the Commissioner. The term "surplus cash" as used in this section shall mean the cash legally available and remaining after the payment and allocation of funds as follows:

(a) The payment of each of the following:

(1) Sums currently due under the terms of the mortgage or note insured by the Commissioner or held by the Secretary.

(2) Amounts required to be deposited in the Reserve Fund for Replacements.

(3) Outstanding obligations of the mortgagor arising out of the operation of the project other than those arising out of the mortgage indebtedness, unless funds for payment have been set aside or deferment of payment has been approved by the Commissioner.

(b) The allocation and placement in a separate account of an amount equal to the aggregate of all special funds required to be maintained by the project.

§ 1100.112 Supervision of mortgagor—fund for replacements.

The mortgagor shall deposit and maintain with the mortgagee a reserve fund for replacements. The amount and type of such fund and the conditions under which it shall be accumulated, replenished, and used, shall be specified in the regulatory agreement, corporate charter, or in such other document as the Commissioner may require.

§ 1100.115 Rental of facilities.

Where the mortgagor rents the group practice facilities to a medical or dental group, the terms of the lease and the amount of rental charge shall be subject to the approval of the Commissioner. Provision shall be included in the lease for an annual review of the rental charge and for adjustments to increase or decrease such rental charge with the approval of the Commissioner. The mortgagor shall make an annual report to the Commissioner as to its financial status and adjustments in the annual rental shall be made only with the approval of the Commissioner.

PROPERTY REQUIREMENTS

§ 1100.120 Eligibility of property.

A mortgage to be eligible for insurance shall cover real estate in which the mortgagor has one of the following interests:

(a) A fee simple title.

(b) A lease for not less than 99 years which is renewable.

(c) A lease having a term of not less than 75 years to run from the date the mortgage is executed.

(d) A lease executed by a governmental agency or an Indian or an Indian tribe for the maximum term consistent with the legal authority for the execution of such lease, provided that the term of any such lease shall run for a period of not less than 50 years from the date the mortgage is executed.

§ 1100.122 Special property requirements.

The project shall be designed for use as a group practice facility which the Commissioner finds:

(a) Will be constructed in an economical manner.

(b) Will not be of elaborate or extravagant design or materials.

(c) Will provide adequate and suitable facilities for the group practice of medicine, optometry, or dentistry.

§ 1100.125 Zoning, deed or building restrictions.

The project when completed shall not violate any material zoning or deed restrictions applicable to the project site, and shall comply with all applicable

building and other governmental regulations and requirements.

§ 1100.127 Discrimination prohibited.

Any contract or subcontract executed for the construction or rehabilitation of the project shall contain a provision that there shall be no discrimination against any employee, or applicant for employment because of race, color, creed, or national origin. Where the mortgagor is the general contractor, the building loan agreement shall contain the same provision against discrimination.

COST CERTIFICATION

§ 1100.140 Certification of cost requirements.

(a) Prior to initial endorsement of the mortgage for insurance, the mortgagor, the mortgagee and the Commissioner shall enter into an agreement approved by the Commissioner for the purpose of limiting the outstanding principal balance of the mortgage, at the time of final endorsement, to the statutory limitations based on the actual cost of the project. The agreement shall require the mortgagor to do each of the following:

(1) Disclose its relationship including any collateral agreements with the general contractor, the subcontractor, and the suppliers.

(2) Enter into a construction contract with the general contractor in a form meeting the requirements of § 1100.145.

(3) Execute a certificate of actual costs upon completion of the construction.

(4) Reduce the outstanding principal balance of the mortgage by applying thereto any excess of mortgage proceeds over statutory limitations based on actual costs.

§ 1100.142 Certificate as to subcontracts.

If the Commissioner determines that the mortgagor or any of its officers, directors, stockholders, partners, or beneficiaries have an interest (financial or otherwise) in a subcontractor or material supplier, the mortgagor shall certify (at such times and in such form as may be prescribed by the Commissioner prior to final endorsement of the mortgage for insurance) that the amounts paid to such subcontractor or material supplier were not more than the rate being paid in the locality for similar type labor and materials.

§ 1100.145 Form of contract.

A cost-plus form of contract between the mortgagor and the general contractor shall be used unless it is established to the Commissioner's satisfaction that such form is not required to protect his interests and the interests of the mortgagor, in which case a lump sum contract may be used.

§ 1100.147 Certificate of actual costs.

Upon completion of the project to the satisfaction of the Commissioner and prior to final endorsement, the mortgagor shall submit a certificate showing the actual costs of the project to the mortgagor. The certificate shall be in a form prescribed by the Commissioner.

§ 1100.150 Certificate of actual costs—general contractor's costs.

Upon completion of the project to the satisfaction of the Commissioner and prior to final endorsement, the general contractor shall submit a certificate of actual costs in a form prescribed by the Commissioner.

§ 1100.152 Certificate of actual costs—subcontractor's costs.

Where the subcontractor, material supplier, or equivalent lessor have an identity of interest either with the mortgagor or the general contractor, the Commissioner may require the mortgagor to submit a certificate showing the actual cost of the labor, supplies, or equipment furnished to the project by any one or all of such entities. The certificate shall be in a form prescribed by the Commissioner.

§ 1100.155 Records.

The mortgagor shall keep and maintain adequate records of all construction costs, or other cost items not representing work under the general contract and shall require the general contractor to keep similar records. Upon request by the Commissioner, such records, together with any collateral agreements, shall be made available for examination.

§ 1100.157 Adjustment of cost—new construction.

In the case of new construction, in order to give effect to land value, the aggregate amount shown in the certificate of actual costs shall be adjusted, prior to final endorsement, as follows:

(a) *Land held in fee.* Where the land included in the mortgage security is owned in fee by the mortgagor, the Commissioner's estimate of the fair market value of such land prior to the beginning of construction shall be added to the total cost shown in the certificate.

(b) *Land held under leasehold.* Where the land included in the mortgage security is held by the mortgagor under a leasehold, the expense of acquiring the leasehold may be added to the aggregate amount shown in the certificate of actual costs. The amount added shall be limited to the Commissioner's estimate, prior to the beginning of construction, of the fair market value of the leasehold or other interest.

§ 1100.160 Adjustment of cost—rehabilitation.

In the case of repair or rehabilitation, in order to give effect to land value, the aggregate amount shown in the certificate of actual costs shall be adjusted, prior to final endorsement, as follows:

(a) *Property already owned.* Where no part of the proceeds of the mortgage is to be used to finance the purchase of the land or the existing improvements, the mortgage shall be reduced to an amount which does not exceed 100 percent of the actual costs (as approved by the Commissioner) of the repair or rehabilitation.

(b) *Property subject to existing mortgage.* Where the proceeds of the mortgage are to be used to refinance an existing mortgage, there shall be added to the actual costs of the repair or rehabilitation the lesser of the following:

(1) The amount of the existing mortgage.

(2) 90 percent of the Commissioner's estimate (prior to repair or rehabilitation) of the fair market value of the land and existing improvements.

(c) *Property to be acquired.* Where the proceeds are to be used to finance the purchase of the land and existing improvements in addition to financing the repair or rehabilitation, there shall be added to the actual costs of the repair or rehabilitation the lesser of the following:

(1) The purchase price of the land and existing improvements.

(2) The Commissioner's estimate (prior to repair or rehabilitation) of the fair market value of the land and existing improvements.

§ 1100.162 Reduction in mortgage amount.

If the principal amount of the mortgage exceeds the total shown by the certificate of actual costs, after adjustment as provided in §§ 1100.157 and 1100.160, the mortgage shall be reduced by the amount of such excess prior to final insurance endorsement.

§ 1100.165 Effect of agreement.

Any agreement, undertaking, statement, or certification required by the Commissioner in connection with the certificate of actual costs shall specifically state that it has been made, presented, and delivered for the purpose of influencing an official action of the Commissioner and that it may be relied upon as a true statement of the facts contained therein.

§ 1100.167 Cost certification incontestable.

Upon the Commissioner's approval of the mortgagor's certification of actual costs, such certification shall be final and incontestable, except for fraud or material misrepresentation on the part of the mortgagor.

TITLE

§ 1100.180 Eligibility of title.

In order for the mortgaged property to be eligible for insurance, the Commissioner shall determine that marketable title thereto is vested in the mortgagor as of the date the mortgage is filed for record. The title evidence shall be examined by the Commissioner and the original endorsement of the credit instrument for insurance shall be evidence of its acceptability.

§ 1100.182 Title evidence.

Upon insurance of the mortgage, the mortgagee shall furnish a survey to the Commissioner which is satisfactory to him, and a policy of title insurance, as provided in paragraph (a) of this section. If, for reasons the Commissioner deems satisfactory, title insurance cannot be furnished under paragraph (a)

of this section, the mortgagee shall furnish evidence of title in accordance with paragraphs (b) or (c) of this section, as the Commissioner may require. Any survey, policy of title insurance, or evidence of title required under this section shall be furnished without expense to the Commissioner. The types of title evidence are:

(a) A title insurance policy, issued by a company and in a form satisfactory to the Commissioner. The policy shall name as the insureds the mortgagee and the Secretary as their respective interests may appear. The title policy shall provide that, upon acquisition of title by the mortgagee or the Secretary, it shall become an owner's policy protecting the mortgagee or the Secretary, as the case may be.

(b) An abstract of title satisfactory to the Commissioner, prepared by an abstract company or individual engaged in the business of preparing abstracts of title, accompanied by a legal opinion satisfactory to the Commission as to the quality of such title, signed by an attorney at law experienced in the examination of titles.

(c) A Torrens or similar title certificate.

AMENDMENTS

§ 1100.185 Amendment of regulations.

The regulations in this subpart may be amended by the Commissioner at any time and from time to time, in whole or in part, but such amendment shall not adversely affect the interests of a mortgagee under the contract of insurance on any mortgage already insured or to be insured pursuant to a commitment already issued by the Commissioner.

Subpart B—Contract Rights and Obligations

§ 1100.251 Incorporation by reference.

(a) All of the provisions of §§ 207.251 et seq. (Part 207, Subpart B) of this chapter, covering mortgages insured under section 207 of the National Housing Act, apply to a mortgage covering a group practice facility insured under title XI of the National Housing Act, except the following provision:

Sec.
207.264 Effective date.

(b) For the purposes of this subpart, all references in Part 207 of this chapter to section 207 of the Act shall be construed to refer to title XI of the Act.

(c) All of the definitions in § 1100.1 shall apply to this subpart. In addition, as used in this part, the term "contract of insurance" means the agreement evidenced by the Commissioner's insurance endorsement and includes the provisions of this subpart and of the Act.

Issued at Washington, D.C., April 24, 1967.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 67-4716; Filed, Apr. 27, 1967; 8:48 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Memo No. 514]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart O—Administrative Division

DELEGATION OF AUTHORITY TO DIRECTOR, BUREAU OF PRISONS, AS TO DISPOSITION OF UNCLAIMED PROPERTY

This memorandum shall be published as an appendix to Subpart O of Title 28 of the Code of Federal Regulations.

This memorandum shall be effective upon its publication in the FEDERAL REGISTER.

Pursuant to the authority vested in me by § 0.84 of Title 28 of the Code of Federal Regulations, I hereby delegate to the Director of the Bureau of Prisons the authority vested in me by § 0.80 of that title to exercise the authority conferred by section 203(m) of the Federal Property and Administrative Services Act of 1949, as amended (1) to take possession of all unclaimed privately owned personal property (including abandoned property) of an estimated value of $100 or less which is now or may hereafter be in the official custody or control of any officer, employee, or agent of the Bureau of Prisons on premises owned or leased by the United States, and which remains unclaimed for a period of 6 months, (2) to determine that title to such property has vested in the United States, (3) to utilize, transfer, or otherwise dispose of such property, (4) to determine, when necessary, the fair value of such property, (5) to receive, examine, and determine claims filed by former owners thereof, and (6) to pay such claims, or any portion thereof, which he shall determine to be due and payable in accord with section 203(m) of that Act.

All proceeds from the property disposed of under this delegation shall, if not paid to the owner thereof under section 203(m), be covered into the United States Treasury as miscellaneous receipts.

The authority herein delegated may be redelegated to any officer or employee of the Bureau of Prisons.

ERNEST C. FRIESEN, Jr.,
Assistant Attorney General for Administration.

APRIL 25, 1967.

[F.R. Doc. 67-4754; Filed, Apr. 27, 1967; 8:51 a.m.]

[Memo No. 515]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart O—Administrative Division

VESTING OF UNCLAIMED PROPERTY

This memorandum shall be published as an appendix to Subpart O of Title 28 of the Code of Federal Regulations and shall be effective on the date of its publication in the FEDERAL REGISTER.

Pursuant to the authority vested in me by § 0.80 of Title 28 of the Code of Federal Regulations, the title to all unclaimed and abandoned privately owned personal property of an estimated value of $100 or less, and cash or negotiable instruments not to exceed $500, which are now or may hereafter come into the official custody of any officer, employee, bureau, or other subdivision of this Department and remain unclaimed for a period of 6 months, shall after the expiration of such period vest in the United States.

ERNEST C. FRIESEN, Jr.,
Assistant Attorney General for Administration.

APRIL 25, 1967.

[F.R. Doc. 67-4755; Filed, Apr. 27, 1967; 8:51 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

[CGFR 67-26]

PART 23—DISTINCTIVE MARKINGS FOR COAST GUARD VESSELS AND AIRCRAFT

Coast Guard Ensign and Commission Pennant

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and by 49 CFR 1.4 (32 F.R. 5606), to promulgate regulations in accordance with the laws cited below, the following amendments are prescribed and shall be effective on date of publication of this document in the FEDERAL REGISTER:

1. Section 23.05 is revised to read as follows:

§ 23.05 Where and when displayed.

(a) The Coast Guard Ensign is a mark of authority and is required to be displayed whenever a Coast Guard vessel takes active measures in connection with boarding, examining, seizing, stopping or heaving to of a vessel for the purposes of enforcing the laws of the United States. The distinctive markings of Coast Guard aircraft serve the same purpose.

(b) The Coast Guard Commission pennant indicates a Coast Guard cutter under the command of a commissioned officer or commissioned warrant officer.

(c) When applicable, these distinctive marks shall be displayed, the Coast Guard Ensign at the masthead of the foremast, and the commission pennant at the after masthead. On ships having but one mast the Coast Guard Ensign and commission pennant shall be at the masthead on the same halyard. In mastless ships they shall be displayed from the most conspicuous hoist.

2. Section 23.10 is revised to read as follows:

§ 23.10 Coast Guard emblem.

