

FEDERAL REGISTER

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Pages 11843-11920



Agencies in this issue—

Agriculture Department
Air Force Department
Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Delaware River Basin Commission
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Housing and Urban Development
Department
Interior Department
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Navy Department
Public Health Service
Public Land Law Review Commission
Securities and Exchange Commission

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Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

The *Weekly Compilation of Presidential Documents* began with the issue dated Monday, August 2, 1965. It contains transcripts of the President's news conferences, messages to Congress, public speeches, remarks and statements, and other Presidential material released by the White House up to 5 p.m. of each Friday. This weekly service includes an Index of Contents preceding the text and a Cumulative Index to Prior

Issues at the end. Cumulation of this index terminates at the end of each quarter and begins anew with the following issue. Semiannual and annual indexes are published separately.

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FEDERAL REGISTER
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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

President's Committee on Urban Housing

A new § 213.3160 is added to show that all positions on the staff of The President's Committee on Urban Housing are excepted under Schedule A. Effective on publication in the *FEDERAL REGISTER*, § 213.3160 is added as set out below.

§ 213.3160 The President's Committee on Urban Housing.

(a) All positions on the Committee staff.

(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. 67-9734; Filed, Aug. 16, 1967;
8:52 a.m.]

PART 713—EQUAL OPPORTUNITY

Investigation and Agency Systems

Section 713.214 is amended to recognize the validity of official inquiries to solicit voluntary information relative to race, creed, color, or national origin to resolve discrimination complaints. Section 713.302 is amended to cancel the authority for employee self-identification in connection with the minority group statistics system and in lieu thereof provide for the collection of gross statistics by visual survey and to strengthen the controls pertaining to the system. Effective on publication in the *FEDERAL REGISTER* § 713.214 and § 713.302 are amended as set out below.

§ 713.214 Investigation.

The Equal Employment Opportunity Officer or his designated representative shall promptly investigate the complaint. The investigation shall include a thorough review of the circumstances under which the alleged discrimination occurred, the treatment of members of the complainant's group identified by his complaint as compared with the treatment of other employees in the organizational segment in which the alleged discrimination occurred, and any policies and practices related to the work situation which may constitute, or appear to constitute, discrimination even though they have not been expressly

cited by the complainant. When gross data collected under Subpart C of this part will not provide the specific information needed to resolve a complaint of discrimination on the basis of race, creed, color, or national origin, the Equal Employment Opportunity Officer or his representative may collect the required data by asking each employee concerned to provide the information voluntarily; he shall not require or coerce an employee to provide this information. The agency shall furnish the complainant and his representative opportunity to review the investigative file or shall furnish the complainant and his representative a written summary which contains all the information in the investigation material to the resolution of the complaint.

§ 713.302 Agency systems.

(a) Each agency shall establish a system which provides statistical employment information by race or national origin.

(b) Data shall be collected only by visual survey and only in the form of gross statistics. An agency shall not collect or maintain any record of the race or national origin of individual employees.

(c) Each system is subject to the following controls:

(1) Only those categories of race and national origin prescribed by the Commission may be used;

(2) Only the specific procedures for the collection and maintenance of data that are prescribed or approved by the Commission may be used;

(3) The Commission shall review the operation of the agency system to insure adherence to Commission procedures and requirements. An agency may make an exception to the prescribed procedures and requirements only with the advance written approval of the Commission.

(d) The agency may use the data only in studies and analyses which contribute affirmatively to achieving the objectives of the equal employment opportunity program. An agency shall not establish a quota for the employment of persons on the basis of race or national origin.

(e) An agency shall report to the Commission on employment by race and national origin in the form and at such times as the Commission may require.

(5 U.S.C. 3301, 3302; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-58 Comp., p. 218; President's Memorandum of July 23, 1962; E.O. 11246, 30 F.R. 12319, 3 CFR, 1965 Supp., p. 167)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 67-9733; Filed, Aug. 16, 1967;
8:52 a.m.]

Title 7—AGRICULTURE

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

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Free and Restricted Percentages and Withholding Factors for 1967-68 Crop Year

Notice was published in the July 28, 1967, issue of the *FEDERAL REGISTER* (32 F.R. 11038) regarding a proposal to establish free and restricted percentages and withholding factors applicable to particular varieties of domestic dates for the 1967-68 crop year beginning August 1, 1967. The establishment of such percentages and withholding factors is pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was recommended by the Date Administrative Committee.

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Committee, and other available information, it is found that to establish free percentages, restricted percentages, and withholding factors as hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, the free percentages, restricted percentages, and withholding factors for the 1967-68 crop year for marketable dates are, pursuant to §§ 987.44 and 987.45, established as follows:

§ 987.215 Free and restricted percentages, and withholding factors.

The various free percentages, restricted percentages, and withholding factors applicable to marketable dates of each variety shall be, for the crop year beginning August 1, 1967, and ending July 31, 1968, as follows: (a) Deglet Noor variety

¹The Date Administrative Committee included no countries other than the United States and Canada in its determination of trade demand.

dates: Free percentage, 65 percent; restricted percentage, 35 percent; and withholding factor, 53.8 percent; (b) Zahidi variety dates: Free percentage, 72 percent; restricted percentage, 28 percent; and withholding factor, 38.9 percent; (c) Halawy variety dates: Free percentage, 100.0 percent; restricted percentage, 0.0 percent; and withholding factor, 0.0 percent; and (d) Khadrawy variety dates: Free percentage, 100.0 percent; restricted percentage, 0.0 percent; and withholding factor, 0.0 percent.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that (a) free and restricted percentages and withholding factors established for a particular crop year shall be applicable during the entire crop year to all marketable dates, and (b) the withholding obligations based on the continued regulation from the preceding crop year shall be adjusted to the newly established percentages upon their establishment; and (2) the percentages and withholding factors established herein for the crop year beginning August 1, 1967, will apply, and adjustment thereto of handlers' withholding obligations are required, automatically, with respect to all such dates.

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

Dated: August 14, 1967.

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

[F.R. Doc. 67-9691; Filed, Aug. 16, 1967; 8:50 a.m.]

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Expenses of Date Administrative Committee and Rate of Assessment for 1967-68 Crop Year

Notice was published in the July 28, 1967, issue of the *FEDERAL REGISTER* (32 F.R. 11038) regarding proposed expenses of the Date Administrative Committee for the 1967-68 crop year and rate of assessment for that crop year, pursuant to §§ 987.71 and 987.72 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matter presented, including that in the notice, the information and recommendations submitted by the Date

Administrative Committee, and other available information, it is found that the expenses of the Date Administrative Committee and the rate of assessment for the crop year beginning August 1, 1967, shall be as follows:

§ 987.312 Expenses of the Date Administrative Committee and rate of assessment for the 1967-68 crop year.

(a) *Expenses.* Expenses in the amount of \$26,970 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1967, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for that crop year which each handler is required, pursuant to § 987.72, to pay to the Date Administrative Committee as his pro rata share of the expenses is fixed at 8 cents per hundredweight on all dates he has certified during the crop year as meeting the requirements for marketable dates, including the eligible portion of any field-run dates certified and set aside or disposed of pursuant to § 987.45(f).

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular crop year shall be applicable to all dates certified during that crop year as meeting the requirements for marketable dates, including the eligible portion of certain field-run dates; and (2) the current crop year began on August 1, 1967, and the rate of assessment herein fixed will automatically apply to all such dates beginning with that date.

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

Dated: August 14, 1967.

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

[F.R. Doc. 67-9690; Filed, Aug. 16, 1967; 8:50 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1967 Crop Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 Crop Grain Sorghum Loan and Purchase Program

Correction

In F.R. Doc. 67-7478, appearing at page 9824 of the issue for Thursday, July 6, 1967, the following corrections are made in § 1421.2585(b):

- Under Alabama, the rate entry should read "\$1.66" instead of "\$1.16".
- Under Nebraska, "Pierce" should read "Pierce".

[CCC Grain Price Support Regs., 1967-Crop Flaxseed Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967-Crop Flaxseed Loan and Purchase Program

Correction

In F.R. Doc. 67-7084, appearing at page 9007 of the issue for Saturday, June 24, 1967, the following corrections are made in § 1421.3074(b):

- In the introductory text, "county" should read "country".
- Under Arizona, following the entry for Maricopa, there should appear an entry reading as follows:

Pima 3.20

- The headings reading "Oregon" and "Oklahoma" should be transposed, so that the entry for Oklahoma reads "\$2.35" and the entry for Oregon reads "\$2.30".

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 20,787]

PART 545—OPERATIONS

Branch Offices

AUGUST 10, 1967.

Resolved that, notice and public procedure having been duly afforded (32 F.R. 7636) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amending § 545.14 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.14) to relax certain requirements governing applications for branch offices to be located in shopping centers, and for the purpose of effecting such amendment, hereby amends § 545.14 aforesaid by revising subparagraph (3) of paragraph (b) and subparagraph (1) of paragraph (c) of said section to read as follows effective September 18, 1967:

§ 545.14 Branch office.

• • • (b) *Eligibility.* • • •

- The association does not submit in support of its application evidence giving reasonable assurance that the proposed branch office, if approved, will be opened within 21 months after the date on which the application is filed, or, if the proposed branch office is to be located in a shopping center having not less than 400,000 square feet of shopping space, within 36 months after such date;

RULES AND REGULATIONS

(c) *Application form; supporting information.* An application for permission to establish a branch office shall be in form prescribed by the Board. A Federal association may obtain from the Supervisory Agent the prescribed application form and "Outline of Information to be Submitted in Support of an Application for Permission to Establish (Maintain) a Branch Office." Information shall be furnished in support of the application in accordance with such Outline designed to show: (1) There is or will be at the time the branch is opened a necessity for the proposed branch office in the community to be served by it; * * *

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1404. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 67-9689; Filed, Aug. 16, 1967;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 67-EA-61; Amdt. No. 463]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Hiller Type 27 Aircraft

Airworthiness Directive 61-15-2 was published in the *FEDERAL REGISTER* July 13, 1961, requiring certain inspections of wing flap actuating screwjacks and gimbal nuts. This A.D. was subsequently revised on August 19, 1961, September 6, 1961, and October 20, 1966. Fairchild Hiller Corp. has satisfactorily tested a flap gimbal nut and actuating shaft combination which improves the service life of the gimbal nuts. By incorporation of these improved gimbal nuts, the repetitive inspection times required by A.D. 61-15-2 may be extended.

This amendment thus providing an alternative method of compliance imposes no additional burden on any person. Notice and public procedure herein are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator 14 CFR 11.85 (31 F.R. 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending A.D. 61-15-2 as follows:

(1) Delete the applicability statement and insert in lieu thereof, "Fairchild Hiller: Applies to Type F-27 aircraft, all serial numbers" (including FH-227 serial numbers).

(2) Reletter the present paragraph (e) to read (f) and insert the following new paragraph:

(e) On all F-27 type (including FH-227 models) aircraft, the repetitive inspection and lubrication intervals required by (c) may be increased as specified in Fairchild Hiller Service Bulletin 27-46 (F-27), dated April 4, 1967, and 27-3 (FH-227), dated April 4, 1967, or later revisions approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, when the improved flap gimbal nut and actuating shaft are incorporated in accordance with these service bulletins, or equivalent modification approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region. If wear is found exceeding the limits specified in these Service Bulletins, or if thread extrusion or roll is found, the gimbal nut must be replaced before further flight with an unused part of the same part number, or an equivalent part approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, except that the airplane may be flown in accordance with FAR 21.197 to a base where the replacement can be made.

(3) In the parenthetical note at the end of the A.D. delete all after "paragraph (a)".

This amendment is effective August 17, 1967.

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

Issued in Jamaica, N.Y., on August 9, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-9703; Filed, Aug. 16, 1967;
8:51 a.m.]

[Docket No. 67-EA-75; Amdt. No. 464]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Type PA22 Aircraft

There have been reports of engine failures in PA22 type aircraft in which fuel starvation has been a contributing factor. These failures have been coincident with takeoff and less than six (6) gallons of fuel in the right tank, when the right tank is being utilized. To safeguard against this condition an airworthiness directive is being issued to require placarding of the fuel gauge for the right tank. This prohibits takeoff with less than one-third fuel indication in the right tank.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following airworthiness directive:

Piper: Applies to Type PA-22 aircraft Serial Nos. 22-1 to 22-7642 inclusive.

Compliance required within the next 50 hours' time in service after the effective date of this A.D.

To forestall the possibility of engine fuel starvation during takeoff operations, install a placard on the right fuel quantity gauge, as shown in Piper Service Bulletin No. 250 dated June 2, 1967. The placard shall read:

"No 'Takeoff' on Right Tank With Less Than One-Third Tank". A one-third tank capacity equals 6 gallons. Aircraft equipped with a single fuel quantity gauge must also have the placard installed.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Piper Aircraft Corp., Lock Haven, Pa. 17745. These documents may also be examined at the Office of Regional Counsel, Eastern Region, John F. Kennedy International Airport and at FAA headquarters, 800 Independence Avenue SW, Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Eastern Region in Jamaica, N.Y.

This amendment is effective August 17, 1967.

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

Issued in Jamaica, N.Y., on August 9, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

The incorporation by reference provisions in this document were approved by the Director of the *Federal Register* on August 16, 1967.

[F.R. Doc. 67-9704; Filed, Aug. 16, 1967;
8:51 a.m.]

[Airspace Docket No. 67-WA-23]

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

Alteration of Control Area; Correction

In the July 4, 1967, issue of the *FEDERAL REGISTER* (32 F.R. 9643) F.R. Doc. 67-7575 incorrectly cited § 71.191 of the Federal Aviation Regulations. This citation is corrected hereby to read § 71.193 (32 F.R. 2274).

Issued in Washington, D.C., on August 10, 1967.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 67-9653; Filed, Aug. 16, 1967;
8:47 a.m.]

[Airspace Docket No. 67-SO-65]

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

Alteration of Control Zone

On July 7, 1967, a notice of proposed rule making was published in the *FEDERAL REGISTER* (32 F.R. 9986) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Kinston, N.C., control zone.

Interested persons were afforded an opportunity to participate in the rule

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making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.d.s.t., October 12, 1967, as hereinafter set forth.

In § 71.171 (32 F.R. 2071) the Kinston, N.C., control zone is amended to read:

KINSTON, N.C.

Within a 5-mile radius of Stallings Field (latitude 35°19'40" N., longitude 77°37'05" W.), effective from 0600 to 0030 hours, local time, daily.

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

Issued in East Point, Ga., on August 9, 1967.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 67-9654; Filed, Aug. 16, 1967;
8:47 a.m.]

[Airspace Docket No. 67-EA-31]

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

Alteration of Control Zone and Transition Area

On page 8975 of the **FEDERAL REGISTER** for June 23, 1967, the Federal Aviation Administration published proposed regulations which would alter the Huntington, W. Va., control zone and 700-foot floor transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t. October 12, 1967.

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

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

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Huntington, W. Va., control zone and insert in lieu thereof the following:

Within a 5-mile radius of the center, 38°22'00" N., 82°33'25" W., of Tri-State Airport (Walker-Long Field), Huntington, W. Va., including a 1-mile radius of the center, 38°25'10" N., 82°29'45" W., of Huntington-Downtown Airport, Chesapeake, Ohio; within 2 miles each side of the Tri-State Airport ILS localizer east course extending from the 5-mile radius zone to 13 miles east of the Shoals, W. Va., FM and within 2 miles each side of the Tri-State Airport ILS localizer west course extending from the 5-mile radius zone to the OM.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Huntington, W. Va., transition area and insert in lieu thereof:

HUNTINGTON, W. VA.

That airspace extending upward from 700 feet above the surface within a 6-mile radius

of the center, 38°22'00" N., 82°33'25" W., of the Tri-State Airport (Walker-Long Field), Huntington, W. Va., within 2 miles each side of the Tri-State Airport ILS localizer west course extending from the 6-mile radius area to 8 miles west of the OM and within 2 miles each side of the Tri-State Airport ILS localizer east course extending from the 6-mile radius area to 13 miles east of the Shoals, W. Va., FM.

[F.R. Doc. 67-9656; Filed, Aug. 16, 1967;
8:47 a.m.]

[Airspace Docket No. 67-EA-50]

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

Alteration of Federal Airway

On May 30, 1967, a notice of proposed rule making was published in the **FEDERAL REGISTER** (32 F.R. 7856) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-66 from Raleigh-Durham, N.C., 12 AGL Franklin, Va., 12 AGL INT Franklin 087° and Norfolk, Va., 226° radials; 12 AGL Norfolk.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., October 12, 1967, as hereinafter set forth.

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

In V-66 "12 AGL Raleigh-Durham, N.C." is deleted and "12 AGL Raleigh-Durham, N.C.; 12 AGL Franklin, Va.; 12 AGL INT Franklin 087° and Norfolk, Va., 226° radials; 12 AGL Norfolk," is substituted therefor.

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

Issued in Washington, D.C., on August 9, 1967.

T. MCGORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 67-9656; Filed, Aug. 16, 1967;
8:47 a.m.]

[Airspace Docket No. 67-EA-20]

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

Designation of Transition Area

On page 8977 of the **FEDERAL REGISTER** for June 23, 1967, the Federal Aviation Administration published proposed regulations which would designate a 700-foot floor transition area over Ashland-Boyd County Airport, Ashland, Ky.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to

the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., October 12, 1967.

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

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

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot Ashland, Ky., transition area described as follows:

ASHLAND, KY.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 38°33'15" N., 82°44'20" W., of Ashland-Boyd County Airport, Ashland, Ky.; within 2 miles each side of the Runway 10 centerline extended from the 6-mile radius area to 9 miles east of the end of the runway; within 2 miles each side of the Runway 28 centerline extended from the 6-mile radius area to 9 miles west of the end of the runway and within 2 miles each side of the York VOR 116° radial extending from the 6-mile radius area to the VOR.

[F.R. Doc. 67-9657; Filed, Aug. 16, 1967;
8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 205-3-1]

PART 302—RULES AND REGULATIONS UNDER FLAMMABLE FABRICS ACT

Ornamental Millinery Veils or Veilings; Interpretation

On June 3, 1954 the Federal Trade Commission issued "An Interpretation of section 2(d) of the Flammable Fabrics Act with respect to Ornamental Millinery Veils or Veilings". Such interpretation was published in the **FEDERAL REGISTER** on June 9, 1954 at 19 F.R. 3373. The interpretation read:

Ornamental millinery veils or veilings when used as a part of, in conjunction with, or as a hat, are not to be considered such a "covering for the neck, face, or shoulders" as would, under the first proviso of section 2(d) of the Flammable Fabrics Act, cause the hat to be included within the definition of the term "article of wearing apparel".

By notice issued January 13, 1967, and published in the **FEDERAL REGISTER** on January 18, 1967, the Commission rescinded the above interpretation on the basis that after reconsideration of the matter, the Commission was of the opinion that determination of whether ornamental millinery veils or veilings which are used as a part of, in conjunction with or as a hat are to be considered a "covering for the neck, face, or shoulders", under the first proviso of section 2(d) of the Flammable Fabrics Act should be

made on the basis of the facts in each specific situation and that ornamental millinery veils or veillings should not be excluded from the operation of the Flammable Fabrics Act as a class.

On the application of certain interested parties for a reconsideration of its action the Commission directed its staff to consult with representatives of the ornamental veils and veiling industry in an effort to bring about an interpretation of section 2(d) of the Flammable Fabrics Act with respect to ornamental millinery veils or veillings which would be acceptable to the Commission and which would fully protect the public interest.

After fully considering all information available to it and consulting with interested members of the affected industries, the Commission hereby issues the following interpretation:

Ornamental millinery veils or veillings when used as a part of, in conjunction with, or as a hat, are not to be considered such a "covering for the neck, face, or shoulders" as would, under the first proviso of section 2(d) of the Flammable Fabrics Act, cause the hat to be included within the definition of the term "article of wearing apparel" where such ornamental millinery veils or veillings do not extend more than nine (9) inches from the tip of the crown of the hat to which they are attached and do not extend more than two (2) inches beyond the edge of the brim of the hat.

Where hats are composed entirely of ornamental millinery veils or veillings such hats will not be considered as subject to the Flammable Fabrics Act if the veils or veillings from which they are manufactured were not more than nine (9) inches in width and do not extend more than nine (9) inches from the tip of the crown of the completed hat.

This interpretation shall apply to all hats manufactured after the date of publication of this interpretation in the *FEDERAL REGISTER*. Hats manufactured prior to the date of the publication of this interpretation in the *FEDERAL REGISTER* may be marketed and handled for nine (9) months after such publication date where such hats comply with the June 3, 1954 interpretation of section 2(d) of the Flammable Fabrics Act with respect to ornamental millinery veils or veillings and the person marketing or handling such hats is able to establish that they were manufactured prior to the date of publication of the present interpretation.

Interested persons may submit written comments to the Federal Trade Commission, Washington, D.C. 20580 within thirty (30) days after publication of this notice in the *FEDERAL REGISTER* but this shall not affect the interpretation unless the Commission shall so order.

Issued: August 14, 1967.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-9670; Filed, Aug. 16, 1967;
8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 141d—CHLORAMPHENICOL AND CHLORAMPHENICOL-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

Chloramphenicol for Aqueous Injection

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357), and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), the regulation providing tests and methods of assay for chloramphenicol for aqueous injection is amended as follows to improve the sterility test method. Accordingly, § 141d.307(b)(2) is revised to read as follows:

§ 141d.307 Chloramphenicol solution; chloramphenicol for aqueous injection.

(b) • • •

(2) *Chloramphenicol for aqueous injection.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section, and using 50 milligrams instead of 300 milligrams; however, if the product does not solubilize, proceed as directed in paragraph (e)(2) of that section, using 50 milligrams instead of 300 milligrams.

This order provides for an improvement in the sterility test method for the subject drug and is nonrestrictive and noncontroversial in nature; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

Effective date. This order shall become effective upon publication in the *FEDERAL REGISTER*.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: August 10, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9695; Filed, Aug. 16, 1967;
8:51 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 732—MEDICAL AND DENTAL CARE AT NAVY EXPENSE AT NON-NAVY FACILITIES

Miscellaneous Amendments

Scope and purpose. Part 732, Subpart E—Payments, Reports, Collections for

Subsistence, and Records, is amended to conform with recent amendments to the Bureau of Medicine and Surgery Instruction 6320.32 distributed to naval commands by Change 2 to the Instruction.

1. Section 732.41 is revised to read as follows:

§ 732.41 General.

Bills for care from non-Federal sources should be processed for payment as soon as possible. When settlement cannot be accomplished without unusual delay the claimant should be advised of the status of the claim. Advice on unusual or questionable cases may be requested of the Bureau of Medicine and Surgery (Code 314).

2. Section 732.43 is revised to read as follows:

§ 732.43 Payment for care at other than Federal facilities.

(a) *Approving and paying officers.* Except for NATO personnel, approval of claims for care furnished within naval districts shall be accomplished by the appropriate authorizing officer set forth in § 732.33. Payment of the approved claim shall be made by the disbursing officer serving the approving command. For care furnished elsewhere the claim shall be approved by the authorizing officer (§ 732.33) or if such officer has left the area by another naval command in the area. Bills for NATO personnel should be sent to the Bureau of Medicine and Surgery (Code 46F).

(b) *Preparation of claims.* Unpaid bills should be prepared in quadruplicate, itemized to show the dates on or between which services were rendered or supplies furnished, and the nature of and the charge for each item. Receipt of the services or supplies should be acknowledged on the face of the bill, or by separate certificate, by the person receiving treatment, or by an officer having cognizance of the case. Separate bills should be submitted for services of special nurses, anesthetists, or other persons on a fee basis, unless the bill including such services is accompanied by receipts to show that the expenses have been defrayed by the physician, dentist or hospital submitting the bill, or by a statement to the effect that the individual is a full-time employee of the payee. In cases where the expenses have already been paid by an individual including a service member, a claim for reimbursement may be made by the person defraying the expenses by submitting the bills which were paid, either receipted or with other equal evidence of their payment, proof that the claimant paid the bills, and a request for reimbursement. The complete address to which the check is to be mailed should be indicated. The material required above should be forwarded with the form NAVMED-U to the appropriate approving officer.

(c) *Approval/disapproval of claims.* When the required documents have been received by the approving officer, he shall determine whether the bills are payable in whole or in part or whether the claims should be disallowed. Where payment is

to be disallowed the claimant should receive a prompt and courteous letter stating the reason for the disallowance. If approvable, the approving authority will prepare a Public Voucher for Medical Services, NAVCOMPT 2160, and forward the voucher supported by itemized invoices to the appropriate disbursing office for payment in accordance with the Navy Comptroller Manual, paragraph 046393. The bureau control copy of the voucher will be supported by a copy of the invoice as required by the Navy Comptroller Manual, paragraphs 046023 and 046393. Approving authorities shall take precautions against duplicate payments in accordance with the Navy Comptroller Manual, paragraphs 046073 and 046331. The Public Voucher for Medical Services shall include the following information in addition to that which is self-explanatory in columnar headings:

(1) *Number of days or treatment.* For inpatient hospitalization, enter number of days for which room and board charges are incurred. For outpatient treatments enter number; count one visit as one treatment for the purposes of this form. When ambulance service is listed as an item, enter number of trips in this column.

(2) *Accounting classification code.* This code shall include accounting date in the sequence required by Chapter 4, Financial Management of Resources, NAVSO-P-3006, which for the purposes of this Instruction is as follows:

1	2	3	4	5	6	7	8	9
17 1804 1800 - 24001 - 18 2D - Cost Code								

Enter the fiscal year current at the time the services were received as the third digit in coding element 1. When 2 fiscal years are involved and claims are clearly divisible between the two, the accounting classification code for each year should be cited respective to the amounts billed for each year. In coding element 9, the cost code, enter the following:

Digits	Description	Code
1, 2, 3, 4	BUMED Cost Center	CO3Q (Use 4 in 3d digit if case is dental).
5, 6	Naval District.	01 to 18.
	Inpatient Charge.	1.
	Outpatient Charge.	2.
	Other—To include Canal Zone payments.	3.
7	Dependents care overseas, TAD, travel, and T/R's and meal tickets.	
8, 9, 10	Number of days or treatments.	Actual number.
11, 12	Month in which services commenced.	01-12.

Ambulance trips shall be coded as 1 or 2 in digit 7 of the cost code according to which type of treatment followed, (1) inpatient or (2) outpatient. In digits 8, 9, 10, enter zeros for invoices involving services related to, but billed separately from hospitalization charges.

(d) *Amount payable.* The amounts payable in any case shall be those considered reasonable by the approving of-

ficer after taking into consideration all of the facts in the case. Normally payment should be approved at rates generally prevailing within the geographical area where the services or supplies were furnished. Rates specially established by the Veterans Administration or those used in Medicare should not be considered controlling though they may be considered along with other facts. If, after careful review, any charge is considered excessive, the claimant should be apprised of the conclusion reached and provided an opportunity to voluntarily reduce the amount of the claim. If this does not result in a proper reduction of the bill and the claim is that of a physician or dentist, the difference in opinions should be referred to the grievance committee of the claimant's professional group for an opinion as to the reasonableness of the charge. If satisfactory settlement of any claim cannot be made, it should be forwarded to BUMED (Code 314) for decision. Payment shall not be withheld to seek payment from health benefit plans or insurance policies for which premiums are paid privately by service members.

(e) *Cases involving third party liability.* Whenever bills are paid for services provided for a condition which may give rise to a claim against a third party, the approving officer shall comply with the requirements of 32 CFR Part 757.

3. Section 732.44 is revised to read as follows:

§ 732.44 Collection for subsistence.

The accounts of officers (Navy, Marine Corps) receiving treatment in Veterans Administration hospitals, the Canal Zone Hospital, or in civilian hospitals at the Department of the Navy expense will be checked for subsistence. This checkage will be made by Hospital Ration Notice, Navy S & A Form 534, which will be submitted by the officer's commanding officer or activity designated by the commandant to the disbursing officer having custody of the member's pay record. It is the responsibility of the originating activity to insure that checkage has been accomplished in accordance with the Navy Comptroller Manual, paragraph 044025. When officers are hospitalized in an Army, Air Force, or U.S. Public Health Service medical facility, the charge for subsistence will be collected by the facility.

4. Section 732.45 is amended by revising the caption and the section to read as follows:

§ 732.45 Report—Form NAVMED-U, Report of Medical Treatment, Hospitalization, and Allied Services, MED 6320-2.

This report is required in each case of sickness or injury of any person in Subpart B who receives care from any source other than a Federal facility. The report in triplicate shall be prepared by a naval medical or dental officer, when practicable, or otherwise by the senior officer present. The line-of-duty item 10 and the personal payment certificate on the reverse side should not be completed in any case. Form NAVMED-U is avail-

able in the Naval Supply System. Completed forms should be forwarded to the approving officer set forth in § 732.43(a), supplemented as appropriate by requirements of instructions issued by approving authorities.

5. Section 732.46 is revised to read as follows:

§ 732.46 Records.

The copy of the paid Public Voucher for Medical Services (NAVCOMPT 2160) or other paid voucher and the accounting card (NAVCOMPT Form 632) containing the accounting classification and cost code information received from Navy Finance Centers, provide all the management information by BUMED under normal circumstances. No other records need be forwarded to BUMED by approving authorities except copies of correspondence or other pertinent documents which, in the judgment of the approving officer, will furnish BUMED with information which might be used to improve administration of the program.

(R.S. 161, sec. 4, 70 Stat. 805, secs. 5031, 6148, 6201-6203, 70A Stat. 278, 383, 387, secs. 1071-1085, 72 Stat. 1445-1450, as amended; 5 U.S.C. 301, 8140, 10 U.S.C. 1071-1085, 5031, 6148, 6201-6203)

Date: August 7, 1967.

By direction of the Secretary of the Navy.

ROBERT H. HARE,
Deputy and

Assistant Judge Advocate General.

[P.R. Doc. 67-9634: Filed, Aug. 16, 1967;
8:45 a.m.]

Chapter VII—Department of the Air Force

SUBCHAPTER I—MILITARY PERSONNEL

PART 882—DECORATIONS AND AWARDS

Miscellaneous Amendments to Subchapter

Subchapter I of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

Part 882 is revised to read as follows:

Sec. 882.0 Purpose.

Subpart A—General

- 882.1 Objective.
- 882.2 Decorations and unit awards.
- 882.3 Service awards.
- 882.4 Other recognition.
- 882.5 Definitions.
- 882.6 Precedence and wear.
- 882.7 Manufacture, sale, and wear.
- 882.8 Use of decorations, awards, and devices in exhibitions.
- 882.9 Procurement and supply.
- 882.10 Replacement of decorations and service medals.
- 882.11 Replacement of decorations certificates.

Subpart B—U.S. Military Decorations

- 882.20 Eligibility to receive a military decoration.
- 882.21 Who may submit a recommendation.
- 882.22 When to submit recommendations.
- 882.23 Elements of the decoration.
- 882.24 Special entitlements.

Sec. 882.25	Military decorations.	Sec. 882.102	Elements of the award.
882.26	Joint Service Commendation Medal (JSCM) (Department of Defense).	882.103	Inheritance of unit awards.
882.27	Format for letter of recommendation—decorations.	882.104	Definitions.
	Subpart C—U.S. Nonmilitary Decorations	882.105	Distinguished Unit Citation (DUC) and Presidential Unit Citation (PUC).
882.30	Special instructions.	882.106	Air Force Outstanding Unit Award (APOUA).
882.31	Nonmilitary decorations.	882.107	Other U.S. unit awards.
	Subpart D—Foreign Decorations	882.108	War Service Streamers.
882.40	General policy concerning acceptance and wear of decorations awarded by foreign governments.	882.109	Campaign and expeditionary streamers.
882.41	Prior Congressional consent.	882.109a	Infantry streamers, silver bands, etc.
882.42	Congressional consent for decorations relating to Vietnam hostilities.		Subpart I—Foreign Unit Awards
882.43	Token acceptance without Congressional consent.	882.110	Requirements for acceptance.
882.44	Requesting Congressional authorization.	882.111	Foreign unit awards previously accepted.
882.45	Members associated with the Military Assistance Program.		Subpart J—Special Badges
882.46	Decorations to retired personnel.	882.120	Presidential Service Badge and Certificate.
882.47	Decorations awaiting Congressional approval for personnel honorably discharged from the Air Force.	882.121	Combat Crew Member Badge.
882.48	Posthumous awards of foreign decorations to deceased members of the Air Force.	882.122	Office of the Secretary of Defense Identification Badge.
882.49	Awards accepted while a bona fide member of the armed forces of a friendly foreign nation.	882.123	Joint Chiefs of Staff Identification Badge.
	Subpart E—U.S. Service Awards		Subpart K—Devices
882.50	Type of awards.	882.130	General.
882.51	Eligibility criteria.	882.131	Ribbon bar.
882.52	Number of awards a person may receive.	882.132	Oak leaf clusters.
882.53	Posthumous service awards.	882.133	Service stars.
882.54	Awards by other U.S. agencies.	882.134	Arrowheads.
882.55	Good Conduct Medal and Air Force Good Conduct Medal.	882.135	Clasps.
882.56	American Defense Service Medal.	882.136	Berlin Airlift Device.
882.57	Women's Army Corps Service Medal.	882.137	Hour-Glass Device.
882.58	American Campaign Medal.	882.138	The "V" (Valor) Device.
882.59	Asiatic-Pacific Campaign Medal.	882.139	Other service devices.
882.60	European-African-Middle Eastern Campaign Medal.	882.140	Gold Star Lapel Button.
882.61	World War II Victory Medal.	882.141	Other lapel buttons.
882.62	Army of Occupation Medal.		AUTHORITY: The provisions of this Part 882 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012, except as otherwise noted.
882.63	Medal for Humane Action.		SOURCE: AFM 900-3, Mar. 21, 1966; Interim Ch. 5, AFM 900-3, December 30, 1966; AFM 900-3A, Feb. 1, 1967; Interim Ch. 7, AFM 900-3, June 21, 1967.
882.64	National Defense Service Medal.		
882.65	Korean Service Medal.		
882.66	Antarctica Service Medal.		
882.67	Armed Forces Expeditionary Medal.		
882.68	Vietnam Service Medal.		
882.69	Air Force Longevity Service Award Ribbon.		
882.70	Armed Forces Reserve Medal.		
882.71	Air Reserve Forces Meritorious Service Ribbon.		
882.72	USAF NCO Academy Graduate Ribbon.		
882.73	Small Arms Expert Marksmanship Ribbon.		
882.74	Philippine Defense Ribbon.		
882.75	Philippine Liberation Ribbon.		
882.76	Philippine Independence Ribbon.		
882.77	Authority for U.S. service awards.		
	Subpart F—Foreign Service Awards		
882.80	Policy.		
882.81	Republic of Vietnam Campaign Medal (RVCM).		
	Subpart G—Non-U.S. Service Awards		
882.90	Authorized awards.		
882.91	United Nations Service Medal (UNSM).		
882.92	United Nations Medal (UNM).		
	Subpart H—U.S. Unit Awards		
882.100	Authority and authorized awards.		
882.101	Eligibility (general criteria) for unit award.		

units. To preserve their integrity, decorations and unit awards may be awarded only to recognize acts or services which are clearly and distinctly outstanding by nature and magnitude. These acts or services must place the individuals' or units' performance significantly above that of their contemporaries and be of such importance that they cannot be appropriately recognized in any other way.

§ 882.3 Service awards.

Service awards normally are awarded to recognize honorable, active, Federal military service during periods of war or national emergency. They are also awarded for participation in specified, significant, military operations, and for specific types of service while on active duty or as a member of the Air Reserve Forces. For the purpose of determining eligibility for service awards, the term "active Federal military service" is interpreted as all periods of military service in a Regular component of the Armed Forces of the United States or any of the Reserve components listed in § 882.70 while on extended active duty, and service as a cadet or midshipman of the U.S. Air Force, Army or Naval academies.

§ 882.4 Other recognition.

Other means of accomplishing the objective stated in § 882.1 are described in this part. They are: Favorable communications, special badges, certificates, lapel buttons, and such special devices as clasps, arrowheads, stars, clusters, and fourragères.

§ 882.5 Definitions.

As used in this part:

(a) "Awarded" means the act of approving a recommendation for a decoration or the act of confirming entitlement to a service award or device.

(b) "Presented" means the physical transfer (issuing, delivering, handing over, or pinning on) of a decoration, medal, or device from the Air Force to a person entitled to receive it.

§ 882.6 Precedence and wear.

The order of precedence for all decorations and service awards and the method of wearing all decorations, awards, ribbons, badges, and devices are described in AFM 35-10 (Service and Dress Uniforms for AF Personnel).

§ 882.7 Manufacture, sale, and wear.

By law (18 U.S.C. 704) the manufacture, sale, or wear of any USAF decoration, service award, award element, device, or related appurtenance, or the pictorial representation in regulation size of such item or article, is prohibited unless authorized by the Department of the Air Force.

§ 882.8 Use of decorations, awards, and devices in exhibitions.

(a) *By public institutions and patriotic societies.* Upon DAF approval, Air Force decorations, service awards, ribbons, devices, and streamers for exhibition may be furnished at cost, including charges for packing, mailing, transportation, engraving each medal or decoration and embroidering each streamer with the

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words "Exhibition Only." These items may be furnished only to museums, libraries, and historical, numismatic, and military societies, and other institutions which provide an opportunity for the public to view them under circumstances beneficial to the Air Force.

(b) *By U.S. military organizations and other U.S. Government agencies.* Upon DAF approval the items mentioned in paragraph (a) of this section may be furnished for display at a major command headquarters, other Air Force activities approved by a major commander, and at other military departments. They also may be furnished for public displays to U.S. Government agencies not under military jurisdiction.

(c) *Where to send requests.* All requests for decorations, awards, ribbons, devices, and streamers for exhibit or display will be submitted to USAF Military Personnel Center (AFPMSC), Randolph AFB, TX 78148, for approval.

(d) *Where to send requisitions.* Upon approval, requisitions for elements will be submitted by military organizations in accordance with AFM 67-1 (USAF Supply Manual). Upon approval for other than military organizations, Hq USAF makes arrangements for issue of the elements by the Defense Personnel Support Center, Directorate of Clothing and Textiles, 2800 South 20th Street, Philadelphia, PA 19101.

§ 882.9 Procurement and supply.

(a) *Requisitioning procedure.* The decorations, service medals, ribbons, devices, and unit streamers described in this part (except as in par. (c) of this section) may be requisitioned through normal supply channels in accordance with AFM 67-1. These items will not be locally procured or manufactured. Requisitions for streamers must indicate the authority for the award and the appropriate inscription to be embroidered on the streamer, if applicable.

(b) *Items available.* The following Federal Supply Catalog list items available through the supply system, together with Federal stock numbers, index numbers, and unit prices.

(1) Decorations, service awards, related devices, and presentation hook attachments for medals or ribbon bars (for clutch and pin type fastening devices)—Federal Supply Catalog C8455.

(2) Streamers—Federal Supply Catalogs C8300-1L-AF and C8300-MIL-AF.

(3) Individual emblems denoting unit awards—Federal Supply Catalogs C8400/70-1L-AF and C8400/70-MIL-AF.

(c) *Items not available.* Miniature medals, including decorations and service medals, related miniature devices, miniature ribbons, and the individual emblems for the Presidential Unit Citations of the Republic of Korea and the Philippine Republic are neither issued nor sold by the Department of the Air Force. Also, the individual emblems for referenced Presidential Citations are not issued by the respective governments of those countries. All miniature items listed may be purchased from base exchanges or from commercial dealers in military devices and appurtenances.

NOTE: Except for the Légion of Merit in the degrees of Chief Commander and Commander, Hq USAF includes a miniature medal in the award package presented to foreign nationals.

§ 882.10 Replacement of decorations and service medals.

(a) *Decorations.* The person to whom a decoration has been awarded (awardee) or the representative of a person to whom a decoration was posthumously awarded, may receive a replacement decoration without charge, if the previously issued decoration (including medal, bar, ribbon, rosette, or other device issued for wear with or in place of any individual or unit decoration) has been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the awardee or the representative. All other replacement decorations will be provided at cost price.

(b) *Service medals.* Any service medal (including ribbon, clasp, star, or similar device prescribed as a part of the medal) which has been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the owner, may be replaced without charge, if the owner is an Air Force member. However, if the owner is not an Air Force member, the medal may be replaced at cost. For this purpose, an Air Force member includes active duty members, Air Reserve Forces members, and retired members.

(c) *Where to send requests for replacement.* Requests for replacement decorations and service medals will be routed to the appropriate headquarters/center indicated in the following table, which will verify entitlement and issue the replacement.

NOTE: A copy of the orders announcing the award, if available, or the authority for the award, should accompany each request relating to other than active duty members.

WHERE TO SEND SPECIAL REQUESTS	
If request relates to—	It will be forwarded to and action taken by—
Active duty personnel.	Custodian of unit personnel records as indicated in AFMs 35-9 (Officer Military Personnel Records System) and 35-12 (Airmen Military Personnel Records System);
Air Force Reserve and Air National Guard Personnel not on active duty.	CBPO of the base from which retired.*
Air Force personnel in a paid retired status.	ARPO, 3800 York Street, Denver CO 80205.
Air Force personnel of the Retired Reserve not in a paid retired status.	MPRC (AF), 9700 Page Boulevard, St. Louis, MO 63132. †
Former Air Force members.	
Deceased members and deceased former members of the Air Force.	

* Request received by the incorrect HQ/center will be rerouted to the correct one. Further referral to USAFMPM is authorized for unusual cases.

† Custodian may request verification from awarding headquarters or request review of command and/or master personnel records.

Forward requests to USAFMPM (AFPMSC), Randolph AFB, TX 78148, if base is no longer active.

* AF Casualty Assistance Officers issue awards to some next-of-kin.

§ 882.11 Replacement of decorations certificates.

Any service member or former service member, or the next-of-kin of such person, may have lost or destroyed decorations certificates replaced.

(a) *Active duty and Air Reserve Forces members.* Active duty members, Air Force Reserve, and Air National Guard personnel may apply for a replacement certificate to the custodian of their unit personnel records (table § 882.10(c)).

(b) *Retired members, former members, and next-of-kin.* Former service members, and the next-of-kin of deceased members/former members, may request a replacement certificate by forwarding a letter directly to the appropriate headquarters or center indicated in the table in § 882.10(c). All retired members, regardless of date of retirement, will forward their requests to USAFMPM (AFPMSC), Randolph AFB, TX 78148. A copy of the orders announcing the award, if available, or the authority for the award, should accompany each request.

Subpart B—U.S. Military Decorations

§ 882.20 Eligibility to receive a military decoration.

The eligibility of a person to receive a decoration listed in §§ 882.25 and 882.26 depends on:

(a) *Nature and magnitude of the act, achievement, or service.* Sections 882.25 and 882.26 explain which types of acts, achievements, and services are considered worthy of recognition.

(b) *Relationship of the person to the Air Force.* (1) All military personnel on active duty are eligible to receive any U.S. military decoration.

(2) Members of the Reserve components, while participating in authorized periods of training or while in inactive status, may be considered for all military decorations provided the act, achievement, or service was in furtherance of an Air Force mission or function and meets the established criteria. However, acts, achievements, or services performed by the Reserve member as a private citizen which are of principal benefit to private citizens are not the basis for military decorations.

(c) *Posthumous awards.* Decorations may be awarded following the decease of the persons being honored, in the same manner as awarded to a living person.

(d) *Character of service.* (1) No decoration will be awarded or presented to any individual whose entire service during or subsequent to the time of the distinguishing act, achievement, or service shall not have been honorable. (See 10 U.S.C. 8744; 8749.)

(2) Any award for a distinguished act, achievement, or service may be revoked before presentation if facts subsequently determined would have prevented original approval of the award. Commanders becoming aware of any such instances must immediately report the circumstances and make recommendations to the awarding authority for review and determination of appropriate action.

(e) *Number of decorations awarded.* There is no limitation placed on the

number of decorations that may be awarded to an individual. However, only one decoration may be awarded for the same act, achievement, or period of service. Any subsequent recommendations for the same decoration should be based upon increasingly higher standards of performance and meritorious service.

§ 882.21 Who may submit a recommendation.

Any person having knowledge of the act, achievement, or service believed to warrant the award of a decoration may initiate a recommendation for the award. Preferred recommendations are those initiated by the person's commander or supervisor at the time the act, achievement, or service was performed.

§ 882.22 When to submit recommendations.

Timely presentation is essential to exploit the full potential of decorations. Accordingly, recommendations must be submitted as soon as possible after the act, achievement or service considered to justify award of a decoration.

§ 882.23 Elements of the decoration.

The elements of a decoration include a case containing the medal with suspension ribbon, ribbon bar, clusters (if any), lapel button, or rosette (as applicable); a certificate; a citation, except for the Purple Heart decoration; and the special orders announcing the award. Except for decorations awarded to foreign military personnel, retired or separated U.S. personnel, and posthumous decorations, special orders are not essential at the time of the presentation ceremony and may be furnished later.

§ 882.24 Special entitlements.

(a) *Increase in retired pay.* Any Regular enlisted member of the Air Force retired under 10 U.S.C. 8914 credited with extraordinary heroism in the line of duty, is entitled to 10 percent increase in retired pay. An enlisted man who has been awarded the Medal of Honor, Air Force Cross, Distinguished Service Cross, or Navy Cross satisfies the requirement for extraordinary heroism for the purpose of this additional pay. The determination of the Secretary of the Air Force regarding such increases in pay is final for those awarded the Distinguished Flying Cross, Airman's Medal, Soldier's Medal, or equivalent Navy decoration, where extraordinary heroism was involved. (See AFM 35-7, (Service Retirements), for further details and submission of applications.)

(b) *Medal of Honor recipients.* (1) *Medal of Honor Roll:* Upon written application to the Secretary of the Air Force, each living recipient of the Medal of Honor, who has served on active duty in the armed forces of the United States, and who has attained the age of 40 years, may have his name entered on the Medal of Honor Roll, if the Medal of Honor was awarded for conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while so serving. Each person whose name is placed on the Roll is certified to the Veterans'

Administration as being entitled to receive a special pension of \$100 per month for life, if he so desires, payable monthly by that agency. The payment of this special pension is in addition to, and does not deprive the pensioner of, any other pension, benefit, right, or privilege to which he is or may be thereafter entitled (38 U.S.C. 560-562). Necessary application is automatically furnished each Air Force recipient of the Medal of Honor by HQ USAF not less than 90 days before his reaching age 40.

(2) *Air transportation:* Living recipients of the Medal of Honor are entitled to free transportation on military aircraft within the continental limits of the United States on a "space available" basis. Identification cards for this purpose are furnished by USAFMPC (AFPM SAM). (See AFR 76-6, Responsibilities and Policies for Movement of Traffic on Other Than MATS Scheduled Aircraft.)

(3) *Admission to U.S. Service Academies:* Sons of Medal of Honor recipients, otherwise qualified, are not subject to quota requirements for admission to any of the U.S. Service Academies. (See annual catalog, U.S. Air Force Academy.)

(4) *Wearing of Air Force uniform:* Persons awarded the Medal of Honor, are authorized to wear the uniform at any time, except as prohibited in AFM 35-10.

§ 882.25 Military decorations.

(a) *Medal of Honor (MH).* (1) *Description of award:* Within a wreath of laurel in green enamel a gold-finished bronze five-pointed star, one point down, tipped with tifeoffs and each point containing a crown of laurel and oak on a green enamel background. Centered upon the star an annulet of 34 stars (the number of states in 1862) containing a representation of the head of the Statue of Liberty. The star is suspended by rings from a trophy consisting of a bar inscribed with the word "VALOR" above an adaptation of the thunderbolt from the USAF coat-of-arms. The bar is suspended from a light blue moire silk neckband behind a square pad in center with corners turned in and charged with 13 white stars in the form of a triple chevron.

(2) *Established by:* Joint Resolution of Congress, July 12, 1862 (amended by act of July 9, 1918), and is awarded pursuant to 10 U.S.C. 8741.

(3) *Awarded to:* U.S. military personnel.

(4) *Awarded by:* The President of the United States.

(5) *Awarded for:* Conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty, while a member of the Air Force:

(i) While engaged in an action against an enemy of the United States;

(ii) While engaged in military operations involving conflict with an opposing foreign force; or

(iii) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

Each recommendation for the Medal of Honor must incontestably prove that the self-sacrifice or personal bravery involved conspicuous risk of life, the omission of which could not justly cause censure.

Note: The new Air Force design of the Medal of Honor will be presented to all recipients who are awarded this decoration on or after November 1, 1965. Original design Medals of Honor awarded prior to November 1, 1965, will remain in effect. They will not be replaced by the new Air Force design medal. Replacements for Medals of Honor lost or destroyed, which were awarded prior to November 1, 1965, will be of the original Medal of Honor design. Because of Federal statutes, awards of the new Medal of Honor should not be officially called or referred to as the "Air Force Medal of Honor." It may be generally referred to as "Medal of Honor—Air Force design," or "the (new) Air Force designed Medal of Honor Medal."

(b) *Air Force Cross (AFC).* (1) *Description of award:* A bronze cross with an oxidized satin finish. Centered on the cross is a gold-plated American bald eagle, wings displayed against a cloud formation (from the Air Force Crest) encircled by a laurel wreath finished in green enamel. The ribbon is brittany blue, edged with old glory red, and bears a narrow white vertical stripe inside the red edges.

(2) *Established by:* Public Law 86-593, July 6, 1960, which amended 10 U.S.C. 8742, to change the designation of the Distinguished Service Cross to Air Force Cross for award by the Department of the Air Force.

(3) *Awarded to:* U.S. and foreign military and civilian personnel.

(4) *Awarded by:* Department of Air Force. (This authority is delegated to major air commanders during wartime for awards to U.S. military personnel.) The Secretary of Defense must approve all awards to foreign personnel.

(5) *Awarded for:* Extraordinary heroism, not justifying the award of a Medal of Honor, while serving in any capacity with the Air Force:

(i) While engaged in an action against an enemy of the United States.

(ii) While engaged in military operations involving conflict with an opposing foreign force; or

(iii) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

(c) *Distinguished Service Medal (DSM).* (1) *Description of award:* At the center of a sunburst of 13 gold rays separated by 13 white enamel stars a blue stone representing the firmament. Ribbon is predominantly white and banded in old gold, with ultramarine stripes and smaller old gold stripes.

(2) *Established by:* Act of Congress on July 9, 1918, and is awarded pursuant to 10 U.S.C. 8743.

(3) *Awarded to:* U.S. and foreign military and civilian personnel.

(4) *Awarded by:* Department of the Air Force. The Secretary of Defense must approve all awards to foreign personnel.

(5) *Awarded for:* Exceptionally meritorious service to the U.S. Government

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in a duty of great responsibility, while serving in any capacity with the Air Force. During wartime, a duty of great responsibility is one that involves the exercise of authority or judgment in matters which decide the successful outcome of a major military operation. In peacetime, it is a duty which carries the ultimate responsibility for the successful operation of a major command, activity, installation or major program. The discharge of such duty must involve the acceptance and fulfillment of the obligation so as to greatly benefit the interests of the United States.

