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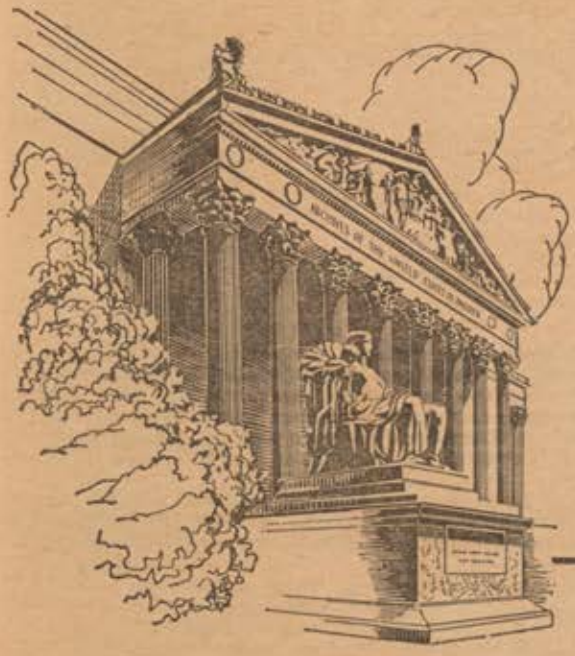

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The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

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(Codification Guide)

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

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 is amended to show that there is no longer a numerical limitation on the number of persons who may be appointed under the special Schedule A authority designed to facilitate the employment of the severely handicapped and that the time limitation on use of the authority has been removed to make it available to agencies on a continuing rather than an experimental basis. Effective on publication in the FEDERAL REGISTER, paragraph (u) of § 213.3102 is amended as set out below.

§ 213.3102 **Entire executive civil service.**

* * * * *

(u) Subject to prior approval of the Commission, positions when filled by severely handicapped persons who, under temporary appointment, have demonstrated their ability to perform the duties satisfactorily.

* * * * *

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

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

[F.R. Doc. 67-8419; Filed, July 19, 1967; 8:51 a.m.]

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service et al.

Section 213.3102 is amended to show that scientific and professional research associate positions at GS–12 and above are excepted under Schedule A when filled on a temporary basis by persons who have a doctoral degree in an appropriate field of study for research activities of mutual interest to the appointees and their agencies and who are referred by the National Research Council under its postdoctoral research associate program. Appointments are made initially for 1 year. Agencies may extend an appointment for up to one additional year when the program committee at the laboratory concerned determines that extension would benefit both the associate and the laboratory. This authority takes the place of several individual agency authorities, which are now revoked. Effective on publication in the FEDERAL REGISTER, paragraph (aa) is added to § 213.3102 and the following authorities are revoked as set out below: subparagraph (1) of paragraph (i) of § 213.3107; subparagraph (1) of paragraph (e) and subparagraph (1) of paragraph (g) of § 213.3108; subparagraph (1) of paragraph (e) of § 213.3109; subparagraph (3) of paragraph (g) of § 213.3113; subparagraph (1) of paragraph (e) and subparagraph (3) of paragraph (j) of § 213.3114; and subparagraph (1) of paragraph (h) of § 213.3116.

§ 213.3102 **Entire executive civil service.**

* * * * *

(aa) Scientific and professional research associate positions at GS–12 and above when filled on a temporary basis by persons having a doctoral degree in an appropriate field of study for research activities of mutual interest to appointees and their agencies. Appointments are limited to persons referred by the National Research Council under its postdoctoral research associate program and may be made initially for 1 year only. An agency may extend an appointment made under this authority for up to one additional year when the program committee at the laboratory concerned determines that extension will benefit both the associate and the laboratory.

§ 213.3107 **Department of the Army.**

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(i) [Revoked]

§ 213.3108 **Department of the Navy.**

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(e) [Revoked]

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(g) [Revoked]

§ 213.3109 **Department of the Air Force.**

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(e) [Revoked]

§ 213.3113 **Department of Agriculture.**

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(g) *Agricultural Research Service.* * * *

(3) [Revoked]

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§ 213.3114 **Department of Commerce.**

* * * * *

(e) [Revoked]

* * * * *

(j) *Environmental Science Services Administration.* * * *

(3) [Revoked]

§ 213.3116 **Department of Health, Education, and Welfare.**

* * * * *

(h) [Revoked]

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

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

[F.R. Doc. 67-8420; Filed, July 19, 1967; 8:51 a.m.]

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 409—ARIZONA-DESERT VALLEY CITRUS CROP INSURANCE

Subpart—Regulations for the 1967 and Succeeding Crop Years

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the Arizona-Desert Valley Citrus Crop Insurance Regulations for the 1965 and Succeeding Crop Years as amended, which shall remain in full force and effect for the 1966 crop year, are hereby superseded for the 1967 and succeeding crop years by the regulations set forth below. With the publication of these regulations, all Arizona-Desert Valley citrus crop insurance contracts in force during the 1966 crop year are hereby cancelled effective beginning with the 1967 crop year. The provisions of this subpart shall apply in counties in Arizona and in the Desert Valley, consisting of Imperial County, Calif., and that portion of Riverside County, Calif., lying east of a line drawn due north and south through the post office in the town of White Water, Calif., until amended or superseded, to all continuous citrus crop insurance contracts as they relate to the 1967 and succeeding crop years: *Provided, however,* That these regulations shall not apply to any insured with a contract of insurance in force in 1966 unless such insured files an application for insurance effective beginning with the 1967 crop year.

Sec.

AUTHORITY: The provisions of this subpart issued under secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.

§ 409.20 Availability of Arizona-Desert Valley citrus crop insurance.

Citrus crop insurance shall be offered for the 1967 and succeeding crop years under the provisions of §§ 409.20 through 409.25 in counties in Arizona and the Desert Valley within limits prescribed by and in accordance with the provisions of the Federal Crop Insurance Act, as amended. The counties shall be designated by the Manager of the Corporation from a list of counties approved by the Board of Directors of the Corporation for citrus crop insurance. The counties designated by the Manager shall be published by appendix to this section.

§ 409.21 Premium rates and amounts of insurance.

(a) The Manager shall establish premium rates and the amounts of insurance per standard field box which shall be shown on the county actuarial table on file in the office for the county. Such premium rates and amounts of insurance may be changed from year to year.

(b) Any premium reduction earned under the provision of section 7 of the Application and Policy set forth in § 409.25 shall upon death of the insured inure to the benefit of his estate or surviving spouse and, upon approval of the Corporation, shall inure to any person operating the same farm or farms as the deceased insured who the Corporation determines has been actively participating in the farming operations by assisting in the management or by furnishing labor for compensation. If the insured is a partnership (which for the purpose of this section shall be deemed to include any other joint enterprise), the premium reduction earned by such insured shall, upon dissolution of the partnership, inure to the benefit of each member who has a contract of insurance in force in the year immediately following the dissolution covering only a part or all of the land involved in the partnership operation. If the insured is a partnership each of whose members had a contract of insurance in force in the year immediately preceding the formation of the partnership covering a part of the land included in the partnership operation, the smallest premium reduction earned by any member, or none if any member has earned none, shall inure to the benefit of the insured. If the insured is a partnership only one of whose members had a contract of insurance in force in the year immediately preceding the formation of the partnership, the premium reduction earned by such member shall inure to the benefit of the insured only if the insured operates the same farm or farms formerly operated by such member and if the Corporation finds that the other member or members have been actively participating in the farming operations by assisting in the management or by furnishing labor for compensation. If the insured is a corporation operating only a farm or farms previously operated by one or more stockholders, each of whom had a contract of insurance in force in the year immediately preceding the formation of the corporation, the smallest premium reduction earned by any such stockholder, or none if any such stockholder has earned none, shall inure to the benefit of the insured. If the insured was a stockholder of a dissolved corporation, which had a contract of insurance in force in the year immediately preceding its dissolution covering only the same farm or farms being operated by the insured, the premium reduction earned by the corporation shall inure to the benefit of the insured.

§ 409.22 Application for insurance.

Application for insurance may be submitted as provided in § 409.25 at the office for the county for the Corporation. The Corporation reserves the right to discontinue the taking of applications in any county upon its determination that the insurance risk involved is excessive prior to the closing date for the filing of applications. Such closing date shall be the October 31 immediately preceding the beginning of the crop year. The Corporation further reserves the right to reject any application or to exclude any definitely identified acreage for any crop year of the contract if upon inspection it deems the risk on such acreage is excessive. If any such acreage is to be excluded, the insured shall be notified of such exclusion before insurance attaches for the crop year for which the acreage is to be excluded.

§ 409.23 Public notice of indemnities paid.

The Corporation shall provide for posting annually in each county at the county courthouse a listing of the indemnities paid in the county.

§ 409.24 Creditors.

An interest of a person other than the insured in an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy, or any involuntary transfer shall not entitle the holder of the interest to any benefit under the contract other than as provided in the Application and Policy set forth in § 409.25.

§ 409.25 The application and the policy.

The provisions of the application and policy for Arizona-Desert Valley Citrus Crop Insurance for the 1967 and Succeeding Crop Year are as follows:

Application and Policy Form FCI-812—
Arizona-Desert Valley Citrus

U.S. DEPARTMENT OF AGRICULTURE

FEDERAL CROP INSURANCE CORPORATION

Application and Policy for Arizona-Desert Valley Citrus Crop Insurance

(For 19__ and Succeeding Crop Years)

(Name of insured)

(Policy number)

(Address of insured) (ZIP Code)

(County)

1. The undersigned applicant (herein called the "insured"), subject to the applicable provisions of the regulations of the Federal Crop Insurance Corporation (herein called the "Corporation"), hereby applies to the Corporation for insurance on his interest as a producer in citrus crops of the insurable types elected below (hereinafter called "the insured crop") located in the above-identified county (hereinafter called "the county"). The amounts of insurance per box and the premium rates for each crop year are shown by types on the county actuarial table (hereinafter called "the actuarial table"). The applicant hereby elects to insure the type(s) of citrus encircled below:

Type	*Kind(s)*
I	Naval Oranges.
II	Orlando Tangelos, Algerian Tangerines, Sweet Oranges, and Temple Oranges.
III	Valencia Oranges.
IV	Grapefruit.
V	Lemons.
VI	Kinnow Mandarin, Dancy Tangerines, and Minneola Tangelos.

This application, when executed by a person as an individual, shall not cover his interest in a crop produced by a partnership, or other entity.

2. *Cause of loss insured against.* The insurance provided is against unavoidable loss resulting from freeze occurring within the insurance period.

3. *Insured crop.* (a) Application for insurance may be made with respect to all types of citrus or with respect to any one or more types of citrus, as defined in section 22 hereof, produced by the insured on trees that have reached at least the sixth growing season after being set out. The insured acreage each crop year shall be all that acreage in the county of the type(s) of citrus for which the insured has applied for insurance, on which the trees have reached the sixth growing season, which is shown as insurable acreage on the actuarial table and not excluded otherwise because of risk and in which the insured has an interest on the date insurance attaches.

(b) Insurance for each crop year of the contract shall cover only citrus setting from the annual bloom occurring in the calendar year in which the insurance period begins.

4. *Supplements to application showing identification of groves, kinds, types of citrus, acres, age of trees, estimated production in standard field boxes, and interest.* The insured shall file a supplement, on a form prescribed by the Corporation, which shall be a part of this application. The insured shall show on such supplement the location of acreage, kinds, types of citrus, acres, age of trees, estimated production in boxes of citrus, and his interest therein. Such information may be revised by the insured before insurance attaches for any crop year, by giving notice in writing to the Corporation's office for the county: *Provided, however,* That if there is no indemnity payable on a unit, downward revisions of estimated production in boxes for any insurance unit (hereinafter called "unit") after insurance has attached may be allowed for premium adjustment purposes if requested by the insured by the earlier of 30 days after the crop on the unit has been harvested or by May 31 of the crop year involved, but shall be limited to the most accurate determination the Corporation can make of the production in boxes from records and other information acceptable to the Corporation. Any such downward revisions shall be made only after satisfactory evidence is provided for any unit to the Corporation. When the earned annual premium is recomputed for any unit on the basis of a downward revision made at the request of the insured after insurance has attached and there is no indemnity payable on the unit such recomputed premium shall be increased $10.

Any acceptable revision shall be a part of the application, in lieu of any supplement previously filed, and shall be considered as the basis for continuation of insurance from year to year, subject to revision as provided herein. The Corporation reserves the right to determine the production in boxes under the contract, or on any unit and the insured's interest therein. The production in boxes and the interest therein shall be the boxes and interest reported by the insured or as determined by the Corporation.

5. *The contract.* Upon acceptance of this application by the Corporation, the contract shall be in effect for the crop year specified above and shall continue for each succeeding crop year until cancelled or terminated in accordance with the applicable provisions of the contract. This application and policy, and amendments thereto, if any, and the actuarial tables for each crop year shall constitute the contract for citrus insurance. Any changes made in the contract shall not affect the continuity from year to year.

6. *Insurance period.* For each crop year insurance shall attach on November 1, unless the application is accepted after October 31 in which event insurance shall attach on the 10th day after the date of acceptance of the application by the Corporation, and as to any portion of the citrus crop shall cease upon harvest, or on January 31 for types I, II, and V and on March 31 for types III, IV, and VI of the following calendar year, whichever occurs first.

7. *Annual premium and amount of insurance.* (a) The annual premium for any crop year shall be considered as earned on the date insurance attaches and shall be determined by multiplying the amount of insurance for that crop year for the unit as determined pursuant to subsection (c) of this section by the applicable premium rate and where applicable, applying the discount provided in this section or the increase provided in section 4.

(b) The annual premium for all units shall be reduced as follows for consecutive years of insurance, without a loss for which an indemnity was paid on any unit, immediately preceding the crop year for which the reduction is applicable (eliminating any year in which a premium was not earned):

Percent premium reduction	*Consecutive years with no loss*
5 percent after	1 year.
5 percent after	2 years.
10 percent after	3 years.
10 percent after	4 years.
15 percent after	5 years.
20 percent after	6 years.
25 percent after	7 years or more.

If any insured has a loss on a crop for which an indemnity is paid, the number of such consecutive years of insurance on such crop without a loss for which an indemnity was paid shall be reduced by 3 years, except, that, where the insured has 7 or more such years, a reduction to 4 shall be made and where the insured has 3 or less such years, a reduction to zero shall be made.

(c) The amount of insurance for any crop year for any unit shall be determined by multiplying the production in boxes for the unit for that crop year as reported by the insured or as determined by the Corporation by the applicable amount of insurance per box and multiplying the product thereof by the insured's interest: *Provided, however,* That for any unit the amount of insurance for any crop year shall not exceed the product of the insured acreage thereon, and the maximum amount of insurance per acre shown on the actuarial table for such crop year and the insured's interest.

8. *Premium note.* In consideration hereof, the insured promises to pay to the order of the Federal Crop Insurance Corporation each crop year of the contract the annual premium and further agrees that any amount due the Corporation by the insured may be deducted from any indemnity payable to the insured and when not prohibited by law, from any loan or payment otherwise due the insured under any program administered by the United States Department of Agriculture.

---------- ----------, 19--
(Signature of applicant) (Date)

(Witness to signature)

9. Recommended for acceptance by:

---------- ----------, 19--
(Corporation representative) (Date)

(Grove inspector)

10. Accepted for the Corporation by:

---------- ----------, 19--
(State director) (Date)

(Address of office for county—phone)

(Location of Headquarters—phone)

11. *Life of contract.* This contract is noncancelable the first crop year and shall continue in effect for each succeeding crop year until either the insured or the Corporation cancels the contract by giving written notice to the other by the August 31 immediately preceding the crop year for which the cancellation is to become effective. If, however, any acreage is excluded from insurance under the contract by the Corporation because of the risk involved after the August 15 immediately preceding the beginning of the crop year for which such exclusion is to become effective, the insured shall have the right to cancel the contract within 15 days after notice thereof is mailed to the insured by the Corporation. The contract shall, however, terminate for non-payment of premium if such premium is not paid by the October 31 of the crop year in which the premium was earned.

12. *Contract changes.* After the first crop year the Corporation reserves the right to amend or change the terms of this contract from year to year. Any such amendment or change shall be mailed to the insured or made available at the office for the county by the August 15 immediately preceding the beginning of the crop year for which such amendment or change is to become effective. Acceptance of such amendment or change will be conclusive in the absence of any notice from the insured to cancel the contract as provided in section 11 hereof.

13. *Notice of damage or loss.* (a) It shall be a condition precedent to payment of any indemnity on any unit hereunder that the insured report each damage to the insured crop from freeze to the office for the county immediately after such damage becomes apparent, giving the date of such damage. If not reported within seven days after such damage becomes apparent the Corporation reserves the right to reject any claim arising out of such damage on the unit if it determines that it has been prejudiced by such failure to report or by failure to give notice as required in subsection (b) of this section. Notwithstanding any other provision of this section to the contrary, no insured damage shall be deemed to have occurred on any acreage damaged by freeze unless a notice of the damage thereon is given to the office for the county within 30 days after the applicable calendar date for the end of the insurance period.

(b) If damage occurs within the seven-day period before the beginning of harvest, or during harvest, and a loss is to be claimed, notice shall be given immediately. The insured shall not harvest any citrus on any acreage damaged by freeze until the Corporation has inspected such damage. If any citrus is harvested prior to such inspection, no damage shall be considered to have occurred unless the Corporation can by representative sampling of the harvested fruit determine the extent of damage.

14. *Amount of loss and proof of loss.* (a) Any claim for loss on any unit shall be submitted to the Corporation on a form prescribed by the Corporation within 30 days after the amount of loss has been determined by the Corporation.

(b) Losses shall be adjusted separately for each unit. The amount of loss with respect to any unit shall be determined by multiplying the amount of insurance for the unit (determined in accordance with subsection 7(c)), by the average percent of damage (determined in accordance with subsection (c) of this section) in excess of 10 percent.

(c) Subject to the provisions of paragraph (d) of this section the average percent of damage to the insured crop on any unit shall be the ratio of the number of boxes of the crop lost from freeze to the total number of boxes which would have been produced (hereinafter called the "potential"). The potential shall include citrus which (1) was picked before the insured damage occurred, (2) remained on the trees after the damage occurred, (3) was lost from freeze, and (4) any other citrus covered by insurance not included in items (1) through (3), including citrus lost from causes not insured against other than normal dropping, "rots," and "splits." Citrus lost from freeze shall be citrus to which damage from freeze is serious as defined in the laws of the State in which the county is geographically located, as determined from grove inspections, marketing agency records, proof furnished by the insured or from any other method as determined by the Corporation: *Provided, however,* That in making field determinations in Arizona, the Corporation may elect to determine the extent to which damage from freeze is serious by an examination of the exposed pulp on a transverse cut made through the center of the fruit. The Corporation reserves the right to make final determination of any loss by field determination or to delay the determination of the extent of damage from freeze and the settlement of any loss until the insured makes available to it complete records of the marketing of the insured crop for the crop year.

(d) If the Corporation finds that any portion of the insured crop is seriously damaged by freeze to the extent that none of the fruit in such portion is or can be packed as fresh fruit, and but for such damage such portion could be packed as fresh fruit, the Corporation shall determine that the damage to such portion is 100 percent. If any portion has been eliminated by the packing house in packing fresh fruit for reasons other than damage freeze, or if the Corporation determines by a field examination that a portion of said crop would be so eliminated, the Corporation shall determine, by examining a representative sample, the amount of such portion that is also seriously damaged by freeze and only such amount shall be considered as lost due to freeze for the purpose of computing an indemnity hereunder. It shall be a condition precedent to payment of any claim that the insured furnish all records of production and such other information as the Corporation requires to determine the manner and extent of damage or loss.

(e) If the Corporation determines that frost protection equipment was not properly

utilized or was improperly reported the indemnity otherwise computed for the unit shall be reduced by the percent of premimum reduction given for frost protection equipment.

(f) In the event that any claim for indemnity under the provisions of the contract is denied by the Corporation, an action on such claim may be brought against the Corporation under the provisions of 7 U.S.C. 1508(c): *Provided*, That the same is brought within one year after the date notice of denial of the claim is mailed to and received by the insured.

15. *Payment of indemnity.* (a) Any indemnity will be paid within 30 days after a claim for loss is approved by the Corporation: *Provided*, That in no event shall the Corporation be liable for interest or damages in connection with any claim for indemnity.

(b) If the insured is an entity other than an individual and is dissolved or is an individual who dies or is judicially declared incompetent before insurance attaches in any crop year, the contract shall terminate as of the date of dissolution, death, or judicial declaration, but if such an event occurs after insurance attaches in any crop year the contract shall terminate at the end of such crop year and any indemnity payable shall be paid to the person(s) the Corporation determines to be beneficially entitled thereto.

(c) For the purposes of subsection (b) hereof, death of a partner in a partnership shall dissolve the partnership unless the partnership agreement provides otherwise. If two or more persons having a joint interest are insured jointly death of one of the parties shall dissolve the joint entity.

16. *Insured interest.* For the purpose of determining the amount of indemnity the interest insured shall not exceed the interest of the insured at the time of damage, as determined by the Corporation.

17. *Abandonment of crop.* There shall be no abandonment of the insured crop or portion thereof to the Corporation.

18. *Misrepresentation and fraud.* The Corporation may void the contract without affecting the insured's liability for premiums or waiving any right or remedy including the right to collect any unpaid premiums if at any time, either before or after any loss, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, and such voidance shall be effective as of the beginning of the crop year with respect to the crop on which any such act or omission occurred.

19. *Collateral assignment—Transfer of interest.* The right to an indemnity in any crop year may be assigned by the insured only as security upon prior approval of the Corporation. If the insured transfers his interest in the insured crop in any crop year he may, upon prior approval of the Corporation, transfer his right to an indemnity for such crop year with respect to the transferred interest in the insured crop. Any assignment or transfer shall be made on assignment or transfer forms prescribed by the Corporation and shall be subject to all the terms set forth thereon and to the terms hereof.

20. *Subrogation.* The insured (including his assignee or transferee) assigns to the Corporation all rights of recovery against any person for loss or damage to the extent that payment hereunder is made and shall execute all papers required and take appropriate action to secure such rights.

21. *Forms.* Copies of forms referred to in the contract are available at the office for the county.

22. *Meaning of terms.* For purposes of insurance on citrus the terms:

(a) "County actuarial table" means the actuarial forms and related material (including the crop insurance maps where applicable) which are approved by the Corporation which are on file for public inspection in the office for the county and which show the applicable amounts of insurance per box, premium rates, the maximum amount of insurance per acre, and related information with respect to citrus crop insurance for the crop year in the county.

(b) "Office for the county" means the Corporation's office serving the county shown in this application and policy, or such office as may be designated by the Corporation from time to time, and may serve more than one county.

(c) "County" means the area shown on the actuarial table which may include insurable acreage located in a local producing area bordering on the county.

(d) "Crop year" means the period beginning November 1 and extending through October 31 of the following calendar year and shall be designated by reference to the calendar year in which the insurance period begins.

(e) "Harvest" means any severance of citrus fruit from the tree either by pulling or picking, or picking the marketable fruit from the ground.

(f) "Insurance unit" means all insurable acreage in the county of any one of the six citrus types (see (h) below) (1) in which type of citrus the insured has 100 percent interest on the date insurance attaches for the crop year and which is located on contiguous land under the same ownership, or (2) in which type of citrus two or more persons have 100 percent interest on the date insurance attaches for the crop year and which type is located on contiguous land under the same ownership, excluding any other acreage of such type of citrus in which such persons do not have 100 percent interest in such citrus on such date. Land rented for cash or for a fixed commodity payment shall be considered as owned by the lessee. Contiguous land shall include only land that is touching at any point except that land that is separated only by a public or private way shall be considered contiguous.

(g) "Producer" means a person who has a share, or has the entire interest, in the insured crop at the time insurance attaches.

(h) "Types of citrus" means any one of six types as follows: Type (I) Navel oranges; Type (II) Orlando tangelos, Algerian tangerines, Sweet oranges, and Temple oranges; Type (III) Valencia oranges; Type (IV) Grapefruit; Type (V) Lemons; and Type (VI) Kinnow mandarin, Dancy tangerines, and Minneola tangelos.

(i) "Box" means a standard citrus field picking box as prescribed in the Agricultural Code of California.

NOTE: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on July 12, 1967.

[SEAL] MORRIE S. HILL,
Acting Secretary,
Federal Crop Insurance Corporation.

Approved: July 14, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-8382; Filed, July 19, 1967; 8:48 a.m.]

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

SUBCHAPTER K—GENERAL CONDITIONAL PAYMENTS PROVISIONS

PART 893—PUERTO RICO

Pursuant to the provisions of the Sugar Act of 1948, as amended, the title of Part 893 is amended to read "Part 893—Puerto Rico"; §§ 893.1 through 893.10 are rescinded and new §§ 893.1 through 893.12 are added to read as follows:

Sec.
893.1 Regulations, as effective, and definitions.
893.2 Compliance with child labor provisions of the Act.
893.3 Tenant and sharecropper protection.
893.4 Compliance with other conditions of payment.
893.5 Instructions and forms.
893.6 Filing application for payment.
893.7 Determination of eligibility and basis for payment, review and changes in determinations and appeals for review thereof.
893.8 Obtaining information regarding eligibility for payment.
893.9 Conditions of payment not met where producer prevents obtaining information.
893.10 Preservation of sugar production records.
893.11 Computation of Sugar Act payment.
893.12 List of prescribed forms.

AUTHORITY: The provisions of this Part 893 issued pursuant to sec. 302, Sugar Act of 1948, as amended (sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132).

§ 893.1 Regulations, as effective, and definitions.

(a) The regulations in the following §§ 893.1 through 893.12 become effective on the 20th day after the date of publication of such sections in the FEDERAL REGISTER, shall continue in effect until amended, superseded or revoked, and shall apply to actions or proceedings initiated after such effective date. As used in this part, the terms:

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

(c) "Deputy Administrator" or "DASCO" means the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(d) "Director" means the person employed to be responsible for the day-to-day operations of the Agricultural Stabilization and Conservation Service Caribbean Area Office, or any employee of such office authorized to act on his behalf.

(e) "Area Office" means the Agricultural Stabilization and Conservation Service Caribbean Area Office.

(f) "District Office" means the Agricultural Stabilization and Conservation Service Caribbean District Office.

(g) "Person" means an individual, partnership, corporation or association.

(h) "Producer" means a person who is the legal owner, at the time of harvest or abandonment, of a portion or all of a crop of sugarcane grown on a farm for the extraction of sugar or liquid sugar.

(i) "Processor-producer" means a producer who is determined to be also a processor. A producer shall be deemed to be also a processor:

(1) If such producer is directly engaged in the processing of sugarcane for sugar;

(2) If such producer, whether alone or in conjunction with others, controls a person directly engaged in the processing of sugarcane for sugar, either by stock ownership or otherwise; or

(3) If such producer is controlled, whether through stock ownership or otherwise, by a person directly engaged in the processing of sugarcane for sugar.

(j) "Farm" shall have the meaning set forth in Part 827 of this chapter.

(k) "Crop" means sugarcane which was or will be produced and processed (or abandoned) during the two consecutive calendar years used to designate a crop. The first calendar year represents the year in which the majority of growth of the cane to be harvested occurs and the second calendar year represents the year in which most of this cane is harvested and processed.

(l) "Act" means the Sugar Act of 1948, as amended.

§ 893.2 Compliance with child labor provisions of the Act.

(a) *Applicability.* As a condition for payment under the Act, no child under the age of fourteen years shall have been employed or permitted to work on the farm, whether for gain to such child or any other person, in the production, cultivation, or harvesting of a crop of sugarcane with respect to which application for payment is made, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed; and no child between the ages of 14 and 16 years shall have been employed or permitted to do such work, whether for gain to such child or any other person, for a longer period than 8 hours in any 1 day, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed.

(b) *Deduction for noncompliance.* Payment authorized under the Act may be made notwithstanding a failure to comply with the conditions set forth in paragraph (a) of this section, but the payments made with respect to any crop shall be subject to a deduction of $10 for each child for each day or a portion of a day during which such child was employed or permitted to work contrary to the provision of this section.

(c) *Proof of age.* The producer on a farm upon which a child is found by a representative of the Area or district office to have worked or to be working in the production, cultivation or harvesting of a crop of sugarcane shall be required, upon request of the representative, to furnish proof of age of the child if such child is not a member of the immediate family of a person owning at least 40 percent of the crop of sugarcane at the time such work was performed. Proof of age may be established by,

(1) An age certificate issued pursuant to any child labor program carried out under Commonwealth or Federal supervision,

(2) A birth certificate or transcript thereof,

(3) A baptismal certificate showing the date of birth,

(4) A passport,

(5) An insurance policy, or

(6) A Bible record.

(d) *Proving child member of producer's immediate family.* If it is alleged that the child is a member of the immediate family of a person who owns such 40 percent of a crop, such person or a producer on the farm must establish such relationship to the satisfaction of the representative of the Area or district office. "Member of the immediate family" is deemed to include children who constitute the household of a person when such person is responsible for and provides the support of such children either as parent or in place of the parent.

(e) *Checking compliance with child labor provisions.* In accordance with instructions issued by DASCO, the Director shall determine by random selection the farms on which child labor compliance checks shall be made. The farm operator shall be notified immediately of any violation of these provisions.

§ 893.3 Tenant and sharecropper protection.

In addition to compliance with the conditions for payment prescribed by the Act, eligibility for payment of any producer of sugarcane with respect to any crop shall be subject to the following conditions:

(a) The number of share tenants or sharecroppers engaged in the production of sugarcane of such crop on the farm of such producer shall not be reduced below the number so engaged with respect to the previous crop unless such reduction is approved by the Director. The Director shall approve such reduction when the reduction was the result of voluntary action of the share tenant or sharecropper, or was caused by reasons beyond the control of the producer.

(b) Such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or any other producer any payments to which share tenants or sharecroppers would be entitled if their leasing or cropping agreements for the previous crop were in effect except with the approval of the Director prior to entering into the leasing or cropping agreement for the current crop. The Director shall approve such change when the leasing or cropping agreement provides for a benefit or compensation to the share tenant or sharecropper comparable to the amount of the payment diverted.

§ 893.4 Compliance with other conditions of payment.

All requirements of the Act and the determinations issued pursuant thereto with respect to wage rates, farm proportionate shares (if in effect) and, in the case of a processor-producer, prices paid for sugarcane shall be met.

§ 893.5 Instructions and forms.

The Deputy Administrator shall cause to be prepared for issuance to the Area office such forms and internal management instructions as are necessary for carrying out the regulations in this part and regulations hereafter issued. These forms, instructions, and data pertaining to the individual farms are available in the Area office. A list of forms prescribed for the conditional payment program in Puerto Rico is set forth in § 893.12.

§ 893.6 Filing application for payment.

(a) *Form to be used.* Application for payment authorized under Title III of the Act with respect to sugarcane planted on a farm for harvest during a crop season shall be made on Form SU–150. The required information shall be entered on the form and the form shall be made available for execution by the producer at such place and time as determined by the Area or district office or it may be mailed to him for his execution. The producer shall be notified by the Area or district office of the place and the time the form is available for execution.

(b) *Person eligible to apply for payment.* The producer on the farm, or his legal representative, must sign and file the form in the Area or district office or with a representative of such Area or district office for the municipality in which the farm headquarters is located or, in the absence of a farm headquarters, for the municipality in which the major portion of land suitable for the production of sugarcane is located.

(c) *Closing date for filing.* Form SU–150 must be filed with respect to a crop of sugarcane no later than June 30 of the second calendar year after the calendar year in which the crop harvest was completed in Puerto Rico.

(d) *Exception to closing date requirement.* An application may be filed after the closing date if the Director determines that the applicant was prevented from filing by such date because of illness or other reason beyond his control.

(e) *Person eligible to receive payment.* Payment shall be made to a producer of the sugarcane in accordance with the provisions of section 304(d) of the Act. In the event of the death, disappearance, or incompetency of the producer, payment shall be made to the beneficiary as designated in the application for payment by the producer, or if no such beneficiary is named, to the producer's legal representative or his heirs as determined by the Director.

(f) *Assignments.* Sugar Act payments may not be assigned.

(g) *Receivers.* A Sugar Act payment may not be made to a receiver.

§ 893.7 Determination of eligibility and basis for payment, review and changes in determinations and appeals for review thereof.

The finality provisions of section 306 of the Act apply to determinations made in conformity with the regulations in this § 893.7. Compliance with the conditions prescribed by the Act and regulations for any payment authorized under Title III of the Act, the facts constituting the basis for any such payment, and the amount thereof, shall be determined by the Director, any such determination to be subject to redetermination initiated by the Director and to review initiated by DASCO and to approval or redetermination by DASCO. Determinations and redeterminations by the Director or DASCO shall be made and decided in accordance with the applicable provisions of the Act and regulations issued by the Secretary thereunder, and on the facts in the individual case. The producers on the farm with respect to which such a determination or redetermination is made shall be promptly notified in writing of the substance and meaning of the determination or redetermination, the amounts of any payments and any reduction in payments which are determined; and that the producer may obtain reconsideration or review of the determination or redetermination and an informal hearing in connection therewith, by filing a written request within 15 days from the date of mailing of such written notification. The written notification also shall state where the request for reconsideration or review should be filed and where further information in regard to appeal procedure and the hearing may be obtained. The provisions apprising producers of their rights to request reconsideration or appeal from determinations affecting their eligibility for or the amount of payments under the Act, and the procedures to follow in such instances including time limitations for filing requests for reconsideration and appeals are contained in Chapter VII, Part 780 of this title. The procedures applicable to claims for unpaid wages are provided for under regulations pertaining thereto as issued by the Secretary, and contained in Part 867 of this chapter.

§ 893.8 Obtaining information regarding eligibility for payment.

Where it is necessary to obtain information to assist the Director in determining compliance with the conditions prescribed by the Act and regulations for any payment authorized under Title III of the Act, the facts constituting the basis for any such payment or the amount thereof, or to assist the Deputy Administrator in reviewing, upon appeal or upon his own initiative any such determination by the Director, any such information with respect to acreage or compliance shall be obtained to the extent possible as provided in the applicable provisions of Part 718 of Chapter VII of this title, as amended. In the absence of a provision in such Part 718 of this title for obtaining any such information, any employee of the district or Area office designated by the Director to be qualified to perform such a duty may obtain such information.

§ 893.9 Conditions of payment not met where producer prevents obtaining information.

If the producer, or his representative, on any farm with respect to which application is made for any payment authorized under Title III of the Act prevents the obtaining of the information necessary to determine compliance with the conditions for any such payment, the facts constituting the basis of any such payment or the amount thereof, the conditions prescribed by the Act and regulations for any such payment shall be deemed not to have been met until such producer (including processor-producers) or his representative permits such information to be obtained.

§ 893.10 Preservation of sugar production records.

For the purpose of providing records to be made and preserved in the Area office for use in establishing proportionate shares, when required:

(a) The subdivisions of any farm which is subdivided shall be credited with the actual sugar production record, if available, of each subdivision for the five crops immediately preceding the crop when such farm is subdivided, or

(b) If actual records are not available, the production record of the farm shall be divided among the subdivisions on a basis agreed upon by all persons concerned in the subdivision subject to the approval of the Director, or

(c) In the absence of actual records and such agreement, the Director shall determine the division of the farm's production record among the subdivisions, on the basis of acreage of sugarcane growing thereon or suitable for growing sugarcane.

(d) The production record for a reconstituted farm shall be the total of the production records for such 5-year period credited to the constituent parts of the farm.

(e) The sugar production record of any parcel of land which is to be utilized for purposes other than the production of sugarcane for sugar shall, upon written application by the owner to the Director, be transferred to any other parcel or parcels of land owned by such applicant in Puerto Rico if the Director finds that the transfer of the production record will encourage a wise use of land resources, foster greater diversification of agricultural production and promote the conservation of soil and water resources in Puerto Rico, and the Director determines that such transfer of production record is in the public interest and will facilitate the sale or rental of the land for other productive purposes.

§ 893.11 Computation of Sugar Act payment.

Payment is made as to each farm, and the amount of payment is scaled down as shown in the following table when the quantity of sugar for which payment may be made as determined from sugarcane planted on the farm exceeds 7,000 hundredweight. The Sugar Act payment for the amount of commercially recoverable sugar determined for a farm shall be computed by the Director in accordance with the following table:

If the cwt. of commercially recoverable sugar determined for a farm is—	Multiply it by—	Then add—
1 to 7,000	$0.80	$0.00
7,001 to 14,000	.75	350.00
14,001 to 20,000	.70	1,050.00
20,001 to 30,000	.60	3,050.00
30,001 to 60,000	.55	4,550.00
60,001 to 120,000	.525	6,000.00
120,001 to 240,000	.50	9,050.00
240,001 to 600,000	.475	15,050.00
More than 600,000	.30	120,050.00

For example: If the cwt. of commercially recoverable sugar determined for a farm (item 12 on Form SU-150-1) is 13,000 cwt., multiply it by $0.75. To that result add $350 to give $10,100, the amount of the payment.

§ 893.12 List of prescribed forms.

Forms prescribed for the conditional payment program in Puerto Rico.

Form No. and title	
SU-140	Wage Compliance Check Sheet.
SU-150	Application for Payment.
SU-150-1	Application for Payment Supplement.
SU-150-2	Abandonment and Deficiency Area Worksheet.
SU-151	Manufacturing Report.
SU-154	Crop Marketing Compliance Report.
SU-155	Report of Performance.
SU-159	Request for Transfer of Base Production.
SU-162	Farm Production Record.
SU-162-1	Farm Production Record Worksheet.
SU-165	New Grower Farm.
SU-190	Child Labor Compliance Check Sheet.
SU-191	Claim Against Producer for Unpaid Wages.
SU-193	Worker's Claim for Payment of Unpaid Wages.
SU-195	Sugar Act Payment Deduction.

Statement of bases and considerations. To qualify for Sugar Act payments, sugarcane producers must comply with various general provisions and requirements of the Act, as implemented in determinations issued by the Secretary. In addition, they must file applications for payments, use approved forms, adhere to certain instructions and furnish information regarding eligibility for payment and the basis for payment and in connection with appeals for review thereof. Formerly, some of these provisions were incorporated in the proportionate share regulations. Since proportionate shares are not necessarily required for each year, certain of these provisions were incorporated in Part 893.

This action represents a reissuance of these general provisions, with several additions. Provisions have been added which set forth the long established rule that Sugar Act payments may not be assigned and may not be made to receivers. The determination of eligibility and basis for payment and appeals for review thereof has been updated to be consistent with regulations governing appeals (Chapter VII, Part 780).

The method of computing Sugar Act payments has been incorporated into the

regulations. Also, the definition of "processor-producer" as stated in 7 CFR 821.1 has been added.

Provisions of the Act relating to proportionate shares and not included herein will be incorporated in regulations pertaining to proportionate shares when it is determined by the Secretary that such shares are required.

Accordingly, I hereby find and conclude that the foregoing regulation will effectuate the applicable provisions of the Act.

Effective date: The 20th day after date of publication.

Signed at Washington, D.C., on July 12, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-8379; Filed July 19, 1967; 8:48 a.m.]

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

[Avocado Order 9, Amdt. 3]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of avocados in that it permits shipment of certain varieties of avocados at earlier dates and lighter weights than currently provided.

Order. The provisions of paragraph (a)(2) of § 915.309 (32 F.R. 7213, 8761, 10156) are hereby amended by revising in Table I certain dates and minimum weights and diameters applicable to the Pollock, Simmonds, Nadir, and Katherine varieties of avocados, so that after such revision the portion of Table I relating to said varieties reads as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Pollock	7-10-67	18 oz. 3 1/16 in.	7-17-67	16 oz. 3 1/16 in.	7-31-67		
Simmonds	7-10-67	16 oz. 3 1/16 in.	7-17-67	14 oz. 3 1/16 in.	7-31-67		
Nadir	7-17-67	10 oz. 2 5/16 in.	7-24-67	8 oz. 2 1/16 in.	8- 7-67		
Katherine	7-17-67	14 oz.	7-31-67				

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

Dated, July 14, 1967, to become effective July 17, 1967.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-8381; Filed, July 19, 1967; 8:48 a.m.]

[Avocado Reg. 15, Amdt. 2]

PART 944—FRUIT; IMPORT REGULATIONS

Avocados

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), the provisions of paragraph (a) of § 944.7 (Avocado Regulation 15; 32 F.R. 7245, 10052) are hereby amended as follows:

§ 944.7 Avocado Regulation 15.

(a) On and after the effective time of this section, the importation into the United States of any avocados is prohibited unless such avocados are inspected and meet the following requirements:

(1) All avocados imported during the period May 20, 1967, through April 30, 1968, shall grade not less than U.S. No. 3.

(2) Avocados of the Pollock variety shall not be imported (i) during the period from July 17 through July 30, 1967, unless the individual avocados in each lot weigh at least 16 ounces or measure at least 3 1/16 inches in diameter.

* * * * *

(5) Avocados of the Nadir variety shall not be imported (i) during the period from July 17 through July 23, 1967, unless the individual avocados in each lot weigh at least 10 ounces or measure at least 2 1/16 inches in diameter, and (ii) during the period from July 24 through August 6, 1967, unless the individual fruit in each lot of such avocados weigh at least 8 ounces or measure at least 2 1/16 inches in diameter. Avocados of any variety other than Pollock, Catalina, Trapp, and Nadir shall not be imported from July 17, 1967, through July 30, 1967, unless the individual avocados in each lot weigh at least 14 ounces; and from July 31, 1967, through September 17, 1967, unless the individual fruit in each lot of such avocados weigh at least 10 ounces: *Provided*, That any lot of such avocados may be imported without regard to the minimum weight requirements of this paragraph if such avocados when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same grade and comparable maturity requirements on imports of avocados as are being made applicable to the shipment of avocados grown in Florida under Avocado Regulation 9, as amended, which becomes effective July 17, 1967; (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on imports of Pollock and Nadir varieties of avocados.

Dated, July 14, 1967, to become effective July 17, 1967.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-8380; Filed, July 19, 1967; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 7898; Amdt. 39-450]

PART 39—AIRWORTHINESS DIRECTIVES

Model BAC 1-11 200 and 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection and if necessary, replacement or modification of all flap secondary transmission support bearing assemblies

on Model BAC 1-11 200 and 400 Series airplanes was published in 32 F.R. 5939.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 200 and 400 Series airplanes.

Compliance required as indicated.

To detect failures of joints in the secondary flap transmission shafts, accomplish the following:

(a) On BAC 1-11 200 Series airplanes only, within the next 150 hours' time in service after the effective date of this AD, unless already accomplished, inspect all flap secondary transmission support bearing assemblies in accordance with British Aircraft Corporation (BAC) 1-11 Alert Service Bulletin No. 27-A-PM 1928, Issue 3, or later ARB-approved issue, or FAA-approved equivalent. All defective bearing assemblies must be replaced before further flight in accordance with this Service Bulletin, or FAA-approved equivalent. Non-defective bearing assemblies may be continued in service without further inspection.

(b) On BAC 1-11 200 and 400 Series airplanes, within the next 150 hours' time in service after the effective date of this AD, unless already accomplished within the last 450 hours' time in service and thereafter at intervals not to exceed 600 hours' time in service from the last inspection, conduct a functional check of the flap secondary transmission system followed by a visual examination of the transmission shaft joints as detailed in British Aircraft Corporation Alert Service Bulletin No. 27-A-PM 1928, Issue 3, or later ARB-approved issue, or FAA-approved equivalent. Correct defects found before further flight.

(c) The repetitive functional check and inspections required in paragraph (b) may be discontinued if the airplanes are modified in accordance with BAC Service Bulletin 27-PM-1928 paragraphs (a) and (b) and BAC Service Bulletin PM-2720 (a) and (b), or modified in accordance with BAC Service Bulletin PM-2720 (a), (b), (c), and (d), or FAA-approved equivalent.

This amendment becomes effective August 19, 1967.

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

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

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-8403; Filed, July 19, 1967; 8:49 a.m.]

[Docket No. 8087; Amdt. 39-447]

PART 39—AIRWORTHINESS DIRECTIVES

BAC 1-11 Model 203/AE, 204/AF, 212/AR, 401/AK, and 410/AQ Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection for deterioration and replacement, if necessary, of oxygen face mask pieces installed on BAC 1-11 Model 203/AE, 204/AF, 212/AR, 401/AK and 410/AQ Series airplanes was published in 32 F.R. 5996.

Interested persons have been afforded an opportunity to participate in the making of the amendment. Several comments were received stating that the commentators believed the proposed 600-hour repetitive inspection requirement was too stringent and urged at least 1,200-hour intervals between inspections. The requirement in the proposed AD that the oxygen face mask pieces be reinspected at 600-hour intervals was the result of an oversight in drafting the proposal, and the AD has been revised to require the inspections at 1,200-hour intervals. Since this change is a relaxation of the requirement of the proposed AD and imposes no additional burden on any person, further notice and public procedure thereon are not required.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 203/AE, 204/AF, 212/AR, 401/AK, and 410/AQ series airplanes.

Compliance required as indicated.

To prevent the use of unserviceable drop-out oxygen mask face pieces, accomplish the following:

(a) Within the next 600 hours' time in service after the effective date of this AD, unless already accomplished within the last 600 hours' time in service, and thereafter at intervals not to exceed 1,200 hours' time in service from the last inspection, visually examine all oxygen mask face pieces, Part Nos. WK 28420, WK 28171, and WK 31342, for deterioration in accordance with BAC 1-11 Alert Service Bulletin 35-A-PM 2795, Issue No. 1, dated January 16, 1967, or later ARB-approved issue, or FAA-approved equivalent.

(b) Replace deteriorated oxygen mask face pieces found during the inspections required by paragraph (a) with either serviceable face pieces of the same part number or modified face pieces, Walter Kidde Part Nos. WK 33298, WK 33299, and WK 33300, in accordance with BAC Service Bulletin 35-PM 2795, or later ARB-approved issue, or FAA-approved equivalent, before further flight.

(c) The repetitive inspections required by paragraph (a) may be discontinued when the oxygen face mask pieces are modified in accordance with BAC Service Bulletin 35-PM 2795, or later ARB-approved issue, or FAA-approved equivalent.

This amendment becomes effective August 19, 1967.

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

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

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-8404; Filed, July 19, 1967; 8:49 a.m.]

[Docket No. 7797; Amdt. 39-448]

PART 39—AIRWORTHINESS DIRECTIVES

Lycoming Engines Equipped With Bendix RSA-5 Series Fuel Injection Systems

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of the Delrin stemmed fuel diaphragm with a steel stemmed diaphragm in the Lycoming engine using the Bendix RSA-5 Series fuel injection systems was published in 31 F.R. 15813.

Interested persons have been afforded an opportunity to participate in the making of the amendment, and all matter submitted has been fully considered. Several comments suggested that although the AD does not and should not apply to diaphragms containing green teflon coated stems which are currently in use, it should not authorize such diaphragms as replacement parts since internal leakage which could affect engine idle has been attributed to the green teflon coated stems and these stems are no longer in production. Although these stems are no longer being manufactured, they may be available as off the shelf replacement parts. Moreover, the FAA has determined that the slight leakage that might occur under idling conditions does not constitute a safety hazard. Similarly, the suggestion that the AD should require the replacement of all the parts suggested in Lycoming Service Bulletin 305B is rejected. While any possibility of internal leakage might be eliminated if the fuel diaphragm assembly with the uncoated steel stem P/N 2523307 and the new center bushing P/N 252531 are installed, and the installation of the center bushing at the same time the AD requirement is met might eliminate the possibility of the added expense of subsequently having to open up the fuel injector if internal leakage is encountered, nevertheless this is a choice which should be left to the aircraft owner in the absence of a showing that the interests of safety require it. One commentator suggested that Bendix Service Bulletin No. 18, Revision 4, should be included as an additional reference. The Lycoming Service Bulletin 305B adequately covers the requirements of the AD and in addition references the Bendix Service Bulletin. Thus, no public purpose would be served by including this redundant reference.

Subsequent to the issuance of the proposed AD, the FAA received reports of additional failures of the Delrin stem. The FAA has determined that it is therefore necessary to reduce the compliance times from 100 hours' time in service to within the next 50 hours' time in service.