(a) The distinctive emblem of the Coast Guard shall be as follows:

On a disc the shield of the Coat of Arms of the United States circumscribed by an annulet edged and inscribed "UNITED STATES COAST GUARD 1790" all in front of two crossed anchors.

(b) The emblem in full color is described as follows:

White anchors and white ring all outlined in medium blue (Coast Guard blue), letters and numerals medium blue (Coast Guard blue), white area within ring, shield with medium blue (Coast Guard blue) chief and 13 alternating white and red (Coast Guard red) stripes (7 white and 6 red) with narrow medium blue (Coast Guard blue) outline.

(c) The Coast Guard emblem is intended primarily for use as identification on Coast Guard ensigns, flags, pennants, vessels, aircraft, vehicles, and shore units. It may also be reproduced for use on such items as stationery, clothing, jewelry, etc.

(d) Civilian firms desiring to reproduce the Coast Guard emblem must obtain approval from the Commandant, U.S. Coast Guard, Washington, D.C.

Dated: April 19, 1967.

W. J. SMITH,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 67-4709; Filed, Apr. 27, 1967; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Monomoy National Wildlife Refuge, Mass.

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

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

MASSACHSETTS

MONOMOY NATIONAL WILDLIFE REFUGE

Entrance by walking on the refuge is permitted for the purpose of birdwatching, photography, nature study, hiking, swimming, sunbathing, and digging shellfish, during daylight hours; fishing for 24 hours a day. Pets are permitted on a leash not exceeding 10 feet in length. Fires are permitted on the beach.

The refuge, comprising 2,696 acres, is delineated on a map available from the Refuge Manager, Great Meadows National Wildlife Refuge, 31 Sudbury Road, Concord, Mass. 01742, and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1967.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

APRIL 12, 1967.

[F.R. Doc. 67-4726; Filed, Apr. 27, 1967; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 989]

RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Producer Representation on Raisin Advisory Board and Raisin Administrative Committee

Notice is hereby given of a proposal to amend Subpart—Administrative Rules and Regulations by adding new sections, §§ 989.126 and 989.139, in regard to allocating the producer representation on the Raisin Advisory Board and the Raisin Administrative Committee among districts or groups of districts. The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proposal, recommended by the Raisin Administrative Committee, would prescribe the procedure and the basis for reallocating the 35 producer members of the Raisin Advisory Board among the 21 districts into which the area is divided. The reallocation would be based on the tonnages of raisins produced in the respective districts. The reallocation or the actual number of producer member positions for each of the 21 districts would be determined later, for use beginning with the 1968 nominations and selections. The allocation of present producer representation on the board among the districts is the same, except for a minor change in 1960, as that provided in 1949 when the program was established. Since that time, conditions have changed regarding pertinent program provisions and grape and raisin production in the various districts.

The proposal also would group the 21 districts (for which representation on the board is afforded) into three groups, and prescribe the procedure and the basis for allocating the 8 producer members of the committee among the 3 groups of districts. The basis of allocation (raisin production) and, insofar as applicable, the procedure, would be the same as for the board.

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

The proposed new sections are as follows:

§ 989.126 Changes in producer representation on Raisin Advisory Board.

(a) Commencing with the term of office beginning May 1, 1968, apportionment of the 35 producer members of the Raisin Advisory Board among the 21 districts (as designated in § 989.96 *Exhibit A*) shall be as provided in this section.

(b) Each district shall have one producer member for each quantity of raisins produced therein from 1966 crop grapes that represents, as nearly as possible, one thirty-fifth of the total tonnage of raisins produced in all districts from 1966 crop grapes: *Provided*, That each district shall have at least one member. The producer representation on the board shall be reviewed every 5 years thereafter and any necessary changes made to continue such producer member representation on the basis of one thirty-fifth of the total tonnage of raisins produced. The raisin production to be used in such review or change shall be that of the preceding crop year.

(c) Whenever any change in 1968, or in a subsequent year, causes a reduction in the number of producer members to represent a particular district in the ensuing term of office, the appointment theretofore made of all incumbent producer members representing that district shall be terminated. The reduced number of such members, and the new members for districts gaining representation, shall be nominated and selected, consistent with § 989.28(a), for the ensuing term of office.

§ 989.139 Producer representation on Raisin Administrative Committee.

(a) As used in this section, the term "group of districts" means any one of the following:

(1) "Group I districts" means Districts Nos. 1 through 15, as designated in § 989.96 *Exhibit A*.

(2) "Group II districts" means Districts Nos. 16, 17, and 18, as designated in § 989.96 *Exhibit A*.

(3) "Group III districts" means Districts Nos. 19, 20, and 21, as designated in § 989.96 *Exhibit A*.

(b) Commencing with the term of office beginning June 1, 1968, apportionment of the eight producer members of the Raisin Administrative Committee among the three groups of districts shall be as provided in this section.

(c) Each group of districts shall have one producer member for each quantity of raisins produced in such districts from 1966 crop grapes that represents, as nearly as possible, one-eighth of the total tonnage of raisins produced in all districts from 1966 crop grapes: *Provided*, That each group of districts shall have at least one member. The producer representation on the committee shall be reviewed every 5 years thereafter and any necessary changes made to continue such producer member representation on the basis of one-eighth of the total tonnage of raisins produced. The raisin production to be used in such review or change shall be that of the preceding crop year.

Dated: April 25, 1967.

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

[F.R. Doc. 67-4739; Filed, Apr. 27, 1967; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 67-EA-39]

AIRWORTHINESS DIRECTIVES

Pratt & Whitney Aircraft Model Wasp Jr. and R-985 Series Engines

Amendment 39-50, 25 F.R. 6489, AD 65-7-2, requires periodic inspection and rework or replacement of the engine crankshaft flyweights and flyweight liners on Pratt & Whitney Aircraft Wasp Jr. and R-985 series aircraft engines to provide proper crankshaft damper operation and insure engine/propeller compatibility. Subsequent to Amendment 39-50, service experience with certain Hartzell propellers indicates that the frequency of crankshaft damper inspection required by AD 65-7-2 on engines with these propellers is not effective in maintaining adequate damper operation. Therefore, the agency is considering superseding Amendment 39-50 with a new AD that increases the crankshaft inspection frequency for engines equipped with Hartzell propellers. The inspection periods for engines with other eligible propellers remain unchanged.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Regional Counsel, Eastern Region, John F. Kennedy International Airport, Jamaica, N.Y. 11430.

All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before taking action upon the proposed rule. The proposals contained in this notice may be

changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Office of Regional Counsel for examination by interested persons.

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

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

PRATT & WHITNEY. Applies to Models Wasp Jr. and R-985 Series Engines.

Compliance required as indicated.

To forestall propeller blade failures as a result of excessive wear of the engine crankshaft flyweight and flyweight liners, accomplish the following:

(a) For engines with Hartzell propeller Models HC-93Z30, HC-B3Z30, and HC-B3W30 inspect and rework or replace as necessary engine crankshaft flyweights, P/N's 34462 and 34463 and flyweight lines, P/N 34461 in accordance with Pratt & Whitney Aircraft Service Bulletin No. 1758 Revision A dated November 18, 1964, or later FAA approved revision, within the next 50 hours' time in service after the effective date of this AD, unless previously accomplished within the last 950 hours' time in service, and thereafter at intervals not to exceed 1,000 hours' time in service from the last inspection.

(b) For engines with any other eligible propellers inspect and rework or replace as necessary, engine crankshaft flyweights, P/N's 34462 and 34463, and flyweight liners, P/N 34461, in accordance with Pratt & Whitney Aircraft Service Bulletin No. 1758 Revision A dated November 18, 1964, or later FAA approved revision, within the next 50 hours' time in service after the effective date of this AD, unless previously accomplished in accordance with the Pratt & Whitney Aircraft Wasp Jr. Overhaul Manual, P/N 123440 or Pratt & Whitney Aircraft Service Bulletin No. 1758 Revision A dated November 18, 1964, or later FAA approved revision within the last 1,550 hours' time in service, and thereafter at intervals not to exceed 1,600 hours' time in service from the last inspection.

Upon request and with substantiating data submitted through an FAA maintenance inspector, compliance times specified in this AD may be increased upon approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This supersedes Amendment 39-50, 25 F.R. 6489, AD 65-7-2.

Issued in Jamaica, N.Y., on April 17, 1967.

OSCAR BAKKE,
Regional Director.

[F.R. Doc. 67-4699; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-97]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Section 71.181 of Part 71 so as to alter the Akron, Ohio, 700-foot floor transition area.

New instrument approach procedures to Andrew W. Paton of Kent State University Airport, Kent, Ohio, have been authorized and will require airspace protection for IFR aircraft.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

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

The Federal Aviation Administration, having completed a review of the terminal airspace requirements for Kent, Ohio, proposes the airspace action hereinafter set forth.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Akron, Ohio, 700-foot floor transition area by adding in the description of the 700-foot floor transition area following the phrase "extending from the Akron-Canton OM to 12 miles south of the OM;" the following:

within a 5-mile radius of the Andrew W. Paton of Kent State University Airport, Kent, Ohio (41°09'05" N., 81°25'05" W.); within 2 miles each side of the Akron VORTAC 285° radial, extending from the Andrew W. Paton of Kent State University Airport 5-mile radius area to the VORTAC; within 2 miles each side of the Akron RBN 344° and 164° bearings, extending from the Andrew W. Paton of Kent State University Airport 5-mile radius area to 8 miles south of the RBN.

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

Issued in Jamaica, N.Y., on April 13, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-4706; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-44]

TRANSITION AREA

Proposed Alteration and Revocation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the St. Louis, Mo., terminal area and revoke controlled airspace in the Richwoods, Mo., terminal area.

The following transition areas are presently designated in the St. Louis, Mo., and Richwoods, Mo., terminal areas:

(1) The St. Louis, Mo., transition area is presently designated as that airspace extending upward from 700 feet above the surface within a 10-mile radius of Lambert-St. Louis Municipal Airport (latitude 38°44'50" N., longitude 90°-21'55" W.), within 5 miles southeast and 8 miles northwest of the Lambert-St. Louis Municipal Airport Runway 24 ILS localizer northeast course extending from the 10-mile radius area to 12 miles northeast of the Runway 24 OM, within 5 miles southwest and 8 miles northeast of the Lambert-St. Louis Municipal Airport Runway 12R ILS localizer northwest course extending from Runway 12R OM to 12 miles northwest, within a 5-mile radius of Civic Memorial Airport, Alton, Ill. (latitude 38°53'28" N., longitude 90°03'02" W.), within 2 miles each side of the 009° bearing from the Civic Memorial Airport, extending from the 5-mile radius area to 7 miles north of the airport, and within 5 miles south and 8 miles north of the 103° bearing from the Civic Memorial Airport, extending from the airport to 12 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within a 33-mile radius of Lambert-St. Louis Municipal Airport, within 6 miles southwest and 9 miles northeast of the St. Louis VORTAC 328° radial, extending from the 33-mile radius area to 36 miles northwest of the VORTAC, within a 40-mile radius of Scott AFB, Belleville, Ill. (latitude 38°32'30" N., longitude 89°-51'05" W.), and within 5 miles west and 8 miles east of the 009° bearing from Civic Memorial Airport, extending from the airport to 19 miles north of the airport, excluding the airspace within the Vandalia, Ill., transition area and the portion within a 13-mile radius of the Centralia, Ill., VOR.

(2) The Richwoods, Mo., transition area is presently designated as that airspace extending upward from 1,200 feet above the surface within 5 miles northwest and 8 miles southeast of the Richwoods VOR 230° and 050° radials, extending from 7 miles northeast to 13 miles southwest of the VOR.

The Federal Aviation Administration, having completed a comprehensive review of the terminal airspace structural requirements in the St. Louis, Mo., and Richwoods, Mo., terminal areas, which revealed the need for revising the designated transition area at St. Louis, Mo., and for revoking the designated transition area at Richwoods, Mo., proposes the following airspace actions:

(1) Redesignate the St. Louis, Mo., transition area as that airspace extending upward from 700 feet above the surface within a 10-mile radius of Lambert-St. Louis Municipal Airport (latitude 38°44'50" N., longitude 90°21'-55" W.), within 5 miles southeast and 8 miles northwest of the Lambert-St.

Louis Municipal Airport Runway 24 ILS localizer northeast course extending from the 10-mile radius area to 12 miles northeast of the Runway 24 OM, within 5 miles southwest and 8 miles northeast of the Lambert-St. Louis Municipal Airport Runway 12R ILS localizer northwest course extending from Runway 12R OM to 12 miles northwest, within a 5-mile radius of Civic Memorial Airport, Alton, Ill. (latitude 38°53'28" N., longitude 90°03'02" W.), within 2 miles each side of the 009° bearing from the Civic Memorial Airport, extending from the 5-mile radius area to 7 miles north of the airport, and within 5 miles south and 8 miles north of the 103° bearing from the Civic Memorial Airport, extending from the airport to 12 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within a 33-mile radius of Lambert-St. Louis Municipal Airport, within 6 miles southwest and 9 miles northeast of the St. Louis VORTAC 328° radial, extending from the 33-mile radius area to 36 miles northwest of the VORTAC, within 5 miles northwest and 8 miles southeast of the Maryland Heights VORTAC 243° radial extending from the 33-mile radius area to 19 miles southwest of the VORTAC, within an area bounded on the west and northwest by the east and southeast boundary of V-14S, on the northeast by the arc of a 33-mile radius circle centered on Lambert-St. Louis Municipal Airport, on the southeast by the northwest boundary of V-72, on the south by the north boundary of V-88, within a 40-mile radius of Scott AFB, Belleville, Ill. (latitude 38°32'30" N., longitude 89°51'05" W.), and within 5 miles west and 8 miles east of the 009° bearing from Civic Memorial Airport extending from the airport to 19 miles north of the airport, within an area bounded on the northwest by the arc of a 40-mile radius circle centered on Scott AFB, on the east by the west boundary of V-313, on the southwest by the northeast boundary of V-335; and that airspace extending upward from 2,500 feet above the surface within an area bounded on the north by the arc of a 40-mile radius circle centered on the Scott AFB, on the northeast by the southwest boundary of V-335, on the east by the west boundary of V-313, on the south by the north boundary of V-190, on the west by the east boundary of V-191; and that airspace extending upward from 4,500 feet above the surface within an area bounded on the north by the south boundary of V-88, on the northeast by the southwest boundary of V-9W, on the south by the north boundary of V-190, on the west by a line 5 miles west of and parallel to the St. Louis VORTAC 200° radial, on the northwest by the southeast boundary of V-72; within an area bounded on the north by the south boundary of V-12, on the southeast by the northwest boundary of V-14N, on the southwest by the northeast boundary of V-175, on the northwest by a line 5 miles southeast of and parallel to the Jefferson City, Mo. VOR 041° radial; and within an area bounded on the northeast by the southwest boundary of V-52, on the south by the north boundary of V-4N, on the northwest by the southeast boundary of V-63, excluding that airspace which coincides with the Springfield, Vandalia, and Centralia, Ill., transition areas.