NOTE: The new Air Force design of the Distinguished Service Medal will be presented to all recipients who are awarded this decoration on or after November 1, 1965. Date of award is based on date of announcement in special orders. Original design Distinguished Service Medals and oak leaf clusters relating thereto, awarded before November 1, 1965, will remain in effect, and be worn or displayed. They will not be replaced by the new Air Force design medal. Replacements for Distinguished Service Medals lost or destroyed, which were awarded before November 1, 1965, will be of the original Distinguished Service Medal design. Persons awarded a Distinguished Service Medal, Air Force design, who are also recipients of the original Distinguished Service Medal, and/or oak leaf clusters thereto, are entitled to wear both the old and new design medal/ribbon, with the new Air Force designed medal and ribbon taking precedence (in wear only) over the original Distinguished Service Medal. Awards of the new Distinguished Service Medal will not be referred to as oak leaf clusters to the original Distinguished Service Medal, and, because of Federal statutes, should not be officially called or referred to as the Air Force Distinguished Service Medal. It may be generally referred to as the "Distinguished Service Medal" * * * Air Force design" or "the (new) Air Force designed Distinguished Service Medal". After the Distinguished Service Medal—Air Force design has been awarded, the second and subsequent awards made will be oak leaf clusters, commencing with the first oak leaf cluster and disregarding any oak leaf cluster awarded before November 1, 1965.

(d) *Silver Star (SS)*. (1) Description of award: A small silver star within a wreath centered on a large star of gold-colored metal. The ribbon has a center band of red flanked by equal bands of white; the white bands are flanked by equal blue bands having borders of white lines with blue edgings.

(2) Established by: Act of Congress on July 9, 1918, and is awarded pursuant to 10 U.S.C. 8746.

(3) Awarded to: U.S. and foreign military and civilian personnel.

(4) Awarded by: Department of the Air Force. (This authority is delegated down to commanders of numbered air forces during wartime for awards to U.S. military personnel.) The Secretary of Defense must approve all awards to foreign personnel.

(5) Awarded for: Gallantry in action, that does not warrant a Medal of Honor or Air Force Cross, while serving in any capacity with the Air Force:

(i) While engaged in an action against an enemy of the United States;

(ii) While engaged in military operations involving conflict with an opposing foreign force; or

(iii) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

Gallantry in action means heroism of high degree involving risk of life.

(e) *Legion of Merit (LM)*. (1) Description of award: A five-rayed white enamel pronged star on a green wreath with crossed arrows. The cloud and stars of the coat of arms of the United States are displayed in the center. The ribbon is red-purple with white edges. The design of the decoration varies according to the degree in which awarded. It is designed as a breast decoration when awarded in the degree of Chief Commander; a collar decoration when awarded in the degree of Commander; and a chest decoration when awarded in the degree of Officer and Legionnaire.

(2) Established by: Act of Congress on July 20, 1942, and is awarded pursuant to 10 U.S.C. 1121.

(3) Awarded to: U.S. and foreign military personnel.

(4) Awarded by: (i) Department of the Air Force for U.S. military personnel. (This authority is delegated to major commanders during wartime.)

(ii) To foreign military personnel: (a) Degree of Chief Commander—The President of the United States.

(b) Degree of Commander, Officer, and Legionnaire—The Secretary of Defense.

(5) Awarded for: Exceptionally meritorious conduct in the performance of outstanding service to the United States. In peacetime, awards to U.S. military personnel are generally limited to recognizing:

(i) Service in an extremely difficult duty which is performed in a clearly exceptional manner, if such service is of marked national or international significance or of marked significance to the Air Force or the Department of Defense; or

(ii) Service which has aided the U.S. in furthering its national policies; or

(iii) Service which has furthered the interests of the security of the U.S. Superior performance of normal duties will not alone justify award of this decoration. Awards to U.S. military personnel are made without degree. Peacetime awards to members of the armed forces of friendly foreign nations are limited to recognizing: Subdivisions (i) and (ii) of this subparagraph, and service which has furthered the interests of the security of the U.S., or of any nation allied or associated with the U.S. during a period of national emergency declared by the President or Congress. Awards to foreign military personnel are made in the Degrees of Chief Commander, Commander, Officer, and Legionnaire. The Degrees of Chief Commander and Commander are comparable to awards of the Distinguished Service Medal to U.S. personnel. Degrees of Officer and Legionnaire are comparable to awards of the

Legion of Merit to U.S. military personnel. In order to maintain the prestige and dignity of the medal, and to insure uniformity in awarding the various degrees to foreign nationals, the following criteria are established:

Degree—	Awarded to—
Chief Commander.	Foreign chiefs of state or heads of government.
Commander	The equivalent of a U.S. military Chief of Staff or higher, but not to chief of state.
Officer	General or flag rank personnel below the equivalent of a U.S. military chief of staff; to ranks parallel to colonel (or captain) for service in assignments equivalent to those normally held by general or flag rank personnel in the U.S. military service; and to foreign attaches.
Legionnaire	To all other eligibles.

When the decoration is awarded more than once to a military member of a friendly foreign nation, subsequent awards are never made in a degree lower than the one originally awarded. Duplicate awards are given to recipients previously awarded the Legion of Merit in any of the degrees mentioned in this subparagraph.

(f) *Distinguished Flying Cross (DFC)*.

(1) Description of award: A bronze cross with rays on which is displayed a propeller. The ribbon is predominantly blue, with a narrow band of red bordered by white lines in the center. The edges of the ribbon are outlined with equal bands of white inside blue.

(2) Established by: Act of Congress on July 2, 1926, and is awarded pursuant to 10 U.S.C. 8749.

(3) Awarded to: U.S. and foreign military personnel.

(4) Awarded by: Department of the Air Force. (This authority is delegated down to commanders of numbered air forces for award to U.S. military personnel during wartime.) The Secretary of Defense must approve all awards to foreign personnel.

(5) Awarded for: Heroism or extraordinary achievement while participating in aerial flight, and serving in any capacity with the Air Force. Both heroism and achievement must be entirely distinctive, involving operations that are not routine.

(g) *Airman's Medal (AmM)*. (1) Description of award: A bronze medal disk with an oxidized satin finish. The pendant bears a representation of Hermes, son of Zeus, releasing an American Bald Eagle. The ribbon is brittany blue displaying alternately in the center, 13 vertical stripes of the Air Force colors, golden yellow and ultramarine blue.

(2) Established by: Public Law 86-593, July 6, 1960, which amended 10 U.S.C. 8750 to provide the Air Force with a distinctive decoration for award in lieu of the Soldier's Medal.

(3) Awarded to: U.S. and foreign military personnel.

(4) Awarded by: Department of the Air Force. (This authority is delegated down to commanders of numbered air forces for award to U.S. military personnel during wartime.) The Secretary of Defense must approve all awards to foreign military personnel.

(5) Awarded for: Heroism involving voluntary risk of life under conditions other than those of conflict with an armed enemy of the United States, while serving in any capacity with the Air Force. The saving of a life or the success of the voluntary heroic act is not essential.

(h) *Bronze Star Medal (BSM)*. (1) Description of award: A bronze star bearing in the center a smaller star of the same color. The ribbon is predominantly red with a white-edged narrow blue band in the center, and white lines at each edge.

(2) Established by: Executive Order 9419, February 4, 1944, which was superseded by Executive Order 11046, August 24, 1962.

(3) Awarded to: U.S. and foreign military and civilian personnel.

(4) Awarded by: Department of the Air Force. (This authority is delegated down to commanders of air divisions for award to U.S. military personnel during wartime.) The Secretary of Defense must approve all awards to foreign personnel.

(5) Awarded for: Heroic or meritorious achievement or service (not involving participation in aerial flight) under one or more of the following conditions, while serving in or with the Air Force after December 6, 1941:

(i) While engaged in an action against an enemy of the United States;

(ii) While engaged in military operations involving conflict with an opposing foreign force; or

(iii) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the U.S. is not a belligerent party.

When awarded for heroism, the Bronze Star Medal is marked by a bronze letter "V" (for valor) clasped to the suspension ribbon and ribbon bar. Only one such "V" is authorized. Members of the armed forces of the United States who were awarded the Combat Infantryman Badge or Medical Badge for exemplary conduct in ground combat against an armed enemy between December 7, 1941, and September 2, 1945, may apply by letter to the Awards Branch, Personnel Services Division, The Adjutant General, Department of the Army, Washington, D.C. 20315, for award of the Bronze Star Medal. A copy of the general order announcing the award of either badge should be attached to the application letter, together with a statement as to whether approval of the Bronze Star Medal would duplicate any previous award for the same period of service. If general orders are not available, the specific authority for the award of the badge must be included in the application letter, or attached thereto.

(i) *Air Medal (AM)*. (1) Description of award: A bronze compass rose dis-

playing an eagle in flight bearing lightning flashes. The ribbon is predominantly blue with two orange-gold bands just inside the edges.

(2) Established by: Executive Order 9158, May 11, 1942, as amended by Executive Order 9242A, September 11, 1942.

(3) Awarded to: U.S. and foreign military and civilian personnel.

(4) Awarded by: Department of the Air Force. (This authority is delegated down to commanders of air divisions for award to U.S. military personnel during wartime.) The Secretary of Defense must approve all awards to foreign personnel.

(5) Awarded for: Meritorious achievement while participating in aerial flight, and serving in any capacity with the Air Force. The required achievement to warrant award of the Air Medal is less than that required for award of the Distinguished Flying Cross, but must nevertheless be accomplished with distinction above and beyond that normally expected of professional airmen.

(j) *Combat Readiness Medal (CRM)*. (1) Description of award: Encircling a ring of stylized cloud forms, a border of concentric rays, its rim concave between 12 points, charged with six arrowheads, alternating with the points of two triangular flight symbols, having center lines ridged conversely. One is pointed south and overlapping, and the other pointed north whose apex extends beyond the rim, becoming the point of suspension of the medal. The ribbon is predominantly old glory red and banded in blue, with a narrow dark blue stripe separated by two wider stripes of light blue.

(2) Established by: Secretary of the Air Force, March 9, 1964. Effective date—August 1, 1964.

(3) Awarded to: U.S. military personnel.

(4) Awarded by: Department of the Air Force and major air commanders. (Major air commanders are authorized to further delegate approval and disapproval authority to commanders of numbered air forces and to commanders of Air Force organizations in the grade of major general or higher.)

(5) Awarded for: Completion of an aggregate of four years of sustained professional performance as a USAF combat ready aircrew or missile launch crew member assigned to an operational unit subject to the Combat Readiness Rating System under the provisions of AFM 55-11 (Air Force Operational Reporting System RCS: AF-V-21). During this period, the aircrew or missile launch crew member must have been:

(i) Certified as combat ready in accordance with USAF and major command qualification criteria; and

(ii) Serving in a missile launch crew position, or in a rated AFSC position as an aircrew member.

NOTE: Aircrew members on special duty with another U.S. military service may be credited with such service for award of the CRM provided they are designated or certified, while so serving, as combat ready in accordance with that service's criteria (if such

criteria closely correlates to USAF and parent command criteria) and provided that other requirements stated in this subparagraph are met. A break in combat ready status (re-qualification, PCS, sickness, or other cause not attributed to any instance of nonprofessionalism) will be considered as qualifying service for award of the CRM, provided the break is not more than 120 days and the individual returns to combat ready status. Initial award—All qualifying service from August 1, 1960. Subsequent awards—A bronze oak leaf cluster for each additional four years of qualifying service. A silver oak leaf cluster is worn in lieu of five bronze oak leaf clusters.

(k) *Air Force Commendation Medal (AFCM)*. (1) Description of award: A bronze hexagon medallion bearing eagle, shield, and arrows from the Seal of the Department of the Air Force. The ribbon is predominantly yellow with blue edges and three bands of blue spaced in the center.

(2) Established by: Secretary of the Air Force, effective March 24, 1958 (announced in Department of the Air Force General Orders No. 16, Mar. 28, 1958).

(3) Awarded to: U.S. and foreign military personnel.

(4) Awarded by: The Department of the Air Force to U.S. and foreign military personnel.

(5) Awarded for: (i) U.S. military personnel below the grade of brigadier general—Outstanding achievement or meritorious service rendered specifically on behalf of the Air Force, acts of courage which do not meet the requirements for award of the Airman's Medal or Bronze Star Medal, and sustained meritorious performance by crewmembers may be considered for award of the Air Force Commendation Medal. (The Air Force Commendation Medal will not be awarded to general or flag officers for achievement or services performed while serving in a general or flag officer grade.) It is particularly desirable that emphasis be placed on the award of this decoration to outstanding company grade officers and airmen whose achievements and services meet the prescribed standards. Superior performance of normal duties does not, in itself, constitute automatic justification for an award of the Air Force Commendation Medal. Appropriate remarks on effectiveness and performance reports, favorable communications, locally developed certificates, etc., provide ample means of recognizing the high caliber performance expected of Air Force personnel. Awards should be restricted to the recognition of achievements and services which are clearly outstanding and unmistakably exceptional when compared to similar achievements and accomplishments of personnel of like rank and responsibilities. The successful accomplishment of a predesignated number of tasks or functions is not a valid basis for an automatic award. However, unusual and extraordinary sustained performance may be used as a point of departure in justifying meritorious achievement or service. In instances where many individuals are affiliated with an exceptionally successful program, project, or mission, the Air Force Commendation Medal should be awarded

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only to the relatively few individuals whose contributions clearly stand out from the others, and who have contributed most to the success of the program.

(ii) Member of the armed forces of a friendly foreign nation—An act of heroism, extraordinary achievement or meritorious service, performed after June 1, 1962, which has been of mutual benefit to a friendly foreign nation and to the U.S. Air Force. (The award of the Air Force Commendation Medal to a member of the armed forces of a friendly foreign nation shall be based upon an act, a service, or an achievement that would satisfy the criteria governing award of this decoration to a military member of the U.S. Air Force.)

(1) *Purple Heart (PH)*. (1) Description of award: A heart-shaped pendant of purple enamel bearing a gold replica of the head of General George Washington, in relief, and the Washington Shield. The shield is in colors. The ribbon is dark purple with white edges.

(2) Established by: General George Washington on August 7, 1782. It was reestablished by War Department General Order No. 3, 1932, and is currently awarded pursuant to Executive Order 11016, April 25, 1962.

(3) Awarded to: U.S. military and civilian personnel.

(4) Awarded by: Department of the Air Force. (During wartime, or as circumstances may indicate, this authority may be delegated to commanders of numbered air forces, and to commanders in the grade of brigadier general or higher of comparable organizations.) All awards are made in the name of the President. The Department of the Air Force will make all awards to repatriated prisoners of war or internees, and to U.S. personnel killed or declared dead.

(5) Awarded for: Wounds received, or death after being wounded, under any of the following conditions, while serving in any capacity with one of the U.S. Armed Forces, after April 5, 1917:

(i) In any action against an enemy of the United States;

(ii) In any action with an opposing armed force of a foreign country in which the armed forces of the United States are or have been engaged;

(iii) While serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party;

(iv) As a result of an act of any such enemy or opposing armed force; or

(v) As the result of an act of any hostile foreign force.

(vi) Posthumous awards: The Purple Heart will be awarded posthumously to any person covered by, and under the circumstances described in this subparagraph, who, after April 5, 1917, has been or may hereafter be killed, or who has died or may hereafter die after being wounded. For such awards, the Purple Heart and appropriate ribbon and appurtenances will be forwarded to the next-of-kin without respect to whether a previous award has been made to such person, except that if the award results from service before December 7, 1941, the

next-of-kin must submit application to the Secretary of the Air Force.

(vii) Definitions and criteria: A Purple Heart is authorized for the first wound suffered under the conditions indicated in this subparagraph, but for each subsequent award, an oak leaf cluster shall be awarded. Only one award will be made for more than one wound or injury received at the same instant or from the same missile, force, explosion, or agent. For the purpose of considering an award of this decoration, a "wound" is defined as an injury to any part of the body from an outside force or agent sustained under one or more of the conditions listed in this subparagraph. A physical lesion is not required, provided the concussion or other form of injury received is due to direct enemy, opposing armed force, or hostile foreign force action. A person who is wounded, injured, or killed as a result of a parachute jump from an aircraft disabled by enemy or hostile fire, or, who is wounded, injured or killed by his captors while in a prisoner of war status, is considered to have received such wounds or injuries as a result of direct enemy, hostile, or opposing force actions. A sworn statement from a released prisoner of war outlining circumstances and extent of injury, including date and place injury was incurred, must be submitted and considered in conjunction with other evidence. Further, a wound for which the award is made must have required treatment by a medical officer, and the records of medical treatment for wounds or injuries received under the conditions described in this subparagraph, must have been made a matter of official record. In those instances where medical records are not available for injuries or wounds received while a prisoner of war, a statement must be submitted by a medical officer that examination reveals that the person apparently received injuries or wounds while in a prisoner of war status, and that such injury or wound should have received medical treatment.

(viii) Application: Any person who believes himself eligible for the Purple Heart, but through unusual circumstances no award was made, may submit available facts and evidence to USAF MPC (AFPMSSAM), Randolph AFB, TX 78148, for evaluation and awarding action, if appropriate.

NOTE: A U.S. civilian eligible for this decoration is any civilian national of the United States who is wounded, under described circumstances, while serving under competent authority in any capacity with the military forces of the Department of the Air Force; this includes civil service and non-appropriated funds employees of the DAP, technical representatives, and newsmen, who are so serving.

§ 882.26 Joint Service Commendation Medal (JSCM) (Department of Defense).

The Joint Service Commendation Medal is awarded in the name of the Secretary of Defense. Not more than one JSCM will be awarded to one person. For each succeeding act or period of service

that justifies the award of the JSCM an oak leaf cluster will be awarded.

(a) Description of award: (1) Medal: On a device consisting of four conjoined hexagons, two vertically and two horizontally, of green enamel, an eagle with shield and three arrows (as depicted on the Seal of the Department of Defense) all in gold between at top 13 gold stars and in base a gold stylized heraldic delineation all within a gold circular laurel wreath bound with gold bands.

(2) Ribbon: A ribbon 1 3/8 inches in width composed of blue, white, and green stripes.

(3) Certificate: Each award is accompanied by a certificate signed by the approving official.

(4) Device: A bronze letter "V" device is authorized as indicated in paragraph (e) of this section.

(b) Established by: DoD Directive 1348.14, June 25, 1963.

(c) Awarded to: Any member of the Armed Forces of the United States serving in an assignment in any of the following joint activities, after January 1, 1963:

(1) Office of the Secretary of Defense.

(2) Organization of the Joint Chiefs of Staff.

(3) Defense Supply Agency.

(4) National Security Agency.

(5) Defense Contract Audit Agency.

(6) Other Department of Defense agencies or joint activities reporting through the Joint Chiefs of Staff.

(7) Headquarters of joint forces, headquarters of joint commands or control groups reporting to or through the Joint Chiefs of Staff, and headquarters of subordinate joint commands. Personnel assigned to Service components, which are assigned or attached to a joint command for exercise purposes, may not be awarded the JSCM except in unusual cases in which the recommendation for the award clearly indicates that the service was of a joint nature and such service was truly outstanding.

(8) Headquarters, unified and specified commands.

(9) Other joint activities reporting to commanders of unified or specified commands (e.g., Military Assistance Advisory Groups or Joint Missions).

(10) Jointly manned staffs within Allied Command Europe and Allied Command Atlantic, military agencies associated with the functions of the Standing Group NATO, the Inter-American Defense Board, and the combined staffs of the North American Air Defense Command.

(d) Awarded by: (1) The Deputy Secretary of Defense for awards to military personnel assigned to the Office of the Secretary of Defense.

(2) The Chairman, Joint Chiefs of Staff, for awards to military personnel on his staff, and in those agencies and activities reporting through his staff.

(3) Commanders-in-chief of unified and specified commands, for awards to military personnel assigned to their respective headquarters and to those joint agencies and activities reporting to or through their commands.

(4) Supreme Allied Commander, Europe (when of U.S. national origin), for awards to U.S. personnel assigned to Allied Command Europe, and Supreme Allied Commander, Atlantic (when of U.S. national origin) for awards to U.S. personnel assigned to Allied Command Atlantic; the U.S. Representative to the Military Committee and Standing Group, NATO for awards to U.S. personnel serving in military agencies associated with the Standing Group; and the Commander-in-Chief, North American Air Defense Command (when of U.S. national origin).

(5) Directors, DSA, NSA, DIA, DASA, Defense Contract Audit Agency, and DCA for awards to military personnel on their respective staffs.

(6) Commander, U.S. Military Assistance Command, Vietnam, for awards to military personnel assigned to his headquarters and to those joint agencies and activities reporting through his command.

(e) Awarded for: Meritorious achievement or service which distinguished the member while serving in any assignment specified in paragraph (d) of this section. The required achievement or service, while of lesser degree than that required for award of the Legion of Merit, must nevertheless have been accomplished with distinction. The Joint Service Commendation Medal shall not be awarded to any individual for a period of service for which the Air Force Commendation Medal, or the Commendation Medal of other services, has been awarded. A bronze letter "V" device to the suspension ribbon and ribbon bar is authorized if the award is for acts or services involving direct participation in combat operations on or after June 25, 1963.

§ 882.27 Format for letter of recommendation—decorations.

(Headquarters Designation)

(Date)

Subject: Recommendation for Award of Decoration.

To: (Commander of next higher headquarters).

1. It is recommended that the following individual(s) be awarded the decoration(s) indicated:

a. (Grade, first name, middle initial, last name, and service number.)

b. (Name of decoration. Indicate numbered cluster, if applicable.)

c. (Present organization and station.)

d. (Permanent home address.)

e. (Grade, duty assignment, and unit of assignment of the individual at time of the act or service.)

f. (List of U.S. decorations previously awarded to the individual(s) with complete authorities therefor and dates of service recognized. Do not include service medals, battle credits, unit citations, or foreign decorations.)

g. (Date of last promotion.)

h. (Date of reassignment, retirement, or separation, if applicable, and whether retirement or separation is voluntary or involuntary. Also include TAFCS, TAFMSD, TFCSD, TMSD, PLSD, and the CDOS (Reserve Officers), as appropriate, for individuals being retired or separated).

Note: Provide same information as in a through h for additional individuals being recommended for same act or service.

2. Give a narrative description of the heroism, achievement, or service. The narrative should be specific and factual. Give concrete examples of exactly what the person did, how he did it, what benefits or results were realized and why or how such benefits or results significantly exceeded expected superior performance of duty. In addition, include supporting documentary evidence. If the person initiating the recommendation does not have first-hand knowledge of the act or service performed, and/or official supporting records if considered advisable by the recommending individual.

3. Furnish a statement indicating that the service in the Air Force of the person recommended has been honorable subsequent to the act or service for which recommended.

4. Furnish statement if other individuals are being recommended for the same act or service. If recommendations for these individuals are not a part of this recommendation, explain delay. Indicate date recommendations will be forwarded, and identify the individuals concerned by grade, name, service number, present organization, and station.

5. Furnish a statement indicating that an unclassified citation is attached.

6. Furnish a statement indicating whether or not other recommendations for awards to the same individual are pending.

7. Furnish a statement indicating that a previous award has not been made to the same individual for the act or service described.

8. If applicable, furnish a statement indicating that the proposed award is posthumous, or that the person recommended is missing in action or a prisoner of war. In all such instances, state the name, address, and relationship of the next-of-kin.

9. State the date on which presentation of the award is desired if the recommendation is approved. Also indicate the place to which the award elements should be forwarded for presentation.

(Signature of recommending official)

2 Atchs.

1. Citation.

2. Other records (as applicable and list as additional attachments).

Subpart C—U.S. Nonmilitary Decorations

§ 882.30 Special instructions.

The following special instructions relating to the award of nonmilitary decorations apply:

(a) *Remuneration restriction.* (1) Recommendations for award of the Department of Defense Medal for Distinguished Public Service will indicate whether the person recommended is receiving any form of remuneration, such as consultant fees, for the service cited. If the person recommended is receiving remuneration specific comments will be included to clarify the individual's status with the U.S. Government.

(2) Recommendations for award of the Exceptional Service Award and the Air Force Scroll of Appreciation will contain a comment that the services cited were voluntary, were performed as a public service or motivated by patriotism—with no implication of remuneration, and that the person recommended had no commercial or profit making relationship with the Air Force.

(b) *U.S. civilians.* Recommendations for award of nonmilitary decorations to

U.S. civilians will be accompanied by a separate, short biography of the person being recommended, including his date and place of birth, and salient facts relating to his life.

§ 882.31 Nonmilitary decorations.

(a) *Medal for Merit.* (1) Description of award: A bronze eagle upon a circle of blue enamel with white stars. The ribbon is magenta silk with two white lines in the center.

(2) Established by: Act of Congress on July 20, 1942, and is awarded pursuant to 10 U.S.C. 1122.

(3) Awarded to: U.S. and foreign civilian personnel.

(4) Awarded by: The President of the United States. (Awards of the Medal for Merit are not being made at this time, and will not be until directed by the President.)

(5) Awarded for: Exceptionally meritorious conduct in the performance of outstanding services. In the past, awards to foreign personnel have been limited to those of the Allied Nations of World War II.

(b) *President's Certificate of Merit.* (1) Description of award: Certificate signed by the President of the United States.

(2) Established by: Executive Order 9734, June 6, 1946.

(3) Awarded to: U.S. and foreign civilian personnel.

(4) Awarded by: The President of the United States. (Awards are not being made at this time, and will not be until directed by the President.)

(5) Awarded for: A highly meritorious act or service aiding the United States or its allies during World War II.

(c) *National Security Medal.* (1) Description of award: A blue enamel compass rose surrounded by a red enamel oval, bearing at the top the inscription "United States of America" and at the bottom "National Security." The red enamel oval is inclosed with a laurel wreath of gold finished bronze. On top of the laurel wreath, there is an American bald eagle with wings raised facing toward the left. (A miniature of this medal is furnished at the time of the award.) A compass rose device is awarded for the second and subsequent awards of this decoration.

(2) Established by: Executive Order 10431, January 19, 1953.

(3) Awarded to: U.S. and foreign military and civilian personnel.

(4) Awarded by: The President of the United States, or his designee for that purpose.

(5) Awarded for: Distinguished achievement or outstanding contribution on or after July 26, 1947 in the field of intelligence relating to the national security. This contribution may consist of either exceptionally meritorious service performed in a position of high responsibility, or of an act of valor requiring personal courage of a high degree and complete disregard of personal safety. Recommendations may be initiated by any person having personal knowledge of the facts of the exceptionally meritorious conduct or act of valor,

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either as an eyewitness or from the testimony of others who have personal knowledge or were eyewitnesses. Complete documentation, including necessary certificates, affidavits, or sworn transcripts of testimony, will accompany the recommendation. Each recommendation must show the exact status of the individual at the time he performed the act or service, including information regarding his citizenship and employment. Recommendations will be submitted to USAF MPC (AFMPSAM), Randolph AFB, TX 78148, for transmittal to the Executive Secretary of the National Security Council by the Secretary of the Air Force.

(d) *The Presidential Medal of Freedom.* (1) Description of award: This decoration replaces the Medal of Freedom decoration. The Presidential Medal of Freedom is awarded in two degrees, the higher degree being designated the Presidential Medal of Freedom with Distinction. The components of the Presidential Medal of Freedom with Distinction are: Broad ribbon with rosette and badge, the star, the miniature medal with gold appurtenance for its suspension ribbon, the service ribbon with gold appurtenance, and gold lapel emblem with narrow ribbon loop or bow. The components of the Presidential Medal of Freedom (second degree) are: The medal with neck ribbon (a medal with ribbon bow is provided for female military persons for wear on civilian clothes), the miniature medal with silver appurtenance for its suspension ribbon, the service ribbon with silver appurtenance, and the silver lapel emblem with narrow ribbon loop or bow. The star of the Presidential Medal of Freedom with Distinction and the medal pendant of the Presidential Medal of Freedom consist of a five-pointed star of white enamel with a gold eagle displayed with wings inverted between each pair of points, and the talons resting on a red enamel triangle. In the center is a constellation of 13 gold stars set in a raised circular blue enamel background. The gold rims retaining the blue, white, and red enamels are diagonally incised. The reverse of the star and medal is inscribed with the words, "Presidential Medal of Freedom". The neck ribbon, the service ribbon, and the ribbon for the miniature medal contain a central blue portion with narrow white edges. The broad ribbon (sash type) used with the rosette and badge contains a central blue portion with a narrow white stripe on each side and narrow blue edges. The rosette is formed of a broad ribbon material. The rosette center is concealed by a badge which is a metal disc of blue enamel within a broad gold band and containing 13 gold stars. The blue used in the ribbons is named "Freedom Blue". A gold or silver eagle is used for the lapel button and the appurtenance on the suspension and service ribbon.

(2) Established by: Executive Order 11085, February 21, 1963, which reestablished the Medal of Freedom as the Presidential Medal of Freedom.

(3) Awarded to: U.S. and foreign military and civilian personnel.

(4) Awarded by: The President of the United States.

(5) Awarded for: An especially meritorious contribution to: (i) The security or national interests of the United States, (ii) world peace, or (iii) cultural or other significant public or private endeavors. Recommendations will be submitted through command channels to USAFMPC (AFPMSAM), Randolph AFB, TX 78148, for processing.

(e) *Department of Defense Medal for Distinguished Public Service.* (1) Description of award: A gold-colored medal bearing the Seal of the Department of Defense within a wreath of laurel leaves. The ribbon is edged with white, and has a wide garnet red stripe bordered by two stripes of white, and two stripes of lustre blue.

(2) Established by: Department of Defense Directive 1432.1, April 30, 1959.

(3) Awarded to: U.S. and foreign civilian personnel.

(4) Awarded by: The Secretary of Defense.

(5) Awarded for: Exceptionally meritorious civilian service since the date of the National Security Act (1947) to the Department of Defense as a whole. To be eligible for this award, the civilian nominee must be one that: (1) Does not derive his principal livelihood from Government employment; and (2) has served at considerable personal sacrifice and inconvenience, motivated by patriotism, good citizenship, and a sense of public responsibility. It will not be awarded to groups, organizations or employees of other Government agencies. Posthumous awards may be presented to eligible next-of-kin except that the eldest brother, eldest sister, and eldest grandchild are not eligible in this instance.

(f) *Exceptional Service Award.* (1) Description of award: A gold-colored medal bearing the Air Force Coat of Arms within a wreath of laurel leaves. The ribbon is dark blue silk with three dotted golden-orange lines in the center. (A miniature of the medal is furnished at the time of award to foreign civilians.) A duplicate medal is presented for the second and subsequent awards of the Exceptional Service Award, except that a two-point diamond stone is included in the lapel button accompanying these awards.

(2) Established by: Secretary of the Air Force on August 30, 1948.

(3) Awarded to: U.S. and foreign civilian personnel.

(4) Awarded by: The Secretary of the Air Force.

(5) Awarded for: Exceptional services rendered to the Department of the Air Force by U.S. civilians, not employed by the U.S. Government; or for an act of heroism, involving voluntary risk of life, by any civilian, U.S. or foreign, not employed by the U.S. Government. Services must have been completely voluntary and performed as a public service or by patriotic motivation with no implication of financial or other remuneration. Contractors, contractor technicians, corporations, and organizations which have

a commercial or profit-making relationship with the Air Force, and render services inherent or implied by contract, do not qualify. If appropriate, commanders may recognize such service through award of favorable communications or other means of recognition available to them. However, an act of heroism by an employee of any of the foregoing is a basis for a recommendation for award of the Exceptional Service Award, provided that the act benefited the Air Force. (This decoration is comparable to the Distinguished Service Medal to military personnel.)

(g) *Air Force Scroll of Appreciation.*

(1) Description of award: A scroll, signed by the Secretary of the Air Force and the Chief of Staff, which describes the act or service being recognized.

(2) Established by: Secretary of the Air Force on August 30, 1948.

(3) Awarded to: U.S. and foreign civilian personnel.

(4) Awarded by: The Secretary of the Air Force.

(5) Awarded for: Meritorious achievement or service rendered to any activity of the Department of the Air Force by civilians, U.S. and foreign, not employed by the U.S. Government. Acts of courage which do not meet the risk of life requirements for award of the Exceptional Service Award may be considered as evidence of a meritorious achievement warranting award of the Air Force Scroll of Appreciation. Services must be completely voluntary and performed as a public service or by patriotic motivation with no implication of financial or other remuneration. Instructions governing award of the Exceptional Service Award to contractors, contractor technicians, etc., equally apply to award of the Air Force Scroll of Appreciation. The Air Force Scroll of Appreciation may be awarded to groups or organizations as well as to individuals.

Subpart D—Foreign Decorations

§ 832.40 General policy concerning acceptance and wear of decorations awarded by foreign governments.

(a) *Constitutional prohibition.* Clause 8, Section 9, Article I, of the Constitution of the United States provides in part that "no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever from any king, prince, or foreign state." The Attorney General has rendered an opinion (24 Op. Atty. Gen. 117) to the effect that any type of gift, whether a present, title, or simple remembrance of courtesy, falls within the prohibition against the acceptance of "any present * * * of any kind whatever."

(b) *Applicability of Constitutional prohibition.* The prohibition stated in paragraph (a) of this section applies to:

(1) All service members of the Department of the Air Force on active duty and all civilian employees of the Department of the Air Force.

(2) All members of Reserve components of the Air Force whether or not on active duty.

(3) All retired Regular Air Force officers.

(4) All retired officers and airmen, when the decoration is proffered in recognition of service performed while on active duty.

(5) All members of the immediate families of the military and civilian personnel designated in subparagraph (1) through (4) of this paragraph.

(c) *Definition.* As used in this subpart, a foreign decoration means any decoration, related medal, badge, insignia, ribbon, order, emblem, patch, device, wings, button, or related appurtenances—but excludes service awards as explained in § 882.3. In this regard, refer to § 882.80 concerning foreign service awards.

(d) *Wear.* Only those foreign decorations, or related elements, authorized for wear by AFM 35-10 may be worn on the Air Force uniform.

§ 882.41 Prior Congressional consent.

Congressional authority was given to U.S. Armed Forces personnel to accept decorations proffered by friendly foreign governments in recognition of service performed during the periods listed in this section. However, the decorations must have been presented to and accepted by the intended recipient before the termination date of the applicable Public Law:

(a) *World War II.* December 7, 1941, through July 24, 1948 (PL 314, 80th Congress).

(b) *Berlin Airlift.* June 26, 1948, through September 20, 1951 (PL 503, 81st Congress).

(c) *Korean Operation.* June 27, 1950, through July 27, 1955 (PL 354, 83rd Congress).

§ 882.42 Congressional consent for decorations relating to Vietnam hostilities.

Congressional consent was given (PL 89-257, 89th Congress) to members and former members of the Armed Forces of the United States to accept foreign decorations (explained in § 882.40) proffered by the Government of the Republic of Vietnam, or by the government of any other foreign nation whose personnel are serving in Vietnam in the cause of the Government of the Republic of Vietnam. Any such decoration must be one which is also conferred by such governments upon members of their own military forces and it must be proffered in recognition of service or acts performed in behalf of the Republic of Vietnam on or after March 1, 1961.

(a) *Where services must be performed.* Service or acts for which the decoration is awarded must have been performed in Vietnam, adjacent waters explained in § 882.68, adjacent lands, or airspace over Vietnam and airspace over adjacent waters and lands.

(b) *When acceptance is authorized.* These foreign decorations must be proffered and accepted by the recipient before a future date, which will be 1 year

after cessation of hostilities or armed conflict in Vietnam.

(c) *Restrictions.* (1) The principles contained in § 882.20(e), prohibiting the award of more than one decoration for the same act, achievement, or service, applies. However, the acceptance of a foreign decoration in recognition of a single act of heroism or a single achievement does not necessarily preclude acceptance of a foreign decoration for meritorious service, even though the act or achievement occurred during the overall period of service.

(2) Broad-based awards; i.e., awards simultaneously proffered to a large number of members for the same act, achievement, or service such as those normally associated with U.S. service awards, may not be accepted without prior approval of the Secretary of Defense.

(3) The Congressional consent granted in PL 89-257 does not alter the prohibition applicable to members associated with the Military Assistance Program as provided in § 882.45.

§ 882.43 Token acceptance without Congressional consent.

Token acceptance of a foreign decoration, presented by or on behalf of a friendly foreign government, but excluding those foreign decorations defined in §§ 882.42 and 882.45 is permissible without Congressional consent. However, such token acceptance does not constitute an official acceptance, which may be authorized only by Congress, and such decoration may not be retained by the recipient without specific authorization of Congress.

Note: See Part 820, Subchapter C of this chapter for information concerning gifts proffered by foreign governments.

(a) *Participating in presentation ceremonies.* If a member is advised that a friendly foreign government wishes to award him a decoration and that his presence is desired at a presentation ceremony, he may participate in the ceremony and make a token acceptance of the decoration without the consent of Congress.

Note: This does not apply to members chapter for information concerning gifts proffered by foreign governments.

(b) *Advising donor of Constitutional prohibition.* In no case may a member make a token acceptance of a decoration offered by a foreign nation without diplomatically advising an appropriate representative of that government of the requirement of the Constitution cited in § 882.40.

§ 882.44 Requesting Congressional authorization.

(a) *Action by recipient.* When an individual, as described in § 882.43 receives or makes token acceptance of a decoration, which is not covered by § 882.42, he will:

(1) Forward all elements of the decoration by letter of transmittal to USAF MPC (AFPMSAM), Randolph AFB, TX 78148.

Note: All original elements of the award, including certificate, citation, scroll, medal, badge, ribbon, and other appurtenances must be forwarded.

(2) Request Congressional authorization to officially accept the decoration. This request is made only to the USAF Military Personnel Center and must be included in the letter of transmittal referenced in subparagraph (1) of this paragraph. In addition, this letter will include, but is not limited to, the following:

(i) A statement in explanation of the award.

(ii) Full name, grade, and service number of the recipient.

(iii) The identity of the award and the country offering it.

(iv) The organization, station, and a brief description of the recipient's duty assignment during the time recognized by the award.

(v) The date and place of the presentation, and the name and title of the person making the presentation.

(vi) A statement of whether the recipient was assigned in any capacity with the Military Assistance Program.

(vii) If the recipient was assigned duties in connection with the Military Assistance Program, a signed statement from the recipient indicating whether the service being recognized was in connection with his Military Assistance Program duties.

§ 882.45 Members associated with the Military Assistance Program.

Air Force service members and civilian employees, regardless of assignment, performing any duty whatsoever in connection with the Military Assistance Program, may not accept the tender of any decoration, award, or gift from foreign governments or officials for duty of this nature. Participation in ceremonies involving any such tender is not authorized. To avoid embarrassment, the appropriate foreign officials should be advised of this prohibition. However, awards proffered in recognition of actual combat services or heroism involving the saving of life are excepted and may be received and treated as prescribed in §§ 882.42 or 882.43, as appropriate. Any decoration, award, or gift erroneously accepted by Air Force personnel associated with the Military Assistance Program becomes the property of the U.S. Government. It must be forwarded to USAF MPC (AFPMSAM), Randolph AFB, TX 78148, for disposition. Letters of transmittal will include the information outlined in § 882.44(a)(2) (i) through (vii).

§ 882.46 Decorations to retired personnel.

(a) *Reserve component personnel and Regular Air Force airmen.* A retired member of a Reserve component of the Air Force or a retired airman of the Regular Air Force, not holding an office of profit or trust under the U.S. Government, may without specific consent of the Congress, accept and keep foreign decorations, provided that the decorations are not proffered in recognition of

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service performed while the member was on active duty with the Armed Forces of the United States. If proffered for service performed while on active duty, but not for service relating to the Military Assistance Program, then token acceptance only may be made, and the decoration forwarded by the recipient in accordance with § 882.44.

(b) *Regular Air Force officers.* Retired officers of the Regular Air Force are considered as occupying an office of profit or trust under the U.S. Government and may not accept foreign awards without the consent of the Congress. Token acceptance is permissible, but elements of the award must be forwarded in accordance with § 882.44.

§ 882.47 Decorations awaiting Congressional approval for personnel honorably discharged from the Air Force.

Congressional approval is not required for acceptance and wearing of foreign decorations by personnel who have been honorably discharged from any of the components of the Air Force, provided they have acquired no new office of profit or trust under the U.S. Government. Personnel may obtain their awards by sending a request to USAFMP (AFPMSAM), Randolph AFB, TX 78148. A signed statement certifying that the person is not employed in any capacity with the U.S. Government must accompany each request.

§ 882.48 Posthumous awards of foreign decorations to deceased members of the Air Force.

The approval of Congress is unnecessary in cases where a foreign decoration is awarded posthumously to a deceased member of the Armed Forces of the United States. If a recipient should die during the period the decoration is held by the Department of State, the elements are withdrawn and forwarded to the legal next-of-kin.

§ 882.49 Awards accepted while a bona fide member of the armed forces of a friendly foreign nation.

Decorations tendered or awarded for service while the recipient was a bona fide member of the armed forces of a friendly foreign nation may be retained without the consent of Congress, provided the decoration was accepted before the recipient's entrance into active service of the armed forces of the United States and acceptance was in accordance with the regulations of the country making the award.

Subpart E—U.S. Service Awards

§ 882.50 Types of awards.

U.S. service awards include medals, ribbon bars, lapel buttons, and other devices (clasps, stars, clusters, arrowheads) which are described in Subpart K of this part.

§ 882.51 Eligibility criteria.

(a) *Who is eligible.* A person generally is eligible for a service award if he:

(1) Was assigned or attached to and present for duty with a unit serving

within the prescribed geographical area established for the award during the designated time period;

(2) Was assigned or attached to and present for duty with a unit designated in appropriate administrative orders as having received the award during the prescribed time period; or

(3) Otherwise meets the requirements for the award stated in the appropriate section of this subpart.

(b) *Who is ineligible.* No service award will be awarded to a person whose entire service for the period covered by the award was not honorable, nor to a person whose service for the period covered by the award was terminated under other than honorable conditions. However, if a person was awarded and presented an award for service before his dishonorable behavior, the award will not be revoked unless specifically directed by HQ USAF.

§ 882.52 Number of awards a person may receive.

Only one award of a specific U.S. service medal or Philippine service ribbon will be made to the same person. Devices will be awarded to denote additional awards in those instances specified in this part.

§ 882.53 Posthumous service awards.

Next-of-kin are entitled to receive service awards and related devices described in this part which were earned but not presented before the death of the recipient. Duplicate service awards may be furnished free to the parents of the deceased when awards are given to the widow or widower.

§ 882.54 Awards by other U.S. agencies.

Service awards are also awarded by the U.S. Army, Navy, Marine Corps, and Coast Guard. Such awards are made in conformance with the regulations of the awarding authority, and this part will not be construed to nullify them. An Air Force member who has been awarded a service award by one of the other military services may wear the award on the Air Force uniform provided that its wear is not precluded by AFM 35-10.

§ 882.55 Good Conduct Medal and Air Force Good Conduct Medal.

(a) *Description.*—(1) *Good Conduct Medal.* A metal disk, 1 1/4 inches in diameter, bearing in front an eagle standing on a book and a sword, encircled with the inscription "Efficiency-Honor-Fidelity." The ribbon is dark red silk, with three white stripes bordering each edge.

(2) *Air Force Good Conduct Medal.* The medal pendant is the same as described in subparagraph (1) of this paragraph. The ribbon is predominantly light blue, with narrow vertical stripes of red, white, and blue to the right and left of the center of the ribbon.

(b) *Requirements for award.*—(1) *Quality of service.* The Good Conduct Medal or the Air Force Good Conduct Medal is awarded for exemplary behavior, efficiency, and fidelity in an enlisted status while in the active Federal military service of the United States.

During the period considered for the award, there must be no conviction by a civil court (other than for a minor traffic violation), or by court martial, or record of punishment under Article 15. Where such conviction or record of punishment exists, creditable service toward the Good Conduct Medal or the Air Force Good Conduct Medal begins the day following any time lost under 10 U.S.C. 972 and/or the day following the completion of any punishment imposed by a court martial, including punishment under Article 15. Any period of service covered by a "referral" Airman Performance Report, as defined in AFM 39-62 (Noncommissioned Officer and Airman Performance Report), is disqualifying for the award of the medal.

(2) *Length of service.* Provided the quality requirements in subparagraph (1) of this paragraph are met, the basic Good Conduct Medal or Air Force Good Conduct Medal may be awarded for periods of continuous service.

(c) *Type of medal to be awarded.* An airman who qualified for award of the basic Good Conduct Medal or a successive award of the Good Conduct Medal on or before May 31, 1963, will be awarded the Good Conduct Medal, or the appropriate clasp described in Subpart K of this part. An airman who completes the qualifying service on or after June 1, 1963, will be awarded the Air Force Good Conduct Medal. When both medals have been awarded, they must be worn with the Air Force Good Conduct Medal taking precedence over the Good Conduct Medal. After award of the first Air Force Good Conduct Medal, successive awards will be denoted by oak leaf clusters, which are identical to the clusters used to denote additional awards of military decorations. Oak leaf clusters are issued in two sizes—large and small—and in two colors—bronze and silver. The large size is worn on the suspension ribbon of the Air Force Good Conduct Medal, and the small size on the ribbon bar. A bronze oak leaf cluster is used for the second through fifth, seventh through 10th, etc., awards of the Air Force Good Conduct Medal. A silver oak leaf cluster is used for the sixth, 11th, etc., award, or in lieu of five bronze oak leaf clusters. (See AFM 35-10 for the proper placement of oak leaf clusters on the suspension ribbon and ribbon bar.)

(d) *Computation of total service.* Periods of service as a commissioned officer or warrant officer, other than Regular Air Force, will not be considered as an interruption of continuous service, although such periods will not be included in computation of total service accumulated. A period of more than 24 hours between enlistments or between periods of commission and enlisted service will be considered a break in continuous active service. Time spent in either aviation cadet or officer candidate status is creditable provided it meets the requirements of paragraph (b) (1) of this section. However, service as a cadet or midshipman in one of the service academies is not creditable.

(e) *Service in the Navy, Marine Corps, or Coast Guard.* Service performed in the U.S. Navy, Marine Corps, or Coast Guard may not be credited for award of the Good Conduct Medal or Air Force Good Conduct Medal under this part.

(f) *Time period required after basic award.* After the basic award of the Good Conduct Medal or Air Force Good Conduct Medal, a 3-year period of continuous active service is always required for additional awards of these medals. Service must always meet the requirements of paragraph (b) (1) of this section.

§ 882.56 American Defense Service Medal.

(a) *Description.* A metal disk 1 1/4 inches in diameter, bearing in front an armed figure symbolic of defense under the inscription "American Defense." The ribbon is basically yellow, with blue, white, and red stripes right to left, and left to right symmetrically near the edges.

(b) *Requirements for award.* Awarded for any period of active duty service completed between September 8, 1939, and December 7, 1941, provided that the active duty orders specified service for a period of 12 months or longer.

(c) *Foreign service clasp.* Requirements are the same as for the medal itself, except that the service must have been performed outside the continental United States. Subpart K of this part describes the clasp and explains how it is worn.

§ 882.57 Women's Army Corps Service Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, bearing in front the head of Pallas Athene in profile facing dexter, superimposed on a sheathed sword crossed with oak leaves and a palm branch within a circle composed of the word "Women's" in the upper half, and in the lower half "Army Corps." The ribbon is predominantly moss-tone green with gold borders.

(b) *Requirements for award.* Awarded for service performed in both the Women's Army Auxiliary Corps between July 20, 1942, and August 31, 1943, and the Women's Army Corps between September 1, 1943, and September 2, 1945.

§ 882.58 American Campaign Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, bearing in front an offshore scene depicting a cruiser, an airplane, and a sinking submarine underneath the inscription "American Campaign." The ribbon is predominantly medium blue, striped white, black, red, and white from right to left, and left to right within each edge. In the center are three stripes of red, white, and blue. The blue stripe is worn to the wearer's right.

(b) *Requirements for award.* Awarded for service within the American Theater between December 7, 1941, and March 2, 1946, under any of the following conditions:

(1) Permanent assignment outside the continental United States.

(2) Permanent assignment as an aircrew member of an airplane making frequent flights over ocean waters for a period of 30 consecutive days or 60 days not consecutive.

(3) Outside the continental United States in a passenger status or on temporary duty for 30 consecutive days or 60 days not consecutive.

(4) In active combat against the enemy, provided that the individual was awarded a combat decoration or furnished a certificate by the commander of his unit stating that he actually participated in combat.

(5) Within the continental United States for an aggregate period of 1 year.

(c) *Antisubmarine campaign bronze service star.* A person assigned or attached to and present for duty with a unit which was accorded battle credit for the Antisubmarine campaign is entitled to wear a bronze service star. See AFP 900-1-2 (Korean Battle Honors—Consolidated List of Units Cited) for unit credits.

§ 882.59 Asiatic-Pacific Campaign Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, depicting in front a tropical landing beneath the words "Asiatic-Pacific Campaign." The ribbon is basically yellow, with yellow, red, and white stripes near each end. In the center are three equal stripes of blue, white, and red. The blue stripe is worn to the wearer's right.

(b) *Requirements for award.* Awarded for service within the Asiatic-Pacific Theater between December 7, 1941, and March 2, 1946, under any of the following conditions:

(1) Permanent assignment.

(2) Passenger status or on temporary duty for 30 consecutive days or 60 non-consecutive days.

(3) In active combat against the enemy, provided that the individual was awarded a combat decoration or furnished a certificate by the commander of his unit stating that he actually participated in combat.

(c) *Award of bronze service star and arrowhead.* Personnel who were assigned or attached members of units during the period for which campaign participation credit or assault landing credit was accorded to the unit, are awarded the bronze service star and arrowhead, respectively, to denote their participation in such action.

§ 882.60 European-African-Middle Eastern Campaign Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, depicting a landing scene beneath the words "European-African-Middle Eastern Campaign." The ribbon is principally dark green, edged with brown bands separated from the green by green, white, and red stripes on the left (wearer's right), and by white, black, and white stripes on the right (wearer's left). In the center are equal stripes of blue, white, and red. The blue stripe is worn to the wearer's right.

(b) *Requirements for award.* Awarded for service within the EAME (European-African-Middle Eastern) Theater between December 7, 1941, and November 8, 1945, under the same conditions described in § 882.59(b) (1), (2), and (3).

(c) *Award of bronze service star and arrowhead.* Personnel who were assigned or attached members of units during the period for which campaign participation credit or assault landing credit was accorded to the unit, are awarded the bronze service star and arrowhead, respectively, to denote their participation in such action. (See § 882.132 and 882.134 and AFP 900-1-2.)

§ 882.61 World War II Victory Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, bearing in front the figure of liberation holding a broken sword in the dawn. The ribbon is predominantly red with wide rainbow borders.

(b) *Requirements for award.* Awarded for any period of service between December 7, 1941, and December 31, 1946.

§ 882.62 Army of Occupation Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, bearing on the front of the disk a pictorial representation of the Remagen Bridge and on the reverse Mount Fujiyama and two Japanese junks. The ribbon is bordered with white bands with equal black and red stripes in the center. The black stripe is worn to the wearer's right.

(b) *Requirements for award.* Awarded for 30 consecutive days at a normal place of duty while assigned to or serving with the U.S. occupation forces during the prescribed time limits in any of the areas indicated in this paragraph. The term "normal place of duty" excludes from eligibility those personnel performing temporary duty (or detached service) for the purpose of performing such functions as inspections, visits, courier or escort service, or who were merely in a transient status. Personnel who qualify for award of the Berlin Airlift Device (§ 882.136) automatically qualify for award of the Army Occupation Medal.