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

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

LYCOMING. Applies to Model IO-320 Series, IO-360-A1A, -A2A, -B1B, -B1C, -B1D, -C1A, -IVO-360-A1A, HIO-360-A1A, -B1A, -B1B, -C1A, IO-540-C1B5, -C1C5, -C2C, C4B5 and D4A5 engines. Engines equipped with the latest Bendix RSA-5 Series fuel injectors listed below are excepted as follows:

Parts list numbers with suffix numbers after the serial number as shown or higher are excepted. (Where a suffix number does not appear, compliance is required.)

Parts List	*Serial No./Suffix No.*
2524054-2	S.N./33
2524119-2	S.N./15
2524145-3	S.N./24
2524147-3	S.N./14
2524171-2	S.N./10
2524189-2	S.N./10
2524213-2	S.N./7
2524216-2	S.N./12
2524199-2	S.N./15

Compliance required within the next 50 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent possible failures of the Delrin stemmed fuel diaphragm assembly P/N 2520687 or 2523067, accomplish the following:

Remove fuel diaphragm assembly P/N 2520687 or P/N 2523067, and spring holder P/N 2520636 and replace with fuel diaphragm assembly P/N 2523307, either uncoated or green teflon coated, retainer cup P/N 2523478 and nut P/N 178491.

(Lycoming Service Bulletin No. 305B covers this subject.)

This amendment becomes effective August 9, 1967.

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

Issued in Washington, D.C., on July 11, 1967.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-8405; Filed, July 19, 1967; 8:50 a.m.]

[Docket No. 8080; Amdt. 39-449]

PART 39—AIRWORTHINESS DIRECTIVES

Tost Type Universal 53 Glider Tow Couplings

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of the bracket type automatic release of the tow coupling with the ring type automatic release in accordance with Tost Modification No. 2/65 on Tost Type Universal 53 glider tow couplings installed on Schempp-Hirth Models Standard Austria S, SH, and SH-1; Scheibe Flugzeugbau Models L-Spatz 55, Bergfalke II 55, and SF 26A; and Alexander Schleicher Models Ka 6CR, Ka 6 E, K 7, and K 8 B gliders was published in 32 F.R. 5808.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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

TOST. Applies to Tost Type Universal 53 glider tow couplings with Serial Numbers 1 through 29999, installed on Schempp-Hirth Models Standard Austria S, SH, and SH-1; Scheibe Flugzeugbau Models L-Spatz 55, Bergfalke II 55, and SF 26A; and Alexander Schleicher Models Ka 6 CR, Ka 6 E, K 7, and K 8 B, gliders.

Compliance required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

To reduce the release load on the glider coupling when the tow cable imposes asymmetrical loads, replace, in accordance with Tost Modification No. 2/65, dated November 9, 1965, or FAA-approved equivalent, the bracket type automatic releases of the tow coupling with ring type automatic releases that conform to the Luftfahrt-Bundesamt approved type certificate 60.290/11 or later approved issued, or FAA-approved equivalent.

This amendment becomes effective August 19, 1967.

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

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

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-8406; Filed, July 19, 1967; 8:50 a.m.]

[Docket No. 8285; Amdt. 61-35]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Condition for Issuing Instrument Rating Based on Military Competence

The purpose of this amendment to Part 61 of the Federal Aviation Regulations is to provide that no person may obtain the issuance of an instrument rating on the basis of military competence, under § 61.31(c), unless his military instrument rating or card authorizes him to serve as pilot in command in IFR operations in controlled airspace.

Section 61.31(c) (Instrument rating) provides that a private or commercial pilot who holds a current military instrument rating or card is entitled under Part 61 to an instrument rating (for helicopter or other aircraft, as the case may be). Prior to the recodification of the Civil Air Regulations into the Federal Aviation Regulations, § 20.111(c) provided that the standards under which a military instrument rating was issued must be not less than those prescribed for the issuance of an instrument rating under Part 20. The regulation then included this provision because at one time the Armed Forces of the United States issued instrument cards limiting the instrument privileges of the holders. At the time of the recodification it was ascertained that the Armed Forces of the United States no longer issued instrument cards so limited, and the standards provision therefore was omitted from Part 61.

The FAA has been advised that the U.S. Army now issues a "pink" instrument card, known as a "Tactical Instrument Card," authorizing the holder to conduct instrument flight operations only in "tactical environment, outside control zones and areas." The card is issued to pilots who have not been trained in airway IFR operations or in the use of standard approach procedures. The card does not provide evidence that the holder meets the usual instrument flight training or proficiency standards, and therefore is not considered an appropriate basis for issuing an instrument rating under § 61.31(c). It is desirable to state clearly in the regulations as a qualifying condition that an instrument rating is not issued under § 61.31(c) if the applicant's military instrument rating or card does not authorize the holder to serve as pilot in command in IFR operations in controlled airspace.

Since this amendment is clarifying in nature and imposes no additional burden on any person, notice and public procedure thereon are unnecessary, and good cause exists for making it effective on less than 30 days' notice.

In consideration of the foregoing, § 61.31 of the Federal Aviation Regulations is amended by inserting the following subparagraph after paragraph (c)(2), effective July 20, 1967:

§ 61.31 Military pilots or former military pilots: special rules.

* * * * * * *

(c) * * *

(3) No person may obtain the issuance of an instrument rating under this paragraph unless his military instrument rating or card authorizes him to serve as pilot in command in IFR operations in controlled airspace.

* * * * * * *

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

Issued in Washington, D.C., on July 14, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-8410; Filed, July 19, 1967; 8:50 a.m.]

[Airspace Docket No. 67-WE-33]

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

Alteration of Federal Airway

On June 16, 1967, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (32 F.R. 8681) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the floor of V-210 from Tuba City, Ariz., to Farmington, N. Mex.

Interested persons were afforded an opportunity to participate in the rule making procedures through the submis-

sion of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 14, 1967, as hereinafter set forth.

Section 71.123 (32 F.R. 2009, 6435, 7251) is amended as follows:

In V-210 all between "12 AGL Tuba City, Ariz.;" and "12 AGL Alamosa, Colo.," is deleted and "10 mi. 90 MSL, 91 mi. 105 MSL, 12 AGL Farmington, N. Mex.;" is substituted therefor.

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

Issued in Washington, D.C., on July 14, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-8407; Filed, July 19, 1967; 8:50 a.m.]

[Airspace Docket No. 67-WE-12]

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

Designation of Additional Control Area

On May 19, 1967, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (32 F.R. 7463) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate an additional control area at Omak, Wash.

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

The location of the Omak RBN was cited in the notice as latitude 48°27'30" N., longitude 119°30'45" W. Subsequent to publication of the notice a mathematical computation has determined that the exact location of the RBN is latitude 48°27'13" N., longitude 119°30'56" W.

Since the change in location of the beacon is minor in nature and will cause no undue burden for any person, the Administrator has determined that notice and public procedure thereon is unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t. September 14, 1967 as hereinafter set forth.

In § 71.163 (32 F.R. 2063) the following is added:

OMAK, WASH.

That airspace extending upward from 5,500 feet MSL within 5 miles each side of a line extending from the Omak RBN to the Ephrata, Wash., VOR.

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

Issued in Washington, D.C., on July 14, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-8408; Filed, July 19, 1967; 8:50 a.m.]

[Airspace Docket No. 67-SW-11]

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

Designation of Transition Area

Correction

In F.R. Doc. 67-6833 appearing at page 8709 of the issue for Saturday, June 17, 1967, the transition area designation for Jasper, Texas, is corrected to read as follows:

JASPER, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Jasper County Airport (latitude 30°53'45" N., longitude 94°01'30" W.) and within 2 miles each side of the 359° bearing from the Jasper RBN extending from the 5-mile radius area to 8 miles north of the RBN; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 30°37'00" N., longitude 94°11'00" W., to latitude 30°54'20" N., longitude 94°24'45" W., to and counterclockwise along the arc of a 25-mile radius circle centered at the Lufkin VORTAC to latitude 31°07'00" N., to latitude 31°08'00" N., longitude 94°02'00" W., to latitude 30°44'00" N., longitude 93°51'00" W., to point of beginning.

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER D—SECURITY

PART 156—DEPARTMENT OF DEFENSE CIVILIAN APPLICANT AND EMPLOYEE SECURITY PROGRAM

Notice Requirements

The following miscellaneous amendment to Part 156 has been approved:

Section 156.13 is revised to read as follows:

§ 156.13 Notice requirements.

Pursuant to Executive Order 10450, as amended, and in order to assist the Civil Service Commission in discharging its responsibilities under that Order, the Department of Defense Components will notify the Civil Service Commission of the action taken as soon as possible after the receipt of the final investigative report on a civilian officer or employee subject to full field investigation under the provisions of the Order. In the case of a completely favorable investigation, notification shall be made within thirty (30) days. In the case of an unfavorable investigation, notification shall be made within ninety (90) days. In both situations, if special circumstances have precluded accomplishing the reports to the Civil Service Commission within the time limits, continuing reports will be made to the Civil Service Commission every thirty (30) days until accomplished. Such notice shall be in accordance with and conform to the requirements of the Civil Service Commission as stipulated in Chapter 736, Appendix B-1, Federal Personnel Manual, 1963. The Assistant Secretary of Defense (Administration) shall be notified with regard to each suspension or termination under provision of section 7532 of title 5, U.S. Code, and of reinstatement, restoration to duty or reemployment following any suspension or termination. Such notice shall be made no later than 10 days after each such action has occurred and will include the full name, date and place of birth, grade, type of action, and the date the action was taken with respect to such employee.

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

[F.R. Doc. 67-8342; Filed, July 19, 1967; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER A—TEST FEE SCHEDULES

PART 201—ELECTRICITY

Pulse Power, Peak Measurement, Coaxial Systems

Under the provisions of 15 U.S.C. 275 (a) and 277, the test fee schedules of the National Bureau of Standards, Department of Commerce, pertaining to electricity are amended as provided herein. The amendment is effective upon publication in the FEDERAL REGISTER. Section 201.822 of Title 15 of the Code of Federal Regulations is amended by adding calibration services as follows:

§ 201.822 Pulse power, peak measurement, coaxial systems.

* * * * *

Item	Description	Fee
* * *	* * *	* * *
201.822c.....	Calibration of instrument for measuring peak power of pulsed signals in coaxial systems, in the frequency range of 300 to 500 MHz, at a peak power in the range of 1 mW to 2.5 kW; at a pulse width in the range of 2 to 10 μsec, and at a pulse repetition rate in the range of 100 to 1600 pps with a maximum duty factor of 0.0033.	(*)
201.822d.....	Calibration of instrument for measuring peak power of pulsed signals in coaxial systems at each additional peak power level or a different pulse width or pulse repetition rate, at the same frequency as for 201.822c.	(*)
* * *	* * *	* * *

*As fixed prices have not been established for these services, charges will be made for actual costs incurred. Upon request, estimates will be furnished for specific tasks which should provide a close approximation of actual costs.

Dated: June 29, 1967.

I. C. SCHOONOVER,
Acting Director.

[F.R. Doc. 67-8338; Filed, July 19, 1967; 8:45 a.m.]

PART 205—ANALYTICAL CHEMISTRY

Under the provisions of 15 U.S.C. 275a and 277, the test fee schedule of the National Bureau of Standards, Department of Commerce, pertaining to Part 205, Analytical Chemistry, is revised to increase the fee as provided herein to assure full recovery of the cost of providing calibration services, and to change the main heading of § 205.101 from "Pure Materials" to "Pure Substances". The revision, effective upon publication in the FEDERAL REGISTER, supersedes Part 205, 15 CFR, previously issued.

PURE SUBSTANCES

§ 205.101 Measurement of physical properties of primary reference fuels used for octane number determination.

Item	Description	Fee
205.101a.....	Measurement of physical properties of primary reference fuels used for octane number determination.	$475.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277; interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: June 29, 1967.

I. C. SCHOONOVER,
Acting Director.

[F.R. Doc. 67-8337; Filed, July 19, 1967; 8:45 a.m.]

PART 208—METALLURGY

PART 230—STANDARD REFERENCE MATERIALS

Miscellaneous Amendments

Part 208, Metallurgy, is superseded by § 230.8-21 of Part 230, Title 15, Code of Federal Regulations. Accordingly, Part 208, 15 CFR, is deleted.

The items previously listed in Part 208 relating to standard thickness samples of electroplated coatings no longer come under the test and calibration services program of the Bureau. However, the items are available as standard reference materials as listed in § 230.8-21 of Part 230, Title 15, Code of Federal Regulations. See the FEDERAL REGISTER of February 14, 1967 (32 F.R. 2844).

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

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: June 29, 1967.

I. C. SCHOONOVER,
Acting Director.

[F.R. Doc. 67-8339; Filed, July 19, 1967; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-1234]

PART 13—PROHIBITED TRADE PRACTICES

Alan Libman and Brand Stores

Subpart—Advertising falsely or misleadingly: § 13.73 *Formal regulatory and statutory requirements;* § 13.155 *Prices:* 13.155-10 Bait; 13.155-100 Usual as reduced, special, etc. Subpart—Misrepresenting oneself and goods—Prices: § 13.1779 *Bait;* § 13.1825 *Usual as reduced or to be increased.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Alan Libman, doing business as Brand Stores, Boston, Mass., Docket C-1234, June 30, 1967.]

In the Matter of Alan Libman, an Individual, Doing Business as Brand Stores

Consent order requiring a Boston, Mass., retailer of sewing machines and vacuum cleaners to cease using bait advertisements, deceptive pricing and savings claims, and other deceptive means to sell his merchandise.

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

It is ordered, That respondent Alan Libman, an individual, doing business as Brand Stores, or under any other trade name or names, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of sewing machines, vacuum cleaners or any other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, in any manner, any advertisement, sales plan, scheme, or device wherein false, misleading, or deceptive statements or representations are made in order to obtain leads or prospects for the sale of other merchandise or services.

2. Making representations purporting to offer merchandise for sale when the purpose of the representation is not to sell the offered merchandise but to obtain leads or prospects for the sale of other merchandise at higher prices.

3. Discouraging the purchase of or disparaging any merchandise or services which are advertised or offered for sale.

4. Representing, directly or by implication, that any merchandise or services are offered for sale when such offer is not a bona fide offer to sell such merchandise or services.

5. Representing, directly or by implication, that advertised products are in stock and available for purchase; provided, however, that it shall be a defense in any enforcement proceeding instituted hereunder for respondent to establish that the advertised products were in stock and were available.

6. Representing, directly or by implication, that any price for respondent's products is a special or reduced price, unless such price constitutes a significant reduction from an established selling price at which such products have been sold in substantial quantities by respondent in the recent regular course of his business, or misrepresenting in any manner the savings available to purchasers.

7. Representing, directly or by implication, that respondent finances his customer's installment contracts or notes or does not negotiate such notes to finance companies.

8. Failing to disclose orally at the time of sale and in writing on any conditional sales contract, promissory note or other instrument executed by the purchaser, with such conspicuousness and clarity as is likely to be read and observed by the purchaser that:

(1) Such conditional sales contract, promissory note or other instrument may, at the option of the seller and without notice to the purchaser, be negotiated or assigned to a finance company or other third party.

(2) If such negotiation or assignment is effected, the purchaser will then owe the amount due under the contract to the finance company or third party and may have to pay this amount in full whether or not he has claims against the seller under the contract for defects in the merchandise, nondelivery or the like.

9. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of the respondent's products to purchasers; and failing to secure from each such person a signed statement acknowledging receipt of said order and agreeing to abide by the requirements of said order and to refrain from engaging in any of the acts or practices prohibited by said order; and for failure so to do, agreeing to dismissal or to the withholding of commissions, salaries, and other remunerations or both to dismissal and to withholding of commissions, salaries, and other remunerations.

It is further ordered, That the respondent herein shall, within 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: June 30, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-8356; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1235]

PART 13—PROHIBITED TRADE PRACTICES

Brookport Classics, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–80 Wool 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; 15 U.S.C. 45, 68) [Cease and desist order, Brookport Classics, Inc., et al., New York, N.Y., Docket C–1235, June 30, 1967.]

In the Matter of Brookport Classics, Inc., a Corporation, and Jacques Schweitzer and Mac Savid, individually and as officers of said corporation.

Consent order requiring a New York City clothing manufacturer to cease misbranding its woolen car coats.

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

It is ordered, That Brookport Classics, Inc., a corporation, and its officers, and Jacques Schweitzer and Mac Savid, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate of other device, in connection with the introduction or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

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

Issued: June 30, 1967.

By the Commission.

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

[F.R. Doc. 67-8357; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1230]

PART 13—PROHIBITED TRADE PRACTICES

Herman Somerstein and Amy-Joy Novelty Co.

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

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; Sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Herman Somerstein trading as Amy-Joy Novelty Co., New York, N.Y., Docket C–1230, June 26, 1967.]

In the Matter of Herman Somerstein, an individual trading as Amy-Joy Novelty Company

Consent order requiring a New York City manufacturing furrier to cease misbranding and falsely invoicing his fur products.

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

It is ordered, That respondent Herman Somerstein, an individual trading as Amy-Joy Novelty Co., or any other name, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding any fur product by:

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

2. Failing to disclose on a label that such fur product is composed in whole or in substantial part of paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scrap pieces, or waste fur.

3. Failing to set forth on a label the item number or mark assigned to such fur product.

B. Falsely or deceptively invoicing any fur product by:

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

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

3. Failing to disclose on an invoice that such fur product is composed in whole or in substantial part of paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scrap pieces, or waste fur.

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

It is further ordered, That the repondent herein shall, within 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: June 26, 1967.

By the Commission.

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

[F.R. Doc. 67-8358; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1232]

PART 13—PROHIBITED TRADE PRACTICES

Horowitz & Birnbach, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; Sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Horowitz & Birnbach, Inc., et al., New York, N.Y., Docket C–1232, June 26, 1967.]

In the Matter of Horowitz & Birnbach, Inc., a Corporation, and Nathaniel Birnbach and Harry Birnbach, Individually and as Officers of Said Corporation

Consent order requiring a New York City manufacturing furrier to cease misbranding its fur products.

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

It is ordered, That respondents Horowitz & Birnbach, Inc., a corporation, and its officers, and Nathaniel Birnbach and Harry Birnbach, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the

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

Misbranding any fur product by:

(a) Representing, directly or by implication, on a label that the fur contained in such fur product is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

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

(c) Failing to set forth on a label the item number or mark assigned to such fur product.

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

Issued: June 26, 1967.

By the Commission.

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

[F.R. Doc. 67-8359; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1233]

PART 13—PROHIBITED TRADE PRACTICES

Meiman Mills, Inc. and Sheldon Meiman

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties:* 13.1053-90 Wool Products Labeling Act. Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108-40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-90 Wool Products Labeling Act; § 13.1325 *Source or origin:* 13.1325-70 Place: 13.1325-70(a) Domestic product as imported. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845-80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-80 Wool Products Labeling Act. Subpart—Using misleading name—Goods: § 13.2280 *Composition:* 13.2280-80 Wool Products Labeling Act; § 13.2345 *Source or origin:* 13.2345-65 Place: 13.2345-65(a) Domestic product as imported.

(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; 15 U.S.C. 45, 68) [Cease and desist order, Meiman Mills, Inc., et al., Yantic, Conn., Docket C-1233, June 27, 1967]

In the Matter of Meiman Mills, Inc., a Corporation, and Sheldon Meiman, Individually and as an Officer of Said Corporation

Consent order requiring a Yantic, Conn., manufacturer of woolen yarn to cease misbranding and falsely guaranteeing its wool products.

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

It is ordered, That respondents Meiman Mills, Inc., a corporation, and its officers, and Sheldon Meiman, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

Misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products by use of the word "Shetland" or any simulation thereof, either alone or in connection with other words, to designate, describe, or refer to any product which is not composed entirely of wool from Shetland sheep raised on the Shetland Islands or the contiguous mainland of Scotland.

2. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

3. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the country of origin.

4. Failing to securely affix to, or place on, each such product, a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

5. Failing to set forth the common generic name of fibers in naming such fibers in the required information on stamps, tags, labels, or other means of identification attached to such wool products.

6. Setting forth information required under section 4(a)(2) of the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder, in abbreviated form on stamps, tags, labels, or other means of identification on or affixed to wool products.

7. Using the term "mohair" in lieu of the word "wool" in setting forth the required information on labels affixed to wool products unless the fibers described as "mohair" are entitled to that designation and are present in at least the amount stated.

8. Using the term "virgin" as descriptive of a wool product or part of a wool product, when the part so described is not composed wholly of new or virgin wool which had never been used or reclaimed, reworked, reprocessed or reused from spun, woven, knitted, felted or otherwise manufactured or used products.

It is further ordered, That respondents Meiman Mills, Inc., a corporation, and its officers, and Sheldon Meiman, individually and as an officer of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any wool product is not misbranded under the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder, when there is any reason to believe that any wool product so guaranteed may be introduced, sold, transported or distributed in commerce.

It is further ordered, That respondents Meiman Mills, Inc., a corporation, and its officers, and Sheldon Meiman, individually and as an officer of the said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of yarns or other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "Shetland," or any simulation thereof, either alone or in connection with other words, to designate, describe, or refer to any product which is not composed entirely of wool of Shetland sheep raised on the Shetland Islands or the contiguous mainland of Scotland: *Provided, however,* That in the case of a product composed in part of wool of Shetland sheep and in part of other fibers or materials, such word may be used as descriptive of the Shetland wool content if there are used in immediate connection therewith, with at least equal conspicuousness, words truthfully describing such other constituent fibers or materials.

2. Misrepresenting the character or amount of constituent fibers contained in such yarns or other products on invoices, on shipping memoranda applicable thereto, or in any other manner.

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

Issued: June 27, 1967.

By the Commission.

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

[F.R. Doc. 67-8360; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1238]

PART 13—PROHIBITED TRADE PRACTICES

Rock River Woolen Mills et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108–40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.-1845–80 Wool Products Labeling Act; § 13.1852 *Formal regulatory* and statutory requirements: 13.1852–80 Wool 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; 15 U.S.C. 45, 68) [Cease and desist order, Rock River Woolen Mills et al., Brownwood, Tex., Docket C–1238, June 30, 1967]

In the Matter of Rock River Woolen Mills, a Corporation, and James B. Tait and Robert J. Tait, Individually and as Officers of Said Corporation

Consent order requiring a Brownwood, Tex., clothing manufacturer to cease misbranding and falsely invoicing its wool products.

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

It is ordered, That Rock River Woolen Mills, a corporation, and its officers, and James B. Tait and Robert J. Tait, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment, or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to set forth the common generic name of fibers in the required information on stamps, tags, labels, or other means of identification attached to wool products.

It is further ordered, That respondents Rock River Woolen Mills, a corporation, and its officers, and James B. Tait, and Robert J. Tait, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directory or through any corporate or other device, in connection with the offering for sale, sale, or distribution of fabrics or other products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of the constituent fibers contained in such products, on invoices or shipping memoranda applicable thereto or in any other manner.

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

Issued: June 30, 1967.

By the Commission.

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

[F.R. Doc. 67-8361; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1237]

PART 13—PROHIBITED TRADE PRACTICES

Sani Distributors, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–90 Wool Products Labeling Act. § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–80 Wool 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; 15 U.S.C. 45, 68) [Cease and desist order, Sani Distributors, Inc., et al., New York, N.Y., Docket C–1237, June 30, 1967.]

In the Matter of Sani Distributors, Inc., a Corporation, and Sham Sani and Lal C. Sani, Individually and as Officers of Said Corporation

Consent order requiring a New York City importer of wool fabrics to cease misbranding its wool products.

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

It is ordered, That respondents Sani Distributors, Inc., a corporation, and its officers, and Sham Sani and Lal C. Sani, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

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

Issued: June 30, 1967.

By the Commission.

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

[F.R. Doc. 67-8362; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1231]

PART 13—PROHIBITED TRADE PRACTICES

Sidney Bitterman, Inc., et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–80 Wool 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; 15 U.S.C. 45, 68) [Cease and desist order, Sidney Bitterman, Inc., et al., New York, New York, Docket C–1231, June 26, 1967.]

In the Matter of Sidney Bitterman, Inc., a Corporation, and Caroline Bitterman, Leonard Bitterman, and Howard Bitterman, Individually and as Officers of Said Corporation

Consent order requiring a New York City clothing manufacturer to cease misbranding its wool products.

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

It is ordered, That respondents Sidney Bitterman, Inc., a corporation, and its officers, and Caroline Bitterman, Leonard Bitterman, and Howard Bitterman, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the manufacture for introduction into commerce, the introduction into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding wool products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

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

Issued: June 26, 1967.

By the Commission.

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

[F.R. Doc. 67-8363; Filed, July 19, 1967; 8:46 a.m.]

[Docket C-1236]

PART 13—PROHIBITED TRADE PRACTICES

Variety Dresses et al.

Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-80 Wool 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; 15 U.S.C. 45, 68) [Cease and desist order Variety Dresses trading as Dan-Dee Sportswear, New York, N.Y., Docket C-1236, June 30, 1967]

In the Matter of Variety Dresses, a Partnership, Trading as Dan-Dee Sportswear, and Samuel Rankus, and Moe Weber, Individually and as Copartners Trading as Variety Dresses

Consent order requiring a New York City partnership to cease misbranding its wool products.

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

It is ordered, That respondent Variety Dresses, a partnership, trading as Dan-Dee Sportswear, or any other name and Samuel Rankus and Moe Weber, individually and as copartners trading as Variety Dresses, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification correctly showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

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

Issued: June 30, 1967.

By the Commission.

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

[F.R. Doc. 67-8364; Filed July 19, 1967; 8:46 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 40—FARM LABOR CONTRACTOR REGISTRATION

Insurance Carriers

In the May 9, 1967, issue of the FEDERAL REGISTER (32 F.R. 7025), there was published a proposal to amend 29 CFR 40.4(d). Interested persons were given 30 days in which to file written statements of data, views, or argument in regard to the proposal. None was received. Accordingly, effective August 20, 1967, I have decided to and do hereby adopt the proposal to read as set forth below.

As amended paragraph (d) of § 40.4 reads as follows:

§ 40.4 Application for Certificate of Registration.

* * * * *

(d)(1) No certificate of insurance filed by an insurance carrier in accordance with this section will be accepted, unless said insurance carrier meets the following requirements:

(i) The insurance carrier possesses and maintains surplus funds (policyholders' surplus) of not less than $500,000, which minimum shall be determined on the basis of the values of assets and liabilities as shown in its financial statements filed with and approved by the insurance department or other insurance regulatory authority of the State of domicile (home State) of such company, except in instances where in the judgment of the Administrator additional evidence with respect to such values is considered necessary; and

(ii) The insurance carrier has a general policyholder's rating of B or better in the current issue of "Best's—Insurance Reports—Fire and Casualty," or a "recommended" rating in the current issue of "Best's—Insurance Reports—Life."

(2) If the insurance carrier is not listed in the current issue of Best's, or, if listed, is not assigned a general policyholder's rating of B or better or "recommended" whichever is applicable, such carrier may request approval for eligibility by submitting to the Administrator its latest financial statement, as filed with the insurance department of its home State, on the Convention form statement, with all exhibits and schedules included, and copies of reports of examination on conditions and affairs, as prepared by State supervisory authorities and such other information as the Administrator may request.

* * * * *

(Sec. 14, 78 Stat. 924; 7 U.S.C. 2053)

Signed at Washington, D.C., this 14th day of July 1967.

ROBERT C. GOODWIN, *Administrator, Bureau of Employment Security.*

[F.R. Doc. 67-8443; Filed, July 19, 1967; 8:52 a.m.]

Chapter V—Wage and Hour Division, Department of Labor

PART 526—INDUSTRIES OF A SEASONAL NATURE AND INDUSTRIES WITH MARKED SEASONAL PEAKS OF OPERATION

Dairy Products Industry

On January 20, 1967, a notice was published in the FEDERAL REGISTER (32 F.R. 674) proposing to find that the dairy products industry, as defined, is characterized by marked annually recurring seasonal peaks of operation at the places of first processing or first marketing of perishable agricultural commodities from farms, within the meaning, and under authority, of section 7(d)(1)(A) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(d)(1)(A)) as amended by the Fair Labor Standards Amendments of 1966 (P.L. 89-601).

Interested persons were given 30 days in which to present written data, views, or argument. After consideration of such relevant matter as was presented and pursuant to section 7(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(d)), Reorganization Plan No. 6 of 1950 (3 CFR 1949—53 Comp., p. 1004), General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), and the procedure set forth in 29 CFR Part 326 (32 F.R. 5775), such finding is hereby made. Accordingly, 29 CFR 526.11 is amended by adding "Dairy products industry" to the list there provided, with the date of this document shown under the heading of "Date of finding," and the volume and page of the FEDERAL REGISTER in which this document appears under the heading "Citation." As this amendment merely grants an exemption, no delay in its effective date is required by 5 U.S.C. 553(d). Such delay would serve no useful

purpose. This amendment shall, therefore, be effective immediately.

For purpose of this finding, the dairy products industry is defined to include all, but only, the following operations:

(a) Transportation of milk and cream from farms.

(b) Handling and preparing milk or cream at receiving stations, fluid milk plants and processing plants, and transporting the milk or cream from one to the other.

(c) First processing of milk, buttermilk, whey, skimmed milk or cream into dairy products, including: Pasteurized, flavored, condensed, evaporated, concentrated, or dried, whole or skimmed milk; sweet, sour, or dried cream; whey, renovated, process or creamery butter; any variety of cheese including natural or processed; condensed, evaporated, or dried buttermilk; wet or dried casein; malted milk powder; crude milk sugar; ice cream, ice milk, and sherbet (except water ices).

(d) Any operations or services necessary or incident to the foregoing performed by employees employed by an employer in an enterprise which is in the industry, including necessary packaging, storage, and shipping at the plant of the dairy products made by the enterprise, plant maintenance, machinery repair, clerical work necessary or incident to the operations described in paragraphs (a) through (c), handling the nondairy ingredients used in the dairy products, aging, cleaning, paraffining, weighing, slicing, and wrapping cheese made by the enterprise, assembling knock-down boxes, and transferring ingredients and supplies from stock to meet the daily needs of processing operations.

(e) Any other operations normally performed in the Dairy Products Industry which do not occupy more than 20 percent of the time worked in any workweek by an employee for whom the exemption is claimed.

Not included in the industry are operations which do not constitute or are not necessary or incident to the operations of an enterprise engaged in activities described in paragraphs (a) through (c) above, and which exceed the amount provided in (e) above, such as storing, slicing, and packaging cheese and printing, wrapping, and storing butter bought in bulk from cheesemakers and buttermakers, further processing of dry casein, regrinding, rescreening, and repacking dried whey, handling and distributing nondairy products, and assembling and distributing dairy products as a wholesaler or other distributor.

(29 U.S.C. 207(d))

Signed at Washington, D.C., this 17th day of July 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions, United States Department of Labor.

[F.R. Doc. 67-8442; Filed, July 19, 1967; 8:52 a.m.]

Chapter XIV—Equal Employment Opportunity Commission

PART 1602—RECORDS AND REPORTS

Apprenticeship and Labor Organization Reporting and Recordkeeping Requirements

Pursuant to the authority vested in it by section 709(c) of Title VII of the Civil Rights Act of 1964, 78 Stat. 263, 42 U.S.C.A. section 2000e et seq., and after consideration of the testimony and statements submitted in response to notices of proposed rule making published February 14 (32 F.R. 2852), February 28 (32 F.R. 3364), and May 25, 1967 (32 F.R. 7635), and at public hearings held pursuant thereto on March 21 and June 20, 1967, the Equal Employment Opportunity Commission hereby amends Title 29, Chapter XIV, Part 1602, of the Code of Federal Regulations by adding thereto Subparts D through H, set forth below. In view of the publicity accorded to the proposed rules and the fact that the rules adopted call for compliance between August 1, and September 30, 1967, and between August 1, and November 30, 1967, the Commission finds no useful purpose would be served by delay in the effective date, and accordingly these rules shall become effective on the date of their publication in the FEDERAL REGISTER.

Subpart D—Apprenticeship Information Report

Sec.

Subpart E—Apprenticeship Recordkeeping

Subpart F—Local Union Equal Employment Opportunity Report

Subpart G—Recordkeeping by Labor Organizations

Subpart H—Records and Inquiries as to Race, Color, National Origin, or Sex

AUTHORITY: The provisions of Subparts D through H issued under secs. 709, 713, 78 Stat. 263, 265; 42 U.S.C. 2000e-8, 2000e-12.

Subpart D—Apprenticeship Information Report

§ 1602.15 Requirement for filing and preserving copy of report.

On or before September 30, 1967, and annually thereafter, certain joint labor-management committees subject to Title VII of the Civil Rights Act of 1964 which control apprenticeship programs shall file with the Commission, or its delegate, executed copies of Apprenticeship Information Report EEO-2 in conformity with the directions set forth in the form and accompanying instructions. The committees covered by this regulation are those which (a) have five or more apprentices enrolled in the program at any time during August and September of the reporting year and (b) represent at least one employer sponsor and at least one labor organization sponsor which are themselves subject to Title VII. Every such committee shall retain at all times among the records maintained in the ordinary course of its affairs a copy of the most recent report filed, and shall make the same available if requested by an officer, agent or employee of the Commission under the authority of section 710(a) of Title VII. It is the responsibility of all such committees to obtain from the Commission or its delegate necessary supplies of the form.

§ 1602.16 Penalty for making of willfully false statements on report.

The making of willfully false statements on Report EEO-2 is a violation of the U.S. Code, Title 18, section 1001, and is punishable by fine or imprisonment as set forth therein.

§ 1602.17 Commission's remedy for failure to file report.

Any person failing or refusing to file Report EEO-2 when required to do so may be compelled to file by order of a U.S. District Court, upon application of the Commission, under authority of section 710(b) of Title VII.

§ 1602.18 Exemption from reporting requirements.

If it is claimed the preparation or filing of Report EEO-2 would create undue hardship, the committee may apply to the Commission for an exemption from the requirements set forth in this part.

§ 1602.19 Additional reporting requirements.

The Commission reserves the right to require reports, other than that designated as Report EEO-2, about apprenticeship procedures of joint labor-management committees, employers, and labor organizations whenever, in its judgment, special or supplemental reports are necessary to accomplish the purpose of Title VII. Any system for the requirement of such reports will be established in accordance with the procedures referred to in section 709(c) of Title VII and as otherwise prescribed by law.

Subpart E—Apprenticeship Recordkeeping

§ 1602.20 Records to be made or kept.

(a) Every person required to file Report EEO-2 shall make or keep such records as are necessary for its completion under the conditions and circumstances

set forth in the instructions accompanying the report, which are specifically incorporated herein by reference and have the same force and effect as other sections of this part.

(b) Every employer, labor organization, and joint labor-management committee subject to Title VII which controls an apprenticeship program (regardless of any joint or individual obligation to file a report) shall, beginning August 1, 1967, maintain a list in chronological order containing the names and addresses of all persons who have applied to participate in the apprenticeship program, including the dates on which such applications were received. (See section 709(c), Title VII, Civil Rights Act of 1964). Such list shall contain a notation of the sex of the applicant and of the applicant's identification as "Negro," "Spanish American," "Oriental," "American Indian," or "Other." The methods of making such identification are set forth in the instructions accompanying Report EEO–2, section 7. The words "applied," "applicant" and "application" as used in this section refer to situations involving actual applications only. An applicant is considered to be a person who files a formal application, or in some informal way indicates a specific intention to be considered for admission to the apprenticeship program. A person who casually appears to make an informal inquiry about the program, or about apprenticeship in general, is not considered to be an applicant. The term "apprenticeship program" as used herein refers to programs described in section 8 of the instructions accompanying Report EEO–2.

(c) In lieu of maintaining the chronological list referred to in § 1602.20(b), persons required to compile the list may maintain on file written applications for participation in the apprenticeship program, provided that the application form contains a notation of the date the form was received, the address of the applicant, and a notation of the sex, and the race, color, or national origin of the applicant as decribed above.

§ 1602.21 Preservation of records made or kept.

(a) Notwithstanding the provisions of section 1602.14, every person subject to § 1602.20 (b) or (c) shall preserve the list of applicants or application forms, as the case may be, for a period of 2 years from the date the application was received, except that in those instances where an annual report is required by the Commission calling for statistics as to the sex, and the race, color, or national origin of apprentices, the person required to file the report shall preserve the list and forms for a period of 2 years or the period of a successful applicant's apprenticeship, whichever is longer. Persons required to file Report EEO–2, or other reports calling for information about the operation of an apprenticeship program similar to that required on Report EEO–2, shall preserve any other record made solely for the purpose of completing such reports for a period of 1 year from the due date thereof.

(b) Other records: Except to the extent inconsistent with the law or regulation of any State or local fair employment practices agency, or of any other Federal or State agency involved in the enforcement of an antidiscrimination program in apprenticeship, other records relating to apprenticeship made or kept by a person required to file Report EEO–2, including but not necessarily limited to test papers completed by applicants for apprenticeship and records of interviews with applicants, shall be kept for a period of 2 years from the date of the making of the record. Where a charge of discrimination has been filed, or an action brought by the Attorney General under Title VII, the respondent shall preserve all records relevant to the charge or action until final disposition of the charge or the action. The term "records relevant to the charge," for example, would include applications, forms or test papers completed by an unsuccessful applicant and by all other candidates for the same position as that for which the charging party applied and was rejected. The date of "final disposition of the charge or the action" means the date of expiration of the statutory period within which a charging party may bring an action in a U.S. District Court or, where an action is brought either by a charging party or by the Attorney General, the date on which such litigation is terminated.

Subpart F—Local Union Equal Employment Opportunity Report

§ 1602.22 Requirements for filing and preserving copy of report.

On or before November 30, 1967, and annually thereafter, every labor organization subject to Title VII of the Civil Rights Act of 1964 shall file with the Commission or its delegate an executed copy of Local Union Equal Employment Opportunity Report EEO–3 in conformity with the directions set forth in the form and accompanying instructions, provided that the labor organization has 100 or more members at any time during the 12 months preceding the due date of the report, and is a "local union" (as that term is commonly understood) or an independent or unaffiliated union. Labor organizations required to report are those which perform, in a specific jurisdiction, the functions ordinarily performed by a local union, whether or not they are so designated. Every local union, or a labor organization acting in its behalf, shall retain at all times among the records maintained in the ordinary course of its affairs a copy of the most recent report filed, and shall make the same available if requested by an officer, agent, or employee of the Commission under the authority of section 710(a) of Title VII. It is the responsibility of all persons required to file to obtain from the Commission or its delegate necessary supplies of the form.

§ 1602.23 Penalty for making of willfully false statements on reports.

The making of willfully false statements on Report EEO–3 is a violation of the United States Code, Title 18, section 1001, and is punishable by fine or imprisonment as set forth herein.

§ 1602.24 Commission's remedy for failure to file report.

Any person failing or refusing to file Report EEO–3 when required to do so may be compelled to file by order of a U.S. District Court, upon application of the Commission, under authority of section 710(b) of Title VII.

§ 1602.25 Exemption from reporting requirements.

If it is claimed that the preparation or filing of Report EEO–3 would create undue hardship, the labor organization may apply to the Commission for an exemption from the requirements set forth in this part.

§ 1602.26 Additional reporting requirements.

The Commission reserves the right to require reports, other than that designated as Report EEO–3, about the membership or referral practices or other procedures of labor organizations, whenever, in its judgment, special or supplemental reports are necessary to accomplish the purposes of Title VII. Any system for requirement of such reports will be established in accordance with the procedures referred to in section 709(c), and as otherwise prescribed by law.

Subpart G—Recordkeeping by Labor Organizations

§ 1602.27 Records to be made or kept.

Those portions of Report EEO–3 calling for information about union policies and practices and for the compilation of statistics on the race, color, national origin, and sex of members, persons referred, and apprentices, are deemed to be "records" within the meaning of section 709(c), Title VII, Civil Rights Act of 1964. Every local, independent, or unaffiliated union with 100 or more members (or any agent acting in its behalf, if the agent has responsibility for referral of persons for employment) shall make these records or such other records as are necessary for the completion of Report EEO–3 under the circumstances and conditions set forth in the instructions accompanying it, which are specifically incorporated herein by reference and have the same force and effect as other sections of this part.

§ 1602.28 Preservation of records made or kept.

(a) All records made by a labor organization or its agent solely for the purpose of completing Report EEO–3 shall be preserved for a period of 1 year from the due date of the report for which they were compiled. Unless subject to a State or local fair employment practices law or regulation governing the preservation of records inconsistent with those re-

quirements stated in this part, any labor organization identified as a "referral union" in the instructions accompanying Report EEO–3, or agent thereof, shall preserve other membership or referral records (including applications for same) made or kept by it for a period of 6 months from the date of the making of the record. Where a charge of discrimination has been filed, or an action brought by the Attorney General, against a labor organization under Title VII, the respondent labor organization shall preserve all records relevant to the charge or acting until final disposition of the charge or the action. The date of "final disposition of the charge or the action" means the date of expiration of the statutory period within which a charging party may bring an action in a U.S. District Court, or, where an action is brought against a labor organization either by a charging party or by the Attorney General, the date on which such litigation is terminated.

(b) Nothing herein shall relieve any labor organization covered by Title VII of the obligations set forth in Subpart E, §§ 1602.20 and 1602.21, relating to the establishment and maintenance of a list of applicants wishing to participate in an apprenticeship program controlled by it.

Subpart H—Records and Inquiries as to Race, Color, National Origin, or Sex

§ 1602.29 Applicability of State or local law.

The requirements imposed by the Equal Employment Opportunity Commission in these regulations, Subparts D through G, supersede any provisions of State or local law which may conflict with them. Any State or local laws prohibiting inquiries and recordkeeping with respect to race, color, national origin, or sex do not apply to inquiries required to be made under these regulations and under the instructions accompanying Reports EEO–2 and EEO–3.

LUTHER HOLCOMB,
Acting Chairman.

JULY 17, 1967.

[F.R. Doc. 67–8386; Filed, July 19, 1967; 8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

St. Marys Falls Canal and Locks, Mich.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.441 prescribing regulations for the security of St. Marys Falls Canal and Locks, Mich., is hereby amended with respect to paragraph (b), revoking subparagraph (2), effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.441 St. Marys Falls Canal and Locks, Mich.; security.

* * * * *

(b) * * *

(2) [Revoked]

* * * * *

[Regs., June 30, 1967, 1507–32 (St. Marys Falls Canal, Mich.)–ENGCW–ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

KENNETH G. WICKHAM,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 67–8340; Filed, July 19, 1967; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER C—MINERALS MANAGEMENT (3000)

[Circular No. 2229]

PART 3130—COAL LEASES, PERMITS, AND LICENSES

Miscellaneous Amendments

On page 6834 of the FEDERAL REGISTER of May 7, 1966, there were published a notice and text of proposed amendments to 43 CFR Part 3130. The purpose of the amendments was to incorporate into the regulations the acreage limitations and the provisions for development contracts for coal established by the Act of August 31, 1964 (Public Law 88–526; 78 Stat. 710), and to make certain perfecting amendments. Also, it was proposed to add a new section to the regulations governing the protection of nonmineral resources.

Interested persons were given until March 7, 1967, within which to submit written comments, suggestions, or objections to the proposed amendments. Comments were received concerning the proposed new section governing the protection of nonmineral resources and the cooperative conservation provisions. Perfecting language has been made in the subpart for cooperative conservation provisions to make the language consistent with the statute and to clarify § 3131.5–6 to make certain that "own lands" is not construed to include Federal leases "owned" by a common-carrier railroad and contributed to the cooperative arrangement.

A decision has been made not to include in Part 3130 regulations for protection of nonmineral resources, in favor of general regulations that will apply to all leasable minerals.

The regulations as modified are hereby adopted and as adopted are set forth below.

1. Section 3131.1 is amended in its entirety to read as follows:

§ 3131.1 Acreage limitations.

(a) Except where the rule of approximation applies, a permit may not exceed 5,210 acres. The rule of approximation applies to applications for prospecting permits only where elimination of the smallest legal subdivision involved would result in a deficiency of area under 5,120 acres greater than the excess over 5,120 acres resulting from the inclusion of such subdivision. A permit shall include contiguous tracts, or tracts in reasonably compact form.

(b) There is no statutory limitation on the acreage that may be included in any one leasing tract. However, the authorized officer after consultation with the mining supervisor of Geological Survey, will determine the amount of acreage to be included in each leasing tract, taking into consideration the area required for plant facilities and such other data as may be pertinent. A lease shall include contiguous tracts, except in cases where noncontiguous tracts can be efficiently worked as a single mine or unit.

(c) Except as hereinafter stated, no person, association or corporation may hold at one time coal leases or permits exceeding 46,080 acres in any one State, whether directly through the ownership of such leases and permits, or interest therein, and applications therefor, or indirectly as a member of an association or as a stockholder of a corporation holding such leases and permits, or interest therein, and applications therefor. In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease or permit shall be such party's proportionate part of the total lease and permit acreage. Likewise, the accountable acreage of a party owning an interest in a corporation or association shall be such party's proportionate part of the corporation's or association's accountable acreage except that no person shall be charged with his pro rata share of any acreage holdings of any association or corporation, unless he is the beneficial owner of more than 10 percent of the stock or other instruments of ownership or control of such association or corporation.

(d) A person, association, or corporation may file with the appropriate land office an application or applications for coal lease or permits for acreage in addition to the 46,080 acres, which application or applications shall be in multiples of 40 acres, not exceeding a total of 5,120 additional acres in any one State, and shall contain a statement showing that the granting of a lease or permit for such additional lands is necessary to carry on business economically and is in the public interest.

(e) Upon the filing of an application for additional lands as specified in paragraph (d) of this section, the coal deposits in the lands covered thereby shall be temporarily set aside and withdrawn from all forms of disposal under the Act.

(f) Notice of all applications filed for additional lands as specified in paragraph (d) of this section shall be posted in the appropriate land office, and the authorized officer shall conduct public hearings thereon. The authorized officer will thereafter determine the amount of additional acreage to be granted under this section taking into consideration the area required for plant facilities and such other data as may be pertinent. Thereafter and to the extent necessary for the applicant to carry on business economically, the authorized officer may issue coal leases or permits to the applicant for additional acreage of not more than 5,120 acres, subject to such terms and conditions as may be prescribed by the Secretary of the Interior. Such terms and conditions may require the payment either of cash bonus per acre or fraction thereof or a rental and royalty rate different from that required by the original leases or permits, or both.

2. Paragraph (b) of § 3131.2 is amended to read as follows:

§ 3131.2 Qualifications of applicants.

* * * * *

(b) Every applicant for coal permit or lease must show that, with the area applied for, his or its interest or interests in such permits, leases and applications therefor, directly or indirectly, do not exceed in the aggregate of 46,080 acres in any one State.

3. A new section is added to Subpart 3131 to read as follows:

§ 3131.5 Cooperative conservation provisions.

§ 3131.5–1 General.

Objectives: To conserve the natural resources of any coal field or prospective coal area, or any part or zone thereof, and to permit an orderly, efficient and economic development of such coal fields, the act authorizes the Secretary of the Interior to approve cooperative agreements among lessees or permittees and their representatives if such agreements or contracts are certified by the Secretary to be necessary or advisable in the public interest. It also permits him to enter into a development contract with a single lessee and to consolidate the leases or permits of one or more lessees or permittees.

§ 3131.5–2 Types of contracts.

In order to carry out the objectives of the act as set forth in § 3131.5–1, the Secretary may:

(a) Approve collective contracts of lessees and permittees and their representatives and others, for prospecting, development, or operation of coal fields or prospective coal areas, or any part or zone thereof.

(b) Enter, for the same purposes, into a development contract with a single lessee or permittee embracing his leases or permits.

(c) Consolidate separate Federal permits or leases of one or more lessees or permittees into a lesser number of permits or leases, or into a single permit or lease.

§ 3131.5–3 Special provisions of contracts.

(a) A contract approved hereunder shall not provide for an apportionment of production or royalties among the separate tracts comprising the contract area, but may provide for the commingling of production with appropriate allocation to the tracts from which produced. In connection with any contract approved or executed or with any consolidation accomplished under this subpart, the authorized officer may, with the consent of the party or parties involved, establish, alter, change, or revoke mining, producing, rental, minimum royalty, and royalty requirements of such leases or permits or contracts.