(2) Revoke the Richwoods, Mo., transition area in its entirety.

The proposal contained herein does not change the existing 700-foot floor transition area at St. Louis, Mo.

The proposed 1,200-foot floor and 4,500-foot floor transition area at St. Louis will permit Air Traffic Control to provide more efficient air traffic radar vectoring services to aircraft operating to, from, and within, the St. Louis, Mo., area.

The holding fix airspace at Richwoods, Mo., which the Richwoods transition area was designated to protect, is no longer needed for air traffic control purposes.

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

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

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

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

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

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

Issued at Kansas City, Mo., on April 12, 1967.

R. O. ZIEGLER,
Acting Director, Central Region.

[F.R. Doc. 67-4705; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-49]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Michigan City, Ind., terminal area.

The Michigan City, Ind., transition area is presently designated as follows:

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Michigan City, Ind. Airport (latitude 41°42'10" N., longitude 86°49'23" W.), and within 2 miles each side of the South Bend, Ind. VORTAC 261° radial extending from the 6-mile radius area to 13 miles west of the VORTAC.

A new public-use instrument approach procedure has been developed for the Michigan City, Ind. Airport, utilizing the Michigan City, Ind. "MH" facility as a navigational aid. The Michigan City "MH" facility is located 0.7 nautical mile north of the Michigan City Airport. As a result, and having completed a comprehensive review of the airspace structural requirements at Michigan City, Ind., the Federal Aviation Administration proposes to take the following airspace action:

Redesignate the Michigan City, Ind., transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of the Michigan City, Ind. Michigan City Airport (latitude 41°42'10" N., longitude 86°49'20" W.), within 2 miles each side of the South Bend, Ind. VORTAC 261° radial extending from the 6-mile radius area to 13 miles west of the VORTAC, and within 2 miles each side of the 016° bearing from Michigan City Airport extending from the 6-mile radius area to 9 miles north of the airport.

The proposed 700-foot floor transition area will provide controlled airspace protection for departing aircraft during climb from 700 to 1,200 feet above the surface. It will also provide this protection for aircraft executing the prescribed instrument approach procedure during descent from 1,500 to 700 feet above the surface. Those portions of the arrival and departure procedures executed by aircraft at and above 1,500 feet above the surface will be contained within presently designated 1,200-foot floor transition area.

The floors of the airways that traverse the proposed transition area will automatically coincide with the floor of the transition area.

Since a new approach procedure is being established to serve Michigan City Airport, no procedural changes will be effected in conjunction with the action proposed herein.

Specific details of this proposal and the instrument approach procedure which it was developed to protect may be examined by contacting the Chief, Standards and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106.

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

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

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

Issued at Kansas City, Mo., on April 12, 1967.

R. O. ZIEGLER,
Acting Director, Central Region.

[F.R. Doc. 67-4704; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-54]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the Minneapolis, Minn. (Crystal Airport) control zone.

The Minneapolis, Minn. (Crystal Airport), control zone is presently designated as follows:

That airspace within a 3-mile radius of Crystal Airport (latitude 45°21'20" N., longitude 93°21'20" W.), and within 2 miles each side of the Minneapolis VORTAC 169° radial, extending from the 3-mile radius zone to 5 miles north of the airport, from 0600 to 2200 hours, local time, daily.

Since designation of this part-time control zone, the instrument approach procedure for Crystal Airport has been modified. The present control zone does not adequately protect this modified procedure. In addition, due to the present designation of the control zone, any change in the hours during which the control zone is effective requires rule making action which is often time consuming. This requirement will be eliminated by altering the control zone designation to permit its effective hours to be changed by NOTAM. Finally, the alteration contained herein will increase the control zone to the normal 5-mile radius. As a result, and having completed a comprehensive review of the terminal airspace structural requirements at Crystal Airport, Minneapolis, Minn., the Federal Aviation Administration proposes the following airspace action:

Redesignate the Minneapolis, Minn. (Crystal Airport), control zone as that airspace within a 5-mile radius of Crystal Airport (latitude 45°21'20" N., longitude 93°21'20" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

During the times the proposed control zone is in effect, it will provide controlled airspace protection for aircraft executing prescribed arrival and departure procedures at Crystal Airport during descent below 1,000 feet above the surface and during climb to 700 feet above the surface. The control zone will continue to be effective during the hours that the FAA control tower is in operation at Crystal Airport, presently from 0600 to 2200 hours, local time, daily. The FAA will continue to provide weather observations and disseminate weather information during the times that the control zone is in effect. In the event the hours for the operation of the control tower change, the effective times of the control zone will change. When this occurs, notice will be given prior to any such change by a Notice to Airmen, and continuously published thereafter in the Airman's Information Manual.

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

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

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

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

Issued at Kansas City, Mo., on April 12, 1967.

R. O. ZIEGLER,
Acting Director, Central Region.

[F.R. Doc. 67-4700; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-47]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the North Platte, Nebr., terminal area.

The following controlled airspace is presently designated in the North Platte, Nebr., terminal area:

(1) The North Platte, Nebr., control zone is designated as that airspace within a 5-mile radius of the Lee Bird Field Municipal Airport, North Platte, Nebr. (latitude 41°07'41" N., longitude 100°-41'56" W.); and within 2 miles each side of the North Platte VOR 028° radial, extending from the 5-mile radius zone to the VOR; and within 2 miles each side of the 186° bearing from the North Platte RBN, extending from the 5-mile radius zone to 8 miles south of the RBN.

(2) The North Platte, Nebr., transition area is designated as that airspace extending upward from 700 feet above the surface within an 8-mile radius of Lee Bird Field Municipal Airport, North Platte, Nebr. (latitude 41°07'41" N., longitude 100°41'58" W.), and within 2 miles each side of the North Platte VOR 208° radial, extending from the 8-mile radius to 8 miles southwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of North Platte VOR.

Since the designation of controlled airspace in the North Platte terminal area, two new instrument approach procedures have been developed and another instrument approach procedure has been modified.

In consideration of the foregoing, and as the result of a comprehensive review of the airspace structural requirements at North Platte, Nebr., the Federal Aviation Administration proposes to alter the control zone and transition area at North Platte, Nebr., as follows:

(1) Redesignate the North Platte, Nebr., control zone as that airspace within a 5-mile radius of Lee Bird Field (latitude 41°07'41" N., longitude 100°-41'58" W.); within 2 miles each side of the North Platte VOR 029° radial, extending from the 5-mile radius zone to the VOR; within 2 miles each side of the 186° bearing from North Platte RBN, extending from the 5-mile radius zone to 8 miles south of the RBN; and within 2 miles each side of the 131° bearing from Lee Bird Field, extending from the

5-mile radius zone to 10 miles southeast of the airport.

(2) Redesignate the North Platte, Nebr., transition area as that airspace extending upward from 700' above the surface within a 10-mile radius of Lee Bird Field (latitude 41°07'41" N., longitude 100°41'58" W.); and within 2 miles each side of the North Platte VOR 209° radial, extending from the 10-mile radius area to 8 miles southwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 25-mile radius of the North Platte VOR.

The proposed control zone will provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures at Lee Bird Field, North Platte, Nebr., during descent below 1,000 feet above the surface. It will also provide this protection for aircraft departing Lee Bird Field during climb to 700 feet above the surface.

The proposed 700-foot floor transition area will provide controlled airspace protection for aircraft executing the prescribed instrument approach procedures at Lee Bird Field during descent from 1,500 to 1,000 feet above the surface. It will also provide this protection for departing aircraft during climb from 700 to 1,200 feet above the surface.

There will be no change in the 1,200-foot floor transition area as presently designated.

The proposed new instrument approach procedures will be made effective concurrently with the designation of the proposed altered control zone and transition area.

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

Since the action proposed herein was developed to provide controlled airspace protection for new and revised instrument approach procedures, no procedural changes will be effected.

Specific details of this proposal and the procedures which it was developed to protect may be examined by contacting the Chief, Standards and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106.

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

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

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

Issued at Kansas City, Mo., on April 14, 1967.

R. O. ZIEGLER,
Acting Director, Central Region.

[F.R. Doc. 67-4701; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 67-CE-33]

RESTRICTED AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 73 of the Federal Aviation Regulations that would alter the Manhattan, Kans., Restricted Area R-3602.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Building, Federal Aviation Administration, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Department of the Army has requested the FAA to designate additional restricted airspace adjacent to the north and west boundaries of R-3602. Portions of the southern end of the present R-3602 will be eliminated to improve air traffic control procedures into Manhattan, Kans., Airport and Marshall Army Air Field. The expanded R-3602, would be subdivided into two parts to provide flexibility in releasing all or portions of the restricted airspace for public use when not in use by the using agency.

The area will be used for the firing of various weapons such as artillery, small arms, machinegun, mortar, and rockets. In addition, numerous aircraft, both fixed and rotary wing, will participate in the activities.

If action is taken to adopt this proposal, the Manhattan, Kans., Restricted Area R-3602 would be designated as follows:

R-3602 MANHATTAN, KANS.

SUBAREA A

Boundaries: Beginning at latitude 39°-17'45" N., longitude 96°49'50" W.; thence along the southern edge of the Chicago, Rock Island and Pacific Railroad right-of-way to latitude 39°18'33" N., longitude 96°-57'39" W.; thence south to the shoreline of the main body of Milford Reservoir at latitude 39°12'27" N., longitude 96°57'39" W.; thence along the shoreline of the main body of Milford Reservoir to latitude 39°-10'58" N., longitude 96°55'00" W.; to latitude 39°10'58" N., longitude 96°53'13" W.; to latitude 39°08'22" N., longitude 96°53'-13" W.; to latitude 39°08'22" N., longitude 96°49'52" W.; thence north along U.S. Highway No. 77 to the point of beginning.

Designated altitudes: Surface to 29,000 feet MSL.

Time of designation: Continuous.

Controlling agency: Federal Aviation Administration, Kansas City ARTC Center.

Using agency: Commanding General, Fort Riley, Kans.

SUBAREA B

Boundaries: Beginning at latitude 39°17'-45" N., longitude 96°49'50" W.; thence south along U.S. Highway No. 77 to latitude 39°-07'54" N., longitude 96°49'52" W.; to latitude 39°04'24" N., longitude 96°52'22" W.; to latitude 39°04'24" N., longitude 96°51'-15" W.; thence clockwise along the arc of a four nautical mile radius circle centered on the Marshall Army Air Field RBN at latitude 39°01'34" N., longitude 96°47'40" W.; to latitude 39°05'17" N., longitude 96°45'40" W.; to latitude 39°08'20" N., longitude 96°43'00" W.; to latitude 39°09'23" N., longitude 96°-43'00" W.; to latitude 39°10'43" N., longitude 96°40'55" W.; to latitude 39°12'17" N., longitude 96°40'55" W.; to latitude 39°13'00" N., longitude 96°42'35" W.; to latitude 39°13'-16" N., longitude 96°42'35" W.; thence along the southerly edge of the Chicago, Rock Island and Pacific Railroad right-of-way to the point of beginning.

Designated altitudes: Surface to 29,000 feet MSL.

Time of designation: Continuous.

Controlling agency: Federal Aviation Administration, Kansas City ARTC Center.

Using agency: Commanding General, Fort Riley, Kans.

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

Issued in Washington, D.C., on April 21, 1967.

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

[F.R. Doc. 67-4702; Filed, Apr. 27, 1967; 8:47 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 67-WE-13]

RESTRICTED AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 73 of the Federal Aviation Regulations that would extend the time of designation of the Offshore of California Restricted Area R-2518.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Department of the Navy has requested a change in the time of designation of the Offshore of California Restricted Area R-2518 from "sunrise to sunset" to "sunrise to 2000 local time." The Navy states that future requirements for this area will include night operations consisting of aerial mining and bomb and rocket missions.

If this proposed action is taken the time of designation of the Offshore of California Restricted Area R-2518 would be changed from "sunrise to sunset" to "sunrise to 2000 local time."

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

Issued in Washington, D.C., on April 21, 1967.

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

[F.R. Doc. 67-4703; Filed, Apr. 27, 1967; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 81, 83]

[Docket No. 17295]

MARITIME MOBILE SERVICE FOR VHF RADIOTELEPHONY

Order Extending Time for Filing Comments

In the matter of amendment of Parts 2, 81, and 83; reduction of channel spacing to 25 kc/s, allotment of channels, establishment of revised technical criteria and categories of communication in the maritime mobile service band 156-162 Mc/s for VHF radiotelephony; Docket No. 17295.

1. A notice of proposed rule making was released in this proceeding March 20, 1967 (32 F.R. 4501). It provided for the filing of comments by April 24, 1967, and reply comments by May 8, 1967. American Telephone and Telegraph Co. (AT&T) has filed a motion for extension of time in which to file comments.

2. AT&T in its motion states that it will be directly and significantly affected by any modification of the Commission's rules which may eventuate from this proceeding. It further avers that a great deal of study and analysis of the numerous and complex issues covered in the notice is required in order to prepare useful comments and the date for filing comments does not permit sufficient time to prepare an appropriate filing. Accordingly, AT&T requests an extension until May 8, 1967, for filing comments and May 22, 1967, for filing reply comments.

3. The Commission recognizes the complexity of some of the issues covered in this notice and their impact on licensees. Some additional time appears warranted and it will not have an adverse effect on this proceeding. *Accordingly, it is ordered*, This 24th day of April 1967, that the time for filing comments and reply comments in this proceeding is extended to May 8, 1967, and May 15, 1967, respectively.

4. This action is taken pursuant to authority contained in sections 4(i) and 5(d)(1) of the Communications Act of 1934, as amended and § 0.331(b)(4).

Released: April 25, 1967.

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

[F.R. Doc. 67-4740; Filed, Apr. 27, 1967; 8:50 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Billings Area Office Redelegation Order 1, Amdt. 24]

SUPERINTENDENTS AND PROJECT ENGINEER

Redelegation of Authority Regarding Forestry Matters

APRIL 20, 1967.