(1) Germany (exclusive of Berlin)—between May 9, 1945, and May 5, 1955. Service between May 9, 1945, and November 8, 1945, may be counted only if the European-African-Middle Eastern Campaign Medal was awarded for service before May 9, 1945.

(2) Berlin, Germany—between May 9, 1945, and a terminal date to be announced later. Service between May 9, 1945, and November 8, 1945, will be counted only if the European-African-Middle Eastern Campaign Medal was awarded for service before May 9, 1945.

(3) Austria—between May 9, 1945, and July 27, 1955. Service between May 9, 1945, and November 8, 1945 may be counted only if the European-African-Middle Eastern Campaign Medal was awarded for service before May 9, 1945.

(4) Italy—between May 9, 1945, and September 15, 1947, in the compartment of Venezia Giulia E. Zara or Province of

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Udine, or with a unit specifically designated in Department of the Army General Orders 4, 1947. Service between May 9, 1945, and November 8, 1945, may be counted only if the European-African-Middle Eastern Campaign Medal was awarded for service before May 9, 1945.

(5) Japan—between September 3, 1945, and April 27, 1952, in the four main islands of Hokkaido, Honshu, Shikoku, and Kyushu; the surrounding smaller islands of the Japanese homeland; the Ryukyu Islands; and the Bonin-Volcano Islands. Service between September 3, 1945, and March 2, 1946, may be counted only if the Asiatic-Pacific Campaign Medal was awarded for service before September 3, 1945. By the same token, service which meets the requirements for the Korean Service Medal (§ 882.65) may not be counted in determining eligibility for this award.

(6) Korea—between September 3, 1945, and June 29, 1949. Service between September 3, 1945, and March 2, 1946, may be counted only if the Asiatic-Pacific Campaign Medal was awarded for service before September 3, 1945.

§ 882.63 Medal for Humane Action.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, depicting a C-54 airplane within a border of wheat centering the coat of arms of Berlin. The ribbon is predominantly blue with black edges, followed by white, red, and white stripes. The center bears three stripes—white, red, and white, in the order named.

(b) *Requirements for award.* Awarded to personnel who were assigned or attached to and present for duty for at least 120 days during the period June 26, 1948 and September 30, 1949, inclusive, with any of the units cited in general orders of the Department of the Air Force for participation in the Berlin airlift or for direct support thereof. (See AFP 900-1-2.) The geographical boundaries of the Berlin airlift operations are as follows:

(1) Northern Boundary: 54th parallel north latitude.

(2) Eastern Boundary: 14th meridian east longitude.

(3) Southern Boundary: 48th parallel north latitude.

(4) Western Boundary: 5th meridian west longitude.

(c) *Award to members of foreign armed forces and civilians.* The Medal for Humane Action may be awarded to members of foreign armed forces and civilians (U.S. and foreign) for meritorious participation in the Berlin airlift. In each instance, however, an individual recommendation indicating meritorious participation is required.

(d) *Award to persons whose lives were lost participating in the Berlin Airlift.* Persons whose lives were lost while participating in the Berlin Airlift, or as a direct result of participating therein, may be awarded the Medal for Humane Action without regard to the length of such service, provided that all other requirements are met.

§ 882.64 National Defense Service Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter, bearing on the obverse an eagle displayed with inverted wings standing on a sword and palm branch, all beneath the inscription "National Defense." The ribbon is basically red with a yellow band in the center. Equal stripes of white, blue, white and red border the center yellow band.

(b) *Requirements for award.* Awarded for any period of honorable active duty service between June 27, 1950 and July 27, 1954 or between January 1, 1961 and a terminal date to be announced. For the purpose of this award, the following persons shall not be considered as performing active duty service:

(1) Reserve personnel ordered to active duty for short periods of training under the Inactive Reserve Training program.

(2) Any person on temporary active duty to attend service schools or serve on boards, courts, commissions, etc.

(3) Any person on active duty for the sole purpose of undergoing a physical examination.

(4) Any person on active duty for purposes other than for extended active duty.

NOTE: Subparagraphs (1) through (4) of this paragraph shall not bar the award of the National Defense Service Medal to any member of the Reserve Forces not on active duty who, after December 31, 1960, becomes eligible for the award of the Armed Forces Expeditionary Medal or the Vietnam Service Medal under the provisions outlined in §§ 882.67 and 882.68. For the purpose of establishing eligibility for the National Defense Service Medal such an individual shall be considered to be performing extended active duty. Also, service as a cadet or midshipman in the Air Force, Army, or Naval Academies, during any of the periods mentioned in this paragraph, entitles the individual to this medal.

(c) *Subsequent awards.* Not more than one medal shall be awarded to any person. For each succeeding award, a bronze service star will be awarded.

§ 882.65 Korean Service Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter. On the obverse is a Korean gateway; encircling the design is the inscription "Korean Service." On the reverse is the Korean symbol taken from the center of the Korean national flag, representing the essential unity of all beings, with the inscription "United States of America," and a spray of oak and laurel encircling the design. The medal is suspended by a ring from a silk moire ribbon composed of white piping on the ends, a center of United Nations blue intersected by a white band.

(b) *Requirements for award.* This medal was awarded to persons who were assigned or attached to combat or service units designated by the Commander, Far East Air Forces, in general orders for service within the Korean Theater or adjacent areas between June 27, 1950, and July 27, 1954. The term "Korean Theater" as used in this section includes those areas which encompass North and

South Korea, Korean waters, and the air over North and South Korea, and over Korean waters.

(c) *Conditions for award.* (1) The Korean Service Medal was awarded for participation in any engagement against the enemy in North or South Korean territory, in Korean waters, or in the air over North or South Korea or over Korean waters. A person will also be considered as having participated in an engagement if that person:

(i) Was a member of a designated combat or service unit in the Korean Theater.

(ii) Was a member of a combat or service unit, other than one within the Korean Theater, which was designated by the Commander, Far East Air Forces, as having directly supported the military operations in the Korean Theater.

(iii) Was a member of a designated headquarters of the Far East Air Forces which exerted a distinct and contributory effort to the military operations in the Korean Theater.

(2) The service prescribed must have been performed while:

(i) On permanent assignment;

(ii) On temporary duty with a designated unit or headquarters for 30 consecutive days or 60 nonconsecutive days; or

(iii) In actual combat against the enemy. In this case, the individual must have been awarded a combat decoration or furnished a certificate by the commander of a division, comparable or higher unit; commander of a ship, comparable or higher unit; or commander of an Air Force group, comparable or higher unit, stating that he actually participated in combat.

(d) *Award of bronze service stars.* Service stars were awarded to members of designated combat or service units in combat, or units assigned to the command of the Far East Air Forces, or on temporary duty with Army Ground Forces under any of the following conditions:

(1) If the person was a member assigned or attached to and present for duty with a designated combat or service unit during the period which the unit participated in combat.

(2) If the person was under orders in the combat zone and, in addition, was awarded a combat decoration, or was furnished a certificate by a commander of a division, comparable or higher unit; commander of a ship, comparable or higher unit; commander of an Air Force group, comparable or higher unit, or independent force, stating that he actually participated in combat or served at a normal post of duty (as contrasted to occupying the status of an inspector, observer, or visitor) or aboard a vessel other than in a passenger status. A certificate must be furnished by the home port commander of the vessel for actual service in the combat zone of the Korean Theater.

(3) If the person was an evadée or escapee in the combat zone or recovered from a prisoner-of-war status in the combat zone during the time limitations

of the campaign. Prisoners of war will not be given credit for the time spent in confinement or while otherwise in restraint under enemy control.

(e) *Award of arrowhead.* An arrowhead was awarded to members of designated combat or service units in combat, units assigned to the command of the Far East Air Forces, or units which were on temporary duty with the Army ground forces and participated in an airborne or amphibious assault within the territorial limits of Korea.

Note: AFP 900-1-2 lists all AF units entitled to campaign participation credits and assault landing credits for the Korean Conflict and gives the inclusive dates for each action. Subpart K of this part describes the service star and arrowhead and explains how they are worn.

§ 882.66 Antarctica Service Medal.

(a) *Description.* The medal of green-gold color metal is $1\frac{1}{4}$ inches in diameter. On the obverse is a view of a polar landscape and the standing figure of a man in Antarctica clothing facing to the front between the horizontally placed words "Antarctica" on the figure's right and "Service" on the figure's left. On the reverse a polar projection with geodesic lines of the continent of Antarctica across which are the horizontally placed words "Courage," "Sacrifice," and "Devotion," all within a circular decorative border of penguins and marine life. The medal is suspended by a ring from a silk ribbon $1\frac{3}{8}$ inches long and $1\frac{1}{8}$ inches wide composed of a $\frac{1}{16}$ -inch black stripe on each edge and graded from a white stripe in the center to a pale blue, light blue, greenish blue, and medium blue.

(b) *Requirements for award.* Awarded to the following for service during the period January 1, 1946, to a date to be subsequently established by the Secretary of Defense:

(1) Any member of the U.S. Armed Forces or civilian citizen, national, or resident alien of the United States who, as a member of a U.S. expedition, participates in or has participated in scientific, direct support, or exploratory operations on the Antarctic continent.

(2) Any member of the U.S. Armed Forces or civilian citizen, national, or resident alien of the United States who participates in or who has participated in a foreign Antarctic expedition on that continent in coordination with a U.S. Antarctic expedition and who is or was under the sponsorship and approval of competent U.S. Government authority.

(3) Any member of the U.S. Armed Forces who participates in or who has participated in flights as a member of the crew of an aircraft flying to or from the Antarctic or within the Antarctic continent in support of operations on that continent.

(4) Any member of the U.S. Armed Forces who serves or has served in a U.S. ship operating south of latitude 60° south in support of U.S. operations in Antarctica.

(5) Any person, including a citizen of a foreign nation, who does not meet the

requirements in subparagraphs (1), (2), (3), or (4) of this paragraph, but who participated in or participates in a U.S. Antarctic expedition on that continent at the invitation of a participating U.S. agency, may be awarded the medal by the Secretary of the Department under whose cognizance the expedition falls, provided the commander of the military support force as senior U.S. representative in Antarctica considers that he has performed outstanding and exceptional service and shared the hardship and hazards of the expedition. No minimum time limits of participation are prescribed under the foregoing qualifications. No person is authorized to receive more than one award of the medal.

(c) *Wintering over.* Personnel who stay on the Antarctic continent during the winter months are authorized clasps and discs, as described in Subpart K of this part, to denote this service.

§ 882.67 Armed Forces Expeditionary Medal.

(a) *Description.* This is a bronze medal $1\frac{1}{4}$ inches in diameter. On the obverse is an eagle, with wings inverted, standing upon a sword loosened in its scabbard, and superimposed on a radiant compass rose of eight points, all within the circumscriptio "Armed Forces" above and "Expeditionary Service" below. On the reverse is the shield from the U.S. Coat of Arms, above the laurel branches separated by a bullet, all within the circumscriptio "United States of America." The ribbon contains vertical stripes of green, yellow, brown, black, light blue, dark blue, white, and red. The dark blue stripe is worn to the wearer's right.

(b) *Requirements for award.* Awarded to any member of the Armed Forces of the United States, who after July 1, 1958, participates or has participated in any of the operations, and during the periods, listed in paragraph (g) of this section, and to the degree indicated below:

(1) Must be a bona fide member of a unit engaged in the operation, or

(2) Meet one or more of the following individual criteria:

(i) Shall serve not less than 30 consecutive days in the area of operations.

(ii) Be engaged in direct support of the operation for 30 consecutive days or 60 nonconsecutive days provided this support involves entering the area of operations.

(iii) Serve for the full period when an operation is of less than 30 days duration.

(iv) Be engaged in actual combat, or duty which is equally as hazardous as combat duty, during the operation, with armed opposition, regardless of time in the area.

(v) Participate as a regularly assigned crew member of an aircraft flying into, out of, within, or over the area in support of the military operation.

(3) Be recommended, or attached to a unit recommended, by the Chief of a Service or the commander of a unified

or specified command for award of the medal, although the criteria above have not been fulfilled.

Note: Such recommendation may be made to and approved by the Joint Chiefs of Staff for duty of such value to the operation as to warrant particular recognition.

(c) *Definitions.*—(1) *Bona fide member of a unit.* An assigned or attached member who is or was present with the unit during the operation.

(2) *A unit engaged in the operation.* A complete unit (not elements or aircraft of a unit) which is or was physically present in the area of operations during the specified period.

(3) *Area of operations.* The foreign territory specifically designated by this part upon which troops have actually landed or are present and specifically deployed for the direct support of the designated military operations; the adjacent water areas in which ships are operating, patrolling, or providing direct support of operations; the air space above and adjacent to the area in which operations are being conducted.

(4) *Direct support.* Service being supplied the combat forces in the area of operations by ground units, ships, and aircraft providing supplies and equipment to the forces concerned, provided it involves actually entering the designated area; and ships and aircraft providing fire, patrol, guard, reconnaissance, or other military support.

(d) *Subsequent awards.* Not more than one medal shall be awarded to any person, but for each succeeding operation justifying such an award, a bronze service star will be awarded.

(e) *Limitations.* The medal shall be awarded only for operations for which no other U.S. campaign medal is approved.

(f) *Conversion to the Vietnam Service Medal.* Any person who qualified for award of the Armed Forces Expeditionary Medal (AFEM), or a service star thereto, based on participation in the Vietnam operation between July 1, 1958, and July 3, 1965, inclusive, may apply for award of the Vietnam Service Medal (VSM) instead of the AFEM. Active duty personnel and Air Reserve Forces personnel who so qualify may apply to the custodian of their unit personnel records group; he is authorized to change record entries and issue the VSM in lieu of the AFEM. Qualified personnel who have completely separated from the service may apply in writing to the MPRC (AF), 9700 Page Boulevard, St. Louis, Mo. 63132. The MPRC is authorized to make necessary records corrections and issue the VSM. All personnel in a retired (pay) status may forward applications for conversion to USAFMPC (AFPMSC), Randolph AFB TX 78148. All personnel who apply for conversion must concurrently return the medal originally issued or make a statement that: (1) The medal was never issued or (2) the medal was issued but has been lost or destroyed without fault or neglect of the recipient. Only one conversion may be made; re-

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conversion from the VSM to the AFEM is not authorized. Personnel who qualified for a service star to the AFEM by virtue of their participation in the Vietnam operation, may apply to convert the service star only to the VSM, without affecting the basic AFEM which was

earned in an operation other than Vietnam. However, no person shall be entitled to the AFEM (or service star) and the VSM based solely on his service in Vietnam.

(g) *Operations for the Armed Forces Expeditionary Medal.*

Type of operation	Operations	Inclusive dates
U.S. military operations	Berlin, Lebanon, Quemoy and Matsu Islands, Taiwan Straits, Cuba, Congo, Dominican Republic, Congo.	Aug. 14, 1961 to June 1, 1963 July 1, 1965 to Nov. 1, 1968 Aug. 23, 1958 to June 1, 1963 Aug. 23, 1958 to Jan. 1, 1969 Oct. 24, 1962 to June 1, 1963 Nov. 23, 1964 to Nov. 27, 1964 Apr. 28, 1965 to Sept. 21, 1966 July 14, 1960 to Sept. 1, 1962
U.S. operations in direct support of the United Nations		Apr. 19, 1961 to Oct. 7, 1962
U.S. operations of assistance for friendly foreign nations	Laos, Vietnam	July 1, 1958 to July 3, 1965

§ 882.68 Vietnam Service Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter. On the obverse is a dragon behind a grove of bamboo trees about the inscription "Republic of Vietnam Service". On the reverse is a crossbow surmounted by a torch above the arched inscription "United States of America." The ribbon is predominantly yellow, edged in green, with three narrow red stripes in the center.

(b) *Requirements for award.* Awarded to any member of the Armed Forces of the United States serving in Vietnam, or contiguous waters or air space, on or after July 4, 1965, and before a terminal date to be announced later. The following types and degrees of participation are required to qualify as a member:

(1) *Shore duty.* Member must be attached to, or regularly serving for 1 or more days with, an organization participating in or directly supporting the Vietnam military operation.

(2) *Sea duty.* Member must be attached to or regularly serving for 1 or more days aboard a naval vessel directly supporting the Vietnam military operation.

(3) *Air duty.* Member must participate as an aircrew member in one or more aerial flights above Vietnam or contiguous waters in direct support of the Vietnam military operation.

(4) *Temporary duty.* Member must serve for 30 consecutive or 60 nonconsecutive days in Vietnam or contiguous waters in support of Vietnam military operations, except that time limits are waived for personnel participating in actual combat operations.

(c) *Area specified.* Vietnam and contiguous waters, as used in this part, is an area which includes Vietnam and the waters adjacent to it within the following specified limits: From a point on the east coast of Vietnam at the juncture of Vietnam with China southeastward to 21° N. latitude, 108°15' E. longitude; thence southward to 18° N. latitude, 108°15' E. longitude; thence southeastward to 17°30' N. latitude, 111° E. longitude; thence southward to 11° N. latitude, 111° E. longitude; thence southwestward to 7° N. latitude, 105° E. longitude; thence westward to 9°30' N. latitude, 103° E. longitude; thence northward to 9°30' N. latitude, 103° E. longitude; thence north-

eastward to 10°15' N. latitude, 104°27' E. longitude; thence northward to a point on the west coast of Vietnam at the Vietnam-Cambodia juncture.

(d) *Conversion from the Armed Forces Expeditionary Medal.* Some members who qualify for the AFEM may apply for award of the VSM instead of the AFEM. See § 882.67(f) for details concerning such conversion.

(e) *Award of bronze service stars—*

(1) *Campaigns.* (i) Vietnam Advisory Campaign, from November 15, 1961, to March 1, 1965.

(ii) Vietnam Defense Campaign, from March 2, 1965, to January 30, 1966.

(iii) Vietnam Air Campaign, from January 31, 1966, to June 28, 1966.

(iv) (Designation to be established when termination date is announced), from June 29, 1966, to a closing date to be announced.

(2) *Individual entitlement.* Individuals entitled to the Vietnam Service Medal (VSM) are eligible for appropriate campaign credit. Custodians of unit personnel records will determine individual eligibility for campaign credit, based on service during any part of the campaign periods. Determination will be made without regard to unit of assignment. An individual must be entitled to the VSM in order to accrue entitlement to campaign credit.

(3) *Wear.* Eligible individuals will wear a bronze service star on the VSM and ribbon bar for each authorized campaign credit. Campaign stars are not authorized for wear on the AFEM. The first campaign, and part of the second, predate the VSM (effective July 4, 1965). The AFEM awarded for such service must be exchanged for the VSM in accordance with § 882.67(f) to enable the individual to wear the bronze service star.

§ 882.69 Air Force Longevity Service Award Ribbon.

(a) *Description.* An ultramarine blue service ribbon divided by four equal stripes of turquoise blue. There is no medal authorized for this award.

(b) *Requirements for award.*—(1) *Basis of eligibility.* Eligibility is based upon honorable active Federal military service with any branch of the U.S. Armed Forces.

(2) *Who is eligible.* (i) All members of the Air Force on active duty.

(ii) All members of the Reserve component, not on active duty with the Air Force who meet the criteria in subparagraph (3) of this paragraph.

(iii) All retired personnel who are carried on the Air Force retired lists.

(3) *Award criteria.* (i) *Basic award.* An aggregate of 4 years of honorable active Federal military service with any branch of the U.S. Armed Forces.

Note: This includes active duty for training and service as a cadet or midshipman in one of the service academies.

(ii) *Subsequent awards.* A bronze oak leaf cluster for each additional 4 years of honorable active Federal military service. A silver oak leaf cluster is worn in lieu of five bronze clusters. Only the small clusters will be worn on the Air Force Longevity Service Award Ribbon.

Note: The Air Force Longevity Service Award Ribbon replaces the Federal Service Stripes optionally worn by enlisted personnel.

§ 882.70 Armed Forces Reserve Medal.

(a) *Description.* A metal disk, 1 1/4 inches in diameter. The obverse (same for all services) is a flaming torch in front of a crossed powder horn and bugle within a circle composed of 13 stars and 13 rays. The reverse (Air Force) is the American eagle symbolizing the United States and its air power, centered within the inscription "Armed Forces Reserve" placed around and near the outer rim. The medal is suspended by a ring from a silk ribbon which is buff bordered with blue and buff stripes, and the center section of buff is intersected by a blue line followed by blue and buff stripes.

(b) *Requirements for award.* Awarded to members or former members of the Reserve components of the Armed Forces of the U.S. who complete or have completed a total of 10 years of honorable and satisfactory service. The 10 years of service need not be consecutive, provided that such service was performed within a period of 12 consecutive years. For the purpose of this award, service as a member of a Reserve component will include:

(1) The National Guard of the United States.

(2) The National Guard while in the service of the United States.

(3) The federally recognized National Guard before 1933.

(4) A federally recognized status in the National Guard.

(5) The Officers' Reserve Corps and the Enlisted Reserve Corps before March 25, 1948.

(6) The Organized Reserve Corps.

(7) The Army of the United States without component. (Normally, all enlisted service before July 1940 was with the Regular component and not creditable. Conversely, service subsequent to July 1940 was Army of the United States and is creditable for this award.)

(8) The Naval Reserve and the Naval Reserve Force, excluding those members of the Fleet Reserve and the Fleet Naval Reserve transferred thereto after completion of 16 or more years of active naval service.

(9) The Marine Corps Reserve, and the Marine Corps Reserve Forces, excluding those members of the Fleet Marine Corps Reserve transferred thereto after completion of 16 or more years of service.

(10) The Limited Service Marine Corps Reserve.

(11) The Naval Militia who have conformed to the standards prescribed by the Secretary of the Navy.

(12) The National Naval Volunteers.

(13) The Air National Guard.

(14) The Air Force Reserve (officer or enlisted sections).

(15) The Air Force of the United States without component.

(16) The Coast Guard Reserve.

(c) *Creditable service.* Each year of active or inactive honorable service as a member of any of the Reserve components listed in paragraph (b) of this section may be credited toward award of the Armed Forces Reserve Medal until July 1, 1949. For service performed on or after July 1, 1949, members must accumulate during each anniversary year a minimum of 50 retirement points as prescribed in 10 U.S.C. 1332(a)(2), except that those persons in the Army of the United States or Air Force of the United States must compute time as follows:

(1) Active or inactive service before July 1, 1948 is creditable for those Army of the United States or Air Force of the United States officers appointed under the Act of September 22, 1941 (55 Stat. 728). After July 1, 1948, only active duty under such Army of the United States or Air Force of the United States appointments will be creditable.

(2) Active or inactive service before July 1, 1949 will be creditable for those Army of the United States or Air Force of the United States officers appointed under 10 U.S.C. 8444, 8445.

(3) For the purpose of computing eligibility for the Armed Forces Reserve Medal, all Army of the United States or Air Force of the United States appointments will be considered as having been made under the Act of September 22, 1941 unless otherwise indicated in the official records.

(d) *Service not creditable*—(1) General. Service in the following may not be credited:

(i) Inactive National Guard.

(ii) Inactive Air National Guard.

(iii) Nonfederally recognized status in the National Guard or Air National Guard.

(iv) Inactive Reserve Section or Honorary Reserve Section of the Officers' Reserve Corps.

(v) Inactive Section or Honorary Section of the Air Force Reserve.

(vi) Honorary Retired List of the Naval and Marine Corps Reserve.

(vii) Inactive Status List of the Stand-by Reserve.

(viii) Retired Reserve.

(ix) Women's Army Auxiliary Corps.

(2) *Regular service.* Service as a Regular officer, warrant officer, or Regular enlisted person in the Armed Forces, including the Coast Guard, and service for which the Naval Reserve Medal, Orga-

nized Marine Corps Reserve Medal, or the Marine Corps Reserve Ribbon has been or may be awarded, will not be credited toward the award of the Armed Forces Reserve Medal, except that service in a Reserve component which is concurrent, in whole or in part, with service in a Regular component of the Armed Forces will be included in computing the required 10 years of Reserve service. Any period of time during which Reserve service is interrupted (terminated) by service in a Regular component of the armed forces, will be excluded in computing the 10 years of Reserve service but will not be considered a break in the specified period of 12 consecutive years.

(3) *Attendance at aviation cadet training schools considered Regular service.* For the purpose of this part, periods of attendance at aviation cadet training schools (for those persons appointed "Aviation Cadets") are considered Regular service.

(e) *Determining eligibility.* Eligibility may be determined from data contained in AF Form 11, "Officer Military Record"; AF Form 190, "USAF Reserve Personnel Record Card for Retention, Promotion, and Retirement"; AF Form 712 "Air Reserve Forces Retirement Credit Summary"; or a statement from the person concerned certifying that his service in a Reserve component meets the requirements of satisfactory Federal service as defined in 10 U.S.C. 1332.

S 882.71 Air Reserve Forces Meritorious Service Ribbon.

(a) *Description.* The ribbon is predominantly light blue with white, ultramarine blue, and yellow stripes at each edge. There is no medal authorized for this award.

(b) *Requirements for award.*—(1) *Quality of service.* The Air Reserve Forces Meritorious Service Ribbon is awarded for exemplary behavior, efficiency, and fidelity while serving in an enlisted status in the Air Reserve Forces. During the period considered for the award, there must be no convictions by courts-martial and no record of punishment under Article 15. Where such conviction or record of punishment exists, creditable service toward the Air Reserve Forces Meritorious Service Ribbon will begin the day following the completion of any punishment imposed by a court-martial, including punishment under Article 15.

(2) *Basis for award.* The Air Reserve Forces Meritorious Service Ribbon may be awarded only upon the specific recommendation of the individual's unit commander. In making recommendation for an award, the unit commander must carefully consider:

(i) The three prerequisite requirements for the award—exemplary behavior, efficiency, and fidelity.

(ii) All other information available within the unit reflecting the quality of service of the airman concerned.

(3) *Length of service.* Provided the above "quality" requirements are met, the basic ribbon may be awarded for a period of 4 continuous years of service computed from the date of assignment to a training category A, B, D, or E.

(4) *Training requirements.* These include:

(i) Attendance, by all personnel assigned in training category A and B, at 90 percent of all training periods each year for 4 consecutive years. (Appropriate duty may be credited in lieu of attendance at scheduled training.)

(ii) Completion, each year for 4 consecutive years, of active duty requirement for the training category to which assigned. (Major commanders may waive this requirement when budgetary limitations prevent the performance of the tour.)

(iii) Accumulation of sufficient training points to be credited with a satisfactory year for retirement for each of the same 4 consecutive years.

(5) *General.* (i) A period of more than 24 hours between Reserve enlistments will be considered a break in service. Credit toward earning the award must begin anew after the break in service. For the purpose of computing credit, described in subdivision (iv) of this subparagraph, a period of active duty is not considered a break in service in the accrual of 4 continuous years of service.

(ii) Service performed in the Reserve components of the U.S. Army, Navy, Marine Corps, or Coast Guard may not be credited for award of the Air Reserve Forces Meritorious Service Ribbon.

(iii) Periods of service as a commissioned officer or warrant officer will be excluded from the computation of service for this award.

(iv) Except as indicated in this subdivision, service credit toward award of the ARFMSR ceases to accrue when a Reserve airman is called to active duty; simultaneously, the airman commences to accrue credit toward award of the AFGCM. If a period of active duty is not of sufficient length to permit award of the AFGCM, or OLC, such active duty will be considered as qualifying Reserve time, added to previously accrued Reserve credit, and used as part of the total accrual for award of the ARFMSR. Similarly, that portion of active duty performed during the same tour and after accrual of time for award of an AFGCM, or OLC (if not of sufficient length to establish entitlement to the next OLC to the AFGCM), may be considered as qualifying Reserve time, added to previously accrued Reserve credit, and used as a basis for award of the ARFMSR, or OLC.

NOTE: Any given award of the ARFMSR which is based in part on active duty time, may not be made until after the airman is released from active duty. All active duty service so credited must meet the quality requirements for this award.

(v) Orders awarding the ARFMSR may be issued after an airman is called to active duty or after he is appointed a commissioned officer or warrant officer, if he had sufficient time accrued toward the award prior to the occurrence of either of these changes of status. Termination of enlisted Reserve status by enlistment in the regular component or by appointment as a commissioned officer

or warrant officer cancels all accrued time of less than 4 years duration.

(c) *Effective date.* This award was established effective April 7, 1964. The basic ribbon (first award) may be awarded at any time after 1 year from this effectiveness date. For example, the first award may be made on or after April 1, 1965, based on the 4 continuous years of service immediately preceding the award date, which meets the established quality criteria contained in paragraph (b) (1) and (2) of this section.

(d) *Subsequent awards.* A bronze oak leaf cluster for each additional 4 years of qualifying service. A silver oak leaf cluster is worn in lieu of five bronze oak leaf clusters.

§ 882.72 USAF NCO Academy Graduate Ribbon.

(a) *Description.* The ribbon is predominantly red with a narrow white stripe near each edge and two blue stripes near the center.

(b) *Requirement for award.* Awarded to graduates of accredited Air Force Non-commissioned Officer Academies as explained in AFR 50-39 (Noncommissioned Officer Professional Military Education) and the annual Hq USAF NCO Academy accrediting letter. Graduates of USAF NCO Academy classes conducted before original publication of AFR 50-39 are authorized to wear the ribbon only if the major command which supervised the training determines that course standards were sufficiently high to merit award of the ribbon. Graduation from NCO leadership courses and similar training conducted by other military services does not qualify an individual for this award.

§ 882.73 Small Arms Expert Marksmanship Ribbon.

(a) *Description.* The ribbon has a green center with a wide blue stripe at each edge and two narrow yellow stripes separating the green and blue.

(b) *Requirement for award.* Awarded to Air Force personnel including Reserve component members whether or not on active duty who, after January 1, 1963, qualify as "expert" in small arms marksmanship on the weapons specified and in accordance with AFR 50-8 (Small Arms Marksmanship Training). By issuance of appropriate orders, the ribbon is awarded only once, regardless of the number of times an individual may qualify, and it may be permanently retained and worn by the qualifying individual. One copy of the order will be filed and retained in the unit personnel record group.

§ 882.74 Philippine Defense Ribbon.

(a) *Description.* A red ribbon divided by wide white bands and centering three white stars which form a triangle. The single star is worn uppermost.

(b) *Requirements for award.* Awarded for combat service in the defense of the Philippines from December 8, 1941, to June 15, 1942, if the individual:

(1) Was a member of the Bataan or Manila Bay forces, or of a unit, ship, or airplane under enemy attack; or

(2) Was assigned or stationed in Philippine territory or in Philippine waters for at least 30 days during the period cited in this paragraph.

(c) *Bronze service star.* A person who meets both conditions set forth in paragraph (b) of this section is authorized to wear a bronze service star on the ribbon.

§ 882.75 Philippine Liberation Ribbon.

(a) *Description.* A red ribbon with equal stripes of blue and white in the center. The blue stripe is worn to the wearer's right.

(b) *Requirements for award.* Awarded for participation in the liberation of the Philippines from October 17, 1944, to September 3, 1945, if the individual:

(1) Participated in the initial landing operations on Leyte or adjoining islands from October 17, 1944, to October 20, 1944. A person will be considered as having participated in such operations if he landed on Leyte or adjoining islands, was on a ship in Philippine waters, or was a crew member of an airplane which flew over Philippine territory during the period.

(2) Participated in any engagement against the enemy during the campaign on Leyte and adjoining islands. A person will be considered as having participated in such operations if he was a member of and present with a unit actually under enemy fire or air attack, served on a ship which was under enemy fire or air attack, or was a crew member in an airplane which was under enemy aerial or ground fire.

(3) Served in the Philippine Islands or ships in Philippine waters for not less than 30 days during the period cited in this paragraph.

(c) *Bronze service star.* Persons who meet more than one of the conditions set forth in paragraph (b) of this section are authorized to wear a bronze service star on the ribbon for each additional condition under which they qualify.

§ 882.76 Philippine Independence Ribbon.

(a) *Description.* A predominantly blue ribbon edged with yellow stripes and bearing red, white, and red stripes, in the order named, in the center.

(b) *Requirements for award.* Awarded to personnel who are recipients of both the Philippine Defense and Philippine Liberation ribbons.

Note: Personnel who were awarded the Philippine Independence Ribbon in accordance with the criteria formerly announced may continue to wear the award notwithstanding the change in requirement stated in paragraph (b) of this section.

§ 882.77 Authority for U.S. service awards.

Award— *Established by—*
Air Force Good Conduct Medal Secretary of the AF, effective June 1, 1963, based on E.O. 10444, Apr. 10, 1953.

Good Conduct Medal (GCM) E.O. 8808, June 28, 1941, as amended by E.O. 9823, Mar. 31, 1943, and E.O. 10444, Apr. 10, 1953.

<i>Award—</i>	<i>Established by—</i>
American Defense Service Medal (ADSM).	E.O. 8808, June 28, 1941.
Women's Army Corps Service Medal (WACSM).	E.O. 9365, July 29, 1943.
American Campaign Medal (ACM).	E.O. 9265, Nov. 5, 1942, as amended by E.O. 9706, Mar. 15, 1944.
Asiatic-Pacific Campaign Medal (APCM).	E.O. 9265, Nov. 5, 1942, as amended by E.O. 9706, Mar. 15, 1944.
European - African - Middle East Campaign Medal (EAMECM).	E.O. 9265, Nov. 5, 1942, as amended by E.O. 9706, Mar. 15, 1944.
World War II Victory Medal (WWII VM).	P.L. 135, 79th Cong.
Army of Occupation Medal (AOM).	WDGO 32, 1946.
Medal for Humane Action (MHA).	P.L. 178, 81st Cong.
National Defense Service Medal (NDSM).	E.O. 10448, Apr. 22, 1953.
Korean Service Medal (KSM).	E.O. 10179, Nov. 1, 1950.
Antarctica Service Medal (ASM).	P.L. 86-600, 88th Cong.
Armed Forces Expeditionary Medal (AFEM).	E.O. 10977, Dec. 4, 1961.
Vietnam Service Medal (VSM).	E.O. 11231, July 8, 1965.
Air Force Longevity Service Award Ribbon (AFLSA).	DAFGO 60, Nov. 25, 1957.
Armed Forces Reserve Medal (AFRESM).	E.O. 10163, Sept. 25, 1950, as amended by E.O. 10439, Mar. 18, 1958.
Air Reserve Forces Meritorious Service Ribbon (ARF MSR).	Secretary of the Air Force, on Apr. 7, 1964.
USAF NCO Academy Graduate Ribbon (AFNCOAR).	Secretary of the Air Force, on Aug. 23, 1962.
Small Arms Expert Marksmanship Ribbon (SAEMR).	Secretary of the Air Force, on Aug. 23, 1962.
Philippine Defense Ribbon (PDR).	G.O. 8, Army Hq, Commonwealth of the Philippines, 1944.
Philippine Liberation Ribbon (PLR).	G.O. 8, Army Hq, Commonwealth of the Philippines, 1944.
Philippine Independence Ribbon (PIR).	G.O. 383, Army Hq, Commonwealth of the Philippines, 1946.

Subpart F—Foreign Service Awards

§ 882.80 Policy.

Following is Air Force policy concerning the acceptance and wear of foreign service awards.

(a) *Acceptance unauthorized.* Except for the Republic of Vietnam Campaign Medal (see § 882.81), an officer or airman may not receive, accept, or make token acceptance of service awards tendered by foreign governments for services rendered while a member of the U.S. Air Force or its Reserve components.

Note: U.S. service awards are not tendered to foreign military personnel.

(b) *Retention of service awards earned as members of friendly foreign forces.* Foreign service awards earned while a

bona fide member of the armed forces of a friendly country may be retained by the person, provided they were presented to him before his entry on duty with the Armed Forces of the United States.

(c) Wear. Foreign service awards earned and accepted as indicated in paragraph (b) of this section, may not be worn on the Air Force uniform unless authorized by the Department of the Air Force in each individual case.

NOTE: This does not preclude wear of foreign decorations and individual emblems of a foreign unit award as prescribed in AFM 35-10.

§ 882.81 Republic of Vietnam Campaign Medal (RVCM).

Based on Department of Defense Instruction 1348.17, June 20, 1966, and as a one-time exception to the policy stated in § 882.80, Air Force personnel proffered the RVCM by the Government of the Republic of Vietnam for service on or after March 1, 1961, and until a date to be announced, may accept and wear this service award. Awards of the RVCM based solely on service performed after December 31, 1959, but before March 1, 1961, will be processed in accordance with § 882.44.

(a) Description. A gold-plated medal, with two stars, one overlaid on the other, each star composed of six points. The points of the star above are white-enamelled in relief with gold border. The points of the star underneath are carved in relief, gold plated, with many small brass angles directed toward the center of the medal. In the center a round frame with a gold border. The inside of the frame is green with the outline of the Vietnamese country of gold plated and a red flame with three rays upright in the center. On the reverse are the words VIET-NAM CAMPAIGN MEDAL. The ribbon is edged with green stripes, and alternates green and white stripes, with a white center. A rectangular, silver-plated metal device on the suspension ribbon denotes the period of war, i.e., "1960-____". A similar but smaller device with the last two digits of the inclusive years of the war, i.e., "60-____", is worn on the ribbon bar.

(b) Requirements for award. Awarded to Military personnel of the U.S. Armed Forces who during the period of January 1, 1960, and until a date to be announced.

(1) Serve for 6 months in South Vietnam during wartime; or

(2) Serve outside the geographic limits of South Vietnam and contribute direct combat support to the Republic of Vietnam Armed Forces for 6 months in their struggle against a hostile armed force. Only those members of the U.S. Armed Forces who meet the criteria established for the AFEM (Vietnam) or the VSM during the period of service required are considered to have contributed direct combat support to the Republic of Vietnam Armed Forces.

(3) Do not complete the length of service required in subparagraphs (1) or (2) of this paragraph but are wounded by a direct act of the hostile armed force, captured, but later rescued, or killed in action or in line of duty.

(c) Procurement of award elements. Award elements of the RVCM are not items of issue. Ribbon bars of prescribed dimensions for wear on the uniform and miniature and standard size medals with device are available through commercial sources in the United States, and may be purchased by individual recipients.

Subpart G—Non-U.S. Service Awards

§ 882.90 Authorized awards.

The non-U.S. service awards described in this subpart have been accorded Presidential acceptance for the U.S. Armed Forces and are authorized for wear by eligible personnel. The guidance contained in §§ 882.50-882.54, with respect to U.S. service awards generally applies to non-U.S. service awards. This specifically relates to general eligibility criteria and verification of prior awards. Only one of each non-U.S. service award described in this subpart will be awarded to the same person. There is no device to denote additional awards.

§ 882.91 United Nations Service Medal (UNSM).

Established by the United Nations General Assembly Resolution 483(V), December 12, 1950. Presidential acceptance for the U.S. Armed Forces was announced in Department of Defense Directive 1348.3, November 27, 1951.

(a) Description. A metal disk, 1 1/4 inches in diameter. On the obverse is the emblem of the United Nations. On the reverse is the inscription "For Service In Defense Of The Principles Of The Charter Of The United Nations." The medal is suspended from a silk ribbon consisting of 17 stripes, nine of United Nations blue and eight of white, alternating, each stripe 0.08 inch wide. A bar bearing the word "Korea" constitutes a part of the suspension of the medal from the ribbon.

(b) Requirements for award. (1) Qualifications: Personnel must be:

(i) Members of the Armed Forces of the United States dispatched to Korea or adjacent areas of military operations specifically for service on behalf of the United Nations in the Korean Theater; or

(ii) Other personnel dispatched to Korea or adjacent areas as members of paramilitary and quasi-military units designated by the U.S. Government for service in support of the United Nations action in Korea and certified by the United Nations Commander-in-Chief as having directly supported the military operations in that area.

NOTE: Personnel awarded the Korean Service Medal automatically establish eligibility for the United Nations Service Medal.

(2) Service: The service must have been performed between June 27, 1950, and July 27, 1954, inclusive, under any of the following conditions:

(i) While on permanent assignment to any designated combat or service unit;

(ii) While attached to any designated combat or service unit for a period of 30 days, consecutive or nonconsecutive; or

(iii) While in active combat against the enemy under conditions other than

those prescribed in subdivisions (i) and (ii) of this subparagraph, provided that the individual was awarded a combat decoration or furnished a certificate by the commander of a division, comparable or higher unit; commander of a ship, comparable or higher unit; or commander of an Air Force group, comparable or higher unit, stating that he actually participated in combat.

(c) Persons ineligible for award. Personnel of the United Nations, its specialized agencies, or of any government service other than as prescribed in paragraph (b) of this section and International Red Cross personnel engaged for service under the United Nations Commander-in-Chief with any United Nations relief team in Korea, will not be eligible for the award of the United Nations Service Medal.

§ 882.92 United Nations Medal (UNM).

Established by The Secretary General of the United Nations by Dispatch 109, July 30, 1959, and Regulations for the United Nations Medal, July 1959. Presidential acceptance for the U.S. Armed Forces was announced in Department of Defense Directive 1348.10, March 11, 1964.

(a) Description. A round metal disk, 1 1/4 inches in diameter. On the obverse is the emblem of the United Nations and the letters "U.N." On the reverse is the inscription "In The Service of Peace." The medal is suspended from a ribbon of United Nations blue with two single narrow white stripes one-fourth inch from each edge.

(b) Requirements for award. Military personnel who have been or are specifically identified by the United Nations as having performed qualifying service with one of the following organizations are eligible for an award of the medal:

(1) United Nations Observation Group in Lebanon.

(2) United Nations Truce Supervision Organization in Palestine.

(3) United Nations Military Observer Group in India and Pakistan.

(4) United Nations Security Forces, Hollandia.

(c) Policy and procedures. (1) Military personnel presently serving with any of the specified groups and those subsequently assigned will be awarded the United Nations Medal in the field by the Senior Representative of the Secretary General.

(2) The amount of service qualifying an individual for the award will be as designated by the Secretary General of the United Nations.

(3) Individuals with previous United Nations service with the specified groups who believe themselves eligible for the United Nations Medal may submit applications to USAFMPC (APPMSAM), Randolph AFB, TX 78148. Each application should include complete details related to United Nations duty including geographical location and inclusive dates of service. Such applications will be referred to the United Nations for consideration and determination of eligibility.

RULES AND REGULATIONS

Subpart H—U.S. Unit Awards**§ 882.100 Authority and authorized awards.**

Authority to accept unit awards is vested in the Department of the Air Force (DAF), unless it specifically delegates the authority. United States unit awards described in this subpart are authorized for award to units of the U.S. Armed Forces and, in some instances, to military units of friendly foreign nations serving with U.S. Forces.

§ 882.101 Eligibility (general criteria) for unit award.

Unit awards are granted to military units which distinguish themselves during peacetime or in action against hostile forces or an armed enemy of the United States. When a unit award is made to an organization, component units of the organization may share the award and display the various award elements authorized. Higher organizations of which a recipient unit is a component are not entitled to share in the award.

(a) To preserve the integrity of unit awards:

(1) They are restricted to the recognition of acts of services which:

(i) Clearly and distinctly—by nature and magnitude—place the unit's performance significantly above that of other units of similar composition and mission responsibility.

(ii) Can be recognized appropriately in no other way.

(2) Only one is granted for the same act, achievement, or service. Another award may be given to the same unit for another act or achievement performed during the period it was decorated for meritorious service.

(b) To be eligible for an award. (1) The unit's entire service must have been honorable during or subsequent to the time of the distinguished act, achievement, or meritorious service.

(2) The unit must be part of the U.S. armed forces or a foreign military unit serving with U.S. forces.

(c) To extend the award to unit personnel—(1) *Military personnel*. A device such as a ribbon, fourragere, service star, or arrowhead (depending on the type of award) is worn on the uniform to denote individual's contribution to a cited unit's performance.

(2) *Civilian personnel*. Civilians serving with a cited unit may be awarded letters of commendation or appreciation for their part in furthering the unit's performance. Where appropriate, Air Force civilian employees also may be recognized under the Air Force Civilian Incentive Program.

§ 882.102 Elements of the award.

The elements of the award include:

(a) Streamer (embroidered, if appropriate, with the name of act or period of service).

(b) Citation (except for campaign and war service streamers).

(c) Certificate (for Air Force Outstanding Unit Award only).

(d) Special orders. (The awarding authority's special orders are not essen-

tial at the time of the ceremony, but may be furnished later.)

NOTE: When a second or subsequent award is presented to the same unit, a separate streamer will be used.

§ 882.103 Inheritance of unit awards.

The basis for the inheritance of unit awards is determined by the language of the order establishing the unit's status. The different terms are prescribed in AFM 26-2 (Organization Policy and Guidance). Inquiries concerning the inheritance of unit awards may be addressed to ASI (HS), Maxwell AFB, AL 36112.

(a) *Active and inactive units*. These units are entitled to the awards made to or due them, regardless of redesignation or reorganization. AFP 210-1-4 (Guide to Lineage and Unit History) explains the Air Force lineage and awards inheritance system and its relationship to the USAF Unit History Program.

(b) *Disbanded and discontinued units*. Except as stated in AFP 210-1-4, these units' awards may not be inherited by any unit on the active or inactive list. The awards will be preserved as a record of historical interest.

§ 882.104 Definitions.

For the purpose of this part, the following terms and explanations apply:

(a) *Unit*. A military unit or establishment as defined in AFP 210-1-4, Guide to Lineage and Unit History.

NOTE: Under unusual circumstances a detachment may be considered a unit, although it is an integral part of a unit as defined in AFP 210-1-4.

(b) *Unit award*. Special recognition of heroism, outstanding achievement, or meritorious service of a military unit.

(c) *Award elements*. Visible evidences of an award granted to a unit. These elements include special orders (or other documents), streamers, citations, emblems; and devices for wear by uniformed personnel.

(d) *Attached personnel*. Personnel who are attached to and serving with a unit and have contributed directly to the unit's accomplishments during the cited period.

§ 882.105 Distinguished Unit Citation (DUC) and Presidential Unit Citation (PUC).

Within the Air Force, this unit award was known as the DUC before 1965 and will be known as the PUC during and after 1965. It was established by Executive Order 9075, February 26, 1942, which was superseded by Executive Order 10694, January 10, 1957. The PUC is awarded by the President of the United States or, when delegated, by the Secretary of the Air Force.

(a) *Description of award elements*—(1) *Streamer*. A dark blue swallowtailed streamer with the name of the action embroidered in white. Authorized abbreviations may be used for lengthy names of actions. Each award of the DUC/PUC is represented by a separate streamer.

(2) *Individual emblem*. A dark blue ribbon of the same color as the streamer in subparagraph (1) of this paragraph, mounted within a rectangular gold wreath metal frame.

(b) *Awarded to*. Units of the Armed Forces of the United States and friendly foreign nations serving with the U.S. forces.

(c) *Awarded for*. Extraordinary heroism in actions occurring on or after December 7, 1941. The unit must have displayed such gallantry, determination, and esprit de corps in accomplishing its mission under extremely difficult and hazardous conditions as to set it apart and above other units participating in the same campaign. The degree of heroism required is the same as would warrant the award of an Air Force Cross to an individual. An extended period of combat duty or the participation in a large number of operational missions is not sufficient. Only on rare occasions will a unit higher than a wing qualify for this award.

(d) *Display and wear*.—(1) *Streamer*. The streamer is displayed immediately below the staff ornament of the flagstaff which carries the unit's flag or guidon (see AFM 900-2—Use and Display of AF Flags, Guidons, Streamers, and Automobile and Aircraft Plates).

(2) *Individual ribbon*. The individual ribbon and oak leaf clusters for additional awards (entitlements) are worn as indicated in subdivisions (i) and (ii) of this subparagraph and Subpart K of this part, respectively.

(i) Worn as a permanent part of the uniform by each individual assigned or attached to the unit at any time during the period of action cited, and who was present and participated in any of the action(s) for which the unit was cited. Entitlement of attached personnel, whether attached by verbal or written order, to wear the individual ribbon will be verified by the commander of the cited unit who will issue a letter confirming such entitlement. This letter will state the name of the individual, certify his entitlement, specify the designation of the cited unit to which the individual was attached, state the authority for the award (order number, date, and headquarters of issue), and indicate the inclusive dates of the award. The original of this letter will be filed in the individual's unit personnel records group and a copy provided the individual.

(ii) Worn as a temporary part of the uniform by each individual who is not entitled to permanently wear the ribbon (subdivision (i) of this subparagraph) because he was not present with the unit in the action cited, but is subsequently assigned to the unit. The temporary wear of the ribbon is optional, and it may be worn only for the duration of the individual's assignment to the unit.

NOTE: An individual entitled to permanently wear a ribbon representing a DUC/PUC awarded by the Air Force or Army, may temporarily add an oak leaf cluster to the ribbon when he is subsequently assigned to the another cited unit. This temporary cluster may be worn only for the duration of the individual's assignment to the cited unit.

(3) *Wear of Air Force and Navy PUC ribbons.* Individuals entitled to the Navy PUC ribbon, which is different in design from the ribbon used by the Air Force and Army, may continue to wear such ribbon, although they also may be entitled to wear the individual ribbon (blue ribbon with gold wreath metal frame) representing award of the PUC to an Air Force unit during or after 1965. Persons entitled to the individual blue ribbon based on award of the DUC before 1965 will wear an oak leaf cluster thereon to denote any individual, additional entitlement to the ribbon based on award of a PUC to an Air Force unit during or after 1965.

§ 882.106 Air Force Outstanding Unit Award (AFOUA).

The AFOUA was established by the Secretary of the Air Force, as announced in DAF General Orders 1, January 6, 1954, and is awarded by the Secretary of the Air Force. Except for Air National Guard units that are not an extended active duty, authority to disapprove recommendations for award of the AFOUA is delegated to major commanders. Such commanders will forward to the awarding authority only the recommendations of which they recommend approval, and will return all others to the recommending officials. A major air commander's submission of a recommendation to the awarding authority does not infer automatic approval.

(a) *Description.*—(1) *Streamer.* A blue swallowtailed streamer with a narrow red band center bordered by white lines, and red bands at each edge separated from the blue by white lines. The name of the action, achievement, or the inclusive dates of the period of service are embroidered in white. Authorized abbreviations may be used for lengthy names of the action or achievement. Each award of the Air Force Outstanding Unit Award is represented by a separate streamer.

(2) *Individual ribbon.* A ribbon of the same color as the streamer described in subparagraph (1) of this paragraph, without the gold frame.

(3) *Certificate.* An engraved certificate bearing a replica of the ribbon, with the DAF Seal embossed on the certificate. The certificate identifies the unit decorated, and indicates the date(s) of the act or achievement, or the inclusive period of service for which the award was made. It is signed by the Secretary of the Air Force. The certificate is suitable for framing and display by the unit receiving the award. The awarding authority issues the certificate.

Note: The awarding of individual certificates to each person entitled to wear the ribbon was discontinued on May 8, 1964.

(4) *Citation.* A short narrative description of the act, achievement, or service for which award was made. The citation is read during the presentation ceremony, and may be framed for display with the certificate mentioned in subparagraph (3) of this paragraph.

(b) *Recognition of civilians.*—Civilians are not authorized to receive or wear

the ribbon mentioned in paragraph (a) (2) of this section. However, commanders are encouraged to recognize the contributions of civilians assigned or attached to a unit awarded the Air Force Outstanding Unit Award. Civilians may be awarded letters of commendation or appreciation, as applicable. Where appropriate, Air Force civilian employees also may be recognized under the Air Force Civilian Incentive Program.