(b) In the case of any contract between lessees or their representatives, or between them and others for collective development or operation of any coal field or coal area, or any part or zone thereof, such arrangement as the working interest owners may enter into for the sharing or division of production among them shall not be deemed to be an apportionment of production or royalties among the separate tracts comprising the contract area.

§ 3131.5–4 Approval of contracts and exemption from acreage limitations.

Coal leases and permits operated under a contract approved or executed by the Secretary pursuant to the provisions of this subpart may be excepted from acreage limitations or maximum holdings or control imposed by the Act, if it be determined that such exception is required to permit economic development of the coal resources and is otherwise consistent with the public interest.

§ 3131.5–5 Application for approval.

A contract submitted for approval under this subpart should be filed with the appropriate land office, together with enough copies to permit retention of five copies after approval. It must be accompanied by a statement showing all the interests held by the contractor in the area or field and the proposed or agreed plan of operation or development of the field. All the contracts held by the same contractor in the area or filed must be submitted for approval at the same time, and full disclosure of the project made. Complete details must be furnished in order that the Secretary may have facts upon which to make a definite determination in accordance with the provisions of the act, and to prescribe the conditions on which approval of the contracts is made.

§ 3131.5–6 Common-carrier railroads.

Any company or corporation operating a common-carrier railroad which may be a party to a collective contract or development contract with a Federal lessee under this subpart, to develop its own lands, excluding Federal lands leased by the railroad, in connection with or in cooperation with a Federal lessee or lessees shall not be deemed to be given or hold a lease by virtue of any such arrangement between the working interest owners.

4. Paragraph (c) of § 3132.1–1 is amended to read as follows:

§ 3132.1–1 Leasing units.

* * * * *

(c) Leasing units may include, in whole or in part, unsurveyed land. If the lands are unsurveyed, they must be described in accordance with approved protracted surveys or, in the absence of such protracted surveys, by metes and bounds.

5. Paragraphs (a) and (b) of § 3132.1–2 are amended to read as follows:

§ 3132.1–2 Leasing of additional coal deposits.

(a) Under section 3 of the Act (30 U.S.C. 203), a lessee may obtain a modification of his lease to include coal lands or coal deposits contiguous to those embraced in his lease if the authorized officer determines that it will be to the advantage of the lessee and the United States. The lessee shall file his application for modification in duplicate in the proper land office, describing the additional lands desired, the needs and reasons for and the advantage to the lessee of such modification. Upon determination by the authorized officer that the modification is justified and that the interest of the United States is protected, the lease will be modified without competitive bidding to include such part of the land or deposits as he shall prescribe. If however, it is determined that the additional lands or deposits can be developed as part of an independent operation or that there is a competitive interest in them, they will be offered as provided in § 3132.4–2.

(b) Under section 4 of the Act (30 U.S.C. 204) upon satisfactory showing by the lessee that all of the workable deposits of coal within a tract covered by the lease will be exhausted, worked out or removed within 3 years thereafter, an additional tract of land or coal deposit may be leased. Application shall be filed in duplicate in the proper land office and shall contain a description of the lands requested, estimated recoverable reserves, future plan of operation for such reserves and for any lands requested and the proposed method of entry into such lands. If the lands or coal deposits or any part thereof are found to constitute an acceptable leasing unit, they will be offered for leasing as provided in § 3132.4–2. If the applicant be the successful bidder and the additional lands can be practicably operated with the applicant's leasehold as a single mine or unit, the additional lands may be included in a modified lease.

* * * * *

6. Subparagraphs (2), (3), and (5) of § 3132.2(a) are amended to read as follows:

§ 3132.2 Application for lease.

(a) * * *

(2) Statement of citizenship: If applicant is an individual, he must submit a statement as to his citizenship; if an association (including a partnership), it must submit a certified copy of the articles of association and a statement by its

members as to their citizenship and holdings. If the applicant is a corporation, it must submit statements showing (i) the state in which it is incorporated; (ii) that it is authorized to hold leases and permits for coal deposits, (iii) the names of the officers authorized to act in such matters in behalf of the corporation; (iv) the percentage of the corporate voting stock and of all the stock owned by aliens or those having addresses outside of the United States; and (v) the name, address, citizenship, and acreage holdings of any stockholder owning or controlling 10 percent or more of the corporate stock of any class. If more than 10 percent of the stock is owned or controlled by or on behalf of aliens, or persons who have addresses outside of the United States, the corporation must give their names and addresses, the amount and class of stock held by each, and to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each. A municipality must submit evidence of: (*a*) The manner in which it is organized; (*b*) that it is authorized to hold a permit or lease; and (*c*) that the action proposed has been duly authorized by its governing body. Where such material has previously been filed a reference by serial number to the record in which it has been filed, together with a statement as to any amendments, will be accepted.

(3) A statement of interests, direct or indirect, in other coal leases, permits, or applications thereof on Federal and non-Federal lands in the state in which the lease is desired, and the estimated reserve of coal that applicant has from any source, identifying the Federal leases by serial numbers, and whether such Federal interests, when added to the acreage covered by the application, exceed the aggregate of 46,080 acres in the state. A railroad company or corporation operating a common-carrier must state that its interests, together with the acreage covered by the application, do not exceed in the aggregate 10,240 acres.

* * * * *

(5) The showing specified in § 3131.2 (d).

* * * * *

7. Section 3132.3–1 is amended to read as follows:

§ 3132.3–1 Compliance bond.

A compliance bond on a form approved by the Director in an amount to be determined by the authorized officer but not less than $1,000 will be required prior to the issuance of a lease. The right is reserved at any time before or after issuance of a lease to require an increase in the amount of the bond whether a corporate, personal, or individual surety bond, in any case where the authorized officer of the Bureau of Land Management deems it proper to do so.

8. Paragraph (b) of § 3132.7 is amended to read as follows:

§ 3132.7 Cancellation of lease.

* * * * *

(b) A lease or permit issued pursuant to § 3131.1(f) may be canceled by the authorized officer, if the cancellation is in the public interest or the coal deposits in the lands covered thereby are no longer necessary for the lessee or permittee to carry on business economically or if the lessee or permittee has divested himself of all or any part of the original 46,080 acres or no longer has facilities for the exploitation of the deposits under lease or permit. However, such lessee or permittee will be given notice of the proposed cancellation and afforded an opportunity of submitting evidence showing why the lease or permit should not be canceled.

9. Paragraph (a) of § 3133.4 is amended to read as follows:

§ 3133.4 Permit bond.

(a) The applicant must furnish a corporate surety bond or a personal bond on a form approved by the Director conditioned upon compliance with all the terms of the prospecting permit. The bond shall be in an amount to be determined by the authorized officer, but not less than $1,000.

* * * * *

10. Paragraph (a) of § 3134.1 is amended to read as follows:

§ 3134.1 Transfers, including subleases.

(a) Permits and leases may be transferred, in whole or in part to any person, association, or corporation qualified to hold such leases and permits. The approval of a transfer of only part of the lands described in a permit or lease will create a new permit or lease which will be given a current serial number but a discovery on lands under one permit will not inure to the benefit of the other. The approval of such a transfer will not extend the life of the permit or the readjustment periods of the lease. Transfers of permits and leases, whether by direct assignments, working agreements, transfer of royalty interests, subleases or otherwise, must be filed for approval within 90 days from final execution and must contain evidence of the qualifications of the assignee or transferee, consisting of the same showing required of a lease or permit applicant by § 3132.2. If a bond is necessary it must be furnished. Transfers of record title interest must be filed in triplicate. A single executed copy of all other instruments of transfer is sufficient. A transfer will take effect the first day of the month following its final approval by the authorized officer of the Bureau of Land Management, or if the transferee requests, the first day of the month of the approval.

* * * * *

STEWART L. UDALL,
Secretary of the Interior.

JULY 12, 1967.

[P.R. Doc. 67-8366; Filed, July 19, 1967; 8:47 a.m.]

[Circular No. 2230]

PART 3160—PHOSPHATE LEASES; PROSPECTING PERMITS AND USE PERMITS

Subpart 3161—General Provisions

Subpart 3162—Competitive Leases

MISCELLANEOUS AMENDMENTS

On page 6836 of the FEDERAL REGISTER of May 7, 1966, there were published a notice and text of proposed amendments to 43 CFR Part 3160. The purpose of the amendments was to incorporate into the regulations the acreage limitations established by the Act of August 31, 1964 (Public Law 88–548; 78 Stat. 754), and to make certain perfecting amendments. Also, it was proposed to add a new section to the regulations governing the protection of nonmineral resources.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections to the proposed amendments. Several extensions of time were granted, the last extension being to March 7, 1967. Many comments were received and several meetings held with interested parties. All the comments concerned the proposed new section governing the protection of nonmineral resources. No adverse comments were received regarding the increase in acreage limitations or the perfecting amendments. Because of the extension of time granted for comments on the proposed surface use provisions, action on that part of the proposal is being deferred for the time being.

No objections having been raised concerning the other parts of the proposed amendments, the regulations as proposed, excluding the provisions of § 3161.4, are adopted and as adopted are set forth below.

1. Subparagraph (1) of paragraph (a) of § 3161.1 is amended to read as follows:

§ 3161.1 Area; limitation on holdings; term.

(a) * * *

(1) No person, association, or corporation, may hold at any one time more than 20,480 acres in the United States, whether directly through the ownership of phosphate leases, permits, and applications therefor or interests in them, or indirectly through association membership or stock ownership. In computing acreage holdings or control, the accountable acreage of a party owning an undivided interest in a lease or permit shall be such party's proportionate part of the total lease and permit acreage. Likewise the accountable acreage of a party owning an interest in a corporation or association shall be his proportionate part of the corporation's or association's accountable acreage except that no person shall be charged with his pro rata share of any acreage holding of any association or corporation unless he is the beneficial owner of more than ten per centum of the stock or other instruments of ownership or control of such association or corporation.

* * * * *

2. Subparagraph (1) of paragraph (b) of § 3161.2 is amended to read as follows:

§ 3161.2 Qualifications of applicant.

* * * * *

(b) * * *

(1) If an individual, a statement as to citizenship.

* * * * *

3. Section 3161.3–4 is amended to read as follows:

§ 3161.3–4 Permit bond.

Prior to the issuance of a permit the applicant must furnish a bond in an amount to be determined by the authorized officer, but not less than $1,000.

4. Section 3162.2 is amended to read as follows:

§ 3162.2 Lease bond.

A compliance bond in an amount to be determined by the authorized officer but not less than $1,000 will be required prior to the issuance of a lease. The right is reserved at any time before or after issuance of the lease to require an increase of the amount of the bond, whether a corporate or personal bond, in any case where the Bureau of Land Management deems it proper to do so.

STEWART L. UDALL,
Secretary of the Interior.

JULY 14, 1967.

[F.R. Doc. 67-8367; Filed, July 19, 1967; 8:47 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

PART 316—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES E

Bonds Bearing Issue Dates From December 1, 1959, Through May 1, 1960

Table 51, showing the investment yields to maturity for Series E Savings Bonds with issue dates from December 1, 1959, through May 1, 1960, which is a part of Department Circular No. 653, Seventh Revision, dated March 18, 1966, as amended (31 CFR Part 316), is hereby supplemented by addition of the redemption values and investment yields for the extended maturity period, as set forth below.

Dated: July 12, 1967.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

TABLE 51—BONDS BEARING ISSUE DATES FROM DEC. 1, 1959, THROUGH MAY 1, 1960

Issue price / Original maturity value	$18.75 / 25.00	$37.50 / 50.00	$75.00 / 100.00	$150.00 / 200.00	$375.00 / 500.00	$750.00 / 1,000.00	$7,500 / 10,000	Approximate investment yield	
Period after issue date	(1) Redemption values during each half-year period [1] (values increase on first day of period shown)							(2) On purchase price from issue date to beginning of each half-year period [2]	(3) On current redemption value from beginning of each half-year period [2] to maturity
								Percent	*Percent*
First ½ year	$18.75	$37.50	$75.00	$150.00	$375.00	$750.00	$7,500	0.00	*3.75
½ to 1 year	18.91	37.82	75.64	151.28	378.20	756.40	7,564	1.71	*3.89
1 to 1½ years	19.19	38.38	76.76	153.52	383.80	767.60	7,676	2.33	*3.96
1½ to 2 years	19.51	39.02	78.04	156.08	390.20	780.40	7,804	2.67	*4.01
2 to 2½ years	19.90	39.80	79.60	159.20	398.00	796.00	7,960	3.00	*4.01
2½ to 3 years	20.28	40.56	81.12	162.24	405.60	811.20	8,112	3.16	*4.03
3 to 3½ years	20.66	41.32	82.64	165.28	413.20	826.40	8,264	3.26	*4.05
3½ to 4 years	21.07	42.14	84.28	168.56	421.40	842.80	8,428	3.36	*4.05
4 to 4½ years	21.50	43.00	86.00	172.00	430.00	860.00	8,600	3.45	*4.05
4½ to 5 years	21.95	43.90	87.80	175.60	439.00	878.00	8,780	3.53	*4.04
5 to 5½ years	22.40	44.80	89.60	179.20	448.00	896.00	8,960	3.59	*4.03
5½ to 6 years	22.86	45.72	91.44	182.88	457.20	914.40	9,144	3.64	*4.02
6 to 6½ years	23.32	46.64	93.28	186.56	466.40	932.80	9,328	3.67	†4.43
Redemption values and investment yields to maturity on basis of Dec. 1, 1965, revision									
6½ to 7 years	$23.80	$47.60	$95.20	$190.40	$476.00	$952.00	$9,520	3.70	4.56
7 to 7½ years	24.33	48.66	97.32	194.64	486.60	973.20	9,732	3.76	4.63
7½ years to 7 years and 9 months	24.88	49.76	99.52	199.04	497.60	995.20	9,952	3.81	4.85
Maturity value (7 years and 9 months from issue date)	25.18	50.36	100.72	201.44	503.60	1,007.20	10,072	3.84	.....
Period after maturity date	Extended maturity period								(b) to extended maturity
First ½ year	$25.18	$50.36	$100.72	$201.44	$503.60	$1,007.20	$10,072	3.84	4.15
½ to 1 year	25.70	51.40	102.80	205.60	514.00	1,028.00	10,280	3.86	4.15
1 to 1½ years	26.24	52.48	104.96	209.92	524.80	1,049.60	10,496	3.88	4.15
1½ to 2 years	26.78	53.56	107.12	214.24	535.60	1,071.20	10,712	3.89	4.15
2 to 2½ years	27.34	54.68	109.36	218.72	546.80	1,093.60	10,936	3.91	4.15
2½ to 3 years	27.90	55.80	111.60	223.20	558.00	1,116.00	11,160	3.92	4.15
3 to 3½ years	28.48	56.96	113.92	227.84	569.60	1,139.20	11,392	3.93	4.15
3½ to 4 years	29.07	58.14	116.28	232.56	581.40	1,162.80	11,628	3.94	4.15
4 to 4½ years	29.68	59.36	118.72	237.44	593.60	1,187.20	11,872	3.95	4.15
4½ to 5 years	30.29	60.58	121.16	242.32	605.80	1,211.60	12,116	3.95	4.15
5 to 5½ years	30.92	61.84	123.68	247.36	618.40	1,236.80	12,368	3.96	4.15
5½ to 6 years	31.56	63.12	126.24	252.48	631.20	1,262.40	12,624	3.97	4.15
6 to 6½ years	32.22	64.44	128.88	257.76	644.40	1,288.80	12,888	3.98	4.15
6½ to 7 years	32.89	65.78	131.56	263.12	657.80	1,315.60	13,156	3.98	4.15
7 to 7½ years	33.57	67.14	134.28	268.56	671.40	1,342.80	13,428	3.99	4.15
7½ to 8 years	34.26	68.52	137.04	274.08	685.20	1,370.40	13,704	3.99	4.16
8 to 8½ years	34.98	69.96	139.92	279.84	699.60	1,399.20	13,992	4.00	4.14
8½ to 9 years	35.70	71.40	142.80	285.60	714.00	1,428.00	14,280	4.00	4.15
9 to 9½ years	36.44	72.88	145.76	291.52	728.80	1,457.60	14,576	4.01	4.16
9½ to 10 years	37.20	74.40	148.80	297.60	744.00	1,488.00	14,880	4.01	4.14
Extended maturity value (10 years from original maturity date) [3]	37.97	75.94	151.88	303.76	759.40	1,518.80	15,188	4.01	.....

*Yield from beginning of each half-year period to maturity at original maturity value prior to the Dec. 1, 1965, revision.

†Yield from effective date of the Dec. 1, 1965, revision to maturity date.

[1] 3-month period in the case of the 7½-year to 7-year and 9-month period.

[2] 17 years and 9 months from issue date.

[F.R. Doc. 67-8243; Filed, July 19, 1967; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[43 CFR Part 23]

MINED LAND RECLAMATION

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior under the Mineral Leasing Act, as amended and supplemented (30 U.S.C., secs. 181–287), the Mineral Leasing Act for Acquired Lands (30 U.S.C., secs. 351–359), and the Materials Act, as amended (30 U.S.C. 601–604), to promulgate rules and regulations governing the issuance of permits, licenses, leases and other contracts for the exploration and extraction of mineral resources underlying lands administered by the Department of the Interior, it is proposed to add a new part to Title 43, Code of Federal Regulations, relating to the protection and reclamation of surface mined lands.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the ruling making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Secretary of the Interior, Washington, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

§ 23.1 Purpose.

The purpose of the regulations in this part is to establish general requirements for the protection and reclamation of non-mineral surface resources in connection with the exploration for and development of minerals on Federal or Indian lands administered by the Department of the Interior. The regulations apply to operations under all laws relating to the disposal of minerals except the general mining laws. Specific regulations under various Acts of Congress are to be found in other chapters in the Code of Federal Regulations.

§ 23.2 Policy.

(a) It is the policy of the Department to encourage development of the mineral resources underlying Federal or Indian lands where mining is authorized. In implementing such a policy, consideration must be given to necessary measures to prevent or correct damage to the other resources—such as scenic, recreational and ecological values, including fish and wildlife—on mineral-bearing Federal land and on adjacent lands and waters; and to avoid the creation of hazards to health and safety. To this end, before exploration, development or extraction operations (under permit, license, lease or other contract) may commence on Federal or Indian lands under the jurisdiction of the Department, the holder of a permit, license, lease or contract will be required to obtain from the appropriate Departmental officer permission to operate in accordance with the regulations in this part. In order to obtain permission to operate the holder will be required to submit information showing location and area of land to be involved in the operation, proposed methods of operation, and proposed measures to be taken to prevent or correct on-site and off-site damage to lands, waters and other resources.

(b) The holder will also be required to take prescribed steps to reclaim such land. Permits, licenses, leases, or other contracts will require the holder thereof to conduct his operations in accordance with previously approved plans and applicable Departmental regulations. Permission to operate will not be granted unless the holder is willing to guarantee, by appropriate performance bond, the financial costs of measures required to prevent or correct on-site and off-site damage to the Federal lands and waters for which he is responsible, and to reclaim the site of his operations according to an approved plan.

§ 23.3 Definitions.

As used in the regulations in this part:

(a) "Appropriate Departmental officer" means an officer or representative of any bureau or office of the Department to whom the authority or responsibility for the administration of permits, licenses, leases or other contracts has been assigned or delegated under an applicable Department rule, regulation or delegation of authority;

(b) "Overburden" means all the earth and other materials which lie above a natural deposit of minerals and such earth and other material after removal from their natural state in the process of mining;

(c) "Area of land affected" means the area of land from which overburden is to be or has been removed and upon which the overburden or waste is to be or has been deposited, and includes all lands affected by the construction of new roads or the improvement or use of existing roads to gain access to an operation and for haulage;

(d) "Operation" means all of the premises, facilities, roads and equipment used in the process of determining the location, composition or quality of a mineral deposit, or in developing or extracting a mineral deposit in a designated area;

(e) "Method of operation" means the method or manner by which a cut or open pit is made, the overburden is placed or handled, water is controlled or affected and other acts performed by the operator in the process of exploring or uncovering and removing a mineral deposit;

(f) "Holder" means the person designated as the permittee, licensee, leasee or contractor in a permit, license, lease or contract of leaseable or disposable mineral materials issued by a bureau or agency of the Department of the Interior;

(g) "Reclamation" means measures undertaken to bring about the necessary reconditioning or restoration of an area of land or water that has been affected by exploration or mineral extractive operations, and waste disposal, in ways which will prevent or control on-site and off-site damage to the environment; and

(h) "Person" means any individual, partnership, firm, association, trust or corporation, or any combination thereof.

§ 23.4 Requirements for permission to operate.

(a) Before commencing any exploratory, development or extractive operation under a permit, license, lease or other contract, the holder of that permit, license, lease or other contract must obtain written permission to operate from the appropriate Departmental officer in accordance with the provisions of these regulations.

(b) The holder of a permit, license, or lease seeking permission to operate thereunder shall be required to supply to the appropriate Departmental officer in writing information necessary to implement these regulations. Such information may include, among other things, the following:

(1) A description of the location and area to be affected by the operation;

(2) A statement of the mineral or minerals to be sought or extracted;

(3) The temporary and permanent post office address of the applicant;

(4) Whether the holder, or any person associated with him, holds or has held other mineral permits, licenses, leases or other contracts issued by the Department in the State;

(5) Whether the Department has ever revoked any mineral permit, license, lease or other contract issued to the holder or any person, associated with him for failure—other than nonpayment of rental—to comply with the terms of such permit, license, or lease or any applicable Departmental regulation;

(6) Two copies of a suitable map, or suitable aerial photograph which meets the requirements of the subsections below. The map or aerial photograph shall:

(i) Show the topgraphy of the area;

(ii) Identify the area to be covered by the permit, license or lease;

(iii) Show the names and locations of all major topographic and cultural features;

(iv) Show the drainage plan on and away from the area of land affected, including the directional flow of water, natural waterways to be use for drain-

age, drainageways to be constructed, and streams or tributaries to receive the discharge; and

(v) Show the date on which the map or photograph was prepared, the north-orientation, the scale, and, if available, the quadrangle name; and

(7) A description of the proposed methods of operating, including but not limited to:

(i) Proposed roads or vehicular trails to the area;

(ii) Size and types of equipment to be utilized for exploration, development or extractive operations;

(iii) Capacity, character, standards of construction, size and location of structures and facilities to be built;

(iv) The method of handling, storing and using explosives and fire, and the safety precautions to be taken during such use;

(v) Measures to be taken to avoid damage to property or improvements, roads, trails and watercourses;

(vi) Measures to be taken to prevent or control fire, soil erosion, water pollution, damage to fish and wildlife, and hazards to public health and safety; and

(vii) Proposed manner and time of performance of work to reclaim areas disturbed by holder's operation.

(c) Unless it is determined by the appropriate Departmental officer that environmental conditons of an area to be mined are such that regrading and backfilling is not reasonable or practicable, the holder shall submit a plan showing the proposed methods of regrading of areas of land affected by an operation.

(d) Unless it is determined by the appropriate Departmental officer that soil conditions, climate and topography of an area are such that revegetation of the area is not reasonable, practicable, and likely to succeed, the holder shall submit a plan for replanting of the area of land affected by an operation. Said plan will show:

(1) Proposed methods of preparation and fertilizing the soil prior to replanting;

(2) Types and mixtures of shrubs, trees or tree seedlings, grasses or legumes to be planted; and

(3) Type and method of planting, including the amounts of grasses or legumes per acre, or number and spacing of trees or tree seedlings, or combinations of grasses and trees.

(e) The holder shall be required to file a suitable performance bond, with satisfactory surety payable to the Secretary of the Interior. Release from such bond shall be conditioned upon faithful compliance with all reclamation requirements, other terms and conditions of the permit, license or lease, and terms of the permission to operate. In determining the amount of the bond consideration shall be given to the character and nature of the overburden, the likelihood of damage to other resource values, the hazards to public health and safety, and the estimated costs of reclamation, including revegetation if such is a requirement of the approved reclamation plan.

§ 23.5 Review of requests for permission to operate: replanting requirements: Performance bond.

(a) The appropriate Departmental officer, after reviewing the information and plans submitted by a holder pursuant to the requirements of this part, shall indicate to the holder any changes, additions or amendments necessary to conform to the objectives of the regulations in this part and in other supplemental Departmental regulations.

(b) Plans for method of operation and reclamation, including revegetation, may be changed by mutual consent at any time to adjust to changed conditions or to correct for previous oversight. After approval, or mutual acceptance, of a revised method of operation or reclamation plan the holder shall not depart therefrom without further approval.

§ 23.6 Basis for denial of permission to operate.

(a) Permission for the holder of a permit, license, lease, or other contract to operate shall not be approved by the appropriate Departmental officer if he determines that plans of operation and reclamation which will achieve the purposes of these regulations, or other supplemental Departmental regulations, have not been formulated.

(b) Whenever the appropriate Departmental officer determines that any part of the area of land described in a request for permission to operate is such that previous experience with operations under similar conditions shows that substantial deposition of sediment in stream beds, landslides, or water pollution cannot feasibly be avoided, the appropriate Departmental officer may exclude said part of such land area from the permission to operate.

(c) No request for permission to operate within one hundred feet of a public road, stream, lake, or other public installation, shall be granted unless adequate protective measures such as diversion, screening or provisions approved by the appropriate Departmental officer, are incorporated into the permission to operate.

(d) Requests for permission to conduct exploratory or extractive operations shall be denied to any holder who has had a mineral permit, license or lease revoked for failure to comply with its terms, applicable Departmental regulations, or orders of a duly authorized Departmental officer.

(e) A holder who has forfeited a required bond shall be ineligible for permission to conduct exploratory, development or extractive operations on Federal lands under the jurisdiction of the Department: *Provided, however*, That said holder may not be refused permission to operate because of the forfeiture of bond if the lands disturbed by his previous operations have subsequently been reclaimed without cost to the Federal Government.

§ 23.7 Responsibilities of holders.

(a) A holder while engaged in exploration or extractive operations on Federal lands shall be required to:

(1) Divert waters, where necessary, to prevent or reduce the flow into and through workings, for the purpose of preventing or alleviating stream pollution;

(2) Impound or control all runoff water so as to reduce soil erosion, sedimentation, or damage to other lands or receiving waters;

(3) Protect from infiltrating water, to the extent directed, all acid-forming or toxic materials exposed by surface mining;

(4) Seal off, to the extent directed, any breakthrough of acid water creating a hazard;

(5) Remove or bury all metal, lumber, and other refuse resulting from the operation;

(6) Dismantle and remove all abandoned or useless structures and equipment; and

(7) Refrain from removing from the site of operations equipment necessary to accomplish reclamation until such time as the work has been done and approved by the appropriate Departmental officer or written permission is given by the appropriate Departmental officer.

(b) If backfilling and grading are required, replanting of mined lands shall not be undertaken without approval of the appropriate Departmental officer.

§ 23.8 Reports.

(a) *Operations report.* If operation under an exploration or extractive permit, license, lease, or other contract, is not completed within one year following permission to operate, the holder shall submit, within 30 days after the end of said year and every succeeding year, an annual report which shall contain the following information:

(1) Name and location of the operation;

(2) Description of the nature of the operations undertaken during the year, including construction of any buildings, roads or trails;

(3) Statement of the area of land affected by such operations; and

(4) Statement of the number of acres disturbed by mining and the number of acres which were reclaimed during the year, a description of the methods of reclamation utilized, and a statement of the reclamation work remaining to be done.

(b) *Grading and backfilling report.* (1) Holders shall be required to report to the appropriate Departmental officer whenever necessary backfilling and grading of disturbed areas have been completed and to request inspection for purposes of approval.

(2) Whenever it is determined by inspection that the holder has carried out grading and backfilling in accordance with previously approved plans and other applicable Departmental regulations, the appropriate Departmental officer may issue a release of the performance bond by an appropriate amount for the area so graded and backfilled. The remaining amount of bond shall be retained until a satisfactory planting, if required, has been carried out.

(c) *Replanting report.* (1) Whenever planting of an area is required under the approved reclamation plan, the holder shall file a report with the appropriate Departmental officer whenever such planting is completed. The report shall contain the following information:

(i) Identification of the operation;

(ii) Type of planting or seeding, including mixtures and amounts;

(iii) Date of planting or seeding;

(iv) Area of land planted; and

(v) Other relevant information as may be required.

(2) All planting reports shall be certified by the holder.

(3) Inspection and evaluation for vegetative cover shall be made by the appropriate Departmental officer as soon as it is possible to determine if a satisfactory growth has been established. In no instance shall this vegetative cover check be made until after the completion of the first growing season.

(4) If a performance bond was required, the remaining portion of the bond held shall be released by the appropriate Departmental officer whenever it is determined that a satisfactory vegetative cover has been established and is likely to continue to grow.

(d) *Report on cessation or abandonment of operations.* (1) Within 30 days prior to taking such action the holder shall report his intention to cease or abandon operations thereunder, together with a statement of the exact number of acres affected by the operation, the extent of reclamation already accomplished, and any other information required.

(2) Upon receipt of the holder's report of intention to cease or abandon operations an inspection shall be made to determine whether operations have been carried out in accordance with previously approved plans or other applicable Departmental regulations. If it is determined that the operation is not in compliance with such plans or applicable rules a notice of noncompliance shall be delivered to the holder in accordance with § 23.9.

§ 23.9 Inspection: Notice of noncompliance: Revocation of permits.

(a) The appropriate Departmental officer shall have the right to enter upon the lands under any permit, license, lease or other contract at all reasonable times for the purpose of inspection to determine whether the provisions of these regulations, terms of the approved land reclamation plan or any other applicable Departmental regulations are or have been complied with.

(b) If it is determined through inspection of the premises that a holder has failed to comply with any provisions of the regulations in this part, the terms of his approved operating plan or any other applicable Departmental regulations a notice of noncompliance shall be served upon the holder. A copy of such notice or order may be delivered to the holder or his agent in person or served by certified mail addressed to the holder at the permanent address shown on his application for permit, license, lease or contract. The notice of noncompliance shall specify in what respect the holder has failed to comply with these regulations, the terms of his approved operating plan or other applicable Departmental regulations or orders of the appropriate Departmental officer, and shall specify the action which must be taken to correct the noncompliance and the time limits within which such action must be taken.

(c) Failure of a holder to take action to correct the noncompliance in accordance with the requirements set forth in a notice of noncompliance within the time limits set therein shall be grounds for the appropriate Departmental officer to institute proceedings for the cancellation of the permit, license, lease, or contract and for forfeiture of the performance bond.

§ 23.10 Appeals.

Any person adversely affected by any official action or decision made under the authority of these regulations may appeal therefrom to the head of the bureau or office involved and from the decision of that officer to the Secretary.

STEWART L. UDALL,
Secretary of the Interior.

JULY 14, 1967.

[F.R. Doc. 67-8373; Filed, July 19, 1967; 8:47 a.m.]

DEPARTMENT OF LABOR

Bureau of Labor Standards

[29 CFR Parts 4, 1516]

SAFETY AND HEALTH STANDARDS FOR FEDERAL SERVICE CONTRACTS

Notice of Proposed Rule Making

Amendment to Chapter XIII, Title 29 of the Code of Federal Regulations by adding a new Part 1516 is proposed to establish safety and health standards for application in the enforcement of the McNamara-O'Hara Service Contract Act of 1965 (79 Stat. 1034, 41 U.S.C. 351, et seq.) and to advise contractors more precisely of their obligations thereunder. The new part would read as set out below. It is based on the authority cited following its table of contents. Amendment of Part 4 of Title 29 of the Code of Federal Regulations is also proposed so that appropriate reference to Part 1516 will be made in the part dealing generally with labor standards for federal service contracts and so that the contracts to which the safety and health standards apply will advise contractors more fully concerning their safety and health obligations.

In order that interested persons may have opportunity to participate in the rule making process, oral data, views or argument will be received by a Hearing Examiner on September 7, 1967, beginning at 10 a.m. in Room 216-A, at Labor Department, 14th and Constitution Avenue NW., Washington, D.C.

Any person desiring to participate orally may file a notice of intention with the Director, Bureau of Labor Standards, United States Department of Labor, Washington, D.C. 20212, not later than 10 days before the date of hearing. The notice of intention shall state the name and address of the person who is to appear, specify his interest, and state the amount of time his presentation will require. Interested persons may also submit written data, views or argument by mailing them in quadruplicate to the Director of the Bureau of Labor Standards, U.S. Department of Labor, Washington, D.C. 20212, not later than 5 days before the above date of hearing.

The oral proceedings shall be reported, and transcripts will be available to any interested person on such terms as the Hearing Examiner may provide. The Hearing Examiner shall regulate the course of the oral presentations, dispose of procedural requests, objections, and comparable matters, and confine the presentation to matters pertinent to the proposal. He shall have discretion to keep the record open for a reasonable stated time to receive written proposals and supporting reasons, or additional data, views or argument from persons who have participated.

Upon completion of the oral proceedings, the transcript thereof, together with the exhibits, written submissions and all posthearing proposals and supporting reasons shall be certified to the Secretary of Labor. After careful consideration is given to all relevant matter presented in these proceedings, and to such other information as may be available, the Secretary will issue such regulations as he deems appropriate and publish them in the FEDERAL REGISTER.

1. The proposed new 29 CFR Part 1516 reads as follows:

PART 1516—SAFETY AND HEALTH STANDARDS FOR FEDERAL SERVICE CONTRACTS

Sec.
1516.1 Scope and application.
1516.2 Safety and health standards.
1516.3 Records.

AUTHORITY: The provisions of this Part 1516 issued under McNamara-O'Hara Service Contract Act of 1965 (79 Stat. 1034, 41 U.S.C. 351, et seq.); 5 U.S.C. 301; Secretary's Order 12-66 (31 F.R. 12620)

§ 1516.1 Scope and application.

(a) The McNamara-O'Hara Service Contract Act of 1965 (79 Stat. 1034, 41 U.S.C. 351, et seq.) requires that every contract entered into by the United States or the District of Columbia in excess of $2,500 (except as provided in section 7 of the Act), the principal purpose of which is to furnish services in the United States through the use of service employees, must contain, among other provisions, a stipulation that "no part of the services covered by this Act will be performed in buildings or surroundings or under working conditions, provided by or under the control or supervision of the contractor or any subcontractor, which are unsanitary or hazardous or dangerous to the health or safety of

service employees engaged to furnish the services." This Part 1516 expresses certain minimum safety and health standards which will be applied in the administration and enforcement of the Act to determine whether services covered by the Act are being, or have been, performed in compliance with its safety and health requirements.

(b) Except as provided in paragraph (c) of this section, investigators conducting investigations, and all officers of the Department of Labor evaluating, reviewing and analyzing investigations, as well as all officers of the Department determining whether there are or have been violations of the safety and health requirements of the McNamara-O'Hara Service Contract Act of 1965 or any contract subject thereto and the terms on which there may be a settlement of issues arising from an investigation without resort to administrative or judicial litigation, will assume that failure to comply with, or violation of, the safety and health measures provided in § 1516.2 results in working conditions which are "unsanitary or hazardous or dangerous to the health or safety of service employees" within the meaning of section 2(a)(3) of the Act and the contract stipulation it requires.

(c) In formal enforcement proceedings under the Act, respondents will be permitted to demonstrate, by reliable, substantial, and probative evidence, that their failure to comply with the requirements expressed in this Part 1516 did not result in working conditions unsanitary or hazardous or dangerous to the health or safety of service employees. They may anticipate that evidence will be adduced on behalf of the Department to support the assumption expressed in paragraph (b) of this section. Officers making decisions will do so in accordance with Part 6 of this title.

(d) The standards expressed in this Part 1516 are for application to ordinary employment situations, and do not preclude proof or recognition of the necessity for higher standards in employment situations of extraordinary hazard. Neither do the standards expressed in this Part 1516 purport to cover all of the working conditions which are unsanitary or hazardous or dangerous to the health or safety of service employees. Other working conditions may be found to be unsanitary or hazardous or dangerous to the health or safety of such employees on evidence to that effect, or without such evidence where such unsanitary or hazardous or dangerous condition should be apparent to a rational and prudent person of common experience.

(e) Compliance with the standards expressed in this Part 1516 will not relieve anyone from any obligation to comply with any stricter standard stemming from any other source whatsoever.

§ 1516.2 Safety and health standards.

(a) Every contractor and subcontractor shall protect the safety and health of service employees by complying with the applicable standards, specifications, and codes developed and published by agencies of the United States and nationally recognized professional organizations. Information as to the latest standards, specifications, and codes applicable to a particular contract or invitation for bids is available at the office of the Director of the Bureau of Labor Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Washington, D.C. 20212, or at any of the regional offices of the Bureau of Labor Standards as follows:

1. North Atlantic Region, 341 Ninth Avenue, Room 920, New York, N.Y. 10001 (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, New Jersey, and Puerto Rico).

2. Delaware River Area Region, 5011 U.S. Post Office and Courthouse Building, Ninth and Market Streets, Philadelphia, Pa. 19106 (Philadelphia, Pa., Delaware (maritime only)).

3. Middle Atlantic Region, 1110-B Federal Building, Charles Center, 31 Hopkins Plaza, Baltimore, Md. 21201 (Delaware, District of Columbia, Maryland, North Carolina, Pennsylvania, Virginia, and West Virginia).

4. South Atlantic Region, 1371 Peachtree Street NE., Suite 723, Atlanta, Ga. 30309 (Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee).

5. Great Lake Region, 848 Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604 (Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin).

6. Mid-Western Region, 2100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106 (Colorado, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming).

7. Western Gulf Region, 411 North Akard Street, Room 601, Dallas, Tex. 75201 (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas).

8. Pacific Region, 10353 Federal Building, 450 Golden Gate Avenue, Box 36017, San Francisco, Calif. 94102 (Alaska, Arizona, California, Hawaii, Nevada, Oregon, Washington, and Guam).

(b) The following agencies and organizations, without limitation, are examples of those referred to in paragraph (a) of this section:

National Bureau of Standards, U.S. Department of Commerce.
Public Health Service, U.S. Department of Health, Education, and Welfare.
Bureau of Mines, U.S. Department of Interior.
United States of America Standards Institute (American Standards Association).
National Fire Protection Association.
American Society of Mechanical Engineers.
American Society for Testing and Materials.
American Conference of Governmental Industrial Hygienists.

§ 1516.3 Records.

(a) Every contractor or subcontractor shall maintain the following records for each service contract:

(1) Records of all work injuries to service employees, including a brief description of the manner of occurrence and the date and duration of disability.

(2) Records of injury frequency rates, calculated annually on a calendar year basis commencing the first of January of each year. The injury frequency rate shall be the number of disabling injuries to all service employees per 1 million man-hours of exposure, obtained by multiplying the total number of disabling injuries by 1 million and dividing that sum by the total man-hours of exposure. A "disabling injury" is one which causes disability to any service employee extending beyond the day or shift during which the injury occurred, and "total man-hours of exposure," shall be the total man-hours actually worked by all service employees during the year.

(3) Records of injury severity rates, calculated annually on a calendar basis. The injury severity rate shall be the number of days lost or charged per million service employee hours worked, obtained by adding the standard time charges for each case of death and permanent impairment to the total number of days of incapacity resulting from all other cases of disabling injuries to service employees, multiplying that sum by one million, and dividing that product by the total number of service employee hours worked.

(b) The records required by paragraph (a) of this section shall be kept on file at least 3 years from the date of entry, and shall be available for inspection by authorized representatives of the Secretary of Labor.

2. The proposed revised 29 CFR 4.1 reads as follows:

§ 4.1 Purpose and scope.

This part and Part 1516 of this title, which provides safety and health standards, contain the Department of Labor's rules relating to the administration of the Service Contract Act of 1965.

3. The proposed revised clause 5 of 29 CFR 4.6(b) reads as follows:

§ 4.6 Labor standards clauses for Federal service contracts exceeding $2,500.

* * * * *

(b) * * *

(5) The contractor shall not permit any part of the services called for by this contract to be performed in buildings or surroundings or under working conditions provided by or under the control or supervision of the contractor which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish these services. This will require compliance with the applicable standards, specifications, and codes developed and published by agencies of the United States and nationally recognized professional organizations including without limitation, the following:

National Bureau of Standards, U.S. Department of Commerce.
Public Health Service, U.S. Department of Health, Education and Welfare.
Bureau of Mines, U.S. Department of Interior.
United States of America Standards Institute (American Standards Association).
National Fire Protection Association.
American Society of Mechanical Engineers.
American Society for Testing and Materials.
American Conference of Governmental Industrial Hygienists.

Information as to the latest standards, specifications and codes applicable to the contract is available at the office of the Director of the Bureau of Labor Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street NW., Washington, D.C. 20212, or at any of the regional offices of the Bureau of Labor Standards as follows:

1. North Atlantic Region, 341 Ninth Avenue, Room 920, New York, N.Y. 10001 (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, New Jersey, and Puerto Rico).

2. Delaware River Area Region, 5011 U.S. Post Office and Courthouse Building, Ninth and Market Streets, Philadelphia, Pa. 19106 (Philadelphia, Pa., Delaware (maritime only)).

3. Middle Atlantic Region, 1110-B Federal Building, Charles Center, 31 Hopkins Plaza, Baltimore, Md. 21201, Baltimore, Md. 21202 (Delaware, District of Columbia, Maryland, North Carolina, Pennsylvania, Virginia, and West Virginia).

4. South Atlantic Region, 1371 Peachtree Street NE., Suite 723, Atlanta, Ga. 30309 (Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee).

5. Great Lake Region, 848 Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604 (Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, and Wisconsin).

6. Mid-Western Region, 2100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106 (Colorado, Idaho, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming).

7. Western Gulf Region, 411 N. Akard Street, Room 601, Dallas, Tex. 75201 (Arkansas, Louisiana, New Mexico, Oklahoma, and Texas).

8. Pacific Region, 10353 Federal Building, 450 Golden Gate Avenue, Box 36017, San Francisco, Calif. 94102 (Alaska, Arizona, California, Hawaii, Nevada, Oregon, Washington, and Guam).

* * * * *

Signed at Washington, D.C., this 14th day of July 1967.

NELSON M. BORTZ,
Director,
Bureau of Labor Standards.

[F.R. Doc. 67-8441; Filed, July 19, 1967; 8:52 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 7842]

AIRWORTHINESS DIRECTIVES

Rolls-Royce Spey Models 506-14, 506-14B, and 510-14 Airplane Engines; Withdrawal of Notice

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspections of the high pressure air pipes for cracks and the cowling and engine adjacent to these pipes for signs of heat discoloration on the Rolls-Royce Spey Models 506-14, 506-14B, and 510-14 engines, was published in 32 F.R. 56.

Subsequent to the issuance of the notice, the FAA has determined that no further failures or cracks have occurred since the original incident upon which the proposed AD was based and that the condition which prompted the issuance of the proposal does not exist to the extent originally believed. Therefore, the proposed AD is not required and is being withdrawn.

Withdrawal of this notice of proposed rule making constitutes only such action, and does not preclude the FAA from issuing another notice in the future, or commit the FAA to any course of action in the future.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), the proposed airworthiness directive published in the FEDERAL REGISTER on January 5, 1967 (32 F.R. 56), is hereby withdrawn.

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

Issued in Washington, D.C., on July 11, 1967.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-8411; Filed, July 19, 1967; 8:50 a.m.]

[14 CFR Parts 61, 91]

[Docket No. 8284; Notice 67-31]

INSTRUMENT FLIGHT TESTS, FLIGHT INSTRUCTION, AND SIMULATED INSTRUMENT FLIGHT

Use of Partial Dual Control Aircraft

The Federal Aviation Administration is considering amending Parts 61 and 91 of the Federal Aviation Regulations to permit the use of single yoke and other partial dual control aircraft for flight instruction and simulated instrument flight where the flight instructor or safety pilot has immediate and unobstructed access to all essential controls, including the power, pitch, roll, and heading controls.

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 regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., 20590. All communications received on or before September 18, 1967, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

The provisions of § 91.21 provide, in part, that no person may operate a civil aircraft that is being used for flight instruction or in simulated instrument flight unless the aircraft is equipped with fully functioning dual controls. There are at present at least 8,000 airplanes active in the United States that are equipped with "throw-over" wheel, single yoke, or other partial dual control systems. Under the regulations, these aircraft may not be used for instructional purposes or simulated instrument flight.

It has been brought to the attention of the FAA that this complete prohibition against flight instruction or simulated instrument flight without functioning dual controls may be too rigid. Because numerous aircraft with partial dual control systems participate in clinics conducted by the Aircraft Owners and Pilots Association Foundation (AOPAF), and because it has been found impractical to install fully functioning dual controls in those aircraft between flight periods, the AOPAF has applied for and been granted exemptions to use aircraft with partial dual control systems for flight instruction and simulated instrument flight under stipulated conditions. The FAA is advised that at least 500 pilots have received training in these flight clinics during the past 2 years in aircraft equipped with partial dual controls with no incidents resulting during this training.

The experience from the AOPAF clinics demonstrates that, with pilot trainees who are qualified persons at the controls, flight instruction and simulated instrument flight may be safely conducted where the instructor or safety pilot does not have fully functioning controls available to him. Consequently, so long as the instructor or safety pilot has access to the controls and the pilot undergoing the training holds a pilot certificate of a higher grade than student with a category rating appropriate to the aircraft being used, fully functioning dual controls in the aircraft would not appear necessary to safely conduct flight instruction and simulated instrument flight. Therefore, it is proposed to modify the present regulation to permit the general use of aircraft with less than fully functioning dual controls for flight instruction and simulated instrument flight where the instructor or safety pilot has immediate and unobstructed access to the power, pitch, roll, and heading controls and where the pilot trainee has a pilot certificate higher than a student certificate, with a category rating in the aircraft being used.

By removing the requirement that all flight instruction and simulated instrument flight must be conducted with aircraft equipped with functioning dual controls, the provision for required aircraft for flight tests in § 61.25 should also be modified. At present § 61.25(b), which requires that the aircraft furnished for the flight test have functioning dual controls, permits the examiner to determine, after considering all of the factors, that the flight test may be conducted without them. By deleting § 61.25(d)(2), which requires, without the exception, that the aircraft furnished for a flight test for an instrument rating must have functioning dual controls, the examiner will be permitted to make the same determination for the flight test for an instrument rating. The rule for instrument flight tests will then conform to the rule for all flight tests, and the objective of the rule change will be accomplished.

In consideration of the foregoing, it is proposed to amend §§ 61.25 and 91.21 of

the Federal Aviation Regulations as follows:

§ 61.25 [Amended]

1. By deleting § 61.25(d)(2).

2. By amending paragraphs (a) and (b) of § 91.21 to read as follows:

§ 91.21 Flight instruction and simulated instrument flight.

(a) Except when the person manipulating the controls holds a pilot certificate of a higher grade than student, with a category rating appropriate to the aircraft being used, and the flight instructor or safety pilot has immediate and unobstructed access to the power, pitch, roll, and heading controls, no person may operate a civil aircraft that is being used for flight instruction or simulated instrument flight unless that aircraft has fully functioning dual controls. However, this paragraph does not apply to lighter-than-air aircraft while engaging in simulated instrument flight.

(b) No person may operate a civil aircraft in simulated instrument flight unless—

(1) An appropriately rated pilot occupies the other control seat as safety pilot; and

(2) The safety pilot has adequate vision forward and to each side of the aircraft, or a competent observer in the aircraft adequately supplements the vision of the safety pilot.

* * * * *

These amendments are proposed under the authority of sections 313(a), 314, 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1355, 1421, and 1422).

Issued in Washington, D.C., on July 14, 1967.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-8377; Filed, July 19, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-EA-47]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the New Bedford, Mass., control zone.

The tower at New Bedford, Mass., is presently operated on a part time basis during a specified period of time. These hours, however, are predicated upon traffic which is characterized by seasonal variation. It is therefore, intended to amend the description of the control zone so as to promulgate changes for specific periods of duration in the Notices to Airmen.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, 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 actions 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 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 airspace requirements for the terminal area of New Bedford, Mass., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the description of the New Bedford, Mass., control zone by deleting the period after the word "daily" and adding "or during the specific dates and times established in advance by a Notice to Airmen."

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

Issued in Jamaica, N.Y., on July 3, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-8409; Filed, July 19, 1967; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-EA-48]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Hyannis, Massachusetts Control Zone.