Billings Area Office Redelegation Order 1, as amended, is further amended, under Part 2, by the revision of subsection (a) of section 2.230. The revision will give the Flathead Agency Superintendent approval authority for timber sale contracts involving an estimated stumpage volume of not in excess of 100,000 feet, board measure. Subsections (b), (c), (d), and (e) remain unchanged. As so revised, subsection (a) of section 2.230 reads as follows:

SEC. 2.230 *Forest management.* (a) Issue advertisements and approve timber sale contracts on approved forms involving an estimated stumpage volume of not to exceeed 50,000 feet, board measure, except for the Superintendent of the Flathead Agency who may approve timber sale contracts involving an estimated stumpage volume of not to exceed 100,000 feet, board measure; pursuant to 25 CFR 141.8 and 25 CFR 141.13.

* * * * *

T. W. TAYLOR,
Acting Commissioner.

[F.R. Doc. 67-4685; Filed, Apr. 27, 1967; 8:45 a.m.]

Bureau of Land Management

MONTANA; CHIEF OF ADMINISTRATION AND DISTRICT MANAGERS

Delegation of Authority Regarding Contracts and Leases

A. Pursuant to delegation of authority contained in Bureau Order No. 698, as amended, the Chief, Division of Administration, State Office, and the District Managers are authorized:

1. To enter into contracts with established sources for supplies and services, excluding capitalized equipment, regardless of amount and,

2. To enter into contracts on the open market for supplies and materials, excluding capitalized equipment, not to exceed $2,500 per transaction ($2,000 for construction), provided that the requirement is not available from established sources.

B. District Managers may redelegate the authority granted above.

EUGENE H. NEWELL,
Acting State Director.

APRIL 24, 1967.

[F.R. Doc. 67-4686; Filed, Apr. 27, 1967; 8:45 a.m.]

National Park Service

CAPE COD NATIONAL SEASHORE

Notice of Intention To Extend Concession Permit

Pursuant to the Provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Cape Cod National Seashore, National Park Service proposes, thirty (30) days after the date of publication of this notice, to issue for the period June 1, 1967, through December 31, 1967, the concession permit under which Joseph R. Whiting provides concession facilities and services for the public at Nauset Light Beach, Cape Cod National Seashore, Eastham, Mass.

The foregoing Concessioner has performed his obligations under a prior permit to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the Act cited above the Service is also required to consider and evaluate all proposals received as a result of this notice.

Interested parties should contact the Superintendent, Cape Cod National Seashore, South Wellfleet, Mass. 02663, for information as to the requirements of the proposed permit.

STANLEY C. JOSEPH,
Superintendent,
Cape Cod National Seashore.

APRIL 10, 1967.

[F.R. Doc. 67-4687; Filed, Apr. 27, 1967; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-1788]

NORTHERN RAILROAD CAPITAL STOCK

Notice of Application To Withdraw From Listing and Registration

APRIL 24, 1967.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the Boston Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The reasons advanced by the Board of Directors are as stated in the company's application dated April 22, 1967, which is on file with the Commission and has been disseminated to stockholders. The Boston Stock Exchange has no rules or regulations relating to delisting.

Any interested person may, on or before noon, May 8, 1967, submit by letter to the Secretary of the Securities and Exchange Commission, Washington 25, D.C., facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 67-4727; Filed, Apr. 27, 1967; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

GRAINS AND SIMILARLY HANDLED COMMODITIES

Notice of Final Date for Redemption of Warehouse-Storage Loans Made Under 1966-Price Support Programs

Unless earlier demand is made by CCC, warehouse-storage loans under 1966 Price Support Programs on the agricultural commodities designated in the table below mature and are due and payable on the dates indicated. Unless on or before the final date for repayment specified below such loans are repaid or the producer notifies the ASCS county committee in writing that the funds have been placed in the mail, title to the unredeemed collateral shall immediately vest in CCC without a sale thereof, on the date next succeeding the final date for repayment specified below. This notice applies to all such unredeemed col-

lateral pledged to CCC under warehouse-storage loans. CCC shall have no obligation to pay for any market value which the unredeemed collateral may have in excess of the loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude making payment to a producer of any amount by which the settlement value of the pledged commodity may exceed the principal amount of the loan. The settlement value as used herein is the price support value of the pledged commodity determined on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents in accordance with the applicable support rate provided in the program regulations. Notwithstanding the foregoing provisions, if the producer has made a fraudulent representation in obtaining the loan, or in settlement or deliveries under the loan, the producer shall remain personally liable for the amounts specified in the Warehouse Storage Note and Security Agreement and in the price support program regulations.

Amounts due the producer will be paid to the producer by the appropriate ASCS county office.

	Maturity date	Final date for repayment
	1967	*1967*
Barley:		
In Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming	May 31	May 31
In all other States	Apr. 30	May 1
Corn:		
In all States	July 31	July 31
Dry edible beans:		
In Michigan and New York	Apr. 30	May 1
In all other States	June 30	June 30
Flaxseed:		
In Minnesota, Montana, North Dakota, South Dakota, and Wisconsin	May 31	May 31
In all other States	Apr. 30	May 1
Grain sorghum:		
In Oklahoma and Texas	June 30	June 30
In all other States	July 31	July 31
Oats:		
In Alaska, Idaho, Maine, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming	May 31	May 31
In all other States	Apr. 30	May 1
Rice:		
In all States	Apr. 30[1]	May 1
Rye: In all States	Apr. 30	May 1
Soybeans: In all States	July 31	July 31
Wheat:		
In Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming	May 31	May 31
In all other States	Apr. 30	May 1

[1] Loans on the variety Pearl may be extended at producer's option to June 30, 1967; final date for redemption June 30, 1967.

(Secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 105, 107, 301, 401, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1447, 1421, 1425)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on April 25, 1967.

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

[F.R. Doc. 67-4785; Filed, Apr. 27, 1967; 8:52 a.m.]

Consumer and Marketing Service

CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

Identification of Carcasses; Changes in Lists of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the lists (31 F.R. 16724, 32 F.R. 1059, 3715, and 4582) of establishments which are operated under Federal inspection pursuant to the Meat Inspection Act (21 U.S.C. 71 et seq.) and which use humane methods of slaughter and incidental handling of livestock are hereby amended as follows:

The reference to calves, sheep, goats, and swine with respect to The Home Pride Provisions, Inc., establishment 1029, is deleted.

The following table lists species at additional establishments and additional species at previously listed establishments that have been reported as being slaughtered and handled humanely.

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Consolidated Dressed Beef Co., Inc.	47	(*)					
Cash Bros. Packing Co., Inc.	127	(*)	(*)			(*)	
Buffalo Lake Foods, Inc.	201	(*)	(*)			(*)	
Shreveport Packing Corp.	239	(*)				(*)	
Fineberg Packing Co.	428	(*)	(*)	(*)	(*)	(*)	
Roberts Packing Co.	495					(*)	
A. Darlington Strode	718					(*)	
Sioux Beef Co., Division of Needham Packing Co., Inc.	857-O	(*)					
New establishments reporting: 8.							
Hygrade Food Products Corp.	12-T		(*)				
Miller Packing Co., Inc.	76			(*)			
City Packing Co.	80		(*)				
Wilson & Co., Inc.	111				(*)		
Department of Animal Husbandry, New York State College of Agriculture, Cornell University.	165				(*)		
Walti, Schilling & Co., Inc.	235			(*)			
Estes Packing Co.	319		(*)				
City Custom Packing Co., Inc.	387		(*)				
Becwar Packing Co.	467			(*)			
B. Zeff Meat Co.	548			(*)			
Texas Meat Packers, Inc.	565		(*)				
White Packing Co.	835			(*)			
Sigman Meat Co., Inc.	901		(*)				
Species added: 13.							

Done at Washington, D.C., this 24th day of April 1967.

R. K. SOMERS,
Deputy Administrator, Consumer Protection,
Consumer and Marketing Service.

[F.R. Doc. 67-4712; Filed, Apr. 27, 1967; 8:45 a.m.]

HESTER STOCK YARD ET AL.

Notice of Change in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location, and date of posting	*Current name of stockyard and date of change in name*
ALABAMA	
Hester Stock Yard, Russellville, Aug. 25, 1959	White Livestock Commission Company, Inc., Feb. 2, 1965.
ARKANSAS	
Glover Livestock Commission Company, Pine Bluff, June 26, 1957.	Glover Livestock Commission Company, Inc., Jan. 3, 1967.
FLORIDA	
Suwannee Valley Livestock Market, Inc., Live Oak, Mar. 2, 1960.	Suwannee Valley Livestock Market, Apr. 1, 1967.
IDAHO	
Twin City Sales Yard, Lewiston, Feb. 7, 1947	Twin City Sales Yard, Inc., Feb. 16, 1967.
IOWA	
Tri-State Livestock Auction Company, Sioux Center, Jan. 25, 1967.	Tri-State Livestock Auction Co., Inc., Jan. 25, 1967.
NEBRASKA	
Western Livestock Auction Company Stockyards, North Platte, Dec. 5, 1939.	Western Livestock Auction Co., Mar. 13, 1967.
NEVADA	
Midwest Livestock Commission Company, Inc., Fallon, July 8, 1960.	Nevada Livestock Commission Company, Mar. 7, 1967.

Original name of stockyard, location, and date of posting	*Current name of stockyard and date of change in name*
NORTH DAKOTA	
Home Base Auction Co., Bowman, May 12, 1959	Home Base Auction Market, Inc., Jan. 1, 1967.
Oakes Livestock Terminal, Oakes, May 13, 1959	Oakes Livestock Terminal, Inc., Jan. 30, 1967.
WASHINGTON	
Moses Lake Livestock Auction, Inc., Moses Lake, Sept. 24, 1959.	Moses Lake Livestock Market, Dec. 8, 1966.
Othello Livestock Market, Inc., Othello, Oct. 18, 1963.	Othello Livestock Market, Dec. 8, 1966.
WISCONSIN	
Fennimore Livestock Exchange, Inc., Fennimore, Apr. 29, 1960.	Fennimore Livestock Exchange, Apr. 16, 1966.

Done at Washington, D.C. this 24th day of April 1967.

CHARLES G. CLEVELAND,
Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 67-4713; Filed, Apr. 27, 1967; 8:47 a.m.]

Office of the Secretary

WISCONSIN

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Wisconsin natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

WISCONSIN	
Green.	Lafayette.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 24th day of April 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-4714; Filed, Apr. 27, 1967; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Notice of Decision on Application for Duty Free Entry of Scientific Articles

The following is a decision on an application for duty free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce Room 5123, Washington, D.C. 20230.

Docket No. 67-00001-01-77095. Applicant: Massachusetts Institute of Technology, Cambridge, Massachusetts 02139. Article: Electron spectrometer, iron free, double focusing, combining a Beta-ray spectrometer with an X-ray source and Geiger counter detector. Intended use of article: Analytical chemistry—direct determination of elemental ratio in compounds, determination of valence state of elements for structural analysis or organic compounds. Decision: Application approved. No instrument or apparatus of equivalent scientific value to such article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: Such article is a unique instrument which was developed at the Physics Institute of the University of Uppsala, Sweden. The University of Uppsala is the only source for such an article known to the Department of Commerce. No comments have been received by the Department concerning this application.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-4675; Filed, Apr. 27, 1967; 8:45 a.m.]

DREXEL INSTITUTE OF TECHNOLOGY AND NEW ENGLAND INSTITUTE FOR MEDICAL RESEARCH

Notice of Applications for Duty Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument of apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 67-00038-65-46040. Applicant: Drexel Institute of Technology, 32d and Chestnut Streets, Philadelphia, Pa. 19104. Article: Electron Microscope Model JEM-120 with accompanying accessories Goniometer Model JEM-AIG, High Resolution Dark Field Model JEM-ABD-2, Transmission Hot Stage, Model JEM-AHT3, Transmission Cold Stage, Model JEM-AC, and Power Control Box, Model JEM-AB. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: Applicant states:

> The electron microscope (and accompanying accessories) is intended for use in a wide range of Graduate research programs in Materials Science (i.e.) in the study of metals, ceramics, polymers. Specific Graduate research programs will have as their scientific objective a detailed and quantitative understanding of the role of structure on the following phenomena: (1) Stress corrosion, (2) deformation characteristics of composite materials, (3) high temperature fracture, (4) alloy strengthening, (5) fatigue, (6) creep, (7) deformation processing, (8) magnetic domain behavior.

Application received by Commissioner of Customs: April 18, 1967.

Docket No. 67-00039-33-77040. Applicant: New England Institute for Medical Research, Post Office Box 308, Grove Street, Ridgefield, Conn. 06877. Article: Double-focussing mass spectrometer, AEI Model MS-9 (Nier-Johnson type). Manufacturer: Associated Electrical Industries Ltd., United Kingdom. Intended use of article: The institute will, in general, undertake programs in biology and chemistry. In research in molecular biology, investigations will be made to determine active RES stimulants and to find complete atomic structure of a molecule through fragmentation with particular emphasis on identification of prostaglandins in lipid molecules (shark liver extracts). Studies will also be made with regard to the formation and reaction of ions in gases, extension of investigation of various other scientific groups and contributions to detailed

analysis of the implications of the quasi-equilibrium theory of mass spectra through study of metastables. Application received by Commissioner of Customs: April 18, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-4676; Filed, Apr. 27, 1967; 8:45 a.m.]

MELLON INSTITUTE ET AL.

Notice of Applications for Duty Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 67-00029-33-4604. Applicant: Mellon Institute, 4400 Fifth Avenue, Pittsburgh, Pa. 15213. Article: Electron microscope better than 5 Å, type EM 300 model PW 6001. Manufacturer: N. V. Philips Gloeilampenfabrieken, Holland. Intended use of article: Visualization of size, shape and morphological details of the substructure of biological macromolecules. Problems include the details of protein subunit structure involved in the process of contractility of muscle and the morphology of nucleic acids (S-RNA) which held incorporate amino acids into peptides during protein synthesis. Application received by Commissioner of Customs: April 10, 1967.

Docket No. 67-00032-00-46040. Applicant: University of Delaware, Newark, Del. 19711. Article: Anticontamination trap for JEM-6A Electron Microscope. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: Applicant states:

To condense gases on cold surface and reduce concentration of gas molecules near specimen.

Application received by Commissioner of Customs: April 12, 1967.