(c) *Types of units to receive award.* The AFOUA is awarded only to units of the Armed Forces of the United States, including provisional units established in connection with emergency requirements or joint exercises and units of the Reserve components, which meet the requirements for the award as prescribed in paragraph (d) of this section. Only under most unusual circumstances will an organization above wing level receive this award. It will not be awarded to an organization above division level.

(d) *Awarded for.* Exceptionally meritorious service or exceptionally outstanding achievement which clearly sets the unit above and apart from similar units. Heroism may be involved, but it is not essential. The service or achievement may be in:

(1) Performance of exceptionally meritorious service of national or international significance.

(2) Accomplishment of a specific outstanding achievement of national or international significance. An outstanding achievement award is intended to recognize a single specific act or accomplishment that is separate and distinct from the normal mission or regular function of the unit. The period of an outstanding achievement is normally short and characterized by definite beginning and ending dates. The specific achievement must be sufficiently outstanding to be readily distinguishable from meritorious service and must clearly warrant immediate recognition. The award of a unit decoration in recognition of a single act of heroism or a single outstanding achievement does not necessarily preclude an award for meritorious service in accordance with subparagraph (1) of this paragraph. In such instance, and to avoid duplication, the previously recognized act or outstanding achievement cannot be included in the justification for the subsequent award:

(3) Combat operations against an armed enemy of the United States; or

(4) Military operations involving conflict with or exposure to hostile actions by an opposing foreign force.

(e) *Component units sharing in the Air Force Outstanding Unit Award.* (1) The recommending official will determine the component units to share in the award, on the basis of their contributions to the achievement or service rendered.

(2) The parent organization will consider its operationally detached units for the Air Force Outstanding Unit Award. In such cases, the host organization provides the evidence of exceptionally meritorious achievement or service to the parent organization for consideration, and for processing through its

command channels. Operationally detached units will not share in the award of the Air Force Outstanding Unit Award to the host organization. This does not preclude the personnel concerned from sharing in the award of the Air Force Outstanding Unit Award to the host organization on an individual basis.

(3) Air Reserve and Air National Guard units not in active Federal service may share in awards as component units, provided their contributions to the service being recognized are adjudged to merit recognition.

(f) *Attached personnel sharing in the Air Force Outstanding Unit Award.* (1) Personnel on temporary duty with a unit may be permanently entitled to the individual ribbon of the AFOUA if they directly contribute to the mission and accomplishments of the cited unit. Entitlement of such personnel, whether attached by verbal or written order, to wear the individual ribbon will be verified by the commander of the cited unit who will issue a letter confirming such entitlement. This letter will state the name of the individual, certify his entitlement, specify the designation of the cited unit to which the individual was attached, state the authority for the award (order number, date, and headquarters of issue), and indicate the inclusive dates of the award. The original of this letter will be filed in the individual's unit personnel records group and a copy provided the individual.

(2) Personnel on temporary duty with a unit to perform inspection functions or for staff visit purposes may not be awarded the ribbon.

(3) The permanent party personnel (instructors, faculty staff, overhead, etc.) in a training or school unit which has been cited, will be permanently awarded the ribbon. Temporary duty or pipeline students may not be awarded the ribbon, because they have not directly contributed to the unit's mission accomplishments.

(4) Military members of the other Armed Forces of the U.S. who are attached to Air Force units awarded the Air Force Outstanding Unit Award may share in the award, provided their contributions to the recognized service merit this recognition.

(g) *Display and wear.* Same as for Distinguished Unit Citation. (See § 882.105(d)).

§ 882.107 Other U.S. unit awards.

(a) *Army and Navy unit decorations.* Army and Navy unit decorations generally are similar to Air Force unit awards and may be accepted by Air Force units if advance DAF approval is obtained.

(1) *Army unit decorations:* The Army currently awards the Distinguished Unit Citation, the Valorous Unit Award, and the Meritorious Unit Commendation. The Army and Air Force jointly use the same streamer for the DUC and PUC. Both services also jointly use the same individual ribbon, except the gold wreath frame on the Air Force emblem is smaller than the frame used on the Army emblem (see AFM 35-10).

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(2) Navy unit decorations: The Navy currently awards the PUC and the Navy Unit Commendation. The Navy Presidential Unit Citation emblem consists of a distinctive ribbon without the gold wreath frame.

(b) *Who may wear.* Members of cited Air Force units and those who, while Army or Navy members, received a unit decoration which they were entitled to wear permanently. They may wear the appropriate award device on the Air Force uniform (see AFM 35-10).

§ 882.108 War Service Streamers.

(a) *Description.* These streamers are unembroidered swallowtailed ribbons of the same design as the service ribbons awarded to individuals for service in designated campaign areas or theaters of operations. Examples: The American Theater, European-African-Middle Eastern Theater and Asiatic-Pacific Theater during World War II, and the military campaign in Korea.

(b) *Eligibility.* A unit's eligibility for a war service streamer is the same as prescribed for the award of the corresponding service medal (American Campaign Medal; European-African-Middle Eastern Campaign Medal; Asiatic-Pacific Campaign Medal; Korean Service Medal) to an individual (see Subpart E of this part).

(c) *Display.* War Service Streamers are carried on the organizational flag staff or guidon by units which have served in a theater or area of operations but which have not received campaign participation credit (see § 882.109).

§ 882.109 Campaign and expeditionary streamers.

(a) *Description.* These are embroidered streamers of the same design as the war service streamers described in § 882.108. They represent the unit's participation in a campaign, assault landing, or an expedition. (Note: The expedition must be a designated military operation for which the AFEM is awarded and must have occurred after July 1, 1958, and be designated by the Joint Chiefs of Staff, authorized by the Department of Defense, and announced in an Air Force Directive.) These streamers are comparable to service stars and arrowheads on certain service ribbons which represent the individual's participation in a campaign, assault landing, or a designated operation for which the AFEM is authorized. When a unit is awarded campaign participation credit or authorized an AFEM streamer, the name of the campaign or AFEM operation (§ 882.67(g)) is embroidered on the streamer, thus making it a campaign or expeditionary streamer. The arrowhead device, when awarded, is embroidered on the streamer preceding the name of the campaign. Only one arrowhead may be embroidered on a given campaign streamer, regardless of the number of assault landings which were credited to a unit during that campaign. Also, only one campaign name may be embroidered on a streamer. Successive campaigns in the same theater or dif-

ferent designated operations for the AFEM are embroidered on separate streamers. Units that participated in the Vietnam operation will display the VSM streamer for such service, not the AFEM.

(b) *Embroidery of streamers.* Streamers are embroidered at the supply source (see AFM 67-1). Each requisition must indicate the appropriate inscription to be embroidered on the streamer. Attachment 3 to AFM 900-2 contains a list of campaigns (by name and period) in which the Air Force has participated since the first action involving the use of manned aircraft in 1916. Section 882.67(g) lists the designated operations for the AFEM streamer. These names and dates will be used for embroidering campaign streamers (name only for the AFEM streamer) to be displayed by Air Force units. Existing streamers will not be changed to conform to the names shown in AFM 900-2.

(c) *Who may award.* DAF or a designated subordinate command. When a unit is cited in orders or AFP 900-1-2 for its participation in a campaign or operation, it automatically is entitled to have the appropriate embroidery placed on the streamer.

§ 882.109a Infantry streamers, silver bands, etc.

The Air Force does not award devices similar to infantry streamers and campaign silver bands. Air Force units will display the appropriate campaign streamer in place of silver bands awarded to them by the War Department for campaign participation. Units which have been awarded any other such devices may continue to display them as prescribed by the awarding authority.

Subpart I—Foreign Unit Awards

§ 882.110 Requirements for acceptance.

(a) *When authorized.* Foreign unit decorations may be accepted only if:

(1) The decoration is tendered by a friendly foreign nation for heroism in action or exceptionally meritorious service in direct support of combat operations;

(2) The decoration is one which is conferred by that government upon units of its own armed forces;

(3) The unit is cited by name in orders or other documents issued by that government.

Note: The solicitation of foreign unit decorations by individuals or units within the Air Force is prohibited.

(b) *When not authorized.* Foreign awards denoting participation in campaigns, battles, or engagements are similar to service medals and may not be accepted by Air Force units.

§ 882.111 Foreign unit awards previously accepted.

(a) *Croix de Guerre (World Wars I and II).* Awarded by a French Government decree, which listed the cited units and described the achievement or service for which the award was made. Awards were confirmed in Army general orders. (See AFP 900-1-2.)

(1) *Award to unit.* A red and green swallowtailed streamer with the name of the action or theater of operations embroidered in golden yellow. World Wars I and II streamers have the same colors. However, the red and green stripes are arranged differently for each war.

(2) *Award to individual.* A fourragere, consisting of a single cord braided and knotted, with a loop at the shoulder and a ferrule of metal at the free end. The colors of the fourragere are green and red for both World Wars I and II. The award of the fourragere was not automatic. It required specific decree of the French Government. This decree was issued only when the unit was cited twice for the Croix de Guerre.

(3) *Display and wear.* (1) By unit—The streamer is displayed below the staff ornament of the flagstaff which carries the unit's flag or guidon. The fourragere (see subpar. (2) of this paragraph), if authorized, also may be attached to the flag or guidon (see illustration in AFM 900-2).

(1) *By individual.* (See AFM 35-10 for wear instructions.) Each individual who was assigned and present for duty with a unit during both of the actions for which a fourragere was awarded may wear it as a permanent part of the uniform. Each individual who was not present with the unit in both actions cited, but was subsequently assigned to the unit, may wear it as a temporary part of the uniform during his assignment to the unit.

(b) *Citation in the Order of the Day of the Belgian Army (World War II).* Awarded by Belgian Government decree which listed the cited units and described the achievement or service for which the award was made. Awards were confirmed in Army general orders. (See AFP 900-1-2.)

(1) *Award to unit.* A streamer is not authorized to denote award of the Belgian Unit Citation. However, if the unit citation specified award of the Belgian Fourragere (see subpar. (2) of this paragraph), it may be displayed on the unit flag or guidon.

(2) *Award to individual.* Similar to the French fourragere, except that the colors of the fourragere are red and green. The award required a specific decree of the Belgian Government. This decree was issued only when the unit was cited twice in the Order of the Day of the Belgian Army.

(3) *Display and wear.* (1) By unit—The fourragere is displayed below the staff ornament of the flagstaff which carries the unit's flag or guidon.

(1) *By individual.* (See AFM 35-10 for wear instructions.) Each individual who was assigned and present for duty with a unit, during both of the actions for which a fourragere was awarded, may wear the fourragere as a permanent part of the uniform. It is not authorized for temporary wear.

(c) *Philippine Republic Presidential Unit Citation (World War II).* This citation was established to recognize the achievements of units serving in the Philippines from December 7, 1941, to

May 10, 1942, and from October 17, 1944, to July 4, 1945 (dates inclusive). (See AFP 900-1-2.)

(1) *Award to unit.* A blue, white, and red streamer, with golden yellow embroidered letters. Only the dates of participation for which the award was made, December 7, 1941, to May 10, 1942, and/or October 17, 1944, to July 4, 1945, are embroidered on the streamer.

(2) *Award to individual.* A ribbon, same colors as in subparagraph (1) of this paragraph, within a rectangular gold wreath frame.

(3) *Display and wear.* (i) By unit—The streamer is displayed below the staff ornament of the flagstaff which carries the unit's flag or guidon.

(ii) By individual—(See AFM 35-10 for instructions for wear.) Each individual who was assigned to and present for duty with a unit, at any time during the period for which the unit was cited, may wear the emblem as a permanent part of the uniform. It may not be worn by personnel later assigned to the cited unit. An individual will wear only one such emblem, without cluster, regardless of the number of times that he may qualify for the award. The blue of the emblem is worn to the wearer's right.

(d) *Republic of Korea Presidential Unit Citation (Korean Conflict).* This citation was awarded by the President of the Republic of Korea to recognize the achievements of units serving in the Korean military operations. (See AFP 900-1-2.)

(1) *Award to unit.* A white streamer trimmed with green and alternating red and white stripes. The red and blue symbol of the Republic of Korea is centered on the streamer, 5 inches from the hoist, with the red to the top and blue to the bottom. The action or period of service is embroidered in blue.

(2) *Award to individual.* A ribbon, colors and symbol as in subparagraph (1) of this paragraph, within a rectangular gold wreath frame.

(3) *Display and wear.* (i) By unit—The streamer is displayed below the staff ornament of the flagstaff which carries the unit's flag or guidon.

(ii) By individual—Same as for paragraph (c) (3) (ii) of this section. The emblem is worn with the red portion of the symbol uppermost.

Subpart J—Special Badges

§ 882.120 Presidential Service Badge and Certificate.

The Presidential Service Badge and the Presidential Service Certificate were established by Executive Order 11174, September 1, 1964. This award replaces the White House Service Badge and Certificate established by Executive Order 10879, June 1, 1960.

(a) *Description of award—(1) Presidential Service Certificate.* This certificate bears replicas of the Presidential Service Badge and the Presidential Coat of Arms. It is signed by the Military Aide (or Service aide, if more than one) to the President and the Service Secretary.

(2) *Presidential Service Badge.* A round badge bearing a superimposed replica of the Presidential Coat of Arms.

(b) *Requirements for award.* Awarded by direction of the President to Armed Forces personnel assigned to duty at the White House for at least 1 year after January 20, 1961, as recognition—in a permanent way—of their contribution in the service of the President. Time spent in one of the eligible White House activities awaiting proper clearance may not be counted toward the 1 year minimum. Other conditions of award are as follows:

(1) The individual (formerly, currently or subsequently on duty at the White House) must be recommended for the award by the Military Aide to the President (or a Service aide).

(2) Only one Presidential Service Badge is awarded to an individual regardless of the number of certificates he receives. Subsequent Administrations may award additional certificates (but not badges) to him.

(3) The individual's removal from Presidential service for cause, which occurs after he has been awarded the certificate and badge, is grounds for the recall of the award elements.

(4) The certificate and badge may be awarded posthumously.

(c) *Responsibilities of award recipients.* Each recipient is required to sign a receipt for his certificate and badge, which will be serially numbered. The Presidential Service Badge, once earned, becomes a permanent part of the recipient's uniform, and may be worn after he leaves Presidential service. (See AFM 35-10 for instructions on wearing the badge on the uniform.) He may purchase (from commercial sources) miniature lapel pins, suitable for wear with civilian clothes.

Note: Holders of White House Service Badges may retain, but may not wear them.

§ 882.121 Combat Crew Member Badge.

Established by the Department of the Air Force, effective September 1, 1964.

(a) *Description.* A rectangular metal badge of oxidized sterling silver, measuring 3 x 3/4 inches, and bearing the Air Force Coat of Arms (with the shield's background in ultramarine blue enamel) and the words "Combat Crew."

(b) *Criteria for wear.* The Combat Crew Member Badge may be worn only by an aircraft or missile launch crew member who either:

(1) Is assigned to a USAF operational unit subject to the Combat Readiness Rating System under the provisions of AFM 55-11; and

(i) Has been certified as combat ready (according to USAF and major command qualification criteria); and

(ii) Is currently serving in an aircraft or missile launch crew position as a combat crew member; or

(2) Is assigned to a USAF operational unit which is participating in flying operations in Southeast Asia, and is currently serving as a combat-ready aircrrew member in that unit, participating in operations over an area where armed opposition is expected.

§ 882.122 Office of the Secretary of Defense Identification Badge.

(a) *Description.* The badge shows the eagle, shield, and arrows from the seal of the Department of Defense, against the background of rays encircled with stars and a wreath.

(b) *Requirement for wear.* This badge is worn by military personnel who have been issued a certificate of eligibility after they have been assigned to duty in an authorized position charged against the OSD personnel ceiling and have served not less than 1 year, after January 13, 1961, in the Office of the Secretary of Defense at the seat of government. Individuals holding a certificate of eligibility for wearing the badge earned before January 13, 1961, may continue to wear the badge. Personnel authorized to wear the badge may continue to wear it following reassignment from duty with the Office of the Secretary of Defense.

§ 882.123 Joint Chiefs of Staff Identification Badge.

(a) *Description.* The badge consists of an oval silver metal wreath of laurel containing the shield of the United States superimposed on four gold metal unsheathed swords. The blades and grips of the swords are entwined with a gold metal scroll surrounding the shield with the word JOINT at the top of the words CHIEFS OF STAFF at the bottom, all in blue enamel letters.

(b) *Requirement for wear.* This badge is worn by military personnel who have been issued a certificate of eligibility after they have been assigned to duty and have served not less than 1 year, after January 14, 1961, in the Organization of the Joint Chiefs of Staff. Personnel must be serving in a position of responsibility under the direct cognizance of the Joint Chiefs of Staff which requires, as a primary duty, the creation, development, or coordination of policies, principles, or concepts pertaining to a primary function. Personnel are authorized to wear it following reassignment from duty with the Joint Chiefs of Staff.

Subpart K—Devices

§ 882.130 General.

As used in this part, the term device includes but is not limited to, ribbon bars, lapel buttons, rosettes, oak leaf clusters, stars, arrowheads, and similar appurtenances used in the decorations, awards, and recognition program of the Air Force. AFM 35-10 describes the proper placement and wear of devices described in this subpart.

§ 882.131 Ribbon bar.

The ribbon bar is a metallic strip which is covered with ribbon. The design and color of the ribbon is identical with the suspension ribbon of the medal (decoration or service), or the unit award streamer it represents, as described in other subparts of this part. The ribbon bar is 1 3/8 inches long by 3/8-inch wide and it may be equipped with an attaching device.

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§ 882.132 Oak leaf clusters.

Oak leaf clusters are issued in two sizes—large and small—and in two colors—bronze and silver. The large size is worn on the suspension ribbon of the medal and the small size on the ribbon bar. A bronze oak leaf cluster is used for the second through the fifth, seventh through tenth, etc., entitlement or award. A silver oak leaf cluster is used for the sixth, eleventh, etc., entitlement or award, or in lieu of five bronze oak leaf clusters. The oak leaf cluster is worn on the pendant ribbon and ribbon bar of all U.S. military decorations and on the ribbon bar of the Air Force Good Conduct Medal, Air Force Longevity Service Award Ribbon, Air Reserve Forces Meritorious Service Ribbon, Distinguished Unit Citation, Presidential Unit Citation, and the Air Force Outstanding Unit Award.

§ 882.133 Service stars.

The service star is a bronze or silver five-pointed star of $\frac{3}{16}$ -inch diameter. A silver service star is worn in lieu of five bronze service stars. The service star is worn:

(a) On the service ribbon of the American Defense Service Medal to denote possession of the Foreign Service Clasp.

(b) On the service and suspension ribbons of the American Campaign, Asiatic-Pacific Campaign, European-African-Middle Eastern Campaign, and Korean Service Medals to denote campaign participation credit. (See AFP 900-1-2.)

(c) On the Philippine Defense and Liberation Ribbons to denote additional honors.

(d) On the service and suspension ribbon of the Armed Forces Expeditionary Medal to denote participation in more than one operation.

§ 882.134 Arrowheads.

(a) *Description and requirements for award.* The arrowhead, a bronze replica of an Indian arrowhead, one-fourth inch in height and one-eighth inch in width, is awarded to denote participation in a combat parachute jump, combat glider landing, or amphibious assault landing. The combat glider landing or parachute jump must have been made as an assigned or attached member of an organized force carrying out an assigned tactical mission. (An emergency combat parachute jump into enemy-held territory does not constitute eligibility for award of the arrowhead.) Units entitled to this award are designated in AFP 900-1-2.

(b) *How worn.* The arrowhead is worn on both the service and suspension ribbons of the Asiatic-Pacific Campaign Medal, European-African-Middle Eastern Campaign Medal, and the Korean Service Medal, point up, in a vertical position to the wearer's right of all service stars. Only one arrowhead will be worn on any one service or suspension ribbon, regardless of the number of times a person becomes eligible for the device.

§ 882.135 Clasps.

Clasps are authorized for wear on the Good Conduct Medal, American Defense

Service Medal, Army of Occupation Medal, and Antarctica Service Medal.

(a) *Good Conduct Metal clasp.* A bar, one-eighth inch wide and $1\frac{3}{8}$ -inches long, of bronze, silver, or gold, with loops, indicative of subsequent awards. It is worn on both the service ribbon and suspension ribbon of the medal itself. Clasps authorized for successive periods of service are as follows:

Successive periods of service	Type of clasp
2d	Bronze, 2 loops.
3d	Bronze, 3 loops.
4th	Bronze, 4 loops.
5th	Bronze, 5 loops.
6th	Silver, 1 loop.
7th	Silver, 2 loops.
8th	Silver, 3 loops.
9th	Silver, 4 loops.
10th	Silver, 5 loops.
11th	Gold, 1 loop.
12th	Gold, 2 loops.
13th	Gold, 3 loops.
14th	Gold, 4 loops.
15th	Gold, 5 loops.

(b) *American Defense Service Medal clasp.* A bronze bar, $\frac{1}{8}$ -inch wide and $1\frac{1}{2}$ -inches long; bearing the words "Foreign Service." It is worn only on the suspension ribbon of the medal. A bronze service star is worn on the service ribbon to denote award of the foreign service clasp.

(c) *Army of Occupation Medal clasp.* A bronze bar, $\frac{1}{8}$ -inch wide and $1\frac{1}{2}$ -inches long, bearing the word "Germany" or "Japan." It is awarded to differentiate service in the various occupation areas during World War II.

(1) *Areas represented by clasps.* (i) Germany clasp—Represents service with the U.S. occupation forces in Germany, Italy, or Austria.

(ii) Japan clasp—Represents service with the U.S. occupation forces in Japan or Korea.

(2) *How worn.* The clasp is worn only on the suspension ribbon of the Army of Occupation Medal. There is no device worn on the service ribbon to denote possession of the clasp.

(d) *Antarctica Service Medal clasp.* A bronze, gold, or silver bar, $\frac{1}{4}$ -inch wide and $1\frac{1}{4}$ -inches long; bearing the words "Wintered Over." It is worn only on the suspension ribbon of the medal. The clasp is authorized for personnel who stay on the Antarctic continent during the winter months; the bronze clasp represents the first winter over, the gold clasp the second winter, and the silver clasp the third and subsequent winters. Not more than one clasp may be worn on the suspension ribbon. See § 882.139 for description of disc for wear on service ribbon bar.

§ 882.136 Berlin Airlift Device.

The Berlin Airlift Device is a gold-colored metal miniature of a C-54 aircraft of $\frac{3}{16}$ -inch wing span, other dimensions proportionate. It is worn on both the service and suspension ribbons of the Army of Occupation Medal, with the nose of the aircraft pointed upward at a 30° angle and toward the wearer's right shoulder. The Berlin Airlift Device is

awarded for service for 90 or more consecutive days between June 26, 1948, and September 30, 1949, while assigned or attached to a unit designated in orders of the Department of the Air Force (see AFP 900-1-2) for participation in the Berlin Airlift.

§ 882.137 Hour-Glass Device.

This device is an hour-glass with a Roman numeral "X" superimposed thereon, of bronze, five-sixteenths inch in height. It is worn centered on both the service and suspension ribbons of the Armed Forces Reserve Medal. One hour-glass device may be worn to denote service for each additional 10-year period served under the same conditions as prescribed for award of the basic Armed Forces Reserve Medal.

§ 882.138 The "V" (Valor) Device.

This device is a metallic, bronze, letter "V" which represents valor. It is worn on the pendant ribbon and ribbon bar of the BSM and JSCM when the former is awarded for heroism and the latter is awarded for acts or services involving direct participation in combat operations.

§ 882.139 Other service devices.

(a) *Oversea chevrons and bars.* The service devices listed in this section are authorized for optional wear by qualified personnel. The manner in which they are worn on the uniform is described in APM 35-10.

(1) *Oversea chevrons* are authorized for each 6 months of oversea duty in a theater of operations during World War I.

(2) *Oversea bars* are authorized for each 6 months of duty outside the continental United States during World War II between December 7, 1941, and September 2, 1946, inclusive. Fractional parts of a 6-month period will not be accredited toward another bar.

(b) *Disc for ribbon bar of the Antarctica Service Medal.* A bronze, gold, or silver disc, five-sixteenths inch in diameter, with an outline of the Antarctic continent inscribed thereon, is authorized for wear on the service ribbon bar of the Antarctica Service Medal. These discs denote winter service in the Antarctic corresponding to the service defined in § 882.135(d) for the Antarctica Service Medal clasp. Not more than one disc may be worn on the ribbon bar.

(c) *Fourragere.* A fourragere consists of a single-cord braided and knotted, with a loop at the shoulder and a ferrule of metal at the free end. It is authorized for wear as the individual emblem representing the foreign unit award of the "Croix de Guerre", awarded by the French government, and the "Citation in the Order of the Day by the Belgian Army", awarded by the Belgian government (see Subpart I of this part).

§ 882.140 Gold Star Lapel Button.

This lapel button is made up of a gold star one-fourth inch in diameter mounted on a purple disc three-fourths inch in diameter. The star is surrounded by gold laurel leaves in a wreath five-eighths inch in diameter. The opposite

side bears the inscription, "United States of America, Act of Congress, August 1947", and has space for engraving the recipient's initials. It has either a pin or clutch type fastening device. A forthcoming reproduction of the Gold Star Lapel Button will be identical except that the year on the reverse side will be 1966. The initial supply of the buttons will be used until exhausted.

(a) *Eligibility.* The Gold Star Lapel Button is distributed to widows, widowers (remarried or not), each parent (mother, father, stepmother, stepfather, mother through adoption, father through adoption, and foster parents who stood in *locum parentis*), each child, brother, sister, half-brother, half-sister, step-child, and adopted child, of members of the U.S. Armed Forces who lost their lives in the armed services of the United States during World War I (Apr. 6, 1917, to Mar. 3, 1921); World War II (Sept. 8, 1939, to July 25, 1947 at 12 o'clock noon); or during any subsequent period of armed hostilities in which the United States was engaged before July 1, 1958 (Korean Conflict June 27, 1950, to July 27, 1954); or who lose or lost their lives after June 30, 1958, while engaged in an action against an enemy of the United States; while engaged in military operations involving conflict with an opposing foreign force; or while serving with friendly foreign forces engaged in an armed conflict in which the United States is not a belligerent party against an opposing armed force. These buttons are furnished without cost.

(b) *Replacements.* Gold Star Lapel Buttons lost, destroyed, or made unfit for use through no fault or neglect of the persons to whom they were furnished may be replaced at cost.

(c) *Source of supply.* Gold Star Lapel Buttons, either initial issue or replacements, may be obtained by writing to MPRC, 9700 Page Boulevard, St. Louis MO 63132.

(d) *Penalty for fraudulent use.* The law specifies that: "Whoever shall (1) wear, display on his person, or otherwise use as an insignia, any Gold Star Lapel Button issued to another person under the provisions of the law; (2) falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or aid in falsely making, forging, or counterfeiting any lapel button authorized by law; or (3) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession any such false, forged, or counterfeited lapel buttons, shall be fined not more than \$1,000 or imprisoned not more than 2 years, or both."

882.141 Other lapel buttons.

The authorized lapel buttons are listed in this section. They may be worn only with civilian clothes.

(a) *Good Conduct Medal, American Defense Service Medal, Women's Army Corps Service Medal lapel buttons, and lapel buttons for all U.S. military decorations, except the Medal of Honor.* These lapel buttons are $2\frac{1}{2}$ -inch wide and $\frac{1}{8}$ -

inch long and are in colored enamel, being a reproduction of the service ribbon.

(b) *World War II Honorable Service Lapel Button.* This button is of gold-colored metal, bearing an eagle on a ring around 13 stripes. It is awarded for honorable Federal military service between September 8, 1939, and December 31, 1946.

(c) *Air Force Lapel Button.* The Air Force Lapel Button consists of the winged Air Force star in gold- and silver-colored metal. All members of the Air Force on active duty; members of the Reserve components, including members of the Air Force Reserve Officers' Training Corps; and personnel carried on Air Force retired lists are entitled to wear the lapel button.

By Order of the Secretary of the Air Force.

LUCIAN M. FERGUSON,
Colonel, USAF Chief, Special
Activities Group Office of
The Judge Advocate General.

[F.R. Doc. 67-9633, Filed, Aug. 16, 1967;
8:45 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 53—GRANTS FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND MEDICAL FACILITIES

PART 54—GRANTS FOR SPECIALIZED SERVICE FACILITIES

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

PART 59a—NATIONAL LIBRARY OF MEDICINE GRANTS

Construction Grant Payments

Notice of proposed rule making, public rule making procedures, and delay in effective date have been omitted as unnecessary in the issuance of the following amendments to Parts 53, 54, 57, and 59a of Title 42, which amendments relate solely to grants for construction programs. The purpose of these amendments is to delete from the Public Health Service construction grant regulations all installment payment schedules and requirements.

These amendments shall become effective upon publication in the *FEDERAL REGISTER*.

Subchapter D of Chapter I of Title 42 is amended as follows:

1. In Part 53, subparagraphs (1) and (2) of paragraph (a) of § 53.130 are deleted.

2. In Part 54, § 54.5 is deleted, and subparagraphs (1) and (2) of paragraph (a) of § 54.115 and subparagraphs (1) and (2) of paragraph (a) of § 54.208 are deleted.

3. In Part 57, §§ 57.9, 57.108, and 57.408 are deleted.

4. In Part 59a, § 59a.8 is deleted.

(Sec. 215 of the PHS Act, 58 Stat. 690, 42 U.S.C. 216, Rev. Stat. § 161, 5 U.S.C. 22)

Dated: August 2, 1967.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: August 11, 1967.

WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 67-9702; Filed, Aug. 16, 1967;
8:51 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4261]

[AA-653]

ALASKA

Exclusion of Land From Chugach National Forest

By virtue of the authority vested in the President by section 1 of the act of June 4, 1877 (30 Stat. 34, 36; 16 U.S.C. 473) and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The following described tract of land, occupied as a homesite, is hereby excluded from the Chugach National Forest and restored, subject to valid existing rights, for purchase as a homesite under section 10 of the act of May 14, 1898 (30 Stat. 413; 48 U.S.C. 461), as amended: Homesite No. 192, Eyak Lake Section, Cordova Highway, Lot 3, U.S. Survey 4606.

Containing 0.52 acre.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 11, 1967.

[F.R. Doc. 67-9640; Filed, Aug. 16, 1967;
8:45 a.m.]

[Public Land Order 4262]

[Montana 1489]

MONTANA

Partial Revocation of Reclamation Project Withdrawals

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

RULES AND REGULATIONS

1. The orders of the Bureau of Reclamation dated May 21, 1906, withdrawing lands for the Huntley Project, Montana, and February 16, 1909, withdrawing lands for the Yellowstone Project, are hereby revoked so far as they affect the following described land:

PRINCIPAL MERIDIAN

T. 2 N., R. 27 E.,
Sec. 35, SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 40 acres in Yellowstone County.

2. Title to the lands reverts in the Crow Indian Tribe pursuant to the act of May 19, 1958 (72 Stat. 121).

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 11, 1957.

[F.R. Doc. 67-9641; Filed, Aug. 16, 1967;
8:46 a.m.]

[Public Land Order 4263]
[New Mexico 0557886]

NEW MEXICO

Withdrawal for Protection of Experimental Areas and Scientific Studies

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands conveyed to the State of New Mexico by the act of March 2, 1927 (44 Stat. 1294) with mineral reservation, are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the New Mexico State University:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 S., R. 1 W.,
Secs. 1, 3, 4, and 5;
Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 8, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
Secs. 9 to 15, inclusive;
Secs. 17 to 29, inclusive;
Sec. 30, lots 1, 2, 3, 8, E $\frac{1}{2}$, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 31, lots 1, 6, 7, 8, 15, and E $\frac{1}{2}$ NE $\frac{1}{4}$;
Secs. 33, 34, and 35.
T. 21 S., R. 1 W.,
Sec. 1;
Sec. 12, E $\frac{1}{2}$.
T. 20 S., R. 1 E.,
Secs. 6 and 7;
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Sec. 9, SW $\frac{1}{4}$;
Sec. 14, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Secs. 17 to 23, inclusive;
Sec. 24, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Secs. 25 to 31, inclusive;
Secs. 33, 34, and 35.
T. 21 S., R. 1 E.,
Sec. 1;
Secs. 3 to 15, inclusive;
Secs. 17 to 21, inclusive;
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Secs. 23, 26, 27, and 28;
Sec. 29, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Secs. 33, 34, and 35.
T. 20 S., R. 2 E.,
Sec. 19, lot 4;
Secs. 30 and 31.
T. 21 S., R. 2 E.,
Secs. 6, 7, and 18.

The areas described aggregate approximately 52,000 acres in Dona Ana County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 11, 1967.

[F.R. Doc. 67-9643; Filed, Aug. 16, 1967;
8:46 a.m.]

[Public Land Order 4264]

[New Mexico 0557886]

OKLAHOMA

Transfer of Jurisdiction Over Oil and Gas Deposits, Vance Air Force Base

Whereas, the hereinafter described acquired lands comprising a portion of Vance Air Force Base, are reported to be subject to drainage of their oil and gas deposits by wells on adjacent lands in private ownership; and

Whereas, it is in the public interest that such protective action be taken as will prevent loss to the United States by reason of drainage or threatened drainage from the said lands; and

Whereas, in order to facilitate such action, it is considered advisable that jurisdiction over the oil, gas, and other mineral deposits in such lands be transferred from the Department of the Air Force to the Department of the Interior; and

Whereas, such transfer has the concurrence of the Secretary of the Air Force;

Now, therefore, by virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The jurisdiction over all mineral deposits (including oil and gas and constituents thereof, and all gaseous substances, including helium), owned by the United States in the following described lands comprising a portion of Vance Air Force Base, Okla., is hereby transferred from the Department of the Air Force to the Department of the Interior:

INDIAN MERIDIAN

T. 22 N., R. 7 W.,

Sec. 25, a strip of land 60 feet wide and 1,840 feet long, more particularly described as follows: Beginning at a point 1,078.84 feet east of the southwest corner of sec. 25, as the south end or point of the centerline; thence in a northeasterly direction from said point and at an angle of 78° 17' 40", a distance of 1,840 feet, and said strip being 30 feet on each side of said centerline, or a width of 60 feet; Sec. 35, all.

Sec. 36, W $\frac{1}{2}$, and that part of the SE $\frac{1}{4}$ lying west of the Chicago, Rock Island and Pacific Railroad, and a strip of land 50 feet in width over and across a portion of the NE $\frac{1}{4}$ being 25 feet on each side of the centerline of a spur track to be located thereon, said centerline entering said subdivision at a point 640.62 feet south of the northwest corner of the NE $\frac{1}{4}$ of said section; thence eastward 1,200 feet, more or less, then northeasterly on a 10° curve for a distance of 480 feet, more or less, to the west right-of-way line of the Chicago, Rock Island and Pacific Railway Co.

The areas described aggregate 994.8 acres, more or less.

2. The Secretary of the Interior shall take such action as may be necessary to protect the United States from loss on account of drainage or threatened drainage of oil and gas and their constituents, and any gaseous substances (including helium), from such lands.

3. The jurisdiction of the Department of the Interior over such lands shall be limited only by the primary jurisdiction of the Department of the Air Force over the lands for military purposes.

4. The jurisdiction of the Department of the Interior over such mineral deposits shall continue until revocation of this order, and no action which may be taken by the Department of the Air Force to relinquish jurisdiction over the described lands for military purposes or to transfer such jurisdiction out of the Department of the Air Force shall affect in any way the jurisdiction of the Department of the Interior over the mineral deposits.

5. Prior to any advertisement for bids, the Department of the Air Force shall have the opportunity to indicate any further reservations and restrictions that are to be included in the proposed lease or leases.

6. Prior to execution of any lease or development authorized by the Department of the Interior, the approval of the Department of the Air Force is to be obtained to insure that there is no interference with the primary use of the lands for missions of the Department of the Air Force.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 11, 1967.

[F.R. Doc. 67-9644; Filed, Aug. 16, 1967;
8:46 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 17536; FCC 67-954]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, Fort Morgan, Colo.

In the matter of amendment of § 73.202, Table of Assignments, PM broadcast stations (Fort Morgan, Colo.), Docket No. 17536, RM-1159.

Report and order. 1. The Commission has before it for consideration its notice of proposed rule making (FCC 67-740) issued in this proceeding on June 22, 1967, and published in the FEDERAL REGISTER on June 28, 1967 (32 F.R. 9173), proposing to substitute Channel 269A for 232A at Fort Morgan, Colo., in response to a petition for rule making filed by Morgan County Broadcasting Co. (Morgan), licensee of Station KFTM-FM, Fort Morgan. Since KFTM-FM is authorized to operate on Channel 232A, proposed to be deleted at Fort Morgan, petitioner also requested that its author-

ization be modified to specify operation on Channel 269A in lieu of 232A.

2. The proposal is supported by Morgan and by Mullins Broadcasting Co. (Mullins), licensee of television Station KBTB, Channel 9, Denver, Colo. No oppositions were filed to the proposed amendment. The petitioner states that the second harmonic of Channel 232A is 188.6 Mc/s, which falls within TV Channel 9 (186-192 Mc/s) operated by KBTB (ABC outlet) in Denver and received off-the-air in Fort Morgan some 72 miles distant. It is stated that severe interference was experienced to the reception of KBTB in Fort Morgan and Brush (about 9 miles from Fort Morgan) soon after KFTM-FM began equipment tests, as evidenced by the flood of complaints received. Morgan states that immediate steps were taken to insure that KFTM-FM was operating in accordance with the rules and standards and to correct the complaints of interference by the installation of all types of available traps and filters, but met with little success. Statements are included to substantiate the existence of the interference and the failure of the various attempts to eliminate the problem. Morgan urges that the proposed substitution of channels is the only feasible manner of eliminating this problem, that it complies with the policy in this regard announced in the public notice of February 3, 1966, FCC 66-106 (Policy to Govern the Change of FM Channels to Avoid Interference to Television Reception), and that despite Morgan's good faith and compliance with all legal and technical principles, it is the only way in which it can continue to operate both KFTM and KFTM-FM. Morgan states that the problem is caused by overloading of the TV receivers and the generation of the FM station's second harmonic within the receivers involved; it urges that under the circumstances presented in this case the change in frequency requested would be the best solution in this small market in which the economic life of the FM station depends on the community it serves.

3. Mullins states that while Fort Morgan is just beyond the predicted Grade B contour of KBTB, it has a substantial number of viewers in Fort Morgan, that the interference caused to the reception of this station caused a "furor," and that the residents of Fort Morgan have no other signal of any affiliate of the ABC network. Mullins submits that is has attempted to cooperate in every possible way with the management of KFTM-FM to resolve the interference problem, and that the proposed change in channel for KFTM-FM falls squarely within the criteria specified for such changes in that it will not result in the loss of any FM assignment. It urges quick action in view of the fact that the only alternative is the loss of the only FM station in Fort Morgan or the loss of the service from

the only FM station in Fort Morgan. It further suggests that Channel 232A, proposed to be deleted from Fort Morgan, should not be assigned in the future in any area where the same problem might occur, and that assignment of this channel will not be needed in view of the large number of available assignments outside the Denver metropolitan area.

4. Apparently the usual remedies available for the elimination of this type of interference have proved fruitless in this case because of the relative strengths of the TV and FM signals and the density of population near the FM station. On the basis of the information submitted, therefore, we are of the view that a sufficient showing has been made that the proposal conforms with our announced policy in regard to FM channel changes to avoid second harmonic interference to TV reception, and that in this case it would serve the public interest. Mullins suggests that Channel 232A not be assigned to "any community within or adjacent to the KBTB service area unless it can satisfy itself that no second harmonic interference would take place." The spectrum space in all broadcast services is too valuable and in many areas already too scarce to provide guard bands or vacant assignments in order to protect against receiver deficiencies. We cannot therefore offer any guarantee as suggested by Mullins, if and when the need arises to use the FM channel in question. It should be noted that the second harmonic of all the channels between 226 and 240 fall within TV channel 9 and a similar relationship exists with other high band VHF TV channels.

5. Authority for the adoption of the amendment contained herein is contained in sections 4(1), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

6. In view of the foregoing: *It is ordered*, That effective September 18, 1967, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, insofar as the community named is concerned, as follows:

City	Channel No.
Fort Morgan, Colo.	269A

7. *It is further ordered*, That effective September 18, 1967, the outstanding authorization of Morgan County Broadcasting Co., for the operation of Station KFTM-FM on Channel 232A at Fort Morgan, Colo., is modified to specify operation on Channel 269A in lieu of 232A subject to the following condition:

The permittee shall submit to the Commission by September 1, 1967, the technical information normally required for the issuance of a construction permit on Channel 269A, including any changes in antenna and transmission line.

8. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat. 1066, 1082, 1083, as amended, sec. 316, 66 Stat. 717; 47 U.S.C. 154, 303, 307, 316)

Adopted: August 9, 1967.
Released: August 14, 1967.

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

[F.R. Doc. 67-9674; Filed, Aug. 16, 1967;
8:49 a.m.]

[Docket No. 17095; FCC 67-948]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, Roanoke Rapids and Goldsboro, N.C.

In the matter of amendment of § 73.202, Table of Assignments, FM broadcast stations. (Port Jervis, N.J., Rockville, Ind., Waynesville, Mo., Roanoke Rapids, and Goldsboro, N.C., Thibodeaux, La., Crossville, Tenn., Danville, Ill., Lincoln and Omaha, Nebr., Clinton, Okla., Phoenix, Ariz., Fresno, Calif., San Antonio, San Marcos, Kenedy-Karnes, Georgetown, and Burnet, Tex., Columbus, Nebr., Salt Lake City, Utah, Bemidji, Minn., Longview, Wash., and Astoria, Oreg.), Docket No. 17095, RM-1065, RM-1078, RM-995, RM-1034, RM-1043, RM-1051, RM-1059, RM-1061, RM-1062, RM-1066, RM-1067, RM-1071, RM-1073, RM-1074, RM-1075.

Third report and order. 1. In our notice of proposed rule making (FCC 67-54) issued in this proceeding on January 12, 1967 (32 F.R. 464), comments were invited on a number of proposals for rule making to amend the FM Table of Assignments. Among these was RM-1034, filed by the Halifax Broadcasting Co., Inc. (Halifax), licensee of Station WCTB (AM), Roanoke Rapids, N.C., requesting the substitution of Channel 273 for 272A at Roanoke Rapids, N.C., by the deletion of Channel 272A at Goldsboro, N.C., as follows:

City	Channel No.	Channel No.	
		Present	Proposed
Roanoke Rapids, N.C.	272A		273
Goldsboro, N.C.	245, 272A		245

2. We stated in the Notice that we believed the present assignments to the Goldsboro and Roanoke Rapids areas appeared to be a fair and equitable distribution of available facilities in view of the relative size of the communities and the AM stations operating therein. However, in view of the data submitted and the contentions made by Halifax concerning the large "white area" to be served by the proposed Class C assignment in Roanoke Rapids, we felt that

¹ Commissioner Cox abstaining from voting; Commissioners Loevinger, Wadsworth, and Johnson absent.

RULES AND REGULATIONS

rule making was warranted in this case. Comments and data were submitted by Halifax, George G. Beasley, and James Harrelson (WFMC, previously referred to as B&H), principals of the licensee of one of the Goldsboro daytime-only stations (WFMC), and Better Advertising, Inc., the licensee of the other station (WGLO), the latter two opposing the deletion of Channel 272A from Goldsboro and stating their interest in applying for it. The data included showings of "white area" but unfortunately these were based upon different assumptions and did not supply us with sufficient information to make a meaningful determination. The Halifax showing was based upon the 1 mv/m contours of all stations, existing ones with their actual facilities and assumed stations on unoccupied Class A channels with maximum facilities. The opponents contradicted this with a statement based upon coverage by stations' 50 uv/m contours, but did not supply the technical showings with respect to them, nor was it shown that these contours were interference-free. The Halifax showing was based on an assumed Class C station at Roanoke Rapids with 100 kw E.R.P. and an antenna height of 200 feet AAT, but it was stated that this station would probably use "maximum" facilities.

3. In view of the fact that a factual determination of the claimed "white area" is essential to a decision in this case and in view of the high cost of the proposal (the deletion of two Class A assignments and possibly a third precluded) we invited further comments and data in a further notice of proposed rule making (FCC 67-665) issued on June 9, 1967, from the parties herein on the question of the "white area" which would be covered based upon the following:

(a) Estimated FM 1 mv/m contours.
 (b) Assuming reasonable facilities for all existing stations, maximum for Class A, and 75 kw and 500 feet antenna height AAT for Class C, or greater in the event the station already has greater facilities.¹

(c) All unoccupied assignments in the area with the same facilities as in (b).
 (d) With respect to the proposed station, Halifax should assume the facilities it will use if successful; opposing parties may assume, initially, 75 kw and 500 feet. The reasons we felt that the above assumptions are reasonable were given in the Further Notice and will not be repeated here.

4. The proposal is aimed at substituting a Class C wide-area coverage assignment in Roanoke Rapids by deleting the second assignment (a Class A channel) at Goldsboro. A comparison of the populations and radio station assignments in the two communities is contained in the tabulation below:

City	Population		AM Stations	FM Assignments
	City	County		
Roanoke Rapids, Goldsboro	13,330	58,956	1 Class IV	272A
	28,873	82,059	1 Unlimited, 2 Daytime.	245, 272A

Roanoke Rapids is the largest community in its county but not the county seat, while Goldsboro is both the largest and the county seat. Channel 245 is in operation in Goldsboro but no applications are on file for Channel 272A in either Goldsboro or Roanoke Rapids.

5. Halifax urges that Roanoke Rapids needs a Class C assignment because it is in the center of a "rural growth area" and is quite distant from any substantial centers of population. It submits that the population of Roanoke Rapids increased 63.3 percent from 1950 to 1960 and that the nearest large population centers are Raleigh (73 miles), Rocky Mount (35 miles), Norfolk (78 miles), Petersburg (55 miles), and Danville (100 miles). In an attached engineering statement, Halifax computes that a Class C FM station at Roanoke Rapids could provide a coverage area of 3,849 square miles as against 707 square miles for a Class A station. With respect to underserved area, Halifax computes that, based upon the assumptions outlined in the further notice, a first FM service ("white area") would be provided by the Class C station to an area of 872 square miles and a second service ("grey area") to 285 square miles, while the figures for a Class A station would be respectively 231 square miles and 103 square miles.² As to Goldsboro, Halifax submits that there are five FM stations which provide in excess of a 1 mv/m signal to it and three FM stations would provide 100 percent service to the entire proposed Goldsboro 1 mv/m contour. Halifax also makes a firm commitment to utilize facilities of 100 kw and antenna height of 500 feet above average terrain in the event Channel 273 is assigned to Roanoke Rapids. Petitioner submits that the "white area" includes all or substantial parts of six counties, of which Roanoke Rapids is the business, social and economic hub, that only two FM channels (both Class A) have been assigned in these counties, and that the nearest FM stations (six) are from 35 to 47 miles from Roanoke Rapids. Finally, it is urged that the proposal can be adopted without causing a loss of service to the Goldsboro area, where both AM and FM services are more plentiful than around Roanoke Rapids.³

² In the Halifax engineering exhibit Station WSVS-FM at Crewe, Va., is shown in Zone I whereas it should be in Zone II. However, this error would affect the "white area" figure to a small degree only.

³ The six-county area mentioned includes three North Carolina and three Virginia counties. Two Class A FM channels are assigned in the area (Roanoke Rapids and Lawrenceville, Va.) but the latter is used by a station outside of the area, at South Hill, Va., under the "25-mile rule." The larg-

est other community in the area is Franklin, Va. (population 7,624). In 1962, Roanoke Rapids' county (Halifax) had retail sales of about \$46,500,000, about 42 percent of the six-county total. As Halifax points out, that county is the largest of the six in population.

⁴ We note, however, that Wilson and Kinston, N.C., both some 20 miles from Goldsboro, are of comparable size according to the U.S. census figures. Each has one FM channel assigned.

¹ 30 kw and 300 feet for Class B stations.

three North Carolina counties are in the Raleigh basic trading area. It is also pointed out that the proposed assignment of Channel 273 at Roanoke Rapids would preclude three Channel 272A assignments, present assignments at Goldsboro and Roanoke Rapids and a possible assignment at Edenton or another town in the coastal area to the east. We note that a channel (261A) is already assigned to Edenton, and there are other unused assignments in that portion of eastern North Carolina. A Class A station with maximum facilities provides a 1 mv/m signal to an area of about 700 square miles.

8. As to the "white area", in its earlier comment WFMC asserted that it does not exist because all of the area claimed by Halifax receives at least three 50 uv/m signals. However, as mentioned in the further notice, this was not supported by a showing as to what stations these represent or that the signals are interference-free. WFMC in responding to the further notice did not add significantly to its previous engineering material, asserting that the rules do not contain any method for computing FM interference and that it had decided not to incur the expense incurred in making such a showing.⁵

9. It is also claimed that Halifax might not be able to afford the estimated expense of \$64,331 estimated to be needed for a Class C station with facilities of 100 kw and antenna height of 500 feet. WFMC suggests, therefore, that the petitioner submit a statement to the effect that an application will be filed for the facilities mentioned and that construction will proceed immediately. Finally, this party raises the question of a possible problem of FAA clearance for a 500-foot tower in the area which is said to be close to two airways.⁶

Conclusions. 10. We find the decision here a close and difficult one. We stated in our Notice that we believed the present assignments to the Goldsboro and Roanoke Rapids areas appeared to be a

⁵ Sec. 73.315(b) of the rules states that signals as low as 50 uv/m may provide service in rural areas. This of course is in the absence of interference. The rules concerning the commercial FM service no longer contain rules for computing interference (since stations are now assigned by a table of assignments based on mileage separations); but such determinations for the educational FM band are made as provided in the note to sec. 1.573. This section specifies necessary desired-to undesired ratios of 10 to one cochannel, 2 to 10 for first-adjacent channel, and 1 to 10 and 1 to 100 for second and third adjacent channel operations.