The tower at Hyannis, Mass., is presently operated on a part-time basis during a specified period of time. These hours, however, are predicated upon traffic which is characterized by seasonal variation. It is therefore, intended to amend the description of the control zone so as to promulgate changes for specific periods of duration in the Notices to Airmen.

Interested parties 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, Department of Transportation, 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 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 airspace requirements for the terminal area of Hyannis, Mass., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the description of the Hyannis, Mass., Control Zone by deleting the period after the word "daily" and adding "or during the specific dates and times established in advance by a Notice to Airmen."

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 June 30, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-8412; Filed, July 19, 1967; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket 67-EA-21]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Buffalo, N.Y., control zone and transition area of the presently designated terminal airspace for Buffalo, N.Y.

A review disclosed that the Greater Buffalo International Airport control zone extension can be reduced considerably due to pending arrival procedural changes. The basic radius of the 700-foot floor transition areas for each airport will require an increase of 1 mile. However, the 700-foot transition area extensions for Greater Buffalo International and Niagara Falls Municipal Airports will be reduced to some extent.

Interested parties 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, Department of Transportation, 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 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 airspace requirements for the terminal area of Buffalo, N.Y., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Buffalo, N.Y. control zone by deleting the description therein and inserting in lieu thereof the following:

BUFFALO, N.Y.

Within a 5-mile radius of the center, 42°56'20" N., 78°43'50" W., of Greater Buffalo International Airport, Buffalo, N.Y.; within 2 miles each side of the Greater Buffalo International Airport northeast localizer course extending from the 5-mile radius zone to the OM; within 2 miles each side of the Greater Buffalo International Airport southwest localizer course extending from the 5-mile radius zone to the OM; and within 2 miles each side of the Buffalo VORTAC 096° radial extending from the 5-mile radius zone to 6 miles east of the VORTAC excluding the portion within a 1-mile radius of Buffalo Airpark, 42°51'45" N., 78°43'00" W.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the 700 foot floor Buffalo, N.Y., transition area and insert in lieu thereof the following:

BUFFALO, N.Y.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the center, 42°56'20" N., 78°43'50" W., of Greater Buffalo International Airport; within 2 miles each side of the Buffalo VORTAC 096° radial extending from the 8-mile radius area to 8 miles east of the VORTAC; within 8 miles northwest and 5 miles southeast of the Greater Buffalo International Airport northeast localizer course extending from the OM to 12 miles northeast of the OM; within 2 miles each side of the Greater Buffalo International Airport southwest localizer course extending from the 8-mile radius area to 8 miles southwest of the OM; within the arc of a 12-mile radius circle from 052° to 112° clockwise, centered on a point, 42°56'26" N., 78°44'11" W.; within an 8-mile radius of the center, 43°06'20" N., 78°56'55" W., of Niagara Falls Municipal Airport; within 8 miles north and 5 miles south of the Niagara Falls Municipal Airport localizer east course extending from the OM to 12 miles east of the OM; within 2 miles each side of the Niagara Falls Municipal Airport localizer east course extending from the OM to the intersection of the localizer course and the Buffalo, N.Y., VORTAC 034° radial; and within a 5-mile radius of Buffalo Airpark Airport, 42°51'45" N., 78°43'00" W.

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 June 30, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-8413; Filed, July 19, 1967; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-EA-55]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Martinsburg, Pa., control zone and transition area.

A revision of the VOR-1 instrument approach procedure and a review of the terminal airspace requirements require an alteration of the control zone and transition area.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, 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 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 airspace requirements for the terminal area of Martinsburg, Pa., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Martinsburg, Pa., control zone by deleting in the description the coordinates, "40°17'50" N., 78°19'10" W." and substitute in lieu thereof the following, "40°17'45" N., 78°19'10" W."; following the phrase, "Blair County Airport, Martinsburg, Pa." add, "within 2 miles each side of the centerline of runway 2 extended from the 5-mile radius zone to 6.5 miles north of the end of the runway; and within 2 miles each side of the centerline of runway 20 extended from the 5-mile radius zone to 9 miles south of the end of the runway."

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Martinsburg, Pa., transition area by deleting in the description the coordinates, "40°17'50" N., 78°19'10" W." and substitute in lieu thereof, "40°17'45" N., 78°19'10" W."; following the phrase, "Blair County Airport, Martinsburg, Pa." add, "within 2 miles each side of the centerline of runway 20 extended from the 7-mile radius area to 9 miles south of the end of the runway; and within 8 miles west and 5 miles east of the Altoona VOR 026° radial extending from the VOR to 12 miles north of the VOR."

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

Issued in Jamaica, N.Y., on July 3, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-8414; Filed, July 19, 1967; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-EA-56]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Cleveland, Ohio (Burke-Lakefront Airport), control zone and Cleveland, Ohio, transition area.

New NDB (ADF) and LOC Rwy 24L and R instrument approach procedures have been authorized for Burke-Lakefront Airport, Cleveland, Ohio, which require alteration of the control zone and transition area.

Interested parties 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, Department of Transportation, 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 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 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 airspace requirements for the terminal area of Cleveland, Ohio, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Cleveland, Ohio (Burke-Lakefront Airport), control zone by deleting the description and inserting in lieu thereof the following:

CLEVELAND, OHIO (BURKE-LAKEFRONT AIRPORT)

Within a 4-mile radius of the center, 41°31'00" N., 81°41'00" W., of Burke-Lakefront Airport, Cleveland, Ohio, and within 2 miles each side of the Burke-Lakefront ILS localizer NE course extending from the 4-mile radius zone to the OM. This control zone shall be effective from 0700 to 2300 hours, local time, daily.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Cleveland, Ohio, transition area by deleting in the description of the 700-foot floor transition area "within a 3-mile radius of the Burke-Lakefront Airport, 41°31'00" N., 81°41'00" W.; within 2 miles each side of the Cleveland-Hopkins Runway 23-L-ILS localizer NE course, extending from the 8-mile radius area to the Burke-Lakefront 3-mile radius area" and, "extending from the Burke-Lakefront 3-mile radius area" and substitute in lieu thereof; "within a 6-mile radius of the center, 41°31'00" N., 81°-41'00" W., of Burke-Lakefront Airport, Cleveland, Ohio; within 2 miles each side of the Burke-Lakefront localizer NE course extending from the 6-mile radius area to the OM; within 8 miles NW and 5 miles SE of the Burke-Lakefront localizer NE course extending from the OM to 12 miles NE of the OM" and, "extending from the Burke-Lakefront 6-mile radius area", respectively. In the description of the 1200-foot floor transition area, following the phrase, "42°00'00" N., 81°18'00" W., to point of beginning" add, "excluding the portion within the Willoughby, Ohio, transition area."

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

Issued in Jamaica, N.Y., on July 3, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-8415; Filed, July 19, 1967; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SW-20]

FEDERAL AIRWAYS

Proposed Alteration and Extension

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter and extend certain VOR Federal airways in the vicinity of Beaumont, Tex.

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, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. 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 amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation 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 Federal Aviation Administration proposes the following airspace actions associated with the relocation of the Beaumont VOR to a site located at latitude 29°56'46" N., longitude 94°00'58" W.

1. Realign VOR Federal airway No. 20 segment from Houston, Tex., with a 12 AGL floor direct Beaumont, Tex., direct Lake Charles, La., with a 12 AGL north alternate from Houston to Beaumont via the intersection of Houston 045° T (037° M) and Beaumont 272° T (265° M) radials, and including a 12 AGL north alternate segment from Beaumont to Lake Charles via the intersection of Beaumont 056° T (049° M) and Lake Charles 272° T (265° M), and also a 12 AGL south alternate segment from Houston to Lake Charles via intersection of Houston 090° T (082° M) and Sabine Pass, Tex., 265° T (258° M) radials and Sabine Pass.

2. Realign VOR Federal airway No. 289 segment from Beaumont with a 12 AGL floor to Lufkin, Tex., via the intersection Beaumont 323° T (316° M) and Lufkin 161° T (153° M) radials, including a 12 AGL standard east alternate.

3. Extend VOR Federal airway No. 306 from Daisetta, Tex., with a 12 AGL floor direct to Lake Charles, including a 12 AGL south alternate segment from Daisetta via Beaumont to Lake Charles.

4. Realign VOR Federal airway No. 222 segment from Industry, Tex., with a 12 AGL floor via the intersection of Industry 087° T (079° M) and Beaumont 272° T (265° M) radials; Beaumont; to Lake Charles, including a 12 AGL north alternate segment from the intersection of the Industry 087° T (079° M) and Beaumont 272° T (265° M) radials via Daisetta to Lake Charles.

These airway realignments and extensions associated with the relocation of the Beaumont VOR will facilitate the movement of IFR air traffic within the Beaumont terminal area.

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

Issued in Washington, D.C., on July 12, 1967.

J. F. BIRON,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-8416; Filed, July 19, 1967; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 0, 1, 83, 85]

[Docket No. 16297; FCC 67-820]

INTERIM SHIP STATION LICENSING IN MARITIME MOBILE SERVICE

Elimination

In the matter of amendment of Parts 0, 1, 83, and 85 of the Commission's rules to eliminate interim ship station licensing in the maritime mobile service, Docket No. 16297.

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

2. A notice of proposed rule making in the above-captioned matter was released November 18, 1965, and was published in the FEDERAL REGISTER on November 23, 1965 (30 F.R. 14564). The dates for filing comments and replies thereto have passed.

3. Timely comments were filed by Gulf Radiotelephone, Inc.; Texas Shrimp Association; Dubose Marine Radio, Inc.; Cape Cod Marine Service, Inc.; Marine Electric Co.; Raytheon Co.; Equitable Equipment Co., Inc.; Konigsberg Electronics, Inc.; Jackson Electronics Corp.; Marine Radio and Radar Co.; Eminger's Marine Radio; Jones Electronics; Northwest Instrument Co.; Heath Co.; Marine Electronics Dealers Association of Florida; Southland Marine Communications, Inc.; Marine Radio Service; Purse Seine Vessel Owners Association; Electronic Services, Inc.; National Marine Electronics Association; Maritime Radio Service; Central Committee on Communication Facilities of the American Petroleum Institute; Marine Trades Association, Inc.; Marine Electronics Service; Geils and Foerst Marine Electric Co., Inc.; General Communication Laboratory; Kaar Electronics Corp.; North Pacific Marine Radio Council, Inc.; U.S. Coast Guard Auxiliary; Seattle Yacht Club; and, Charles W. Rogers & Son, Inc. No reply comments were filed. After close of the reply comment period, comments were received from Gene Sykes & Co.; Matrix Industries; Frank L. Beier Radio, Inc.; Southern California Marine Radio Council; Rich Electronics, Inc.;

Dodge Electronics; and, Raytheon Co., California Division. Although these comments were filed late, they are considered relevant to the proceeding and have been taken into account.

4. All parties to the proceeding have opposed the rule making. These objections may be categorized as follows:

(a) Commercial vessel operators believe the interim procedure is necessary to avoid delaying the vessel when immediate operating authority is needed to reflect equipment changes in a licensed station; and

(b) Pleasure boat owners have indicated that the interim procedure has fostered the use of marine radio and accordingly, its elimination would seriously affect safety of life and property because many boat owners would not equip with radio if not for such a service. They base their allegations on convenience of service; and

(c) Electronic servicemen have indicated that interim licensing has satisfied their needs for obtaining immediate operating authority for testing and installing shipboard equipment and its elimination would adversely affect their business; and

(d) Electronic equipment and small boat dealers likewise believe elimination of interim licensing would have an adverse affect on their business. They allege that in many instances immediate operating authority as provided under the interim procedure is a factor that may determine the sale of the equipment and/or boat to customers who wish to engage in boating immediately.

5. The Commission initiated the interim licensing procedure in the maritime services because of the application backlog. Automation has reduced this backlog and to some extent, certainly, the requirement for interim licensing. However, based on the comments received in this proceeding, it is evident that interim ship station licensing is widely utilized by the boating public and affects various segments of the maritime community.

6. Interim licensing must be considered as an extra service being provided applicants. This additional service results in a duplication of processing for it requires first special processing of the interim request and then later processing of the application for a regular full-term authorization. Approximately 45 percent of the total number of ship station applications are being processed for both an interim license and a full-term authorization. For fiscal year 1965, the Commission received approximately 40,000 applications for ship station licenses. Out of this total, there were approximately 18,000 interim licenses issued. The Commission is of the opinion that the additional cost for providing this interim license should be borne for the most part by the users. At present a fee of $10 is charged for an application for a ship station license. This is the fee whether interim authority is sought in addition to the application for a full-term authorization or not.

7. In view of the foregoing, it is proposed that § 1.1115 be amended to specify a fee of $13 for a ship station application where interim authority is also sought. The regular application for a ship station, i.e., one not requesting interim authority, would remain at the present $10 fee.

8. The proposed amendment to the rules, and other actions taken herein are pursuant to the authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, Title V of the Independent Offices Appropriation Act of 1952, 65 Stat. 290, and Bureau of the Budget's Circular A-25 of September 23, 1959.

9. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 21, 1967, and reply comments on or before September 5, 1967. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

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

Adopted: July 12, 1967.

Released: July 14, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8428; Filed, July 19, 1967; 8:51 a.m.]

[47 CFR Part 73]

[Docket No. 17496]

TABLE OF ASSIGNMENTS

Television Broadcast Stations, Baytown, Tex.; Order Extending Time To File Contents and Reply Comments

In the matter of amendment of § 73.606, Table of assignments, Television Broadcast Stations, (Baytown, Tex.), Docket No. 17496.

1. On June 9, 1967, the Commission issued a notice of proposed rule making (FCC 67-667) inviting comments on a proposal to assign TV Channel 50 to Baytown, Tex. The time for filing comments was specified as July 17, 1967 and for replies as July 27, 1967. On July 3, 1967, George Chandler, H. W. Kilpatrick, III, W. T. Jones, Jr., Richard Park, and Mrs. Hellen Nelson filed a petition for an extension of time for filing comments until September 5, 1967 and for replies until September 15, 1967.

2. Petitioners state that the requested extension is necessary in order to fully reply to the complex economic and engineering questions raised by the Commission in the Notice and that it will enable parties to submit full information which will aid the Commission in passing on the novel questions raised.

3. We are of the view that an extension in this proceeding is warranted and would serve the public interest. However, we believe that an extension of approximately one month should be sufficient time in which petitioners can obtain the needed information. *Accordingly, it is ordered,* That the time for filing comments and replies in this proceeding are extended to August 14, 1967 and August 24, 1967, respectively.

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules and regulations.

Adopted: July 7, 1967.

Released: July 12, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-8427; Filed, July 19, 1967; 8:51 a.m.]

[1] Commissioners Bartley, Cox, and Loevinger absent.

[47 CFR Part 74]

[Docket No. 17597; FCC 67-835]

COMMUNITY ANTENNA TELEVISION SYSTEMS

Carriage of Educational Television Signals

In the matter of amendment of § 74.1107 of the Commission's rules and regulations regarding carriage of educational television signals on community antenna television systems, Docket No. 17597.

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

2. When the Commission adopted the Second Report and Order, it indicated that it might modify certain of its policies as it gained further experience. We believe that sufficient experience has accumulated to indicate that in most top 100 cases no significant objection is voiced to the carriage of distant educational television signals. Consequently, it is appropriate to consider amendment of the rules to exclude distant educational television signals from the hearing requirement of §74.1107 of the rules. This change, if adopted, would still permit the Commission to consider any case where objections are raised by local educational authorities pursuant to § 74.1109 of the rules. And we believe that the interests of all parties would be best served by elimination of what is frequently an extraneous factor in top 100 questions. Accordingly, the views of interested parties are solicited regarding this proposed rule change, the text of which is contained in the attached appendix.

3. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties

may file comments on or before August 21, 1967, and reply comments on or before September 5, 1967. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this Notice.

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

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

Adopted: July 12, 1967.

Released: July 14, 1967.

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

In § 74.1107, paragraph (a) is revised to read as follows:

§ 74.1107 Requirement for showing in evidentiary hearing and Commission approval in top 100 television markets; other procedures.

(a) No CATV system operating in a community within the predicted Grade A contour of a television broadcast station in the 100 largest television markets shall extend the signal of a television broadcast station beyond the Grade B contour of that station, except upon a showing approved by the Commission that such extension would be consistent with the public interest, and specifically the establishment and healthy maintenance of television broadcast service in the area. Commission approval of a request to extend a signal in the foregoing circumstances will be granted where the Commission, after consideration of the request and all related materials in a full evidentiary hearing, determines that the requisite showing has been made. The market size shall be determined by the rating of the American Research Bureau, on the basis of the net weekly circulation for the most recent year. The requirements of this paragraph do not apply to the signal of an educational television broadcast station.

* * * * *

[F.R. Doc. 67-8429; Filed, July 19, 1967; 8:51 a.m.]

[47 CFR Part 87]

[Docket No. 17586; FCC 67-818]

AVIATION SERVICES

Operator Requirements

In the matter of amendment of Part 87—Aviation Services to include operator requirements for these services, Docket No. 17586.

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

2. The authority granted under the various grades of commercial operator licenses is now set forth in Part 13 of the Commission's rules. Some operator requirements are also set forth in Part 87. Part 13, however, is relied upon to determine most of the operator requirements. Because these requirements have come to differ from service to service, it is believed desirable to place the operator requirements in the service parts. In addition, this will allow a licensee to refer, for the most part, to only one part of the rules to obtain complete information concerning his station and its operation.

3. The proposed amendments, as set forth below, are issued pursuant to the authority contained in sections 303 (l) and (r) and 318 of the Communications Act of 1934, as amended.

4. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before August 21, 1967, and reply comments on or before September 5, 1967. All relevant and timely filed comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into consideration other relevant information before it, in addition to the specific comments invited by this notice.

5. In accordance with the provisions set forth in § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 12, 1967.

Released: July 14, 1967.

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

1. The table of contents in Part 87 is amended by addition of the following entries in proper numerical sequence and the deletion of §§ 87.187, 87.259 and 87.517 as follows:

Sec.
87.133 General operator requirements.
87.135 Transmitter adjustments and tests by operator.
87.136 Operation of transmitter controls.
87.137 Radio stations using radiotelegraphy.
87.139 Operator licensee not required for certain operations.

2. Section 87.133 is added to read as follows:

§ 87.133 General operator requirements.

Except as provided for in §§ 87.135, 87.136, 87.137 and 87.139 or as limited on the face of the operator license or permit, all stations in the Aviation Services shall be operated by persons holding any class of commercial radio operator license or permit issued by the Commission: *Provided*, That, for aircraft radiotelephone stations operating on frequencies other than those allocated exclusively to the aeronautical mobile service, such station in the Aviation Services may be operated only by a person holding, as a minimum, a third-class operator's permit, either radiotelephone or radiotelegraph. The licensed operator of a land station using telephony may permit other persons to transmit or to communicate over the facilities of the station in accordance with the terms of the station license under his direct supervision and responsibility.

3. Section 87.135 is added to read as follows:

§ 87.135 Transmitter adjustments and tests by operator.

All transmitter adjustments or tests during or coincident with the installation, servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a radiotelephone or radiotelegraph first or second-class operator license who shall be responsible for the proper functioning of the station equipment: *Provided, however*, That only a person holding a radiotelegraph first or second-class operator license shall perform such functions at radiotelegraph stations transmitting by any type of the Morse Code.

4. Section 87.136 is added to read as follows:

§ 87.136 Operation of transmitter controls.

(a) Operation of a station by the holder of a radiotelephone or radiotelegraph third-class operator permit or a restricted radiotelephone operator permit shall be subject to the condition that the operation of the transmitter shall require only the use of simple external switching devices, excluding all manual adjustment of frequency determining elements, and the stability of the frequencies shall be maintained by the transmitter itself within the limits of tolerance specified by § 87.65 or the station license. In addition, when using an aircraft radio station on maritime mobile service frequencies the carrier power of the transmitter shall not exceed 250 watts (emission A3) or 1,000 watts (emission A3A, A3H, A3J).

(b) When a station is used for telegraphy, transmitted manually by any type of the Morse Code, the transmitting telegraph key shall be manipulated only by a person who holds a radiotelegraph operator license or permit of the proper class as specified in § 87.137.

5. Section 87.137 is added to read as follows:

§ 87.137 Radio stations using radiotelegraphy.

(a) Except as provided in § 87.135 and paragraph (b) of this section an aircraft radio station when transmitting radiotelegraphy by any type of the Morse Code shall be operated by a person holding a radiotelegraph first or second-class op-

[1] Commissioners Hyde, Chairman; and Lee dissenting; Commissioner Cox dissenting and issuing a statement filed as part of the original document; Commissioner Johnson concurring in the result.

[1] Commissioners Bartley, Cox, and Loevinger absent.

erator license bearing an aircraft radiotelegraph endorsement.

(b) When the aircraft is not in flight said endorsement is not required.

(c) Except as provided in § 87.135 and § 87.139 a station other than an aircraft station, when transmitting by any type of the Morse Code, shall be operated by a person holding any class of radiotelegraph license or permit.

6. Section 87.139 is added to read as follows:

§ 87.139 Operator licenses not required for certain operations.

(a) Operator licenses are not required for the following:

(1) Flight personnel when concerned with the operation of airborne radar sets, radio altimeters, transponders and other airborne automatic radio-navigation aids.

(2) Operation of a survival craft station while it is being used solely for survival purposes.

(3) Operation of any radio station authorized under this part which retransmits by automatic means communications received by radio.

NOTE: Whenever the term "license" is used generally to denote an operator authorization it includes "permit".

7. The following sections are deleted in their entirety from Part 87.

§§ 87.187, 87.259, 87.517 [Deleted]

Section 87.187 *Operator requirements,* is deleted.

Section 87.259 *Operator requirements,* is deleted.

Section 87.517 *Operator requirements,* is deleted.

[F.R. Doc. 67-8426; Filed, July 19, 1967; 8:51 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 423]

[No. 32451]

UNIFORM SYSTEM OF ACCOUNTS FOR MARITIME CARRIERS

Notice of Proposed Rule Making

JULY 11, 1967.

Notice is hereby given pursuant to the provisions of section 4(a) of the Administrative Procedure Act that the Commission has under consideration proposed amendments of the Uniform System of Accounts for Maritime Carriers, to be effective as of January 1, 1967, with regard to the accounting treatment of extraordinary and prior period items in the determination of net income.

The proposed regulations would (a) generally require that items affecting net income be recorded in appropriate profit and loss accounts, rather than by direct entry to earned surplus account, and (b) explain, define and provide accounts and categories for ordinary income, extraordinary items, prior period items and applicable income taxes.

The revised rules herein proposed will have several notable advantages over current regulations which conditionally permit direct entry to earned surplus. Moreover, in asserting more objective criteria with respect to determination of materiality than presently exist, the proposed changes are intended to minimize the need to interpret existing regulations.

The detailed statement of proposed rule set forth below completely states the proposed revisions to the applicable parts of the Uniform System of Accounts for Maritime Carriers, considered necessary to accomplish the stated objectives.

All carriers affected by the proposed rules and other interested parties who desire to do so should submit written views and comments for consideration, as soon as possible, and not later than September 2, 1967. The Commission will consider all such responses and representations before deciding this matter, after which such order as may be found appropriate will be entered. An original and three copies of any such response should be submitted.

Notice shall be given Maritime Carriers hereby affected and to the general public by depositing this Notice in the office of the Secretary of the Commission at Washington, D.C., and by filing this notice with the Director, Office of the Federal Register.

(Sec. 12, 24 Stat. 383 as amended, 54 Stat. 933; 49 U.S.C. 12. 904. Sec. 20, 24 Stat. 386, as amended, 54 Stat. 944, as amended; 49 U.S.C. 20, 913)

By the Commission, Division 2.

[SEAL] H. NEIL GARSON, *Secretary.*

DETAILED STATEMENT OF PROPOSED RULE

I. INSTRUCTION ADDED

After §423.0–10, the following section is added:

§ 423.0–11 Extraordinary and prior period items.

(a) All items of profit and loss recognized during the year are includable in ordinary income except nonrecurring items which in the aggregate for the same class are both material in relation to operating revenues and ordinary income for the year and are clearly not identified with or do not result from the usual business operations of the year. Important items of the kind which occur from time to time and which, when material in amount, are to be excluded from ordinary income are those resulting from unusual sales of property and investment securities other than temporary cash investments; from wars and similar calamities and catastrophes, which are not a recurrent hazard of the business and which are not usually covered by insurance; from change in application of accounting principles; and from prior period items (other than ordinary adjustments of a recurring nature). Material items are those which, unless excluded from ordinary income, would distort the accounts and impair the significance of ordinary income for the year. Items so excludible from ordinary income are to be entered directly in the income accounts provided for extraordinary and prior period items upon approval or direction of the Commission.

Adjustments constituting items of customary business activities or corrections or refinements resulting from the natural use of estimates inherent in the accounting process, including those arising from disposal of a unit of property sold or retired in the regular course of business operations, shall not be considered extraordinary or prior period items regardless of size.

(b) In determining materiality, items of a similar nature shall be considered in the aggregate; dissimilar items should be considered individually. As a general standard, an item to qualify for inclusion as an extraordinary or prior period item, shall exceed one percent of total water line operating revenues and ten percent of ordinary income for the year.

(c) Ordinary delayed items and adjustments arising during the current year which are applicable to or related to transactions of prior years shall be included in the same accounts which would have been charged or credited if the item had been taken up or adjusted in the period to which it pertained. Ordinary delayed items excludes items of the character described in paragraph (a).

II. TEXTS OF BALANCE SHEET ACCOUNTS DELETED AND AMENDED

Item No. 1. Section 423.329 *Reserve for revaluation of investments.* The text of this account, a subdivision of account 315, Investments, is amended by revising paragraph (a) as follows:

§ 423.329 Reserve for revaluation of investments.

(a) This account shall be credited at the close of each accounting period with amounts necessary to reflect the decline in value of securities and other assets held as investments, where there appears to be a permanent inpairment in their value, by contra charge to account 979, "Miscellaneous deductions from income," or account 990, "Extraordinary items," as appropriate.

* * * * *

Item No. 2. Section 423.330 *Property and equipment.* The text of this account is amended by revising paragraph (a) as follows:

§ 423.330 Property and equipment.

(a) This account shall include the cost of acquisition or construction, including additions and betterments, of property and equipment owned by the carrier.

* * * * *

Item No. 3. Section 423.332 *Reserve for amortization and depreciation; vessels.* The title and paragraph (a) of this account, a subdivision of account 330, Property and equipment, are revised as follows:

§ 423.332 Reserve for depreciation; vessels.

(a) This account shall be credited with all depreciation on vessels charged to account 981, "Depreciation—Floating equipment—Vessels."

* * * * *

Item No. 4. Section 423.338 *Reserve for amortization and depreciation; other floating equipment.* The title and paragraph (a) of this account, a subdivision of account 330, Property and equipment, are revised as follows:

§ 423.338 Reserve for depreciation; other floating equipment.

(a) This account shall be credited with all depreciation charged to account 984, "Depreciation—Other floating equipment".

* * * * *

Item No. 5. Section 423.343 *Terminal property and equipment;* § 423.349 *Other shipping property and equipment.* Paragraphs (a) and (b) of the text of each of these accounts, subdivisions of account 330, Property and equipment, are revised by deleting the following:

(a) * * *, and any appreciated book value * * *.

(b) * * *, and any appreciation of book value.

Item No. 6. Section 423.344 *Reserve for amortization and depreciation; terminal property and equipment.* The title and paragraph (a) of this account, a subdivision of account 330, Property and equipment, are revised as follows:

§ 423.344 Reserve for depreciation; terminal property and equipment.

(a) This account shall be credited with all depreciation on terminal property and equipment which is charged to account 987, "Depreciation—Terminal property and equipment".

* * * * *

Item No. 7. Section 423.350 *Reserve for amortization and depreciation; other shipping property and equipment.* The title of this account, a subdivision of account 330, Property and equipment, is revised as follows:

§ 423.350 Reserve for depreciation; other shipping property and equipment.

* * * * *

Item No. 8. Section 423.354 *Reserve for amortization and depreciation; nonshipping property and equipment.* The title and paragraph (a) of this account, a subdivision of account 330, Property and equipment, are revised as follows:

§ 423.354 Reserve for depreciation; nonshipping property and equipment.

(a) This account shall be credited with all depreciation on non-shipping property and equipment which is charged to account 986, "Depreciation—non-shipping property and equipment".

* * * * *

Item No. 9. Section 423.384 *Debt discount and expense.* Paragraph (b) of the text of this account, a subdivision of account 375, Deferred charges and prepaid expenses, is revised as follows:

§ 423.384 Debt discount and expense.

* * * * *

(b) When an issue of funded debt, or any part thereof, is refunded and at the date of refunding there is a balance of unamortized discount and expense relating to such issue, such balance, together with any premium paid in retiring such issue, shall be charged to account 979, "Miscellaneous deductions from income," or to account 990, "Extraordinary items," as may be appropriate, in accordance with the text of these accounts.

Item No. 10. Section 423.556 *Premium on funded debt.* Paragraph (b) of the text of this account, a subdivision of account 555, Deferred credits, is revised as follows:

§ 423.556 Premium on funded debt.

* * * * *

(b) When an issue of funded debt or any part thereof is refunded and at the date of refunding there is a balance of unamortized premium relating thereto, the amount of such balance shall be credited to account 690, "Miscellaneous other income," or to account 990, "Extraordinary items," as may be apropriate, in accordance with the text of these accounts.

Item No. 11. Section 423.570 *Reserve for issuance.* The text of this account, a subdivision of account 565, Operating reserves, is amended by revising the last sentence of paragraph (b) as follows:

§ 423.570 Reserve for insurance.

* * * * *

(b) * * * At the end of each accounting year, any balance in this account applicable to voyages terminated during the preceding accounting year, in those instances where the records indicate that all claims have been settled, should be transferred to the appropriate insurance expense account, consistent with § 423.0–11(c).

* * * * *

Item No. 12. Section 423.595 *Appreciation surplus.* The number, title and text of this account are deleted.

Item No. 13. Section 423.599 *Earned surplus; unappropriated.* The text of this account is amended by revising paragraph (a) as follows and adding new paragraphs (c) and (d) after paragraph (b):

§ 423.599 Earned surplus; unappropriated.

(a) All profits and losses shown in account 095, "Profit and loss account", at the end of the accounting year shall be recorded in this account.

* * * * *

(c) This account shall include losses on resale of reacquired capital stock and charges which reduce or write off discount on capital stock issued by the company but only to the extent that such charges exceed credit balances in capital surplus for shares reacquired.

(d) This account shall include other adjustments, net of assigned Federal income taxes, not provided for elsewhere in this system but only after such inclusion has been authorized by the Commission.

III. TEXTS OF INCOME ACCOUNTS DELETED AND AMENDED

Item No. 1. The system of accounts, following the text of account 599, "Earned surplus; unappropriated", is amended by adding the following caption directly below Income Accounts:

ORDINARY ITEMS

Item No. 2. Section 423.600 *Operating revenue; terminated voyages.* The text of this account is amended by revising the last sentence of paragraph (a) as follows:

§ 423.600 Operating revenue; terminated voyages.

(a) * * * Revenue items arising in connection with voyages terminated in prior years shall be accounted for as ordinary delayed items pursuant to § 423.0–11(c).

* * * * *

Item No. 3. Section 423.690 *Miscellaneous other income.* The text of this account is amended by adding the following items to the list of examples provided and a new paragraph below this tabulation as follows:

§ 423.690 Miscellaneous other income.

* * * * *

Profit from sale of securities.
Profit from sale of shipping and nonshipping property.
Profit from company bonds reacquired.

When the profit from sale of property and equipment, or securities, or from reacquisition of the company's own bonds is of an amount sufficiently large to constitute an extraordinary item, pursuant to Sec. 423.0–11, such profit shall be credited to account 990, "Extraordinary items".

Item No. 4. Section 423.700 *Operating expenses; terminated voyages.* The text of this account is amended by revising the last sentence of paragraph (a) as follows:

§ 423.700 Operating expenses; terminated voyages.

(a) * * * Expense items arising in connection with voyages terminated in prior years shall be accounted for as ordinary delayed items pursuant to § 423.0–11(c).

* * * * *

Item No. 5. Section 423.979 *Miscellaneous deductions from income.* The text of this account is amended by adding the following items to the list of examples provided and a new paragraph below this tabulation as follows:

§ 423.979 Miscellaneous deductions from income.

* * * * *

Loss on sale of shipping and nonshipping property and equipment.
Loss on sale of securities and charges to write down the ledger value of securities because of impairment in their value.
Loss on company bonds reacquired.

When the loss from sale of property and equipment, or securities, or from write down of securities because of impairment

in value, or reacquisition of the company's own bonds is of an amount sufficiently large to constitute an extraordinary item, pursuant to § 423.0–11, such loss shall be charged to account 990, "Extraordinary items."

Item No. 6. Section 423.995 *Expense of non-shipping operations.* This account is redesignated § 423.985.

Item No. 7. Section 423.996 *Depreciation; nonshipping property and equipment.* The number, title and text of this account are revised as follows:

§ 423.986 Depreciation; nonshipping property and equipment.

The annual or other periodical accrual of depreciation of property and equipment used in ventures other than shipping and shipping auxiliary operations shall be charged to this account with a corresponding credit to account 354, "Reserve for depreciation—Nonshipping property and equipment."

Item No. 8. Section 423.999 *Provision for Federal income taxes.* The number, title and text of this account are revised as follows:

§ 423.989 Federal income taxes on ordinary income.

This account shall be charged with accrued provision for Federal income taxes applicable to ordinary income of the accounting year. See the text of account 599, "Earned surplus; unappropriated" and account 998, "Federal income taxes on extraordinary and prior period items," for recording other income tax consequences.

Details pertaining to the tax consequences of other unusual and significant items and also cases where the tax consequences are disproportionate to the related amounts included in the income accounts, shall be submitted to the Commission for consideration and decision as to proper accounting.

Income taxes which are refundable or reduced as the result of carry-back or carry-forward of operating loss shall be credited to this account, if a carry-back, in the year in which the loss occurs, or, if a carry-forward, in the year in which such loss is applied to reduce taxes. However, when the amount constitutes an extraordinary item pursuant to § 423.0–11, it shall be included in account 994, "Prior period items."

Item No. 9. The system of accounts, following the text of account 989, "Federal income taxes on ordinary income," is amended by adding the following caption and account numbers, titles and texts:

EXTRAORDINARY AND PRIOR PERIOD ITEMS

§ 423.990 Extraordinary items (net).

(a) This account shall include extraordinary items accounted for during the current accounting year in accordance with the text of § 423.0–11, upon approval of the Commission. Among the items which shall be included in this account are:

Net gain or loss on sale of shipping and nonshipping property and equipment.
Net gain or loss on sale of securities and charges to write down the ledger value of such securities because of impairment of value.
Net gain or loss on reacquisition of company bonds.
Change in application of accounting principles.

(b) This account shall be maintained to show the nature and gross amount of each debit and credit, together with the applicable year, vessel name and voyage number.

(c) Federal income tax consequences of charges and credits to this account shall be recorded in account 998, "Federal income taxes on extraordinary and prior period items."

§ 423.994 Prior period items (net).

(a) This account shall include unusual delayed items accounted for during the current accounting year in accordance with the text of § 423.0–11, upon approval of the Commission. Among the items which shall be included in this account are:

Unusual adjustments, refunds or assessments of Federal income taxes of prior years.
Similar items representing transactions of prior years which are not identifiable with or do not result from business operations of the current year.

(b) This account shall be maintained to show the nature and gross amount of each debit and credit, together with the applicable year, vessel name and voyage number.

(c) Federal income tax consequences of charges and credits to this account shall be recorded in account 998 "Federal income taxes on extraordinary and prior period items."

§ 423.998 Federal income taxes on extraordinary and prior period items.

This account shall include the estimated Federal income tax consequences (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which, for accounting purposes, are classified as unusual and extraordinary, and are recorded in accounts 990, "Extraordinary items" and 994, "Prior period items."

IV. TEXTS OF CLEARANCE ACCOUNTS DELETED AND AMENDED

Item No. 1. Section 423.090 *Adjustments applicable to prior periods.* The number, title and text of this account are deleted.

Item No. 2. Section 423.095 *Profit and loss account.* The text of this account is amended by changing the first and second sentences as follows: "At the end of the accounting year this account shall be credited or charged, as the case may be, with the balances in all ordinary, extraordinary and prior period revenue and expense accounts, except where otherwise specifically indicated. After all entries have been made, the account shall reflect the net income for the accounting year."

V. BALANCE SHEET STATEMENT REVISED

Item No. 1. The words "amortization and" are deleted from each of the following line items in § 423.0–20.

332 Less: Reserve for amortization and depreciation.
338 Less: Reserve for amortization and depreciation.
344 Less: Reserve for amortization and depreciation.
350 Less: Reserve for amortization and depreciation.
354 Less: Reserve for amortization and depreciation.

Item No. 2. The following line item is deleted from § 423.0–20:

595 Appreciation surplus.

VI. INCOME STATEMENT AMENDED

Item No. 1. The following is added below the Income Statement caption:

ORDINARY ITEMS

Item No. 2. After 695, "Income from non-shipping operations", all line items are deleted and the following are added:

985 Expense of nonshipping operations.
Gross profit (or loss) from nonshipping operations.
985 Overhead expense.
986 Depreciation — Nonshipping property and equipment.
Total expenses.
Net profit (or loss) from nonshipping operations.
Ordinary income (or loss) before Federal income taxes.
989 Federal income taxes on ordinary income.
Ordinary income.

EXTRAORDINARY AND PRIOR PERIOD ITEMS

990 Extraordinary items (net).
994 Prior period items (net).
998 Federal income taxes on extraordinary and prior period items.
Total extraordinary and prior period items.
Net income (or loss).

VII. MISCELLANEOUS AMENDMENTS

The list of instructions, accounts and financial statements is amended to the following extent:

(a) The following is added to the list of General Instructions:

423.0–11 Extraordinary and prior period items.

(b) The following account titles are changed as indicated:

"423.332 Reserve for amortization and depreciation; vessels" is changed to:

"423.332 Reserve for depreciation; vessels."

"423.338 Reserve for amortization and depreciation; other floating equipment" is changed to:

"423.338 Reserve for depreciation; other floating equipment."

"423.344 Reserve for amortization and depreciation; terminal property and equipment" is changed to: "423.344 Reserve for depreciation; terminal property and equipment."

"423.350 Reserve for amortization and depreciation; other shipping property and equipment" is changed to: "423.350 Reserve for depreciation; other shipping property and equipment."

"423.354 Reserve for amortization and depreciation; non-shipping property and equipment" is changed to: "423.354 Reserve for depreciation; non-shipping property and equipment."

(c) The following account number and title are deleted:

423.595 Appreciation surplus.

(d) Directly below Income Accounts, the caption Ordinary Items is added.

(e) The following account numbers and titles are changed as indicated:

"423.995 Expense of non-shipping operations" is redesignated 423.985.

"423.996 Depreciation; non-shipping property and equipment" is redesignated 423.986.

"423.999 Provision for Federal income taxes" is changed to:

"423.989 Federal income taxes on ordinary income."

(f) Below the line item 989, "Federal income taxes on ordinary income", the following caption and line items are added:

EXTRAORDINARY AND PRIOR PERIOD ITEMS

423.990 Extraordinary items (net).
423.994 Prior period items (net).
423.998 Federal income taxes on extraordinary and prior period items.

(g) The following line item under Clearance Accounts is deleted:

423.090 Adjustments applicable to prior periods.

[F.R. Doc. 67-8400; Filed, July 19, 1967; 8.49 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

ASSISTANT ADMINISTRATOR FOR PRIVATE RESOURCES

Redelegation of Authority Relating to Investment Surveys and Investment Guaranties

Pursuant to the authority delegated to me by Delegation of Authority No. 33, as amended, from the Administrator of AID, dated February 3, 1964 (29 F.R. 2430), and by Delegation of Authority No. 39, as amended, from the Administrator of AID, dated April 13, 1964 (29 F.R. 5355), I hereby redelegate authority as follows:

(1) To William G. Carter, or in his absence to Leigh M. Miller, to participate in financing surveys of investment opportunities under section 231 of the Foreign Assistance Act of 1961, as amended, and in connection therewith to make the determinations and exercise the functions provided for in the cited section;

(2) To William G. Carter in my absence to act in my place and stead with respect to exercising the authority delegated to me by the above-cited Delegations of Authority Nos. 33 and 39;

(3) To Edward D. Irons, to extend the time, provided in an investment survey, in which a decision to invest may be made;

(4) To Leigh M. Miller, and in his absence to Harry L. Freeman, in addition to the authority contingently delegated in paragraph (1), to authorize and issue investment guaranties under section 221(b)(1) of the Foreign Assistance Act of 1961, as amended, covering investments (a) which take the form of royalties or (b) which, as described in the Special Terms and Conditions of such guaranty contracts, do not exceed $1 million, and in connection therewith to make the related approvals and determinations provided in sections 221(a), 221(b), 221(c), and 222(a) of the said Act;

(5) To Laurence E. Potter, to consent to assignments of any contract of guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, under section 413(b)(4)(B) of the Mutual Security Act of 1954 or section 111(b)(3) of the Economic Cooperation Act of 1948, all as originally enacted and as amended, provided such assignments run to entities eligible to be issued investment guaranties under the legislation in force at the time of the assignment;

(6) To Laurence E. Potter and concurrently to the Chief, International Loan Branch, Accounting Division, to issue written notice of delinquency to any investor who has failed to pay any fee due under any contract of guaranty issued under section 221(b)(1) of the Foreign Assistance Act of 1961, under section 111(b)(3) of the Economic Cooperation Act of 1948, or under section 413(b)(4)(B) of the Mutual Security Act of 1954, all as originally enacted and as amended, and further to cancel any contract of guaranty when the investor covered thereunder has failed to pay the delinquent fee thereon within 30 days following written notice of delinquency.

The authorities herein delegated may not be redelegated. This redelegation of authority is effective as of June 4, 1967, and supersedes from that date prior redelegations of my authority.

Dated: June 30, 1967.

HERBERT SALZMAN,
Assistant Administrator for Private Resources.

[F.R. Doc. 67-8401; Filed, July 19, 1967; 8:49 a.m.]

Office of the Secretary

[Public Notice 272]

LEBANON

Removal of Restriction on Travel to, in or Through

Public Notice 270 is amended to remove the restriction on travel by U.S. citizens to, in, or through Lebanon.

Dated: July 10, 1967.

For the Secretary of State.

IDAR RIMESTAD,
Deputy Under Secretary, for Administration.

[F.R. Doc. 67-8389; Filed, July 19, 1967; 8:48 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

VIRGIN ISLANDS

Reimbursable Services of Customs Officers and Employees; Rates Fixed Under Customs Overtime Laws of United States

JULY 13, 1967.

Notice is hereby given that under the authority vested in the Secretary of the Treasury by section 36 of the Act of June 22, 1936, 49 Stat. 1816 (48 U.S.C. 1406i), to fix the compensation of officers and employees appointed for the administration of the customs laws in the Virgin Islands of the United States, it is proposed to apply to such officers and employees the rates of extra compensation fixed under section 5 of the Act of February 13, 1911, as amended (19 U.S.C. 267), for services for which extra compensation would be payable under the Act or under section 451 of the Tariff Act of 1930, as amended (19 U.S.C. 1451), and the regulations thereunder, if such services were performed in connection with the administration of the customs laws of the United States. Those laws, per se, do not apply to the services of the Virgin Islands customs officers and employees. It is proposed to take administrative action to make them applicable, so that the compensation of those officers and employees will be equal to that of other customs officers and employees.

Such compensation will be required to be reimbursed by the parties in interest for any such services for which compensation is required by the customs laws of the Virgin Islands to be paid by the parties requesting the services. Section 20 of the ordinance concerning customhouse and ship dues, sanctioned by the King of Denmark on August 6, 1914, requires the requester to pay for services in connection with the entry or clearance of vessels or the transaction of other business (examination of luggage excepted) when such services are performed outside of the office hours of the customhouse or on Sundays or holidays. This designates the services for which reimbursement of compensation is required.

Although compensation for services performed exclusively in the examination of luggage is not reimbursable by parties in interest, compensation for other services will be reimbursable notwithstanding that services in the examination of luggage are performed in conjunction therewith.

The application of the rates fixed under 19 U.S.C. 267 to the Virgin Islands, customs officers and employees will be subject to the regulations, decisions, directions for assignment and control of personnel, and the accounting procedures that are applicable to customs officers and employees other than those in the Virgin Islands.

Prior to taking the action proposed in this notice, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington, D.C. 20226, and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

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

[F.R. Doc. 67-8387; Filed, July 19, 1967; 8:48 a.m.]

DEPARTMENT OF DEFENSE

Department of the Army

INTERAGENCY CIVIL DEFENSE COMMITTEE

Organization and Functions

References: (a) Section 401 of the Federal Civil Defense Act of 1950, as amended, as affected by Reorganization Plan No. 1 of 1958, as amended; (b) Executive Order 10952, "Assigning Civil Defense Responsibilities; to the Secretary of Defense and Others," dated July 20, 1961, as amended; (c) Executive Order 10346, "Preparation by Federal Agencies of Civil Defense Emergency Plans," dated April 17, 1952, as amended; (d) Executive Order 10958, "Delegating Functions Respecting Civil Defense Stockpiles of Medical Supplies and Equipment and Food," dated August 14, 1961; (e) Executive Orders 10997–11005, 11088–11095, and 11310, Assigning Emergency Preparedness Functions to various Federal Agencies; (f) BoB Circular A–63, "Management of Interagency Committees," dated March 2, 1964.

1. *Establishment.* There is hereby established, pursuant to references (a) and (b), the Interagency Civil Defense Committee (hereinafter referred to as the Committee) to aid in assuring that civil defense planning and operations, pursuant to references (c), (d), and (e), within the executive branch will be in consonance with the civil defense plans, programs, and operations of the Secretary of Defense.

2. *Composition of the Committee.* a. The Chairman of the Committee shall be the Director of Civil Defense or his named representative.

b. All departments and agencies of the Federal Government having civil defense responsibilities under references (c), (d), and (e) are invited to be represented on the Committee.

c. The Office of Emergency Planning is being invited to participate by designating observers.

3. *Responsibilities and functions*—a. *Responsibilities.* (1) The Committee shall advise the Director of Civil Defense in carrying out his responsibilities (reference (b)) in the field of civil defense and in planning.

(2) The Chairman shall be responsible for the conduct of Committee activities, shall provide secretariat services, and shall coordinate the work of the Committee with the activities of other Government agencies and interagency groups having responsibilities in the field of emergency preparedness.

b. *Functions.* Committee functions include, but are not limited to:

(1) Promoting cooperation among Federal agencies in the prosecution of civil defense objectives.

(2) Reporting on civil defense developments at national, State, and local levels.

(3) Coordinating and correlating civil defense planning and program implementation at the Federal level.

(4) Recommending measures to assure maximum utilization of the capabilities and technical competence of the Federal establishment to provide for a more effective civil defense system at Federal, State, and local levels.

(5) Advising on policy guidance governing implementation of civil defense plans and operational procedures and on such other matters as the Chairman may request.

4. *Committee management and reports*—a. *Management.* (1) The Chairman, or his named representative, shall administer activities of the Committee in accordance with BoB Circular A–63, "Management of Interagency Committees," and applicable DoD directives.

(2) The Management Office, under the Assistant Director of Civil Defense (Management), shall be responsible for maintaining committee management files as prescribed in attachment to BoB Circular A–63.

b. *Reports.* Information on the Committee shall be included in annual reports on interagency committees, as required by BoB Circular A–63 and applicable DoD directives.

5. *Duration of Committee.* The Committee shall continue in existence until June 30, 1968, or whenever the mission is completed, whichever is earlier.

6. *Cancellation.* Notice of establishment of Interagency Civil Defense Committee published September 17, 1964 (29 F.R. 13049), is hereby canceled.

JOSEPH ROMM,
Acting Director of Civil Defense.

[F.R. Doc. 67-8341; Filed, July 19, 1967; 8:45 a.m.]