Docket No. 67-00034-01-77040. Applicant: Austin College, 900 North Grand, Sherman, Tex. 75090. Article: Hitachi Perkin-Elmer Mass Spectrometer System, Double Focusing, Model RMU-6E (Nier-Johnson type). Manufacturer: Hitachi, Ltd., Japan. Intended use of article: Applicant states:

The mass spectrometer will be used to obtain the molecular weights, compare cracking patterns, and determine the chemical structure of organic compounds by comparing fragment peaks with their metastable ion peaks.

This equipment will be utilized as a teaching aid, available to Undergraduate Chemistry and Physics Majors and in Research being conducted by Faculty & Students.

Application received by Commissioner of Customs: April 13, 1967.

Docket No. 67-00036-33-46040. Applicant: University of Pittsburgh, Department of Anatomy and Cell Biology, School of Medicine, 3550 Terrace Street, Pittsburgh, Pa. 15213. Article: Norelco Electron microscope better than 5Å, type EM 300 model PW 6001. Manufacturer: N. V. Philips Gloeilampenfabrieken, Holland. Intended use of article: Applicant states:

Continuing program of research in cell biology. Qualitative and quantitative characterization of lipids and proteins of membranes in different physiological situations.

Application received by Commissioner of Customs: April 17, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-4677; Filed, Apr. 27, 1967; 8:45 a.m.]

Bureau of the Census

TRUCK INVENTORY AND USE SURVEY

Notice of Determination

Pursuant to Title 13, U.S.C. 131, 181, 224, and 225, as amended, and due notice having been published on March 21, 1967 (32 F.R. 4319), I have determined that data to be derived from a Truck Inventory and Use Survey to be taken in advance of the 1967 Census of Transportation are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public. These data are not publicly available from other governmental or nongovernmental sources. A similar survey was conducted in advance of the 1963 Census of Transportation.

The survey will be based on a sample of about 100,000 trucks drawn on a probability basis from State truck license registrations. The information will be obtained by mail questionnaire to owners of the trucks drawn in the sample. Additional copies of the questionnaire are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

Data will be obtained on the inventory and use of private and for-hire trucks, such as on the number of trucks by body type, number of axles, type of fuel, area of use, major occupational use, annual vehicle miles, driver man-hours per week, and size of operating fleet, as of a specified inventory date. The inventory date for each State will be either April 1 or October 1, depending on re-registration requirements.

Information from the survey will help to implement a comprehensive public policy on transportation, fill voids in data on highway freight vehicles and their use, and provide data for an inventory of transportation resources.

I have therefore directed that a survey be conducted to collect the data described above.

Dated: April 14, 1967.

A. ROSS ECKLER,
Director, Bureau of the Census.

[F.R. Doc. 67-4678; Filed, Apr. 27, 1967; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

GENERAL ANILINE & FILM CORP.

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:

A petition (FAP 732073) was filed by General Aniline & Film Corp., Dyestuff & Chemical Division, 140 West 51st Street, New York, N.Y. 10020, notice of which was published in the FEDERAL REGISTER of October 5, 1966 (31 F.R. 12967), proposing an amendment to § 121.2527 *Antistatic and/or antifogging agents in food-packaging materials* to provide for the safe use of the following substances as antistatic and/or antifogging agents in polyolefin, polyvinyl chloride, and polystyrene food-contact articles:

Phosphate ester of the reaction product of nonylphenol condensed with 9 moles of ethylene oxide.

Phosphate esters of the reaction product of tridecyl alcohol condensed with 6 or 9 moles of ethylene oxide.

Phosphate ester of the reaction product of lauryl alcohol condensed with 4 moles of ethylene oxide.

Subsequently, the Commissioner of Food and Drugs requested the petitioner to submit certain additional information, to be received within 180 days of the petition's filing date. The requested information has not been received; therefore, in accordance with § 121.51(j) of the procedural food additive regulations, the subject petition is considered withdrawn without prejudice to a future filing.

Dated: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4749; Filed, Apr. 27, 1967; 8:51 a.m.]

HERCULES INC.

Notice of Filing of Petition Regarding Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 7A2164) has been filed by Hercules Inc., Wilmington, Del. 19899, proposing that §§ 121.1059 *Chewing gum base*, 121.1084 *Glycerol ester of wood rosin*, and 121.2592 *Rosins and rosin derivatives* be amended by changing the acid number specification therein for glycerol ester of wood rosin from "5 to 9" to "3 to 9".

Dated: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4750; Filed, Apr. 27, 1967; 8:51 a.m.]

PACIFIC RESINS & CHEMICALS, INC.

Notice of Withdrawal of Petition for Food Additive Triethylenetetramine

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), Pacific Resins & Chemicals, Inc., 3400 13th Avenue SW., Seattle, Wash. 98134, has withdrawn its petition (FAP 6B2048), notice of which was published in the FEDERAL REGISTER of October 19, 1966 (31 F.R. 13484), proposing an amendment to § 121.2542 *Polyamide-epichlorohydrin resins* to provide for use of triethylenetetramine to replace all or part of the diethylenetriamine used in formulating polyamide-epichlorohydrin resins used as components of articles intended for food-contact use.

Dated: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4751; Filed, Apr. 27, 1967; 8:51 a.m.]

SCIENTIFIC ASSOCIATION, INC.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 7L2155) has been filed by Scientific Associates, Inc., 6200 South Lindbergh Boulevard, St. Louis, Mo. 63123, proposing the issuance of a regulation to provide for the safe use in food and food-contact surfaces of the following synthetic alcohols manufactured by utilizing aluminum, ethylene, hydrogen, and air as raw materials in a series of chemical reactions: Cetyl, decyl, hexyl, lauryl, myristyl, octyl, and stearyl.

Dated: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-4752; Filed, Apr. 27, 1967; 8:51 a.m.]

[Docket No. FDC-D-101; NDA No. 14-712]

UBIOTICA CORP.

"U" Series Drugs; Notice of Scheduling of Hearing and Prehearing Conference

Notice is hereby given to Ubiotica Corp., 8000 West Seven Mile Road, Detroit, Mich. 48221, that in accordance with the provisions of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and Part 130, the new-drug regulations (21 CFR Part 130), a hearing will be held in the matter of the proposal of the Commissioner of Food and Drugs to refuse to approve new-drug application No. 14-712 for marketing the drugs "U" Series Drugs. Said hearing will begin at 10 a.m., June 12, 1967, in Room 5131, North Building, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201.

Evidence and arguments may be produced at the hearing to show why the proposed order of the Commissioner to refuse to approve said application on the grounds and for the reasons set forth in the Notice of Opportunity for Hearing published in the FEDERAL REGISTER of February 9, 1967 (32 F.R. 2725), should not be issued. The Food and Drug Administration may also produce evidence and argument relevant and material to the subject matter of the hearing.

Notice is further given to Ubiotica Corp. that, in accordance with § 130.18 *Prehearing and other conferences* (21 CFR 130.18), a prehearing conference in this matter will be held beginning at 10 a.m., May 31, 1967, in the same place specified above for the hearing. All documentary evidence to be offered at the hearing shall be submitted to the Hearing Examiner at this prehearing conference.

The hearing and prehearing conference will be open to the public, except that any portion thereof that concerns a method or process which the Commissioner of Food and Drugs finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specified otherwise in his filing appearance.

The undersigned, a duly appointed Hearing Examiner as provided in 5 U.S.C. 3105 (80 Stat. 415), has been designated to conduct the hearing and prehearing conference announced herein, with full authority to administer oaths, to make affirmations, and to do all other things appropriate to the conduct of said proceedings as set forth in Part 130 (21 CFR Part 130).

Dated: April 21, 1967.

WILLIAM E. BRENNAN,
Hearing Examiner.

[F.R. Doc. 67-4753; Filed, Apr. 27, 1967; 8:51 a.m.]

Office of Secretary

BUREAU OF ADULT, VOCATIONAL, AND LIBRARY PROGRAMS

Statement of Organization and Delegations of Authority

Part 6 of the Statement of Organization and Delegations of Authority of the Department of Health, Education, and Welfare (32 F.R. 4367, dated Mar. 22, 1967) is hereby amended to change the organizational designation of the Bureau of Adult and Vocational Education to the Bureau of Adult, Vocational, and Library Programs. The organization of that Bureau now reads:

BUREAU OF ADULT, VOCATIONAL, AND LIBRARY PROGRAMS

Office of the Associate Commissioner.
Division of Vocational and Technical Education.
Division of Library Services and Educational Facilities.
Division of Adult Education Programs.
Division of Manpower Development and Training.

Dated: April 22, 1967.

[SEAL] WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 67-4756; Filed, Apr. 27, 1967; 8:51 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18148]

ABC AIRFREIGHT CO., INC., ET AL.

Notice of Proposed Approval of Control Relationships

Application of ABC Airfreight Co., Inc., et al., for approval of control relationships pursuant to section 408 of the Federal Aviation Act of 1958, as amended, Docket 18148.

Notice is hereby given pursuant to the statutory requirements of section 408(b), that the undersigned intends to issue the

attached order under delegated authority. Interested parties are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., April 24, 1967.

[SEAL] A. M. ANDREWS,
Director,
Bureau of Operating Rights.

ORDER APPROVING CONTROL RELATIONSHIP

By joint application filed January 30, 1967 and supplemented on April 5, 1967, ABC Air Freight Co., Inc. (ABC Air) ABC Freight Forwarding Corp. (Freight Forwarding), and Midland Forwarding Corp. (Midland), a wholly owned subsidiary of Freight Forwarding, requests the Board to approve pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), the proposed acquisition by Midland of all of the assets and liabilities of ABC Air, an airfreight forwarder.[1]

The application represents that the aforesaid acquisition is a part of a transaction whereby Freight Forwarding is to issue to the shareholders of ABC Air 346,000 shares of Freight Forwarding stock in exchange on a share for share basis, for the present outstanding shares of ABC Air. Freight Forwarding is to issue to its present shareholders, in exchange for their present shares, 1,500,000 new shares of Freight Forwarding. At the conclusion of the foregoing 1,846,000 shares of Freight Forwarding stock will be outstanding, and none of ABC Air's stock. Further, Freight Forwarding, a privately held corporation, will become a publicly held corporation as is ABC Air. The application discloses that the foregoing transaction is an oral agreement among the Boards of Directors of the three applicants which will be submitted to a special meeting of the stockholders of ABC Air for their approval. Inasmuch as Arthur J. Brown and his family hold a majority of the stock of Freight Forwarding and Midland, and the said Arthur J. Brown controls ABC Air by reason of his holding of 43 percent of ABC Air stock, it is expected that the ABC Air stockholders will ratify the transaction.

It is further disclosed that an earlier proposed transaction, approved by the Board in Order E-24523, December 15, 1966, whereby ABC Air was to acquire Freight Forwarding and ABC International, Inc., has been abandoned. Thus, the instant transaction represents an alternative device for the solution of the financial difficulties confronting ABC Air. Further, since ABC Air has long operated as an air freight forwarder, the foregoing transaction would retain ABC Air, as a division of Midland, as a prominent factor in the development of air freight, and would fully protect the creditors and shareholders of ABC Air. It is therefore urged that approval of the proposed transaction would retain the present competitive balance in the air freight forwarding industry, would not result in the creation of a monopoly and would not jeopardize any other air carrier. It is further represented that, save for the described changes in the lines of control, there will be no change in the mode of operation of freight forwarding by Midland, and of ABC Air as a division of Midland.

No comments relative to the application or requests for a hearing from any party disclosing a substantial interest in the proceeding, have been received.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER and a copy of such notice has been furnished by the Board to the Attorney General not later than the day following the date of such publication, both in accordance with section 408(b) of the Act.

Upon consideration of the foregoing, it is concluded that ABC Air is an air carrier, and Freight Forwarding and Midland are common carriers, within the meaning of section 408 of the Act, and that the acquisition of ABC Air by Midland is subject to section 408. However, it is further concluded that such relationship does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not result in creating a monopoly, and does not restrain competition. Furthermore, no person disclosing a substantial interest is currently requesting a hearing, and the public interest does not require a hearing. The control relationship is similar to others involving the same parties, as noted above, and which have been approved by the Board, and the realignment in control relationship here shown is similar to other such realignments approved by the Board,[2] and does not present any new substantive issues. It therefore appears that approval of the control relationships would not be inconsistent with the public interest.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved under section 408(b) of the Act, without a hearing, and that the requests for other or alternative relief should be denied.

Accordingly, it is ordered:

1. That the acquisition by Midland of all of the assets and liabilities of ABC air be and it hereby is approved.

2. That Board jurisdiction over this proceeding shall be retained for the purposes of amending, modifying or revoking this order for such reasons as may appear to the Board to be just and reasonable.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

By A. M. ANDREWS,
Director,
Bureau of Operating Rights.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-4731; Filed, Apr. 27, 1967; 8:49 a.m.]

[Docket No. 18459; Order No. E-25035]

MOHAWK AIRLINES, INC., AND OZARK AIR LINES, INC.

Order of Investigation and Suspension Regarding Fee for Advancing Charges

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 25th day of April 1967.

By tariff revisions filed on March 29, 1967, marked to become effective April 28, 1967, Mohawk Airlines, Inc. (Mohawk), and Ozark Air Lines, Inc. (Ozark) propose to establish a fee for advancing charges for services performed by others in connection with air freight service. The rule in question provides as follows:

"Upon request, the carrier will advance charges for transportation, cartage, storage, loading, unloading, packaging, and processing not performed by carrier and Government duties and customs fees. A handling charge of 5 percent * * * of the amount advanced subject to a minimum charge of $1, will be assessed."

The charges indicated above are advanced by carriers chiefly to cartage agents, truckers, forwarders, warehousemen, brokers, etc., which have performed services or incurred expenses in connection with a shipment.[1] The charges are advanced for shipments on which the carriers will subsequently collect charges from the consignee. At present, no fees are levied by either Mohawk or Ozark, or by any other direct air carrier for domestic service for advancing charges.

Upon consideration of all relevant matters, the Board finds that the fee proposed by Mohawk and Ozark may be unjust, unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. It is recognized that the advancing of charges is a service over and above that of providing air transportation and one that involves bookkeeping and administrative expenses to the carriers. Such advances—when in cash—require use of carrier funds pending final collection, usually from the consignee, and may involve some degree of risk to the carrier from a consignee defaulting on the reimbursement of the advanced charges.

However, the carriers have not adequately justified the fee scale proposed; they have presented no cost justification at all. Although the fee appears modest for small advances (for a charge of $20, the fee would be $1), if the advances involve larger amounts the fee is large. Thus, if the advance charge is $500, which might cover customs duties for a valuable shipment, the fee would be $25.