⁶ On July 20, 1967, Halifax filed a pleading intended to be a reply to the reply comments of WFMC filed on July 17, 1967, the last day for filing reply comments in this matter. This request amounts to a request for permission to file rebuttal comments. This is normally not permitted in any rule making proceeding and we see no reason to make an exception in this one, especially since the parties have had ample opportunity to submit their views and data not only in response to the further notice of proposed rule making issued on June 9, 1967, but also to the original notice issued on Jan. 12, 1967.

fair and equitable distribution of available facilities in view of the relative size of the two communities. However, we felt that the data and contentions submitted that the data and contentions sub "white areas" to be served by the proposed substitution of a Class C for the two Class A assignments warranted rule making in this case. We have carefully reviewed the comments and data submitted in the proceeding and cannot find that WFMC refutes the petitioner's important contentions concerning the "white areas" to be served. Even with all unoccupied assignments assumed to be utilized with reasonable facilities an area of 872 square miles could be provided with a first FM service for the Class C assignment. A Class A assignment at Roanoke Rapids would only provide an area of about 231 square miles with a first FM service. Goldsboro and its environs already have a Class C station and an unlimited time AM station. While WFMC contends that there is available three FM signals of a 50 uv/m level in the claimed "white area", it does not list these; nor is it shown that they would in fact be interference-free. Similarly, while they state that a Class A station at Roanoke Rapids would provide a 50 uv/m signal out to 47 miles, they do not show that this signal will not be subject to interference. In fact, a Class B station at Richmond on the first adjacent channel would limit such a station to about 20 miles in the direction of Richmond. While our rules state that a signal of 50 uv/m may be adequate for service in rural areas and in the absence of interference, the spacings we have adopted in most cases subject such signals to interference and limit stations to signals closer to the 1 mv/m contour. With respect to the contention that Channel 272A could also be assigned to Edenton, this community has been assigned a channel (261A), this and other nearby assignments are unused, and Edenton and other places in its area could be assigned other channels if the need arises. Thus, while this case is a close one, we are of the view that the record justifies the assignment of Channel 273 to Roanoke Rapids even though it requires the deletion of Channel 272A from Goldsboro and limits that community to one station. We are, therefore, adopting the proposal advanced by Halifax.⁷

11. With regard to the other objections of the Goldsboro parties, we find them to have insufficient merit to require a different decision. The fact that the area in question is sparsely settled weighs in favor of a wide-coverage assignment, since the likelihood of other stations developing in the area is thus less. As to

⁷ We note that in an unrelated proceeding, Docket No. 17827, RM-1121, a proposal is outstanding to assign Channel 252A to Murphreesboro, N.C., by making necessary changes. In the event this assignment is made, it would of course cut down the "white area" somewhat, depending on the location of the station and the facilities utilized. There would remain however, a fairly large unserved area which the proposed station at Roanoke Rapids would cover and therefore the adoption of this proposal would not affect our decision herein.

the danger of a problem arising with air space clearance, this Class C assignment has a good deal of leeway in the selection of a site, thereby making it possible to avoid air space problems to a great degree. Finally, we do not have to decide the financial ability of the proponent of the assignment or any other possible applicant at this time. Nor do we feel that the assignment will lie fallow or be used inefficiently, since we are making the assignment subject to the use of at least 100 kw and 500 feet antenna height AAT. In the event the assignment is not applied for in a reasonable time, WFMC or any other interested party can file a petition to restore the previous assignments and consideration will be given to the situation at that time.

12. Authority for the adoption of the amendments adopted herein is contained in sections 4(l), 303, and 307(b) of the Communications Act of 1934, as amended.

13. In accordance with the foregoing determination: *It is ordered*, That effective September 18, 1967, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, insofar as the communities named are concerned, as follows:

Channel	No.
All in North Carolina:	
Goldsboro	245
Roanoke Rapids	273

¹ This assignment shall be used by stations employing no less than 100 kw and 500 feet antenna height AAT or the equivalent thereof.

14. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 9, 1967.

Released: August 14, 1967.

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

[F.R. Doc. 67-9675; Filed, Aug. 16, 1967;
8:49 a.m.]

[Docket No. 17366; FCC 67-946]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, Eagle Butte, S. Dak.

In the matter of amendment of the Table of Assignments in § 73.606(b) of the Commission's rules to assign Channel 13 to Eagle Butte, S. Dak. and reserve it for noncommercial educational use, Docket 17366, RM-1076.

Report and order. 1. The Commission has before it for consideration its notice of proposed rule making, released April 14, 1967 (FCC 67-451), proposing the assignment and reservation of Channel 13 for noncommercial educational use in

² Commissioners Loewinger, Wadsworth and Johnson absent.

RULES AND REGULATIONS

Eagle Butte, S. Dak. There were no objections to the proposal.

2. Eagle Butte, S. Dak., a community of 495 persons located in Dewey County which contains 5,257 residents, at the present time has no television assignment. The petitioner (the South Dakota State Board of Directors for Educational Television) and the National Association of Educational Broadcasters in their comments support the assignment of Channel 13 to the small community of Eagle Butte on the basis that the Channel is to be the South Dakota Educational networks' sole outlet in the north central part of South Dakota. The commenters emphasize the fact that the proposed station can be successfully operated in Eagle Butte in that it will not be dependent on commercial revenue and that the proposed station is not to be a production center for the statewide network.

3. The proposed station is to be a key station in the South Dakota Educational network in the north central area of South Dakota. The need for educational and cultural service for the area becomes apparent when the distribution of the area's sparse population is taken into consideration. The tax base in the area does not appear to be sufficient to provide the school systems with some supplementary material needed in areas such as, science and mathematics, teacher training, specialized and professional instruction, and adult education. Supplementary service in these subjects can be brought to north central South Dakota economically, it is asserted by the petitioner, through the establishment of the proposed Eagle Butte addition to the statewide educational network.

4. In view of the above and the fact that the allocation can be accomplished without deleting any channel from any other community and without modifying or in any way altering any assignment in the present Table of Assignments, as well as the fact that the assignment and reservation of Channel 13 will not deprive the area of the potential for commercial service, we are of the view that it is in the public interest to assign Channel 13 to Eagle Butte, S. Dak., and to reserve it for noncommercial educational use.

5. Authority for the amendment adopted herein is found in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

6. Accordingly, it is ordered, That effective September 18, 1967, the Table of Assignments contained in § 73.606(b) of the Commission's rules and regulations is amended, insofar as the community named below is concerned to read as follows:

City	Channel No.
Eagle Butte, S. Dak.	*13

7. It is further ordered, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: August 9, 1967.

Released: August 14, 1967.

FEDERAL COMMUNICATIONS
COMMISSION¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-9676; Filed, Aug. 16, 1967;
8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

National Wildlife Refuges, Illinois, and Certain Other States

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

ILLINOIS

CHAUTAUQUA NATIONAL WILDLIFE REFUGE

Public hunting of blue-winged, green-winged, and cinnamon teal on the Chautauqua National Wildlife Refuge, Ill., is permitted from September 16 through September 24, 1967, but only on the area designated by signs as open to hunting. This open area comprising 745 acres is delineated on a map available at the refuge headquarters, Havana, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Blinds—Temporary blinds of approved material may be constructed. Blinds do not become the property of those constructing them and will be available on a daily basis.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 24, 1967.

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Public hunting of blue-winged, green-winged and cinnamon teal on the Crab Orchard National Wildlife Refuge, Ill., is permitted from September 16 through September 24, 1967, but only on the area designated by signs as open to hunting. This open area comprising 12,380

¹ Commissioners Loevinger, Wadsworth, and Johnson absent.

acres is delineated on a map available at the refuge headquarters, Carterville, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Blinds—Temporary blinds of approved material may be constructed. Pits may be dug in areas approved by the refuge manager.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 24, 1967.

ILLINOIS AND IOWA

UPPER MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

Public hunting of blue-winged, green-winged and cinnamon teal on the Upper Mississippi River Wild Life and Fish Refuge, in Illinois and Iowa, is permitted from September 16 through September 24, 1967, but only on the areas designated by signs as open to hunting. These open areas comprising 63,471 acres are delineated on maps available at the refuge headquarters, Winona, Minn., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 24, 1967.

IOWA

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of blue-winged teal, green-winged teal, and cinnamon teal on the Mark Twain National Wildlife Refuge, Iowa, is permitted from September 16 through September 24, 1967, but only on areas known as the Big Timber Division and that portion of the Louisa Division known as the Turkey Island area. These open areas are designated by signs as open to hunting, and comprise 1,660 acres, which are delineated on maps available at the refuge headquarters, Quincy, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following conditions:

(1) Blinds—No permanent structures, excluding wood or brush duck blinds, shall be permitted; no blinds shall be locked or otherwise sealed against public entry.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally which are set forth in Title 50,

Code of Federal Regulations, Part 32, and are effective through September 24, 1967.

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Public hunting of blue-winged, green-winged, and cinnamon teal on the Lacreek National Wildlife Refuge, S. Dak., is permitted from September 9 through September 13, 1967, but only on the area designated by signs as open to hunting. This open area comprising 310 acres is delineated on a map available at the refuge headquarters, Martin, S. Dak., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 13, 1967.

W. P. SCHAEFER,

Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 11, 1967.

[F.R. Doc. 67-9636; Filed, Aug. 16, 1967; 8:45 a.m.]

PART 32—HUNTING

Charles Sheldon Antelope Range, Nev.

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

§ 32.32 Special regulations; big game for individual wildlife refuge areas.

NEVADA

CHARLES SHELDON ANTELOPE RANGE

Public hunting of deer, during the archery season from August 26 to September 17, 1967, and the firearms season from October 14 to November 12, 1967, and for antelope for the firearms

season from August 26 to September 4, 1967, on the Charles Sheldon Antelope Range, Nev., is permitted only on the area designated by signs as open to hunting. This open area, comprising 365,000 acres, is designated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

Hunting of deer and antelope is permitted in accordance with all applicable State regulations, except that the following special condition shall apply:

Camping is permitted at designated areas only.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 12, 1967.

JOHN D. FINDLAY,

Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 4, 1967.

[F.R. Doc. 67-9637; Filed, Aug. 16, 1967; 8:45 a.m.]

PART 32—HUNTING

Desert National Wildlife Range, Nev.

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

§ 32.32 Special regulations; big game for individual wildlife refuge areas.

NEVADA

DESERT NATIONAL WILDLIFE RANGE

Public hunting of desert bighorn sheep on the Desert National Wildlife Range, Nev., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,350,000 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

Hunting of bighorn sheep is permitted on Area 27-A from December 26, 1967, through January 7, 1968, and on Area 27-B from November 25 through December 17, 1967. All applicable State regulations shall apply.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1968.

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

AUGUST 8, 1967.

[F.R. Doc. 67-9638; Filed, Aug. 16, 1967; 8:45 a.m.]

PART 32—HUNTING

Horicon National Wildlife Refuge, Wisconsin

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

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

WISCONSIN

HORICON NATIONAL WILDLIFE REFUGE

Hunting of geese on the Horicon National Wildlife Refuge, Wis., is suspended for the 1967 season. This suspension is due to an agreed change in the goose management program for that area between the Bureau of Sport Fisheries and Wildlife and the State of Wisconsin.

W. P. SCHAEFER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 11, 1967.

[F.R. Doc. 67-9639; Filed, Aug. 16, 1967; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 7927]

AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Model BAC 1-11 200 Series Airplanes

The Federal Aviation Administration has under consideration a proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive applicable to British Aircraft Corp. Model BAC 1-11 200 Series airplanes. Notice of proposed rule making published in 32 F.R. 2450 required repetitive inspection of the Thermal Relief Valve, P/N AIR 91186, Modification PM 1653, installed in the No. 2 Auxiliary Hydraulic Power System, the replacement of defective parts and the eventual replacement of the valve with a modified unit, P/N AIR 93402/1. Service experience since the publication of the proposed AD indicates the modified unit, P/N AIR 93402/1, does not provide an adequate thermal relief device. Based on further investigation, it has been determined that the Thermal Relief Valve in Post-Modification PM 1653 airplanes should be inspected in accordance with British Aircraft Corp., Ltd., BAC One-Eleven Alert Service Bulletin 29-A-PM 2758, Issue 2, until the valve is removed, and the Non-return Valve, P/N AIR 91178, installed in the No. 2 AC pump delivery line of both Pre- and Post-Modification PM 1653 airplanes, should be converted to a Choke Valve, P/N AB48A1427, in accordance with BAC One-Eleven Service Bulletin No. 29-PM 2758, Issue 2, in order to provide a thermal relief device. The comments received in response to the notice of proposed rule making published in 32 F.R. 2450 have been fully considered in the revision of the proposed AD. Since the proposed AD now covers both Pre- and Post-Modification PM 1653 airplanes, the suggestion that the applicability statement be rewritten to clearly state that the AD applies only to Post-Modification 1653 airplanes is no longer pertinent. The 200-hour inspection interval has also been reviewed in light of one commentator's belief that it is unduly severe. The 200-hour inspection has been retained since the majority of the reported failures occurred within 200 hours' time in service from installation. In this connection, it should be noted that the inspections are a temporary measure pending the conversion of the nonreturn valve to a choke valve. For the reasons set forth above, the proposed AD published in 32

F.R. 2450, February 4, 1967, is hereby withdrawn and a new airworthiness directive is proposed which includes both Pre- and Post-Modification PM 1653 airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before September 18, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

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

Compliance required as indicated, unless already accomplished.

To prevent failure of the Thermal Relief Valve installed in the No. 2 Auxiliary Hydraulic Power System, introduced by Modification PM 1653, and to provide an adequate thermal relief device in all airplanes, accomplish the following:

(a) For Post Modification PM 1653 airplanes, within the next 200 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 200 hours' time in service from the last inspection, check No. 2 Auxiliary Hydraulic System Thermal Relief Valve for satisfactory functioning in accordance with BAC One-Eleven Service Bulletin 29-A-PM 2758, Issue 2, or later ARB-approved issue, or FAA-approved equivalent.

(b) For Post Modification PM 1653 airplanes, within the next 600 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 600 hours' time in service from the date of the last inspection or when a low maximum pressure is indicated in the No. 2 Auxiliary Hydraulic System or emergency elevator power system, conduct a bench test of Thermal Relief Valve P/N AIR 91186/2 in accordance with British Aircraft Corp., Ltd., BAC One-Eleven Alert Service Bulletin No. 29-A-PM 2758, Issue 2, or later ARB-approved issue, or FAA-approved equivalent.

(c) If defective parts are found during the inspections provided for in paragraphs (a) and (b), either modify the hydraulic system in accordance with paragraph (d), or replace the defective part with a serviceable P/N AIR 91186/2 and continue the inspections required by paragraphs (a) and (b).

(d) For Post Modification PM 1653 airplanes, within the next 1,800 hours' time in service after the effective date of this AD, remove Thermal Relief Valve P/N AIR 91186/2, Conduit Guide P/N AB58A3367, and Pipe P/N AB58/48/2675, and rework Lockheed Nonreturn Valve P/N AIR 91178 to the standard of Choke Valve Assembly P/N AB48A1427 in accordance with British Aircraft Corp., Ltd., BAC One-Eleven Service Bulletin No. 29-PM 2758, Part C, or FAA-approved equivalent.

(e) For Premodification PM 1653 airplanes, within the next 1,800 hours' time in service after the effective date of this AD, rework Lockheed Nonreturn Valve P/N AIR 91178 to the standard of Choke Valve Assembly P/N AB48A1427 in accordance with British Aircraft Corp., Ltd., BAC One-Eleven Service Bulletin No. 29-PM 2758, Part B, or FAA-approved equivalent.

(f) The repetitive inspections required by paragraph (a) and (b) of this AD may be discontinued when modifications in accordance with paragraph (d) of this AD have been accomplished.

Issued in Washington, D.C., on August 9, 1967.

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

[F.R. Doc. 67-9659; Filed, Aug. 16, 1967;
8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SO-48]

FEDERAL AIRWAY

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would raise the floor on V-70 from 1,200 feet AGL to 9,500 feet MSL between Picayune, Miss., and Greene County, Miss. The minimum en route altitude on this segment of V-70 would be raised to 10,000 feet MSL.

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, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. 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.

A military training program was recently transferred to Keesler AFB, Biloxi, Miss. This program includes acrobatic training that may not be conducted on Federal airways. The airspace in the vicinity of Biloxi and within the range capabilities of the training aircraft is traversed by several airways. A study was directed toward realignment or reversion of these airways to the extent necessary to provide an acrobatic maneuver area. Relocating or restricting these airways in the immediate vicinity of Biloxi would seriously impair traffic on the principal airways to New Orleans, and the southwest. Farther north of Biloxi lies a sparsely populated area containing a National Guard restricted area and is crossed by V-70. This portion of V-70 is removed from the direct routes to New Orleans and is little used as was indicated by the latest peak day traffic count. Additionally, it was determined that the traffic could be accommodated at the higher altitudes.

In view of this unique situation, it appears that the floor of V-70 between Picayune and Greene County could be raised to 9,500 feet MSL without seriously disrupting air traffic and thereby provide the Air Force with sufficient airspace in which it may conduct its training activities.

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

Issued in Washington, D.C., on August 9, 1967.

T. McCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[F.R. Doc. 67-6680; Filed, Aug. 16, 1967;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 234]

[Docket No. 18378; EDR-123]

FLIGHT SCHEDULES OF CERTIFIED AIR CARRIERS: REALISTIC SCHED- ULING REQUIRED

Withdrawal of Exemption of Intra- Hawaiian Air Transportation

AUGUST 14, 1967.

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment to Part 234 (14 CFR Part 234) which would withdraw the present exemption of intra-Hawaiian air transportation and thereby subject such transportation to the requirements of existing Part 234.

The principal features of the proposed amendment are further described in the Explanatory Statement, and the proposed amendment is set forth in the proposed rule. This regulation is proposed under the authority of sections 102(d), 204(a), 404(a), 405(b), 407, and 411 of

the Federal Aviation Act of 1958, as amended (72 Stat. 740; 49 U.S.C. 1302; 72 Stat. 743, 49 U.S.C. 1324; 72 Stat. 760, 49 U.S.C. 1374, 72 Stat. 760, 49 U.S.C. 1375; 72 Stat. 766, 49 U.S.C. 1377; 72 Stat. 769, 49 U.S.C. 1381).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before September 18, 1967, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW, Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Part 234 in general requires certificated route carriers to publish flight schedules which are designed to enable each air carrier to safely perform as "scheduled time flights" a minimum of 75 percent of all trips actually flown pursuant to each scheduled flight during any 3-month period, and to perform as "scheduled time flights" a minimum of 75 percent of all trips actually flown pursuant to each such scheduled flight during any 3-month period. Such carriers are also required to file monthly reports concerning their on-time schedule performance in nonstop passenger service between specified pairs of points more than 200 miles apart. The list of "reportable pairs" of points is issued by the Board and is compiled from the current annual issue of the Board's Domestic Origin-Destination Survey of Airline Passenger Traffic representing the 100 top-ranking domestic pairs of points in passenger volume as shown by this survey.¹ The part does not apply, *inter alia*, to supplemental air carriers or to intra-Hawaiian or intra-Alaskan air transportation.

By Senate Resolution No. 45, adopted March 29, 1967, the Senate of the State of Hawaii has requested the Board to amend Part 234 of its rules to withdraw the exemption granted to intra-Hawaiian air transportation and to require the intra-Hawaiian certificated route car-

¹ A "scheduled time flight" is defined in Part 234 as a scheduled flight which is completed within the block-to-block time allowed in the schedule, plus 15 minutes, excluding from consideration the on-the-ground time provided in the schedule or actually experienced at the intermediate points, if any, of such scheduled flight.

² The list also contains pairs of points between points in Alaska and Hawaii, on the one hand, and points in the 48 contiguous States, on the other hand, with a passenger volume greater than the 100th ranked domestic pair, as shown in the International Origin-Destination Survey of U.S.-Flag Airline Passenger Traffic.

riers² to adhere to realistic flight schedules and to file monthly reports of scheduled arrival performance in the same manner as certificated route carriers are required to comply with Part 234 with respect to their operations within the 48 contiguous States. This resolution will be treated as a petition for rule making under Rule 38 of the rules of practice (14 CFR 302.38).

The reasons set forth in the resolution for the action requested are as follows: (1) That the economic development of the State requires that air carriers offering scheduled intra-Hawaiian service conform to their published schedules as closely as possible consistent with public safety; (2) that the climate in the State seldom prohibits commercial flights as scheduled; and (3) that there is no reason to distinguish intra-Hawaiian air transportation from air transportation within or among any of the 48 mainland States of the United States and the District of Columbia, *insofar as the requirements of Part 234 are concerned*. No answers to the resolution have been filed.

The history of Part 234 indicates that when it was proposed in 1956,³ some Alaskan route carriers objected to the application of the rule to intra-Alaskan air transportation because their services presented peculiar operating conditions which made their exclusion advisable. When the rule was finalized, the Board granted the objections of the Alaskan route carriers and exempted from the rule all intra-territorial operations⁴ for the above-stated reason. (ER-223, 22 F.R. 6758, Aug. 22, 1957.) Since Hawaii also was at that time a U.S. territory, intra-Hawaiian air transportation was exempted from the rule when adopted and has never been made subject to the requirements of Part 234.⁵ We believe that there is no substantial difference between intra-Hawaiian air transportation and air transportation between points within the 48 contiguous States *insofar as the requirements of realistic scheduling and the other provisions of Part 234 are concerned*. Therefore, we tentatively find that intra-Hawaiian air transportation should be brought within the governance of Part 234.

With respect to the reporting requirement, as stated above, § 234.8 requires each certificated route air carrier scheduling nonstop passenger flights between any of the 100 top-ranking domestic pairs of points in terms of revenue-passenger volume to file a monthly report of schedule arrival performance on designated passenger flights (CAB Form 438), except with respect to flights between pairs of points which are less than 200 miles apart. A review of the intra-Hawaiian routes operated by the two

³ Aloha Airlines, Inc., and Hawaiian Airlines, Inc.

⁴ Draft Release No. 80, 21 F.R. 2533, Apr. 18, 1956.

⁵ Alaska was at that time a U.S. territory.

⁶ By ER-337, 26 F.R. 9206, Sept. 30, 1961, the Board expressly exempted from the requirements of Part 234 intra-Hawaiian and intra-Alaskan operations.

PROPOSED RULE MAKING

Hawaiian certificated route carriers indicate that there are only three markets served by nonstop flights over 200-mile stage lengths¹ and that of these only one (Honolulu-Hilo) has sufficient traffic density to exceed the 100th of the top-ranking domestic pairs of points. Thus, as a practical matter, the Hawaiian route carriers will be required to file monthly reports of schedule arrival performance only with respect to their Honolulu-Hilo operations.

Certain editorial changes have been made in existing § 234.8 (a) and (b). See § 234.8 (a) and (b), infra.

Proposed rule. It is proposed to amend Part 234 of the Economic Regulations (14 CFR Part 234) as follows:

1. Amend § 234.2 to read as follows:

§ 234.2 Applicability.

This part applies to any route air carrier certificated pursuant to section 401(d) (1) or (2) of the Federal Aviation Act insofar as it is engaged in air transportation, other than helicopter service or community center or interairport service, within or among any of the 48 mainland States of the United States and District of Columbia or between points within Hawaii with respect to all flights, other than all-cargo flights, scheduled and performed in such transportation: *Provided*, That the provisions of § 234.8 shall apply also to such air transportation by route air carriers between any point in Hawaii or Alaska and any point in any of the 48 mainland States or the District of Columbia. This part does not apply to supplemental air carriers or to intra-Alaskan air transportation.

2. Amend § 234.8 (a) and (b) to read as follows:

§ 234.8 Reporting of schedule arrival performance.

(a) Each certificated route air carrier scheduling nonstop passenger flights (1) between any of the 100 top-ranking pairs of points in terms of revenue-passenger volume as set forth in Table 4 in the Board's Domestic Origin-Destination Survey of Airline Passenger Traffic, or (2) between the State of Hawaii or Alaska, on the one hand, and points in the 48 contiguous States, on the other hand, or within the State of Hawaii, with a passenger volume, as determined from the International Origin-Destination Survey of U.S.-Flag Airline Passenger Traffic, greater than the 100th ranked pair in the Domestic Survey described in subparagraph (1) above, shall, with respect to any such flights for each month, file in duplicate with the Board a "Monthly Report of Schedule Arrival Performance on Designated Passenger Flights," CAB Form 438 (Rev. 12-64).² *Provided*, That such report shall not be required with respect to flights between any pair of points which are less than 200 miles apart. The same information

¹ Honolulu-Hilo; Kauai-Kona; Kauai-Maui.

² CAB Form 438 (Rev. 12-64) is filed as part of the original document and can be obtained from the Publications Section, Civil Aeronautics Board, Washington, D.C. 20428.

may be submitted on any comparable form prepared on automatic data processing equipment. Such substitute form shall be subject to Board approval and shall also be submitted in duplicate and contain the same column headings arranged in the same sequence as CAB Form 438. During any period that a carrier's obligation to provide service between a pair of points is suspended by the Board, the report need not be filed for such pair of points. The report shall be filed within 45 days of the end of the month which it covers and shall be certified to be correct by a responsible officer of the reporting carrier.

(b) The pairs of points on which reports are to be filed are shown in the "List of City Pairs for Use in Reporting on CAB Form 438" issued by the Board. Whenever the Surveys referred to in paragraph (a) of this section show a change in the top-ranking pairs, the Board will issue a revised reporting list indicating the date on which it is to become effective.

[F.R. Doc. 67-9687; Filed, Aug. 16, 1967; 8:52 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 87]

[Docket No. 17652; FCC 67-932]

AERONAUTICAL EN ROUTE STATIONS ENGAGED IN INTERNATIONAL HIGH FREQUENCY SERVICE

Frequencies Available for Assignment; Notice of Proposed Rule Making

In the matter of amendment to Part 87 of the Commission's rules to change the frequencies available for assignment to the Aeronautical En Route Stations engaged in International high frequency service.

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

2. The instant proposal is intended to provide for the orderly, efficient, and timely conversion from the present frequencies, available for assignment to stations in the aeronautical mobile (R) service, to those frequencies available under the new worldwide plan developed by the International Telecommunication Union (ITU) Extraordinary Administrative Radio Conference (EARC), Geneva, 1966 and coordinated worldwide by the ITU and the International Civil Aviation Organization (ICAO). A worldwide station assignment plan was prepared by the ICAO as a direct result of Recommendation 18/1 of the ICAO COM/OPS Divisional Meeting (Montreal 1966) and is in accord with the worldwide allot-

ment plan as revised by the ITU EARC (Geneva 1966) and as contained in the revised allotment plan (Appendix 27) to the ITU Radio Regulations, Geneva, 1959. In order that the FCC licensees in this service make the conversion with the maximum safety to the aviation community and minimum radio interference it is necessary that the conversion of frequencies should be in exact compliance with the implementation time schedule of the plan which has been agreed to by the administrations of the airline operators. The present frequencies, their replacement frequencies and the schedule of implementation are detailed in the appendix, attached. The appendix proposes changes to the frequencies available for assignment in a service rather than an assignment plan for particular stations and the frequencies assigned thereto in the service. International air operators and licensees of aeronautical en route stations serving international air operators will wish to refer to the ICAO plan for station assignment which is contained in ICAO letter AN 7/6.6-67/49, Subject: Development of new High Frequency Plans, dated April 14, 1967. The ICAO document should be the guide in the implementation of the plan for the individual stations. Such ICAO documents, and revisions thereto when documented, are available to the FCC licensees upon application to ICAO.

3. The proposed amendments to the rules, as set forth in the appendix below, are issued pursuant to the authority contained in sections 4(i) and 303 (c), (h), and (r) of the Communications Act of 1934, as amended.

4. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before September 18, 1967, and reply comments on or before September 28, 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.

5. 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 to the Commission.

Adopted: August 9, 1967.

Released: August 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] BEN F. WAPLE,
Secretary.

APPENDIX

Section 87.303 is amended to read as follows:

¹ Commissioners Loevinger, Wadsworth, and Johnson absent.

§ 87.303 International high frequency service.

Frequencies available for assignment by the authority having jurisdiction over the respective international aeronautical en route stations on the Major World Air Route Areas (MWARAs) as defined in the EARC Agreement (Geneva 1951) and revised by the EARC Agreement (Geneva 1966) are as follows:

(a) *Central East Pacific (CEP).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
3432.5	3467	
3446.5	5554	
3457.5	5603	
3481.5	8931	Sept. 19, 1968
3531.5		
3694		
3803.5		
6612	8875	Sept. 17, 1970
6659.5		
8879.5		
10048		
10884	13336	Sept. 18, 1969
11299.5		
13304.5		
13334.5		
17906.5		

¹ 0001 Greenwich mean time.

² Secondary basis.

(b) *Central West Pacific (CWP).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2996	2866	
3338.5	6631	Sept. 17, 1970
3862.5	8854	
13306.5	5505	Sept. 19, 1968
13324.5	12296	
17906.5	17909	Sept. 18, 1969

¹ 0001 Greenwich mean time.

(c) *North Pacific (NP).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2987	2910	Sept. 19, 1968
5521.5	5589	
5539	8938	Sept. 17, 1970
13324.5	13264	
17906.5	17909	Sept. 18, 1969

¹ 0001 Greenwich mean time.

(d) *South Pacific (SP).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2985	12945	
5541.5	5538	Sept. 17, 1970
5545.5	8847	
13344.5	13304	
17906.5	17909	Sept. 18, 1969

¹ No change.

² 0001 Greenwich mean time.

(e) *North Atlantic (NA).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2868	12868	
2631	12931	
2945	12945	
2987	12987	Sept. 19, 1968
5611.5	5610	
5626.5	5624	
5671.5	5673	
5641.5	5638	
8862.5	8854	
8888	8889	Sept. 17, 1970
8913.5	8910	
8947.5	8945	
13264.5	13288	
13284.5	13328	
13324.5		
13354.5		
17906.5	17965	Sept. 18, 1969

(f) *South Atlantic (SA).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2875 ¹		None
5597		Sept. 19, 1968
3432.5		2875
6612		6680
6679.5		Sept. 17, 1970
8839		
8879.5		10049
8888		13344
13274.5		17925
17946.5		Sept. 18, 1969

¹ Limited to south of 30° north latitude.

² 0001 Greenwich mean time.

³ Secondary basis.

(g) *South East Asia (SEA).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2987	2987	
5671.5	5673	Sept. 19, 1968
8837		
8879.5	8888	Sept. 17, 1970
8888	8882	
13284.5	13312	
17906.5	17965	Sept. 18, 1969

¹ 0001 Greenwich mean time.

(h) *Far East (FE).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2868	2868	Sept. 19, 1968
5611.5	5624	
8871	8868	Sept. 17, 1970
13284.5	13312	
17906.5	17965	Sept. 18, 1969

¹ No change.

² 0001 Greenwich mean time.

(i) *Middle East (ME).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
3404.5	3404	
3446.5	3446	
5604	5603	
6627	6634	
8845.5	8847	
10021	10000	
13334.5	13336	
17926.5	17965	

¹ 0001 Greenwich mean time.

(j) *Africa-West (NSA-1).*

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
3411.5	3411	
5521.5	5519	
13304.5	13304	
8820	8826	Sept. 17, 1970
17946.5	17925	Sept. 18, 1969

¹ 0001 Greenwich mean time.

² Secondary basis.

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(n) Africa-East (NSA-2).

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2966	2966	
5506.5	5505	1 Sept. 19, 1968
8956	13280	1 Sept. 17, 1970
13334.5	8659	1 Sept. 17, 1970
17926.5	13336	1 Sept. 18, 1969
	17925	

¹ 0001 Greenwich mean time.² Secondary basis.

Section 87.305 is amended to read as follows:

§ 87.305 Caribbean area.

Frequencies available for assignment to serve international air routes in the Caribbean area.

Caribbean (CAR).

Frequencies available before conversion date (kc/s)	Frequencies available after conversion date (kc/s)	Conversion date
2875		
2932	2052	
2966	2966	
5499	5484	
5619	5528	
5996.5	6540	
6337	8059	
8837		
8871		
10021	10017	
13284.5	11343	
13344.5	11367	
17936.5	13320	
	17925	

¹ 0001 Greenwich mean time.² No change.³ Secondary basis.

[F.R. Doc. 67-9612; Filed, Aug. 16, 1967; 8:45 a.m.]

[47 CFR Part 73]

[Docket No. 17660; POC 67-953]

FM BROADCAST STATIONS**Experimental Period**

In the matter of amendment of § 73.262 of the Commission's rules with respect to the experimental period of FM broadcast stations, Docket No. 17660, RM-1140.

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

2. On April 25, 1967, the National Association of Broadcasters (NAB) filed a petition requesting that the Commission institute rule making proceedings looking toward an amendment of § 73.262 of the Commission's rules to permit a longer daily experimental period for FM stations for testing and maintaining apparatus and to permit experimentation, upon certain conditions, for improvement of the FM station's technical facilities.¹

3. The provisions of § 73.262, as now in force, and as proposed by the NAB

are set forth below. Section 73.262 presently reads as follows:

§ 73.262 Experimental operation. The period between 1 a.m. and 6 a.m., local standard time, may be used for experimental purposes in testing and maintaining apparatus by the licensee of any FM broadcast station on its assigned frequency and not in excess of its authorized power, without specific authorization by the Commission.

The provisions of § 73.262, as proposed by the NAB, read as follows:

§ 73.262 Experimental operation. (a) The period between 12 midnight and 6 a.m., local standard time may be used for experimental purposes in testing and maintaining apparatus by the licensee of any FM broadcast station on its assigned frequency and not in excess of its authorized power, without specific authorization from the Commission.

(b) FM broadcast stations may (upon informal application) conduct technical experimentation directed to the improvement of technical phases of operation during other time periods subject to the following conditions:

(1) That the licensee complies with the provisions of § 73.261 with regard to the minimum number of hours of transmission.

(2) That no transmissions are radiated outside of the authorized channel and subject to the condition that no interference is caused to the transmission of other FM broadcast stations.

4. NAB states that, because of the propagation characteristics of FM signals, the experimental period is too restrictive and that modifications be adopted to allow a greater flexibility in the testing and maintenance of FM facilities. Also, NAB states that FM stations should be permitted upon specified conditions, to conduct experimental tests directed to improvement of the technical phases of their operation.

5. NAB argues, in support of its request for increased hours of experimentation for testing and maintenance of facilities, that FM facilities are allocated upon the same fundamental philosophy as television facilities (which are not limited as to time during which nonprogram material may be transmitted); that the propagation characteristics of FM signals are similar to television signals, and that the nature of FM and television signals do not require restrictive time periods for experimentation as is required in the case of standard broadcast signals. Because of the similarities of FM and television signals, the NAB requests that the FM experimental period for testing and maintenance of facilities be lengthened 1 hour so as to permit testing from midnight to 6 a.m., local standard time, instead of from 1 a.m. to 6 a.m., local standard time. NAB further states that, because many FM stations operate on limited schedules and with limited personnel, the present rule works, in many cases, an unnecessary hardship on personnel by having to return to the station for the testing period thereby resulting in added expense to the licensee. The NAB claims that this 1-hour increase will result in no degradation of the Commission's technical standards, and no "perceptible" increase in interference will occur to other FM broadcast stations.

6. With respect to its request for permission for FM stations to conduct experimental tests looking toward improvement of its facilities, the NAB states that, with the increased complexity in the transmission of FM signals brought about by SCA and stereophonic broadcasting, it is necessary to conduct tests other than during the designated experimental period. This is claimed to be necessary because SCA and stereophonic broadcasting, in many cases, requires precise adjustment of both the receiver and the antenna system. Since the receiver adjustments are made by the listener and service personnel during daylight and early evening hours, the NAB requests that the Commission provide, upon proper conditions, that experimentation may be made in periods other than the designated experimental period. The conditions for experimentation looking toward improvement of an FM station are (1) that informal application must be made to the Commission; (2) that the FM station complies with § 73.261 of the rules which deals with minimum hours of transmission; and (3) that no interference is caused to other FM stations. NAB claims that this testing will not pollute the FM spectrum because of the propagation characteristics peculiar to the FM signal.

7. We believe that the arguments advanced by the NAB in support of their request justify the institution of rule making proceedings in the above-outlined matter. Accordingly, we are inviting comments in order that the NAB and other interested parties may submit their views and other relevant data. Authority for the adoption of the proposed rule is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before September 18, 1967, and reply comments on or before October 3, 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 the Notice.

9. 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: August 9, 1967.

Released: August 14, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 67-9677; Filed, Aug. 16, 1967; 8:45 a.m.]

¹ Commissioners Loewinger, Wadsworth, and Johnson absent.

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 906]

ORANGES AND GRAPEFRUIT GROWN
IN LOWER RIO GRANDE VALLEY
IN TEXAS

Container and Pack Regulations

Consideration is being given to the proposal, hereinafter set forth, by the Texas Valley Citrus Committee, established pursuant to the Marketing Agreement No. 141, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposal is that the provisions of § 906.311(a)(1)(iv) be revised to (1) rescind the authority that permits use of the container with inside dimensions of 10 1/4 by 13 1/2 by 13 1/2 inches as a container for bulk fruit and to delete the provisions of (a)(2)(ii) and (3)(ii) of such section which relates to the count of fruit which must be packed in such container when so used, and (2) add a new container with inside dimensions of 13 1/4 by 10 1/4 by 7 1/4 inches.

After such revision, the provisions of § 906.311(a) (29 F.R. 12869; 31 F.R. 11139) would read as follows:

§ 906.311 Container and pack regulations.

(a) Order. Except as otherwise provided herein or by, or pursuant to the provisions of Marketing Agreement No. 141, as amended, and this part, regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, no handler shall, on and after the date hereinafter specified, handle any fruit unless such fruit is in a container or containers meeting the following specifications, and the pack of such fruit conforms to all applicable requirements of this section:

(i) Containers. (i) Containers with inside dimensions of 24 1/16 by 11 1/8 by 11 1/8 inches;

(ii) Containers with inside dimensions of 16 1/4 by 10 1/4 by 10 1/4 inches;

(iii) Containers with inside dimensions of 16 1/4 by 10 1/4 by 9 1/2 inches;

(iv) Containers with inside dimensions of 13 1/4 by 10 1/2 by 7 1/4 inches;

(v) Bags having a capacity of 5, 8, or 20 pounds of fruit;

(vi) Containers with inside dimensions of 19 1/4 by 13 by 12 1/2 inches, 20 by 13 1/4 by 9 1/2 inches, and 19 1/4 by 13 1/2 by 13 1/2 inches: *Provided*, That such containers may be used only for the shipment of fruit in bags as provided in subdivision (v) of this subparagraph; and

(vii) Such other types and sizes of containers as may be approved by the Texas Valley Citrus Committee for testing in connection with a research project conducted by or in cooperation with the said committee: *Provided*, That the handling of each lot of fruit in such test

containers shall be subject to prior approval, and under the supervision, of the Texas Valley Citrus Committee.

(2) Oranges. Oranges, when in any box or carton, shall be of a size within the diameter limits specified for one of the following pack sizes and otherwise be packed in accordance with the requirements of standard pack, except that not to exceed 10 percent, by count, of such oranges may be outside such diameter limits:

Pack sizes	Diameter limits in inches	
	Minimum	Maximum
100	27 1/4	30 1/4
125	33 1/4	39 1/4
163	29 1/4	33 1/4
200	25 1/4	31 1/4
252	27 1/4	29 1/4
324	29 1/4	29 1/4

(3) Grapefruit. Grapefruit, when in any box or carton, shall (i) be packed in accordance with the requirements of standard pack or (ii) be of a size within the diameter limits specified for the following pack size and otherwise be packed in accordance with the requirements of standard pack, except that not to exceed 10 percent, by count, of such grapefruit may be outside such diameter limits:

Pack size	Diameter limits in inches	
	Minimum	Maximum
40	45 1/4	5

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

Dated: August 14, 1967.

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

[F.R. Doc. 67-9692; Filed, Aug. 16, 1967;
8:50 a.m.]

[7 CFR Part 1034]

[Docket No. AO 175-A25]

MILK IN DAYTON-SPRINGFIELD,
OHIO, MARKETING AREADecision on Proposed Amendments
to Tentative Marketing Agreement
and to Order

Correction

In F.R. Doc. 67-9398, appearing at page 11535 of the issue for Thursday,

August 10, 1967, the phrase reading "if it so desires" in the first paragraph on page 11554 should be deleted.

[7 CFR Part 1067]

MILK IN OZARKS MARKETING AREA

Notice of Proposed Suspension of
Certain Provisions of Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Ozarks marketing area is being considered for the months of August and September 1967.

The provisions proposed to be suspended are in the table of § 1067.11(b) opposite the months of August and September and are the figures "25" and "35," relating to the shipping requirements to maintain pool plant status of supply plants.

This action has been requested by three cooperative associations, representing more than 80 percent of the producers in this market. The cooperatives state that the proposed suspension is necessary to maintain pool plant status for supply plants so as to facilitate the orderly disposition of the market's reserve supply of milk during the months of August and September. An unusual increase in milk supply for this time of year has resulted in greater deliveries from farms directly to fluid milk processing plants, and has reduced the need for such plants to receive milk from supply plants.

In these circumstances it would be necessary for supply plants to make unnecessary and uneconomical shipments to processing plants if they were to maintain pool status under existing shipping requirements. Proponents state that without the suspension the producer status of many farmers regularly associated with the market will be endangered.

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

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

Signed at Washington, D.C., on August 14, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-9693; Filed, Aug. 16, 1967;
8:50 a.m.]

PROPOSED RULE MAKING

[7 CFR Part 1076]

MILK IN EASTERN SOUTH DAKOTA
MARKETING AREADecision on Proposed Amendments
to Tentative Marketing Agreement
and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Sioux Falls, S. Dak., on April 20, 1967, pursuant to notice thereof issued on April 3, 1967 (32 F.R. 5638).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on July 13, 1967 (32 F.R. 10597; F.R. Doc. 67-8292), filed with the Hearing Clerk, U. S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (32 F.R. 10597; F.R. Doc. 67-8292) are hereby approved and adopted and are set forth in full herein.

The material issues on the record of the hearing relate to:

1. The pool status of a stand-by plant operated by a cooperative association;
2. Revising the diversion provisions;
3. Accounting for route returns;
4. Replacing the "base-excess" plan with a "Louisville" plan of seasonal price adjustment; and
5. The administrative assessment.

The notice of hearing contained a proposal to remove Walworth County, S. Dak., from the marketing area. No one appeared at the hearing to support this proposal. Since no evidence was presented with respect to it, it will receive no further consideration in this decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof.

1. *The pool plant status of a plant operated by a cooperative association.* A plant, other than a distributing plant operated by a cooperative association should be a pool plant regardless of the volume of milk which moves from such plant to the pool plants of other handlers if more than 50 percent of the total milk supply of producers who are members of such cooperative association is shipped to pool distributing plants of other handlers either directly from the farm or by transfer from the plant of the cooperative association. A distributing plant operated by a cooperative association should continue to be required to meet the same performance standards as all other distributing plants to qualify for pool status.

The major cooperative association in the market operates a plant at Sioux Falls, S. Dak., where the major portion of the reserve supply of the market is

manufactured into dairy products, primarily butter and nonfat dry milk. Milk is also received from manufacturing grade producers.

In addition to its manufacturing facilities, this plant has limited storage facilities for the handling of Grade A milk. These have been approved by the appropriate health authorities as a source of Grade A milk for both the local market and for interstate shipment. In the past, this plant has not served as a regular source of supply for pool plants, although occasional deliveries of fluid milk products are made to pool plants to supplement direct farm receipts. Occasionally in the past milk has also been shipped from the cooperative plant to markets to the south for fluid use.

Because of the limited volume of milk which moves through the plant en route to pool plants, this plant is unable to qualify as a pool plant. The producer milk received at such plant retains its pool status only as diverted milk.

At the present time, the market is undergoing a substantial change in the pattern of milk distribution. Several mergers and consolidations of distribution plants have already taken place, with the resultant closing of plants and the concentration of the bottling operation in a few large plants. This trend is expected to continue.

Throughout the marketing area there are several population centers, each of which had its own bottling plants and a local supply of milk. As these bottling plants close, it becomes increasingly necessary to receive the milk of the producers who supplied these plants at a central point where it can readily be moved to the remaining plants for fluid use or manufactured into dairy products when not needed for fluid uses.

The cooperative plant in addition to serving as the principal outlet for the reserve supply of the market, is taking on the function of a balancing plant for the handlers in the market. Even with an increased demand from pool distributing plants for milk from the cooperative plant as a result of the changing market situation, it is unlikely that it will meet the pooling standards in the immediate future. Since it may become necessary to receive the milk of some producers at this plant almost every day, the diversion provisions alone no longer provide a satisfactory means of retaining the milk of such producers in the pool.

The cooperative plant acts as the surplus disposal plant not only for the milk of its own members, but also for the milk of the smaller local bargaining cooperatives in the market, whenever requested to do so. This plant is being called on to handle more and more of the milk of the smaller organizations. As a result of the consolidation of plants described elsewhere in this decision, some of these cooperatives find it difficult to dispose of milk in the immediate vicinity of the producers' farms and the cooperative plant at Sioux Falls becomes the logical outlet for such milk.

The proposal of the cooperative associations was to grant pool plant status

to a plant operated by a cooperative association whose members constitute the majority of the producers on the market. While such a provision would accommodate the situation in the market at the present time, it would not be appropriate if conditions were to change to the point that the major cooperative no longer represented a majority of the producers on the market. Similarly, it would not apply if it became necessary for one of the other cooperative associations to acquire a plant to handle the reserve supplies of the market.

Therefore, the order should provide that a plant operated by a cooperative association whose primary function is supplying milk to pool distributing plants of other handlers should be a pool plant. This will accommodate the efficient and orderly handling of the market's supply at the present time and prevent hardship resulting from further changes in the distribution pattern of the market that could take place in the future.

2. *Revision of the diversion provisions.* The volume of milk permitted to be diverted should be based on a percentage of total deliveries by all producers who are members of a cooperative association or whose milk is received at a pool plant. To be eligible for diversion a producer's milk should be received at a pool plant at least three days during a month.

The order currently provides that during the months of July through March the milk of an individual producer may be diverted to a nonpool plant for as many days during the month as it is received at a pool plant. With the closing of plants noted above, it has become necessary to divert increasing quantities of milk at some localities in the milkshed. Because of the location of certain farms in relation to the manufacturing plants, it is more economical to divert some loads than others.

In order to permit the most economical movement of milk and eliminate the extensive recordkeeping necessary to insure that each individual farmer's milk be received at a pool plant on at least half the days of delivery, the diversions should be based on a percentage of total deliveries of member producer milk. For the months of July through February a cooperative should be permitted to divert milk in an amount equal to 35 percent of its member producer milk received at all pool plants during the month.

Any handler operating a pool plant would likewise be permitted to divert up to 35 percent of the receipts at the plant from producers who were not members of a cooperative association which was diverting member milk in the same month. In both cases, diversions in excess of the amount permitted would not be producer milk. The cooperative association or the plant operator who diverted the milk would be required to designate the dairy farmers whose milk would be ineligible as producer milk. In the event the diverting cooperative association or plant operator failed to designate those producers whose milk was ineligible, all of the milk diverted to a

nonpool plant by such cooperative association or plant operator would forfeit its producer milk status for the month.

No percentage limitation should be placed on the percentage of milk which may be diverted during the months of March through June. The present order permits unlimited diversion in April, May and June. However, the production pattern has changed in recent years to the point where the spring flush begins in March and tapers off in June. Thus, it is now necessary to divert substantial quantities of milk in March.

The present order provides no standard for identifying a producer's association with the market during the months of unlimited diversion. In order to insure a producer's association with the market, during these months as well as during the remainder of the year, it is provided that milk must be received at a pool plant from a producer at least three days each month in order for his milk to be eligible to be considered diverted milk if caused to be delivered to a nonpool plant during the remainder of the month.

3. Accounting for route returns. One handler proposed that the definition of a Class I product be changed to designate fluid milk products "sold" rather than "disposed of," from the plant as now required.

The purpose of his proposal was to obtain a Class II classification for packaged fluid milk products which were not sold—specifically route returns, leakers, etc. At the present time such items must be returned to the bottling plant so that the market administrator may physically verify the fact that they were dumped or disposed of as livestock feed. It was the contention of the handler that the handling and return to the plant of such items, particularly the leakers, created unsanitary conditions as well as being a nuisance.

While we sympathize with the position of the handler, the opportunity for physical verification of the return to the plant of items which left it as Class I is necessary to establish their subsequent reclassification as Class II.

The order specifically provides that any skim milk and butterfat shall be Class I unless the handler can establish to the satisfaction of the market administrator that such milk should be classified otherwise. The market administrator may reclassify a product once classified only upon verification of the fact that the original classification was incorrect. The only way the market administrator can verify that products which left a plant as packaged Class I items were subsequently utilized in a Class II classification is by a physical check of such items. Since handlers have numerous distribution points scattered over a very wide area, the only practical point for such a check is the plant at which the product originated and was originally classified as Class I.

A notation on the record of a distribution point that so many items were thrown away because of spoilage or leakage does not constitute a verifiable record. Hence, the proposal must be denied.

The proponent handler, noted in exceptions filed to the recommended decision that other handlers concurred with this proposal. The exception, however, afforded no basis for changing the terms of the order as recommended. For reasons set forth in these findings the exception is overruled.

4. Elimination of the base plan and the substitution of a "Louisville" plan. The "base-excess" plan of distributing returns to producers should be replaced with a take-out and pay-back incentive plan. The latter is often referred to as the "Louisville" plan.

Witnesses testified that the base and excess plan recently has become a cause of dissatisfaction to producers, particularly among members of the largest cooperative on the market. In recent months manufacturing plants in the area where these producers are located have been paying for manufacturing grade milk prices which are in excess of the average of the Minnesota-Wisconsin price series. This price series is used under the order for pricing Class II milk. It is also the price which producers receive for milk delivered in excess of base milk.

This price disparity is further aggravated by the fact that the average charge for hauling milk from the more distant farms to plants in Sioux Falls approximates 35 cents per hundredweight while the average charge from the farm to manufacturing plants is only 20 cents per hundredweight.

Producers object to receiving for their Grade A excess milk a lesser price than is being paid for manufacturing milk. Some producers have attempted to ship part of their milk to manufacturing plants and ship only their base milk to market. This practice, if increased, could disrupt the orderly marketing of milk and result in shortages of milk for the fluid market if many producers chose the same day to sell to a manufacturing plant.

Another consideration for terminating the base plan is the dislocation of producers that has occurred in some areas because of the plant consolidation discussed above and the resulting necessity of diverting substantial quantities of milk to nonpool plants. The fear was expressed that some producers might be overdiverted during the base-forming period. Since the overdiverted milk could not be included in establishing a producer's base, such producers would be seriously penalized through no fault of their own.

While all of the cooperative associations on the market favored the termination of the base plan, they felt that some seasonal adjustment of producer prices was necessary to maintain a favorable pattern of production.

The plant adopted herein provides that 15 cents per hundredweight be deducted in the computation of the uniform price in each of the months of March, April, May, and June. One-third of the amount so deducted would be added back in the uniform price computation for each of the months of September, October, and November.

This plan is necessary to provide the seasonal variation in prices to producers that will furnish them the incentive to maintain or improve the present seasonal pattern of production, thus insuring an adequate supply of pure and wholesome milk at all times. During the 4 months of heaviest production the uniform price will be reduced 15 cents per hundredweight. During the three months of shortest production the uniform price will be enhanced approximately 22 cents as a result of the payback's being made in the three months when production is lowest. The difference between spring and fall prices will be further accentuated by the fact that utilization in the short months is somewhat higher than in the spring as well as by the fact that class prices normally reach their peak at that time. It is estimated that the total difference between uniform prices in spring and fall will average approximately 45 cents per hundredweight.

The amount of the take-out and pay-back is less than that provided in a similar provision of the adjoining Sioux City, Iowa, order. The cooperative associations are confident, however, that the amounts provided herein will provide sufficient seasonal variation in price to maintain the present level production pattern.

5. The administrative assessment. No change should be made either in the maximum rate of the administrative assessment or in the manner of its application to partially regulated distributing plants.

It was proposed by a handler representative that the maximum rate of the administrative assessment be reduced from 5 cents to 4 cents, the amount presently being deducted to defray the costs of administering the order.

Although the 4-cent deduction is providing sufficient funds for the operations of the order at the present time, it is not impossible that at some time in the future additional expenses might be incurred which would require an increase in the amount of the assessment. While such an eventuality is not anticipated, in the event it should occur the market administrator should be in a position to secure the necessary funds without the formality of an amendment to the order. Hence, the maximum rate of assessment permissible should be maintained at five cents.