Office of the Secretary

REQUIRED PURCHASES OF STOCKPILE NATURAL RUBBER

Contracts Regarding Tires

Pending publication in Title 32 Subchapter A, Code of Federal Regulations, the following has been approved by the Assistant Secretary of Defense (Installations and Logistics) by memorandum dated June 29, 1967 to the Assistant Secretaries of the Army, Navy and Air Force and the Director of the Defense Supply Agency effective 1 July 1967:

The Department of Defense shall require Defense contractors to purchase stockpile rubber in amounts equivalent to the amounts of total rubber (natural and synthetic) contained in certain Defense supplies. This requirement necessitates revision of the current clause at 32 CFR 1.323 covering contracts for aircraft tires, tubes, recapping materials and tire recapping (unless the recapping materials are government-furnished), and contracts for aircraft under which the contractor will furnish tires or tubes. It also applies to Army purchases of tires, tubes, recapping materials, and tire recapping (unless the recapping materials are government-furnished), produced to military specifications, for use on military trucks, trailers, and buses, and to Army contracts for such vehicles under which the contractor will furnish tires or tubes produced to military specifications.

The following contract clause is designed to accomplish the revised national stockpile disposal objectives and is authorized for use pending publication of these requirements in the Code of Federal Regulations.

The poundages of crude natural rubber required to be purchased from GSA are to be calculated on the basis of the estimated total quantity of natural rubber and synthetic rubber, if any, contained in the items to be delivered. The requirements for documentation to be supplied the General Services Administration are unchanged.

The revised clause should be included in all affected contracts for which solicitations for bids or proposals are issued after June 30, 1967.

PURCHASE OF NATURAL RUBBER (JULY 1967)

(a) Except as provided in paragraph (b) below, the Contractor shall purchase from the General Services Administration, either directly or through a dealer, or otherwise cause to be purchased, during the life of this contract _____[1] pounds of crude natural rubber. Each order for rubber placed with the General Services Administration pursuant to this clause shall state that it has been placed in accordance with the provisions of this clause, shall identify this contract by number and the name of the issuing activity and shall be sent to:

Manager, Rubber Project, General Services Administration, Room 6042, GSA Building, 18th and F Streets NW., Washington, D.C. 20025.

Rubber purchased pursuant to this clause may be used in any manner the Contractor desires and need not be earmarked in any way after delivery to the Contractor, nor physically incorporated in the items to be delivered, provided the specifications are met.

(b) To the extent the Contractor places subcontracts for tires, tubes, tire recapping, or recapping materials under this contract, he is not required to purchase rubber from the General Services Administration. However, he agrees to incorporate in any such subcontract the same terms and conditions set forth in this clause including this paragraph (b), specifying approximate quantity of rubber (natural and synthetic) contained in the tires, tubes, tire recapping, or recapping materials to be delivered under the subcontract. The Contractor shall forward one copy of each such subcontract, referencing the prime contract number and the issuing activity, to the General Services Administration at the above address.

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

[F.R. Doc. 67-8365; Filed, July 19, 1967; 8:47 a.m.]

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[1] Contracting officer shall insert approximate quantity of rubber (natural and synthetic) contained in the tires, tubes, tire recapping, or recapping materials to be delivered under this contract.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DEPUTY ASSISTANT SECRETARY FOR MARKETING AND CONSUMER SERVICES

Delegation of Authority

Pursuant to section 10 of the Statement of Organization and Delegations of the Department of Agriculture at 29 F.R. 16210 et seq., as amended, delegating to each Assistant Secretary of Agriculture the authority to exercise all the power and functions of the Secretary in connection with the functions of the agencies assigned to each Assistant Secretary's direction and supervision, and section 111 a. (2) of the Statement of Organization and Delegations, there is hereby delegated to the Deputy Assistant Secretary for Marketing and Consumer Services the authority to issue, amend, terminate, or suspend marketing agreements or orders, or provisions thereof.

This delegation does not preclude the Secretary of Agriculture, the Under Secretary, or the Assistant Secretary for Marketing and Consumer Services from exercising these functions.

Done at Washington, D.C. this 17th day of July 1967.

GEORGE L. MEHREN,
Assistant Secretary of Agriculture, Marketing and Consumer Services.

[F.R. Doc. 67-8383; Filed, July 19, 1967; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-27]

WASHINGTON STATE UNIVERSITY

Notice of Issuance of Amended Facility License

No request for hearing or petition to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER May 13, 1967, 32 F.R. 7225, the Atomic Energy Commission has issued Amendment No. 3 to License No. R-76 to Washington State University. The amended license authorizes the University to operate the Washington State University Reactor, located on the campus at Pullman, Washington, at power levels up to 1000 kilowatts (thermal) with the modified core and control system installed in accordance with Construction Permit No. CPRR-96.

The amended facility license was issued in the form published in the notice of proposed action.

Dated at Bethesda, Md., this 12th day of July 1967.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 67-8336; Filed, July 19, 1967; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. Nevada 067258]

NEVADA

Notice of Public Sale

JUNE 12, 1967.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-1427), 43 CFR Subpart 2243, tracts of land will be offered for sale to the highest bidder, but at not less than the appraised value plus the publication costs, at a public sale to be held at 1:30 p.m., local time, on Wednesday, September 6, 1967, at the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, Nev. The land to be offered for sale is described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 15 N., R. 25 E.,
Parcel 1, Sec. 19, W½SE¼ (80 acres);
Parcel 2, Sec. 19, NE¼, SE¼NW¼ (200 acres).

The area described contains 280 acres. The appraised value of Parcel 1 is $1,200 and Parcel 2 is $5,000. The publication costs to be assessed purchasers of each parcel are $10.

The land will be sold subject to all valid existing rights and reservations for rights-of-way. Reservation will be made to the United States for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All mineral rights are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Bids may be made by the principal or his agent, either personally at the sale, or by mail. Bids must be for all the lands in the parcel. Bids sent by mail will be considered only if received at the Nevada Land Office, Bureau of Land Management, Room 3008 Federal Building, 300 Booth Street, Reno, Nev. 89502, prior to 1:30 p.m., on Wednesday, September 6, 1967. Bids made prior to the public auction must be submitted in sealed envelopes, accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, made payable to the Bureau of Land Management, for the full amount of the bid, which may not be less than the appraised value plus the publication costs. The envelopes must be marked in the lower left-hand corner "Publication Sale Bid, Parcels No. _____, sale held September 6, 1967."

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in increments specified by the authorized officer. The person declared to have entered the highest qualifying bid shall be required to make full payment for the tract plus the cost of publication at the close of bidding. The authorized officer shall also afford the successful oral bidder until 3:30 p.m., September 6, 1967, to provide a guaranteed remittance.

If no bids are received for the sale parcels on Wednesday, September 6, 1967, the parcels will be reoffered on the first Wednesday of subsequent months at 2 p.m., beginning October 4, 1967, 2 p.m.

Any adverse claimants to the above-described land should file their claims, or objections, with the undersigned on or before the time designated for sale.

The lands described in this notice have been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of the proposed classification decision. Inquiries concerning this sale shall be addressed to the Land Office Manager, Bureau of Land Management, Room 3008, Federal Building, 300 Booth Street, Reno, Nev. 89502.

ROBERT T. WEBB,
Acting Manager, Nevada Land Office.

[F.R. Doc. 67-8368; Filed, July 19, 1967; 8:47 a.m.]

[Serial No. N-596]

NEVADA

Notice of Public Sale

JULY 13, 1967.

Under the provisions of the Public Land Sale Act of September 19, 1964 (78 Stat. 988, 43 U.S.C. 1421-1427), 43 CFR Subpart 2243, a tract of land will be offered for sale to the highest bidder at a sale to be held at 1:30 p.m., local time, on Wednesday, August 30, 1967, at the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, Nev. The land is described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 19 N., R. 21 E.,
Sec. 10, SW¼SW¼SW¼SW¼.

The area described contains 2.5 acres. The appraised value of the tract is $750 and the publication costs to be assessed are $10.

The land will be sold subject to all valid existing rights. Reservations will be made to the United States for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945). All minerals are to be reserved to the United States and withdrawn from appropriation under the public land laws, including the general mining laws.

Bids may be made by the principal or his agent, either at the sale, or by mail. Bids must be for all the lands in the parcel. Bids sent by mail will be considered only if received at the Nevada Land Office, Bureau of Land Management, Room 3008 Federal Building, Reno, Nev. 89502, prior to 1:30 p.m. on Wednesday, August 30, 1967. Bids made prior to the public auction must be in sealed envelopes, accompanied by certified checks, postal money orders, bank drafts, or cashier's checks, made payable to the Bureau of Land Management, for the full amount of the bid, which may not be less than the appraised value, plus publication costs. The envelopes must be marked in the lower left-hand corner

"Publication Sale Bid, Parcel No. 1, sale held August 30, 1967."

The authorized officer shall publicly declare the highest qualifying sealed bid received. Oral bids shall then be invited in increments specified by the authorized officer. The person declared to have entered the highest qualifying bid shall be required to make full payment for the tract plus the cost of publication at the close of bidding. The authorized officer shall also afford the successful oral bidder until 3:30 p.m., September 6, 1967, to provide a guaranteed remittance.

If no bids are received for the sale tract on Wednesday, August 30, 1967, the tract will be reoffered on the first Wednesday of subsequent months at 2 p.m., beginning September 6, 1967, 2 p.m.

Any adverse claimants to the above-described lands should file their claims, or objections, with the undersigned before the time designated for sale.

The lands described in this notice have been segregated from all forms of appropriation, including locations under the general mining laws, except for sale under this Act, from the date of the proposed classification decision. Inquiries concerning this sale shall be addressed to the Land Office Manager, Bureau of Land Management, Room 3008, Federal Building, 300 Booth Street, Reno, Nev. 89502.

ROBERT T. WEBB,
Acting Manager, Nevada Land Office.

[F.R. Doc. 67-8369; Filed, July 19, 1967; 8:47 a.m.]

[OR 2017]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

JULY 13, 1967.

The Department of Agriculture, on behalf of the Forest Service, has filed application, OR 2017, for the withdrawal of the land described below, from all forms of appropriation, subject to valid existing rights.

The applicant desires the land as a part of the Forest Development Road System in connection with the administration of the Umatilla National Forest.

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

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

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

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

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

The land involved in the application is:

WILLAMETTE MERIDIAN

NORTH FORK JOHN DAY ROAD S-608

T. 6 S., R. 31 E.,
Sec. 36, S½SW¼ and SE¼.

A strip of land 66 feet in width, being 33 feet on each side of the center line of North Fork John Day Road S-608 in and through the above subdivision.

The area described aggregates 9.0 acres.

ERLING A. OLSON,
Chief, Lands Adjudication Section.

[F.R. Doc. 67-8370; Filed, July 19, 1967; 8:47 a.m.]

[OR 2031]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

JULY 14, 1967.

The Department of Agriculture, on behalf of the Forest Service, has filed an application, Serial Number OR 2031, for the withdrawal of the public lands described below, from all forms of appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws.

The applicant desires the land as an administrative and public-service access area to Fairview Mountain Lookout in connection with the administration of the Umpqua National Forest.

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

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

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

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

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

The land involved in the application is:

WILLAMETTE MERIDIAN

UMPQUA NATIONAL FOREST

Fairview Mountain Lookout Tract A

T. 23 S., R. 1 E.,
Sec. 14, a parcel within lot 3, described as follows:
A strip of land 60' wide, 30' each side of a center line described as commencing at ¼ corner common to secs. 11 and 14;
thence S. 64°34' W. 867.13' more or less;
thence N. 51°10' E. 89.50';
thence through a 4° curve to right whose total central angle is 5°02' and length is 125.80' an applicable distance of 106.19' to a point on E. line of patented Mining Claim Charles, which point is true point of beginning;
thence continuing along said 4° curve to right for a distance of 19.61';
thence N. 56°12' E. 37.70';
thence through a 2° curve to left whose total central angle is 3°32' and length is 176.70' an applicable distance of 104.48' to a point on S. line of patented Mining Claim German, the sidelines being lengthened or shortened to intersect said E. and S. lines of said claims.

The area described aggregates 0.22 acre.

ERLING A. OLSON,
Chief, Lands Adjudication Section.

[F.R. Doc. 67-8371; Filed, July 19, 1967; 8:47 a.m.]

[OR 2018 (Wash.)]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Land

JULY 13, 1967.

The Corps of Engineers, U.S. Department of the Army, has filed an application, Serial Number OR 2018 (Washington), for the withdrawal of the public lands described below, from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing laws.

The applicant desires to use the land for project planning and as a wildlife management area in connection with the John Day Lock and Dam Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with

the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 NE. Oregon Street (Post Office Box 2965), Portland, Oreg. 97208.

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

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

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

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

The land involved in the application is:

WILLAMETTE MERIDIAN

T. 5 N., R. 26 E.,
Sec. 12, NW¼NW¼.

The land described aggregates 40 acres.

ERLING A. OLSON,
Chief, Lands Adjudication Section.

[F.R. Doc. 67-8372; Filed, July 19, 1967; 8:47 a.m.]

Office of the Secretary

CENTRAL AND FIELD ORGANIZATION

This notice is published in accordance with the provisions of subsection (a)(1) of section 552, Title 5, United States Code, as amended by Public Law 90-23 codifying the "Public Information Act." The notice contains a description of the central and field organization of the Department of the Interior and lists places at which the public may obtain information, including information regarding the making of submittals or requests and the functions of the various bureaus and offices of the Department. More specific information with respect to the course and method by which functions are performed, procedures, and substantive provisions are contained in the public regulations of the Department. Section 1 of this notice indicates the location of those which appear in the Code of Federal Regulations.

Internal departmental regulations are published in the Departmental Manual which is available for inspection in the Department's Library, Interior Building, Washington, D.C., and at each of the headquarters or regional offices of bureaus of the Department. The administrative manuals of those bureaus which have issued such documents are available for inspection at the headquarters offices and at the regional offices of the bureaus.

GEORGE E. ROBINSON,
Deputy Assistant Secretary for Administration.

JULY 14, 1967.

CONTENTS OF THIS NOTICE

SECTION 1. *Public Regulations.*

Subject	*Citation to the Code of Federal Regulations*
Procurement	41 CFR Chapter 14.
Office of the Secretary, Dept. General.	43 CFR Subtitle A.
Oil Import Administration.	32A CFR Chapter X.
Oil Import Appeals Board.	32A CFR Chapter XI.
Office of Water Resources Research.	18 CFR Chapter IV.
Bureau of Commercial Fisheries.	50 CFR Chapter II.
Bureau of Sport Fisheries & Wildlife.	50 CFR Chapter I.
National Park Service	36 CFR Chapter I.
Bureau of Mines	30 CFR Chapter I. 32 CFR Chapter XIII.
Geological Survey	30 CFR Chapter II.
Bureau of Indian Affairs.	25 CFR Chapter I.
Bureau of Land Management.	43 CFR Chapter II.
Federal Water Pollution Control Admin.	18 CFR Chapter V.
Bureau of Reclamation	43 CFR Chapter I.

SEC. 2. *Organization—Office of the Secretary.* The Office of the Secretary performs both line and staff functions in the overall management of the Department. The Secretarial officers and the Solicitor exercise line authority in their respective fields of responsibility. This means that in these fields they have the authority to make final decisions affecting bureaus and offices and to issue directions to them. The Secretarial offices advise and provide staff assistance to these officials.

2.1 *Secretary.* The Secretary of the Interior, as the head of an executive department, reports directly to the President and is responsible for the direction and supervision of all activities of the Department. He also has certain powers or supervisory responsibilities relating to territorial governments.

2.2 *Under Secretary.* The Under Secretary assists the Secretary in the discharge of his duties and in the absence of the latter performs his functions. With the exception of certain matters requiring personal action by the Secretary, the Under Secretary has the full authority of the Secretary on any matter which comes before him.

2.10 *Assistant Secretary for Fish and Wildlife and Parks.* The Assistant Secretary for Fish and Wildlife and Parks discharges the duties of the Secretary with respect to the development, conservation, and utilization of the fish, wildlife, and the national park resources of the Nation. The Assistant Secretary exercises Secretarial direction and supervision over the Commissioner of Fish and Wildlife and the Bureaus of Commercial Fisheries and Sport Fisheries and Wildlife, which comprise the U.S. Fish and Wildlife Service, and over the National Park Service.

2.11 *Assistant Secretary—Mineral Resources.* The Assistant Secretary—Mineral Resources discharges the duties of the Secretary with respect to the development and utilization of minerals and fuels, including defense minerals activities. The Assistant Secretary exercises Secretarial direction and supervision over the Office of Geography, Office of Minerals and Solid Fuels, Office of Oil and Gas, Office of Coal Research, Oil Import Administration, Bureau of Mines, and Geological Survey.

2.12 *Assistant Secretary—Public Land Management.* The Assistant Secretary—Public Land Management discharges the duties of the Secretary with respect to outdoor recreation, land utilization and management, territorial affairs, and Indian affairs. The Assistant Secretary exercises Secretarial direction and supervision over the Bureau of Indian Affairs, Bureau of Land Management, Bureau of Outdoor Recreation, and the Office of Territories.

2.13 *Assistant Secretary—Water and Power Development.* The Assistant Secretary—Water and Power Development discharges the duties of the Secretary with respect to the development of water resources and power. The Assistant Secretary exercises Secretarial direction and supervision over the Bureau of Reclamation, Bonneville Power Administration, Southeastern Power Administration, the Southwestern Power Administration, and the Alaska Power Administration. He is also responsible for carrying out the national defense functions of the Secretary with respect to electric power.

2.14 *Assistant Secretary—Water Pollution Control.* The Assistant Secretary—Water Pollution Control discharges the duties of the Secretary with respect to the control, prevention, and abatement of water pollution. The Assistant Secretary exercises Secretarial direction and supervision over the Federal Water Pollution Control Administration and the Office of Saline Water.

2.15 *Assistant Secretary for Administration.* The Assistant Secretary for Administration discharges the duties of the Secretary with respect to all phases of administrative management including budget, finance, compliance, management research, personnel, procurement, property, audit, management operations, security, emergency preparedness, library services, automatic data processing, and related activities. Secretarial offices and divisions appropriately identified with these functions are under his supervision. The Assistant Secretary for Administration provides central coordination of the Department's emergency preparedness activities and exercises Secretarial direction and supervision over the administrative management aspects of the program.

2.16 *Solicitor.* The Solicitor is the principal legal adviser to the Secretary and the chief law officer of the Department. He is responsible for and has supervision over all legal work of the Department.

2.20 *Office of the Science Adviser.* The Science Adviser to the Secretary serves as staff adviser to the Secretary and assists in carrying out the Secretary's responsibilities for the policy direction, coordination, control, and administration of the scientific research activities and programs within the bureaus and offices of the Department.

2.21 *Office of Ecology.* The Office of Ecology was created in January of 1967 to serve as the Departmental focal point for ecology and environmental quality considerations and to provide for support and direction of ecological surveys and research. The Director of the Office of Ecology serves as the Secretary's Adviser on Environmental Quality and reports to the Secretary through the Office of the Science Adviser.

2.22 *Office of Information.* The Office of Information exercises technical and general functional supervision over all information activities of the Department. The Office of Information, Northwest Regional Office, located in Portland, Oreg., assists and directs the information programs of bureaus which conduct operations in that area.

2.23 *Program Support Staff.* The Program Support Staff is a small professional group providing assistance to the Secretary and Under Secretary on a broad range of problems. The Staff has a continuing concern with the formulation, revision, or discontinuance of departmental policies and with problems of departmental posture on emerging issues. Members of the Staff are available for "troubleshooting" assignments and studies of controversial problems which must be dealt with at the Secretarial level.

The Staff coordinates special programs and certain continuing activities which involve the interests of one or more bureaus of the Department. Members are also designated as the Secretary's representatives on certain interagency committees and task forces.

The Director and Assistant Director exercise general supervision over the Department's Regional Coordinators. The Regional Coordinators chair the Department's field committees and coordinate matters of program and policy in the field where more than one bureau interest is involved. As Department representatives on various interagency river basin committees, and on Federal-State river basin commissions authorized by the Water Resources Planning Act of 1965, the Regional Coordinators devote substantial time to comprehensive river basin planning.

REGIONAL COORDINATORS—PROGRAM SUPPORT STAFF

Region	*Headquarters*
Alaska	709 W. Ninth St., Juneau, Alaska 99801.
Missouri Basin	P.O. Box 2530, Billings, Mont. 59103.
North Central Ohio River-Appalachian Sub-Area	Federal Office Bldg., Cincinnati, Ohio 45202.
Upper Mississippi - Western Great Lakes Sub-Area.	303 Price Place, Madison, Wis. 53705.
Northeast	John F. Kennedy Federal Bldg., Boston Mass. 02203.
Pacific Northwest	1002 NE. Holladay St., Portland, Oreg. 97208.
Pacific Southwest	P.O. Box 36098, San Francisco, Calif. 94102.
Southwest	Federal Bldg., Muskogee, Okla. 74402.
Southeast	c/o Southeastern Power Admin., Elberton, Ga. 30635.

2.24 *Contract Appeals Board.* The Board of Contract Appeals, in the Office of the Secretary, exercises the authority of the Secretary provided in R.S. 161 (5 U.S.C. 22) in deciding appeals from findings of fact or decisions by contracting officers of any bureau or office of the Department.

2.25 *Office of Program Analysis.* The Office or Program Analysis was established in December 1965 to exercise those duties required to meet the Department's responsibility to develop a Planning-Programing-Budgeting System as required by Bureau of the Budget Bulletin No. 66-3, of October 1965.

2.26 *Office for Equal Opportunity.* The Office for Equal Opportunity was created in September 1965 to oversee, coordinate, and obtain compliance with titles VI and VII of the Civil Rights Act of 1964 (78 Stat. 241), related statutes, and applicable Executive orders. The Office establishes the policies required to meet the responsibilities of the Office of the Secretary for the Department of the Interior's programs, develops and administers procedures and regulations to carry out these policies, and oversees the Department's activities to insure compliance with these policies and procedures.

SEC. 3 *Other Departmental Offices.* The phrase "other Departmental offices" is used to identify collectively the following described offices that are neither a part of the Office of the Secretary nor a bureau of the Department.

3.1 *Office of the Solicitor.* The Office of the Solicitor performs all legal work for the entire Department. In addition to the legal work directly concerned with the programs and activities of the Department, the Office of the Solicitor handles matters relating to torts and other claims, inventions by personnel of the Department, and appeals to the Secretary of the Interior in public land proceedings and Indian probate matters. The Solicitor is assisted by a Deputy Solicitor, Legislative Counsel, seven Associate Solicitors (whose respective assignments cover Indian affairs; mineral resources and general legal services; reclamation and power; territories, wildlife and claims; parks and recreation; public lands; and water resources and procurement), and a staff of attorneys in Washington. In the field, eight Regional Solicitors supervise field solicitors, attorneys, and hearing examiners within their respective regions.

REGIONAL OFFICES—OFFICE OF THE SOLICTOR

Office	*Address*
Anchorage, Alaska 99501.	Federal Bldg.
Denver, Colo. 80225.	Denver Federal Center.
Los Angeles, Calif. 90012.	Federal Bldg.
Philadelphia, Pa. 19106.	Second Bank Bldg.
Portland, Oreg. 97208.	Federal Bldg.
Sacramento, Calif. 95821.	Interior Bldg.
Salt Lake City, Utah 84111.	Federal Bldg.
Tulsa, Okla. 74101.	U.S. Post Office and Federal Bldg.

3.2 *Office of Geography.* The Office of Geography performs those operational responsibilities of the Secretary of the Interior relating to foreign geographic names (names of places not in the United States, its territories, or the Commonwealth of Puerto Rico, or adjacent waters). The Secretary of the Interior, conjointly with the Board on Geographic Names, has the responsibility for standardizing geographic names for use on maps and in other publications of the Federal Government. The Director of the Office of Geography is ex officio Executive Secretary of the Board on Geographic Names for foreign geographic names. (Similar work related to domestic geographic names is performed by the Geological Survey, Topographic Division.)

3.3 *Office of Minerals and Solid Fuels.* The Office is responsible for planning and programing to provide for a supply of metals, minerals, and solid fuels adequate for essential civilian and military requirements under partial and full mobilization. It also assists the States in planning for the emergency management of solid fuels in coordination with efforts at the national level.

Advice and assistance are provided by the Office for the Department in the establishment and review of stockpile policies, including the development of stockpile objectives for individual strategic and critical materials, the organization of programs to dispose of surplus Government inventories of metals and minerals, and the acquisition of metals and minerals under the Agricultural Trade Development and Assistance Act and other authorities.

3.4 *Office of Oil and Gas.* The Office develops, evaluates, and coordinates oil and gas information to provide sound bases for establishment and implementation of Government policies and programs for oil and gas, provides information and service to Government agencies with respect to strategic and economic factors affecting the petroleum and gas industries both in the United States and abroad, recommends programs and policies to improve the position and capabilities of these domestic industries, and provides advice with respect to international policies affecting petroleum and gas.

The Office prepares national emergency plans and develops preparedness programs to provide a state of readiness in petroleum and gas for all conditions of national emergency in collaboration with other Federal agencies, State and local governments, and industry; provides for a standby Emergency Petroleum and Gas Administration (EPGA); and selects and trains executive reservists to staff EPGA. The Office of Oil and Gas would serve as the nucleus of EPGA in an emergency. The Office also participates with other Federal agencies in petroleum activities of international organizations and U.S. alliances in planning and testing programs designed to meet U.S. and allied emergency oil and gas requirements.

3.5 *Office of Saline Water.* The Office of Saline Water provides for research and development of practical means for the economical production, from sea or other saline water, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

The program is conducted by means of research grants to, and contracts made with, chemists, physicists, engineers, educational institutions, scientific organizations, or industrial or engineering firms, to conduct research and technical development work. The Office performs the following specific functions:

Research: Formulates and maintains currently a productive research and development program, national and international in scope, for the economic conversion of saline water by stimulating and sponsoring private and governmental research; studies the needs of industry and municipalities for saline water conversion, and the quality and quantities of converted water required; plans research and development activities to meet these needs; and conducts economic studies of the comparative cost of natural fresh water with that converted from saline sources.

Coordination: Coordinates and exchanges information on saline water conversion research, private and governmental; prepares publicity and information on the subject; plans and manages meetings and symposia; coordinates and integrates results of its activities with private organizations and with the Department of Defense, National Science Foundation, Atomic Energy Commission, Smithsonian Institution, Office of Emergency Planning, Department of Agriculture, Department of State, and the Department of Commerce.

Contracts and grants: Prepares negotiates, and supervises research and development contracts and grants; and determines which scientific organizations and individuals are equipped to conduct research and development work, which processes should be emphasized or curtailed and the direction that each should take, in connection with (1) investigation of new theories, principles, and phenomena of an exploratory nature embracing any field of science of potential use in applying developments, but without regard to the economics and processes; and (2) applied research and development of practical applications in production of devices, systems, materials, and processes, including pilot plants, cost estimates, designs, and product engineering, with complete regard for all economic factors.

The Office of Saline Water now operates a research and development test station at Wrightsville Beach, N.C., and a west coast test center has been established at San Diego, Calif., for testing of modules and components of large plants. Three demonstration saline water conversion plants are in operation: (1) Long tube vertical multiple effect at Freeport, Tex., 1 million gallons per day; (2) electrodialysis at Webster, S. Dak., 250,000 gallons per day; (3) forced-circulation, vapor-compression at Roswell, N. Mex., 1 million gallons per day.

3.6 *Oil Import Administration.* The Oil Import Administration discharges the responsibilities imposed upon the Secretary of the Interior by Presidential Proclamation 3279 of March 10, 1959, as amended, "Adjusting Imports of Petroleum and Petroleum Products Into the United States." This proclamation, in the interests of national security, imposes restrictions upon the importation of crude oil, unfinished petroleum oils, finished petroleum products, and residual fuel oil to be used as fuel. The Administration allocates imports of these commodities among qualified applicants and issues import licenses on the basis of such allocations. These functions are carried on with respect to three areas: Alaska, Arizona, California, Hawaii, Nevada, Oregon, and Washington (District V); the District of Columbia and all States not listed above (Districts I-IV); and Puerto Rico.

3.7 *Oil Import Appeals Board.* The Oil Import Appeals Board was established by the Secretary of the Interior pursuant to authorization contained in Proclamation 3279 of March 10, 1959, as amended, "Adjusting Imports of Petroleum and Petroleum Products Into the United States." The membership of the Board consists of one representative each from the Interior, Commerce, and Defense Departments, designated by the respective Department heads.

The Board considers petitions by persons affected by the regulations issued by the Secretary of the Interior (Oil Import Regulation 1, as revised and amended), implementing the proclamation.

The Board is authorized, within specified limits, to modify any allocation granted by the Oil Import Administration, on the grounds of exceptional hardship or error; to grant allocations for crude oil, in special circumstances, to persons with importing histories who are ineligible for allocations under the regulations; to grant allocations for finished products, on the ground of exceptional hardship, to persons who do not qualify under the regulations; and to review the revocation or suspension of any allocation or license. Decisions of the Board are final decisions.

3.8 *Office of Coal Research.* The Office of Coal Research performs functions authorized by the act of July 7, 1960 (74 Stat. 336; 30 U.S.C. 661), to develop, through research, new and more efficient methods of mining, preparing, and utilizing coal. This objective is carried out by contracting for, sponsoring, cosponsoring, and promoting the coordination of, research with recognized interested groups, including, but not limited to, coal trade associations, coal research associations, educational institutions, agencies of States, political subdivisions of States, and other agencies of the Federal Government.

The act also authorizes the Secretary to undertake any project that seeks to determine the possibility of commercial utilization of the results of previous research. If a pilot plant or other experimental plant is the appropriate means for attaining the information desired, the Secretary has authority to contract for its construction and operation and to

provide a site, by the purchase of land if required.

3.9 *Defense Electric Power Administration.* The Defense Electric Power Administration is responsible for the preparation of national emergency plans and developments of preparedness programs covering the electric power industry as set forth in Executive Order 10997 of February 16, 1962.

The Administration serves as the focal point of contact with the electric power industry for other Government agencies in the preparation of civil defense preparedness plans, State and local government civil defense plans, vulnerability studies and allied activities. It maintains continuing surveillance of the generating and transmission capabilities of the electric power industry.

3.10 *Office of Water Resources Research.* The Office of Water Resources Research administers the program of water resources research and training authorized by act of July 17, 1964 (78 Stat. 329; 42 U.S.C. 1961). The program provides for promotion and support of research programs and training in the study of water supply and of resources which affect water.

3.11 *Office of Job Corps Coordination.* The Office coordinates the activities and operations of the Department's organizational units which participate in the operation of Job Corps Conservation Centers. The Office ensures the adequate planning and scheduling of operations, formulates the budget for the program, establishes objectives, reviews progress, provides guidance and direction in administrative matters, and serves as the Department's liaison to the Office of Economic Opportunity for Job Corps Conservation Centers.

The Office consists of a headquarters organization in Washington, D.C., a field organization including the Conservation Centers and the following zone offices:

Building 53, Denver Federal Center, Denver, Colo. 80225.

2328 Lloyd Center, Portland, Oreg. 97232.

SEC. 4. *Bureaus.*

4.1 *U.S. Fish and Wildlife Service.* Creation and authority: The U.S. Fish and Wildlife Service was created in the Department of the Interior November 6, 1956. As provided by the Fish and Wildlife Act of 1956 (70 Stat. 1119; 16 U.S.C. 742b), which established the Service, it replaced the former Fish and Wildlife Service, established June 30, 1940, by Reorganization Plan III. The Service is composed of the Office of the Commissioner and two bureaus: a Bureau of Commercial Fisheries responsible for commercial fisheries, including whales, seals, and sea lions; and a Bureau of Sport Fisheries and Wildlife responsible for wild birds, mammals (except whales, seals, and sea lions), and sport fisheries.

The functions of the Service are administered under the supervision of the Commissioner of Fish and Wildlife.

4.2 *Bureau of Commercial Fisheries.* Objectives: (1) to increase and maintain for the people of the United States, a fishery resource capable of yielding the maximum annual product; (2) to strengthen and maintain a vigorous fishery industry; and (3) to perform these functions in partnership with the States, and in accordance with our international obligations and relations.

Organization: The Bureau of Commercial Fisheries consists of the following principal segments: the headquarters office at Washington, D.C., six regional offices, an area office, and field laboratories, research stations, and statistics and market news offices.

Activities: Marine Fisheries: The Bureau conducts biological research on commercially important species of fish, shellfish, and mammals off all coasts of the United States, in the high seas, and in waters adjacent to territories and possessions. This includes the collection of information on the size of the resources, rates of decline or increase, and reaction to various intensities of fishing as a basis for management by the States or by international commissions.

Inland Fisheries: Programs for the maintenance of inland fisheries are designed to discover and recommend measures for developing the fisheries of the Great Lakes and other inland waters, and promoting the conservation and management of Commercial fishery resources.

Services for Commercial Fisheries: The following services are provided to aid commercial fisheries:

Information. The conduct of a market news service for the collection and publication of current domestic and foreign market information on fishery commodities; conduct of surveys to collect, analyze, and disseminate statistics on the production, prices, processing, storage, and marketing of fishery products; and collection and dissemination of data on foreign fisheries.

Economic and Technical Research. The exploration of fishing grounds and study of fishing operations to determine the character, extent, and availability of resources and to devise, test, and demonstrate the most effective gear and vessel types; provision of a market development service to encourage the flow of domestic fishery products in commerce; and the undertaking of economic research on costs, employment, labor, and prices in the fishing industry.

Federal Aid to States. A cooperative program with the States in the research and development of the commercial fisheries resources of the Nation. Projects proposed by the States and coordinated with programs of other States and the Federal Government are financed on a matching fund basis. Assistance is rendered to States suffering from commercial fishery failures due to resource disasters arising from natural or undetermined causes.

Product Quality Research. The conduct of investigations to improve and develop methods for handling, processing, preserving, storing, and transporting fishery products and byproducts and otherwise assisting the fishing industry in problems of production and distribution; development of voluntary U.S. quality standards for fishery products and the performance of industry financed inspection services to determine adherence to the standards; and study of the composition, properties, and nutritive value of fishery products and byproducts and the development and improvement of fish cookery methods for Federal and State institutions and the U.S. consumer.

Loans and Grants. The administration of a fisheries loan fund for financing and refinancing the cost of purchasing, constructing, equipping, maintaining, repairing, or operating commercial fishing vessels or gear; administration of a fishing vessel mortgage insurance program which provides for the insurance of loans and mortgages made in connection with the construction, reconstruction, or reconditioning of fishing vessels; and administration of the payment of construction differential subsidies for the construction of commercial fishing vessels.

Cooperatives. The collection of data on the activities of fishery cooperatives to assure their conformity with the provisions of the Fishery Cooperative Marketing Act.

Training. The provision of assistance, in cooperation with the Departments of Labor and Health, Education, and Welfare, in the development of vocational training for the benefit of the fisheries industry.

International Agreements and Fur-Sealing: The Bureau is responsible for the conduct of activities relating to international agreements affecting fishery resources, including the Northwest Atlantic Fisheries Convention, the Shrimp Conservation Convention with Cuba, the Whaling Convention, the Sockeye Salmon Fishery Convention, the Northern Pacific Halibut Convention, the Inter-American Tropical Tuna Convention, the Fur-Seal Convention, and their implementing statutes. The Bureau is also responsible for activities relating to whales, certain other sea mammals, including the fur-sealing operation and activities relating to the administration of the Pribilof Islands and their native population, and the administration and enforcement of laws and regulations relating to international agreements.

Information: Requests for information may be addressed to the Bureau of Commercial Fisheries, Department of the Interior, Washington, D.C. 20240; or any one of the Bureau of Commercial Fisheries Regional or Area Offices.

REGIONAL AND AREA OFFICES—BUREAU OF COMMERCIAL FISHERIES

Region or area	*Headquarters*
1. Pacific	Arcade Bldg., Seattle, Wash. 98101.
2. Gulf and South Atlantic.	Box 6245, St. Petersburg Beach, Fla. 33736.
3. North Atlantic	Federal Bldg., Gloucester, Mass. 01930.
4. Great Lakes and Central.	5 Research Dr., Ann Arbor, Mich. 48103.
5. Alaska	Federal Bldg., Juneau, Alaska 99801.
6. Pacific Southwest.	101 Seaside Ave., Terminal Island, Calif. 90731.
Hawaii area	2570 Dole St., Honolulu, Hawaii 96812.

4.3 *Bureau of Sport Fisheries and Wildlife.* Objectives: To insure the conservation of the Nation's wild birds, mammals, and sport fish, both for their recreational and economic values, and to prevent their destruction or depletion while still encouraging the maximum possible present use of the Nation's fish and wildlife resources.

Organization: The Bureau of Sport Fisheries and Wildlife consists of a headquarters office at Washington, D.C., five regional offices, and wildlife refuges, fish hatcheries, research laboratories, and other offices located throughout the United States.

Activities: Migratory Birds: The Bureau is responsible for the conservation of migratory bird resources pursuant to the Migratory Bird Treaty Act, other Federal acts, and treaties with the Governments of Canada and Mexico. Research is conducted on the histories, habits, distribution, and diseases of the species, and serves as a basis for management. Annual studies are made of breeding ground conditions, hunter kills, and the relative abundance of birds in cooperation with the States and the Governments of Canada and Mexico. The studies serve as the basis for promulgating Federal hunting regulations which are administered by the Bureau in cooperation with the States. Coordinated flyway management plans are developed in cooperation with State flyway councils, and take into account all factors affecting the resource, including the need for nesting, resting, and wintering sanctuaries.

Sport Fisheries: A system of over 100 fish hatcheries is operated for the propagation and distribution of various species of sport fishes, including trout, salmon, bass, and catfish. The stocking of public waters and farm fish ponds is carried out in cooperation with State fish and game departments.

Research is conducted on the nutritional and disease factors that affect hatchery-raised fish and the factors that affect their survival and growth after they are planted in various waters.

National Wildlife Refuges: Approximately 321 national wildlife refuge areas, encompassing about 28,500,000 acres, are managed throughout the United States and Puerto Rico. These refuges variously provide nesting, resting, and wintering sanctuaries for migratory birds; range for big game, such as the bison, elk, and mountain sheep; and nesting grounds for upland birds and scarce exotic species, such as the whooping crane and the trumpeter swan. Portions of some of the areas are open to public hunting and fishing as biological conditions permit. When not incompatible with their wildlife management functions, the areas provide recreation for large segments of the public and economic benefits from agricultural crops, furs, timber, mineral royalties, and public concession fees.

Wildlife Services: This program provides services for determining, using, and promoting the best methods of managing wildlife in their natural habitat. It also provides supervision of the control of predatory animals destructive to livestock and game in the Western United States. In addition, extension services are rendered in the control of commensal and field rodents harmful to agriculture. Programs are executed in cooperation with States, counties, livestock associations, and other public and private agencies.

Federal Aid to States and Possessions: The Bureau administers the Federal aid in Fish and Wildlife Restoration Acts which authorize grants-in-aid to the States and Puerto Rico, Guam, and the Virgin Islands. Under this program grants-in-aid are authorized up to 75 percent of the cost of projects for investigation, acquisition of land, and development and maintenance of fish and wildlife habitat.

River Basin Studies: This program examines the effects on fish and wildlife resources of water use projects of Federal agencies and public and private agencies under Federal license. It is authorized by the Fish and Wildlife Coordination Act, the Federal Power Act, and the Watershed Protection and Flood Prevention Act. Studies have as their objective the recommending of measures for the protection and improvement of fish and wildlife resources and are conducted in cooperation with State fish and game departments and conservation agencies.

REGIONAL OFFICES—BUREAU OF SPORT FISHERIES AND WILDLIFE

Region	*Headquarters*
1. Pacific	Federal Bldg., Portland, Oreg. 97208.
2. Southwest	Federal Bldg., Albuquerque, N. Mex. 87103.
3. North Central	1006 West Lake St., Minneapolis, Minn. 55408.
4. Southeast	809 Peachtree-Seventh Bldg., Northeast, Atlanta, Ga. 30323.
5. Northeast	1105 Blake Bldg., Boston, Mass. 02111.

4.4 *National Park Service.* Creation and authority: The National Park Service was established in the Department of the Interior by the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1). Subsequent acts, Executive orders, and proclamations have added to the National Park System and expanded the activities of the Service.

Objectives: To promote and regulate the use of national parks, monuments, and similar reservations in conformity with the act of August 25, 1916, in order to "conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." This objective extends to the Service's activities in the preservation of American antiquities, historic and prehistoric sites and buildings, and properties of national historic or archeologic significance as well as the operation of recreation areas of national significance. A further objective of the Service is to provide assistance to the States in the management, operation, and development of public park and recreational-area facilities.

Organization: The National Park Service is composed of a headquarters staff in Washington, D.C.; three planning and service centers; six regional offices; and several hundred field areas, which include national parks, monuments, recreation areas, and numerous categories of historic areas.

Activities: The programs carried on by the National Park Service stem primarily from its responsibility to provide areas for public enjoyment, and to give the fullest possible protection to the natural and historic resources comprising such areas. The protection program consists not only of preventing fires, stream pollution, and injury to natural, historic, or prehistoric features, but also of restricting uses that are incompatible with the basic purposes of the parks. An integral part of the overall program is to provide for the needs of the visiting public. The Service also conducts interpretive, informational, and investigative programs relating to park resources and use.

REGIONAL OFFICES—NATIONAL PARK SERVICE

Region	*Headquarters*
Northeast	143 S. 3d St., Philadelphia, Pa. 19106.
Southeast	Federal Bldg., Richmond, Va. 23240.
Midwest	1709 Jackson St., Omaha, Nebr. 68102.
Southwest	Box 728, Santa Fe, N. Mex. 87501.
Western	450 Golden Gate Ave., San Francisco, Calif. 94102.
National Capital	1100 Ohio Drive SW., Washington, D.C. 20242.

4.10 *Bureau of Mines.* Creation and Authority. The Bureau of Mines was established July 1, 1910, in the Department of the Interior by act of May 16, 1910, as amended (30 U.S.C. 1, 3, 5–7); was transferred to the Department of Commerce in 1925 and returned to the Department of the Interior in 1934 under the President's reorganization powers. The 1910 act, as amended, has been supplemented by statutes authorizing the production and sale of helium, and helium research (50 U.S.C. 167); inspection of coal mines (30 U.S.C. 451–460, as amended); activities leading to the prevention of major disasters in coal mines (30 U.S.C. 471–483), and responsibilities as set forth in the Federal Metal and Nonmetallic Mine Safety Act (80 Stat. 772; 30 U.S.C. 721 note).

Objectives: The Bureau of Mines conducts programs designed to conserve and develop mineral resources and to promote safety and healthful working conditions in the mineral industries.

Organization: The Bureau is composed of a headquarters in Washington, D.C., and field establishments for mineral resource development; minerals research centers and laboratories; health and safety; helium; and two administrative

field offices in Pittsburgh, Pa., and Denver, Colo.

Work Programs and Studies: Minerals Research: The Bureau's scientific and engineering research is related to conservation, development, and utilization of minerals, including fuels. Research and development programs are conducted in mining, beneficiation, and metallurgy to assure adequate supplies of mineral commodities. Particular attention is paid to critical and strategic commodities essential to national security and processes designed to assure effective use of domestic mineral resources; research and development into ways and means for utilizing or economically disposing of solid mineral wastes; the causes and elimination of air pollution; and the Bureau's program in oceanography.

Fuels Research: Programs and activities in fuels research and development are designed to minimize waste; to increase efficiency; and through reducing costs, to promote the use of hitherto uneconomic fuels. The objectives of these programs are to assure adequate sources of energy for economic expansion and national security.

Explosives Research: Studies are made of the explosion hazards of dusts, fumes, and gases; the intent is to promote safety in all places where these hazards are present. Research is also conducted on commercial explosives to determine their effectiveness and permissibility in the promotion of safety and the improvement in mining techniques.

Mineral Resources: Mineral and fuel studies are conducted and engineering evaluations are made of marginal mineral and fuels deposits. Studies are made of mining methods and production techniques, and long-range resource investigations are conducted where conservation of other resources, such as waterpower, is involved. Determinations are made regarding the anticipated requirements of energy and resources for economic growth and development.

Helium: Helium production, conservation, distribution, transportation and research are carried on to insure an adequate low cost supply of this strategic gas for military and other agencies of the Government, and for non-Federal users requiring helium for commercial, medical, and scientific uses.

Health and Safety: Programs are conducted to reduce fatalities and injuries and improve health and safety conditions in the mineral industries. This is accomplished through research to devise acceptable standards for mining operations; training of mine personnel in safe practices and rescue and recovery methods; and, under certain circumstances, closure of unsafe mines.

Economics and Statistics: Economical and statistical studies, made by the Bureau, of domestic and foreign mineral production, distribution, and consumption provide the Government with essential information for policy and program formulation and supply industry with information needed in its operations. A health and safety statistical program is conducted and correlated with the commodity program.

4.11 *The Geological Survey.* Creation and authority: The Geological Survey was established by the act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), which provided for "the classification of the public lands and the examination of the geological structure, mineral resources, and products of the national domain." The act of September 5, 1962 (76 Stat. 427; 43 U.S.C. 31(b)), expanded this authorization to include such examinations outside the national domain. Topographic mapping and chemical and physical research were recognized as an essential part of the investigations and studies authorized by the organic act, and specific provision was made for them by Congress in the act of October 2, 1888 (25 Stat. 505, 526).

Following the early work on classification of lands available for irrigation, provision was made in 1894 for gaging the streams and determining the water supply of the United States (28 Stat. 398). Authorizations for publication, sale, and distribution of the maps, atlases, monographs, bulletins, water supply papers, professional papers, and other documents prepared by the Geological Survey were contained in several statutes (43 U.S.C. 41–45; 44 U.S.C. 260–262).

Objectives: To perform surveys, investigations, and research covering topography, geology, and the mineral and water resources of the United States; classify land as to mineral character and water and power resources; furnish engineering supervision for power permits and Federal Power Commission licenses; enforce departmental regulations applicable to oil, gas, and other mining leases, permits, licenses, development contracts, and gas storage contracts; and publish and disseminate data relative to the foregoing activities.

Organization: The Geological Survey consists of a headquarters organization, most of which is in Washington, D.C., and a field organization made up of separate functional area offices and their subordinate field offices.

Activities: Conservation: Classify Federal land as to water storage, waterpower, and mineral value; supervise mining and oil and gas leases on Federal, Indian, Outer Continental Shelf, and certain Naval Petroleum Reserve lands; promote the safety and welfare of workmen in mineral industries; maintain production accounts and collect royalties; prepare maps and reports for publication; provide the Bureau of Land Management and other Federal agencies geologic and engineering advice and services for the management and disposition of the public domain.

Geology: Make geologic surveys and investigations to determine and appraise the mineral and mineral fuels resources and the geologic structure of the United States and its territories, and provide scientific and technical assistance in appropriate fields, both domestically and abroad, to other Federal agencies, and administer an exploration program for the discovery of domestic mineral reserves by private industry with Federal assistance. Activities designed to accomplish these objectives include: geologic mapping; physical exploration, when necessary; development of new prospecting techniques; research into geologic principles and processes to provide guidance for significant geologic interpretations; specialized research in geochemistry, geophysics, and paleontology in support of the geologic and mineral resource investigations; and collation and synthesis of geologic information on mineral and mineral fuels resources. The results of investigations are published in bulletins, professional papers, circulars, geologic and related map series, reports printed by cooperative agencies, and in trade and technical journals.

Topographic Mapping: Prepare and publish the maps of the National Topographic Map Series, covering the United States and its outlying areas; systematically revise existing maps to maintain their usefulness; conduct research in topographic surveying and mapping, including the component phases of control surveys, aerial photography, photogrammetry and cartography, on both the techniques and the instrumentation of mapping operations; carry out research on domestic geographic names in connection with the Board on Geographic Names to resolve problems of accuracy and propriety of name usage.

Water Resources: Determine the source, quantity, quality, distribution, movement, and availability of both surface and ground waters. This work includes investigations of floods and droughts, their magnitude, frequency, and relation to climatic and physiographic factors; the evaluation of available waters in river basins and groundwater provinces, including water requirements for industrial, domestic, and agricultural purposes; the determination of the chemical and physical quality of water resources and the relation of water quality and suspended sediment load to various parts of the hydrologic cycle; special hydrologic studies of the interrelations between climate, topography, vegetation, soils, and the water supply; research to improve the scientific basis of investigations and techniques; scientific and technical assistance in hydrologic fields to other Federal agencies; and the coordination of national network and special water data acquisition activities of Federal agencies. The results of these investigations are published in the series of Geological Survey publications.