The fees would be larger than the schedule approved in Order E-22954, dated December 1, 1965, involving IATA Resolution 509 which established a fee schedule of one percent but not less than $2, provided that the charge need not be made where the amount to be collected

[1] Concurrently, Midland has filed, on Mar. 31, 1967, an application to the Board for issuance of operating authority as an air freight forwarder in the stead of the operating authority hitherto held by ABC Air. ABC Air is to surrender its operating authority to the Board for cancellation.

[2] See, among others, Order E-17480, Sept. 21, 1961, and E-17888, Dec. 29, 1961, and E-24523, Dec. 15, 1966.

[1] The advanced charges service is provided under two circumstances: (1) The carrier pays cash at the time of acceptance of the traffic for services previously performed by some other party, such as a trucker, with such amount to be reimbursed to the air carrier at destination by the consigee; or (2) the same charge would similarly be shown as an amount to be collected at destination from the consignee, and then reimbursed to the other party at origin for whom such amounts were advanced. In the first instance, there is an actual cash advancement by the air carrier; in the second instance, the transaction does not involve advancement of funds, and in this respect is analogous to a C.O.D. service.

is less than $50. The proposals also are much higher than the C.O.D. service fees, except for minimum fees imposed by all direct carriers, including Mohawk and Ozark. C.O.D. charges are 50 cents per $100 of the amounts collected, subject to a minimum charge of $1. Thus, for an amount of $100, the C.O.D. fee is $1, but the proposed fee for the advance charges is $5.

In view of the foregoing, the Board has decided to suspend the proposal pending investigation. The Board, however, would consider a proposal wherein the fee schedule is shown to be reasonably related to costs for both large and small advancements.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the provision reading "MO or OZ" in Rule No. 70(A) and the charges and provisions in Rule No. 70 (C), on 6th Revised Page 37 of tariff CAB No. 96 issued by Airline Tariff Publishers, Inc., agent, and rules, regulations, and practices affecting such charges and provisions, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful charges and provisions, and rules, regulations, or practices affecting such charges and provisions;

2. Pending hearing and decision by the Board, the provision reading "MO or OZ" in Rule No. 70(A) and the charges and provisions in Rule No. 70(C), on 6th Revised Page 37 of tariff CAB No. 96 issued by Airline Tariff Publishers, Inc., agent, are suspended and their use deferred to and including July 26, 1967, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. Copies of this order shall be filed with the tariff and served upon Mohawk Airlines, Inc., and Ozark Air Lines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-4732; Filed, Apr. 27, 1967; 8:49 a.m.]

CIVIL SERVICE COMMISSION

PUBLIC HEALTH EDUCATOR

Manpower Shortage

Under the provisions of 5 U.S.C. 5723 the Civil Service Commission has found, effective April 28, 1967, that there is a manpower shortage for the positions of Public Health Educator, GS-1725-9/15, on a nationwide basis.

The appointees to these positions may be paid for the expense of travel and transportation to the first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] DAVID F. WILLIAMS,
Director, Bureau of Management Services.

[F.R. Doc. 67-4718; Filed, Apr. 27, 1967; 8:48 a.m.]

NURSES, NEW YORK CITY

Notice of Adjustment of Minimum Rates and Rate Ranges

Correction

In F.R. Doc. 67-4512, appearing in the issue for Tuesday, April 25, 1967, at page 6415, in column 9, opposite the entry for GS-9, the figure "10,307" should read "10,306".

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16786, 17008; FCC 67M-670]

MIDWEST TELEVISION, INC. (KFMB-TV) AND AMERICAN TELEVISION RELAY, INC.

Order Scheduling Further Hearing

In the matter of the petition of Midwest Television, Inc. (KFMB-TV), San Diego, Calif., Docket No. 16786; for immediate temporary and for permanent relief against extension of service of CATV systems carrying signals of Los Angeles stations into the San Diego area; in re application of American Television Relay, Inc., Escondido, Calif., Docket No. 17008, File No. 725-C1-P-66; for construction permit for new point-to-point microwave radio station.

A hearing conference having been held on April 24, 1967;

It is ordered, That further hearing shall resume on May 8, 1967, at 10 a.m. in the offices of the Commission at Washington, D.C.

Issued: April 24, 1967.

Released: April 25, 1967.

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

[F.R. Doc. 67-4741; Filed, Apr. 27, 1967; 8:50 a.m.]

[Docket No. 17143; FCC 67M-673]

STOKES COUNTY BROADCASTING CO. (WKTE)

Order Continuing Further Hearing Conference

In re application of Stokes County Broadcasting Co. (WKTE), King, N.C., Docket No. 17143, File No. BP-16610; for construction permit.

The applicant filed on March 6, 1967, a petition for reconsideration which interlocutory pleading is still pending before the Commission. In view of the foregoing, it is deemed feasible that the further hearing conference now scheduled for April 28, 1967, should be continued.

Accordingly, it is ordered, That the further hearing conference now scheduled herein for April 28 be and the same is hereby rescheduled for June 1, 1967, in the Commission's offices, Washington, D.C.

Issued: April 24, 1967.

Released: April 25, 1967.

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

[F.R. Doc. 67-4742; Filed, Apr. 27, 1967; 8:50 a.m.]

[Docket No. 17050; FCC-67M-672]

WESTERN NORTH CAROLINA BROADCASTERS, INC.

Order Scheduling Prehearing Conference

In re application of Western North Carolina Broadcasters, Inc., Docket No. 17050, File No. BR-2977; for renewal of license of Station WWIT, Canton, N.C.

A hearing session having been held on April 24, 1967;

It is ordered, That a hearing conference shall convene on May 10, 1967, at 10 a.m. in the offices of the Commission at Washington, D.C.

Issued: April 24, 1967.

Released: April 25, 1967.

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

[F.R. Doc. 67-4743; Filed, Apr. 27, 1967; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

UNITED FRUIT CO. AND COMPANIA ANONIMA VENEZOLANA DE NAVIGACION

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 10 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. Alan F. Wohlstetter, Denning & Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006.

Agreement No. T-2040 between United Fruit Co. (UFC) and Compania Anonima Venezolana De Navigacion (CAVN) is a sublease arrangement covering a portion of Pier 2, North River, New York, N.Y. CAVN will use the premises for the loading, unloading, receipt, and delivery of general cargo. Annual rental will be $200,000 for the first year and is adjustable thereafter according to the terms of the agreement. CAVN will deliver to UFC for payment to the city of New York, 50 percent of wharfage charges collected, which charges are fixed by the Commissioner of Marine and Aviation of the city of New York. CAVN agrees that it will not terminate its present stevedoring arrangement without giving UFC 90 days prior written notice of its intention to do so and will select no new stevedore without the prior written approval of UFC, which approval will not be unreasonably withheld.

Dated: April 25, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-4744; Filed, Apr. 27, 1967; 8:50 a.m.]

COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

GOVERNMENT EMPLOYEES

Notice of Public Hearings Regarding Effects of Hatch Political Activities Act

The Commission on Political Activity of Government Personnel (Public Law 89-617) will conduct public hearings on May 15-18, beginning at 10 a.m. in Room 457, Old Senate Office Building, Washington, D.C.

The Commission is studying the effects of the Hatch Political Activities Act (P.L. 76-252, as amended) upon public life and upon individuals employed by Government agencies, Federal, State and local, who are affected by its provisions.

Individuals and representatives of organizations desiring to appear before the Commission should notify in writing Jon Linfield, Executive Secretary; Commission on Political Activity of Government Personnel; Suite 306, 1111 20th Street NW., Washington, D.C. 20036.

Written statements will be accepted for the record and should be submitted to the Executive Secretary not later than the date of the hearing.

Confidential statements will be accepted and must be so marked on every page. These statements will be received only at the Commission's offices in Washington, D.C.

For the Commission.

JON W. LINFIELD,
Executive Secretary.

[F.R. Doc. 67-4730; Filed, Apr. 27, 1967; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI67-356]

MOBIL OIL CORP.

Order Accepting New Contract, Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

APRIL 20, 1967.

On March 29, 1967, Mobil Oil Corp. (Mobil) [1] tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: (1) Contract, dated March 1, 1967. (2) Notice of change, dated March 27, 1967.

Purchaser and producing area: United Gas Pipe Line Co. (White Point, Saxet, et al., Fields, San Patricio and Nueces Counties, Tex.) (RR. District No. 4).

Effective date: (1) April 29, 1967.[2] (2) April 29, 1967.[3]

Rate schedule designation: (1) Supplement No. 18 to Mobil's FPC Gas Rate Schedule No. 286. (2) Supplement No. 19 to Mobil's FPC Gas Rate Schedule No. 286.

Amount of annual increase: (2) $68,718.

Effective rate: 8.0346 cents per Mcf.[3][4]

Proposed rate: 14.0 cents per Mcf.[5]

Pressure base: 14.65 p.s.i.a.

Mobil requests that its proposed rate increase be permitted to become effective on April 26, 1967. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Mobil's rate filing and such request is denied.

Mobil's present rate of 8.0346 cents per Mcf is the result of a settlement approved by Commission order issued March 5, 1964, as amended, in Docket Nos. G-12193 et al. The moratorium on filing increased rates expired on January 1, 1967. Although the proposed 14.0-cent rate, considered a "fractured" rate since Mobil is contractually entitled to a higher rate of 15.0 cents, does not exceed the 14.0 cents per Mcf increased rate ceiling for Texas Railroad District No. 4 as announced in the Commission's Statement of General Policy No. 61-1, as amended, it is suspended for 1 day from April 29, 1967, the date of expiration of the statutory notice, since Mobil did not submit with the increased rate filing a waiver of its right to file for the remaining increment of its contractually due rate.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

Concurrently with the filing of its rate increase, Mobil submitted a new contract dated March 1, 1967, designated as Supplement No. 18 to Mobil's FPC Gas Rate Schedule No. 286, which replaces basic contract dated December 28, 1934, as amended, and provides the basis for the renegotiated rate proposed herein. We believe that it would be in the public interest to accept for filing Mobil's aforementioned new contract to become effective on April 29, 1967, the date of expiration of the statutory notice, but not the proposed rate contained therein which is suspended as hereinafter ordered. The acceptance by the Commission of Mobil's new contract does not constitute authorization under section 7 of the Natural Gas Act.

The Commission finds:

(1) Good cause has been shown for accepting for filing Mobil's proposed new contract dated March 1, 1967, designated as Supplement No. 18 to Mobil's FPC Gas Rate Schedule No. 286, and for permitting such supplement to become effective on April 29, 1967, the date of expiration of the statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 19 to Mobil's FPC Gas Rate Schedule No. 286 is suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Mobil's contract dated March 1, 1967, designated as Supplement No. 18 to its FPC Gas Rate Schedule No. 286, is accepted for filing and permitted to become effective on April 29, 1967.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 19 to Mobil's FPC Gas Rate Schedule No. 286.

(C) Pending a hearing and decision thereon, Supplement No. 19 to Mobil's FPC Gas Rate Schedule No. 286 is hereby suspended and the use thereof deferred until April 30, 1967, and thereafter until such further time as it is

[1] Address is: Post Office Box 2444, Houston, Tex. 77001. Attention: H. H. Beeson, Esquire.

[2] The stated effective date is the first day after expiration of the statutory notice.

[3] Settlement rate as approved by Commission order issued May 5, 1964, as amended, in Docket Nos. G-12193 et al. Moratorium on filing increased rates expired Jan. 1, 1967.

[4] Inclusive of 0.4386 cent gathering charge.

[5] "Fractured" rate increase. Seller is contractually due to 15.0 cents per Mcf.

made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Mobil, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order, Mobil shall execute and file under Docket No. RI67-356, with the Secretary of the Commission, its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the United Gas Pipe Line Co., the purchaser. Unless Mobil is advised to the contrary within 15 days from the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 7, 1967.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 67-4680; Filed, Apr. 27, 1967; 8:45 a.m.]

[Docket Nos. RI67-348 etc.]

MOBIL OIL CORP. ET AL.

Order Permitting Rate Filing, Accepting Amendatory Agreement, Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

APRIL 20, 1967.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI67-348	Mobil Oil Corp. (Operator), Post Office Box 2444, Houston, Tex. 77001. Attn: H. H. Beeson, attorney.	46	[2] 17	Trunkline Gas Co. (Hurricane Creek Field, Beauregard Parish, La.) (south Louisiana).	.....	3-24-67	[3] 4-24-67	(Accepted)	.....	.....	
		46	18		$1,445	3-24-67	[4] 5- 3-67	10- 3-67	[5] [7] 15.5	[6] [7] 18.25	
RI67-349	M. M. Conn, 1204 Wilson Bldg., Corpus Christi, Tex. 78401.	1	4	Florida Gas Transmission Co. (LaReforma Field, Starr County, Tex.) (R.R. District No. 4).	2,160	3-30-67	[4] 7- 1-67	12- 1-67	[8] 17.0	[9] [8] 18.0	RI62-542.
RI67-350	Placid Oil Co., 2300 First National Bank Bldg., Dallas, Tex. 75202. Attn: Paul W. Hicks, Esquire.	34	4	Tennessee Gas Pipeline Co., a Division of Tenneco, Inc. (Patterson Field, St. Mary Parish, La.) (south Louisiana).	159,158	3-30-67	[4] 5- 1-67	10- 1-67	[8] 21.25	[8] [10] 23.55	
RI67-351	Texaco Inc., Post Office Box 52332, Houston, Tex. 77052. Attn: Mr. R. C. Shields.	348	2	Transcontinental Gas Pipe Line Corp. (Big Foot Field, Frio County, Tex.) (R.R. District No. 1).	486	4- 3-67	[3] 5- 4-67	10- 4-67	[8] 14.69575	[9] [8] [11] 15.70925	
RI67-352	Ben F. Brack, Brown Bldg., Wichita, Kans. 67202.	3	1	Kansas-Nebraska Natural Gas Co. (Hugoton Field, Kearny and Finney Counties, Kans.).	6,655	3-22-67	[3] 4-22-67	9-22-67	[8] 11.0	[9] [8] [11] 12.0	
RI67-353	A. R. Dillard (Operator) et al., 1600 10th St., Wichita Falls, Tex. 76301.	2	2	Northern Natural Gas Co. (Perryton Field, Ochiltree County, Tex.) (R.R. District No. 10).	1,130	3-27-67	[4] 4-27-67	9-27-67	[8] 17.0	[9] [8] [11] 18.0	
RI67-354	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	16	16	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Beaver County, Okla.) (Panhandle Area).	80	3-29-67	[4] 5-10-67	10-10-67	[8] 18.0	[9] [8] [11] 18.2	RI66-363.
	do	23	16	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Boyd Area, Beaver County, Okla.) (Panhandle Area).	370	3-29-67	[4] 5- 8-67	10- 8-67	[8] 17.6	[8] [11] 17.8	RI66-363.
RI67-355	A. L. Abercrombie (Operator), et al., 801 Union Center Bldg., Wichita, Kans. 67202.	16	2	Michigan Wisconsin Pipe Line Co. (Greenough Field, Beaver County, Okla.) (Panhandle Area).	945	3-30-67	[4] 4-30-67	9-30-67	17.0	[9] [8] 19.5	

[2] Amends basic contract by providing for the redetermined rate proposed herein for the remainder of the contract term which expires May 3, 1972.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The stated effective date is the effective date proposed by Respondent.
[5] Redetermined rate increase.
[6] Pressure base is 15.025 psia.
[7] Inclusive of 1.5¢ tax reimbursement.
[8] Settlement rate as approved by Commission order issued May 5, 1964, as amended in Docket Nos. G-12193, et al. Moratorium on filing increased rates expired January 1, 1967.
[9] Periodic rate increase.
[10] Pressure base is 14.65 psia.
[11] Subject to a downward Btu adjustment.
[12] "Fractured" rate increase. Seller contractually due 24.675¢ per Mcf, but Opinion No. 436 imposed a moratorium on filing increases above 23.55¢ pending outcome of the proceeding in Docket Nos. AR61-2, et al., or July 1, 1967, whichever is earlier.
[13] Initial service rate as conditioned in temporary certificate issued October 9, 1962, in Docket No. CI63-305.