The same handler proposed that the monthly administrative assessment charged to a partially regulated distributing plant should be not less than the actual cost incurred by the market administrator in verifying the records of such plant.

No change should be made in the order in this respect. A uniform program for applying the administrative assessment to partially regulated plants was made effective by amendment to all orders which were in effect on July 1, 1964, following the decision of the Assistant Secretary of June 19, 1964 (29 F.R. 9214). The findings of that decision as they applied to the Eastern South Dakota and Sioux Falls-Mitchell orders, since merged into the present Eastern

PROPOSED RULE MAKING

South Dakota order, are still applicable to the present marketing area. Therefore, official notice is taken of the pertinent portions of the decision of June 19, 1964.

The proponent handler excepted to the recommended decision as it relates to administrative expense. For reasons set forth in these findings, however, the exceptions are overruled.

The question was also raised as to application of the administrative assessment when milk is purchased from the cooperative association as a handler. We believe the present order provisions are clear that the receiving handler is responsible for the administrative assessment when he receives milk from producers who are members of a cooperative association which is the handler for their milk. Hence, no amendment of the order in this respect is necessary.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

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

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

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

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions and the regulatory provisions of this decision, the exception filed was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with the exception, such exception is hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Eastern South Dakota Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Eastern South Dakota Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the *FEDERAL REGISTER*. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of June 1967 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be further amended, regulating the handling of milk in the Eastern South Dakota marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be further amended, and who during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on August 14, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

Order¹ Amending the Order Regulating the Handling of Milk in the Eastern South Dakota Marketing Area

§ 1076.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provi-

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

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

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

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

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

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on July 13, 1967, and published in the *FEDERAL REGISTER* on July 19, 1967 (32 F.R. 10597; F.R. Doc. 67-8292), shall be and are the terms and provisions of this order, and are set forth in full herein.

§ 1076.12 [Amended]

1. In the introductory text preceding paragraph (a) of § 1076.12, the phrase "in paragraph (a) or (b)" is changed to read "in paragraph (a), (b), or (c)".

2. Section 1076.12 is revised by adding thereto a new paragraph (c) to read as follows:

(c) A plant, other than a distributing plant, operated by a cooperative association if more than 50 percent of the total milk supply of producer members of such cooperative association is shipped to pool distributing plants of other handlers during the month, either directly from the farm or by transfer from the plant of the cooperative association: Provided, That if a portion of such association's plant is physically apart from the Grade A portion of such plant, is operated separately and is not approved

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

by any health authority for the receiving, processing or packaging of any fluid milk product for Grade A disposition, it shall not be considered as part of a pool plant pursuant to this section.

3. In § 1076.14, paragraph (c) is revised to read as follows:

§ 1076.14 Producer milk.

(c) With respect to diversions to nonpool plants pursuant to paragraphs (a) (2) and (b) (1) of this section:

(1) A cooperative handler may divert for its account the milk of any member producer, whose milk is delivered to a distributing pool plant on at least 3 days during the month during the other days of such month. The total quantity of milk so diverted may be without limit during the months of March, April, May, and June, but shall not exceed 35 percent of its member producer milk received at all pool plants during any other month of the year. Diversions in excess of such percentage shall not be considered producer milk, and the diverting cooperative shall specify the dairy farmers whose milk is ineligible as producer milk. If the cooperative association fails to designate such dairy farmers whose milk is ineligible, producer milk status shall be forfeited with respect to all milk diverted to a nonpool plant by such cooperative association; and

(2) A handler in his capacity as the operator of a distributing pool plant may divert for his account the milk of any producer, other than a member of a cooperative association which has diverted milk pursuant to subparagraph (1) of this paragraph, whose milk is received at a pool plant on at least 3 days during the month, without limit during the other days of such month. The total quantity of milk so diverted may be without limit during the months of March, April, May, and June, but during any other month of the year shall not exceed 35 percent of the milk received from producers who are not members of a cooperative association which has diverted milk pursuant to subparagraph (1) of this paragraph. Diversions in excess of such percentage shall not be considered producer milk, and the diverting handler shall specify the dairy farmers whose milk is ineligible as producer milk. If the handler fails to designate such dairy farmers whose milk is ineligible, producer milk status shall

be forfeited with respect to all milk diverted to a nonpool plant by such handler; and

(3) For the purpose of location adjustments pursuant to §§ 1076.53 and 1076.75, milk so diverted shall be priced at the location of the plant from which diverted.

§§ 1076.19, 1076.20 [Revoked]

4. Sections 1076.19 and 1076.20 are revoked.

5. In § 1076.27 paragraph (j) (2) is revised and (j) (3) is revoked as follows:

§ 1076.27 Duties.

(j) * * *

(2) The 12th day of each month the uniform price computed pursuant to § 1076.72 and the producer butterfat differential computed pursuant to § 1076.74;

(3) [Revoked]

6. In § 1076.30, paragraph (a) (1) (1) is revised to read as follows:

§ 1076.30 Reports of receipts and utilization.

(a) * * *

(1) * * *

(i) Producer milk,

7. In § 1076.31, paragraph (b) is revised to read as follows:

§ 1076.31 Payroll reports.

(b) The pounds of milk received and the average butterfat content thereof;

8. In § 1076.72 the heading "Computation of weighted average price" is changed to "Computation of uniform price," paragraph (b) is revised, and new paragraphs (c) through (g) are added to read as follows:

§ 1076.72 Computation of uniform price.

(b) Subtract not less than four cents nor more than five cents from the price computed pursuant to paragraph (a) of this section. The result shall be known as the "weighted average price", and except for the months of March through June and September through October,

shall be the uniform price for milk received from producers;

(c) For the months specified in paragraphs (d) and (e) of this section, subtract from the amount resulting from the computations pursuant to § 1076.71 an amount computed by multiplying the hundredweight of milk specified in paragraph (a) (2) of this section by the weighted average price;

(d) Subtract during each of the months of March, April, May and June an amount computed by multiplying the total hundredweight of producer milk for such month by 15 cents;

(e) Add during each of the months of September, October and November one-third of the amount subtracted pursuant to paragraph (d) of this section;

(f) Divide the resulting sum by the total hundredweight of producer milk included in these computations; and

(g) Subtract not less than four cents nor more than five cents per hundredweight. The result shall be the uniform price for milk received from producers.

§ 1076.73 [Revoked]

9. Section 1076.73 is revoked.

10. In § 1076.75, paragraph (a) is revised to read as follows:

§ 1076.75 Location differentials to producers and on nonpool milk.

(a) The uniform price computed pursuant to § 1076.72 for producer milk received at a pool plant shall be reduced according to the location of the pool plant, at the rates set forth in § 1076.53; and

11. In § 1076.76, paragraph (b) is revised to read as follows:

§ 1076.76 Notification of handlers.

(b) The uniform price computed pursuant to § 1076.72.

§ 1076.80 [Amended]

12. In paragraph (a) (2) of § 1076.80, the word "prices" is changed to "price" and the phrase "and 1076.73" is deleted.

§§ 1076.90-1076.92 [Revoked]

13. Sections 1076.90, 1076.91, and 1076.92 and the centerhead applicable thereto are revoked.

[F.R. Doc. 67-9694: Filed, Aug. 16, 1967; 8:50 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Sacramento 079251]

CALIFORNIA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

AUGUST 8, 1967.

Notice of a Bureau of Reclamation, U.S. Department of the Interior application, Sacramento 079251, for withdrawal and reservation of lands for use in construction, operation, and maintenance of the San Luis Unit of the Central Valley Project, California, was published as F.R. Doc. No. 65-1657 on page 2159 of the issue for Wednesday, February 17, 1965. The applicant agency has canceled its application involving the lands described in the FEDERAL REGISTER publication referred to above. Therefore, pursuant to the regulations contained in 43 CFR, Part 2311, such lands at 10 a.m. on September 18, 1967, will be relieved of the segregative effect of the above-mentioned application.

JESSE H. JOHNSON,
Acting Chief,
Lands Adjudication Section.

[F.R. Doc. 67-9647; Filed, Aug. 16, 1967;
8:46 a.m.]

[Serial No. I-1639; Classification
No. 11-04-6-67]

IDAHO

Notice of Proposed Classification of Public Lands for Multiple Use Management

AUGUST 10, 1967.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-18), and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify for multiple-use management all of the public lands in the area described below, together with any lands therein that may become public lands in the future. Publication of this notice has the effect (a) of segregating all the public land in the described area below from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and (b) of further segregating the lands described in paragraph 3 of this notice from the operation of the general mining laws (30 U.S.C. 21). Except as provided in (a) and (b) above the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order

No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. The public lands affected are located within the following described area and are shown on maps of Lemhi County, Idaho, on file in the Salmon District Office, Bureau of Land Management, Salmon, Idaho, and the Land Office, Bureau of Land Management, Federal Building, Boise, Idaho.

BOISE MERIDIAN

LEMHI COUNTY, IDAHO

Administered by the Salmon District I-4

T. 16 N., R. 19 E.,
Sec. 1, that portion in Lemhi County.
T. 16 N., R. 20 E.,
Secs. 1 to 8, inclusive, those portions in Lemhi County;
Secs. 11 to 14, inclusive, those portions in Lemhi County.
T. 17 N., R. 20 E., all public lands outside the National Forest boundary.
T. 18 N., R. 20 E.,
Secs. 1, 12, 13, 24, 25, and 36.
T. 15 N., R. 21 E.,
Secs. 1 to 4, inclusive;
Secs. 10 to 15, inclusive.
T. 16 N., R. 21 E.,
Sec. 3, W $\frac{1}{2}$;
Secs. 4 to 9, inclusive;
Sec. 10, NW $\frac{1}{4}$;
Secs. 16 to 21, inclusive;
Sec. 22, NW $\frac{1}{4}$;
Secs. 28 to 30, inclusive;
Secs. 32 to 36, inclusive.
T. 17 N., R. 21 E., all public lands outside the National Forest boundary.
T. 18 N., R. 21 E., all public lands outside the National Forest boundary.
T. 19 N., R. 21 E., all public lands outside the National Forest boundary.
T. 20 N., R. 21 E., all public lands outside the National Forest boundary.
T. 21 N., R. 21 E.,
Sec. 35.
T. 13 N., R. 22 E.,
Secs. 1 and 2, those portions in Lemhi County.
T. 14 N., R. 22 E.,
Secs. 1 to 4, inclusive;
Sec. 5, E $\frac{1}{2}$;
Sec. 9, E $\frac{1}{2}$;
Secs. 10 to 13, inclusive;
Sec. 14, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 24, 25 and 36.
T. 15 N., R. 22 E.,
Secs. 5 and 7;
Secs. 16 to 18, inclusive;
Sec. 19, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
Secs. 20 to 22, inclusive;
Secs. 26 to 28, inclusive;
Sec. 29, E $\frac{1}{2}$;
Sec. 32, E $\frac{1}{2}$;
Secs. 33 to 36, inclusive.
T. 16 N., R. 22 E.,
Sec. 31.
T. 17 N., R. 22 E.,
Sec. 1, E $\frac{1}{2}$.
T. 18 N., R. 22 E., all public lands outside the National Forest boundary.
T. 19 N., R. 22 E., all public lands outside the National Forest boundary.

T. 20 N., R. 22 E.,
Secs. 1 to 5, inclusive;
Sec. 8;
Sec. 11, E $\frac{1}{2}$;
Secs. 12 and 13;
Secs. 17 to 19, inclusive;
Sec. 23, E $\frac{1}{2}$;
Secs. 24 and 30;
Sec. 31, N $\frac{1}{2}$;
Sec. 32, N $\frac{1}{2}$.
T. 21 N., R. 22 E.,
Secs. 21 and 22;
Sec. 23, SW $\frac{1}{4}$;
Secs. 26 to 28, inclusive;
Secs. 33 to 38, inclusive.
T. 22 N., R. 22 E.,
Sec. 1;
Sec. 2, SE $\frac{1}{4}$;
Sec. 3, NW $\frac{1}{4}$;
Sec. 4;
Sec. 10, SE $\frac{1}{4}$;
Secs. 11 to 15, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 23 N., R. 22 E.,
Secs. 4 to 9, inclusive;
Sec. 10, NW $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 13, SW $\frac{1}{4}$;
Secs. 14 to 17, inclusive;
Secs. 20 to 23, inclusive;
Sec. 26, W $\frac{1}{2}$;
Secs. 27 and 28;
Secs. 33 and 34.
T. 24 N., R. 22 E., all public lands outside the National Forest boundary.
T. 13 N., R. 23 E.,
Secs. 1 to 6, inclusive, those portions in Lemhi County;
Secs. 8 to 12, inclusive, those portions in Lemhi County.
T. 14 N., R. 23 E., all public land outside the National Forest boundary.
T. 15 N., R. 23 E.,
Sec. 31.
T. 17 N., R. 23 E.,
Sec. 1, NW $\frac{1}{4}$;
Secs. 2 to 6, inclusive;
Sec. 7, N $\frac{1}{2}$;
Secs. 8 to 11, inclusive;
Secs. 13 to 16, inclusive;
Sec. 17, N $\frac{1}{2}$;
Sec. 21, NE $\frac{1}{4}$;
Sec. 22, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 23 and 24;
Sec. 25, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$.
T. 18 N., R. 23 E.,
T. 19 N., R. 23 E., all public land outside the National Forest boundary.
T. 20 N., R. 23 E.,
Secs. 6 to 8, inclusive;
Secs. 15 to 22, inclusive;
Secs. 26 to 28, inclusive;
Sec. 29, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$;
Sec. 33, NE $\frac{1}{4}$;
Secs. 34 and 35.
T. 21 N., R. 23 E.,
Sec. 1;
Sec. 4, NW $\frac{1}{4}$, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 5 to 8, inclusive;
Secs. 12 and 13;
Sec. 14, E $\frac{1}{2}$;
Sec. 17, NW $\frac{1}{4}$;
Sec. 18, N $\frac{1}{2}$;
Secs. 23 and 24;
Sec. 26;
Sec. 27, E $\frac{1}{2}$;
Sec. 31, W $\frac{1}{2}$.

NOTICES

T. 22 N., R. 23 E.,
Secs. 3 to 32, inclusive;
Sec. 33, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
Secs. 35 and 36.
T. 23 N., R. 23 E.,
Sec. 29;
Sec. 32, E $\frac{1}{2}$;
Sec. 33.
T. 23 N., R. 24 E.,
Secs. 6 to 8, inclusive;
Secs. 16, 17, 18, and 21, those portions in Lemhi County.
T. 24 N., R. 24 E.,
Sec. 30, W $\frac{1}{2}$;
Sec. 31.
T. 25 N., R. 24 E.,
Sec. 10, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 11;
Sec. 13, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 14;
Sec. 15, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Secs. 24 and 25;
Sec. 26, NE $\frac{1}{4}$.
T. 27 N., R. 24 E.,
Secs. 1 and 2;
Secs. 5 and 8;
Sec. 9, W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$;
Sec. 12;
Secs. 18 to 20, inclusive;
Sec. 21, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$;
Sec. 29, N $\frac{1}{2}$.
T. 28 N., R. 24 E.,
Secs. 1 to 3, inclusive;
Sec. 4, E $\frac{1}{2}$;
Sec. 6, S $\frac{1}{2}$;
Sec. 7;
Sec. 9, E $\frac{1}{2}$;
Secs. 10 to 15, inclusive;
Sec. 16, E $\frac{1}{2}$;
Sec. 18;
Sec. 21, E $\frac{1}{2}$;
Secs. 22 to 27, inclusive;
Sec. 28, E $\frac{1}{2}$;
Sec. 33, lots 1 and 2, S $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 34, lots 1, 2, 3, 4, 5, 6, 7, 8, S $\frac{1}{4}$ N $\frac{1}{2}$;
Secs. 35 and 36.
T. 29 N., R. 24 E.,
Sec. 1, S $\frac{1}{2}$;
Secs. 2 to 4, inclusive;
Secs. 9 to 16, inclusive;
Sec. 21, E $\frac{1}{2}$;
Secs. 22 to 27, inclusive;
Sec. 28, E $\frac{1}{2}$;
Sec. 33, E $\frac{1}{2}$;
Secs. 34 to 36, inclusive.
T. 30 N., R. 24 E.,
Sec. 3;
Sec. 4, N $\frac{1}{2}$;
Sec. 5, N $\frac{1}{2}$;
Sec. 10;
Sec. 11, SW $\frac{1}{4}$;
Sec. 15;
Secs. 20 to 22, inclusive;
Sec. 23, S $\frac{1}{2}$;
Sec. 25, N $\frac{1}{2}$, SW $\frac{1}{4}$;
Secs. 26 to 29, inclusive;
Secs. 32 to 35, inclusive.
T. 31 N., R. 24 E.,
Secs. 6 to 8, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 30, inclusive;
Sec. 31, N $\frac{1}{2}$;
Secs. 32 and 33.
T. 32 N., R. 24 E.,
Secs. 30 and 31.
T. 33 N., R. 25 E.,
Secs. 1 and 2;
Secs. 11 to 13, inclusive;
Secs. 24 and 25.

T. 16 N., R. 25 E.,
Sec. 1;
Sec. 13, SW $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 15, E $\frac{1}{2}$;
Sec. 18, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 19, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 22, NE $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$;
Sec. 30, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$.
T. 17 N., R. 25 E.,
Secs. 3 to 10, inclusive;
Secs. 15 to 18, inclusive;
Sec. 19, N $\frac{1}{2}$;
Secs. 20 to 22, inclusive;
Secs. 26 to 28, inclusive;
Secs. 34 and 35.
T. 18 N., R. 25 E.
T. 19 N., R. 25 E., all public lands outside the National Forest boundary.
T. 20 N., R. 26 E.,
Sec. 1;
Secs. 12 to 14, inclusive;
Sec. 15, E $\frac{1}{2}$;
Sec. 22, E $\frac{1}{2}$;
Secs. 23 to 25, inclusive;
Sec. 26, E $\frac{1}{2}$;
Sec. 36, E $\frac{1}{2}$.
T. 21 N., R. 26 E.,
Sec. 5, W $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Secs. 6 and 7;
Sec. 8, NW $\frac{1}{4}$;
Sec. 13, E $\frac{1}{2}$;
Secs. 18 to 20, inclusive;
Sec. 21, W $\frac{1}{2}$;
Secs. 24 and 25;
Sec. 28, W $\frac{1}{2}$ W $\frac{1}{2}$;
Secs. 29 and 30;
Sec. 36.
T. 22 N., R. 26 E.,
Secs. 7 and 16;
Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 23, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Secs. 24 and 25.
T. 23 N., R. 26 E.,
Sec. 31.
T. 24 N., R. 27 E., all public land outside the National Forest boundary.
T. 25 N., R. 27 E., all public land outside the National Forest boundary.
T. 26 N., R. 27 E., all public lands outside the National Forest boundary.
T. 27 N., R. 27 E., all public lands outside the National Forest boundary.
T. 28 N., R. 28 E., all public lands outside the National Forest boundary.
Tps. 12, 13, and 14 N., R. 28 E.
T. 29 N., R. 28 E.,
Secs. 30 to 34, inclusive.
T. 30 N., R. 29 E.,
Secs. 11 to 15, inclusive;
Secs. 18 to 22, inclusive;
Secs. 25 to 29, inclusive;
Secs. 32 to 35, inclusive.
T. 31 N., R. 29 E.,
Secs. 3, 11, 14, 23, 24, 25, 26, 35, and 36, all public lands within Lemhi County and outside the National Forest boundary.
T. 32 N., R. 29 E.,
Sec. 30, W $\frac{1}{2}$;
Sec. 31.

The area described contains approximately 531,160 acres of public land.

BOISE MERIDIAN

LEMHI COUNTY, IDAHO

Administered by the Idaho Falls District I-3

T. 11 N., R. 26 E.,
Secs. 3, 11, 14, 23, 24, 25, 26, 35, and 36, all public lands within Lemhi County and outside the National Forest boundary.
T. 11 N., R. 27 E.,
Sec. 30, W $\frac{1}{2}$;

The area described contains approximately 3,810 acres of public land.

3. As provided in paragraph 1 above, the following lands are further segre-

gated from appropriation under the general mining laws:

BOISE MERIDIAN

LEMHI COUNTY, IDAHO

Little Morgan Creek Site

T. 15 N., R. 21 E.,
Sec. 1, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 2, SE $\frac{1}{4}$ NEM $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Cow Creek Site

T. 16 N., R. 21 E.,
Sec. 8, lots 4 and 5.

Cronks Canyon Campground

T. 16 N., R. 21 E.,
Sec. 8, lot 8;

Sec. 17, lot 1.

Ezra Creek Recreation Site

T. 17 N., R. 21 E.,
Sec. 9, lots 1 and 4.

McKim Creek Site

T. 17 N., R. 21 E.,
Sec. 17, lot 2.

Lime Creek Site

T. 18 N., R. 21 E.,
Sec. 3, lot 6.

Ezra Creek Camp Site

T. 18 N., R. 21 E.,
Sec. 31, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Ringle Creek Site

T. 18 N., R. 21 E.,
Sec. 33, lots 1, 4, and 5.

Dummy Creek Site

T. 19 N., R. 21 E.,
Sec. 14, lots 1 and 4.

Briney Creek Site

T. 19 N., R. 21 E.,
Sec. 23, lots 1 and 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Waddington Creek Site

T. 19 N., R. 21 E.,
Sec. 34, lot 4.

Williams Creek Site

T. 20 N., R. 21 E.,
Sec. 10, N $\frac{1}{2}$;

Sec. 11, W $\frac{1}{2}$ NW $\frac{1}{4}$.

Twelve Mile Site

T. 20 N., R. 21 E.,
Sec. 35, lot 1.

Boyle Creek (Tower Creek) Site

T. 23 N., R. 21 E.,
Sec. 12, lot 6.

T. 23 N., R. 22 E.,
Sec. 7, lots 4 and 5;

Sec. 18, lot 1.

McDevitt Ridge Campsite

T. 19 N., R. 22 E.,
Sec. 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Bolander's Ranch Site

T. 23 N., R. 22 E.,
Sec. 19, lots 4 and 6.

Haynes Creek Campsite

T. 19 N., R. 23 E.,
Sec. 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$.

Baldy Ridge Campsite

T. 19 N., R. 23 E.,
Sec. 19, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Cow Creek Campground

T. 18 N., R. 24 E.,
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Charbonneau Campground

T. 19 N., R. 24 E.,
Sec. 1, SW $\frac{1}{4}$.

4. No adverse comments were received following publication of a notice of proposed classification (32 F.R. 7638), or at the public hearing held at Duchesne, Utah, on June 15, 1967.

5. For a period of 30 days from the date of publication of this notice in the *FEDERAL REGISTER*, interested parties may submit comments to the Secretary of the Interior, L.I.M., 721, Washington, D.C. 20240. (43 CFR 2411.1-2(d))

R. D. NIELSON,
State Director.

[F.R. Doc. 67-9645; Filed, Aug. 16, 1967;
8:46 a.m.]

Office of the Secretary
RINCON INDIAN RESERVATION,
CALIF.

**Ordinance Legalizing Sale of
Intoxicants**

Pursuant to the Act of August 15, 1953 (Public Law 277, 83d Cong., 1st sess.; 67 Stat. 586), I hereby certify that on July 30, 1967, the following ordinance relating to the application of the Federal Indian liquor laws on the Rincon Indian Reservation was duly enacted by the Rincon General Council which has jurisdiction over the area of Indian country included in the ordinance:

Whereas, Public Law 277, 83d Congress, approved August 15, 1953, provides that sections 1154, 1156, 3113, 3488, and 3618 of title 18, United States Code, commonly referred to as the Federal Indian liquor laws, shall not apply to any act or transaction within any area of Indian country, provided such act or transaction is in conformity with both the laws of the State in which such act or transaction occurs and with an ordinance duly adopted by the tribe having jurisdiction over such area of Indian country, certified by the Secretary of the Interior, and published in the *FEDERAL REGISTER*.

Therefore, be it resolved that the introduction, sale or possession of intoxicating beverages shall be lawful on the Rincon Reservation only within Tract 70 under the jurisdiction of the Rincon Band, said resolution pertaining only to said tract located in sec. 26, T. 10 S., R. 1 W., SBB & M., Calif., containing 3.90 acres more or less: *Provided*, That such introduction, sale or possession is in conformity with the laws of California.

And be it further resolved, that any tribal laws, resolutions, or ordinances heretofore enacted which prohibit the sale, introduction, or possession of intoxicating beverages are hereby repealed.

Certification: This is to certify that the above resolution was passed by the Rincon General Council at a special duly called meeting held at the Rincon Meeting Hall, Rincon Reservation, on July 30, 1967, by a vote of 13 "for" and 0 "against".

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 11, 1967.

[F.R. Doc. 67-9640; Filed, Aug. 16, 1967;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

**ASSISTANT TO THE SECRETARY FOR
CIVIL RIGHTS**

Delegation of Authority

The Secretary of Agriculture, pursuant to the authority vested in him by 7 CFR 15.2(e) of the Department of Agriculture's Regulations issued under the Civil Rights Act of 1964, hereby delegates to the Assistant to the Secretary for Civil Rights, U.S. Department of Agriculture, William M. Seabron, the authority to:

1. Make determinations required by 7 CFR 15.8(d) that compliance cannot be secured by voluntary means; and

2. Take or authorize the taking of any other action pursuant to 7 CFR 15.8(a) and 15.8(d) relating to compliance by "other means authorized by law."

Nothing herein shall preclude the Secretary of Agriculture from himself exercising the authority so delegated.

Done at Washington, D.C., this 11th day of August 1967.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 67-9661; Filed, Aug. 16, 1967;
8:47 a.m.]

**STATEMENT OF ORGANIZATION
AND DELEGATIONS**

Section 32a of the Statement of Organization and Delegations at 29 F.R. 16210 et seq. is amended to read as follows: "The functions of the Staff agencies are prescribed particularly in Title 1, Chapter 3 of the Administrative Regulations of the Department of Agriculture. The functions of each Staff agency may also be set forth as a notice in the *FEDERAL REGISTER* by the head of each such agency."

Done at Washington, D.C., this 11th day of August 1967.

ORVILLE L. FREEMAN,
Secretary of Agriculture.

[F.R. Doc. 67-9662; Filed, Aug. 16, 1967;
8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23 (67)-11]

**PETROSERVICE INTERNATIONAL
GmbH**

**Notice of Related Party
Determination**

By order dated July 27, 1966, the Bureau of International Commerce, U.S. Department of Commerce entered an order against Manfred Hardt and other parties denying all privileges of participating in any manner or capacity in exportations from the United States of commodities or technical data through July 20, 1968. This order was published

in the *FEDERAL REGISTER* on August 4, 1966 (31 F.R. 10480).

Section 382.1(b) of the Export Regulations provides in part that, to the extent necessary to prevent evasion of any order denying export privileges, said order may be made applicable to parties other than those named in the order with whom said named parties may then or thereafter be related by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or related services. It has been determined by the Office of Export Control that within the purview of said section the firm Petroservice International GmbH located at Adolfsallee 27, 6200 Wiesbaden, Federal Republic of Germany, is a related party to said Manfred Hardt. Under this determination the terms of restriction of the order of July 27, 1966, are effective against said related party.

The said related party has been notified of this determination and has been advised that if he contends that the ruling is not justified or if at some future time it contends that it is no longer a related party to said Manfred Hardt, it may make application to have the ruling reconsidered or terminated. Due notice will be given of any termination or change in this related party determination.

Dated: August 9, 1967.

SHERMAN R. ABRAHAMSON,
Acting Director,
Office of Export Control.

[F.R. Doc. 67-9631; Filed, Aug. 16, 1967;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

**Food and Drug Administration
AMCHEM PRODUCTS, INC.**

**Notice of Filing of Petition Regarding
Pesticides**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition (PP 8F0631) has been filed by Amchem Products, Inc., Ambler, Pa., 19002, proposing the establishment of a tolerance of 0.3 part per million for negligible residues of the herbicide pyrazon (5-amino-4-chloro-2-phenyl-3(2H)-pyridazinone) in or on the raw agricultural commodities beets (roots and tops) and sugar beets (roots and tops).

The analytical method proposed in the petition for determining residues of the herbicide is a colorimetric technique based on hydrolysis to form aniline, which is diazotized and coupled, and determination of the absorbance of the resultant dye.

Dated: August 10, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9696; Filed, Aug. 16, 1967;
8:51 a.m.]

NOTICES

AMDAL CO.

Notice of Filing of Petition for Food Additives Erythromycin and Diethylstilbestrol

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by AMDAL Co., Agricultural Division, Abbott Laboratories, North Chicago, Ill. 60064, proposing the issuance of a regulation to provide for the safe use of erythromycin as erythromycin thiocyanate in feed for feedlot beef cattle as an aid in reducing the incidence of liver abscesses, alone or in combination with diethylstilbestrol added for fattening beef cattle.

Dated: August 8, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9697; Filed, Aug. 16, 1967;
8:51 a.m.]

AMERICAN CYANAMID CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2202) has been filed by American Cyanamid Co., Wayne, N.J. 07470, proposing an amendment to § 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods to provide for the safe use of tetrasodium N-(1,2-dicarboxyethyl)-N-octadecylsulfosuccinamate as an emulsifier in resin latex food-contact coatings for paper and paperboard when used at levels not to exceed 0.05 percent by weight of the solids of such coatings.

Dated: August 10, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9698; Filed, Aug. 16, 1967;
8:51 a.m.]

FOOD AND DRUG RESEARCH LABORATORIES, INC.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8A2203) has been filed by Food and Drug Research Laboratories, Inc., Maurice Avenue at 58th Street, Maspeth, N.Y. 11378, proposing an amendment to § 121.1164 Synthetic flavoring substances and adjuvants to provide for the safe use of 1-hydroxy-2-butanone, trimethyla-

mine, and 4-thujanol as synthetic flavoring substances in food.

Dated: August 8, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9699; Filed, Aug. 16, 1967;
8:51 a.m.]

PROCTOR & GAMBLE CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2200) has been filed by The Proctor & Gamble Co., Ivorydale Technical Center, Cincinnati, Ohio 45217, proposing an amendment to § 121.2531 Surface lubricants used in the manufacture of metallic articles to provide for the safe use of stearyl stearate as a component of lubricants used in the manufacture of metallic articles intended for food-contact use.

Dated: August 8, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9700; Filed, Aug. 16, 1967;
8:51 a.m.]

STAUFFER CHEMICAL CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0628) has been filed by Stauffer Chemical Co., 1200 South 47th Street, Richmond, Calif. 94800, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the herbicide S-propyl butylethylthiocarbamate in or on the raw agricultural commodities sugar beets (tops and roots) and tomatoes.

Two analytical methods are proposed in the petition for determining residues of the herbicide: (1) Extraction from crop samples by direct steam distillation followed by determination using a micro-coulometric-gas chromatographic technique with a sulfur titration cell; and (2) extraction from crop samples by direct steam distillation followed by hydrolysis to butylethylamine, which is converted to the cupric dithiocarbamate complex and determined spectrophotometrically at 440 millimicrons.

Dated: August 10, 1967.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 67-9701; Filed, Aug. 16, 1967;
8:51 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION III (ATLANTA)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region III (Atlanta), effective November 9, 1966 (32 F.R. 2826, Feb. 11, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of August 17, 1967.

EDWARD H. BAXTER,

Regional Administrator, Region III.

[F.R. Doc. 67-9663; Filed, Aug. 16, 1967;
8:47 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION V (FORT WORTH)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region V (Fort Worth), effective November 9, 1966 (32 F.R. 2827, Feb. 11, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of August 17, 1967.

W. W. COLLINS,
Regional Administrator, Region V.

[F.R. Doc. 67-9664; Filed, Aug. 16, 1967;
8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION IV (CHICAGO, ILL.)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region IV (Chicago, Ill.), effective November 9, 1966 (32 F.R. 2826, Feb. 11, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of June 14, 1967.

JOHN P. MCCOLLUM,
Regional Administrator, Region IV.
[F.R. Doc. 67-9665; Filed, Aug. 16, 1967;
8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION VI (SAN FRANCISCO)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region VI (San Francisco), effective November 9, 1966 (32 F.R. 3368, Feb. 28, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of June 15, 1967.

ROBERT B. PITTS,
Regional Administrator, Region VI.

[F.R. Doc. 67-9666; Filed, Aug. 16, 1967;
8:48 a.m.]

DIRECTOR FOR NORTHWEST OPERATIONS; REGION VI (SAN FRANCISCO)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Director for Northwest Operations at Seattle, Wash., effective November 9, 1966 (32 F.R. 2825, Feb. 11, 1967), are hereby amended under section A, Redelegations of authority, paragraph 1 with respect to the College Housing Loan Program, by adding new subparagraphs 1c and 1d to read:

c. Approve, consent to, and authorize amendments or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments, upon his finding that the action is supported by adequate consideration or requires no consideration.

d. Execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of June 15, 1967.

ROBERT B. PITTS,
Regional Administrator, Region VI.
[F.R. Doc. 67-9667; Filed, Aug. 16, 1967;
8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION VII (SAN JUAN, P.R.)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region VII (San Juan, P.R.), effective November 9, 1966 (32 F.R. 2827, Feb. 11, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of August 17, 1967.

JOSE E. FEBRES-SILVA,
Regional Administrator, Region VII.

[F.R. Doc. 67-9668; Filed, Aug. 16, 1967;
8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION I (NEW YORK)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region I (New York), effective November 9, 1966 (32 F.R. 2826, Feb. 11, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of March 16, 1967.

JUDAH GRIEBETZ,
Regional Administrator, Region I.

[F.R. Doc. 67-9736; Filed, Aug. 16, 1967;
8:52 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE; REGION II (PHILADELPHIA)

Redelegations of Authority With Respect to College Housing Loan Program

The redelegations of authority to the Assistant Regional Administrator for

NOTICES

Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, Region II (Philadelphia), effective November 9, 1966 (32 F.R. 2826, Feb. 11, 1967), are hereby amended under section A, Authority redelegated to Assistant Regional Administrator for Housing Assistance and Deputy Assistant Regional Administrator for Housing Assistance, paragraph 1 with respect to the College Housing Loan Program, by adding a new subparagraph 1c to read:

c. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

(Amendments to redelegations of authority by Assistant Secretary for Renewal and Housing Assistance effective Mar. 16, 1967 (32 F.R. 4145))

Effective date. These amendments to redelegations of authority shall be effective as of August 17, 1967.

WARREN P. PHELAN,
Regional Administrator, Region II.

[F.R. Doc. 67-9737; Filed, Aug. 16, 1967;
8:52 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17167; Order E-25520]

AIR CARRIER DISCUSSIONS

Supplementary Order Regarding Accessorial Cargo Services

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of August 1967.

By petition filed July 31, 1967, the Air Freight Forwarders Association (AFFA), requests a 1-month extension of the prior authority, granted by Order E-25146, May 15, 1967, for discussions relating to accessorial cargo services. In support of its request, AFFA states that the direct air carriers' discussions on this subject have been concluded, that two accessorial service agreements among some of the direct air carriers have resulted from such discussions and have been filed with the Board,¹ and that several others are being circulated for signature and may be filed with the Board in the near future. Accordingly, AFFA asserts that its members cannot resolve the issues among themselves pending a final filing by the direct air carriers, but that the forwarder discussion authority expired with July 31, 1967. Consequently, to provide a reasonable period of time for the forwarders to consider the direct carrier agreements, and to hold a further and final discussion meeting, AFFA seeks a 1-month extension of the forwarders' discussion authority. No person has advised the Board of any opposition to the AFFA petition.

The Board will approve the request of the Air Freight Forwarders Association. Any forwarder agreements which might result from these additional discussions would of necessity be cast in the light

of whatever final action is taken by the direct air carriers. It seems reasonable to provide for additional time wherein the forwarders may consider the final actions of the airlines.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 412, and 414 thereof:

It is ordered. That:

1. Order E-25146, dated May 15, 1967, is amended to extend the indirect air carrier discussions on accessorial cargo services authorized therein for one month beginning with the service date of this order;

2. All other provisions of Order E-25146 remain unchanged.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-9688; Filed, Aug. 16, 1967;
8:50 a.m.]

[Docket No. 18365; Order E-25521]

MARTY'S FLYING SERVICE

Order To Show Cause Regarding Establishment of Final Service Mail Rate

Issued under delegated authority August 11, 1967.

The establishment of a final service mail rate for Martin J. McLaughlin doing business as Marty's Flying Service; Docket 18365.

By Order E-25108, May 5, 1967, the Board granted Martin J. McLaughlin doing business as Marty's Flying Service (Marty's) an exemption from Title IV of the Federal Aviation Act of 1958. Under this exemption, Marty's was authorized to carry mail between (a) Panama City, Tallahassee, and Orlando, Fla., and (b) Pensacola, Tallahassee, and Jacksonville, Fla. Subsequently, a final service mail rate of 17 cents per single engine aircraft mile and 23.5 cents per twin engine aircraft mile was established by Order E-25157, May 16, 1967.

The Postmaster General, at the request of Marty's, filed a petition on August 1, 1967, to increase the final service mail rates for the single engine transportation to 17.75 cents per aircraft mile. No adjustment on the twin engine aircraft rate is requested. The Post Office states that several months experience with this service has shown that there is greater ground time at Panama City than first anticipated, and, therefore, the present rate has not been fully compensatory to Marty's. However, this service has been very valuable to the Department, and it desires to continue to utilize Marty's services. It believes, from the experience under the present rate, that the proposed rates will be fair and reasonable compensation for this air transportation of mail by Marty's.

The Board, therefore, finds it in the public interest to adjust, determine, and fix the fair and reasonable rate of compensation to be paid to Marty's by the

Postmaster General for transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the Postmaster General's petition, and other matters officially noticed, the Board proposes to issue an order¹ to include the following findings, and conclusions:

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-9689; Filed, Aug. 16, 1967;
8:50 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, August 23, 1967. The hearing will take place in the Conference Room on the 16th Floor of the Municipal Services Building, 15th and Kennedy Boulevard, Philadelphia, beginning at 2 p.m. The subject of the hearing will be proposals to amend the Comprehensive Plan so as to include therein the following projects.

1. *Philadelphia Suburban Water Co.* An additional source of public water supply to be developed at the Bridgeport quarry in Upper Merion Township, Montgomery County, Pa. The new source will be used to augment existing company supplies and is expected to provide a daily average yield of 5.4 million gallons.

2. *City of New Castle.* A well water supply project to augment the city's supplies in New Castle, Del. Designated as School House Well No. 2, the new facility is expected to yield about 300 gallons per minute.

3. *Wyoming-Camden Sewer and Water Authority.* A well water supply project to augment existing public supplies in Wyoming, New Castle County, Del. The new facility is expected to yield 400 gallons per minute.

4. *Village of Deposit.* A well water supply project to augment public water supplies in the village of Deposit, Broome, and Delaware Counties, N.Y. The new facility is expected to yield 350 gallons per minute.

¹ As this order to show cause does not constitute a final action and merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). The provisions of that part dealing with petitions for Board review will be applicable to any final action which may be taken by the staff in this matter under authority delegated in § 385.14(g).

¹ Agreements CAB 10973-A73 and A74.

5. *Womelsdorf Sewer Authority.* A sewage collection and treatment project for the Borough of Womelsdorf, Berks County, Pa. Secondary treatment will be provided for an average flow of 300,000 gallons per day prior to discharge to the Tulpehocken Creek.

Documents relating to the above proposed additions to the Comprehensive Plan may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission; Telephone 609-883-9500.

W. BRINTON WHITALL,
Secretary.

AUGUST 11, 1967.

[F.R. Doc. 67-9632; Filed, Aug. 16, 1967;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17057, 17629; FCC 67-8101]

AIKEN CABLEVISION, INC., AND HOME CATV CO., INC.

Memorandum Opinion and Order Designating Applications for Con- solidated Hearing on Stated Issues

In re petition of Aiken Cablevision, Inc., Aiken, S.C., Docket No. 17057, File No. CATV 100-19, for authority pursuant to § 74.1107 to operate CATV systems in North Augusta and Aiken, S.C.; and in re petition of Home CATV Co., Inc., city of Barnwell and town of Williston, S.C., Docket No. 17629, File No. CATV 100-145, for authority pursuant to § 74.1107 to operate CATV systems in the Augusta, Ga., television market.

1. Home CATV Co., Inc., proposes to operate two CATV systems in the city of Barnwell and the town of Williston, both Barnwell County, S.C. Home CATV proposes to carry the local signals of the two Augusta stations, Channels 6 (NBC, ABC) and 12 (CBS), and one Columbia, S.C. station, Channel 10 (NBC).¹ It is seeking to import the distant signals from Columbia: Channels 19 (CBS), 25 (ABC), and *35 (Educational); and from Charleston: Channels 2 (ABC), 4 (NBC), and 5 (CBS).²

2. The Augusta market has a total net weekly circulation of 186,500 television homes. The city of Augusta has a population of 70,626 and has Channels 6, 12, 26, and 54 assigned to it; also assigned within the market are Wrens, Ga.—*20; Aiken, S.C.—*44; and Allendale, S.C.—*14. Stations are operating on Channels 6, 12, and *20; a construction permit

¹In a supplement, filed June 30, 1966, petitioner has stated that it will give carriage and nonduplication to any educational station placing a predicted Grade B or better contour over the communities of the systems.

²Petitioner originally requested permission to import the distant signal of Channel 3 (NBC), Savannah, Ga., but subsequently withdrew this request.

³The station is presently operating on Program Test Authority.

has been granted for Channel *14; two applications have been filed for Channel 26; the one application for Channel 54 was withdrawn on June 23, 1967; Channel *44 is idle. Barnwell, 38 miles from Augusta and 10 miles from Williston, has a population of 4,568, while Williston, 32 miles from Augusta, has a population of 2,722. Neither of the communities is within the Augusta Urbanized Area or the Standard Metropolitan Statistical Area.

3. Two oppositions have been filed: Rust Craft Greeting Cards, Inc., licensee of Channel 12 (CBS), Augusta, states that the cumulative effect of CATV proposals in the Augusta market will be to erode the station's audience. Moreover, it challenges the duplication of network signals as not being within the contemplation of the Commission when it called for "multiple program choices" to be available. Augusta Telecasters, Inc., an applicant for Channel 26 in Augusta, claims that this proposal should be consolidated with a pending hearing in the same market, Cosmos Cablevision Corporation, 7 FCC 2d 223, 9 RR 2d 255.

4. On the facts presented in the petition and the opposing pleadings, we are unable to make the determination without hearing that importation of the requested distant signals would be consistent with the establishment and healthy maintenance of UHF development in the market. Accordingly, it is ordered, That the request for waiver is denied.

It is further ordered, That the request of Home CATV Co., Inc. (CATV 100-145), pursuant to § 74.1107 of the Commission's rules, is designated for hearing.

It is further ordered, That this proceeding is consolidated with, and upon the same issues as, the proceeding in Docket No. 17057.

Rust Craft Greeting Cards, Inc., and Augusta Telecasters, Inc., are already parties to the pending Augusta proceeding and need not be redesignated as parties. The burden of proof, as before, is upon the petitioner. A time and place for the hearing will be specified in another order.

Adopted: August 2, 1967.

Released: August 14, 1967.

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

[F.R. Doc. 67-9678; Filed, Aug. 16, 1967;
8:49 a.m.]

[Docket Nos. 17607, 17608; FCC 67M-1370]

AMERICANA BROADCASTING CORP. AND LOYOLA UNIVERSITY

Order Continuing Prehearing Conference

In re applications of Americana Broadcasting Corp., New Orleans, La., Docket No. 17607, File No. BPH-5404; Loyola University, New Orleans, La.,

¹Commissioners Bartley, Loevinger, and Wadsworth absent.

Docket No. 17608, File No. BPH-5466; for construction permits.

On the Hearing Examiner's own motion: It is ordered, That the prehearing conference heretofore scheduled for September 27, 1967, is postponed until October 3, 1967, at 9 a.m., in the offices of the Commission, Washington, D.C.

Issued: August 10, 1967.

Released: August 11, 1967.

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

[F.R. Doc. 67-9679; Filed, Aug. 16, 1967;
8:49 a.m.]

[Docket Nos. 17617, 17618; FCC 67M-1371]

ATHENS BROADCASTING CO., INC., AND 3 J'S BROADCASTING CO.

Order Scheduling Hearing

In re applications of Athens Broadcasting Co., Inc., Athens, Tenn., Docket No. 17617, File No. BPH-5668; John P. Frew and Julia N. Frew doing business as 3 J's Broadcasting Co., Athens, Tenn., Docket No. 17618, File No. BPH-5768; for construction permits:

It is ordered, That Thomas H. Donahue shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 21, 1967, at 10 a.m.; and that a prehearing conference shall be held on October 16, 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: August 10, 1967.

Released: August 11, 1967.

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

[F.R. Doc. 67-9680; Filed, Aug. 16, 1967;
8:49 a.m.]

[Docket Nos. 17624, 17625; FCC 67M-1372]

FRED KAYSBIER AND SIERRA BLANCA BROADCASTING CO. (KRRR)

Order Scheduling Hearing

In re applications of Fred Kaysbier, Alamogordo, N. Mex., Docket No. 17624, File No. BP-16955; Edward D. Hyman trading as Sierra Blanca Broadcasting Co. (KRRR), Ruidoso, N. Mex., Docket No. 17625, File No. BP-17487; for construction permits:

It is ordered, That Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on November 14, 1967, at 10 a.m.; and that a prehearing conference shall be held on October 19, 1967, commencing at 9 a.m.: And, it is further ordered, That all proceedings

NOTICES

shall take place in the offices of the Commission, Washington, D.C.

Issued: August 10, 1967.

Released: August 11, 1967.

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

[F.R. Doc. 67-9681; Filed, Aug. 16, 1967;
8:49 a.m.]

[Docket No. 17186; FCC 67M-1369]

**VESTAL VIDEO, INC., AND EASTERN
MICROWAVE, INC.**

Order Continuing Hearing

In the matter of Vestal Video, Inc.,
Vestal, N.Y., complainant, v. Eastern
Microwave, Inc., Syracuse, N.Y., defendant;
Docket No. 17186.

Counsel for Eastern Microwave, Inc.,
has informally advised the Hearing Examiner
that parties to this proceeding
desire that the hearing now scheduled
for September 25, 1967, be rescheduled
to November 6, 1967;

It appearing, that good cause exists
why said request should be granted:

Accordingly, it is ordered, That the
hearing herein now scheduled for September
25, be and the same is hereby
rescheduled for November 6, 1967,
10 a.m., in the Commission's offices,
Washington, D.C.

Issued: August 9, 1967.

Released: August 11, 1967.

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

[F.R. Doc. 67-9682; Filed, Aug. 16, 1967;
8:49 a.m.]

FEDERAL MARITIME COMMISSION
**NORTH CAROLINA SAVINGS & LOAN
LEAGUE, INC.**

**Financial Responsibility To Meet Liability
Incurred for Death or Injury to
Passengers or Other Persons on
Voyages; Notice of Application for
Certificate [Casualty]**

Notice is hereby given that pursuant
to the provisions of section 2, Public Law
89-777 (80 Stat. 1357, 1358) and Federal
Maritime Commission General Order 20,
Amendment 2 (46 CFR Part 540) the following
persons have applied to the Federal
Maritime Commission for a Certificate of
Financial Responsibility to Meet Liability
Incurred for Death or In-

jury to Passengers or Other Persons on
Voyages:

North Carolina Savings & Loan League, Inc.

Dated: August 14, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-9683; Filed, Aug. 16, 1967;
8:49 a.m.]

**NORTH CAROLINA SAVINGS & LOAN
LEAGUE, INC.**

**Indemnification of Passengers for
Nonperformance of Transportation;
Notice of Application for Certificate
[Performance]**

Notice is hereby given that pursuant
to the provisions of section 3, Public Law
89-777 (80 Stat. 1357, 1358) and Federal
Maritime Commission General Order 20
(46 CFR Part 540) the following persons
have applied to the Federal Maritime
Commission for a Certificate of
Financial Responsibility for Indemnification
of Passengers for Nonperformance of
Transportation:

North Carolina Savings & Loan League, Inc.

Dated: August 14, 1967.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-9684; Filed, Aug. 16, 1967;
8:50 a.m.]

**NORTH ATLANTIC WESTBOUND
FREIGHT ASSOCIATION**

**Notice of Agreement Filed for
Approval**

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

Interested parties may inspect and obtain
a copy of the agreement at the Washington
office of the Federal Maritime
Commission, 1321 H Street NW,
Room 609; or may inspect agreements
at the offices of the District Managers,
New York, N.Y., New Orleans, La., and
San Francisco, Calif. Comments with
reference to an agreement including a
request for hearing, if desired, may be
submitted to the Secretary, Federal
Maritime Commission, Washington, D.C.
20573, within 10 days after publication
of this notice in the *FEDERAL REGISTER*. A
copy of any such statement should also
be forwarded to the party filing the
agreement (as indicated hereinafter)
and the comments should indicate that
this has been done.

Notice of agreement filed for approval
by:

Mr. Ronald A. Capone, Kirlin, Campbell &
Keating, The Farragut Building, 900 17th
Street NW, Washington, D.C. 20006.

Agreement 5850-7, between the member
lines of the North Atlantic Westbound
Freight Association, proposes (1) the
revocation and cancellation of a pending

modification, Agreement 5850-6, which
is presently in docketed proceedings
(Docket No. 67-2), and (2) amendment
of the basic agreement to increase the
amount of the admission fee from £1,000
to £1,750.

Dated: August 14, 1967.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-9685; Filed, Aug. 16, 1967;
8:50 a.m.]

**RED SEA AND GULF OF ADEN/U.S.
ATLANTIC AND GULF RATE
AGREEMENT**

Notice of a Petition Filed for Approval

Notice is hereby given that the following
petition has been filed with the Commission
for approval pursuant to section
14b of the Shipping Act, 1916, as
amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy
of the proposed contract form and of the
petition at the Washington office of the
Federal Maritime Commission, 1321 H
Street NW, Room 609; or at the offices of
the District Managers, New York, N.Y.,
New Orleans, La., and San Francisco,
Calif. Comments with reference to the
proposed contract form and the petition
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
petition (as indicated hereinafter),
and the comments should indicate that
this has been done.

Notice of application to institute a
dual rate system filed by:

Mr. James C. Pendleton, Secretary, Red Sea
and Gulf of Aden/U.S. Atlantic and Gulf
Rate Agreement, 25 Broadway, New York,
N.Y. 10004.

Notice is hereby given that the member
lines of the Red Sea and Gulf of Aden/
U.S. Atlantic and Gulf Rate Agreement
(Agreement No. 8558) have filed pursuant
to section 14(b) of the Shipping
Act, 1916, an exclusive patronage (dual
rate) contract and an application for
permission to institute a dual rate system
for the movement of coffee from Red
Sea and Gulf of Aden Ports to U.S. Atlantic
and Gulf of Mexico Ports.

The application provides that contract
rates shall be lower than the ordinary
rates by a fixed percentage of 15 percent
all in accordance with the terms and
conditions described in the contract.

Dated August 14, 1967.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-9686; Filed, Aug. 16, 1967;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-3894 etc.]