FIELD CENTERS—GEOLOGICAL SURVEY

Field center	*Headquarters*
Denver, Colo. 80225.	Denver Federal Center.
Menlo Park, Calif. 94025.	345 Middlefield Rd.

4.20 *Bureau of Indian Affairs.* Creation and Authority: The Bureau of Indian Affairs was created in the War Department in 1824 and transferred to the Department of the Interior at the time of its establishment in 1849. The Snyder Act of 1921 (42 Stat. 208; 25 U.S.C. 13) provided substantive law for appropriations covering the conduct of activities by the Bureau of Indian Affairs. The scope

and character of the authorizations contained in this act were broadened by the Indian Reorganization Act of 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.).

Objectives: The main objectives of the Bureau's program are: maximum Indian economic self-sufficiency; full participation of Indians in American life; and equal citizenship privileges and responsibilities for Indians.

Organization: The Bureau of Indian Affairs consists of a central office in Washington, D.C., and area offices and subordinate field installations located throughout the country. The field installations include Indian agencies, boarding schools, and irrigation projects.

Objectives: (1) to work with the Indian people in the development of programs leading toward full-fledged Indian responsibility for the management of their own property and affairs in the same manner as other citizens; (2) to assist in individual and group development by providing an exemplary education program for Indian children of school age and providing adult education (literacy; social, political, and economic organizations; working with non-Indian communities and groups and other governmental agencies); (3) to assist Indian people (both tribally and individually) in providing options for either staying on the reservation or moving to nonreservation communities through furnishing guidance, training, and financial assistance to those Indians who wish to leave reservation areas and enter normal channels of American economic and social life; developing programs, in cooperation with local and State agencies, to attract industries to reservation areas to increase the economic base; and as trustee, assisting the Indians in making the most effective use of their lands and other resources; and (4) to provide public services, such as welfare services and law and order, when these services are not available to Indians through their own or other agencies.

AREA OFFICES—BUREAU OF INDIAN AFFAIRS

Area	*Headquarters*
Aberdeen, S. Dak. 57401.	820 S. Main St.
Albuquerque, N. Mex. 87108.	5301 Central Ave. NE.
Anadarko, Okla. 73305.	Federal Bldg.
Billings, Mont. 59101.	316 N. 26th St.
Juneau, Alaska 99801.	Box 3-8000.
Minneapolis, Minn. 55408.	1312 W. Lake St.
Muskogee, Okla. 74401.	Federal Bldg.
Window Rock, Ariz. 86515.	Navajo Area Office.
Phoenix, Ariz. 85011.	124 W. Thomas Rd.
Portland, Oreg. 97208.	1425 NE. Irving St.
Sacramento, Calif. 95804.	2550 Fair Oaks Blvd.

INDEPENDENT OFFICES

Cherokee Agency	Cherokee, N.C. 28719.
Miccosukee Agency.	Homestead, Fla. 33030.
Seminole Agency	6075 Stirling Rd., Hollywood, Fla. 33024.

4.21 *Bureau of Land Management.* Creation and Authority: The Bureau of Land Management was established on July 16, 1946, through the consolidation of the General Land Office (created in 1812) and the Grazing Service (formed in 1934) in accordance with the provisions of sections 402 and 403 of the President's Reorganization Plan 3 of 1946 (5 U.S.C. 133y-16).

Objectives: The Bureau of Land Management is partially or totally responsible for the administration of mineral resources on about 770 million acres, approximately one-third of the area of the United States. Of this 770 million acres, the Bureau has exclusive jurisdiction for the management of lands and resources on some 457 million acres. The basic objective of this management program is to obtain for the American people the benefits of skillful coordination through multiple use management and, with respect to renewable resources, production at a sustained yield. The Bureau recognizes the following resource activities on the public lands: domestic livestock grazing, fish and wildlife development, and utilization, industrial development, mineral production, occupancy, outdoor recreation, timber production, watershed protection, wilderness protection, and preservation of other public values.

Organization: The Bureau organization consists of the headquarters in Washington, D.C., and a field organization of State Offices, land offices, district offices, service centers, Job Corps conservation centers, and Outer Continental Shelf offices.

Activities: Lands and Minerals Management: The Bureau studies, classifies, and provides for proper use of public lands. It acts upon applications and claims for the use of or title to public lands, issues leases, licenses, or permits for land use, and grants instruments for patent or other title conveyance in fulfillment of public land laws. Under the mining and mineral leasing laws the Bureau administers a program of development, conservation, and utilization of mineral resources through the leasing of minerals on public lands and on lands in other ownership on which the mineral rights are federally owned, and through the issuance of mineral patents and other instruments relating to mineral resource development. It conducts studies relative to minerals and other resource development and use.

Range and Forest Management: Through the granting of grazing permits and allotments in grazing districts, and the issuance of grazing leases on public lands outside grazing districts, the Bureau administers grazing and range activity to protect the productivity of the lands and to permit the highest use of forage, and carries out programs for the rehabilitation of deteriorated range lands. The Bureau also carries out sustained yield forest management on timber lands under its jurisdiction for the dual purpose of obtaining continuous timber production at the highest possible level, and promoting the economic stability of dependent communities.

Watershed Management: The Bureau carries out a coordinated program for the conservation, development, and utilization of water in order to preserve and protect the soil and water resources. The program is a combination of land treatment and structural practices having a planned pattern in support of multiple use management. It is designed to regulate surface water runoff for control of accelerated erosion, and to stabilize the soil resources implementing resource use.

Recreation and Wildlife: The Bureau has varied program responsibilities for outdoor recreation and wildlife values of the public lands. In some instances this includes the construction of roads and trails to provide public access to the public lands and the construction, operation, and maintenance of recreational facilities. The Bureau sells or leases to State and local governments, for recreational purposes, public domain lands that are best suited for such purposes. It also participates with Federal, State, and local agencies in cooperative programs involving the management of recreation and wildlife resources and develops habitats for wildlife.

Protection: The Bureau carries out programs relating to the protection of lands and resources under its jurisdiction. This includes fire protection through prevention, presuppression, and suppression; trespass protection; and protection from insects, pests, and diseases.

Engineering: The Bureau maintains the statutory engineering service for the survey and resurvey necessary for the identification and description of public lands. The Bureau also surveys and prepares maps necessary for the administration of mineral leasing on the submerged lands of the Outer Continental Shelf. It approves mineral surveys executed by U.S. mineral surveyors. It also develops transportation plans and plans for design and construction of access roads to public lands, and provides engineering standards covering design and construction of soil moisture and range improvement projects, buildings, and facilities.

Records: The Bureau maintains the land records which are basic to the real property structure of the public land States and which are essential to the effective administration of the public lands and their vast resources. Land records are the source of such basic information as (a) the Federal ownership of public domain, (b) the identification or location of public domain which has been conveyed to private ownership, (c) the mineral and other rights retained by the Federal Government in patented lands, (d) vacant public domain withdrawn or reserved for special uses, and (e) leases, licenses, and permits for lands and/or resources granted by the United States.

The Bureau administers five Job Corps conservation centers offering program of basic education and work experience. Work projects consist of conservation projects and recreational development.

STATE AND OUTER CONTINENTAL SHELF OFFICES—BUREAU OF LAND MANAGEMENT

State	Headquarters
Eastern States	7981 Eastern Ave., Silver Spring, Md. 20910.
Alaska	555 Cordova St., Anchorage 99501.
Arizona	Federal Bldg., Phoenix 85025.
California	Federal Bldg., Sacramento 95814.
Colorado	Federal Bldg., Denver 80202.
Idaho	Federal Bldg., Boise 83701.
Montana	Federal Bldg., Billings 59101.
Nevada	Federal Bldg., Reno 89502.
New Mexico	Federal Bldg., Santa Fe 87501.
Oregon	729 Northeast Oregon St., Portland 97208.
Utah	Federal Bldg., Salt Lake City 84111.
Wyoming	Federal Bldg., Cheyenne 82001.
OUTER CONTINENTAL SHELF OFFICES	
Pacific Coast	300 North Los Angeles St., Los Angeles, Calif. 90012.
Gulf Coast	Box 53226, New Orleans, La. 70150.
SERVICE CENTERS	
Denver Area	Federal Center Bldg. 50, Denver, Colo. 80225.
Portland Area	Post Office Box 3861, Portland, Oreg. 97208.

4.22 *Bureau of Outdoor Recreation.* Creation and authority. The Bureau of Outdoor Recreation was created April 2, 1962. Under the act of May 28, 1963 (16 U.S.C. 460*l*), the Bureau is responsible for promoting coordination and development of effective programs relating to outdoor recreation. The Bureau carries out most of the responsibilities delegated to the Secretary under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460*l*–4). Numerous functions are performed under the Federal Water Project Recreation Act (79 Stat. 213; 16 U.S.C. 460*l*–12, note).

Functions. The Bureau is responsible for preparing and maintaining a continuing inventory and evaluation of the outdoor recreation needs and resources of the United States; preparing a system for classification of outdoor recreation resources; formulating and maintaining a comprehensive nationwide outdoor recreation plan; promoting coordination of Federal plans and activities relating to outdoor recreation; cooperating with and providing technical assistance to States, political subdivisions, and private interests; encouraging interstate and regional cooperation; sponsoring, engaging in, and assisting with research relating to outdoor recreation; and cooperating with and providing technical assistance to Federal departments and agencies. Under the Land and Water Conservation Fund Act of 1965, the Bureau also administers a program of financial assistance grants to States for the purpose of facilitating outdoor recreational planning, acquisition, and development activities. Under the provisions of the Federal Water Project Recreation Act, the Bureau participates directly in the planning, coordination, and establishment of uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multipurpose water resource projects.

Organization: The Bureau is composed of a headquarters staff in Washington, D.C., and six regional offices. The headquarters staff consists of a Director, Associate Director, five Assistant Directors, and the Divisions of Federal Programs Review, and Federal Coordination—Land and Water Conservation Fund, Council Staff Services, Council Studies, Legislative Review, State Planning and Technical Assistance, Grants-in-Aid—Land and Water Conservation Fund, Nationwide Planning and Surveys, Water Resources, Special Area Studies, Research and Education, Personnel Management and Organization, Program Development and Management Operations, Financial Operations, and the Office of Recreation Information.

REGIONAL OFFICES—BUREAU OF OUTDOOR RECREATION

Region	Headquarters
Northeast	128 North Broad St., Philadelphia, Pa. 19107.
Southeast	810 New Walton Bldg., Atlanta, Ga. 30303.
Lake Central	3853 Research Park Dr., Ann Arbor, Mich. 48104.
Mid-Continent	Denver Federal Center, Bldg. 41, Denver, Colo. 80225.
Pacific Northwest	U.S. Courthouse, Seattle, Wash. 98104.
Pacific Southwest	450 Golden Gate Ave., San Francisco, Calif. 94102.

4.23 *Office of Territories.* Creation and authority: The Office of Territories was established by the Secretary of the Interior on July 28, 1950, to assist in carrying out certain of his responsibilities pertaining to noncontiguous areas under the jurisdiction of the Government of the United States. Prior to that time territorial functions were performed by the Division of Territories and Island Possessions, which was established by a 1934 Executive order as a part of the Office of the Secretary.

Objectives: The objective of the Office of Territories with respect to the American territories of Guam, American Samoa, and the Virgin Islands is the promotion of economic, social, and political development leading to a full measure of self-government and the active participation of residents of these territories in the life of the Nation. The objective is similar with respect to the Trust Territory of the Pacific Islands, giving due recognition to its trust status and the need to bring the people of that territory to a point where they can make a determination as to their own political future. The degree to which the Office of Territories conducts activities to further these objectives in a specific territory depends on the status of the territorial government, its relationship to the Secretary of the Interior, and the extent of development already achieved within the territory.

Organization: The Office of Territories is composed of a headquarters organization in Washington, D.C.

Activities: The Office of Territories is assigned the responsibility of performing the following functions:

Staff: Serves as the principal staff office to the Office of the Secretary on all territorial matters. The conduct of staff activities consists of: (a) making the needs of the territories known to other Federal agencies, representing the interests of the territories before other Federal agencies, and serving as the channel of communication with the territorial governments; (b) studying the economic, social, and political problems of the territories and proposing policies, programs, and other actions for their solution; (c) reviewing the functioning of territorial governments and suggesting or recommending improvements; and (d) advising the Office of the Secretary on proposed legislation and other important matters affecting the territories.

Administration: Administers Wake, Canton, Palmyra, and Enderbury Islands and Jarvis, Baker, and Howland Islands, all of which have been placed under the jurisdiction and control of the Secretary for administrative purposes.

Administrative Assistance: Provides budgetary and certain other administrative services to the offices of the governors of the territories and to the Government of the Trust Territory of the Pacific Islands.

4.30 *Federal Water Pollution Control Administration.* Creation and authority. The Federal Water Pollution Control Administration was created by section 2 of the Water Quality Act of 1965 (79 Stat. 903; 33 U.S.C. 466 note), approved October 2, 1965, effective December 31, 1965. The Federal Water Pollution Control Administration became a bureau in the Department of the Interior under Reorganization Plan 2 of February 28, 1966, effective May 10, 1966, to carry out the provisions of the Water Pollution Control Act, as amended (70 Stat. 498; 33 U.S.C. 466), section 702(a) of the Housing and Urban Development Act of 1965 (79 Stat. 490; 42 U.S.C. 3102), section 212 of the Appalachian Regional Development Act of 1965 (79 Stat. 16; 40 U.S.C. App. 212), section 106 of the Public Works and Economic Development Act of 1965 (79 Stat. 554; 42 U.S.C. 3136), section 48(h)(12)(B) of the Internal Revenue Code of 1954, as amended (80 Stat. 1508; 26 U.S.C. 48), Oil Pollution Act, 1924, as amended (80 Stat. 254; 33 U.S.C. 431), Executive Order 11288, and Interdepartmental Agreement Concerning Consultation on Health Aspects of Water Pollution Control, approved September 1, 1966.

Purpose: The Administration administers a national program to enhance the quality and value of the Nation's water resources and to otherwise assure the fulfillment of a national policy for the prevention, control, and abatement of water pollution. The major functions of the Administration are: (1) Development or conduct of comprehensive and

special programs designed to eliminate or reduce the pollution of interstate waters and their tributaries; (2) award of grants to the States and to interagency agencies to assist in the development of comprehensive river basin water control and abatement plans, and, additionally, for the establishment and maintenance of measures for the prevention and control of water pollution; (3) encouragement and cooperative support of State enforcement authorities and exercise of Federal authority as required to abate pollution of interstate or navigable waters and violations of water quality standards established for interstate waters; (4) encouragement of the development and enactment of improved State laws and the development of interstate compacts; (5) conduct, promotion, and support of research investigations, experimentation, and demonstrations including the publication of related results and information; (6) award of grants for the construction of municipal waste treatment works; (7) award of grants, and utilization of contract authority, to assist in demonstrating new or improved methods for controlling pollutional waste discharges from storm sewers or storm and sanitary systems; (8) administration of programs involving fellowship, research, and training grants; (9) support and conduct of technical training; and (10) implementation of provisions of Executive Order 11288 which prescribes policies and procedures for the prevention, control, and abatement of water pollution by Federal activities, including facilities or operations supported by Federal loans, grants, or contracts.

Organization: The Office of the Commissioner and the following principal organizational components comprising the headquarters staff are located in Washington, D.C.: Assistant Commissioners for Administration, Program Plans and Development, Comprehensive Planning and Programs, Facilities Programs, Technical Programs, Research and Development, and Enforcement. The Administration communicates with State and local authorities, with other public and private organizations, including industrial, commercial, educational and other institutions concerned with water pollution abatement activities, through regional offices. In addition, comprehensive, technical assistance, and special study projects are located in various field locations throughout the United States. Water pollution control laboratories are in existence in College, Alaska; Ada, Okla.; Corvallis, Oreg.; Athens, Ga. Laboratories are planned for construction in Boston, Mass.; Ann Arbor, Mich.; the State of Maryland; Columbia, Mo.; Vicksburg-Jackson, Miss.; and Stevens Point, Wis. Water quality standards laboratories are currently being constructed in Narragansett, R.I., and Duluth, Minn. Major research and technical assistance activities are also carried out in the Administration's laboratories located in Cincinnati, Ohio.

REGIONAL OFFICES—FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

Region	*Headquarters*
Northeast	John F. Kennedy Federal Bldg., Boston, Mass. 02203.
Middle Atlantic	300 W. Main St., Charlottesville, Va. 22901.
Southeast	50 Seventh St., NE., Atlanta, Ga. 30323.
Ohio Basin	4676 Columbia Pkwy., Cincinnati, Ohio 45226.
Great Lakes	33 E. Congress Pkwy., Chicago, Ill. 60605.
Missouri Basin	601 E. 12th St., Kansas City, Mo. 64106.
South Central	1114 Commerce St., Dallas, Tex. 75202.
Southwest	100 McAllister St., San Francisco, Calif. 94102.
Northwest	Pittock Block, Portland, Oreg. 97205.

4.40 *Bureau of Reclamation.* Creation and authority: The Reclamation Act of 1902 (32 Stat. 388; 43 U.S.C. 391 et seq.), authorized the Secretary of the Interior to locate, construct, operate, and maintain works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the Western States. To perform these functions, the Secretary in July 1902 approved an organization plan for a Reclamation Service in the Geological Survey. In March 1907 the Reclamation Service was removed from the Survey and established under a Director. In June 1923 the Secretary created the position of Commissioner of Reclamation and changed the name Reclamation Service to Bureau of Reclamation.

Objectives: The objectives of the Bureau of Reclamation, pursued in cooperation with other bureaus of the Department of the Interior, other Federal agencies, States, and local groups, include: the transformation through irrigation of arid and semiarid lands into productive farms; the maintenance of production on lands threatened with retrogression to desert, through the provision of supplemental water for irrigation; the development and administration of sound financial arrangements for reimbursement by water users of expenses incurred by the Government which are allocable to irrigation and subject to repayment; and the transmission and sale or exchange of electric power and energy generated at Bureau projects and at certain reservoir projects under the control of other national and international agencies. It also includes reduction of the hazards and damages of uncontrolled flood runoff; maximum economical production of hydroelectric power and energy consistent with established priorities governing the impoundment and release of water for other purposes; river regulation; improvement of navigation; provision of water for municipal, domestic, and industrial use, on a repayment basis; conservation of fish and wildlife; abatement of sedimentation, salination, and pollution of streams and other water courses; enhancement of natural beauty; and the provision of new or enhanced recreational facilities.

Organization: The Bureau of Reclamation consists of the following principal segments: the Commissioner's Office at Washington, D.C., the Office of Chief Engineer at Denver, Colo., seven regional offices, an Alaska district, and project and other operating offices in the regions and in Alaska.

Activities: Major functions of the Bureau of Reclamation include: investigation and development of plans for potential projects to regulate, conserve, and utilize water and related land resources; design and construction of authorized projects for which funds have been appropriated by the Congress; operation and maintenance of projects and project facilities constructed by the Bureau and of completed hydroelectric power projects constructed by the Department of the Army in Alaska; the inspection of the operation and maintenance of projects and project facilities constructed by the Bureau but operated and maintained by water users; settlement of public or acquired lands on Bureau projects; administration of the Small Reclamation Projects Act of 1956; negotiation, execution, and administration of repayment contracts, water service contracts, water-user operation and maintenance contracts, and contracts required by statutes relating to the irrigation of excess lands.

The Bureau also has responsibility for negotiation, execution, and administration of contracts for the sale, interchange, purchase, or wheeling of electric power and energy generated at: (1) Powerplants constructed and operated by the Bureau of Reclamation, except the marketing of available surplus electric power generated at Grand Coulee Dam, Hungry Horse Dam, the Chandler and Roza Powerplants of the Yakima Project, and all Federal reclamation projects in the Snake River Basin; (2) reservoirs in the Missouri Basin and in Alaska that are under the control of the Department of the Army; and (3) Falcon and Amistad Dams on the Rio Grande. It also administers an atmospheric water resources research program designed to determine the economic feasibility of increasing the water supply available to reclamation projects through the application of weather modification techniques. The Bureau constructs and operates Job Corps conservation centers, as delegated, and renders technical assistance to foreign countries in water resource development and utilization in cooperation with the Agency for International Development of the Department of State, and other agencies engaged in international technical cooperation.

MAJOR FIELD OFFICES—BUREAU OF RECLAMATION

Office	Headquarters
Office of Chief Engineer.	Bldg. 53, Denver Federal Center, Denver, Colo. 80225.
Region 1	Fairgrounds, Box 8008, Boise, Idaho 83707.
Region 2	2929 Fulton Ave., Sacramento, Calif. 95813.
Region 3	Nevada Hwy. and Park St., Boulder City, Nev. 89005.
Region 4	125 S. State, Box 11568, Salt Lake City, Utah 84111.
Region 5	Federal Office Bldg., Box 1609, Amarillo, Tex. 79105.
Region 6	316 N. 26th St., Billings, Mont. 59103
Region 7	Bldg. 20, Denver Federal Center, Denver, Colo. 80225.
Alaska District	226 Seward St., Juneau, Alaska 99801.
Missouri River Basin Planning Office.	Federal Bldg., Omaha, Nebr. 68101.
Columbia - North Pacific Basin Planning Office.	511 NW. Broadway, Box 4387, Portland, Oreg. 97208.

4.41 *Bonneville Power Administration.* Creation and Authority: The Bonneville Power Administration was created pursuant to the act of August 20, 1937 (50 Stat. 731, as amended; 16 U.S.C. 832 et seq.). Through a regionwide interconnecting transmission system it markets electric power and energy from Federal hydroelectric projects in the Pacific Northwest. These generating projects are constructed and operated by the Corps of Engineers or the Bureau of Reclamation.

Objectives: The Bonneville Power Administration is guided by Federal power policies established by various acts of Congress and, consistent therewith, by the President and by the Secretary of the Interior. The Administration conducts a program based on the following fundamental principles of Federal power development: Federal dams shall where feasible include facilities for generating electric energy; power disposal shall be designed to encourage the widest possible use of all electric power and energy that can be generated and marketed, to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups; power generation and disposal shall be for the benefit of the general public, particularly for domestic and rural customers; preference in power sales shall be given to public bodies and cooperatives; and electric power and energy shall be made available to the ultimate consumer at the lowest possible rates consistent with sound business principles.

Organization: The Administration consists of the headquarters office at Portland, Oreg.; a Washington, D.C., liaison office; and five area and three district offices located at various points in the Pacific Northwest.

Activities: The Administration conducts power marketing programs to assure maximum and widespread use of low cost power for homes, farms, and industry and to provide the basis for sustained industrial development and economic growth in the region. It negotiates contracts for the wholesale disposition of electric power and energy; prepares wholesale rates and repayment schedules; constructs, operates, and maintains a transmission system to integrate the Federal power projects, transmit their output at uniform rates to load centers throughout the entire marketing area, and interconnect them with non-Federal utility systems throughout the Pacific Northwest region. The Federal transmission system is also utilized, under appropriate contracts, for the wheeling of power from non-Federal generating plants to load centers.

The Administration's program involves planning activities to make possible the timely construction and full development of new projects and facilities; achievement from the Federal power system of maximum practicable amounts of firm power for the ultimate user; and the enlargement of regional cooperative pools of generation and transmission facilities. The Administration also conducts a research and development program to advance the technology of extra high voltage transmission.

The Administrator participates with other Government agencies and non-Federal groups in planning for the continuing development of the region's potential hydroelectric resources to meet long-term power needs, and in the development and implementation of operating agreements designed to achieve the most effective utilization and coordination of available generating and transmission facilities through the integrated operation of the Federal power generating and transmission facilities and those of non-Federal entities.

BPA in cooperation with the Corps of Engineers represents the United States in implementing the provisions of the Columbia River Treaty with Canada for the joint development of the Columbia River. BPA is constructing jointly with the Bureau of Reclamation and public and private utilities the Pacific Northwest-Pacific Southwest Intertie to achieve optimum utilization of power resources between the two regions. It is also engaged in planning the possible interconnection of other areas served by the Department of the Interior marketing agencies with adequate common carrier transmission facilities.

MAJOR FIELD OFFICES—BONNEVILLE POWER ADMINISTRATION

Office	Headquarters
Idaho Falls area	529 Lomax St., Idaho Falls, Idaho 83401.
Portland area	5329 NE. Union Ave., Portland, Oreg. 97208.
Seattle area	514 First Ave., North, Seattle, Wash. 98109.
Spokane area	800 Bon Marche Bldg., Spokane, Wash. 99201.
Walla Walla area	19 E. Poplar St., Walla Walla, Wash. 99362.
Eugene District	834 Pearl St., Eugene, Oreg. 97401.
Kalispell District	1st St. and 1st Ave. W., Kalispell, Mont. 59901.
Wenatchee District.	1630 N. Wenatchee Ave., Wenatchee, Wash. 98801.

4.42 *Southeastern Power Administration.* Creation and Authority. The Southeastern Power Administration was created by the Secretary of the Interior in 1950, to carry out functions assigned to the Secretary by the Flood Control Act of 1944 (58 Stat. 890), which pertains to the transmission and disposition of surplus electric power and energy generated at reservoir projects which are or may be under the control of the Department of the Army in the States of West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, and Kentucky.

Objectives. The Southeastern Power Administration transmits and disposes of the surplus electric power and energy generated at the Federal reservoir projects in such manner as to encourage the most widespread use. To accomplish this, the Administration sets the lowest possible rates to consumers, consistent with sound business principles, and gives preference in the sale of such power and energy to public bodies and cooperatives.

Organization. The Southeastern Power Administration consists of a headquarters office at Elberton, Ga.; it has no field offices.

Activities. The program of the Administration includes the negotiation, preparation, execution, and administration of contracts for the disposition of electric power; the preparation of wholesale rates and repayment schedules; the provision by construction, by contract, or otherwise, of transmission and related facilities to interconnect reservoir projects and to serve contractual loads; and activities pertaining to the operation of power facilities.

4.43 *Southwestern Power Administration.* Creation and authority: The Southwestern Power Administration was created by the Secretary of the Interior in 1943, to carry out the Secretary's responsibility for the sale and disposition of electric energy generated at certain projects constructed and operated by the Federal Government. The Administration carries out, with respect to specified projects, functions assigned to the Secretary by the Flood Control Act of 1944 (58 Stat. 890; 16 U.S.C. 825s).

Objectives: The Southwestern Power Administration transmits and disposes of the surplus electric power and energy generated at the Federal reservoir projects in such manner as to encourage their most widespread use. To accomplish this, the Administration sets the lowest possible rates to consumers, consistent with sound business principles, and gives preference in the sale of such power and energy to public bodies and cooperatives.

Organization: The Southwestern Power Administration consists of the headquarters office located at Tulsa, Okla.; a Washington, D.C. office; two area maintenance offices at Muskogee, Okla., and Springfield, Mo.; maintenance units located at Muskogee and Ada, Okla., Springfield, Mo., and Jonesboro, Ark.; and a dispatcher's office at Springfield, Mo.

Activities: The Administration is designated as the agency to market available surplus electric power and energy

generated at the following multiple purpose reservoir projects of the Department of the Army: Beaver, Blakely Mountain, Broken Bow, Bull Shoals, Dardanelle, DeGray, Denison, Eufaula, Fort Gibson, Greers Ferry, Kaysinger Bluff, Keystone, Robert S. Kerr, Narrows, Norfolk, Sam Rayburn, Stockton, Table Rock, Tenkiller Ferry, Ozark Lock and Dam, Webber Falls Lock and Dam, and Whitney. In this capacity the Administration is assigned the responsibility of performing the following functions: prepare, negotiate, and administer contracts for the disposition, including sale or interchange, of electric power and energy; prepare wholesale rates and repayment schedules; design and construct transmission lines, substations, and related facilities to interconnect reservoir projects and to serve contractual loads; and operate and maintain such facilities to insure continuity of electric service to customers.

The Administration develops long-range power marketing programs, including research where necessary, in order to effect maximum utilization of power from existing and proposed hydroelectric developments, and conducts or participates in studies for integration of the assigned hydroelectric facilities with non-Federal generating facilities in the Southwest.

The Administration participates with other Federal and non-Federal agencies in the comprehensive planning of water resource development in the Southwest.

4.44 *Alaska Power Administration.* Creation and authority: The Alaska Power Administration was created by the Secretary of the Interior in June 1967 to carry out functions assigned to the Secretary by the Flood Control Act of 1944 (58 Stat. 890–891), The Flood Control Act of 1962 (79 Stat. 1193), the Eklutna Project Act of 1950 (64 Stat. 382), the Water Resources Act of 1955 (69 Stat. 618), the Land and Water Conservation Act of 1965 (78 Stat. 897), the Federal Water Project Recreation Act of 1965 (79 Stat. 213), and Executive Order 11200 (30 F.R. 2645) as they relate to the State of Alaska.

Objectives: The Administration promotes the development and utilization of water, power, and related resources in Alaska; operates and maintains the Eklutna Project and the Crater-Long Lakes division of the Snettisham project, and disposes of Federal power and energy excess to project needs.

Organization: The Alaska Power Administration consists of a headquarters office located in Juneau, Alaska and one field office.

Offices—Alaska Power Administration

Headquarters	Post Office Box 50, Juneau, Alaska 99801.
Eklutna Project Office	Pouch No. 5, Star Route, Eagle River, Alaska 99577.

[F.R. Doc. 67-8378; Filed, July 19, 1967; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18756]

DEUGRO INTERNATIONAL TRANSPORT, INC.

Notice of Prehearing Conference

Application of Deugro International Transport, Inc., for authority to engage in international air freight forwarder operations.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on July 27, 1967, at 10 a.m., e.d.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Walter W. Bryan.

Dated at Washington, D.C., July 14, 1967.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 67-8423; Filed, July 19, 1967; 8:51 a.m.]

[Docket No. 18305]

NORTHERN CONSOLIDATED-WIEN ALASKA MERGER

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding, previously assigned to be held on August 8, 1967, is postponed to August 29, 1967, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., July 14, 1967.

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

[F.R. Doc. 67-8424; Filed, July 19, 1967; 8:51 a.m.]

[Docket No. 18734]

TRANSGLOBE AIRWAYS, LTD.

Notice of Prehearing Conference

Application of Transglobe Airways Limited for amendment of its foreign air carrier permit.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on August 2, 1967, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Barron Fredricks.

Dated at Washington, D.C., July 14, 1967.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 67-8425; Filed, July 19, 1967; 8:51 a.m.]

CIVIL SERVICE COMMISSION

MEDICAL TECHNOLOGISTS, CALIFORNIA AND MILWAUKEE, WIS.

Notice of Adjustment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has increased the minimum rates and rate ranges for positions of Medical Technologist, GS–644–5/10 in the State of California. The revised rate ranges are:

PER ANNUM RATES

Grade	1[1]	2	3	4	5	6	7	8	9	10
GS–5	$6,387	$6,563	$6,739	$6,915	$7,091	$7,267	$7,443	$7,619	$7,795	$7,971
GS–6	7,055	7,253	7,451	7,649	7,847	8,045	8,243	8,441	8,639	8,837
GS–7	7,729	7,942	8,155	8,368	8,581	8,794	9,007	9,220	9,433	9,646
GS–8	8,008	8,243	8,478	8,713	8,948	9,183	9,418	9,653	9,888	10,123
GS–9	8,479	8,740	9,001	9,262	9,523	9,784	10,045	10,306	10,567	10,828
GS–10	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013	11,301

[1] Corresponding statutory rate: GS–5—Seventh; GS–6—Seventh; GS–7—Seventh; GS–8—Fifth; GS–9—Fourth; GS–10—Second.

The Civil Service Commission has also increased the minimum rates and rate ranges for positions of Medical Technologist, GS–644–5/9 in Milwaukee, Wis. The revised rate ranges are:

PER ANNUM RATES

Grade	[1]1	2	3	4	5	6	7	8	9	10
GS–5	$6,387	$6,563	$6,739	$6,915	$7,091	$7,267	$7,443	$7,619	$7,795	$7,971
GS–6	6,659	6,857	7,055	7,253	7,451	7,649	7,847	8,045	8,243	8,441
GS–7	7,090	7,303	7,516	7,729	7,942	8,155	8,368	8,581	8,794	9,007
GS–8	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183	9,418	9,653
GS–9	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045	10,306

[1] Corresponding statutory rate: GS–5—Seventh; GS–6—Fifth; GS–7—Fourth; GS–8—Third; GS–9—Second.

The effective date of the above rate ranges will be the first day of the first pay period beginning on or after July 16, 1967.

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

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the rates of the statutory rate

range shall receive basic compensation at the corresponding numbered rate authorized by this notice on and after such date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

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

[F.R. Doc. 67-8421; Filed, July 19, 1967; 8:51 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, July 26, 1967. The hearing will take place in the third floor meeting room of the New Jersey State Library, 185 West State Street, Trenton, beginning at 2:30 p.m. The subject of the hearing will be proposals to amend the Comprehensive Plan so as to include therein the following projects:

1. *Borough of Downingtown.* A project including modifications and additions to the existing sewage treatment plant in the Borough of Downingtown, Chester County, Pa., with a capacity to serve 14,000 people, so as to increase the degree of treatment from approximately 85 percent to 95 percent removal of BOD and suspended solids. Treated effluent will discharge to the East Branch of Brandywine Creek.

2. *Warminster Township Municipal Authority.* A project to increase the capacity of the existing secondary sewage treatment works in Warminster Township, Bucks County, Pa., from 1.6 to 3.8 million gallons per day. Treated effluent will discharge to the Little Neshaminy Creek.

3. *Borough of Phoenixville.* A project to expand the existing secondary sewage treatment plant in Phoenixville, Chester County, Pa., from a capacity of 2 to 4 million gallons per day. Treated effluent will discharge to the Schuylkill River.

4. *Upper Merion Township Authority.* A project to double the capacity of an existing high-rate trickling filter plant to serve an additional 25,000 persons in Upper Merion Township, Montgomery County, Pa. Treated chlorinated effluent will be discharged to Trout Run via an existing outfall sewer.

5. *Media Municipal Authority.* A project to expand the existing sewage treatment plant now capable of serving 6,000 people in Media, Delaware County, Pa., so as to increase its capacity to serve an additional 9,500 persons. Discharge will be to Ridley Creek.

6. *Township of Washington.* A project to provide the Township of Washington, Warren County, N.J., with an intercepting sewer, pumping station and force main to serve an area of the Township not presently served. Collected sewage will be treated in the existing Borough of Washington sewage treatment works.

7. *Borough of Riegelsville.* A well water supply project to augment public water supplies in the Borough of Riegelsville, Bucks County, Pa. Designated as well No. 3, the new facility is expected to yield approximately 200 gallons per minute.

8. *Delaware State Correctional Institution.* A project to supply water to the new State Correctional Institution at Smyrna, Del. Two new wells, designated No. 1 and No. 2, will be developed to deliver 150 and 500 gallons per minute, respectively.

9. *Evesham Municipal Utilities Authority.* A well water supply project to augment public water supplies in Evesham Township, Burlington County, N.J. To be designated well No. 3, the new facility is expected to yield 0.72 million gallons per day.

10. *Mohrsville Water Association.* A project for the construction of a new public water supply system for the Village of Mohrsville, Berks County, Pa. To be derived from a new drilled well, designated well No. 1, with a capacity of 150 gallons per minute.

11. *Warminster Township Municipal Authority.* A well water supply project to augment present supplies in Warminster Township, Bucks County, Pa. To be designated well No. 15, the facility is expected to yield 350 gallons per minute.

DAWES THOMPSON,
Acting Secretary.

JULY 14, 1967.

[F.R. Doc. 67-8343; Filed, July 19, 1967; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17555-17558; FCC 67-756]

AZALEA CORP. ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Azalea Corp., Mobile, Ala., Docket No. 17555, File No. BP-17340, requests: 960 kc, 1 kw, Day, Class III; W.G.O.K., Inc. (WGOK), Mobile, Ala., Docket No. 17556, File No. BP-17398, has: 900 kc, 1 kw, DA, Day, Class II; requests: 960 kc, 1 kw, Day, Class III; People's Progressive Radio, Inc., Mobile, Ala., Docket No. 17557, File No. BP-17477, requests: 960 kc, 1 kw, Day, Class III; Mobile Broadcast Service, Inc., Mobile, Ala., Docket No. 17558, File No. BP-17478, requests: 960 kc, 1 kw, Day, Class III; for construction permits; and Azalea Corp., Mobile, Ala., requests: 960 kc, 1 kw, Day, Class III; People's Progressive Radio, Inc., Mobile, Ala., requests: 960 kc, 1 kw, Day, Class III; for interim authority to operate on the facilities of former standard broadcast station WMOZ.

1. The Commission has before it for consideration: The above-captioned and described applications; a request by Azalea Corp. ("Azalea") for interim operating authority [1a]; and related pleadings, requests,[1b] et al. A chronological list of these items is attached hereto as "Appendix A."

2. The Commission's Public Notice of September 17, 1966 (FCC 66-824), inviting applications to replace the facilities of former Station WMOZ, Mobile, Ala., did not provide for the filing of applications for interim authority. Furthermore, since the proposals tendered do not request interim operation on a joint basis, they will be returned. See Lorain Interim Broadcasting Co., FCC 67-682, released June 14, 1967. At the same time, all other motions and requests concerning interim operating authority will be dismissed as moot.

3. Mobile Marine Radio, Inc. ("WLO"), licensee of Public Coast Station WLO, Mobile, Ala., has filed a formal petition to deny the Azalea construction permit application,[2] and submitted informal objections to the applications of WGOK, People's, and Mobile, on the ground that a grant of any one of them would result in harmful and destructive interference to WLO's reception on its International Calling and Distress frequency (500 kc), with adverse effect upon its exercise of its obligation to assist ships and persons in danger at sea. WLO states that, despite its own efforts to eliminate the interference, the interference continued to hamper WLO's operations until WMOZ (the former occupant of the facilities sought herein) went off the air. As soon as WMOZ terminated operations, WLO says, the interference ceased to exist. WLO expresses concern—particularly in view of its sea safety responsibilities—regarding the possible resumption of such interference as a result of the resumed use of WMOZ's former facilities. It asks that a condition be attached to future operations obligating the permittee to assume full responsibility for elimination of such interference prior to issuance of program test authority. Except to the extent that the reception interference suffered by WLO proves, upon investigation, to be the result of deficiencies in WLO's own equipment or operation, we are satisfied that WLO's request is warranted and consistent with previously expressed Commission policy.[3] An appropriate condition, broad enough to cover the various contingencies is included herein.

[1a] People's Progressive Radio, Inc. ("People's") also filed for interim authority. However, on Apr. 24, 1967, it requested dismissal of its application.

[1b] Appendix A filed as part of original document.

[2] Azalea, in its "Opposition * * *" pleading, contends that WLO lacks standing to file a petition to deny, on the ground, inter alia, that "Azalea is not proposing to operate on the International Distress Frequency * * *." It is unnecessary to rule on this point, since it is clear that the important question raised by WLO regarding all four applicants' proposals may be considered equally well by considering all of its communications to the Commission regarding that question as informal objections.

[3] See Midnight Sun Broadcasting Co., 3 RR 1485 (1947).

4. Springfield Broadcasting Co., Inc. ("WMOO"), licensee of standard broadcast Station WMOO, Mobile, Ala., in a "Petition to Deny" filed October 24, 1966, questions the adequacy of Azalea's financial and program proposals.[4] Regarding Azalea's financial proposal, WMOO contends that—notwithstanding Azalea's claims to the contrary—the Azalea application must be judged in the light of the Ultravision[5] test, i.e., a showing of sufficient funds to meet the proposed station's initial and first-year-operating expenses; and that the Azalea financial proposal fails to meet that test.

5. Azalea claims that the Ultravision test was intended to apply to applications for new stations, whose revenue-earning capacity had not been confirmed by actual experience—whereas the Azalea application, filed even before former 960 kc, Mobile, Ala., Station WMOZ left the air,[6] was designed to continue the service provided by WMOZ to the same, largely Negro, audience, relying on substantially the same staff and advertising revenue sources. Close to a year has gone by, however, since WMOZ went off the air. In the meantime, its audience, advertisers, and staff may well have found new broadcast ties—including, among others, the petitioner itself, WMOO, which, soon after WMOZ's demise, switched from a country-and-western to a Negro-audience format and hired WMOZ's former sales manager. In view of these facts, we find no reasons to exempt Azalea from the Ultravision standard.

6. WMOO points out that the $36,000 in stock-purchase payments which Azalea claims will be available to it fall more than $20,000 below Azalea's own estimate of initial and first-year-operating expenses; and contends in addition that Azalea has both underestimated its expenses and overestimated the funds which will be available to it to meet those expenses.

7. Although Azalea claims that its initial and first-year-operating expense would come to approximately $58,000, its own detailed expense figures add up to $62,217;[7] i.e., $26,217 more than the $36,000 in stock-purchase payments which Azalea claims will be available to meet its expenses. Azalea contends that the first-year revenues of its proposed station will be sufficient to bridge that gap, but offers no substantial evidence in support of that contention. Instead it asks us to assume that sufficient revenues will be forthcoming, solely on the basis of its claims (i) that, prior to WMOZ's demise, the Mobile, Ala., market demonstrated its ability to support eight standard broadcast stations, and (ii) that, despite WMOO's change to Negro-audience programing, the Azalea station may reasonably be expected to inherit a substantial portion of WMOZ's audience and advertising revenues. Both for the reasons set forth in paragraph 4 supra, and because so doing would violate the Ultravision requirement of a "convincing showing that the available and committed funds will be supplemented by sufficient advertising or other revenue,"[8] we are unable to accept the revenue assumption which Azalea urges upon us.

8. Apart from that, a substantial question exists as to how much of the $36,000 which Azalea claims will be available to it from stock-purchase payments will actually be forthcoming. Harvey Mintz has given Azalea promissory notes totaling $7,350, but his July 12, 1966, balance sheet shows net current liabilities of $10,000. James Jardine has given Azalea a promissory note for $2,800, but the June 30, 1966, balance sheet of James C. and Sue C. Jardine shows net current liabilities of $4,000. Charles Trainor has given Azalea a promissory note for $14,700, but his June 30, 1966, balance sheet shows net current assets of only $3,700. Trainor relies in part upon a $5,000 loan commitment to him from the Merchants National Bank of Mobile, but the bank letter submitted as evidence of that loan commitment specifies a termination date of November 16, 1966.

9. WMOO's objection to Azalea's $48,000 first-year-operating-expense estimate is based in large measure on the mistaken belief that Azalea proposes to rent its physical facilities for $500 a month. That rental figure, however, was intended to apply only to Azalea's interim operation proposal (for use of the physical facilities of former Station WMOZ), not to its regular, construction permit, proposal. WMOO also assumes without warrant that salaries for the Azalea station's eight employees (some of whom may be part-time) will total $32,000. In view of the general experience of stations of the type contemplated, and the absence of substantial countervailing evidence in WMOO's pleadings, we find Azalea's $48,000 estimate reasonable. Nonetheless, for the reasons outlined in previous paragraphs, a financial qualification issue will be required.

10. WMOO objects to the program service part of Azalea's application on the ground that the programing survey conducted by Azalea occurred before WMOO changed from a country-and-western to a Negro-audience format, and that Azalea's survey must therefore be considered obsolete. This does not follow. Where it appears that an applicant has made reasonable efforts to ascertain the programing needs, and interests of the community and area it proposes to serve and has formulated a program format which, in its judgment, would meet those needs and interests as it has determined them to be, a Suburban issue[9] is not warranted in the absence of a compelling showing that the proposal would not fulfill that function.[10] WMOO has made no such showing. According to the 1960 Census, nonwhite persons constitute approximately one-third of the population of both Mobile and the standard metropolitan statistical area of which it is a part. If Azalea's application were to be granted, three of the eight Mobile standard broadcast stations would be primarily aimed at Negro audiences. In view of these facts, there is no substantial reason to believe that a second survey by Azalea would yield results substantially different from those obtained before.

11. Having rejected WMOO's particular objection to Azalea's program proposal, however, we nonetheless conclude—on other grounds—that a Suburban issue is required: Azalea states that "a special survey was conducted of a cross section of members of * * * [the Negro] community" in Mobile and environs, but it provides no indication as to which persons and organizations were approached in the course of the survey or even how many. In view of this, the Commission clearly lacks sufficient information to permit an evaluation of the adequacy of that programing survey. Moreover, there can be no doubt that a survey was required. Although Azalea indicates that its president has broadcast station management experience and has been active in numerous organizations in the Mobile area, nothing in the application reflects any special expertise on his part with respect to the needs and interests of that segment of the population which Azalea proposes particularly to serve. Although one of the members of Azalea's board of directors is described as Mobile chapter chairman of the National Association for the Advancement of Colored People, his participation in the preparation of Azalea's programing would not suffice in the absence of an adequate survey.

12. Likewise, examination of the program portion of Mobile Broadcast's application shows that, although a survey was taken, the persons and organizations consulted were not identified. Thus, a Suburban issue will also be specified with respect to this application.

13. As previously noted, Azalea proposes specialized programing designed to

[4] Azalea, relying on Beloit Broadcasters, Inc. v. FCC 365 F. 2d 2125, 7 RR 2d 2125 (D.C. Cir., 1966), contends that WMOO lacks standing to file a petition to deny, in that the fact that it had seven local standard broadcast competitors when it accepted its license bars it from claiming standing (by virtue of potential economic injury) to object to the establishment of a new local standard broadcast station utilizing the facilities of a deleted station. This contention both misapplies the Beloit decision and runs counter to the decision of the U.S. Supreme Court in FCC v. Sanders Brothers Radio Station, 309 U.S. 470 9 RR 2008 (1940). It is therefore rejected.

[5] Ultravision Broadcasting Co., 1 FCC 2d 544, 5 RR 2d 343 (1965).

[6] On May 11, 1966, the Commission ordered WMOZ to terminate operations by July 31, 1966. The Azalea applications for a construction permit and for interim operating authority were filed July 20, 1966.

[7] I.e., (a) down payment to Gates, $4,717; (b) remodeling buildings, $3,500; (c) "other items" (fees, furniture and fixtures, miscellaneous, and contingencies), $6,000; (d) first-year operating expenses, $48,000; (e) total, $62,217.

[8] Supra n. 5, at par. 8.

[9] I.e., to determine the applicant's efforts to ascertain the programing needs and interests of the area to be served, and the manner in which the applicant proposes to meet such needs and interests. Patrick Henry et al. v. F.C.C., 112 U.S. App. D.C. 257, 302 F. 2d 191, 23 RR 2016 (1962).

[10] Voice of Middlebury 3 FCC 2d 512, 7 RR 2d 347 (1966).

serve the Negro population of Mobile. This is also true of WGOK. Since the other two applicants propose general market programing, substantial and material differences between the applicants' plans may be involved. Therefore, these differences will be considered within the context of the comparative issue. Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, 5 RR 2d 1901, at 1911, In re Ward L. Jones, FCC 67-82, released January 25, 1967.

14. The application for a change in the facilities of its Mobile, Ala., standard broadcast station, WGOK, to the facilities formerly occupied by WMOZ, is challenged by two Azalea petitions,[11] one a "Petition Not To Accept Application for Filing," the other a "Petition To Deny or in the Alternative To Designate for Hearing on the Issue Specified." In the first of these two petitions, Azalea notes that the Commission, in its Public Notice accepting the Azalea application for filing,[12] waived § 73.37 of the rules "insofar as necessary to permit the acceptance for filing of * * * [that] application, and all other applications seeking substantially the same facilities." Azalea contends that, though both it and WGOK, seek to operate a daytime-only, 1 kilowatt, Class III, Mobile, Ala., standard broadcast station operating on 960 kilocycles, the WGOK proposal does not request "substantially the same facilities" as are requested by Azalea. The facilities are not substantially the same, Azalea contends, because its proposal is for a new station which would restore Mobile, Ala.'s status quo ante, i.e., eight local standard broadcast services; whereas WGOK's proposal would merely change the operating specifications of an existing Mobile station. This contention is completely incorrect: Both Azalea and WGOK seek the same city of assignment, frequency, power, and hours of operation, and substantially the same primary service areas. Within the meaning of the quoted Public Notice (and all previous such Public Notices), the "facilities" they seek are therefore "substantially identical." The fact that WGOK is an existing station whereas Azalea's proposal is not, is entirely irrelevant. For these reasons, Azalea's "Petition Not To Accept * * *" will be denied.