Texaco, Inc. (Texaco) requests that its proposed rate increase be permitted to become effective on April 27, 1967. Ben F. Brack (Brack) requests an effective date of April 1, 1967, for his proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Texaco and Brack's rate filings and such requests are denied.

Placid Oil Co. (Placid) proposes a "fractured" rate increase to 23.55 cents per Mcf for gas being sold pursuant to a rate schedule included in Opinion No. 436 (South Louisiana and adjacent offshore initial "in-line" price certificate proceeding).[14] This sale was initially made under a temporary certificate conditioned to an initial rate of 21.25 cents and contained a Condition (2) prohibiting changes in the initial rate unless ordered by the Commission in the related certificate proceeding, Docket No. CI63-305. Opinion No. 436 granted a permanent certificate to Placid conditioned to an initial rate of 20.0 cents but the reduction in price was stayed pursuant to Opinion No. 436-A. Consistent therewith, Placid has continued to sell the gas at the 21.25 cents conditioned rate authorized in the temporary certificate. Placid requests waiver of the Condition (2) provision to permit the filing of its rate increase. Under the cir-

[14] Opinion No. 436, currently involved in judicial review proceedings, provides for a moratorium on filing rate increases above a 23.55 cents rate pending the outcome of the AR62-2 proceeding, or July 1, 1967, whichever is earlier. Consistent therewith, Placid, although contractually entitled to a 24.675 cents per Mcf rate, is limiting its increase so as not to be in conflict with the moratorium provision contained in Opinion No. 436.

cumstances, we believe that it would be in the public interest that the Condition (2) provision be waived to permit Placid's notice of change in rate to be filed since service was commenced more than 3 years ago (date of initial delivery is Feb. 1, 1963).

On March 24, 1967, Mobil Gas Corp. (Operator), (Mobil), tendered for filing an amendatory agreement dated March 3, 1967, which amends the basic contract by providing for the redetermined rate proposed herein for the remainder of the contract term. Such agreement has been designated as Supplement No. 17 to Mobil's FPC Gas Rate Schedule No. 46. We believe it would be in the public interest to accept for filing Mobil's aforementioned amendatory agreement to become effective on April 24, 1967, the date of expiration of the statutory notice, but not the proposed rate contained therein which is suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists for waiving Condition (2) in the temporary certificate issued in Docket No. CI63-305 with respect to Placid's notice of change, designated as Supplement No. 4 to Placid's FPC Gas Rate Schedule No. 34, and that such notice of change be permitted to be filed as hereinafter ordered.

(2) Good cause exists for accepting for filing Mobil's proposed amendatory agreement dated March 3, 1967, designated as Supplement No. 17 to Mobil's FPC Gas Rate Schedule No. 46, and for permitting such supplement to become effective on April 24, 1967, the date of expiration of the statutory notice.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon public hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Condition (2) in the temporary certificate issued in Docket No. CI63-305 is hereby waived with respect to Placid's notice of change, designated as Supplement No. 4 to Placid's FPC Gas Rate Schedule No. 34, and such rate is permitted to be filed.

(B) Mobil's amendatory agreement dated March 3, 1967, designated as Supplement No. 17 to Mobil's FPC Gas Rate Schedule No. 46, is accepted for filing and permitted to become effective on April 24, 1967.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated rate supplements.

(D) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(E) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(F) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 7, 1967.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 67-4681; Filed, Apr. 27, 1967; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

FIRST AT ORLANDO CORP.

Order Extending Period of Time Prescribed by Proviso in Order of Approval

In the matter of the application of First at Orlando Corp., Orlando, Fla., for approval of action to become a bank holding company through the acquisition of 80 percent or more of the voting shares of five banks in the State of Florida.

Whereas, by order dated January 26, 1967, the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.4(a)(1) of Federal Reserve Regulation Y (12 CFR 222.4(a)(1)), approved an application on behalf of First at Orlando Corp., Orlando, Fla., for approval of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of each of the following banks in or near Orlando, Fla.: The First National Bank at Orlando; College Park National Bank at Orlando; South Orlando National Bank; First National Bank at Pine Hills; and The Plaza National Bank at Orlando; and said order was made subject to the proviso "that the acquisition so approved shall not be consummated * * * (b) later than 3 months after the date of the order" and

Whereas, First at Orlando Corp. has applied to the Board for an extension of time within which the approved acquisition shall be consummated, and it appearing to the Board that reasonable cause has been shown for the extension of time requested, and that such extension would not be inconsistent with the public interest:

It is hereby ordered, That the Board's order of January 26, 1967, as published in the FEDERAL REGISTER on February 2, 1967 (32 F.R. 1202), be, and it hereby is, amended so that the proviso relating to the date by which the acquisition approved shall be consummated shall read "(b) later than June 30, 1967."

Dated at Washington, D.C., this 21st day of April 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 67-4684; Filed, Apr. 27, 1967; 8:45 a.m.]

TARIFF COMMISSION

[TC Publication 204; APTA-W-10]

CERTAIN WORKERS OF AMERICAN MOTORS CORPORATION'S KENOSHA, WIS., PLANT

Report to Automotive Agreement Adjustment Assistance Board in Adjustment Assistance Case

APRIL 25, 1967.

The Tariff Commission today reported to the Automotive Agreement Adjustment Assistance Board the results of its investigation No. APTA-W-10, conducted under section 302(e) of the Automotive Products Trade Act of 1965. The Commission's report contains factual information for use by the Board, which determines the eligibility of the workers concerned to apply for adjustment assistance. The workers in this case were employed in the Kenosha, Wisconsin plant of the American Motors Corp.

Only certain sections of the Commission's report can be made public since much of the information it contains was received in confidence. Publication of such information would result in the disclosure of certain operations of individual firms. The sections of the report that can be made public are reproduced on the following pages.

Introduction. In accordance with section 302(e) of the Automotive Products Trade Act of 1965 (79 Stat. 1016), the U.S. Tariff Commission herein reports the results of investigation (APTA-W-10) concerning the possible dislocation of certain workers engaged in the production of automobiles at the Kenosha, Wis., plant of the American Motors Corp. The Commission instituted the investigation on March 8, 1967, upon receipt on March 6, 1967, of a request for investigation from the Automotive Assistance Committee of the Automotive Agreement Adjustment Assistance Board. Public notice of the investigation was given in the FEDERAL REGISTER (32 F.R. 4004) on March 11, 1967.

The Automotive Assistance Committee's request for the investigation resulted from a petition for determination

of eligibility to apply for adjustment assistance that was filed with the Assistance Board on February 28, 1967, by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (U.A.W.) and its Local No. 72, on behalf of a group of workers at the Kenosha plant[1] of American Motors Corp. Neither the petitioners nor any other party requested a hearing before the Commission, and none was held.

The petitioners alleged that the transfer of production of automobiles from the Kenosha plant to the American Motors Corp. plant in Brampton, Ontario, resulted in extensive layoffs at Kenosha during the January 1965–January 1967 period, including a permanent layoff of 2,314 workers on January 6, 1967. The petitioners further alleged that the pre-October 1966 layoffs are attributable to the reduced number of automobiles supplied to the Canadian market from the Kenosha plant, and the layoffs beginning in October 1966 to increased imports into the United States of automobiles produced in Canada. Both of these developments were attributed to the Automotive Products Trade Act of 1965 (APTA).

The Commission conducted investigation APTA–W–10 concurrently with investigation APTA–W–9, relating to the possible dislocation of certain workers engaged in the production of automobile bodies at American Motors Corp.'s Milwaukee, Wis., plant. Much of the information developed in connection with APTA–W–10 is also pertinent to APTA–W–9; because of significant differences in the two investigations, however, separate reports have been prepared.

The information reported herein was obtained from American Motors Corp., the major U.S. automobile manufacturers, the International Union and Local 72, U.A.W., the Commission's files, and through fieldwork by members of the Commission's staff.

Hereafter in this report the American Motors Corp. is referred to as AMC.

The automotive product involved—automobiles. Conventional passenger automobiles are the articles under consideration in this investigation. Special purpose motor vehicles such as the "Jeep" and "Scout", and automobile components that are shipped in K-D (knocked-down) kits for subsequent assembly are not included within the scope of this investigation.

Imported automobiles are dutiable under Item 692.10 of the Tariff Schedules of the United States at the rate of 6.5 percent ad valorem; if imported from Canada, however, they are duty free under Item 692.11.

[1] American Motors Corp. operates two plants in Kenosha—the Main plant and the Lake Front plant—which are about a mile apart. Inasmuch as the hourly employees of these plants are a single bargaining unit in labor negotiations and have interplant seniority rights, the two plants are considered an entity by the Commission in the petition and in this report.

AMC and its Automotive Division. AMC, with headquarters in Detroit, Mich., is a large corporation which had net sales valued at about $1 billion in each of the years 1960–66. AMC's predecessor was incorporated in Maryland in 1916 as Nash Motors Co., which, in turn, was the successor to Jeffrey Motor Co. In 1937 the corporate name was changed to Nash-Kelvinator Corp., after merger with Kelvinator Corp. (a large manufacturer of home appliances). In 1954 the present name was adopted, after merger with Hudson Motor Co.

AMC has two major divisions: Automotive and Appliance. The Appliance Division produces and sells, under the "Kelvinator" and other trade names, major household appliances such as refrigerators, freezers, dehumidifiers, laundry equipment, ranges and room air-conditioners. The principal manufacturing facility of this division is located in Grand Rapids, Mich.

The Automotive Division operates one plant in Milwaukee and two in Kenosha, Wis. (the Main plant and the Lake Front plant), and one in Brampton, Ontario. Although the workers herein concerned were employed in the Kenosha plants; an understanding of the interelationship of the four plants is important.

AMC produces three series of automobiles: The American (the smallest in size), the Rebel (formerly the Classic), and the Ambassador. A separate single-model car—the Marlin, is included with the Ambassador series for the purpose of this report. The three series are produced in a total of 26 models.

* * * * *

United States and Canadian production and trade. Unlike the experience of AMC which attained a record level of production in the 1963 model year, aggregate United States and Canadian production of automobiles increased annually in the 1963–65 model years.[2] Thereafter, U.S. annual production decreased slightly from a record level of 8.8 million units in 1965 to 8.6 million units in 1966. Canadian production attained a record high of 673,000 units in 1966. Both United States and Canadian production was substantially lower in the first 7 months of the 1967 model year than in the like period of 1966 (Table 4, page 6).

The total U.S. output of automobiles in the period November–February of the 1964 model year (2.9 million) was slightly greater than in the comparable period of 1967 (2.8 million). Canadian output was about equal in that period of 1964 to that in 1967 (230,000 and 231,000 automobiles, respectively).

Before the 1965 model year there were no automobiles imported from Canada by the four major U.S. automobile producers. Since then, increasing numbers have been imported—2,000 in 1965, 94,000 in 1966, and 136,000 in the first 7 months of the 1967 model year. U.S. exports of automobiles to Canada increased annually from 7,000 units in the 1963 model year to 59,000 units in 1966, and to 120,000 in the first 7 months in the 1967 model year. As a result of these changes Canada became a net exporter of automobiles to the United States; during the first complete model year after the United States-Canadian automotive agreement became effective, Canada attained a net export balance of 35,000 units. During the first 7 months of the 1967 model year, Canada was a net exporter to the United States of 16,000 automobiles.

* * * * *

By direction of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 67–4722; Filed, Apr. 27, 1967; 8:48 a.m.]

[2] These data are based on conventional passenger automobile production by American Motors Corp., the Chrysler Corp., the Ford Motor Co., and General Motors Corp.; they do not include such special purpose motor vehicles as the "Jeep" and "Scout". If these other motor vehicles had been included, the aggregate data would not be significantly different from those for the four concerns. The data also do not include kits (K-D kits) prepared for export which contain parts for assembly into automobiles in other countries.

[TC Publication 203; APTA–W–9]

CERTAIN WORKERS OF AMERICAN MOTORS CORPORATION'S MILWAUKEE, WIS., PLANT

Report to Automotive Agreement Adjustment Assistance Board in Adjustment Assistance Case

APRIL 25, 1967.

The Tariff Commission today reported to the Automotive Agreement Adjustment Assistance Board the results of its investigation No. APTA–W–9, conducted under section 302(e) of the Automotive Products Trade Act of 1965. The Commission's report contains factual information for use by the Board, which determines the eligibility of the workers concerned to apply for adjustment assistance. The workers in this case were employed in the Milwaukee, Wisconsin plant of the American Motors Corp.

Only certain sections of the Commission's report can be made public since much of the information it contains was received in confidence. Publication of such information would result in the disclosure of certain operations of individual firms. The sections of the report that can be made public are reproduced on the following pages.

Introduction. In accordance with section 302(e) of the Automotive Products Trade Act of 1965 (79 Stat. 1016), the U.S. Tariff Commission herein reports the results of investigation (APTA–W–9) concerning the possible dislocation of certain workers engaged in the production of automobile bodies at the Milwaukee, Wis. plant of the American Motors Corp. The Commission instituted the investigation on March 8, 1967, upon receipt on March 6, 1967, of a request for investigation from the Auto-

motive Assistance Committee of the Automotive Agreement Adjustment Assistance Board. Public notice of the investigation was given in the FEDERAL REGISTER (32 F.R. 4003) on March 11, 1967.