ATLANTIC RICHFIELD CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

AUGUST 8, 1967.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 31, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.*

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Acting Secretary.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per McF	Pres- sure base
G-3894 C 7-28-67	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	United Gas Pipe Line Co., West Mustang Island Field, Nueces and San Patricio Counties, Tex.	16.0	14.65
G-6170 D 7-28-67	The Superior Oil Co. (Operator) et al., Post Office Box 1521, Houston, Tex. 77001 (partial abandonment).	Southern Natural Gas Co., Gwinville Field, Jefferson Davis and Simpson Counties, Miss.	(*)	-----
G-6300 E 6-19-67	Norval Ballard, Trustee (Operator) et al. (successor to Norval Ballard) (Operator) et al., City National Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., Hugoton Field, Stevens County, Kans.	11.0	14.65
G-7326 C 6-9-67	Pan American Petroleum Corp. (Operator) et al., Post Office Box 591, Tulsa, Okla. 74102.	El Paso Natural Gas Company, Blanca and Flora Vista Fields, San Juan County, N. Mex.	13.0	15.025
G-10568 E 7-28-67	Dorothy M. Bumgarner (successor to Armer, Int.), 1436 Spring Dr., Wichita, Kans. 67208.	Kansas-Nebraska Natural Gas Co., Inc., Camrnick Field, Texas County, Okla.	16.0	14.65
G-11637 D 7-27-67	Gulf Oil Corp. (Operator) et al., Post Office Box 1589, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Teague Ellenger Field, Lea County, N. Mex.	Depleted	-----
G-13163 C 7-31-67	Arteo Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202.	Southern Union Gathering Co., Basin Dakota Pool, San Juan County, N. Mex.	13.0	15.025
C161-291 D 7-14-67	Atlantic Richfield Co.	Transwestern Pipeline Co., acreage in Beaver County, Okla.	(*)	-----
C161-503 D 7-20-67	Jas. F. Smith (Operator) et al., Post Office Box 10005, Avonbell Station, Amarillo, Tex. 79106 (partial abandonment).	do.	(*)	-----
C161-1500 A 4-14-61	Sinclair Oil & Gas Co. ² , Post Office Box 521, Tulsa, Okla. 74102.	West Texas Gathering Co., Emperor (Devonian) Field, Winkler County, Tex.	16.5	14.65
C164-1198 E 7-28-67	W. R. Hembry (successor to Pan American Petroleum Corp.), 497 The Petroleum Bldg., Tyler, Tex. 75701.	Lone Star Gas Co., Penn-Griffith Field, Rusk County, Tex.	14.49	14.65
C164-1244 C 7-31-67	Humble Oil & Refining Co. (Operator) et al., Post Office Box 2180, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, Sarita et al. Fields, Kenedy County, Tex.	16.0	14.65
C165-54 C 7-26-67	Tenneco Oil Co. (Operator) et al., Post Office Box 2511, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Pine Hollow Field, Pittsburg County, Okla.	13.0	14.65
C165-155 C 7-27-67	V. F. Nenthaus, c/o Robert L. Bradley, attorney, 2500 Humble Bldg., Houston, Tex. 77002.	Florida Gas Transmission Co., Garcia Field, Starr County, Tex.	15.0	14.65
C166-556 C 7-25-67	Oklahoma Natural Gas Co., Post Office Box 871, Tulsa, Okla. 74102.	Arkansas Louisiana Gas Co., Cedars Field, Le Flore County, Okla.	15.015	14.65
C166-942 C 7-31-67	Pan American Petroleum Corp.	Northern Natural Gas Co., Northeast Catesby Field, Ellis County, Okla.	19.55	14.65
C167-671 C 7-19-67	Bracco Oil & Gas Co. (Operator) et al., 2338 Bank of the Southwest Bldg., Houston, Tex. 77002.	South Texas Natural Gas Gathering Co., North Stars Field, Calcasieu Parish, La.	16.0	15.025
C168-87 (C165-1216) F 7-20-67	Delta Drilling Co. (Operator) et al. (successor to Humble Oil & Refining Co.), Post Office Box 2912, Tyler, Tex. 75702.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	16.0	14.65
C168-91 A 7-25-67	Shell Oil Co., 50 West 50th St., New York, N.Y. 10030.	Michigan Wisconsin Pipe Line Co., Eugene Island and South Marsh Island Areas, Offshore Louisiana.	19.5	15.025
C168-93 B 7-20-67	American Petrofina Co. of Texas (Operator) et al., Walker W. Smith, attorney, Post Office Box 2159, Dallas, Tex. 75221.	Lone Star Gas Co., Katie East Hoxbar Field, Garvin County, Okla.	(*)	-----
C168-94 A 7-27-67	Lone Star Producing Co., 301 South Harwood St., Dallas, Tex. 75201.	Panhandle Eastern Pipe Line Co., acreage in Woods County, Okla.	17.0	14.65
C168-95 A 7-27-67	McCommons Oil Co. et al., 1001 Mercantile Securities Bldg., Dallas, Tex. 75201.	Natural Gas Pipeline Co. of America, acreage in Wise County, Tex.	15.0	14.65
C168-96 (G-10986) (CP61-169) F 7-24-67	Pan American Petroleum Corp. (successor to Tenneco Oil Co.)*.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
C168-97 B 7-27-67	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	United Gas Pipe Line Co., Burnell Field, Karnes County, Tex.	Depleted	-----
C168-98 A 7-27-67	Texaco, Inc.	Southern Natural Gas Co., Knox Field, Walthall County, Miss.	20.6	15.025
C168-99 (C162-522) F 7-24-67	Petroleum, Inc. (successor to J. M. Huber Corp.), 300 West Douglas, Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., Northwest Carthage Area, Texas County, Okla.	16.0	14.65
C168-100 A 7-20-67	John L. Gillingham, 63 North Fourth Avenue, Clarion, Pa. 16214.	The Manufacturers Light & Heat Co., Porter Township, Clarion County, Pa.	20.0	15.325
C168-101 B 8-1-67	D. N. Fenton, et al. (successor to F. E. Jameson, et al.), Post Office Box 308, De Queen, La. 70633.	Transcontinental Gas Pipe Line Corp., Bear Field, Beauregard Parish, La.	(*)	-----
C168-102 (C162-129) F 7-27-67	Texaco, Inc. (successor to Humble Oil & Refining Co.), Post Office Box 5232, Houston, Tex. 77052.	Southern Natural Gas Co., Knox Field, Walthall County, Miss.	24.0	15.025
C168-103 A 7-28-67	Graham-Michelin Drilling Co., 211 North Broadway, Wichita, Kans. 67202.	Northern Natural Gas Co., Camrnick Field, Beaver County, Okla.	17.0	14.65
C168-104 B 7-31-67	do.	Kansas-Nebraska Natural Gas Co., Inc., Beauchamp Field, Stanton County, Kans.	(*)	-----

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

NOTICES

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI68-107 A 7-31-67	Success Oil & Gas Co., Inc., c/o Lovell E. Hayden III, attorney, Post Office Box 1661, Monroe, La. 71201.	United Gas Pipe Line Co., Dehleco Field, Richland Parish, La.	16.0	15.025
CI68-108 A 7-31-67	C. C. Harter, Jr., et al., 452 Rio Grande Bldg., Dallas, Tex. 75202.	Humble Gas Transmission Co., Hatch Bend Field and North Richland Area, Richland Parish, La.	15.5	15.025
CI68-109 A 7-29-67	Jack E. Webber, Route No. 1, Manganville, W. Va. 26404.	Pennzoil Co., Grant District, Doddridge County, W. Va.	15.0	15.325
CI68-110 A 7-27-67	Benson Supply Co., Post Office Drawer 661, Pampa, Tex. 79065.	Panhandle Eastern Pipe Line Co., acreage in Seward County, Kansas.	16.0	14.65
CI68-111 A 8-1-67	Hydroco Gas Supply Corp., 1520 Vaughn Plaza, Corpus Christi, Tex. 78401.	United Gas Pipe Line Co., Orange Grove Field, Jim Wells County, Tex.	16.0	14.65
CI68-112 A 8-1-67	C. C. Winn, 900 Northeast Military Dr., San Antonio, Tex. 78205.	Oil Field Transportation, Inc., and Hydroco Gas Supply Corp., Orange Grove Field, Jim Wells County, Tex.	8.0	14.65

¹ Well ceased to produce in commercial quantities.

² An increase in rate to 12.0 cents is currently suspended in Docket No. RI67-321.

³ Deletes production of casinghead gas from W 3/2 of sec. 31; said gas does not qualify for connection to Buyer's system.

⁴ The No. 1 Kenneke Well is incapable of delivering gas at Buyer's line pressure and said well does not qualify for compression.

⁵ By letter filed June 20, 1967, Applicant agreed to accept a permanent certificate containing conditions similar to those imposed by Opinion No. 468, as modified by Opinion No. 468-A.

⁶ Includes 2.55 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.

⁷ High-pressure gas depleted.

⁸ Subject to upward and downward B.t.u. adjustment.

⁹ Partial successor in interest to Northwest Production Corp., Docket No. G-10686 and Texas Eastern Transmission Corp., Docket No. CP61-169. Tenneco never made certificate filings to cover subject acreage.

¹⁰ Wells have ceased to produce and no further production is expected from subject property.

¹¹ Rate in effect subject to refund in Docket No. RI66-149.

[F.R. Doc. 67-9555; Filed, Aug. 16, 1967; 8:45 a.m.]

[Docket Nos. G-3894 etc.]

ATLANTIC RICHFIELD CO. ET AL.

Findings and Order After Statutory Hearing

AUGUST 9, 1967.

Findings and orders after statutory hearing issuing certificates of public convenience and necessity, reinstating certificate and FPC gas rate schedule, amending certificates, permitting and approving abandonment of service, terminating certificates, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate, abandon or add natural gas service in interstate commerce as indicated by the tabulation herein. All sales certified herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sale from the Permian Basin area of Texas is authorized to be made at the applicable area base rate and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Wilshire Oil Company of Texas, Applicant in Docket No. CI61-198, has filed an application requesting the Commission to reinstate the certificate of public convenience and necessity heretofore issued in said docket and terminated by order of November 1, 1966, in Docket Nos. G-3083 et al., concurrently with the granting of permission and approval in Docket No. CI67-259 to abandon the subject sale. Concurrently with the termination of the certificate in Docket No. CI61-198 the Commission accepted for filing a notice of cancellation of Applicant's FPC Gas Rate Schedule No. 5. Applicant has advised the Commission that the owner of a production payment which was an economic burden on the leasehold has relinquished such payment in exchange for an overriding royalty of lesser amount which, in effect, notwithstanding the small amount of production of gas obtained from the leasehold, renders the continuance of operation and sale of gas no longer uneconomic. Applicant therefore requests that the certificate heretofore issued in Docket No. CI61-198 and its FPC Gas Rate Schedule No. 5 be reinstated.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on July 27, 1967, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the

respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate heretofore issued in Docket No. CI61-198 and subsequently terminated should be reinstated and that the related rate schedule should also be reinstated.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-3894, G-16139, CI63-575, CI65-564, and CI68-788 should be amended as hereinafter ordered and conditioned.

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter

permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date, as indicated by footnote 8 in the attached tabulation.

(E) The initial rate for the sale authorized in Docket No. G-3894 shall be the applicable base area rate prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality, or the contract rate, whichever is lower;

and no increase in rate in excess of said initial rate shall be filed before January 1, 1968.

(F) If the quality of the gas delivered by Applicant in Docket No. G-3894 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of a notice of change in rate.

(G) Within 90 days from the date of initial delivery Applicant in Docket No. G-3894 shall file a rate schedule quality statement in the form prescribed in Opinion No. 468-A.

(H) The acceptance for filing of the related rate filing in Docket No. CI67-1732 is contingent upon Applicant's filing three copies of a billing statement as required by the regulations under the Natural Gas Act.

(I) The initial rate for the sale authorized in Docket No. CI63-575 shall be 15.0 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, plus B.t.u. adjustment; however, in the event that the Commission amends its policy statement No. 61-1, by adjusting the boundary between the Panhandle area and the "Other" Oklahoma area so as to increase the initial wellhead price for new gas in the area involved herein, Applicant thereupon may substitute the new rate reflecting the amount of such increase, and thereafter collect such new rate prospectively in lieu of the initial rate herein required.

(J) The certificates heretofore issued in Docket Nos. G-3894 and CI63-575 are amended by adding thereto authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(K) The certificate heretofore issued in Docket No. CI65-564 is amended by deleting therefrom the interest of Mobil Oil Corp. and the related rate schedule is redesignated from Standard Oil Company of Texas, a division of Chevron Oil Co. (Operator), et al., to Standard Oil Company of Texas, a division of Chevron Oil Co.

(L) The certificates heretofore issued in Docket Nos. G-16139 and CI66-788 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in Docket Nos. CI67-1732 and CI67-1718, respectively.

(M) The certificate heretofore issued in Docket No. CI61-198 and the related rate schedule are reinstated, permission and approval to abandon the sale of natural gas issued in Docket No. CI67-259 are rescinded, and the acceptance for filing of Supplement No. 4 to Wilshire Oil Company of Texas FPC Gas Rate Schedule No. 5 is rescinded.

(N) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(O) Permission for and approval of the abandonment in Docket No. CI67-1729 shall not be construed to relieve Applicant of any refund obligation which may be ordered in the rate suspension proceedings pending in Docket Nos. RI66-127 and RI67-88.

(P) The certificates heretofore issued in Docket Nos. G-3555, G-4301, G-5617, G-12680, G-13321, G-13682, CI61-1715, CI62-1310, CI63-183, CI63-625, CI63-1467, CI64-901, CI64-1092, CI64-1185, CI64-1354, and CI66-363 are terminated.

(Q) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-3894 C 8-31-67 ¹	Atlantic Richfield Co. ²	EI Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	Supplemental Agree- ment 4-11-67. ³	28	31
CI61-198 5-26-67 ⁴	Wilshire Oil Co. of Texas	Panhandle Eastern Pipe Line Co., Bluebell Northwest Field, Seward County, Kans.	Contract 7-29-60..... Letter 9-6-60..... Assignment 1-29-62..... Notice of cancellation 8-19-66..... Notice of reinstatement 5-24-67. ⁵ Amendatory Agree- ment 5-4-67. ⁶	5 5 5 5 5 5 5	1 2 3 4 5 5
CI63-575 C 6-5-67	Humble Oil & Refin- ing Co.	Michigan Wisconsin Pipe Line Co., Woodward Area, Major County, Okla.		316	6

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

NOTICES

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted				Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No.	Supp.	Docket No. and date filed	Description and date of document	No.	Supp.
C116-394, 4-11-67*	Standard Oil Co. of Texas, a division of Chevron Oil Co.	Natural Gas Pipelines Co. of America, Indiana Basin Area, Eddy County, N. Mex.	(1).....	41	C116-1729 (G-1308) B 6-2-67	Bunt Oil Co.	Texas Eastern Trans- misson Corp., South Nance Field, Harrison County, Tex.	Notice of cancellation 6-1-67, p. 11
C117-1397, A 4-1-67*	J. M. Huber Corp.	Tennessee Gas Pipeline Co., a division of Tennessee, Inc., North Carroll Field, Carroll County, Tex.	Battled 4-27-66 1..... Battled 7-3-67 1..... Contract 11-8-63 1..... Amendment 1-1-69 1..... Letter Agreement, 8-4-64, p. a.....	76	1	C116-1730 (G-12680) B 6-2-67	Winnard Gas Co., Inc. (formerly A. C. Radko),	Consolidated Gas Supply District, Nicholas County, W. Va.	Notice of cancellation 6-1-67, p. 11
C118-1704, C118-302	Central Gas Co.	Consolidated Gas Supply Corp., Troy District, Gilmer County, W. Va.	Notice of cancellation 5-31-67, p. a.....	76	2	C116-1731 (G-13021) B 6-2-67	Glenn L. Hough et al., d/b/a. Obocon Gas Co., Murray District, Boone County, W. Va.	Consolidated Gas Supply Corp., Murray District, Boone County, W. Va.	Notice of cancellation 6-1-67, p. a.....
C118-1705, C118-1706, B 6-1-67	Petroleum Promotions, Inc.	Consolidated Gas Supply Corp., Court House District, Lewis County, W. Va.	Notice of cancellation 5-31-67, p. a.....	76	3	C116-1732 (G-13029) F 6-1-67	Turton Oil Co., assignee to Gulf Oil Corp.,	Transwestern Pipeline Co., acreage in Lippard County, Tex.	Contract 6-12-68, p. 1.....
C118-1707, C118-1708, B 6-1-67	George W. Miller, et al.	Consolidated Gas Supply Corp., Troy District, Gilmer County, W. Va.	Notice of cancellation 5-31-67, p. a.....	76	4	C116-1733 (G-13030) B 6-2-67	Letter Agreement, 11-1-68, p. 11	Letter Agreement, 11-1-68, p. 11	Letter Agreement, 11-1-68, p. 11
C118-1709, C118-1801, B 6-1-67	Southern Triangle Oil Co., Inc.	Consolidated Gas Supply Corp., New Milion District, Doddridge County, W. Va.	Notice of cancellation 5-31-67, p. a.....	76	5	C116-1734 (G-13031) A 6-1-67	Torreside Royalty Corp.,	Plains Natural Gas Co., West Spots Field, Marion County, Kans.	Notice of cancellation 5-12-67, p. 11
C118-1710, C118-1711, B 6-1-67	Detention Webber, d/b/a. Jack E. Webber et al.	Consolidated Gas Supply Corp., Mineral District, Tyler County, W. Va.	Notice of cancellation 5-31-67, p. a.....	76	6	C116-1735 (G-13032) A 6-1-67	Mallock Enterprises, Inc. (Operator), et al.	Mississippi River Transmission Corp., Walnut Bayou Field, Caddo Parish, La.	Letter Agreement, 4-12-67, p. 11
C118-1712, C118-1713, B 6-1-67	Dixons Management Corp. (Operator), et al.	Union Texas Petroleum, a division of Allisun Chemical Corp., North Port, Neches Field, Orange County, Tex.	Notice of cancellation 5-29-67, p. a.....	76	7	C116-1736 (G-13033) A 6-1-67	Portable Drilling Corp.,	Cities Service Gas Co., South Pecos Field, Lincoln County, Okla.	Assignment 5-2-67, p. 11, et seq.
C118-1714, C118-1715, B 6-1-67	Pet-Hardman Oil Operators (Operator)	Cities Service Gas Co., Brook Field, Barber County, Kans.	Notice of cancellation 5-29-67, p. a.....	76	8	C116-1737 (G-13034) A 6-1-67	1. On Jan. 1, 1968, monotonum provided by Opinian No. 488, by letter dated May 31, 1967, Applicant agreed to accept permanent authorization containing conditions similar to those imposed by Opinian No. 488, as modified by Opinian No. 489. 2. By letter dated May 31, 1967, as amended by Opinian No. 490, the date of initial delivery, Applicant shall advise the Commission as to such date. 3. Application is requesting restoration of its certificate and rate schedule used to resume a sale for which an abandonment was substituted on Nov. 1, 1966, in Docket No. C117-214 (revised lease arrangement makes sale economical). 4. Effective date: Date of resumption of service. 5. Amendment to the certificate filed to delete the interest of Mobil Oil Corp., a assignatory co-owner and to delete the term "Operator" et al. from the rate schedule designation. Standard and Mobil are the only producers involved in this sale. 6. No related rate filer. Mobil's letter dated Apr. 24, 1967, withdrawing authorization has been construed as an intent statement pursuant to sec. 134, 11, as amended. 7. Jan. 1, 1968, monotonum pursuant to the Commission's statement of rateable property No. 61-1, as amended. 8. Battled contract dated Nov. 1, 1966, between the Ohio Oil Co., as seller and Tennessee Gas Pipeline Co., as buyer, currently on the at the George Mitchell & Associates, Inc., Agent for Stephen C. Clark et al.	Contract 4-5-67, p. 11	
C118-1716, C118-1717, B 6-1-67	Flag Oil Corp. of Delaware	Arkansas Louisiana Gas Co., Kishen Field, Harrison County, Ark.	Contract 4-25-67, p. 1..... Contract 3-20-64, 11-1-67	76	9	C116-1738 (G-13035) A 6-1-67	1. By letter dated May 31, 1967, and attached to the rate schedule as an exhibit. 2. Application is requesting restoration of its certificate and rate schedule used to resume a sale for which an abandonment was substituted on Nov. 1, 1966, in Docket No. C117-214 (revised lease arrangement makes sale economical). 3. Application is requesting restoration of its certificate and rate schedule used to resume a sale for which an abandonment was substituted on Nov. 1, 1966, in Docket No. C117-214 (revised lease arrangement makes sale economical). 4. Effective date: Date of resumption of service. 5. Amendment to the certificate filed to delete the interest of Mobil Oil Corp., a assignatory co-owner and to delete the term "Operator" et al. from the rate schedule designation. Standard and Mobil are the only producers involved in this sale. 6. No related rate filer. Mobil's letter dated Apr. 24, 1967, withdrawing authorization has been construed as an intent statement pursuant to sec. 134, 11, as amended. 7. Jan. 1, 1968, monotonum pursuant to the Commission's statement of rateable property No. 61-1, as amended. 8. Battled contract dated Nov. 1, 1966, between the Ohio Oil Co., as seller and Tennessee Gas Pipeline Co., as buyer, currently on the at the George Mitchell & Associates, Inc., Agent for Stephen C. Clark et al.	Contract 4-5-67, p. 11	
C118-1718, C118-1719, B 6-1-67	Humble Oil & Refining Co. (operator to Edwin L. Cox), Penn American Petroleum Corp. (Operator), et al.	Panhandle Eastern Pipe Line Co., Midway, Lawrence County, Okla.	Contract 2-1-67, p. 1..... Assignment 1-1-67, p. 1..... Assignment 1-1-67, p. 1..... Effective date: 1-1-67	76	10	C116-1739 (G-13036) A 6-1-67	1. On Jan. 1, 1968, monotonum provided by Opinian No. 488, by letter dated May 31, 1967, as amended. 2. Between Penn American Petroleum Corp. (Operator), et al. and Edwin L. Cox to Applicant. 3. Assignment of 5% interest in acreage in Arkansas to Edwin L. Cox for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 4. No certificate or rate schedule filers were made for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 5. On file at GULF Oil Corp., FPC GRS No. 196. 6. A specific rate schedule subject to review in Docket No. R167-85, 16 cents rate collected subject to refund in Docket No. P1604-77. 7. Application was filed by Edwin L. Cox to Applicant.	Contract 4-5-67, p. 11	
C118-1720, C118-1721, B 6-1-67	Shawnee Oil Corp. (Operator), et al.	Lone Star Gas Co., Seminole County, Okla.	Contract 5-18-67, 1.....	76	11	C116-1740 (G-13037) A 6-1-67	1. On Jan. 1, 1968, monotonum provided by Opinian No. 488, by letter dated May 31, 1967, as amended. 2. Between Shawnee Oil Corp. (Operator), et al. and Edwin L. Cox to Applicant. 3. Assignment of 5% interest in acreage in Arkansas to Edwin L. Cox for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 4. No certificate or rate schedule filers were made for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 5. On file at GULF Oil Corp., FPC GRS No. 196. 6. A specific rate schedule subject to review in Docket No. R167-85, 16 cents rate collected subject to refund in Docket No. P1604-77. 7. Application was filed by Edwin L. Cox to Applicant.	Contract 4-5-67, p. 11	
C118-1722, C118-1723, B 6-1-67	R. R. Robertson, Agent	Northern Natural Gas Co., acreage in Kiowa County, Kans.	Contract 4-10-67, 1.....	76	12	C116-1741 (G-13038) A 6-1-67	1. On Jan. 1, 1968, monotonum provided by Opinian No. 488, by letter dated May 31, 1967, as amended. 2. Between Shawnee Oil Corp. (Operator), et al. and Edwin L. Cox to Applicant. 3. Assignment of 5% interest in acreage in Arkansas to Edwin L. Cox for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 4. No certificate or rate schedule filers were made for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 5. On file at GULF Oil Corp., FPC GRS No. 196. 6. A specific rate schedule subject to review in Docket No. R167-85, 16 cents rate collected subject to refund in Docket No. P1604-77. 7. Application was filed by Edwin L. Cox to Applicant.	Contract 4-5-67, p. 11	
C118-1724, C118-1725, B 6-1-67	Philip E. Zimick et al.	The Manufacturers Light & Heat Co., Redbank and Armstrong Townships, Armstrong County, Pa.	Notice of cancellation 5-1-67, p. a.....	76	13	C116-1742 (G-13039) B 6-2-67	1. On Jan. 1, 1968, monotonum provided by Opinian No. 488, by letter dated May 31, 1967, as amended. 2. Between Philip E. Zimick et al. and Edwin L. Cox to Applicant. 3. Assignment of 5% interest in acreage in Arkansas to Edwin L. Cox for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 4. No certificate or rate schedule filers were made for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 5. On file at GULF Oil Corp., FPC GRS No. 196. 6. A specific rate schedule subject to review in Docket No. R167-85, 16 cents rate collected subject to refund in Docket No. P1604-77. 7. Application was filed by Edwin L. Cox to Applicant.	Contract 4-5-67, p. 11	
C118-1726, C118-1727, B 6-1-67	V-T Drilling Co., (Operator), et al.	Consolidated Gas Supply Corp., Freeport, Lewis County, W. Va.	Notice of cancellation 6-1-67, p. a.....	76	14	C116-1743 (G-13040) B 6-2-67	1. On Jan. 1, 1968, monotonum provided by Opinian No. 488, by letter dated May 31, 1967, as amended. 2. Between V-T Drilling Co., (Operator), et al. and Edwin L. Cox to Applicant. 3. Assignment of 5% interest in acreage in Arkansas to Edwin L. Cox for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 4. No certificate or rate schedule filers were made for this sale under Manufacturers Contract No. L2020, et. No. P1604-77. 5. On file at GULF Oil Corp., FPC GRS No. 196. 6. A specific rate schedule subject to review in Docket No. R167-85, 16 cents rate collected subject to refund in Docket No. P1604-77. 7. Application was filed by Edwin L. Cox to Applicant.	Contract 4-5-67, p. 11	

See footnotes at end of table.

PUBLIC LAND LAW REVIEW COMMISSION

ORGANIZATION, FUNCTIONS, AND AVAILABILITY OF RECORDS AND INFORMATION

ORGANIZATION AND FUNCTIONS

Sec.

1. Organization.
2. Functions.

RECORDS AND INFORMATION

11. Records available.
12. Requests for inspection or copying of records.
13. Exempted records.
14. Schedule of fees.
15. Administrative review.

AUTHORITY: Sections 1-15 issued pursuant to the act of Sept. 19, 1964 (78 Stat. 982, 43 U.S.C. secs. 1391-1400) and 5 U.S.C. sec. 552.

ORGANIZATION AND FUNCTIONS

SECTION 1. *Organization.* (a) The Public Land Law Review Commission was established by the Act of September 19, 1964 (78 Stat. 982, 43 U.S.C. sections 1391-1400), hereinafter referred to as the Organic Statute, and is composed of 19 members, six of whom are members of the Committee on Interior and Insular Affairs of the U.S. Senate appointed by the President of the Senate, six members of the Committee on Interior and Insular Affairs of the U.S. House of Representatives appointed by the Speaker of the House, and six persons from outside the Federal Government, appointed by the President of the United States. The 19th member is the Chairman elected by the 18 appointed members.

(b) To aid and advise the Commission in the performance of its functions the Organic Statute provides for an Advisory Council and for Governors' Representatives. The Advisory Council is composed of 25 persons selected by the Commission representative of various major citizens' groups interested in the public lands and eight liaison officers designated by interested Federal departments and agencies. Each of the Governors of the 50 States has designated a Representative to the Commission. The Advisory Council, at the call of the Chairman, meets no less than once each 6 months.

(c) The principal members of the staff of the Commission are: Director; Assistant Director (Administration); Assistant Director (Program); General Counsel and Chief, Legal Group; Chief, Resources and Evaluation Group; and Administrative Officer.

(d) The Commission has delegated, with power to redelegate, all its administrative authority, including the authority to obligate funds, to the Chairman, who has redelegated all such authority to the Director. The Director is responsible, among other things, for the conduct of the Commission's study program and supervision of the staff of the Commission.

Sec. 2. *Functions.* (a) The principal functions of the Commission pursuant to

the Organic Statute are to (1) study existing statutes and regulations governing the retention, management, and disposition of the public lands; (2) review the policies and practices of the Federal agencies having administrative jurisdiction over such lands; (3) compile data necessary to understand and determine the various demands on the public lands; and (4) recommend to the Congress and the President such modifications in existing laws, regulations, policies, and practices concerning the public lands as will, in the judgment of the Commission, best serve to provide the maximum benefit for the general public. The particular lands with respect to which the Commission is required to perform the foregoing functions are those categories of land and interests in land owned by the United States and listed in section 10 of the Organic Statute.

(b) Since the functions of the Commission are advisory in nature, as indicated in (a) above, it does not ordinarily render decisions or issue regulations affecting the rights or privileges of the general public. Pursuant to 5 U.S.C. sec. 552, records of the Commission, where they may affect the general public, will be made available at the offices of the Commission at 1730 K Street NW, Washington, D.C. 20006.

RECORDS AND INFORMATION

Sec. 11. *Records available.* (a) As used herein, Commission "records" include all opinions, orders, manuals, papers, maps, files, letters, memoranda, studies, reports, information, or other documentary materials in being that have come into the possession of the Commission in the discharge of its official duties, except documents originating in other Federal agencies and books or other published materials, or such documentary materials as study reports which the Commission has determined to publish or, in the opinion of the Director, will be published by the Commission. Articles, objects, equipment, and other nondocumentary materials are not included within "records."

(b) All records of the Commission shall be open to inspection or copying unless the record requested falls within one or more of the exempted categories set forth in section 13 hereof.

Sec. 12. *Requests for inspection or copying of records.* (a) Any person desiring to inspect or copy records known or believed to be in the possession of the Commission shall apply in person or in writing to the Administrative Officer of the Commission at the offices of the Commission at 1730 K Street NW, Washington, D.C. 20006. Personal requests may be made between the hours of 9 a.m. and 5 p.m. on weekdays (holidays excluded). The request should identify with particularity the document desired. An index identifying the subject matter of the records of the Commission is kept on file at the Commission offices for inspection on request.

(b) Except as may be otherwise provided in specific instances, a fee shall be levied for all record searches requiring more than 15 minutes in accordance with

the schedule of fees set out in section 14 hereof. Likewise, a fee will be charged for copies of records or any portion thereof. These fees shall be so computed as to obtain full cost recovery of searching and copying.

Sec. 13. *Exempted records.* No record shall be withheld from inspection or copying unless such denial is authorized under the applicable provisions of the Organic Statute or 5 U.S.C. section 552 (b). However, the fact that a record or portion thereof is within one of the exempted classes under 5 U.S.C. section 552(b) does not imply that inspection or copying will be arbitrarily denied. In each instance the right to access will be carefully balanced with the general public interest considerations underlying the exemption. The following list contains examples of records which may be withheld from the public.

(a) Records required by section 8 of the Organic Statute to be kept confidential, i.e., material voluntarily submitted by witnesses on a confidential basis for the use of the Commission, or material which the Commission has required a witness or Government agency to produce and which theretofore had been submitted to a Government agency on a confidential basis protected by statute.

(b) Records required by Executive order to be kept secret in the interest of the national defense or foreign policy.

(c) Records related solely to the internal personnel rules and practices of the Commission. This exemption includes those internal instructions to Commission personnel concerning the manner in which such personnel carry out their assigned functions and activities for which the Commission has responsibility.

(d) Records exempted by statute other than 5 U.S.C. section 552.

(e) Trade secrets and commercial or financial information obtained from any person and privileged or confidential. This exemption will assure the protection of information furnished to and accepted by the Commission or any other Federal agency on the understanding that it will not be made public and will be protected as a confidential communication. The exemption includes certain business sales statistics; manufacturing, production or operating costs, inventories, customer lists; scientific or manufacturing processes, techniques, developments and designs; and various communications privileged under law. Commercial or financial information concerning such confidential matters as cost breakdowns, past profit, or overhead rates furnished to the Commission in contract proposals will not be disclosed, but the exemption does not include prices quoted to the Commission for materials or services.

(f) Intraagency memoranda or letters which would not be available by law to a private party in litigation with the Commission. Records concerning an incomplete transaction, such as a contract under negotiation, are not available for inspection since premature disclosure could have adverse effects upon both public and private interests. Minutes of

NOTICES

executive sessions of the Commission, or of the Commission and its Advisory Council or Governors' Representatives will not be available. However, a record will be maintained of the final vote of each member of the Commission on each matter on which such a vote is taken, and upon written request to the Director, with respect to any such identified matter, information as to final votes will be made available.

(g) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Among other things, it covers information given to the Commission in confidence and obtained from members of the public through questionnaires, surveys, and other inquiries. The names and duty stations of Federal employees are public information, but the public disclosure of employee home addresses and telephone numbers is not authorized.

(h) Geological and geophysical information and data (including maps) concerning wells. The explicit reference to wells does not preclude the exemption of similar data pertaining to other productive sites, such as mines, where the information has been obtained on a confidential basis.

SEC. 14. *Schedule of fees.* (a) Records search involving no more than 15 minutes will be made without charge. For searches requiring more than 15 minutes the charge will be at the rate of \$2 for each half hour or fraction thereof after the first 15 minutes.

(b) Copying service will be performed at the following rates: The minimum charge will be \$1. The fee for photocopying, including handling, will be at the rate of 35 cents per page.

(c) From time to time the Commission holds public meetings or hearings of which transcripts are prepared by reporters under contract with the United States. In such cases copies of material from such transcripts must be procured from such contract reporters.

SEC. 15. *Administrative review.* (a) In the event any record of the Commission is withheld from any person who applies therefor, administrative review of such withholding may be initiated by filing a written request for review within 30 days of the date of denial of the request. Review shall be made by the Director and requests for review shall be addressed to him at the offices of the Commission.

(b) The request for review shall set forth the circumstances of the denial and the reasons for appeal from the denial. No personal appearance, oral argument, or hearing will be involved.

(c) Decisions on review shall be in writing, shall briefly state the reasons for the decision, and shall be promptly communicated to the petitioner.

(d) All decisions on review by the Director shall be final and conclusive, and the applicant shall be presumed to have exhausted his administrative remedies. The petitioner may then file a complaint in a U.S. District Court of competent

jurisdiction pursuant to 5 U.S.C. 552(a)(3).

MILTON A. PEARL,
Director.

[F.R. Doc. 67-9635; Filed, Aug. 16, 1967;
8:45 a.m.]

in total payment of, the notes to be issued hereunder and the lines of credit will be reduced by the amount of the notes prepaid.

Fees and expenses incident to the proposed transactions are estimated at \$1,000, including legal fees of \$500. The declaration states that no approval or consent of any regulatory body other than this Commission is necessary for the consummation of the proposed transactions.

Notice is further given that any interested person may, not later than September 6, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the 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. 67-9651; Filed, Aug. 16, 1967;
8:46 a.m.]

SUBSCRIPTION TELEVISION, INC.

Order Suspending Trading

AUGUST 11, 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., New York, N.Y., 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 Au-

gust 14, 1967, through August 23, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F.R. Doc. 67-9652: Filed, Aug. 16, 1967;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1096]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

AUGUST 11, 1967.

The following applications are governed by Special Rule 1.247¹ 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 § 1.24(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.

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 200 (Sub-No. 223), filed July 28, 1967. Applicant: RISS & COMPANY, INC., 100 West 10th Street, Wilmington, Del. Mailing address: Temple Building, 903 Grand Avenue, Kansas City, Mo. Applicant's representative: Ivan E. Moody, 12th Floor, Temple Building, 903 Grand Avenue, Kansas City, Mo. 64106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Drugs, medicines, cough drops, toilet preparations, and soap, from Philadelphia and Hatboro, Pa., to Mount Clemens, Mich. Note: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 531 (Sub-No. 235), filed July 27, 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 chemicals, in bulk, in tank vehicles, from Long Beach, Calif., to Toledo, Ohio. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 1222 (Sub-No. 30), filed July 31, 1967. Applicant: THE REINHARDT TRANSFER COMPANY, a corporation, 1410 10th Street, Portsmouth, Ohio 45662. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Knocked down fiber board cartons, not corrugated, nested solid, from Portsmouth, Ohio, to points in Indiana and Kentucky. Note: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 3252 (Sub-No. 43), filed July 31, 1967. Applicant: PAUL E. MERRILL, doing business as MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, Maine. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree,

Mass. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lumber and lumber stock, from Portland and Fryeburg, Maine, to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, North Carolina, Virginia, Indiana, Kentucky, Ohio, and Michigan. Note: If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 17683 (Sub-No. 23), filed July 27, 1967. Applicant: ELM CITY OIL CO., INC., 73 Emerald Street, Keene, N.H. 03431. Applicant's representative: Arthur A. Greene, Jr., 40 Stark Street, Manchester, N.H. 03101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum products in tank vehicles, from Springfield and Holyoke, Mass., to points in Windham and Windsor Counties, Vt., and points in Cheshire, Sullivan, Hillsborough, and Grafton Counties, N.H. Note: If a hearing is deemed necessary, applicant requests it be held at Concord, N.H.

No. MC 33322 (Sub-No. 14), filed August 2, 1967. Applicant: STERLING E. APGAR, JOHN N. APGAR, RUSSELL I. APGAR AND DOROTHY E. APGAR, a partnership, doing business as APGAR BROS., 232 West Union Avenue, Bound Brook, N.J. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW, Washington, D.C. 20036. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Roofing and building materials and materials, equipment, and supplies used in the manufacture, installation, or application of roofing and building materials, between Erie, Pa., and points within 10 miles thereof, on the one hand, and, on the other, points in Ohio, and points in Brooke, Hancock, Marshall, and Ohio Counties, W. Va., under contract with The Ruberoid Co. of South Bound Brook, N.J. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 39406 (Sub-No. 14), filed August 2, 1967. Applicant: CENTRAL MOTOR LINES, INCOPORATED, 324 North College Street, Post Office Box 1067, Charlotte, N.C. 28201. Applicant's representative: Leonard S. Cassell (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 borough of Hatboro, Montgomery County, Pa., as an off-route point in connection with applicant's two presently authorized regular route operations as follows: (1) Between New York, N.Y., and North Augusta, S.C., and (2) between junction U.S. Highway 1 and U.S. Highway 130, near Milltown, N.J., and Easley, S.C. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

¹ Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

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No. MC 41116 (Sub-No. 31), filed July 31, 1967. Applicant: FOGELMAN TRUCK LINE, INC., Post Office Box 603, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, acids, and chemicals*, including but not limited to *anhydrous ammonia, fertilizer solutions, insecticides, fungicides, herbicides, aqua ammonia, methanol, urea, and urea products*, from the plantsite of Gulf Oil Corp. (Faustina Works) at or near Donaldsonville, La., to points in Alabama, Arkansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas under a continuing contract with Gulf Oil Corp., Chemical Department. Note: Applicant holds common carrier authority in MC 123993, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 42487 (Sub-No. 676), filed July 26, 1967. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert C. Stetson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except liquid petroleum products, in bulk, in tank trucks and except household goods as defined in *Practices of Motor Carriers of Household Goods*, 17 M.C.C. 487, between Wells, Nev., and Salt Lake City, Utah, over U.S. Interstate Highway 80 (or U.S. Highway 40, on those portions of the route not presently designated as U.S. Interstate Highway 80), serving no intermediate points, and return over the same route. Note: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Salt Lake City, Utah.

No. MC 48958 (Sub-No. 97), filed July 27, 1967. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver, Colo. 80216. Applicant's representative: Morris G. Cobb, 601 Ross Street, Post Office Box 9050. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, including classes A and B explosives, but excluding household goods as defined by the Commission, livestock, commodities in bulk, those of unusual value, those requiring special equipment, and those injurious or contaminating to other lading, between Albuquerque, N. Mex., and El Paso, Tex.; (1) from Albuquerque over U.S. Highway 85 to El Paso and return over the same route, and (2) from Albuquerque over Interstate Highway 25 (U.S. Highway 85) to junction U.S. Highway 70 at or near Las Cruces, N. Mex., thence over U.S. Highway 70 to junction Interstate Highway 10 at or near Las Cruces, N. Mex., thence over Interstate Highway 10 (U.S. Highway 85) to El Paso and return over the same route, serving no intermediate points, as alternate routes for operating

convenience only in connection with applicant's present authority. Note: If a hearing is deemed necessary, applicant requests it be held at Santa Fe or Albuquerque, N. Mex., or El Paso, Tex.

No. MC 51146 (Sub-No. 59), filed July 31, 1967. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such products* as are manufactured or distributed by manufacturers or converters of cellulose materials and products and paper and paper products (except commodities in bulk, in tank or hopper type equipment), from the plant and warehouse sites of Personal Products Co. and Cel Fibre, Inc., at or near Wilmington, Ill., to Kansas City, Mo., Omaha, Nebr., Pittsburgh, Pa., and points in Illinois, Indiana, Iowa, Kentucky, Lower Peninsula of Michigan, Minnesota, Missouri, Ohio, West Virginia, and Wisconsin, and (2) *returned and rejected shipments* of the above-described commodities, from the above-named destination area to the above-named origin points. Note: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52054 (Sub-No. 25), filed July 27, 1967. Applicant: S & C TRANSPORT CO., INC., 65 State Street, South Hutchinson, Kans. 67501. Applicant's representative: James F. Miller, 7501 Mission Road, Shawnee Mission, Kans. 66208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products used in the agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries when shipped in mixed truckloads with salt and salt products*, from the plantsite of Morton Salt Co., South Hutchinson, Kans., to points in Minnesota, Arkansas, Nebraska, Oklahoma, North Dakota, Wyoming, points in Colorado on and east of U.S. Highway 85, points in Curry, Bernalillo, Mora, Santa Fe, Colfax, Harding, Los Alamos, Taos, Quay, Guadalupe, Union, San Miguel, Torrance, and Rio Arriba Counties, N. Mex., and points in Cochran, Bailey, Randall, Roberts, Crosby, Swisher, Potter, Sherman, Wichita, Lubbock, Castro, Oldham, Dallas, Cottle, Hall, Gray, Ochiltree, Yoakum, Dickens, Briscoe, Carson, Hansford, Floyd, Collingsworth, Hartley, Foard, Terry, Motley, Childress, Wheeler, Lipscomb, Lamb, Armstrong, Hutchinson, Wilbarger, Lynn, Hale, Donley, Moore, Hockley, Parmer, Deaf Smith, Hemphill, Hardeman, Garza, and Kent Counties, Tex. Note: If a hearing is deemed necessary, applicant requests it be held at Wichita or Topeka, Kans.

No. MC 59120 (Sub-No. 29), filed July 31, 1967. Applicant: EAZOR EXPRESS, INC., Eazor Square, Pittsburgh, Pa. 15201. Applicant's representative: Carl L. Steiner, 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 by the Commission, commodities in bulk and those requiring special equipment, serving the plantsite of Pittsburgh Plate Glass Co. at or near Kebert Park, Pa. (approximately 10 miles south of Meadville, Pa., near U.S. Highway 19), as an off-route point in connection with carrier's authorized regular route operation between Pittsburgh, Pa., and Meadville, Pa. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 59583 (Sub-No. 112), filed August 1, 1967. Applicant: THE MASON & DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. 37660. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. 37660. 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, serving the Argonne Industrial District located in points in Will and Du Page Counties, Ill., over U.S. Highway 41 between Chicago, Ill., and the junction of U.S. Highway 41 with U.S. Highway 52 near Fowler, Ind., as an off-route point in connection with applicant's presently authorized regular route authority. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61440 (Sub-No. 111), filed July 19, 1967. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. 73108. Applicant's representative: David Wm. West, 363 North First Avenue, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between points within a 25-mile radius of Phoenix, Ariz. Note: Applicant states it would tack at Phoenix, Ariz., and points in California, Arizona, New Mexico, Texas, Colorado, Oklahoma, Kansas, Missouri, Illinois, Ohio, Pennsylvania, and West Virginia. Common control may be involved. Applicant also states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 62826 (Sub-No. 20), filed August 3, 1967. Applicant: CAROLINA-NORFOLK TRUCK LINE, INC., 1405 Gordon Avenue, Richmond, Va. 23224. Applicant's representative: Francis W. McInerny, 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, dangerous explosives,

household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving points in North Carolina located east or north of a line beginning at the North Carolina-Virginia State line over North Carolina Highway 168 to its intersection with U.S. Highway 158 at or near Belcross, thence over U.S. Highway 158 to its intersection with U.S. Highway 17 at or near Elizabeth City, thence southward over U.S. Highway 17 to Washington, N.C., thence along the north shore of the Pamlico River to Pamlico Sound, thence through the Ocracoke Inlet to the Atlantic Ocean as off-route territory in connection with applicant's regular routes extending between Washington, N.C., over U.S. Highway 17, U.S. Highway 158 and North Carolina Highway 166 to the Virginia-North Carolina State line. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 65916 (Sub-No. 10), filed August 3, 1967. Applicant: WARD TRUCKING CORP., Ward Tower, Altoona, Pa. 16603. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, dangerous explosives, livestock, 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 Kebert Park, Greenwood Township (Crawford County), Pa., as an off-route point in connection with applicant's regular route operations. 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 69116 (Sub-No. 109), filed July 31, 1967. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Edward G. Bazelon, 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, livestock, household goods as described by the Commission, commodities in bulk, and those requiring special equipment, (1) between Port Huron, Mich., and Flint, Mich., over Michigan Highway 21, serving no intermediate points; (2) between Flint, Mich., and Grand Rapids, Mich., over Michigan Highway 21, serving no intermediate points; (3) between Battle Creek, Mich., and Lansing, Mich., over Michigan Highway 78 serving no intermediate points; and, (4) between Lansing, Mich., and Flint, Mich., over Michigan Highway 78 serving no intermediate points, as alternate routes for operating convenience only, in connection with applicant's authorized regular-route operations. Note: If a hearing is deemed necessary,

applicant requests it be held at Chicago, Ill.

No. MC 72997 (Sub-No. 19), filed August 3, 1967. Applicant: LIBERTY TRUCKING COMPANY, a corporation, 1401 West Fulton Street, Chicago, Ill. 60607. 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 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 Lake Mills, Wis., as an off-route point in connection with authorized regular route service on U.S. Highway 12 between Fort Atkinson and Madison, Wis. Note: If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis., or Chicago, Ill.

No. MC 76032 (Sub-No. 214), filed July 26, 1967. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: O. Russell Jones, 215 Lincoln Avenue, Post Office Box 2228, Santa Fe, N. Mex. 87501. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except classes A and B explosives, those of unusual value, livestock, farm products, grain and hay, fresh milk, fresh vegetables, perishable products which require refrigeration, lumber, in bulk, in truckloads, sand and gravel, coal in bulk, rock asphalt, commodities in bulk, corrosive acids, new automobiles, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading, between La Mar, Colo., and junction U.S. Highways 54 and 154 at or near Mullinville, Kans.; from La Mar over U.S. Highway 50 to Dodge City, Kans., thence over U.S. Highway 154 to junction U.S. Highway 54, at or near Mullinville, Kans., and return over the same route, as an alternate route for operating convenience only, in connection with applicant's presently authorized regular routes, serving no intermediate point. Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 80428 (Sub-No. 63), filed July 31, 1967. Applicant: McBRIDE TRANSPORTATION, INC., Goshen, N.Y. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y. 14604. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Poultry feed, in bulk, from Chatham, N.Y., to points in Massachusetts, Connecticut, Vermont, and Rhode Island. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Albany, N.Y.

No. MC 81495 (Sub-No. 2), filed July 17, 1967. Applicant: GRAYPORT TRANSFER & STORAGE COMPANY, INC., 601 Ninth Street, Hoquiam, Wash. 98550. Applicant's representative:

George Kargianis, 609 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, 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), between points in Grays Harbor County, Wash. Note: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 85454 (Sub-No. 2) (Amendment), filed July 21, 1966, published in the *FEDERAL REGISTER* issue of September 1, 1966, amended and republished as amended, this issue. Applicant: BLACKWOOD'S MOTOR SERVICE, INC., 319 Pearl Street, Montgomery, Ill. 60538. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) General commodities, (a) between points within 50 miles of Aurora, Ill., and (b) between points within 50 miles of Aurora, Ill., on the one hand, and, on the other, points in Illinois, (2) general commodities (except those of unusual value, and classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points within a 50-mile radius of Aurora, Ill. (except points in the Chicago, Ill., commercial zone, in Illinois), and points in Benton, Carroll, Cass, Clinton, Fountain, Howard, Jasper, Lake, La Porte, Newton, Porter, Pulaski, Starke, Tippecanoe, Tipton, Warren, and White Counties, Ind. Note: The purpose of this republication is to change the words in the territorial description to read "between" points in Illinois, etc., "and" points located in the Indiana counties named, rather than "from" and "to". Applicant conducts operations in Illinois pursuant to a certificate of registration in MC 85454 (Sub-No. 1). Since applicant now seeks to conduct operations in Indiana, it now seeks a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it to be held in Chicago, Ill.

No. MC 87720 (Sub-No. 68), filed July 28, 1967. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Flemington, N.J. 08822. 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) Rubber heels, taps, soles, and soles, from Ripley, Miss., to Harrisburg, Pa., and Chelsea, Mass.; (2) rubber belting, matting, stair treads, packing, hose, machine parts, rubber heels, taps, soles, and soles, from Cambridge and Chelsea, Mass., to Atlanta, Ga., and Ripley, Miss., and (3) materials and supplies used in the manufacture of rubber heels, soles, taps, and soles

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(other than bulk), from Chelsea, Stoughton, and Cambridge, Mass., and Pottstown, Pa., to Ripley, Miss., under contract with American Biltrite Rubber Co., Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 95876 (Sub-No. 68), filed July 31, 1967. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56302. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sectional wooden fencing, wood sections, wood posts, wood rails, and accessories* used in the installation thereof, from points in Amberg Township (Marinette County), Wis., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wyoming. Note: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 96633 (Sub-No. 3), filed July 24, 1967. Applicant: UNITED DRAYAGE COMPANY, a corporation, 2425 Porter Street, Los Angeles, Calif. 90021. Applicant's representative: R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other loading), between points in the county of Honolulu (Island of Oahu), Hawaii. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Honolulu, Hawaii.

No. MC 99892 (Sub-No. 2), filed July 31, 1967. Applicant: JOHN DONALD ROWE, 9879 San Fernando Road, Pacoima, Calif. 91331. Applicant's representative: R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, dry, in bulk, between points in California. Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 102560 (Sub-No. 9), filed July 28, 1967. Applicant: FREILER INDUSTRIES, INC., Box 636, Amite, La. 70422. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. 70130. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Steel and iron castings* (machined and unmachined), (2) *steel reinforcing bars, angles, channels, and beams*; (3) *wooden patterns for castings*; (4) *crated bolts, nuts, and bushings*; and (5) *bronze bearings and pillar blocks*, from the plantsite of Dibert, Bancroft & Ross Co., Ltd., located near Amite, La., to points in the United States (except

Alaska and Hawaii). Note: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 103880 (Sub-No. 401), filed July 28, 1967. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Flint, Mich., to Toledo, Ohio. Note: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 103880 (Sub-No. 402), filed July 31, 1967. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Chemicals and petroleum products*, in bulk, in tank vehicles, from Fort Wayne, Ind., to points in Michigan. Note: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Detroit, Mich.