15. Azalea's other petition contends that the WGOK application was filed "for the purpose of impeding, obstructing, and delaying determination of * * * [the Azalea] application," and requests that the WGOK application be denied or designated for hearing on that issue. In support of that contention, Azalea states: "[F]or no apparent nor stated reason, WGOK seeks to abandon its present frequency in order to operate on the higher, and, therefore, less attractive frequency of 960kc. It proposes no improvement in power; no increase in operating hours; and on enhancement of its ability to serve the public." In saying this, however, Azalea (i) takes no account of the fact that the WGOK proposal involves a change from a directional antenna system to a nondirectional system which would cost less to operate, and (ii) makes no attempt to refute Exhibit E-11 of the WGOK application, which indicates that the proposed WGOK operation would provide broadcast service to a substantially larger population than is presently served by that station. In view of these facts, Azalea's petition will also be denied.

16. In view of the following facts, however, an issue will be specified, on our own motion, to determine whether WGOK is financially qualified:

(a) WGOK estimates variously that the change in facilities "could be accomplished for less than $5,000" and that the total expenditure for the change would "not be in excess of $1,000." Its balance sheet, dated September 30, 1966, shows net current liabilities of $8,321.81. It reports that its net income after Federal income taxes was, in 1965, $1,973.81, and that in 1964 it suffered a net loss of $398.22.

(b) Despite these figures, WGOK claims that it has sufficient resources of its own to meet the cost of the proposed change in facilities. It concedes, however, that it "does not have sufficient funds for a prolonged, expensive hearing should such a hearing be necessary"; and, in view of that, has submitted statements by its two stockholders affirming their readiness to lend it $50,000 apiece, accompanied by a certified public accountant's letter attesting to their ability to make such loans.

(c) These statements, however, must be considered insufficient in view of their failure to meet the requirements—set forth at section III, page 2, paragraph 4 (c), (d), and (f) of the application form (FCC Form 301)—first, that documentation of the availability of a loan must set forth the terms of repayment, if any, and security, if any; second, that for each of the two proposed lenders, the applicant must submit a detailed balance sheet or financial statement, and such supplementary material as may be necessary, to prove the prospective lender's ability to comply with the terms of his loan commitment; and, third, that for each of the proposed lenders, there must be submitted a statement of net income after Federal income tax received for the previous 2 years.

17. A financial qualifications issues is also necessary, for the following reasons, with respect to the Mobile Broadcast Service, Inc., application:

(a) Mobile estimates that its initial and first-year-operating expenses will total $102,900.

(b) Its balance sheet, dated October 15, 1966, shows net current assets totaling $3,305. In addition it proposes to rely upon "stock subscriptions receivable"[13] totaling $23,000, equipment on hand worth $5,900, and two loans, one for $10,000 by its president, E. Howard Smith, and one for $70,000 from the Commercial Guaranty Bank of Mobile. These figures total $112,205.

(c) However, only one of the subscribers, Julien E. Marx, has submitted a balance sheet evidencing sufficient net current assets to enable him to meet his stock subscription commitment,[14] prospective lender E. Howard Smith has failed to demonstrate his ability to meet a $10,000 loan,[15] and the bank letter submitted as Exhibit 4, page 14, of the People's application in no sense constitutes a commitment that the $70,000 loan relied upon by People's will be forthcoming.[16]

18. John C. Smith, president member of the board of directors, and 16⅔-percent stockholder of People's Progressive Radio, Inc., is described in People's application as the general manager of standard broadcast Station WZAM, Prichard, Ala., a station whose 1 mv/m contour would overlap that of the proposed People's station. To avoid contravention of § 73.35(a) of the Commission's rules, any grant of the People's application shall include a condition requiring that Smith sever all connections with the license of WZAM prior to issuance of program test authority.

19. Charles Trainor, president, board member, and 41.66-percent stockholder of Azalea, and Arthur G. Keeney, an 8.33-percent Azalea stockholder, are described in Azalea's application as, respectively, general manager and news

[11] WGOK objects to the procedural merits of these petitions on the ground that Azalea has failed to set forth specific allegations of fact sufficient to show that it is a party in interest, and has failed to support its specific allegations of fact by affidavit of person(s) having personal knowledge thereof. These arguments must be rejected on the ground that Azalea's standing as a party in interest is plainly evident from the fact that the Azalea and WGOK, Inc., applications are mutually exclusive, and that Azalea makes no specific allegations of fact which are not subject to official notice.

[12] FCC 66-824, adopted Sept. 14, 1966.

[13] I.e., stock subscriptions of $2,500 by E. Howard Smith, $2,500 by Howard L. Smith, $8,500 by Robert A. Schorr, $8,500 by Joseph R. Bancroft, and $1,000 by Julien E. Marx.

[14] (a) E. Howard Smith's financial statement, dated Sept. 8, 1966, lists only $700 ("Cash on hand and in banks") which can be accepted, on the basis of the information submitted, as current assets. Although "Negotiable securities and bonds in excess of $20,000," they are not identified nor is any information supplied as to which exchanges, if any, they are traded on. His liabilities (which are not separated into current and long-term liabilities) total $9,700. (b) Howard L. Smith's financial statement, dated Oct. 5, 1966, does not show net current assets in excess of $1,000. (c) Robert A. Schorr's balance sheet, dated Oct. 1, 1966, shows net liabilities of $3,000. (d) Joseph R. Bancroft's financial statement, dated Oct. 14, 1966, does not demonstrate possession of net current assets in excess of $100. His "total liabilities" (which are not segregated into current and fixed liabilities, and are therefore presumed to be current) are described as "not in excess of $5,000."

[15] *Supra* n. 14, item (a).

[16] The bank letter submitted by Mobile states that the bank "could be" in a position to lend up to $70,000 provided, inter alia, "That the loan be properly secured, which could include your corporation stock as well as the personal endorsements of the Stockholders," and that "The current financial statements be submitted at the time the extension of credit is required, and that the statements warrant the extension of credit." A letter so replete with qualifications clearly will not suffice as evidence of the availability of a loan.

director of Station WKRG(AM), Mobile, Ala. To avoid contravention of § 73.35(a) of the Commission's rules, any grant of the Azalea application shall include a condition requiring that Trainor and Keeney sever all connections with the licensee of WKRG prior to issuance of program test authority.

20. The Commission finds that, since simultaneous operation of the above proposals would result in mutually destructive interference, they are mutually exclusive and must be designated for hearing in a consolidated proceeding; and that, except as indicated by the issues set forth below, each of the applicants is qualified to construct and operate as proposed.

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

1. To determine the areas and populations which would receive primary service from Azalea Corp., People's Progressive Radio, Inc., and Mobile Broadcast Service, Inc., proposals, and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose service from the proposed operation of Station WGOK, Mobile, Ala., and the availability of other primary service to such areas and populations.

3. To determine, with respect to the Azalea Corp. application:

(a) Whether Harvey Mintz has sufficient net liquid assets to enable him to meet his $2,850 commitment.

(b) Whether James C. Jardine has sufficient net liquid assets to enable him to meet his $2,800 commitment.

(c) Whether Charles Trainor has sufficient net liquid assets to enable him to meet his $14,700 commitment, and, if not, whether sufficient funds are available to him from the Merchants National Bank of Mobile to enable him to meet that commitment.

(d) Assuming that all of the funds, set forth in subissues 3–a through 3–c supra, upon which the applicant relies will be available to it, how it will obtain sufficient additional funds to construct and operate the proposed station for one year.

(e) Whether, in the light of the evidence adduced pursuant to subissues 3–a through 3–d supra, the applicant is financially qualified.

4. To determine Azalea's efforts to ascertain the programing needs and interests of the area to be served, and the manner in which it proposes to meet such needs and interests.

5. To determine, with respect to the W.G.O.K., Inc., application:

(a) The expenses involved in the W.G.O.K., Inc., proposal.

(b) Whether WGOK, Inc., possesses sufficient net liquid assets to enable it to meet those expenses.

(c) Whether Jules J. Paglin has sufficient net liquid assets to enable him to meet his $50,000 loan commitment to the applicant.

(d) Whether Stanley W. Ray, Jr., has sufficient net liquid assets to enable him to meet his $50,000 loan commitment to the applicant.

(e) Whether, in the light of the evidence adduced with respect to subissues 5–a through 5–d, the applicant is financially qualified.

6. To determine Mobile Broadcast Service, Inc.'s efforts to ascertain the programing needs and interests of the area to be served, and the manner in which it proposes to meet such needs and interests.

7. To determine, with respect to the Mobile Broadcast Service, Inc., application:

(a) Whether the Mobile Broadcast Service, Inc., possesses sufficient net liquid assets to enable it to meet the expenses involved in its proposal.

(b) Whether E. Howard Smith possesses sufficient net liquid assets to enable him to meet his (1) $2,500 stock subscription, and (2) his $10,000 loan, commitments.

(c) Whether Howard L. Smith possesses sufficient net liquid assets to enable him to meet his $2,500 stock subscription commitment.

(d) Whether Robert A. Schorr possesses sufficient net liquid assets to enable him to meet his $8,500 stock subscription commitment.

(e) Whether Joseph R. Bancroft has sufficient net liquid assets to enable him to meet his $8,500 stock subscription commitment.

(f) The terms and conditions upon which a loan will be available to the applicant from the Commercial Guaranty of Mobile and whether such terms and conditions can be met by the applicant.

(g) Whether, in the light of the evidence adduced with respect to subissues 7–a through 7–f, the applicant is financially qualified.

8. To determine which of the proposals would best serve the public interest.

9. To determine, in the light of the evidence adduced with respect to the foregoing issues, which of the applications should be granted.

It is further ordered, That, in the event of a grant of any of the above-captioned applications, the construction permit shall contain the following conditions:

The permittee shall, before issuance of program test authority, take all steps necessary, at its own expense, to prevent adverse effect upon licensed reception by Public Coast Station WLO, Mobile, Ala.: *Provided*, That, to the extent that such effect are attributable to deficiencies in WLO's equipment or operation, WLO shall be responsible for taking the necessary corrective action. The permittee shall submit, before the issuance of program test authority, sufficient evidence to establish that its operation will have no adverse effect to the operations of Public Coast Station WLO.

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, in the event of a grant of the Azalea Corp. application, the construction permit also shall contain the following condition: Program tests will not be authorized until the permittee has submitted evidence demonstrating to the Commission's satisfaction that Charles Trainor and Arthur G. Keeney have severed all connections with the licensee of standard broadcast station WKRG, Mobile, Ala.

It is further ordered, That, in the event of a grant of the People's Progressive Radio, Inc., application, the construction permit shall also contain the following condition: Program tests will not be authorized until the permittee has submitted evidence demonstrating to the Commission's satisfaction that John C. Smith has severed all connections with the licensee of standard broadcast station WZAM, Prichard, Ala.

It is further ordered, That the above applications for interim authority are returned; that all pleadings and requests relating thereto are dismissed as moot; and that the pleadings listed in Appendix A[16] are granted to the extent indicated above and are denied in all other respects.

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

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

Adopted: June 28, 1967.

Released: July 13, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[17]

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

[F.R. Doc. 67-8430; Filed, July 19, 1967; 8:52 a.m.]

[Docket Nos. 17565, 17566]

CORINTH BROADCASTING CO., INC., AND RADIO CORINTH

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of The Corinth Broadcasting Co., Inc., Corinth, Miss.,

[16] Appendix A filed as part of original document.

[17] Commissioner Johnson absent.

Docket No. 17565, File No. BPH-5675, Requests: 95.3 mc, No. 237; 3 kw; 271 feet; Elbert A. White, III and Charles A. Weeks, doing business as Radio Corinth, Corinth, Miss., Docket No. 17566, File No. BPH-5732, Requests: No. 95.3 mc, No. 237; 3 kw; 209 feet; for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, under delegated authority considered the above-captioned and described applications for construction permits.

2. These applications are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

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

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

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

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

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

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

Adopted: June 30, 1967.

Released: July 17, 1967.

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

[F.R. Doc. 67-8431; Filed, July 19, 1967; 8:52 a.m.]

[Docket No. 17504; FCC 67M-1166]

ARTHUR H. JONES, JR.

Order Continuing Hearing

In the matter of Arthur H. Jones, Jr., 4017 Cold Spring Lane, Baltimore, Md. 21215, Docket No. 17504; suspension of radiotelephone first class operator license.

A prehearing conference having been convened on July 12, 1967;

It appearing, that all parties consent to a grant of the licensee's motion for consolidation of the above-captioned docket with Docket No. 17509:

It is ordered, That the said motion for consolidation is granted, and that hearing procedures in Docket Nos. 17504 and 17509 are consolidated; and

It is further ordered, That the hearing now scheduled for July 20, 1967, is continued to July 26, 1967, at 10 a.m. in Baltimore, Md., at an address to be hereafter specified.

Issued: July 12, 1967.

Released: July 14, 1967.

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

[F.R. Doc. 67-8432; Filed, July 19, 1967; 8:52 a.m.]

[Docket No. 17509; FCC 67M-1165]

ARTHUR H. JONES, JR.

Order Continuing Hearing

In the matter of Arthur H. Jones, Jr., Baltimore, Md., Docket No. 17509; suspension of amateur radio operator license (W3IRL).

A prehearing conference having been convened on July 12, 1967;

It appearing, that all parties consent to a grant of the licensee's motion for consolidation of the above-captioned docket with Docket No. 17504:

It is ordered, That the said motion for consolidation is granted, and that hearing procedures in Docket Nos. 17504 and 17509 are consolidated; and

It is further ordered, That the hearing now scheduled for July 21, 1967, at 10 is continued to July 26, 1967, at 10 a.m. in Baltimore, Md., at an address to be hereafter specified.

Issued: July 12, 1967.

Released: July 14, 1967.

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

[F.R. Doc. 67-8433; Filed, July 19, 1967; 8:52 a.m.]

[Docket Nos. 17521, 17522; FCC 67M-1162]

MESA MICROWAVE, INC., AND VUMORE CO.

Order Scheduling Hearing

In re applications of Mesa Microwave, Inc., Docket No. 17521, File No. 1833-C1-R-66, for renewal of license of Station KLH82, Muenster, Tex.; Vumore Co., Docket No. 17522, File No. 22628-IB-25X, for construction permit for a new microwave point-to-point radio station to provide service to applicant's CATV system at Ardmore, Okla.:

It is ordered, That Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on September 11, 1967, at 10 a.m.; and that a prehearing conference shall be held on July 31, 1967, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: June 20, 1967.

Released: July 14, 1967.

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

[F.R. Doc. 67-8434; Filed, July 19, 1967; 8:52 a.m.]

[Docket Nos. 17523, 17524; FCC 67M-1164]

VICTOR MUSCAT AND KTOW-TV, INC.

Order Continuing Hearing

In re applications of VICTOR MUSCAT, Tulsa, Okla., Docket No. 17523, File No. BPCT-3843; KTOW-TV, Inc., Tulsa, Okla., Docket No. 17524, File No. BPCT-3867; for construction permit for new television broadcast station (Channel 29).

The Hearing Examiner having under consideration a hand-delivered letter request dated June 28, 1967, from counsel for Victor Muscat in the above proceeding reading in chief part as follows:

I will not be in Washington during the month of July. I have been advised by the Broadcast Bureau that the Hearing Division staff has been requested to schedule its well-earned vacations during the month of August. Accordingly, I respectfully request that the prehearing conference be held at some date selected by you, at your convenience, during the month of September, other than September 5, when I have a commitment for an oral argument before the Commission en banc. Mr. Smith, counsel for KTOW-TV, Inc., and Mr. Fitzpatrick, counsel for Chief, Broadcast Bureau, have no objection to the procedure. May I suggest also that the actual hearing date be postponed until such time as may be set, as a result of the procedures agreed upon at the prehearing conference.

Very truly yours,

BENITO GAGUINE.

And, it appearing that the request is somewhat unusual and would ordinarily not be granted but under the circumstances, including the Examiner's other commitments, no significant delay or inconvenience will result from granting the request:

It is ordered, That the request is granted and, accordingly, the prehearing conference now scheduled for July 14, 1967, is rescheduled to commence at 9 a.m., September 7, 1967, and the hearing now scheduled for September 7,

1967, is postponed to a date to be determined at the said prehearing conference.

Issued: July 11, 1967.

Released: July 14, 1967.

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

[F.R. Doc. 67-8435; Filed, July 19, 1967; 8:52 a.m.]

[Docket Nos. 17577, 17578; FCC 67-792]

WATERMAN BROADCASTING CORP. OF TEXAS AND NATIONAL ENTERPRISES, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Waterman Broadcasting Corp. of Texas, San Antonio, Tex., Docket No. 17577, File No. BPH-5484, requests: 102.7 mc, No. 274; 25.2 kw; 309 feet; National Enterprises, Inc., Alamo Heights, Tex., Docket No. 17578, File No. BPH-5491, requests: 102.7 mc, No. 274; 29.96 kw; 234 feet; for construction permits.

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

2. Since the respective proposals are for different communities, it will be necessary to determine pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service. Since each proposal would provide 3.16 mv/m coverage to both communities, the 307(b) issue may not be determinative. Accordingly, we have specified a contingent comparative issue.

3. National Enterprises proposes an average of 42 percent duplicated programing while Waterman proposes no more than 10 percent duplication. Therefore, evidence regarding program duplication will be admissible under the contingent comparative issue. When duplicated programing is proposed, the showing permitted under the standard comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication, and a full comparison of the applicants' program proposal will not be permitted in the absence of a specific programing inquiry—Jones T. Sudbury —— FCC 2d ——, FCC 67-614 (1967).

4. Such full comparison is warranted when one applicant proposes predominantly specialized programing and the other general market programing—Ward L. Jones, FCC 67-82 (1967); Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, footnote 9 at 397 (1965). In this case, National Enterprises proposes predominantly religious programing and Waterman, general market programing. Therefore, the programing proposals of the applicants may be compared under the contingent comparative issue if the 307(b) issue is found not to be determinative.

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

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

1. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service.

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

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

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

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

Adopted: July 5, 1967.

Released: July 17, 1967.

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

[F.R. Doc. 67-8437; Filed, July 19, 1967; 8:52 a.m.]

[Docket Nos. 17563, 17564]

WESTERN BROADCASTING CO. AND KING BROADCASTING CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Ralph Weagant tr/as Western Broadcasting Co., Portland, Oreg., Docket No. 17563, File No. BPH-5659, requests: 101.9 mc, No. 270; 28.5 kw; 210 feet; King Broadcasting Co., Portland, Oreg., Docket No. 17564, File No. BPH-5841, requests: 101.9 mc, No. 270; 100 kw (horizontal) 100 kw (vertical); 1,611 feet; for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, under delegated authority considered the above captioned and described applications for construction permits.

2. These applications are mutually exclusive in that operation by the applicants as proposed would cause mutually destructive interference.

3. The areas and populations to be served are markedly different in size and that for the purposes of comparison, the areas and populations within the respective 1 mv/m contours together with the availability of other FM services of at least 1 mv/m in such area will be considered under the standard comparative issue for the purpose of determining whether a comparative preference should accrue to either of the applicants.

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

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

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

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

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

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

notice as required by § 1.594(g) of the rules.

Adopted: June 30, 1967.

Released: July 17, 1967.

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

[F.R. Doc. 67-8438; Filed, July 19, 1967; 8:52 a.m.]

[Docket No. 17554; FCC 67M-1169]

WESTERN UNION TELEGRAPH CO.

Order Continuing Prehearing Conference

In the matter of proposed revisions in the rates of the Western Union Telegram Co. for tieline domestic interstate telegraph services; Docket No. 17554.

On the unproposed oral request of counsel for Western Union, because of the prospective filing of a tariff revision which may materially affect the issues: *It is ordered*, That the prehearing conference is rescheduled from July 19 to August 17, 1967, at 10 a.m.

Issued: July 12, 1967.

Released: July 14, 1967.

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

[F.R. Doc. 67-8439; Filed, July 19, 1967; 8:52 a.m.]

[Docket No. 15697; FCC 67-803]

STEREOPHONIC SOUND FOR TELEVISION BROADCASTING

Memorandum Opinion and Order Terminating Proceeding

In the matter of stereophonic sound for television broadcasting; Docket No. 15697, RM-96, RM-376.

1. The Commission has under consideration its Notice of Inquiry issued in this proceeding on November 16, 1964, FCC 64-1056 (29 F.R. 15545) inviting comments as to the desirability and methods of providing for stereophonic sound transmission and reception in television broadcasting. The notice of inquiry was issued in response to requests for rule making filed by the Philco Corp. (RM-96) and the General Electric Co. (RM-376), each proposing a specific system designed to be compatible with conventional TV receivers in the hands of the public.

2. The notice stated that we did not wish to limit consideration to the systems proposed but asked for information and data on other methods of achieving stereophonic sound with special consideration to be given to such matters as costs, complexity of equipment, quality of picture and sound, availability of stereo program material and production etc. Our main purpose, however, in issuing the notice was to "determine whether or not the employment of stereophonic sound in television broadcasting will add to the realism or otherwise contribute a worthwhile improvement to the overall portrayal of the programs * *".

Comments. 3. Only thirteen comments[1] were filed in this proceeding, five from manufacturers, five from individuals, two organizations, and one FM station. Four of the manufacturers (Philco, G.E., Westinghouse, and Zenith) described systems or methods of obtaining the stereophonic sound which they had developed and tested. Zenith states that although eventually TV stereo sound could add a worthwhile improvement to the television service, they caution against premature commercial authorization of this technological development before suitable stereo program production techniques and materials become generally available. Secondly, Zenith points out that the disparity between the relatively narrow viewing angle of the TV receiver picture tubes and the wide stereo listening angle largely precludes advantageous use of stereo sound unless possible new off-stage stereo sound programing techniques could be developed or picture size materially increased. Therefore stereo sound is not likely to have significant value for viewers until there are new developments in these areas. The other manufacturers who favor rule making devote almost all of their comments to the presentation of their respective systems, the specifications proposed, and the other related matters concerning impact on existing receivers and the picture signal of the TV broadcast. Emerson submits that present and probable future screen size limitation is inconsistent with the expected benefits of stereo sound for TV. It urges that the popularity of portable sets would make the accompanying stereo both impractical and unnecessary for this major portion of the market.

4. EIA submits that in order to obtain the answers to the technical questions raised by its Broadcast Television System Committee it would take 18 months part time effort of about 100 engineering and scientific personnel and that there is not sufficient interest in the industry to warrant such further study. It urges therefore that the present inquiry be closed without prejudice or deferred to a later date. Among the technical problems which EIA lists for necessary study are compatibility, spectrum utilization, FM carrier deviation, monophonic reception characteristics, stereophonic reception characteristics, system characteristics, receiver and transmitter considerations, transmission effects, and field testing. The NAFMB also raises the question of the narrow viewing angle of the TV picture as against the wide hearing angle desirable for effective stereo. It also points out that the quality of TV stereo will be questionable in view of the bandwidth available for sound on TV, the position of the viewer in terms of distance from the TV receiver, and the shortage of musical productions for use in TV stereo sound. It urges the Commission to evaluate the impact of any stereo proposal on FM broadcasting as well as on TV reception. WLVL, an FM station in Louisville, Ky., opposes TV stereo sound on the grounds that it would injure the FM broadcasting service, that it would add to the complexity and cost of TV receivers, and that the public is already being urged to purchase UHF and color. It submits that TV sound could be greatly improved without the addition of stereo.

5. Of the five individuals filing comments one (Mr. Reesor), outlines several methods for obtaining TV stereo, another opposes the adoption of standards for stereophonic sound for TV and the remaining three favor such standards.

Conclusions. 6. Based upon the character of the responses to our Notice of Inquiry we are convinced that there is no urgent need or demand for adoption of specifications for stereophonic sound for television broadcasting. Not one TV broadcast station or organization of such stations filed any comments. EIA, the representative of most of the TV transmitter and receiver manufacturers, urges us to close the proceeding or defer it to a later date. The Inquiry has, however, served to emphasize the problems that must be solved before material benefits can be derived from the proposed addition of stereo sound. It appears, therefore, that no useful purpose would be served by continuing the present proceeding at this time. In the event that the industry or other interested parties feel that there is sufficient ultimate prospect of TV program improvement through the use of sound stereo, efforts can be directed to the problems referred to above for consideration at a later date.

7. In view of the foregoing: *It is ordered*, That the petitions of Philco Corp. and General Electric Co., RM-96 and 376 are denied and that this proceeding is terminated.

Adopted: July 5, 1967.

Released: July 17, 1967.

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

[F.R. Doc. 67-8436; Filed, July 19, 1967; 8:52 a.m.]

[1] Comments and data were filed by Philco Corp., General Electric Co., Westinghouse Electric Corp., Zenith Radio Corp., Emerson Radio & Phonograph Corp., Electronic Industries Association (EIA), National Association of FM Broadcasters (NAFMB), WLVL(FM), Louisville, Ky., Thomas W. Reesor, Bob Myers, James F. Palmer, Richard L. Meyers, and Phillip H. Ellis.

FEDERAL MARITIME COMMISSION

MARYLAND PORT AUTHORITY AND BALTIMORE & OHIO RAILROAD

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to

section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Philip G. Kraemer, Director of Transportation, Maryland Port Authority, Pier 2 Pratt Street, Baltimore, Md. 21202.

Agreement No. T-32A-1 between the Maryland Port Authority and the Baltimore & Ohio Railroad modifies the basic agreement which provides that the Port furnish all labor and equipment required for the handling of railroad freight at Locust Point Marine Terminal (Baltimore) Maryland. The purpose of the modification is to eliminate the extra handling now involved in the collection of charges for work performed by stevedoring firms for the Baltimore & Ohio Railroad. The modification will also reflect current charges for loading, unloading and other services.

Dated: July 17, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8391; Filed, July 19, 1967; 8:48 a.m.]

MARYLAND PORT AUTHORITY AND MOORE-McCORMACK LINES, INC.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have 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 agreements 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 agreements filed for approval by:

Philip G. Kraemer, Director of Transportation, Maryland Port Authority, Pier 2 Pratt Street, Baltimore, Md. 21202.

Agreement No. T-2066 between the Maryland Port Authority (MPA) and Moore-McCormack Lines, Inc. (Moore-McCormack), provides for the one year lease to Moore-McCormack of berth 3, Dundalk Marine Terminal, and the area immediately adjacent thereto at a fixed monthly rental plus certain tax payments. The minimum annual payment so computed will be $130,000. Moore-McCormack has the option to renew the lease for an additional period of one year. Moore-McCormack agrees to file its tariffs with the Federal Maritime Commission, and will include a provision therein that no change, supplement or reissue will become effective until 30 days after filing with the Commission unless good cause exists for a change upon shorter notice. If during the term of the lease and any renewal thereof MPA shall construct additional berthing facilities at Dundalk, it agrees to enter into negotiations with Moore-McCormack for the purpose of leasing a berth at such additional facilities.

Agreement No. T-2066-A between MPA and Moore-McCormack is an operating agreement with respect to Moore-McCormack's operations at the premises covered by lease agreement FMC No. T-2066 and will be for an identical period of time. The agreement provides that Moore-McCormack's operations be subject to all rules, charges and conditions of MPA's tariff except that dockage and wharfage shall not be charged vessels berthing at berth 3 while the berth is under lease to Moore-McCormack except as Moore-McCormack shall publish and assess such charges. Free time, demurrage, loading, unloading and handling charges shall not apply in any area leased by Moore-McCormack.

Agreement No. T-2066-B between MPA and Moore-McCormack is an operating agreement covering premises leased to Moore-McCormack under agreement numbers T-2066-C and T-2066-D. The agreement provides that Moore-McCormack operations will be subject to MPA's applicable tariff except that free time and demurrage, loading unloading and handling charges shall not apply in any area leased by Moore-McCormack. MPA agrees to provide berthing for Moore-McCormack's vessels according to a schedule set forth in the agreement, and vessels will pay dockage based on MPA's applicable tariff.

Agreement No. T-2066-C provides for the lease to Moore-McCormack of 25,000 square feet of space in shed No. 6 at Dundalk Marine Terminal at a fixed rental per quarter of each term of the lease. The premises will be used for the receiving, handling, processing, storage and warehousing of water-borne freight.

Agreement No. T-2066-D between MPA and Moore-McCormack covers the lease to Moore-McCormack of three acres of outside paved area at Dundalk at a fixed rental per quarter of each term of the lease. The premises will be used for the receiving, handling and storage of water-borne freight.

Dated: July 14, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8392; Filed, July 19, 1967; 8:48 a.m.]

HAMBURG-SUDAMERIKANISCHE DAMPFSCHIFFAHRTS-GESELLSCHAFT EGGERT & AMSINCK (COLUMBUS LINE) AND SEATRAIN LINES, INC.

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 office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Joseph Hodgson, Jr., General Traffic Manager, Seatrain Lines, Inc., 595 River Road, Edgewater, N.J. 07020.

Agreement 9642, between Hamburg-Sudamerikanische Dampfschiffahrts-Gesellschaft Eggert & Amsinck (Columbus Line) and Seatrain Lines, Inc., establishes a through billing arrangement for the movement of general cargo from Puerto Rico to ports in Australia (including Tasmania) the Dominion of New Zealand, Cook Islands, Fiji Islands, New Caledonia, Australian Mandated New Guinea, New Hebrides, Norfolk Island, British Samoa, Solomon Islands, Tahiti, Thursday Island, Tonga Islands, Gilbert and Ellice Islands, with transshipment at the port of New York, N.Y., in accordance with the terms set forth in the agreement.

Dated: July 17, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8393; Filed, July 19, 1967; 8:49 a.m.]

MARSEILLES NORTH ATLANTIC U.S.A. FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D. C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Guy L. Retournat, Secretary, Marseilles North Atlantic U.S.A. Freight Conference, 10 Place de la Joliette, Marseilles 2, France.

Agreement 5660-9, between the member lines of the Marseilles North Atlantic U.S.A. Freight Conference, modifies the basic agreement in the following respects:

1. It extends the geographic scope described in the Preamble to include French Mediterranean ports, direct or with transshipment at other French ports, and limits the range of United States Atlantic Coast ports served to those within the Hampton Roads/Portland (Maine) range, Articles 1 and 12 are amended in conformity with the foregoing.

2. It adds the words "unanimous" and "unanimously" to the second and last sentences of Article 2. They were previously deleted therefrom by Agreement 5660-4 approved on November 12, 1957.

3. It amends Articles 3 and 15 to conform the basic agreement to the requirements of the Commission's General Order 9.

Dated: July 17, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8394; Filed, July 19, 1967; 8:49 a.m.]

NORTH ATLANTIC CONTINENTAL FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Elliott B. Nixon, Burlingham, Underwood, Barron, Wright & White, 25 Broadway, New York, N.Y. 10004.

Agreement 9214-1, between the member lines of the North Atlantic Continental Freight Conference, modifies Article IX of the basic agreement to provide that any Conference member which is a party to Agreement 9498, as amended, may (1) charter to Wallenius Line, on any terms which may be agreed upon between them, space in any vessel operated under authority of such agreement for the carriage only of set-up, packed or unpacked automobiles, trucks, and house trailers, and (2) shall be entitled to represent Wallenius Line solely in respect to the aforesaid commodities and to permit its agents, operators or managers to do so.

Dated: July 17, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-8395; Filed, July 19, 1967; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP68-8]

CITIES SERVICE GAS CO.

Notice of Application

JULY 12, 1967.

Take notice that on July 5, 1967, Cities Service Gas Co. (Applicant), Post Office Box 25128, Oklahoma City, Okla. 73125, filed in Docket No. CP68-8 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas purchase and transportation facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate the following natural gas facilities:

(1) Approximately 184.2 miles of 26-inch pipeline extending from a point of interconnection with Transwestern Pipeline Co.'s (Transwestern) 24-inch pipeline, located in Hemphill County, Tex., generally northeastward to a point of connection with Applicant's Blackwell Compressor Station located in Kay County, Okla.; and

(2) An additional 2,000 horsepower compressor unit at its existing Higgins Compressor Station located in Hemphill County, Tex.

Applicant states that the above-proposed natural gas facilities are required to enable Applicant to receive into its pipeline system the volumes of natural gas that it has contracted with Transwestern to purchase. Applicant states that it has entered into a contract with Transwestern to purchase and receive a volume of 100,000 Mcf per day of natural gas commencing November 1, 1968, and increasing to 150,000 Mcf per day of natural gas November 1, 1969. The volumes of natural gas are to be delivered to Applicant at the point of interconnection described in (1) above. Applicant further states that the gas to be purchased from Transwestern is required to increase the total reserves available to Applicant's pipeline system and to insure its continued ability to meet its system annual and peak day demands.

Applicant estimates the total cost of the proposed facilities at approximately $17,095,200, said cost to be financed from the issuance and sale of First Mortgage Pipeline Bonds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act § 157.10) on or before August 10, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-8346; Filed, July 19, 1967; 8:45 a.m.]

[Docket No. CP66-299]

COLORADO INTERSTATE GAS CO.

Notice of Petition To Amend

JULY 12, 1967.

Take notice that on July 3, 1967, Colorado Interstate Gas Co. (Petitioner), Post Office Box 1087, Colorado Springs, Colo. 80901, filed in Docket No. CP66-299 a petition to amend the order issued by the Commission July 18, 1966, as amended February 28, 1967, by authorizing Petitioner to install additional facilities in its Fort Morgan Storage Field, Colo., all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the above-mentioned order, as amended, Petitioner was authorized to develop the Fort Morgan Field as a natural gas storage reservoir, including the installation of 12 wellhead dehydrators on the storage withdrawal wells. By the instant filing, Petitioner seeks authorization to install and operate a central glycol dehydrator, a central gas chiller for hydrocarbon removal and certain wellhead separators in lieu of individual wellhead dehydrators. Petitioner states that higher than anticipated water production and wellhead gas temperatures make the original method of wellhead dehydration inefficient and impractical and the facilities proposed above, therefore, are necessary to maintain the Fort Morgan Field as a useful and reliable peaking storage service installation.

Petitioner estimates the cost of the facilities proposed above at approximately $468,600, said cost being approximately $282,150 higher than the cost of the facilities originally proposed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 4, 1967.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-8347; Filed, July 19, 1967; 8:45 a.m.]

[Docket No. CP68-6]

LONE STAR GAS CO.

Notice of Application

JULY 13, 1967.

Take notice that on July 5, 1967, Lone Star Gas Co. (Applicant), 301 South Harwood Street, Dallas, Tex. 75201, filed in Docket No. CP68-6 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of natural gas to three new communities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate the following natural gas facilities:

(1) Approximately 10 feet of 2-inch pipeline extending south from a point of connection on Applicant's existing Line C-10-5 to a proposed city gate measuring station to be installed near the Town of North Richland Hills;

(2) Approximately 10 feet of 2-inch pipeline extending east from a point on Applicant's existing Line C-10 to a city gate measuring station to be installed near the Town of Westlake;

(3) Approximately 2.81 miles of 6-inch pipeline to loop and parallel its existing 4-inch Line C-10;

(4) Approximately 0.98 of a mile of 3-inch pipeline to loop and parallel its existing 2-inch Line C-10-1;

(5) A city gate measuring station to serve the remaining portion of the Town of North Richland Hills, Tarrant County, Tex.;

(6) A municipal natural gas distribution system to serve the remaining portion of the Town of North Richland Hills, Tarrant County, Tex.;

(7) A city gate measuring station to serve the Town of Westlake and an unincorporated area adjacent to Westlake, Tarrant County, Tex.; and

(8) Natural gas distribution systems in the Town of Westlake and an unincorporated area adjacent to Westlake, Tarrant County, Tex.

Applicant states that the service proposed above will be initial natural gas service to the three communities mentioned. Applicant further states that it estimates the third year peak daily and peak annual natural gas requirements of the three communities as follows:

Community	Peak daily requirements (Mcf)	Peak annual requirements (Mcf)
North Richland Hills	208	12,570
Westlake	91	5,610
Unincorporated Area Adjacent to Westlake	277	17,000
Total (Mcf)	576	35,380

Applicant estimates the total cost of the proposed facilities at approximately $53,970, said cost to be financed from working capital.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 9, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-8348; Filed, July 19, 1967; 8:45 a.m.]

[Docket No. CP68-5]

NORTHERN NATURAL GAS CO.

Notice of Application

JULY 11, 1967.

Take notice that on July 3, 1967, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP68-5 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of additional volumes of natural gas to an existing customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate the following natural gas facilities:

(1) Approximately 14.3 miles of 24-inch pipeline loop on its Coyanosa to Kermit Compressor Station line, Texas;

(2) Approximately 10.7 miles of 36-inch pipeline loop on its Macksville Compressor Station to Bushton Compressor Station line, Kansas; and

(3) A 9,300 horsepower turbine compressor unit to be called the Pampa Compressor Station, Pampa, Tex.

Applicant also seeks authorization to sell and deliver to Northern Gas Products Co. (Products) an additional volume of up to 62,400 Mcf per day of natural gas for the use as fuel and shrinkage incident to the extraction of ethane from the stream of natural gas processed at its extraction plant located adjacent to Applicant's Bushton, Kansas Compressor Station. Applicant states that the sale and delivery of the additional volume of natural gas will enable Products to extract ethane and return the same volume of natural gas to the pipeline as under present operations.

Applicant estimates the total cost of the proposed facilities at approximately $4,810,100, said cost to be financed from cash on hand, reserve accruals and retained earnings.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 9, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-8349; Filed, July 19, 1967; 8:45 a.m.]

[Docket No. CP68-7]

TRANSWESTERN PIPELINE CO.

Notice of Application

JULY 13, 1967.

Take notice that on July 6, 1967, Transwestern Pipeline Co. (Applicant), First City National Bank Building, Houston, Tex. 77002, filed in Docket No. CP68-7 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and the sale and delivery of volumes of natural gas to Eastern New Mexico Gas Association (Eastern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate minor tap, valve and measuring facilities which it proposes to use for the sale of natural gas to Eastern.

Applicant also seeks authorization to sell and deliver to Eastern up to 125,000 Mcf of natural gas per year under Applicant's FPC Gas Rate Schedule SG-1 and up to 125,000 Mcf of natural gas per year under its FPC Gas Rate Schedule RW-1, for a period to end July 31, 1968. Applicant states that Eastern has indicated that it has an immediate need for the volumes of natural gas mentioned above for use in its service area.

Applicant estimates the total cost of the proposed facilities at approximately $11,100, said cost to be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 9, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-8350; Filed, July 19, 1967; 8:46 a.m.]

[Docket No. CP68-1]

UNITED GAS PIPE LINE CO.

Notice of Application

JULY 11, 1967.

Take notice that on July 3, 1967, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP68-1 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval to abandon the following natural gas facilities:

(1) Approximately 2.44 miles of 14-inch pipeline, 0.05 of a mile of 12-inch pipeline and 0.05 of a mile of 2-inch pipeline, together with miscellaneous valves and fittings, beginning at the Sterlington Compressor Station yard and extending easterly to a point of interconnection with the 18-inch Sterlington to Jackson mainline, Quachita Parish, La.;

(2) Approximately 800 feet of 6-inch line at the end of the 6-inch Lathrop Lateral, Upshur County, Tex.; and

(3) Two 300 horsepower compressor units, together with structures and appurtenant facilities, located at the Dallas Junction Compressor Station, Dallas County, Tex.

Applicant states that the facilities described above are no longer needed and the maintenance costs are not justifiable. Applicant further states that no present or future service will be affected by the proposed abandonment.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before August 7, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-8351; Filed, July 19, 1967; 8:46 a.m.]

[Docket No. RI68-1]

HUMBLE OIL & REFINING CO.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund

JULY 13, 1967.

On June 16, 1967, Humble Oil & Refining Co. (Humble)[1] tendered for filing proposed changes in its 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:

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[1] Address is: Post Office Box 2180, Houston, Tex. 77001.

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.
RI68-1	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	20	9	Phillips Petroleum Co.[1] (Texas Hugoton Field, Sherman County, Tex.) (RR. District No. 10).	93	6-16-67	[2] 7-17-67	[3] 7-18-67	[4] 11.0	[4] [5] 11.0939	RI66-65.
	do	[7] 255	4	Colorado Interstate Gas Co. (Hugoton Field, Stanton and Hamilton Counties, Kans.).	[6] 116	6-16-67 6-16-67	[2] 7-17-67 [2] 7-17-67	[2] 7-18-67 [2] 7-18-67	[8] [9] 12.5 [9] [10] 15.0	[4] [9] [11] 13.5 [4] [9] [10] 16.0	
	do	162	6	El Paso Natural Gas Co. (North Lindrith (Mesa Verde) Field, Rio Arriba County, N. Mex.) (San Juan Basin Area).	9	6-16-67	[2] 7-17-67	[3] 7-18-67	[9] 13.0	[4] [9] [12] 13.2535	

[1] Phillips resells the gas under its FPC Gas Rate Schedule No. 4 to Michigan-Wisconsin Pipe Line Co. at a rate of 15.35372 cents which is in effect subject to refund in Docket No RI65-526.
[2] The stated effective date is the first day after expiration of the statutory notice.
[3] The suspension period is limited to 1 day.
[4] Tax reimbursement increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Sweet gas rate. Subject to a dedetion of 0.4466 cents for sour gas.
[7] Contract dated after Sept. 28, 1960, the date of issuance of General Policy Statement No. 61-1.
[8] No production below base of Chase Formation.
[9] Periodic rate increase.
[10] Rate applicable for gas above base of Chase Formation.
[11] Subject to a downward B.t.u. adjustment.
[12] Settlement rate pursuant to order issued July 8, 1964, in Docket Nos. G-9287 et al.
[13] Subject to upward and downward B.t.u. adjustment.
[14] Rate applicable for gas below base of Chase Formation.
[15] Pressure base is 15.025 p.s.i.a.
[16] Includes partial reimbursement for full 2.55 percent New Mexico Emergency School Tax.

Humble requests an effective date of June 1, 1967, the date of expiration of filing moratorium for rate increases to levels in excess of area rate ceilings pursuant to terms of company-wide settlement in Docket Nos. G-9287 and G-9288 et al., for its proposed rate increases. Humble also requests that should the Commission suspend its rate filings that the suspension period be a maximum of 1 day, or as short a period as possible. Good cause has not been shown for granting Humble's request for an earlier effective date or for limiting to 1 day the suspension period with respect to such rate filings and Humble's request is denied, except as ordered herein.

The contract related to the increases contained in Supplement No. 4 to Humble's FPC Gas Rate Schedule No. 255 was executed subsequent to September 28, 1960, the date of the issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rates exceed the area increased rate ceiling of 11.0 cents for Kansas but do not exceed the initial service ceiling of 16.0 cents per Mcf established for Kansas. We believe, in this situation, Humble's proposed rate increases should be suspended for 1 day from July 17, 1967, the date of expiration of the statutory notice.

Supplement No. 6 to Humble's FPC Gas Rate Schedule No. 162 reflects partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax which was increased from 2.0 percent to 2.55 percent on April 1, 1963. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting all tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file a protest to this rate increase. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher rate of at least 0.55 percent, it claims there is controversy as to whether or not the new legislation effected an increased tax rate in excess of 0.55 percent. Under the circumstances, we shall provide that the hearing herein provided shall concern itself with the contractual basis as well as the statutory lawfulness of Humble's proposed increased rate and charge. Since the rate increase reflects tax reimbursement only and exceeds the 13.0 cents San Juan Basin Area increased rate ceiling by the amount of the tax reimbursement we conclude that the suspension period may be shortened to 1 day from July 17, 1967, the date of expiration of the statutory notice.

The proposed rate increase contained in Supplement No. 9 to Humble's FPC Gas Rate Schedule No. 20 is for only the contractually due tax reimbursement for a sale to Phillips Petroleum Co. (Phillips) in Texas Railroad District No. 10. Phillips, after gathering and processing resells the gas under its FPC Gas Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Co. at an effective rate of 15.35372 cents which is subject to refund in Docket No. RI65-526. The proposed rate of 11.0939 cents per Mcf exceeds the area increased rate ceiling of 11.0 cents per Mcf (applicable at the tailgate of Phillips' plant) for RR. District No. 10 as announced in the Commission's Statement of General Policy No. 61-1, as amended. Since Phillips' proposed resale rate is in effect subject to refund, we conclude that Humble's rate increase should be suspended for one day from July 17, 1967, the date of expiration of the statutory notice.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: 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 changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) 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 rates and charges contained in the above-designated supplements.

(B) Pending a hearing and decision thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until July 18, 1967, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Humble, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order, Humble shall execute and file under Docket No. RI68-1, 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 all purchasers under the rate schedules involved. Unless Humble 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.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8

and 1.37(f)) on or before August 30, 1967.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-8354; Filed, July 19, 1967; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2086]

NORTHERN ENTERPRISES, INC.

Notice of Application for Order of Temporary Exemption

JULY 14, 1967.

Notice is hereby given that Northern Enterprises, Inc. ("Applicant"), 2631 West Superior Street, Duluth, Minn., a Minnesota corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. Sec. 80a-1 et seq. ("Act"), for an order of the Commission temporarily exempting it from section 7 of the Act. Applicant, in requesting such temporary exemption, has agreed that it and other persons in their transactions and relations with it shall be subject to all other provisions of the Act and the respective Rules and Regulations promulgated under each of such provisions as though Applicant were a registered investment company, other than the following: Section 8, section 10(a), subsections (f), (g), (h), and (i) of section 17, section 18 (except subsection (d) thereof), section 20(a), section 23, section 30 (except subsection (f) thereof); and section 31 of the Act, and the rules and regulations thereunder. All interested persons are referred to the application which is on file with the Commission for a statement of Applicant's representations which are summarized below:

On February 22, 1967, Applicant filed an application pursuant to section 3(b)(2) of the Act for an order of the Commission declaring that it is not an investment company. Section 3(b)(2) provides that the filing of an application thereunder shall exempt an applicant for a period of 60 days from all provisions of the Act applicable to investment companies as such.

The 60-day period of exemption provided in section 3(b)(2) of the Act expired, in Applicant's case, on April 22, 1967. Applicant, which has not registered as an investment company under the Act has asked that it be exempted as requested from April 22, 1967 until the Commission has acted upon the application under section 3(b)(2) of the Act.

Notice is further given that any interested person may, not later than August 2, 1967, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-8374; Filed, July 19, 1967; 8:47 a.m.]

SUBSCRIPTION TELEVISION, INC.

Order Suspending Trading

JULY 14, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $1 par value of Subscription Television, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 15, 1967, through July 24, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-8375; Filed, July 19, 1967; 8:47 a.m.]

[70-4505]

WEST PENN POWER CO.

Notice of Proposed Issue and Sale of Short-Term Notes

JULY 13, 1967.

Notice is hereby given that West Penn Power Co. ("West Penn"), 800 Cabin Hill Drive, Greensburg, Pa. 15601, a public-utility subsidiary company of Allegheny Power System, Inc., a registered holding company, has filed a declaration and an amendment thereto with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

West Penn requests authorization to issue and sell, from time to time prior to August 1, 1968, its unsecured promissory notes to banks in an aggregate principal amount not to exceed $13 million. Each note proposed to be issued by West Penn will bear interest at the prime rate in effect at the purchasing bank on the date of issue, will mature not more than twelve months after the date of issue, and will be prepayable at any time without penalty.

The $13 million of West Penn's notes are to be issued to the following banks in the maximum amounts as listed:

First National City Bank, New York, N.Y.	$10,000,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.	2,000,000
Pittsburgh National Bank, Pittsburgh, Pa.	1,000,000
	13,000,000

West Penn proposes to use the net proceeds from the proposed notes for construction and to repay other short-term bank borrowings incurred therefor under the exemption afforded by the first sentence of section 6(b) of the Act. The net proceeds from the sale of any permanent debt securities will be applied in total payment of all notes then outstanding and, thereupon, any authorization which may be granted under this declaration will cease to be effective.