The Automotive Assistance Committee's request for the investigation resulted from a petition for determination of eligibility to apply for adjustment assistance that was filed with the Assistance Board on February 28, 1967, by the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (U.A.W.) and its Local No. 75, on behalf of a group of workers at the Milwaukee plant of American Motors Corp. Neither the petitioners nor any other party requested a hearing before the Commission, and none was held.

The petitioners alleged that the transfer of production of automobiles[1] from the Milwaukee plant to the American Motors Corp. plant in Brampton, Ontario, resulted in extensive layoffs at Milwaukee during the January 1965–January 1967 period—including the permanent layoff of 2,000 workers on January 9, 1967. The petitioners further alleged that the pre-October 1966 layoffs are attributable to a decrease in the number of automobiles[2] supplied to the Candian market from the Milwaukee plant and that the layoffs beginning in October 1966 were caused by increased imports into the United States of automobiles produced in Canada. Both of these developments were attributed to the Automotive Products Trade Act of 1965 (APTA).

The Commission conducted investigation APTA–W–9 concurrently with investigation APTA–W–10, relating to the possible dislocation of certain workers engaged in the production of complete automobiles at American Motors Corp.'s, Kenosha, Wis. plant. Much of the information developed in connection with APTA–W–9 is also pertinent to APTA–W–10; because of signficant differences in the two investigations, however, separate reports have been prepared.

The information reported herein was obtained from American Motors Corp., the major U.S. automobile manufacturers, the International Union, U.A.W., the Commission's files, and through fieldwork by members of the Commission's staff.

Hereafter in this report the American Motors Corp., is referred to as AMC.

The automotive product involved—automobile bodies. Built-up bodies for conventional passenger automobiles are the articles under consideration in this investigation. Such bodies may be of either unit-body or perimeter-frame construction; they constitute complete bodies at least to the extent that the major sheet metal components have been welded or bolted together. Bodies for special purpose motor-vehicles, such as the "Jeep" and "Scout", and body components that are shipped in K–D (knock-down) kits for subsequent assembly are not included within the scope of this investigation.

Imported automobile bodies are dutiable under Item 692.22 of the Tariff Schedules of the United States at the rate of 6.5 percent ad valorem; if imported from Canada for use as original motor-vehicle equipment, however, they are duty-free under Item 692.23.

American Motors Corp., and its automotive division. AMC, with headquarters in Detroit, Mich., is a large corporation which had net sales valued at about $1 billion in each of the years 1960–66. AMC's predecessor was incorporated in Maryland in 1916 as Nash Motors Co., which, in turn, was the successor to Jeffrey Motor Co. In 1937 the corporate name was changed to Nash-Kelvinator Corp., after merger with Kelvinator Corp. (a large manufacturer of home appliances). In 1954 the present name was adopted, after merger with Hudson Motor Co.

AMC has two major divisions: Automotive and appliance. The Appliance Division produces and sells, under the "Kelvinator" and other trade names, major household appliances such as refrigerators, freezers, dehumidifiers, laundry equipment, ranges, and room air-conditioners. The principal manufacturing facility of this division is located in Grand Rapids, Mich.

The Automotive Division operates one plant in Milwaukee and two in Kenosha, Wis. (the main plant and the Lake Front plant), and one in Brampton, Ontario. Although the workers herein concerned were employed in the Milwaukee plant, an understanding of the interrelationship of the four plants is important.

AMC produces three series of automobiles: The American (the smallest in size), the Rebel (formerly the Classic), and the Ambassador. A separate single-model car—the Marlin, is included with the Ambassador series for the purpose of this report. The three series are produced in a total of 26 models.

* * * * *

United States and Canadian production and trade. Since the number of automobile bodies produced during any model year is virtually identical to the number of automobiles produced, the data on automobile production in the United States and Canada are used herein as a measure of the number of automobile bodies produced in the two countries.[3]

Unlike the experience of AMC which attained a record level of production in the 1963 model year, aggregate United States and Canadian production of automobile bodies increased annually in the 1963–65 model years. Thereafter, U.S. annual production decreased slightly from a record level of 8.8 million units in 1965 to 8.6 million units in 1966. Canadian production attained a record high of 673,000 units in 1966. Both United States and Canadian production was substantially lower in the first 7 months of the 1967 model year than in the like period of 1966 (table 3, p. 7).

The total U.S. output of automobile bodies in the period November–February of the 1964 model year (2.9 million) was slightly greater than in the comparable period of 1967 (2.8 million). Canadian output was about equal in that period of 1964 to that in 1967 (230,000 and 231,000 automobile bodies, respectively).

No trade has occurred in built-up automobile bodies as such between the United States and Canada; such bodies enter the trade between the two countries in the form of completed automobiles. Before the 1965 model year there were no automobiles imported from Canada by the four major U.S. automobile producers. Since then, increasing numbers have been imported—2,000 in 1965, 94,000 in 1966, and 136,000 in the first 7 months of the 1967 model year. U.S. exports of automobiles to Canada increased annually from 7,000 units in the 1963 model year to 59,000 units in 1966, and to 120,000 in the first 7 months in the 1967 model year. As a result of these changes Canada became a net exporter of automobiles to the United States; during the first complete model year after the United States-Canadian automotive agreement became effective, Canada attained a net export balance of 35,000 units. During the first 7 months of the 1967 model year, Canada was a net exporter to the United States of 16,000 automobiles.

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By direction of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 67–4720; Filed, Apr. 27, 1967; 8:48 a.m.]

[APTA–W–14]

CERTAIN WORKERS OF GENERAL MOTORS FISHER BODY PLANT, TARRYTOWN, N.Y.

Notice of Investigation Regarding Workers' Petition for Determination of Eligibility To Apply for Adjustment Assistance

Upon receipt on April 24, 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

[1] Although the petition refers to automobiles supplied from the Milwaukee plant, the reference probably should have been to automobile bodies, as complete automobiles are not produced at that plant.

[2] Substitute "automobile bodies" for "automobiles"; see footnote 1.

[3] These data are based on conventional passenger automobile production by American Motors Corp., the Chrysler Corp., the Ford Motor Co., and General Motors Corp.; they do not include such special purpose motor-vehicles as the "Jeep" and "Scout". If these other motor-vehicles had been included, the aggregate data would not be significantly different from those for the four concerns. The data also do not include kits (K–D kits) prepared for export which contain body parts for assembly into automobiles in other countries.

of workers at the General Motors Fisher Body Plant, Tarrytown, N.Y., which assembles Chevrolet automobile bodies. 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.

Issued: April 25, 1967.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 67-4721; Filed, Apr. 27, 1967; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 373]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 25, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340) 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 3560 (Sub-No. 29 TA), filed April 20, 1967. Applicant: GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: Kenneth A. Willhite (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Oscar Mayer & Co., Inc., Beardstown, Ill., to points in Connecticut, Delaware, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. Restricted to traffic originating at the described plantsite and destined to points in the States named above, for 180 days. Supporting shipper: Oscar Mayer & Co., Inc., 910 Mayer Avenue, Madison, Wis. 53701. Send protests to: Luther H. Oldham, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo.

No. MC 112669 (Sub-No. 8 TA), filed April 21, 1967. Applicant: FRIESEN TRUCK LINE, INC., 1207 East Second Street, Hutchinson, Kans. 67501. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream and ice cream products*, from Hutchinson, Kans., to Springdale, Ark., and Sedalia, Mo., for 150 days. Supporting shipper: Jackson Ice Cream Co., Inc., 416 North Main Street, Hutchinson, Kans. Send protests to: M. E. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 906 Schweiter Building, Witchita, Kans. 67202.

No. MC 114290 (Sub-No. 30 TA), filed April 21, 1967. Applicant: EXLEY EXPRESS, INC., 2610 Southeast Eighth Avenue, Portland, Oreg. 97202. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Weston, Oreg., to Portland, Oreg., restricted to shipments to be stored in transit at Portland for ultimate transportation to California by applicant under its present authority, for 180 days. Supporting shipper: North Pacific Canners & Packers, Inc., 5200 Southeast McLoughlin Boulevard, Portland, Oreg. 97202. Send protests to: S. F. Martin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 117815 (Sub-No. 120 TA), filed April 21, 1967. Applicant: PULLEY FREIGHT LINES, INC., 405 Southeast 20th Street, Des Moines, Iowa 50317. Applicant's representative: John Burroughs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packing houses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates* No. 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Oscar Mayer & Co., Inc., at Beardstown, Ill., to points in Iowa, Minnesota, Missouri, Nebraska, and Wisconsin with restriction at plantsite of Oscar Mayer & Co., for 180 days. Supporting shipper: Oscar Mayer & Co., Richard C. Flesch, General Traffic Manager, 910 Mayer Avenue, Madison, Wis. 53701. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 119066 (Sub-No. 1 TA), filed April 21, 1967. Applicant: CORNIE DE JONG, Sanborn, Iowa 51248. Applicant's representative: Service Inc., Box 854, Downtown Station, Omaha, Nebr. 68101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Farm machinery, equipment, parts thereof and commercial augers*, from plantsite of Koyker Manufacturing Co., at Hull, Iowa, to distributors, dealers, and elevators in the States of Iowa, Nebraska, South Dakota, North Dakota, Montana, Minnesota, Kansas, Missouri, Colorado, Illinois, Indiana, Ohio, Michigan, Kentucky, and Wisconsin, and (2) *steel and items purchased by Koyker Manufacturing Co.*, at various points in above States to Koyker Manufacturing Co., Hull, Iowa, for 180 days. Supporting shipper: Sioux Steel Co., Koyker Division, 196½ East Sixth Street, Sioux Falls, S. Dak. 57101. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 128847 (Sub-No. 2 TA), filed April 21, 1967. Applicant: HAROLD J. McTAGGART, doing business as HAROLD J. McTAGGART TRUCKING, 4306 Third Street, Port Hope, Mich. 48468. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. 48021. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemical fertilizer*, in bags and in bulk, from Findlay and Toledo, Ohio, to points in Huron, Mountcalm, and Sanilac Counties, Mich., for 180 days. Supporting shipper: Bad Axe Grain Co., Bad Axe, Mich. 48413. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 128937 TA (Republication), filed March 16, 1967, published FEDERAL REGISTER, issue of March 24, 1967, and republished as corrected, this issue. Applicant: ROBERT L. GORDON, doing business as AVON MACHINERY COMPANY, 5720 Side Avenue, Cleveland, Ohio 44102. Applicant's representative: Bernard S. Goldfarb, 1625 The Illuminating Building, 55 Public Square, Cleveland, Ohio 44113. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New and used industrial machinery*, between Ecorse, Mich., and Union, N.J., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Connecticut, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Wisconsin, for 180 days. Supporting shippers: Elastic Stop Nut Corp. of America, 2330 Vauxhall Road, Union, N.J. 07083, and Ecorse Machinery Sales, Inc., 75 Southfield, Ecorse, Mich. 48229. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Building, Cleveland, Ohio 44114.

MC 128983 (Sub-No. 1 TA), filed April 21, 1967. Applicant: CHARLES W. KENT, SR., and CHARLES W. KENT, JR., a partnership, doing business as KENT MOVING AND STORAGE CO., 4319 Factory Hill, Post Office Box 10148, San Antonio, Tex 78210. Applicant's representative: Austin L. Hatchell, Suite 1102, Perry-Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, restricted to shipments having a prior or subsequent movement beyond Texas, in specially designed containers, and further restricted to pickup and delivery service incidental to or in connection with the packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, between San Antonio, Tex., and points within a 30-mile radius thereof, for 180 days. Supporting shipper: Davidson Forwarding Co., 3180 V Street NE., Washington, D.C. 20018. Send protests to: James H. Berry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 206 Manion Building, San Antonio, Tex. 78205.

No. MC 128993 (Sub-No. 1 TA), filed April 21, 1967. Applicant: CARL L. TOBOLL, doing business as TOBOLL TRUCKING COMPANY, 8003 Haas Lane, Baltimore, Md. 21206. Applicant's representative: Donald E. Freeman, Post Office Box 806, Westminster, Md. 21157. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory furniture and fumehoods*, from Baltimore, Md., to Tarrytown, N.Y., under contract with Vulcan-Hart Corp., Baltimore, Md., for 150 days. Supporting shipper: Vulcan-Hart Corp., 3600 North Point Boulevard, Baltimore, Md. 21222. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 103 South Gay Street, Baltimore, Md. 21202.

No. MC 129023 (Sub-No. 1 TA), filed April 20, 1967. Applicant: JOHN C. MADIGAN, JR., doing business as J. C. MADIGAN, Shaker Road, Harvard Mass. 01451. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, dry, in bulk, in dump-type and hopper-type vehicles, (1) from Woburn, Mass., to points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, and points in Albany, Columbia, Rensselaer, Saratoga, and Washington Counties, N.Y., and (2) from Billerica, Mass., to points in Maine and New Hampshire on and south of U.S. Highway 302, points in Tolland and Windham Counties, Conn., and points in Rhode Island, for 150 days. Supporting shippers: International Minerals & Chemical Corp., 316 New Boston Street, Woburn, Mass. 01082 and Corenco Corp., 525 Woburn Street, Tewskbury, Mass. 01876. Send protest to: Joseph W. Balin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 338 Federal Building, Springfield, Mass. 01103.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 116 TA), Applicant: GREYHOUND LINES, INC., WESTERN GREYHOUND LINES DIVISION, 371 Market Street, San Francisco, Calif. 94105, and 10 South Riverside Plaza, Chicago, Ill. 60606. Applicant's representative: W. T. Meinhold, 371 Market Street, San Francisco, Calif. 94105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle in special operations only, between Athol Junction, Idaho, and Farragut State Park, Idaho, from junction U.S. Highway 95 and Idaho Highway 54 East of Athol (Athol Junction), over Idaho Highway 54 to Farragut State Park, for 14 days, from July 28, 1967, through August 10, 1967. Supporting shippers: Trans Euro Scout, Haarlem, Holland, Official Travel Bureau, The Danish State Railways, Copenhagen, Denmark, Bund Deutscher Pjadfinder, Berlin, Germany (all in connection with the 1967 Boy Scout World Jamboree). Send protests to: Wm. R. Murdoch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-4719; Filed, Apr. 27, 1967; 8:48 a.m.]

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