No. MC 103993 (Sub-No. 292), filed July 28, 1967. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert E. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, from points in Humphrey County, Miss., to points in the United States (except Alaska and Hawaii). Note: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 104149 (Sub-No. 182), filed August 2, 1967. Applicant: OSBORNE TRUCK LINE, INC., 501 North 31st Street, Birmingham, Ala. Applicant's representative: John P. Carlton, 327 Frank Nelson Building, Birmingham, Ala. 35203. 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/or warehouse facilities of the Clow Corp. 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 (1) above, on return. Note: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., or Atlanta, Ga.

No. MC 107002 (Sub-No. 340), filed August 7, 1967. Applicant: HEARING MILLER TRANSPORTERS, INC., Post Office Box 1123, Jackson, Miss. 39205. Applicant's representatives: Harold D. Miller, Jr., Post Office Box 222567, Jackson, Miss. 39205 and John J. Borth (same address as applicant). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in packages and in drums, from Rogerslacy, Miss., to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee. Note: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Birmingham, Ala.

No. MC 107107 (Sub-No. 384), filed July 27, 1967. Applicant: ALTERMANN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Miami, Fla. 33142. Applicant's representative: Ford W. Sewell (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Munce and South Bend, Ind., to Miami, Fla. Note: If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 107403 (Sub-No. 724), filed August 1, 1967. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: J. E. Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bauxite ore*, in bulk, from West Monroe, La., to Redwood, Miss. Note: If a hearing is deemed necessary, applicant requests it be held at Baton Rouge, La., or Washington, D.C.

No. MC 107496 (Sub-No. 579), filed July 31, 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: *Chemicals*, in bulk, in tank or hopper type vehicles, from the plantsite of Chemplex Co., located at or near Clinton, Iowa, to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, New York, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107515 (Sub-No. 584), filed July 27, 1967. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, (1) from Buffalo, Barber, and Fredonia, N.Y., to points in Michigan, Ohio, Indiana, and Illinois, and (2) from Fredonia, N.Y., to points in Georgia, Alabama, Florida, North Carolina, South Carolina, Tennessee, Mississippi, and

Kentucky. Note: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y., or Washington, D.C.

No. MC 107906 (Sub-No. 22), filed July 28, 1967. Applicant: TRANSPORT MOTOR EXPRESS, INC., Post Office Box 958, Fort Wayne, Ind. 46801. Applicant's representative: Carl L. Steiner, 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 by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other loading), serving the site of the Pittsburgh Plate Glass Co. (Kebert Park) at or near Meadville, Pa., as an off-route point in connection with applicant's regular route operations. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108207 (Sub-No. 226), filed July 31, 1967. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses*, as described in sections, A, B, 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 in tank vehicles), from Fort Worth, Tex., to Muskogee, Okla. Note: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Chicago, Ill.

No. MC 108449 (Sub-No. 267), filed August 3, 1967. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from the Williams Brothers Pipe Line Co. terminal located at or near Wausau, Wis., and points within 15 miles thereof to points in Minnesota, Wisconsin, and the Upper Peninsula of Michigan. Note: Applicant states it intends to tack at Minneapolis-St. Paul, Rochester, Wrenshall, and Duluth Petroleum Products terminal, Minn., to serve points in Iowa, North Dakota, and South Dakota, authorized in Subs 48, 183, and 242. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 108449 (Sub-No. 269), filed August 3, 1967. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, (1)

from the Williams Brothers Pipe Line Co. terminal located at or near St. Cloud, Minn., and points within 10 miles thereof to points in Minnesota, North Dakota, South Dakota, Wisconsin, and the Upper Peninsula of Michigan, and (2) from the William Brothers Pipe Line Co. terminal located at or near Spencer or Spirit Lake, Iowa, and points within 15 miles thereof to points in Iowa, Illinois, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. Note: Applicant states tacking could be made at Superior, and Eau Claire, Wis., and Minneapolis-St. Paul, Minn., to serve the Upper Peninsula of Michigan and Iowa as authorized in certificate No. MC 108449, Sub 44. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis, Minn.

No. MC 108449 (Sub-No. 270), filed August 3, 1967. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: Adolph J. Bieberstein, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, in bulk, from Welcome, Minn., and points within 5 miles thereof, to points in Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109637 (Sub-No. 323), filed July 31, 1967. Applicant: SOUTHERN TANK LINES INC., 4107 Bells Lane, Louisville, Ky. 40211. Applicant's representative: G. R. Thim (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calcium carbide* in bulk, in specially equipped container trailers, and in bulk, in tank, or covered hopper vehicles, from the plantsites of National Carbide Division of Air Reduction Co., Inc. at Louisville and Calvert City, Ky., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Michigan, Mississippi, Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 109821 (Sub-No. 24), filed July 26, 1967. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsville, Pa. 16901. Applicant's representative: Robert DeKroyft, 233 Broadway, New York, N.Y. 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and commodities in bulk, between Wellsville and Pittsburgh, Pa. Note: If a hearing is deemed necessary, applicant requests it be held at Wellsville, Pa.

No. MC 110420 (Sub-No. 539) (Amendment), filed April 3, 1967, published in the *FEDERAL REGISTER* issue of April 20,

1967, amended and republished as amended, this issue. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Allan B. Torhorst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diammonium phosphate*, in bulk, in tank vehicles, from Riverdale, Ill., to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin; (2) Des Moines and Dubuque, Iowa, to points in Iowa, Illinois, Wisconsin, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, and Missouri; and (3) Colfax and Depue, Ill., to points in Illinois, Wisconsin, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Missouri, Michigan, Ohio, Indiana, and Iowa. Note: The purpose of this republication is to add the words "in bulk, in tank vehicles" to the commodity description and to add Colfax, Ill., as an origin point in (3) above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110683 (Sub-No. 33), filed July 20, 1967. Applicant: SMITH'S TRANSFER CORPORATION OF STAUNTON, VIRGINIA, Box 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerny, 1000 18th 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, household goods as defined by the Commission, classes A and B explosives, commodities in bulk and those requiring special equipment), (1) between Roanoke, Va., and Bristol, Va.-Tenn., from Roanoke over U.S. Highway 11 and/or Interstate Highway 81 to Bristol, Va.-Tenn., and return over the same route, (2) between Bristol, Va.-Tenn., and Pennington Gap, Va., from Bristol, Va.-Tenn., over U.S. Highway 58 to Dot, Va., thence over U.S. Highway 421 to Pennington Gap, Va., (3) between Abingdon, Va., and Big Stone Gap, Va., from Abingdon over U.S. Highway 19 and alternate U.S. Highway 58 to Big Stone Gap and return over the same route, and (4) from Norton, Va., over U.S. Highway 23 to Pound, Va., and return over the same route, serving all intermediate points on all of the foregoing routes, in (1), (2), (3), and (4) above, and off-route points in Smyth, Washington, Scott, Wise, and Lee Counties, Va. Note: Applicant states that it proposes to tack the authority sought with its present authority to serve Roanoke, Va. Applicant further states that it presently holds authority to serve all points on the routes and territories involved through Bluefield, Va.-W. Va., and the purpose of this application is to eliminate the requirement to observe Bluefield as a gateway. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111069 (Sub-No. 49), filed July 27, 1967. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksburg, Ind. 47131. Applicant's representative: Rudy Yessin, Post Office Box 457,

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Frankford, Ky. 40601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen, prepared foods* in vehicles equipped with mechanical refrigeration, from Cleveland, Ohio, to points in Pennsylvania, New York, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Maine, Vermont, and the District of Columbia, under contract with Stouffer Foods Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Washington, D.C.

No. MC 111401 (Sub-No. 228), filed July 28, 1967. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin L. Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials, acids, and chemicals including but not limited to anhydrous ammonia, fertilizer solutions, insecticides, fungicides, herbicides, aqua ammonia, methanol, urea, and urea products*, in bulk, from the plantside of Gulf Oil Corp. (Faustina Works) at or near Donaldsonville, La., to points in Alabama, Arkansas, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. Note: Applicant states it will tack at Donaldsonville, La., to serve points in its presently held authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City or St. Louis, Mo.

No. MC 111545 (Sub-No. 97) (Correction), filed July 3, 1967, published in *FEDERAL REGISTER* issue of July 20, 1967, and republished as corrected this issue. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road, S.E., 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 paragraph (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 it presently holds authority between points in Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina and between points in those States on the one hand, and, on the other, points in North Carolina which could be tacked with the authority here sought. The purpose of this republication is to add an additional note erroneously omitted. 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 112713 (Sub-No. 103), filed July 31, 1967. Applicant: YELLOW TRANSIT FREIGHT LINES, INC., Box 8462, 92d at State Line, Kansas City, Mo. 64114. Applicant's representative: John M. Records (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 plant of Game Time, Inc., located at Litchfield (Hillsdale County), 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 requests it be held at Lansing or Detroit, Mich.

No. MC 113828 (Sub-No. 134), filed August 4, 1967. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington, D.C. 20014. Applicant's representative: William P. Sullivan, 1825 Jefferson Place, NW, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime and limestone*, in bulk, from Austinville, Va., to points in North Carolina, and (2) *soda ash*, in bulk, from Saltville, Va., to points in the District of Columbia, Maryland, and New Jersey. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 137), filed August 2, 1967. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic pipe and tubing, plastic pipe fittings, and plastic articles*, from Franklin, Pa., to points in Indiana, Kentucky, and that part of Ohio on and west of Ohio Highway 4 from Sandusky, Ohio, to Marion,

Ohio, thence along U.S. Highway 23 from Marion to the Ohio-Kentucky State line; and (2) *plastic articles*, from Franklin, Pa., to points in Illinois. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 114364 (Sub-No. 143), filed July 31, 1967. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt and salt products*, in bags, containers, and bulk, from Edith, Woods County, Okla., to points in Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, and Texas, and (2) *charcoal*, from Baron, Okla., to points in Arkansas, Arizona, Colorado, Kansas, Missouri, Nebraska, New Mexico, and Texas. Note: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Kansas City, Mo.

No. MC 114364 (Sub-No. 144), filed July 31, 1967. Applicant: WRIGHT MOTOR LINES, INC., Post Office Box 1191, Cushing, Okla. 74023. Applicant's representative: Marion F. Jones, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Utah, to points in Arizona, Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas. Note: If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Salt Lake City, Utah.

No. MC 115162 (Sub-No. 149), filed August 3, 1967. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Suite 2025-2028, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber* (a) from Ludlow, Ky., to points in Kentucky, Indiana, Illinois, Ohio, and Michigan, and (b) from Bellamy, Ala., to points in Mississippi; (2) *agricultural implements and tillage tools*, from Shadygrove, Pa., to Montgomery, Ala., (3) *foodstuffs*, canned and bottled, other than frozen, from Cade and Lozes, La., to points in Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, and the District of Columbia, (4) *brick and clay products*, from the plantsite of Delta Macon Brick & Tile Co., located at or near Macon, Miss., and from the plantsite of Atlas Brick & Tile Co., located at or near Shuqualak, Miss., to points in Alabama, and (5) *fullers earth or ground clay*, from Quincy, Fla., to New Orleans, La. Note: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 115176 (Sub-No. 2), filed July 26, 1967. Applicant: MAYBELLE TRANSPORT COMPANY, a corporation,

Post Office Box 573, Lexington, N.C. 27992. Applicant's representative: William P. Sullivan, 1825 Jefferson Place, NW, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, between the plantsite of the Albemarle Paper Co. at Lexington, N.C., and points in Virginia under a continuing contract or contracts with Albemarle Paper Co. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115257 (Sub-No. 39), filed July 24, 1967. Applicant: SHAMROCK VAN LINES, INC., Post Office Box 5447, Dallas, Tex. 75222. 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: *Crated new furniture*, between points in Shelby County, Tenn., on the one hand, and, on the other points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Massachusetts, Maryland, Michigan, New Hampshire, New Jersey, New York, Vermont, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, Wisconsin, West Virginia, Mississippi, Louisiana, Texas, Arkansas, Oklahoma, and the District of Columbia. Note: Applicant indicates it is possible to tack with Sub 25 certificate at points in Arkansas, Oklahoma, and Texas; Sub 30 certificate in South Carolina; Sub 29 certificate at points in North Carolina. There is a pending application in the Shamrock Sub 38 proceeding where it may be able to tack the authority sought there with the applied for authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 116273 (Sub-No. 96), filed July 31, 1967. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: Robert G. Paluch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* in bulk, in tank and hopper type vehicles, from the plantsite of Chemplex Co., at or near Clinton, Iowa, to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. Note: Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 402), filed August 2, 1967. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. 72702. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products, other than frozen, and potato chips*, from Memphis, Tenn., to points in California and south of U.S. Highway 40. Note: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 119164 (Sub-No. 24), filed July 31, 1967. Applicant: J-E-M TRANSPORTATION CO., INC., Post Office Box 1315, Syracuse, N.Y. 13201. Applicant's representative: Robert V. Gianniny, 900 Midtown Tower, Rochester, N.Y. 14604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank and hopper type vehicles, from Syracuse (Solvay), N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Rhode Island, Vermont, Illinois, and West Virginia. Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 119493 (Sub-No. 34), filed July 31, 1967. Applicant: MONKEM COMPANY, INC., Post Office Box 1196, West 20th Street Road, Joplin, Mo. 64801. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, dry, in bulk or in packages, *insecticides, fungicides, herbicides*, in packages, from the plantsite of Gulf Oil Corp. (Faustina Works) located at or near Donaldsonville, La. to points in Alabama, Arkansas, Mississippi, Missouri, Oklahoma, Tennessee, Texas, and Louisiana. Note: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 121142 (Sub-No. 8) (Amendment), filed July 10, 1967, published FEDERAL REGISTER issue of August 10, 1967, amended and republished as amended, this issue. Applicant: J & G EXPRESS, INC., 489 Julienne Street, Jackson, Miss. 38202. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk and those of unusual value), (1) between Grenada, Winona, Vaiden, Durant, Goodman, Pickens, Canton, Madison, Ridgeland, and Jackson, Miss., on the one hand, and, on the other, points in Mississippi on and north of U.S. Highway 82 and on and west of Interstate Highway 55; and (2) *regular route*, serving Raymond and Flora, Miss., as off-route points in conjunction with its authorized regular route operations between Jackson and Holly Springs, Miss. Note: Applicant states that tacking could take place at Grenada, Miss., or on Mississippi Highway 7, north of Grenada where it is west of Interstate Highway 55 to join with the territory being sought. The purpose of this republication is to include Flora, Miss., as an off-route

point to be served, thereby broadening the application. If a hearing is deemed necessary, applicant requests it be held at Greenwood or Greenville, Miss.

No. MC 123004 (Sub-No. 1), filed July 31, 1967. Applicant: THE LUPER TRANSPORTATION COMPANY, a corporation, 350 East 21st Street, Wichita, Kans. 67214. Applicant's representative: James F. Miller, 7501 Mission Road, Shawnee Mission, Kans. 66208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, between Gulfport, Miss., and Wichita, Kans. Note: Applicant is also authorized to conduct operations as a *contract carrier* in Permit No. MC 30451, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans., Oklahoma City, Okla., or Gulfport, Miss.

No. MC 123245 (Sub-No. 3), filed August 3, 1967. Applicant: LEESER & STAUFFER TRUCK SERVICE, INC., Taylor, Mo. 65471. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia* from the plantsite of American Cyanamid Co. at South River (Marion County), Mo., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Nebraska, Ohio, South Dakota, and Wisconsin. Note: Applicant holds *contract carrier* authority under MC 113865 and Subs 8 and 9, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 123322 (Sub-No. 16), filed August 1, 1967. Applicant: BEATTY MOTOR EXPRESS, INC., Jefferson Avenue Extension, Washington, Pa. 15301. Applicant's representative: Harry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass and glass products; and supplies and materials and equipment used or useful in the production, sale and distribution of such products* (except bulk raw materials), between Kebert Park, Greenwood Township, Crawford County, Pa., on the one hand, and, on the other, Cumberland, Md.; Crestline, Ohio; Shelby, Ohio; and Clarksburg, W. Va. 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 123407 (Sub-No. 34), filed August 3, 1967. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. 55404. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board (including ceiling tile) and supplies and accessories used in the installation thereof*, from International Falls, Minn., to points in Indiana, Michigan, and Ohio. Note:

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Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 123415 (Sub-No. 12), filed July 31, 1967. Applicant: JAMES STUFFO, INC., Box 1061, Merchantville, N.J. 08109. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from points in Virginia, South Carolina, and North Carolina, to the plantsite of C. Harvis Sons, Inc., located at or near Hurffville, N.J., and (2) *pallets* between points in New Jersey, Pennsylvania, New York, Connecticut, Maryland, Virginia, Rhode Island, Massachusetts, Delaware, and the District of Columbia. Note: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 124078 (Sub-No. 287), filed July 28, 1967. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Guntersville, Ala., to points in Mississippi, Florida, Georgia, South Carolina, North Carolina, Kentucky, Alabama, and Tennessee (except petroleum chemicals to Kingsport, Tenn.). Note: Applicant indicates it intends to tack Sub 225 at Lyles, Tenn., to serve points in New Jersey, Rhode Island, and Virginia.

No. MC 124078 (Sub-No. 288), filed July 31, 1967. Applicant: SCHWERMANN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqua ammonia, anhydrous ammonia, nitrogen fertilizer solutions, urea, nitric acid, and ammonium nitrate*, in bulk, in tank vehicles, from the plantsite of the Vistron Corp. located at Lima, Ohio, to points in Ohio. Note: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 124212 (Sub-No. 42), filed August 1, 1967. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland, Ohio 44122. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plantsite of Lehigh Portland Cement Co., located at Union Bridge, Md., to points in West Virginia. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124212 (Sub-No. 43), filed August 2, 1967. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland, Ohio 44115. Applicant's representative: J. A. Kundtz, 1050

Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plantsite of Lehigh Portland Cement Co., located at Fogelsville, Pa., to points in Maryland. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124410 (Sub-No. 9), filed August 2, 1967. Applicant: ROBERT A. STATION, doing business as BOB STATION TRANSPORT CO., Junction U.S. Highways 36 and 65, Chillicothe, Mo. 64601. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, from the site of the Tuloma Gas Products Co. facility at or near Brunswick, Mo., to points in Kansas, Iowa, and Nebraska. Note: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 124603 (Sub-No. 1), filed July 31, 1967. Applicant: FRANK P. BATAGLIA AND THOMAS TORCHIA, a partnership, doing business as PRODUCE TRANSPORT DISPATCH, 526 Southeast Ninth Avenue, Portland, Oreg. 97214. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Frozen fruits, berries, and vegetables*, from Woodburn, Salem, Harrisburg, and Eugene, Oreg., to points in and south of Sonoma, Napa, Yolo, Sacramento, San Joaquin, Mariposa, Madera, Fresno, Tulare, Kern, and San Bernardino Counties, Calif.; (b) *frozen fruits, berries, and vegetables*, from Portland, Forest Grove, Hillsboro, Gresham, and Stayton, Oreg., to points in and south of Sonoma, Napa, Yolo, Sacramento, San Joaquin, Mariposa, Madera, Fresno, Tulare, Kern, and San Bernardino Counties, Calif.; and (c) *avocado food dips and avocado halves, frozen*, from points in Los Angeles County, Calif., to Medford, Eugene, Salem, and Portland, Oreg., and Tacoma and Seattle, Wash. Note: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 125764 (Sub-No. 4), filed July 31, 1967. Applicant: LILAC CITY EXPRESS, INC., East 10222 Fourth Avenue, Spokane, Wash. 99206. Applicant's representative: Donald A. Ericson, 708 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned and bottled foodstuffs, and paper bags*, from points in Orange County, Calif., Marion, Washington, and Multnomah Counties, Oreg., and Clark County, Wash., to points in Spokane County, Wash., under contract with United Retail Merchants Food Stores, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Spokane, Wash.

No. MC 126039 (Sub-No. 5), filed July 30, 1967. Applicant: MORGAN TRANSPORTATION SYSTEM, INC.

U.S. Highways 6 and 15, New Paris, Ind. 46553. Applicant's representative: Walter F. Jones, Jr., 601 Chamber of Commerce Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containers and incidental parts*, between Ligonier, Ind., on the one hand, and, on the other, points in Illinois. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 126276 (Sub-No. 9), filed July 31, 1967. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: (1) *Glass containers, caps, covers, and disks for tops and jars*, from the plantsite of Ball Brothers Co., Inc., located at or near Okmulgee, Okla., to points in Louisiana and Jackson, Miss., and (2) *soda ash*, from Lake Charles and Baton Rouge, La., and Corpus Christi, Tex., to the plantsite of Ball Brothers Co., Inc., located at or near Okmulgee, Okla., under contract with Ball Brothers Co., Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127253 (Sub-No. 40), filed July 27, 1967. Applicant: R. A. CORBETT TRANSPORT, INC., 111 West Laurel Street, Post Office Box 86, Lufkin, Tex. 75902. Applicant's representative: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Fertilizer, fertilizer materials, acids, and chemicals*, including but not limited to anhydrous ammonia, fertilizer solutions, insecticides, fungicides, herbicides, aqua ammonia, methanol, urea, and urea products, in bulk, from the plantsite of Gulf Oil Corp. (Faustina Works) located at or near Donaldsonville, La., to points in Alabama, Arkansas, Mississippi, Missouri, Oklahoma, Tennessee, and Texas. Note: If a hearing is deemed necessary, applicant requests it be held at Kansas City, St. Louis, Mo., or New Orleans, La.

No. MC 128254 (Sub-No. 2) (Amendment), filed April 5, 1967, published in *FEDERAL REGISTER* issue of April 20, 1967, amended July 27, 1967, and republished as amended, this issue. Applicant: THEODORE SAVAGE, 16061 Warren Lane, Huntington Beach, Calif. 92647. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, limited to traffic having a prior or subsequent movement by air, between the terminal of W T C Air Freight located in Los Angeles, Calif., on the one hand, and, on the other, points in Orange County, Calif., located south of a line running east and west through El Toro and Newport Beach (including service at El Toro, and restricted against service at Newport Beach), and points in San Diego County, Calif., under contract with W T C Air Freight. Note: The

purpose of this republication is to delete the Los Angeles International Airport, as previously published, and show "between the terminal of W T C Air Freight located in Los Angeles, Calif." If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 128486 (Sub-No. 1), filed July 31, 1967. Applicant: LILY TRANSPORT LINES, INC., 25 Denby Road, Boston, Mass. 02134. Applicant's representative: Frank J. Weiner, Investors Building, 536 Granite Street, Braintree, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting: *Apple juice, and vinegars*, in bulk, in tank vehicles, from Highland, N.Y., and Buckfield, Maine, to Lawrence, Mass., under a continuing contract with Lincoln Foods, Inc., of Lawrence, Mass. Note: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 128873 (Clarification), filed January 30, 1967, published *FEDERAL REGISTER* issue of February 24, 1967, and republished this issue as clarified at the initial hearing. Applicant: HOOPER OIL COMPANY, INC., 102 East Powell Street, Brownsville, Tenn. 38012. Applicant's representative: T. T. Hooper, Jr. (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Leola, Warren, Prescott, Malvern, and Sheridan, Ark., to Brownsville, Jackson, and Union City, Tenn., and points in that part of Tennessee west of the Tennessee River, under contract with Riddle Lumber Sales Co., Jackson, Tenn. An order of the Commission, Division 1, dated July 20, 1967, orders that the said proceeding be reopened for further hearing at a time and place to be hereafter fixed; and that notice of this application, as clarified at the initial hearing, and notice of the action taken in said order, be published in the *FEDERAL REGISTER*. Note: If a hearing is deemed necessary, applicant requests it be held at Memphis or Nashville, Tenn.

No. MC 129027 (Sub-No. 2), filed August 3, 1967. Applicant: WILLIAM V. DEMAIO, doing business as TALBOT MOTOR LINES, 236 Smithbridge Road, Rural Delivery 2, Glen Mills, Pa. 19342. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, and cardboard and cardboard products*, from the plantsite of Dee Paper Co., Inc., in Chester, Pa., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, Rhode Island, Indiana, Ohio, and the District of Columbia. Note: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 129048 (Sub-No. 3), filed August 3, 1967. Applicant: BURKS-PELZ TRANSFER, INC., 1724 West Franklin Street, Evansville, Ind. 47712. 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: *Malt beverages* in containers, (1) from Detroit, Mich., to Evansville, Ind., and Henderson, Ky., and (2) from Chicago, Ill., to Evansville, Ind. Note: Applicant holds contract carrier authority under MC 69876 and subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

No. MC 129127 (Correction), filed May 22, 1967, published in *FEDERAL REGISTER* issue of June 15, 1967, and republished as corrected this issue. Applicant: DOROTHY D. BOYLAN, doing business as BOYLAN MOTOR LINE, 501 Harrison Avenue, Harrison, 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) *Chemicals*, in containers, from Newark, Carteret, and Linden, N.J., and Long Island City, N.Y., to points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., and New York, N.Y., and (2) *returned and damaged shipments* on return, under contract with Chemical Solvents Co., and Lacquer Specialties, Inc. Note: The purpose of this republication is to show *Lacquer Specialties, Inc.*, in lieu of Union Carbide Co. in (2) above. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 129142, filed July 31, 1967. Applicant: ALABAMA FOOD EXPRESS, INC., 130 Finley Avenue West, Birmingham, Ala. Applicant's representative: D. H. Markstein, Jr., 818 Massey Building, Birmingham, Ala. 35203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat, frozen fish, frozen poultry, and packinghouse products*, as described in parts A, B, and C of appendix I to the report in 61 M.C.C. 209 and 766 in vehicles equipped with mechanical refrigeration, between points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and Nebraska. Note: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 129253 (Sub-No. 1), filed August 2, 1967. Applicant: P & H TRUCKING COMPANY, a corporation, 184 West 3300 South, Salt Lake City, Utah. Applicant's representative: Miss Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plumbing, heating, and waterworks supplies and equipment*, between points in California, Utah, Arizona, Idaho, Wyoming, Nebraska, Colorado, New Mexico, Texas, and Nevada, under con-

tract with Mountain States Supply, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 129279, filed July 25, 1967. Applicant: RYNONE INDUSTRIES, INC., North Chemung Street, Waverly, N.Y. 14892. Applicant's representative: Robert H. Griswold, Post Office Box 432, Harrisburg, Pa. 17108. 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, and those requiring special equipment), (1) between Sayre, Pa., and Horseheads, N.Y., from Sayre over U.S. Highway 220 to junction New York Highway 17, thence over New York Highway 17 to Horseheads, and return over the same route; also from junction New York Highway 17 and New York Highway 17E over New York Highway 17E to Elmira, thence over New York local truck route through Elmira Heights to Horseheads, and return over the same route, serving intermediate points which are stations on the rail lines of Lehigh Valley Railroad Co. and serving South Waverly, Pa., as an off-route point, (2) between junction U.S. Highway 220 and New York Highway 17 and Van Etten, N.Y., from junction U.S. Highway 220 and New York Highway 17 over New York Highway 17 to junction New York Highway 34, thence over New York Highway 34 to Van Etten, and return over the same route, serving intermediate points which are stations on the rail lines of Lehigh Valley Railroad Co., and serving junction U.S. Highway 22 and New York Highway 17 for purposes of joinder only, (3) between junction New York Highways 17 and 34 and Owego, N.Y., over New York Highway 17, serving intermediate points which are stations on the rail line of Lehigh Valley Railroad Co. and serving junction New York Highways 17 and 34 for purposes of joinder only, and (4) between Sayre and Towanda, Pa., over U.S. Highway 22, serving intermediate points which are stations on the rail line of Lehigh Valley Railroad Co. Restriction: Service authorized shall be subject to the following condition: Shipments transported shall be limited to those having in addition to a motor carrier movement by carrier, an immediately prior or subsequent movement by rail. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 129284, filed July 26, 1967. Applicant: ORANGE TRANSFER & STORAGE, INC., 2890 Coolidge Avenue, Orlando, Fla. 32804. Applicant's representative: Paul F. Sullivan, Colorado Building, Suite 913, 1341 G Street NW, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, restricted to shipments moving in containers and having an immediately prior or subsequent movement by rail, motor, water, or air and moving on through bills of lading of forwarders,

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operating under the section 402(b) (2) exemption, between points in Citrus, Hernando, Lake, Orange, Sumter, Alachua, Bradford, Clay, Dixie, Flagler, Gilchrist, Levy, Marion, Putnam, Seminole, St. Johns, and Volusia Counties, Fla. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Orlando, Fla.

No. MC 129286, filed July 24, 1967. Applicant: CARRICK MOVING & STORAGE, INC., 216 Railroad Street, Jacksonville, N.C. 28540. Applicant's representative: William F. Simpson, Pink Hill, N.C. 28572. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, in containers, incidental to handling and crating for exempt freight forwarders, between points in North Carolina. Note: If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 129290, filed July 31, 1967. Applicant: MACKINAW TRUCKING COMPANY, a corporation, 1500 Pine Street, Essexville, Mich. 48732. Applicant's representative: Robert A. Sullivan, 1800 Buhl Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement* in bulk, in tank vehicles, from the plantsite of Aetna Portland Cement Co. at Essexville, Mich., to points in Indiana, Illinois, and Ohio. Note: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., Chicago, Ill., or Washington, D.C.

No. MC 129291, filed July 24, 1967. Applicant: McDANIEL MOTOR EXPRESS, INC., 1115 Winchester Road, Lexington, Ky. 40505. 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: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment and those injurious or contaminating to other lading), between Lexington, Ky., and the plantsite of the Rockwell Standard Corp. near Winchester, Ky. Note: If a hearing is deemed necessary, applicant requests it be held at Lexington or Louisville, Ky.

No. MC 129292, filed July 31, 1967. Applicant: PORT LUBRICANTS CORPORATION, 1766 Meeting Street Road, Charleston, S.C. 29405. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oils and petroleum stock oils*, in bulk, in tank vehicles, from Charleston, S.C., to points in North Carolina, Georgia, and Florida, under contract with Humble Oil & Refining Co., Houston, Tex. Note: Applicant states that delivery will be by metered delivery in quantities not to exceed 1,000 gallons per delivery. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 129293, filed July 31, 1967. Applicant: STANLEY "G" ALEXANDER, doing business as ALEXANDER'S MOVING & STORAGE, 2510 South Harbor,

Santa Ana, Calif. 92704. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, between points in Los Angeles, Orange, and San Diego Counties, Calif. Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 129295, filed July 31, 1967. Applicant: WALLACE RODER, Route 2, Pittsville, Wis. 54466. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal feeds and animal feed ingredients*, from Pittsville, Wis., to points in the Upper Peninsula of Michigan and Minnesota (excluding points in the Minneapolis-St. Paul commercial zone as defined by the Commission) and (2) *returned shipments of animal feeds and animal feed ingredients*, on return, under contract with Pittsville Fur Foods, Inc., Pittsville, Wis. Note: If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 129297 (Sub-No. 1), filed August 1, 1967. Applicant: ASBESTOS EASTERN TRANSPORT, INC., 6500 Grande Allee Boulevard, St. Hubert, Quebec, Canada. 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: *Manufactured wood products* such as but not limited to, wooden boxes, knocked down, spindles or quills, pallets or skids, yard sticks, and paint paddles, from ports of entry on the United States-Canada boundary line located at or near Norton, Derby Line, Beecher Falls, and Highgate Springs, Vt., Rouses Point and Champlain, N.Y., to points in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey. Note: The above commodities, will originate at Danville, Quebec, and La Guadeloupe, Quebec. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129299, filed August 2, 1967. Applicant: CAROLINA TRANSIT, INC., Camden, N.C. 27921. Applicant's representative: J. Ruffin Bailey, 10th Floor, Insurance Building, Post Office Box 2246, Raleigh, N.C. 27602. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Empty cans*, from Baltimore, Md., to Norfolk, Va., under contract with Century Brewery Corp. and Norfolk Coca-Cola Bottling Works, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Norfolk, Va., or Raleigh, N.C.

No. MC 129303, filed August 1, 1967. Applicant: GEORGE E. MURPHY, Route 3, Box 389, Pollack Avenue, Newburgh, Ind. 47630. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Post Office Box G, Kingsport, Tenn. 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting:

Cinder blocks, clay and clay products, shale and shale products, concrete and concrete products, and mortar mixes, (1) from Fairdale, Ky., to points in Alexander, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Union, Wabash, Washington, Wayne, White, and Williamson Counties, Ill.; and Clay, Crawford, Daviess, Dubois, Floyd, Gibson, Greene, Harrison, Knox, Lawrence, Martin, Orange, Owen, Perry, Pike, Posey, Spencer, Sullivan, Vanderburgh, Vigo, and Warrick Counties, Ind.; and (2) from Evansville, Ind., to points in Alexander, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jasper, Jefferson, Johnson, Lawrence, Marion, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Union, Wabash, Washington, Wayne, White, and Williamson Counties, Ill.; and Allen, Ballard, Barren, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Daviess, Edmonson, Fulton, Graves, Grayson, Hancock, Hardin, Hart, Henderson, Hickman, Hopkins, Jefferson, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Meade, Muhlenberg, Ohio, Simpson, Todd, Trigg, Union, Webster, and Warren Counties, Ky., under contract with General Shale Products Corp. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 129302, filed August 3, 1967. Applicant: WILLIAM A. JORDAN, doing business as JORDAN TRANSFER COMPANY, Post Office Box 358, West Point, Miss. 39773. Applicant's representative: Paul F. Sullivan, Suite 913, Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Clay, Lowndes, Oktibbeha, Noxubee, Winston, Attala, Choctaw, Webster, Grenada, Yalobusha, Calhoun, Chickasaw, Monroe, Itawamba, Pontotoc, Lafayette, Panola, Alcorn, Tishomingo, Prentiss, Lee, and Union Counties, Miss., restricted to shipments moving in containers and having an immediately prior or subsequent movement by rail, motor, water, or air and moving on through bills of lading of forwarders, operating under the section 402(b) (2) exemption. Note: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Washington, D.C.

No. MC 129304, filed August 3, 1967. Applicant: ELEANOR M. ALEXANDER, doing business as COAST VAN & STORAGE, 2512 South Harbor, Santa Ana, Calif. 92704. Applicant's representative: Paul F. Sullivan, Suite 913, Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the

Commission restricted to shipments moving in containers and having an immediate prior or subsequent movement by rail, motor, water, or air and moving on through bills of lading of forwarders operating under the section 402(b)(2) exemption, between points in Los Angeles, Orange, and San Diego Counties, Calif. Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 397), filed July 28, 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 regular routes, transporting: *Passengers and their baggage, express, and newspapers, in the same vehicle with passengers*, within Mount Laurel Township, N.J., from junction New Jersey Highway 73 and Interstate Highway 295, over Interstate Highway 295 to junction New Jersey Highway 38, and return over the same route, for operating convenience only in connection with presently authorized regular route operations, serving no intermediate points, except at the junction of the termini for joinder purposes only. Note: If a hearing is deemed necessary, applicant requests it be held at Camden, N.J., or Philadelphia, Pa.

No. MC 128891 (Sub-No. 2) (Correction), filed May 31, 1967, published FEDERAL REGISTER issue of June 22, 1967, and republished as corrected this issue. Applicant: ADVENTURELINES, INC., 14 Shelton Avenue, Trenton, N.J. 08618. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage*, in special operations, between points in Bucks County, Pa., east of County Route 532 and points in Mercer County, N.J., limited to passengers, boarding or alighting at Educational Testing Service, and (2) *passengers and their baggage*, in special operations, and round trip, from points in Mercer County, N.J., to points in New Jersey, New York, and Pennsylvania, and return. Note: The purpose of this republication is to correct (1) above. If a hearing is deemed necessary, applicant requests it be held at Trenton or Princeton, N.J.

APPLICATION FOR BROKERAGE LICENSE

No. MC 130039 (Correction), filed May 26, 1967, published FEDERAL REGISTER issue of June 29, 1967, and republished as corrected, this issue. Applicant: WILLIAM NEZOWY, doing business as ASTRO TRAVEL SERVICE, 1411 Walnut Street, Philadelphia, Pa. Applicant's representative: Alan Kahn, Suite 1920, Two Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa. 19102. For a license (BMC-5) to engage in operations as a broker at Philadelphia, Pa., in arranging for transportation in interstate or foreign commerce of *individual passengers and groups of passengers and their baggage*

in passenger motor vehicles, in special operations, in round trip tours, beginning and ending in points in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., and Gloucester, Camden, and Burlington Counties, N.J., and extending to points in the United States including ports of entry on the international boundary line between the United States and Canada. Note: The purpose of this republication is to show Philadelphia, Pa., as the location of Broker's office, which was previously omitted.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAVE BEEN REQUESTED

No. MC 17002 (Sub-No. 42), filed July 31, 1967. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60, East, Huntington, W. Va. 25714. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New and used mining and tunneling machinery and parts thereof*, between points in Boyd County, Ky., on the one hand, and, on the other, points in Alabama, Arizona, Colorado, Idaho, Illinois, Michigan, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, Ohio, Pennsylvania, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming. Note: Applicant states it would tack the proposed authority with its present authority at Boyd County, Ky., for through service between points in Kentucky, Ohio, Pennsylvania, West Virginia, and Virginia.

No. MC 114965 (Sub-No. 34), filed July 31, 1967. Applicant: CYRUS TRUCK LINES, INC., Box 327, Iola, Kans. 66749. Applicant's representative: Charles H. Apt, Box 328, Iola, Kans. 66749. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia* in bulk, in tank vehicles, from Trenton, Mo., to points in Iowa, Kansas, and Nebraska.

No. MC 129262 (Correction), filed July 20, 1967, published FEDERAL REGISTER issue of August 10, 1967, corrected and republished as corrected, this issue. Applicant: AYERS & MADDUX, INC., 510 East Olympic Boulevard, Los Angeles, Calif. 90015. Applicant's representative: Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages and alcoholic liquors*, in bulk, in tank vehicles (with no authorization to transfer property from one vehicle to another), from ports of entry on the international boundary line between the United States and Mexico, to points in California, Michigan, Illinois, Ohio, and Connecticut. Note: The purpose of this republication is to add the destination State of Connecticut, which was inadvertently omitted in the previous publication.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-9596; Filed, Aug. 16, 1967;
8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 14, 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. 41098—*Sugar from Philadelphia, Pa.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2894), for interested rail carriers. Rates on sugar, beet or cane, in carloads, as described in the application, from Philadelphia, Pa., to Louisville, Ky., Chicago, Ill., and Cincinnati, Ohio. Grounds for relief—Market competition. Tariff—Supplement 64 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-225.

FSA No. 41099—*Newsprint Paper from Saint John, N.B., Canada.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2893), for interested rail carriers. Rates on newsprint paper, in carloads, from Saint John, N.B., Canada, to Baltimore, Md. Grounds for relief—Barge competition. Tariff—Supplement 27 to Canadian Pacific Railway Co. tariff ICC E 2631.

FSA No. 41100—*Dry Fertilizers to Points in WTL Territory.* Filed by Western Trunk Line Committee, agent (No. A-2510), for interested rail carriers. Rates on dry fertilizers and dry fertilizer materials, in carloads, also kindred or related articles, from Transcona and North Transcona, Manitoba, Canada, to points in western trunkline territory. Grounds for relief—Market competition. Tariffs—Revised pages to Canadian National Railway Co. tariff ICC W. 766 and Canadian Pacific Railway Co. tariff ICC W. 1091.

FSA No. 41101—*Sugar to Neenah and Watertown, Wis.* Filed by Western Trunk Line Committee, agent (No. A-2511), for interested rail carriers. Rates on sugar, beet or cane, dry, in bulk in covered hopper cars or self-clearing permanently enclosed cars, in carloads, from specified points in Trans-Continental and western trunkline territories, to Neenah and Watertown, Wis. Grounds for relief—Market competition and rate relationship. Tariffs—Supplement 53 to Western Trunk Line Committee, agent, tariff ICC A-4481, Supplements 23 and 38 to Trans-Continental Freight Bureau, agent, tariffs ICC 1754 and 1741, respectively, also Supplement 130 to Agent V. P. Brown, tariff ICC 18.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-9671; Filed, Aug. 16, 1967;
8:48 a.m.]

NOTICES

[Notice 434]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 14, 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 31321 (Sub-No. 9 TA), filed August 10, 1967. Applicant: SOUTHWESTERN TRANSFER COMPANY, INC., Post Office Box 1611, El Paso, Tex. 79948. Applicant's representative: Joe G. Fender, 302 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such commodities as require special handling or special equipment by reason of size or weight, and commodities which do not require special handling, or the use of special equipment, when moving in the same shipment on the same bill of lading and for the same consignee as commodities which because of size or weight require special handling, or the use of special equipment, between points in Colorado and New Mexico; for 180 days. Note: Applicant will tack between Colorado and Arizona over New Mexico as gateway territory, utilizing the authority proposed to be required and applicant's present certificate MC 31321. Applicant will not tack the proposed extended authority with present authority to serve to and from points in Texas. Applicant will interline to and from California utilizing its present certificate MC 31321, as above indicated, interchanging in Arizona with Underhill Transfer Co., which holds certificate MC 32525 authorizing general commodities between points in California and Arizona within 25 miles of Yuma, Ariz. Supporting shippers: There are five shippers' supporting statements attached to application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Com-

mission, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 63101 (Sub-No. 6 TA), filed August 10, 1967. Applicant: KEENE'S TRANSFER, INC., doing business as KEENE'S TRANSFER, 1019 East Avenue, Box 87, Tomah, Wis. 54660. Applicant's representative: John T. Porter, First National Bank Building, 1 South Pinckney Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Fiberglass plastic products, and supplies and materials used in connection therewith, from Necedah, Wis., to points in the Chicago, Ill., commercial zone, as defined by the Commission; for 180 days. Supporting shipper: KenCo Plastics, Inc., Necedah, Wis. 54646. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis. 53703.

No. MC 115162 (Sub-No. 150 TA), filed August 10, 1967. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate, Suite 2023-27, City Federal Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Brick and clay products, from the plantsite of Delta Macon Brick & Tile Co. at or near Macon, Miss., and the plantsite of Atlas Brick & Tile Co. at or near Shuqulak, Miss., to points in Alabama; for 180 days. Supporting shipper: Jenkins Brick Co., Post Office Box 91, Montgomery, Ala. 36101. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 823, 2121 Building, Birmingham, Ala. 35203.

No. MC 117392 (Sub-No. 7 TA), filed August 10, 1967. Applicant: FRANK W. EDMANDS, INC., 18 Woodbury Avenue, Saugus, Mass. 01906. Applicant's representative: Mary E. Kelley, 10 Tremont Street, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Rock salt, in bulk, in dump vehicles, between points in Essex, Middlesex, Suffolk, Norfolk, Plymouth, Bristol, and Barnstable Counties, Mass.; for 150 days. Supporting shipper: International Salt Co., Clarks Summit, Pa. Send protests to: Maurice C. Pollard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, John F. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 128746 (Sub-No. 8 TA), filed August 10, 1967. Applicant: D'AGATA NATIONAL TRUCKING CO., 3240 South 61st Street, Philadelphia, Pa. 19153. Applicant's representative: G. Donald Bullock, Post Office Box 146, Wyndotte, Pa. 19095. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Malt beverages, in containers, from Latrobe, Pa., to Camden, N.J.; for 150 days. Supporting shipper: Hub Beer Distributors, Inc., Post Office Box 821, Camden, N.J. 08104. Send protests to: Peter R. Guman, District Supervisor, Bu-

reau of Operations, Interstate Commerce Commission, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 129280 (Sub-No. 1 TA), filed August 10, 1967. Applicant: EARL F. BELL, INC., 7008 Poplar Avenue, Takoma Park, Md. 20012. Applicant's representative: Earl F. Bell, Box 1399 Rockville, Md. 20850. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: Lumber, plywood, and pre-cut packages, from Silver Spring, Md., to Chantilly, Fairfax County, Va.; and rejected shipments on return; under contract with Levitt & Sons, Inc.; for 150 days. Supporting shipper: Levitt & Sons, Inc., 3930 Walnut Street, Fairfax, Va. 22030. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1220, 12th and Constitution Avenue NW, Washington, D.C. 20423.

No. MC 129318 TA, filed August 10, 1967. Applicant: DAVID C. LOFTIN, doing business as ACME MOVING & STORAGE COMPANY, 105 Sioux Street, Post Office Box 1333, Dothan, Ala. 36301. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Houston, Dale, Henry, Barbour, Coffee, Geneva, Pike, and Covington Counties, Ala.; restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating and decontainerization of such shipments; under contract No. DABC 01-67-C-0125, awarded for the contract period January 1 to December 31, 1967, between applicant and the military establishment located at Fort Rucker, Ala.; for 180 days. Supporting shipper: None. Copy of contract is attached to application. Send protests to: B. R. McKenzie, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 823, 2121 Building, Birmingham, Ala. 35203.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-9672; Filed, Aug. 16, 1967;
8:48 a.m.]

[Notice 23]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 14, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered

proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69797. By order of August 14, 1967, the Transfer Board approved the transfer to Hopkins Motor Coach, Inc., Dover, Del., of the operating rights in certificate Nos. MC-115156 (Sub-No. 1) and MC-115156 (Sub-No. 2) issued February 20, 1962, and January 3, 1966, respectively to Phillip R. Price, doing business as Price's Charter Service, Chance, Md., authorizing the transpor-

tation of: Passengers and their baggage, in the same vehicle, between specified points in Maryland. Charles Moran, 1329 E Street NW., Washington, D.C. 20004, attorney for applicants.

[SEAL]

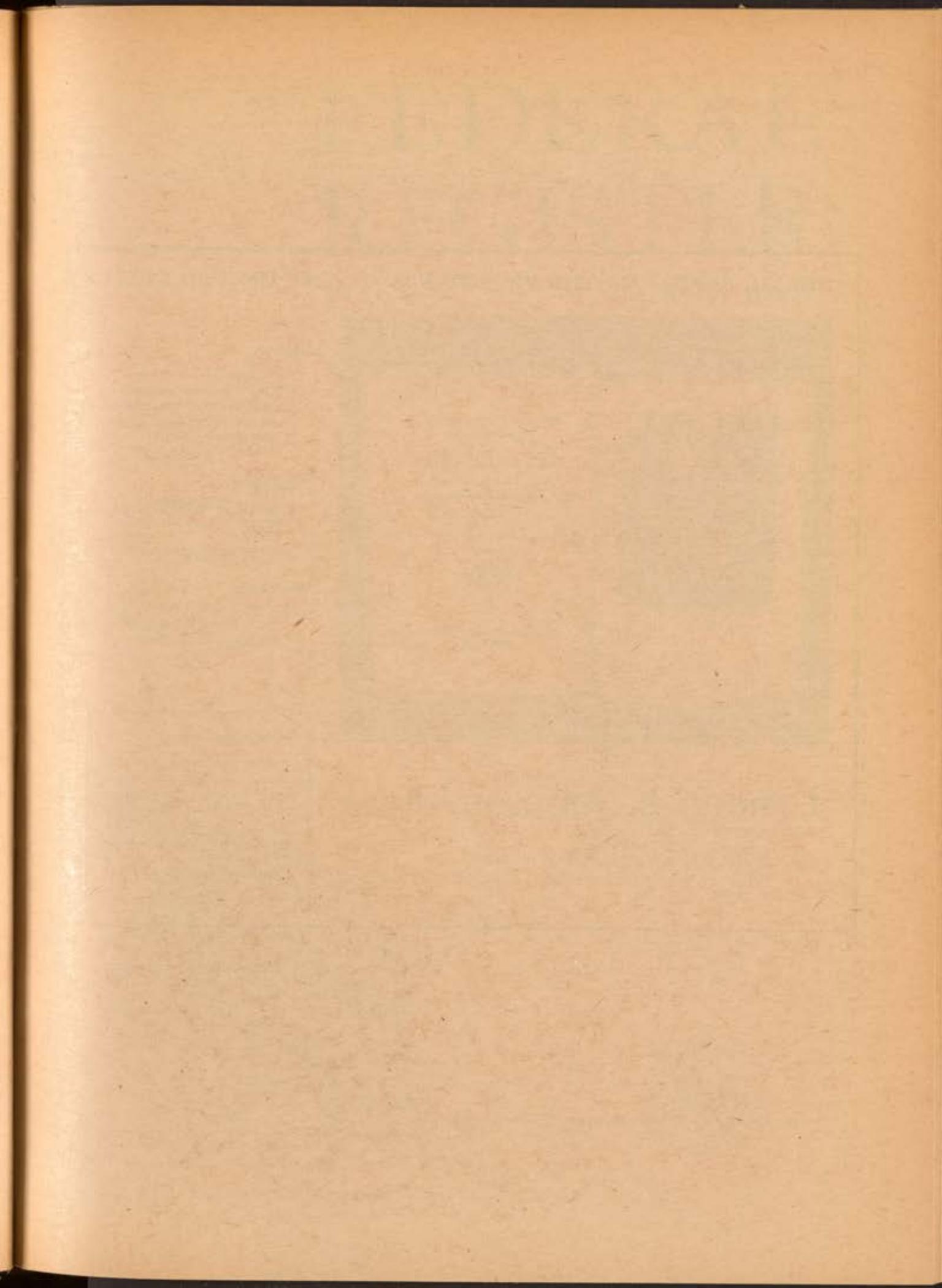
H. NEIL GARSON,
Secretary.[F.R. Doc. 67-9673; Filed, Aug. 16, 1967;
8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—AUGUST

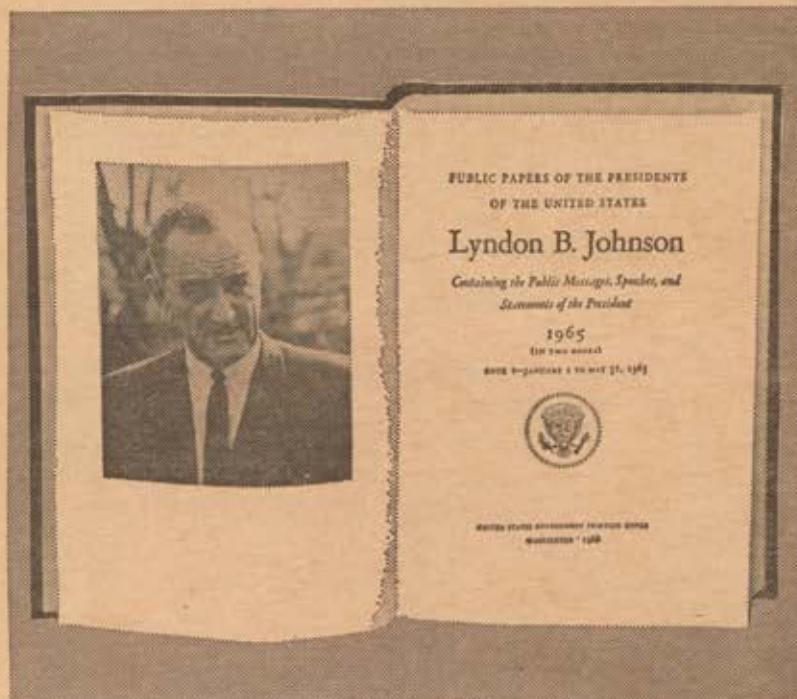
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