It is stated that no fees and expenses, other than ordinary expenses estimated at $500, will be incurred in connection with the proposed transactions. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than August 3, 1967, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant of the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as

provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-8376; Filed, July 19, 1967; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1087]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JULY 14, 1967.

The following applications are governed by Special Rule 1.247 [1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d)(4) of the special rule, and shall include the certification required therein.

[1] Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 531 (Sub-No. 230), filed July 3, 1967. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Post Office Box 14287, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid synthetic resin*, in bulk, in tank vehicles, from Avondale, La., to Pine Bluff, Camden, Crossett, and Morrilton, Ark., and Bastrop, Springhill, and Hodge, La. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 730 (Sub-No. 284), filed July 3, 1967. Applicant: PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 1417 Clay Street, Oakland, Calif. 94604. Applicant's representative: Alfred G. Krebs (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those which require armored vehicles or armed guards, classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, and those requiring special equipment), between Springfield, Ill., and Indianapolis, Ind., from Springfield over U.S. Highway 36 to Indianapolis and return over the same route as an alternate route for operating convenience only, serving no intermediate points, but serving Springfield, Ill., for the purpose of joinder only. NOTE: Applicant states it controls through stock ownership the freight forwarder operations of Pacific & Atlantic Shippers, Inc., and its affiliated companies, permit No. FF-52 and National Carloading Corp. and its affiliated companies, permit Nos. FF-68 and FF-71 and B. C. Forwarding Co., Ltd., permit No. FF-175. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Springfield, Ill.

No. MC 2401 (Sub-No. 38), filed July 3, 1967. Applicant: MOTOR FREIGHT CORPORATION, 2345 South 13th Street, Terre Haute, Ind. 47802. Applicant's representative: Arnold L. Burke, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the Argonne Industrial District located in Will and Du Page Counties, Ill., as an off-route point in connection with applicant's presently authorized regular route service at Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 2860 (Sub-No. 14), filed July 6, 1967. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08306. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass and plastic containers, bottles, jars, pack glasses, and jelly tumblers, with and without caps, covers, stoppers and tops, and corrugated paper boxes and paper containers*, knocked down, when moving in mixed shipments with the above described commodities, between Connellsville and South Connellsville, Pa., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, and Rhode Island. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 2860 (Sub-No. 15), filed July 6, 1967. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Alvin Altman, 1776 Broadway, New York, N.Y. 10019. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass or plastic containers, bottles, jars, pack glasses, and jelly tumblers*, with or without *caps, covers, stoppers or tops, and corrugated paper boxes or paper containers*, knocked down, when moving in mixed shipments with the above described commodities, between Orangeburg, N.Y., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Philadelphia, Pa., or Washington, D.C.

No. MC 11207 (Sub-No. 264), filed July 5, 1967. Applicant: DEATON, INC., 3409

10th Avenue North, Birmingham, Ala. 35234, also Post Office Box 1271, Birmingham, Ala. 35234. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper bags, and paper products*, from the plantsite and warehouses of West Virginia Pulp & Paper Co., New Orleans, La., to points in Georgia (except Atlanta, Ga., and its commercial zone). NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Atlanta, Ga.

No. MC 11185 (Sub-No. 123), filed July 7, 1967. Applicant: J–T TRANSPORT COMPANY, INC., 3501 Manchester Trafficway, Kansas City, Mo. 64120. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Airplane parts and equipment*, which because of their delicate and fragile nature, require the use of special equipment or special handling, and (2) *commodities* which do not require special equipment or special handling when loaded in the same vehicle with airplane parts and equipment which require the use of special equipment or special handling, from points in King, Pierce, and Snohomish Counties, Wash., to Wichita, Kans., under contract with the Boeing Co. NOTE: Applicant holds common carrier authority in MC 110077, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Kansas City, Mo.

No. MC 17000 (Sub-No. 7) (Amendment), filed June 5, 1967, published in FEDERAL REGISTER issue of June 29, 1967, amended July 1, 1967, and republished as amended this issue. Applicant: HOHENWALD TRUCK LINES, INC., 107 Mill Street, Hohenwald, Tenn. Applicant's representative: Robert H. Cowan, 500 Court Square Building, Nashville, Tenn. 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) from Lobelville, Tenn., over Tennessee Highway 13 to the junction of Interstate Highway 40, thence over Interstate Highway 40 to Nashville, Tenn., and return over the same route as an alternate route for operating convenience only serving no intermediate points and (2) between Nashville, Tenn., and intersection of Interstate Highway 65 and Tennessee Highway 99 over said Interstate Highway 65 to the extent same is available for use and in the future over such additional sections of said Interstate Highway 65 as same become available for use, with authority to enter, leave, and reenter said Interstate Highway 65 at such interchanges, crossings, and traversing such highways as is necessary to connect with applicant's presently authorized route, to be used for operating convenience only, serving no intermediate points. NOTE: The purpose of this republication is to add (1) above, broadening the scope of the application. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 17226 (Sub-No. 29), filed July 7, 1967. Applicant: FRUIT BELT MOTOR SERVICE, INC., 6038 West 29th Street, Cicero, Ill. 60650. Applicant's representatives: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602, and Beverley S. Simms, 1700 Pennsylvania Avenue, NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and parts, materials, and supplies*, used in the manufacture, shipping, or operation of household laundry machines, stoves and ranges, between Woodstock, Ill., and St. Joseph and Benton Harbor, Mich., under a continuing contract, or contracts with the Whirlpool Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 18535 (Sub-No. 48), filed July 5, 1967. Applicant: O. ALEX HICKLIN, doing business as HICKLIN MOTOR LINE, Post Office Box 377, St. Matthews, S.C. 29135. Applicant's representative: William Addams, Room 406, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aggregates, crushed stone, and gravel*, from Ruby, Ga., to points in South Carolina, (2) *aggregates, crushed stone, gravel and sand*, in bags and in bulk, from Marlboro, S.C., Eldorado, N.C., and Lowry, Va., to points in Alabama, Florida, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, Georgia, South Carolina, Tennessee, West Virginia, and Virginia; and (3) *sand*, in bags and in bulk, from points Kershaw and Lexington Counties, S.C., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, West Virginia, and Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C., or Charlotte, N.C.

No. MC 21060 (Sub-No. 8), filed July 3, 1967. Applicant: IOWA PARCEL SERVICE, INC., 214 15th Street, Des Moines, Iowa 50309. Applicant's representative: Homer E. Bradshaw, 11th Floor, Des Moines Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motion picture films, film accessories, and advertising material* used in connection with exhibition of such films, magazines, and periodical publications, between points in Iowa. NOTE: Applicant states it would tack the proposed authority with presently held authority at Omaha, Nebr., and the Omaha commercial zone, Fulton, Moline, East Moline, Rock Island, Ill., and the commercial zones of the Illinois points involved. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 22229 (Sub-No. 45), filed July 5, 1967. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Atlanta, Ga. 30316. Applicant's representative: Ralph B. Matthews (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the Argonne Industrial District, Du Page Township, Will County, Ill., as an off-route point in connection with authorized regular route operations to and from Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 22301 (Sub-No. 8), filed July 3, 1967. Applicant: SIOUX TRANSPORTATION COMPANY, INC., Post Office Box 3088, Sioux City, Iowa 51102. Applicant's representative: Arnold L. Burke, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carrier of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the Argonne Industrial District located in Will and Du Page Counties, Ill., as an off-route point in connection with applicant's presently authorized regular route service at Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 25798 (Sub-No. 154), filed July 3, 1967. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from points in Sussex County, Del., and Frederica, Del., to points in Georgia and Florida. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 27817 (Sub-No. 72), filed July 10, 1967. Applicant: H. C. GABLER, INC., Rural Delivery No. 3, Chambersburg, Pa. 17201. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, other than frozen, from Chambersburg, Pa., to points in New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Maryland, Virginia, West Virginia, Delaware, District of Columbia, and points in that portion of North Carolina bounded by a line beginning at the North Carolina-Virginia State line and extending south along U.S. Highway 301

to the North Carolina-South Carolina State line, thence west along the North Carolina-South Carolina State line to junction U.S. Highway 321, near Crowders, N.C., thence north along U.S. Highway 321 to Boone, N.C., thence north along North Carolina Highway 194 through Todd, N.C., to junction U.S. Highway 221 thence north along U.S. Highway 221 to the North Carolina-Virginia State line, thence east along the North Carolina-Virginia State line to the point of beginning. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 29555 (Sub-No. 49), filed July 3, 1967. Applicant: BRIGGS TRANSPORTATION CO., a corporation, 2360 West County Road "C", St. Paul, Minn. 55113. Applicant's representative: Winston W. Hurd (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, houshold goods as defined by the Commission, commodities in bulk, commodities requiring special equipment (except those requiring temperature control) and those injurious or contaminating to other lading), serving Argonne Industrial District, Du Page Township, Will County, Ill., as an off-route point in connection with applicant's authorized regular route operations between the commercial zone of Chicago, Ill., and points in Iowa, Nebraska, Minnesota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Minneapolis, Minn., or Des Moines, Iowa.

No. MC 31389 (Sub-No. 86), filed July 7, 1967. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Waughtown Street, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: Francis W. McInerny, Suite 502, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite of the Ford Motor Co., Van Dyke and 18 Mile Road, Sterling Township, Mich., as an off-route point in connection with applicant's regular route operations to and from Detroit, Mich. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 41432 (Sub-No. 100), filed July 5, 1967. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 623 North Washington Avenue, Post Office Box 26040, Dallas, Tex. 75226. Applicant's representative: Rollo E. Kidwell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Ammunition* (explosive, incendiary, or gas, smoke, or tear producing), *manufactured ingredients and component parts of ammunition*, and *general commodities*, except those of unusual value, explosives (other than ammunition and manufactured ingredients and component parts of ammunition as specified), livestock, rock, gravel, sand, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the Argonne Industrial District located in Will and Du Page Counties, Ill., as an off-route point in connection with applicant's regular route operations from and to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 49387 (Sub-No. 34), filed July 5, 1967. Applicant: ORSCHELN BROS. TRUCK LINES, INC., Moberly, Mo. Applicant's representative: Arnold L. Burke, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Argonne Industrial District located in Will and Du Page Counties, Ill., as an off-route point in connection with applicant's presently held authorized regular route operations to and from Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52579 (Sub-No. 76), filed June 30, 1967. Applicant: GILBERT CARRIER CORP., 441 Ninth Avenue, New York, N.Y. 10001. Applicant's representative: Irving Klein, 280 Broadway, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials and supplies used in the manufacture thereof*, (1) between Newark, N.J., on the one hand, and, on the other, Hialeah, Fla., and Fayette, Ala., (2) between Hartsville, S.C., and West Hollywood, Fla., and (3) between Newport, Vt., on the one hand, and, on the other, points in the New York commercial zone. NOTE: Applicant states it intends to tack at New York, N.Y., to all points to which it now holds authority from New York, N.Y. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 52704 (Sub-No. 58), filed July 7, 1967. Applicant: GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Box 495, Lafayette, Ala. 36862. Applicant's representative: John W. Cooper, 1301 City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass bottles and containers for food and beverage* from the plantsite of Laurens Glass, Inc., at or near Simsboro, La., to points in Alabama, Arkansas, Arizona, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, New Mexico, North Carolina, South Carolina, Tennessee, and Texas, and cullett (scrap glass), on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52709 (Sub-No. 295), filed July 3, 1967. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. 80216. Applicant's representative: Eugene Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Elk Grove Village, Ill., as an off-route point in connection with applicant's authorized regular route operations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59117 (Sub-No. 28), filed July 7, 1967. Applicant: ELLIOTT TRUCK LINE, INC., Post Office Box 1, Vinita, Okla. Applicant's representative: Carll V. Kretsinger, 450 Professional Building, 1103 Grand Avenue, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, farm and ranch supplies, and steel articles*, between points in the Kansas City, Mo.-Kans., commercial zone (as defined by the Commission), on the one hand, and, on the other, points in Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Oklahoma City, Okla.

No. MC 60012 (Sub-No. 74), filed July 3, 1967. Applicant: RIO GRANDE MOTOR WAY, INC., 1400 West 52d Avenue, Denver, Colo. 80221. Applicant's representative: Warren D. Braucher, 604 Rio Grande Building, Denver, Colo. 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, between the mine and mill site of Molybdenum Corp. of America, at or near Molybdenum, N. Mex., on the one hand, and, on the other Fort Garland and Alamosa, Colo., restricted to traffic having a prior or subsequent movement by rail. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 61877 (Sub-No. 2), filed June 30, 1967. Applicant: S. HOCHHAUSER TRUCKING CORP., 371 West Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Books*, between the plant and facilities of John Wiley & Sons, Inc., at Somerset, N.J., on the one hand, and, on the other, points in Hudson, Essex, and Bergen Counties, N.J. (restricted to shipments having prior or subsequent movement via other carriers), New York, N.Y., and points in Westchester, Nassau, and Suffolk Counties, N.Y. NOTE:

If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 69833 (Sub-No. 91), filed July 7, 1967. Applicant: ASSOCIATED TRUCK LINES, INC., Vandenberg Center, Grand Rapids, Mich. 49502. Applicant's representative: Harry Pohlad (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, between Cleveland, Ohio, and Columbus, Ohio, over Interstate Highway 71, as an alternate route for operating convenience only, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 70151 (Sub-No. 45) (Correction), filed June 2, 1967, published FEDERAL REGISTER issue of June 22, 1967, and republished as corrected this issue. Applicant: UNITED TRUCKING SERVICE, INCORPORATED, 3047 Lonyo Road, Detroit, Mich. 48209. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of the Ford Motor Co., located at Van Dyke and 18 Mile Road, Sterling Township, Macomb County, Mich., as an off-route point in connection with authorized regular route authority at Detroit, Mich. NOTE: The purpose of this republication is to show the correct spelling as Van Dyke in lieu of Van Kyke as previously shown. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 75320 (Sub-No. 135), filed July 5, 1967. Applicant: CAMPBELL SIXTY-SIX EXPRESS, INC., Post Office Box 807, Springfield, Mo. 65801. Applicant's representative: Dick Messersmith (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Hospital, dental and medical supplies and related articles, and materials and supplies* used in the manufacture and packaging thereof, serving the Argonne Industrial District located in Du Page Township, Will County, Ill., as an off-route point in connection with applicant's presently authorized regular route authority between Springfield, Mo., and Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 80430 (Sub-No. 117), filed July 3, 1967. Applicant: GATEWAY TRANSPORTATION CO., INC., 2130 South Avenue, La Crosse, Wis. 54601. Applicant's representative: Joseph E. Ludden (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Johnson & Johnson Co. located in the Argonne Industrial District near Lement, Ill., as an off-route point in connection with applicant's presently authorized regular route operations. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 82079 (Sub-No. 16) (Correction), filed June 23, 1967, published FEDERAL REGISTER issue of July 13, 1967, and republished as corrected this issue. Applicant: KELLER TRANSFER LINE, INC., 1239 Randolph Avenue SW., Grand Rapids, Mich. 49507. Applicant's representative: J. M. Neath, Jr., 900 1 Vandenberg Center, Grand Rapids, Mich. 49507. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and potato products*, from Greenville, Mich., to Toledo, Maumee, Cleveland, and Painesville, Ohio. NOTE: The purpose of this republication is to add frozen foods to the commodity description, inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich., or Chicago, Ill.

No. MC 82569 (Sub-No. 7), filed June 14, 1967. Applicant: ROY YOUNG, INC., 2901 Charity Street, Post Office Box 712, Abbeville, La. 70510. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish meal, fish residuum, fish scrap and fish oil*, from Intracoastal City, La., to Abbeville, La., Vermilion Parish. NOTE: If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La.

No. MC 82841 (Sub-No. 34), filed June 30, 1967. Applicant: R–D TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cranes unmounted and mounted, wheeled cranes, and parts and attachments for cranes*, from Waverly, Nebr., to points in the United States (except Alaska and Hawaii). NOTE: Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Omaha or Lincoln, Nebr.

No. MC 87720 (Sub-No. 67), filed July 7, 1967. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic bottles, containers, and plastic tubes*, from Flemington, N.J., to points in Ohio, Illinois, Indiana, Michigan, Wisconsin, Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, and Missouri, and (2) *returned and damaged shipments* in the reverse direction, under contract with Tennepak Department Tenneco Chemicals, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103993 (Sub-No. 285) (Correction), filed May 22, 1967, published in FEDERAL REGISTER issue of June 8, 1967, under No. MC 103933 (Sub-No. 285), and republished as corrected this issue. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert C. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passengers vehicles, (a) from Shelby County, Tenn., to points in Georgia, Alabama, Mississippi, Kentucky, Louisiana, Indiana, Florida, Illinois, Texas, North Carolina, South Carolina, Missouri, and Arkansas; and (b) from Carter County, Tenn., to points in the United States (except Alaska and Hawaii); (2) *houseboats* designed to be drawn by passenger vehicles, from Davidson County, Tenn., to points in the United States (except Alaska and Hawaii); and (3) *prefabricated buildings*, complete, knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, from Carter and Washington Counties, Tenn., to points in the United States (except Alaska and Hawaii). NOTE: The purpose of this republication is to show the correct number as MC 103993, Sub 285 in lieu of MC 103933, Sub 285 as previously shown. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 105461 (Sub-No. 78), filed July 7, 1967, Applicant: HERR'S MOTOR EXPRESS, INC., Box 8, Quarryville, Pa. 17566. Applicant's representative: Bernard N. Gingerich, 110 West State Street, Quarryville, Pa. 17566. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition roofing, composition siding, composition roofing and composition siding materials, and articles used in the application of composition roofing and composition siding*, except commodities in bulk, in tank vehicles, from Edge Moor, Del., to points in West Virginia on and north of U.S. Highway 33. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 106644 (Sub-No. 81), filed June 30, 1967. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30321. Applicant's representative: Otis E. Stovall (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic pipe, plastic or iron connections, fittings and accessories*, from the plantsite and warehouse

facilities of the Clow Corp., located at or near Lincoln, Talladega County, Ala., to points in Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia; and (2) *equipment, materials and supplies*, used in the manufacture, processing and distribution of plastic pipe, plastic or iron connections, fittings, and accessories (except in bulk, in tank vehicles), on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 106943 (Sub-No. 93), filed July 6, 1967. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. Applicant's representative: James E. Lesh, 3737 North Meridian Street, Indianapolis, Ind. 46208. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, livestock, grain, petroleum products, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Johnson & Johnson in the Argonne Industrial District, Du Page Township, Will County, Ill., as an off-route point in connection with carrier's authorized regular route operations. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107286 (Sub-No. 25), filed July 3, 1967. Applicant: M. PASCALE TRUCKING, INC., 8–10 Rice Street, South Attleboro, Mass. 02774. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Somerville, N.J., to Attleboro, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I., or Boston, Mass.

No. MC 107295 (Sub-No. 109), filed July 5, 1967. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and plywood panels*, from New Orleans, La., to points in the United States, except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 107496 (Sub-No. 574), filed June 30, 1967. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Liquid corn syrup*, and blends thereof, in bulk, from Memphis, Tenn., to points in Mississippi. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, or Springfield, Ill.

No. MC 107496 (Sub-No. 575), filed July 3, 1967. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Marathon County, Wis., to points in the Upper Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107500 (Sub-No. 102), filed June 30, 1967. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. 61401. Applicant's representative: D. R. Sterling, 547 West Jackson Boulevard, Chicago, Ill. 60607. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Argonne Industrial District, located in Will and Du Page Counties, Ill., as an off-route point in connection with applicant's presently held authorized authority to and from Chicago, Ill. NOTE: Applicant states the authority sought herein is restricted against service between the Argonne Industrial District, on the one hand, and, on the other, points in Chicago, Ill., commercial zone, except for purposes of joinder with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109397 (Sub-No. 154), filed July 7, 1967. Applicant: TRI-STATE MOTOR TRANSIT CO., Post Office Box 113, Joplin, Mo. 64802. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Carpet*, from Morris, Ill., to Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and Wyoming and (2) *raw materials* used in the manufacture of carpet, from Georgia, Massachusetts, Michigan, South Carolina, New Jersey, New York, and Pennsylvania to Morris, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 109501 (Sub-No. 8), filed July 5, 1967. Applicant: CALHOUN TRUCKING CORP., 319 Jacet Road, Kearny, N.J. 07032. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household appliances; furnaces;* and *air cleaners, conditioners, heaters, humidifiers*, and *dehumidifiers*, from the plantsite of Fedders Corp. in Edison Township (Middlesex County), N.J., to points in Connecticut, Rhode Island, Massachusetts, New York, Pennsylvania, Delaware, Maryland, and the District of Columbia, (2) *materials, parts, and supplies* used in the manufacture, production and distribution of the above-described commodities, from points in Connecticut, Rhode Island, Massachusetts, New York, Pennsylvania, Delaware, Maryland, and the District of Columbia, to the plantsite of Fedders Corp. in Edison Township (Middlesex County), N.J., and to Newark, N.J., and (3) *returned shipments of commodities* listed in (1) and (2) above in the opposite direction; under contract with Fedders Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 109914 (Sub-No. 23), filed July 3, 1967. Applicant: DUNDEE TRUCK LINE, INC., 660 Sterling Street, Toledo, Ohio 43609. Applicant's representative: Arthur R. Cline, 420 Security Building, Toledo, Ohio 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the Argonne Industrial District located in Will and Du Page Counties, Ill., as an off-route point in connection with carrier's regular route operations to and from Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 838) (Amendment), filed June 26, 1967, published FEDERAL REGISTER issue of July 13, 1967, amended July 11, 1967, and republished as amended this issue. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar based sealing compound*, in bulk, in tank vehicles, from points in Hamilton County, Ohio, to points in Indiana, Kentucky, Michigan, Pennsylvania, West Virginia, and Wisconsin. NOTE: The purpose of this republication is to redescribe the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111545 (Sub-No. 97), filed July 3, 1967. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same address as applicant). Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, complete, knocked down, or in sections, (a) between points in North Carolina on the one hand, and, on the other, points in Tennessee, Kentucky, Illinois, Wisconsin, Michigan, Indiana, Ohio, West Virginia, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, and the District of Columbia, (b) between points in Georgia on the one hand, and, on the other, points in Illinois, Wisconsin, Michigan, Indiana, Ohio, Maryland, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine, and (c) between points in Barbour County, Ala., on the one hand, and, on the other, points in Illinois, Wisconsin, Michigan, Indiana, Ohio, Maryland, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, and Maine. NOTE: Applicant states with respect to paragraph (a) it would tack across the South Carolina State line serving between all points in North Carolina within 150 miles of Charlotte on the one hand, and, on the other, points in Tennessee, Kentucky, Illinois, Wisconsin, Michigan, Indiana, Ohio, West Virginia, Virginia, Delaware, Pennsylvania, New Jersey, New York, and the District of Columbia on such commodities requiring the use of special equipment, and with respect to paragraphs (b) and (c) by tacking through a radius of 50 miles of either Atlanta, Cartersville, or Marietta, Ga., or Columbia, S.C., or through Charlotte, N.C., serving the States of Illinois, Wisconsin, Michigan, Indiana, Ohio, Pennsylvania, New Jersey, and New York, on such commodities which require the use of special equipment. Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111729 (Sub-No. 243) (Correction), filed June 1, 1967, published FEDERAL REGISTER issue of June 29, 1967, corrected and republished as corrected this issue. Applicant: AMERICAN COURIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. 11361. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Commonwealth Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, and audit and accounting media of all kinds* (excluding plant removals), (a) between points in Hartford County, Conn., on the one hand, and, on the other, points in Atlantic, Cumberland, and Camden Counties, N.J.; (b) between points in Middlesex County, Conn., on the one hand, and, on the other, points in Middlesex County, N.J., Onondaga and Erie Counties, N.Y., Middlesex County, Mass., and New York, N.Y.; (c) between Braintree, Mass., on the one hand, and, on the other, Plainfield, Toms River, Wayne, Cedar Grove, and New Brunswick, N.J., and New York, N.Y.; (d) between Jackson, Mich., on the one hand, and, on the other, Van Wert and Youngstown, Ohio; (e) between Cleveland, Ohio, on the one hand, and, on the other, Buffalo and Rochester, N.Y.; (f) between Waterville, Maine, on the one hand, and, on the other, Lowell, Mass.; (g) between Braintree, Mass., on the one hand, and, on the other, South Plainfield, N.J.; (2) *cotton piece goods*, limited to shipments not to exceed 45 pounds per shipment, between points in Hartford County, Conn., on the one hand, and, on the other, points in Atlantic, Cumberland, and Camden Counties, N.J.; (3) *payroll checks*, (a) between points in Middlesex County, Conn., on the one hand, and, on the other, points in Middlesex County, N.J., Onondaga and Erie Counties, N.Y., New York, N.Y., and Middlesex County, Mass.; (b) between Jackson, Mich., on the one hand, and, on the other, Van Wert and Youngstown, Ohio; (c) between Waterville, Maine, on the one hand, and, on the other, Lowell, Mass.; (4) *small parts*, limited to shipments not to exceed 75 pounds per shipment, between Jackson, Mich., on the one hand, and, on the other, Van Wert and Youngstown, Ohio; (5) *exposed and processed microfilm and facsimiles of all kinds*, between Cleveland, Ohio, on the one hand, and, on the other, Buffalo and Rochester, N.Y.; (6) *exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature moving therewith* (excluding motion picture film used primarily for commercial theater and television exhibition) between Cincinnati, Ohio, on the one hand, and, on the other, points in Indiana and Kentucky; (7) *garments and swatches of cloth for testing and research purposes* moving at the same time with business papers, records, and audit and accounting media of all kinds (excluding plant removals), between Waterville, Maine, on the one hand, and, on the other, Lowell, Mass.; (8) *cut flowers and decorative greens*, between points in Illinois, having prior or subsequent movement by air; (9) *ophthalmic goods and commercial papers* (except cash letters and excluding plant removals), between Columbus, Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Maryland, Michigan, Pennsylvania, and West Virginia. NOTE: Applicant indicates tacking possibilities with its presently held authority. Applicant also holds contract carrier authority under MC 112520 and subs thereunder, therefore, dual operations may be involved. The purpose of this republication is to show the weight restrictions which were inadvertently omitted from items (2) and (4). If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Cincinnati, Ohio.

No. MC 113545 (Sub-No. 7), filed July 5, 1967. Applicant: CORMETT FORWARDING CO., INC., 260 Hudson Street, Hackensack, N.J. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Radiopharmaceuticals, radioactive drugs and medical isotopes*, from Newark Airport in Newark, N.J., and La Guardia and Kennedy Airports in New York, N.Y., to points in Bergen, Passaic, Sussex, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Hunterdon, Mercer, Monmouth, and Ocean Counties, N.J.; New York, N.Y.; and points in Nassau, Suffolk, Westchester, Rockland, Orange, Ulster, Sullivan, Putnam, and Dutchess Counties, N.Y., and Fairfield County, Conn., restricted to traffic having an immediately prior movement by air and weighing not over 10 pounds per shipment under contract with Abbott Laboratories. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 113843 (Sub-No. 131), filed July 10, 1967. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same address as applicant). 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 the 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., located at Beardstown, Ill., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, restricted to traffic originating at the described plantsite and destined to points in the States named above. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113855 (Sub-No. 164), filed July 3, 1967. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55902. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction, roadbuilding, earthmoving, excavating, loading, maintenance, logging, and mining machinery and equipment, tractors* (not including truck-tractors), *pipelayers, scrapers, motor graders, wagons, engines* (except aircraft and missile engines), *generators, engines and generators combined, welders, roadrollers, compactors, lift trucks, agricultural machinery, agricultural implements, and parts, attachments and accessories* of and for the above-named commodities, from points in Weber, Salt Lake, and Davis Counties, Utah, to points in Washington, Oregon, Idaho, Nevada, California, Arizona, and Utah. NOTE: Applicant states the purpose of this application is to provide service from in transit storage points in the origin counties named above on such traffic where applicant holds the authority from initial origin to final destination. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or San Francisco, Calif.

No. MC 114364 (Sub-No. 140), filed July 5, 1967. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boron compounds and potash*, from points in Lea and Eddy Counties, N. Mex., to points in Arizona, Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Utah, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or St. Louis, Mo.

No. MC 114989 (Sub-No. 10) (Correction), filed June 26, 1967, published in the FEDERAL REGISTER issue of July 13, 1967, under No. MC 115331 (Sub-No. 231) and republished as corrected this issue. Applicant: BRACEY & MARTIN, INC., 1910 South Walnut Street, Hopkinsville, Ky. 42240. Applicant's representative: James C. Havron, 513 Nashville Bank and Trust Building, Nashville, Tenn. 37201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverage* in containers, from Detroit, Mich., to Hopkinsville, Ky., and *empty containers and rejected shipments* on return, under contract with Kentucky Ace Beverage Distributors, Inc. NOTE: Applicant is also authorized to conduct operations as a common carrier in certificate MC 115762 and Sub 1, therefore, dual operations may be involved. The purpose of this republication is to show the correct docket number assigned thereto. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 115491 (Sub-No. 101), filed July 5, 1967. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products, including sewer pipe and related articles*, such as but not limited to *clay flue lining, clay stove pipe, and clay wall coping*, from Canton, East Sparta, Mogadore, and Uhrichsville, Ohio, to points in Louisiana. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio.

No. MC 115840 (Sub-No. 30), filed July 7, 1967. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: (1) *Plastic pipe, plastic or iron connections, fittings, and accessories*, from the plantsite and warehouse facilities of the Clow Corp. located at or near Lincoln, Talledega County, Ala., to points in Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia; and (2) *equipment, materials and supplies* used in the manufacture, processing, and distribution of plastic pipe, plastic or iron connections, fittings and accessories (except in bulk, in tank vehicles), on return. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 116282 (Sub-No. 16), filed July 7, 1967. Applicant: NEIL'S BAKERY PRODUCTS TRANSPORTATION CO., a corporation, 246 Broad Street, Auburn, Maine. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products* from Middleton, Mass., to Portsmouth, N.H.; and Bangor, Fryeburg, Lewiston, and Portland, Maine, and *containers used in transporting bakery products and returned bakery products*, on return, under contract with Pepperidge Farm, Inc., Norwalk, Conn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 117344 (Sub-No. 183), filed July 7, 1967. Applicant: THE MAXWELL CO., a corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar based sealing compounds*, from points in Columbia Park (Hamilton County), Ohio, to points in Indiana, Kentucky, Michigan, Pennsylvania, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 119297 (Sub-No. 2), filed June 22, 1967. Applicant: PAUL R. GARNSEY AND PAUL Z. GARNSEY, a partnership, doing business as PAUL GARNSEY & SON, Rural Delivery No. 1, Post Office Box 55, Schuylerville, N.Y. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between the hamlet of North Creek (Warren County), N.Y., and Glens Falls, N.Y., from North Creek over New York Highway 28 to junction U.S. Highway 9, thence over U.S. Highway 9 to Glens Falls and return over the same route serving the intermediate points of Wevertown and Warrensburg, N.Y., and the off-route points of Riparius, Indian Lake, Chestertown, Johnsburg, Horicon, and Newcomb, N.Y., and (2) between the hamlet of North Creek (Warren County), N.Y., and the hamlet of Newcomb (Essex County), N.Y., over New York Highway 28-N, serving all intermediate points and the off-route points of Olmstedville and Tahawus, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 119531 (Sub-No. 63), filed June 30, 1967. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers and closures therefor, and paper cartons* used in the packaging of glassware and glass containers, from Winchester, Ind., to points in Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin, and *damaged or rejected shipments* of the above-specified commodities, on return. NOTE: Applicant states possible tack exists at origin point of Winchester, Ind., with presently held authority permitting service from Bremen, Canal, Winchester, and Lancaster, Ohio, to points in Iowa, Missouri, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Columbus, Ohio or Washington, D.C.

No. MC 119531 (Sub-No. 64), filed July 5, 1967. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper products*, from North Chicago, Ill., to points in Indiana, Michigan, and Ohio; and (2) *paper*, from Franklin, Ohio, to points in Indiana, Michigan, and Kentucky. NOTE: Applicant states that tacking is possible at Cleveland, Ohio, in connection with its presently held authority in Sub 7, permitting transportation of paper products to New Jersey, New York, and Pennsylvania. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 119777 (Sub-No. 79), filed July 5, 1967. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agriculture implements, and agriculture implement parts, attachments and accessories*, from Yazoo City, Miss., to points in the United States (except Alaska and Hawaii) and (2) *steel disks*, from Chicago, Ill., and Midland, Pa., to Yazoo City, Miss. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Nashville, Tenn.

No. MC 119777 (Sub-No. 80), filed July 5, 1967. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box L, Madisonville, Ky. 42431. Applicant's representative: Louis J. Amato, Central

Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flake board and particle board*, from Gifford, Ark., and points within 10 miles thereof, to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 119829 (Sub-No. 25), filed July 6, 1967. Applicant: F. J. EGNER & SON, INC., 3969 Congress Parkway, West Richfield, Ohio 44286. Applicant's representative: Taylor C. Burneson, 88 East Broad Street, Suite 1680, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt pavement surface sealer, coal tar base*, in bulk, in tank vehicles, from Columbia Park (in Miami Township, Hamilton County), Ohio, to points in Indiana, Kentucky, Michigan, Pennsylvania, West Virginia, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 124078 (Sub-No. 285), filed July 5, 1967. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, from New Eagle, Pa., to points in Ohio, Virginia, and West Virginia. NOTE: Applicant intends to tack with its Sub 78 at Glasgow, W. Va., to serve points in Kentucky and Virginia. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, or Chicago, Ill.

No. MC 124584 (Sub-No. 7), filed May 26, 1967. Applicant: CHEMICAL CARRIERS CORPORATION, 648 West Ocean Drive, Chesapeake, Va. 23702. Applicant's representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, N.C. 27601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, between points in the Norfolk, Va., commercial zone and points in North Carolina. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Norfolk, Va.

No. MC 124813 (Sub-No. 40), filed June 28, 1967. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed ingredients* (other than liquid), from Dubuque, Iowa, and Omaha, Nebr., to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Illinois, and (2) *animal and poultry feed and feed ingredients* (other than liquid), between Kansas City, Mo., on the one hand, and, on the other, points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Illinois. NOTE: Applicant is also authorized to conduct operations as a contract carrier in permit No. MC 118468, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126463 (Sub-No. 3), filed July 7, 1967. Applicant: GREER BROS. TRUCKING CO., Post Office Box 187, London, Ky. 40741. Applicant's representative: George M. Catlett, 703–706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk* (except cement), in dump trucks, between points in Campbell County, Tenn., on the one hand, and, on the other, points in Whitley, Knox, Laurel and Rockcastle Counties, Ky. NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Lexington, Ky., or Knoxville, Tenn.

No. MC 126884 (Sub-No. 2) (Amendment), filed May 26, 1967, published in the FEDERAL REGISTER issue of June 15, 1967, amended July 3, 1967, and republished this issue. Applicant: FROST TRUCKING CO., INC., 677 Washington Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Books, equipment, materials, and supplies used in the composition, printing and binding of books*, except commodities in bulk in dump or tank vehicles, between points in New York, New Jersey, Connecticut, Brattleboro, Vt., Ludlow, Mass., and Philadelphia, Pa. NOTE: The purpose of this application is to add Ludlow, Mass., to the destination. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 127568 (Sub-No. 8), filed July 3, 1967. Applicant: MID-SOUTH DELIVERY SERVICE CO., a corporation, 3215 Tulane Road, Memphis, Tenn. 38116. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid corn syrup*, in bulk, in tank vehicles, from Memphis, Tenn., to points in Arkansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 128205 (Sub-No. 6), filed July 3, 1967. Applicant: BULKMATIC TRANSPORT COMPANY, a corporation, 4141 West George Street, Schiller Park, Ill. Applicant's representative: Irving Stillerman, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from Chicago, Ill., to points in Indiana and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128965 (Sub-No. 1), filed June 16, 1967. Applicant: PAUL HEIDE, 746 South Rutan, Wichita, Kans. 67218. Applicant's representative: Leland M. Spurgeon, 308 Casson Building, 603 Topeka Boulevard, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer compounds, fertilizer material, agricultural chemicals, processed feeds and feed ingredients, including meat scraps and meat meal*, from points in Sedgwick County, Kans., to points in Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., or Kansas City, Mo.

No. MC 129046 (Sub-No. 1) (Amendment), filed May 12, 1967, published FEDERAL REGISTER, issue of June 2, 1967, under MC 69876 Sub 19, and republished as amended this issue. Applicant: BURKSPETZ TRANSFER, INC., 1724 West Franklin Street, Evansville, Ind. 47712. Applicant's representative: Robert M. Pearce, Central Building, 1033 State Street, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Evansville, Ind., to points in Ohio. NOTE: The purpose of this republication is to show that applicant now seeks to conduct operations as a common carrier in lieu of those as a contract carrier as previously published. The application has been reassigned No. MC 129046 Sub No. 1. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 129118 (Sub-No. 2), filed June 14, 1967. Applicant: ELMER F. MILLER, doing business as MILLER TRUCKING CO., Rural Route No. 6, Merrill, Wis. 54452. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising and promotional materials*, in connection therewith, from St. Paul, Minn., to points in Lincoln, Oneida, and Marathon Counties, Wis., and *empty containers* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., Milwaukee, Wis., or Chicago, Ill.

No. MC 129161 (Sub-No. 1), filed July 3, 1967. Applicant: CHARLES E. HOLSTINE, JESSE HOLSTINE, HUGH HOLSTINE, a partnership, doing business as HOLSTINE AND COMPANY, 2100 South Bellevue, Memphis, Tenn. 38106. Applicant's representative: Dale Woodall, 900 Memphis Bank Building, Memphis, Tenn. 38103. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used stoves, refrigerators and appliances* from New York City, N.Y., and its commercial zone thereof to Memphis, Tenn., and points in Mississippi, Louisiana, and Alabama, (2) *quilting* from New York, N.Y., and its commercial zone thereof to Coffeeville, Kans., and points in Mississippi and Tennessee, and (3) *new and used office furniture*, uncrated, from New York, N.Y., and its commercial zone thereof to Memphis, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or New York, N.Y.

No. MC 129217, filed June 30, 1967. Applicant: PONTIAC CONTRACT CARRIER, INC., Post Office Box 198, Pontiac, Ill. 61764. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Mowing equipment and accessories, parts, materials, tools, and supplies* used in the manufacture, processing, or sale of mowing equipment, between Pontiac, Ill., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, Washington, Wisconsin, and the District of Columbia, under a continuing contract with Roof Manufacturing Co., of Pontiac, Ill., and (2) *heel building machinery, heels, bags, leather and rubber products, steel, and scrap*, between Pontiac, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Maine, Massachusetts, Minnesota, Missouri, New Hampshire, New York, Ohio, Pennsylvania, Tennessee, Texas, West Virginia, and Wisconsin, under a continuing contract with Brockton Heel Co., Inc., of Pontiac, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 129218, filed July 3, 1967. Applicant: COMMERCIAL TELEVISION, INC., 3501 Sheridan Road, Youngstown, Ohio 44502. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), in retail delivery service, from Youngstown, Ohio, to points in Mercer and Lawrence Counties, Pa., and (2) *returned or trade in merchandise*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 129222, filed July 5, 1967. Applicant: MARVIN FORD, doing business as FORD TRUCK LINE, Tipton, Iowa 52772. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicle, from Walcott, Iowa, to points in Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 129229, filed July 7, 1967. Applicant: P & N TRUCKING CO., INC., 4010 Dell Avenue, North Bergen, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and metals*, (1) from piers in New York, N.Y. and Elizabeth, N.J. harbors, to points in Connecticut, Massachusetts, Rhode Island, New Jersey, New York, Pennsylvania, Delaware, and Maryland, (2) from piers in Philadelphia, Pa., to points in Pennsylvania, and (3) from piers in Baltimore, Md., to points in Maryland, under contract with International Selling Corp., New York, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 396), filed July 3, 1967. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. 07040. Applicant's representative: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special operations, in round-trip, sightseeing, and pleasure tours, beginning and ending at Irvington, N.J., and extending to Washington, D.C., Arlington, Mount Vernon, and Williamsburg, Va., Kutztown, Lancaster, Gettysburg, Lahaska, Wellsboro, and Doylestown, Pa., Boston, Sturbridge, and Cape Cod, Mass., Corning, Lake George, and Watkins Glen, N.Y., and Lewes and Dover, Del. NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J., or New York, N.Y.

APPLICATION FOR A BROKERAGE LICENSE

No. MC 130040, filed July 5, 1967. Applicant: AMERICAN RECREATIONAL ACTIVITIES, INC., 846 Farmington Avenue, Post Office Box 359, West Hartford, Conn. 06107. Applicant's representative: Edwin L. Baum, 799 Main Street, Hartford, Conn. 06103. For a license (BMC 5) to engage in operations as a broker at West Hartford, Conn., in arranging for the transportation in interstate or foreign commerce, of *passengers and their baggage*, in the same vehicle with passengers, both as individuals and in groups, in all expense, round-trip, counciled educational, sightseeing, and camping tours, in special and charter operations, beginning and ending at West Hartford, Conn., and extending to points in the United States, including Alaska, but excluding Hawaii.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 67-8306; Filed, July 19, 1967; 8:45 a.m.]

RAYMOND R. MANION

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769), "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Division of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (30 F.R. 8809, 31 F.R. 930, 31 F.R. 13405, and 32 F.R. 769) for the 6 months' period ended July 2, 1967.

REVISED LIST OF SECURITIES

AT&T.	I.B.M.
IT&T.	Conrac Corp.
Continental Can.	Mary Carter Paint "B".
Minnesota Mining & Manufacturing.	Pan American Airways.
Monarch Equity Reality Investment.	

R. R. MANION.

JULY 7, 1967.

[F.R. Doc. 67-8396; Filed, July 19, 1967; 8:49 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 17, 1967.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41075—*Roofing and building materials to Ensley, Ala.* Filed by Southwestern Freight Bureau, agent (No. B-8993), for interested rail carriers. Rates on roofing and building materials, in carloads, from points in Arkansas, Louisiana, Oklahoma and Texas, to Ensley, Ala. Grounds for relief—Market competition. Tariff—Supplement 3 to Southwestern Freight Bureau, agent, tariff ICC 4717.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 67-8397; Filed, July 19, 1967; 8:49 a.m.]

[Notice 422]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 17, 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 107002 (Sub-No. 339 TA), filed July 13, 1967. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer*, in bulk, and in bags, from Gulfport, Miss., to points in Alabama, Louisiana, and Mississippi; and (2) *dry fertilizer*, in bags, from Mobile, Ala., to points in Alabama, Louisiana, and Mississippi; for 180 days. Supporting shipper: Olin Mathieson Chemical Corp., Agricultural Division, Post Office Box 991, Little Rock, Ark. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 111729 (Sub-No. 246 TA), filed July 13, 1967. Applicant: AMERICAN COURIER CORPORATION, 222-17 Northern Boulevard, De Bevoise Building, Bayside, N.Y. 11361. Applicant's representative: J. K. Murphy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, audit and accounting media, payroll records and checks, and sales and advertising pamphlets and related material* moving therewith, between Richmond, Va., and Orangeburg, S.C.; and (2) *business papers, records, and audit and accounting media of all kinds* (excluding plant removals), (a) between Westboro, Mass., on the one hand, and, on the other, Arctic, East Greenwich, Warren, Wickford, Westerly, and Wakefield, R.I.; (b) between O'Hare Field, Chicago, Ill., on the one hand, and, on the other, River Grove, Ill., and Cleveland, Ohio, on shipments having prior or subsequent movement by air; and (c) between points in Middlesex County, Mass., on the one hand, and, on the other, points in New Hampshire (except Hillsboro and Rockingham Counties, N.H.), points in Connecticut (except New Haven, Litchfield and Middlesex Counties, Conn.), points in Maine (except Knox, Penobscot, Kennebec, Androscoggin, and Cumberland Counties, Maine), points in Rhode Island (except Providence County, R.I.), points in New York, and points in New Jersey; for 180 days. Supporting shippers: Hygrade Food Products Corp., Post Office Drawer 1235, Richmond, Va. 23209; New England Power Service Co., Turnpike Road, Westboro, Mass. 01581; Giant Stores Corp., 365 Dutton Street, Lowell, Mass; and Zayre Corp., 1 Mercer Road, Natick, Mass. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 116273 (Sub-No. 95 TA), filed July 13, 1967. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid corn syrup*, from the Flexi-Flo Terminal of the New York Central Railroad at Hammond, Ind., to Trafalgar, Ind., Detroit, Mich., and Geneva, Ohio; for 150 days. Supporting shipper: Union Starch & Refining Co., Inc., Granite City, Ill. 62040. Send protests to: Raymond E. Mauk, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 123067 (Sub-No. 61 TA), filed July 13, 1967. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. 27105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, dry, in bulk, in tank, hopper or dump vehicles, from Charlotte, N.C., to points in North Carolina and South Carolina; for 150 days. Supporting shipper: Morton Salt Co., a division of Morton International, Inc., 110 North Wacker Drive, Chicago, Ill. 60606. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C. 28202.

No. MC 124964 (Sub-No. 8 TA), filed July 13, 1967. Applicant: JOSEPH M. BOOTH, doing business as J. M. BOOTH TRUCKING, Post Office Box 907, Eustis, Fla. 32726. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Such *merchandise* as is distributed by a premium stamp redemption center in the redemption of premium stamps, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business, between South Hackensack, N.J., on the one hand, and, on the other, points in Palm Beach County, Fla.; and (2) *premium stamp books, with stamps attached*, from points in Palm Beach County, Fla., to South Hackensack, N.J.; under contract with the Stop & Save Trading Stamp Corp.; for 150 days. Supporting shipper: Stop & Save Trading Stamp Corp., 125 Phillips Avenue, South Hackensack, N.J. 07606. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Federal Office Building, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 126042 (Sub-No. 3 TA), filed July 13, 1967. Applicant: C. ARTHUR FOSSE, doing business as FOSSE TRANSPORT, Post Office Box 187, Rothsay, Minn. 56579. Applicant's representative: Benny A. Graff, Post Office Box 100, Mandan, N. Dak. 58554. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Truck bodies and truck hoists*, from Galion, Ohio, and Quincy, Ill., to Mandan, Williston, Minot, Rugby, and Dickinson, N. Dak.; for 180 days. Supporting shipper: O K Equipment, Inc., Highway 10 East, Mandan, N. Dak. 58554. Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1621 South University Drive, Room 213, Fargo, N. Dak. 58102.

No. MC 128279 (Sub-No. 4TA) filed July 13, 1967. Applicant: ARROW FREIGHTWAYS, INC., 3101 Princeton Drive NE., Albuquerque, N. Mex. 87107. Applicant's representative: Olif O. Boyd (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, and materials and supplies* used in the installation and distribution thereof, from Rosario, N. Mex., to points in Arizona, Colorado, Oklahoma, and Texas; for 150 days. Supporting shipper: Kaiser Gypsum Co., Inc., 300 Lakeside Drive, Oakland, Calif. 94604. Send protests to: Jerry R. Murphy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 109 Federal Building, 421 Gold Avenue SW., Albuquerque, N. Mex. 87101.

MOTOR CARRIER OF PASSENGERS

No. MC 115880 (Sub-No. 3 TA), filed July 13, 1967. Applicant: SINGERMAN BUS CORPORATION, 3 Railroad Place, Maspeth, N.Y. 11378. Applicant's representative: Charles H. Trayford, 137 East 36th Street, New York, N.Y. 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, restricted to traffic originating at the point indicated, in charter operations, from New York City, N.Y., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, Ohio, Indiana, Illinois, Wisconsin, and the District of Columbia, and ports of entry on the international boundary line between the

United States and Canada, located in States named above; to be a seasonal operation between April 15, 1967, and November 1, 1967, which is the duration of the Montreal Expo 67; for 180 days. NOTE: Applicant states that it now holds charter authority which partially duplicates that sought. However, applicant does not seek duplicate authority. Some of the proposed charter operation will involve tour operations through its present States with the proposed States. All States have been set out in this application to avoid any question of tacking existing with proposed authority. Supporting shippers: All State Bus Corp., 3163 Coney Island Avenue, New York, N.Y. 11235; and Air France, 1350 Avenue of the Americas, New York, N.Y. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-8398; Filed, July 19, 1967; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during July.

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