

# FEDERAL REGISTER

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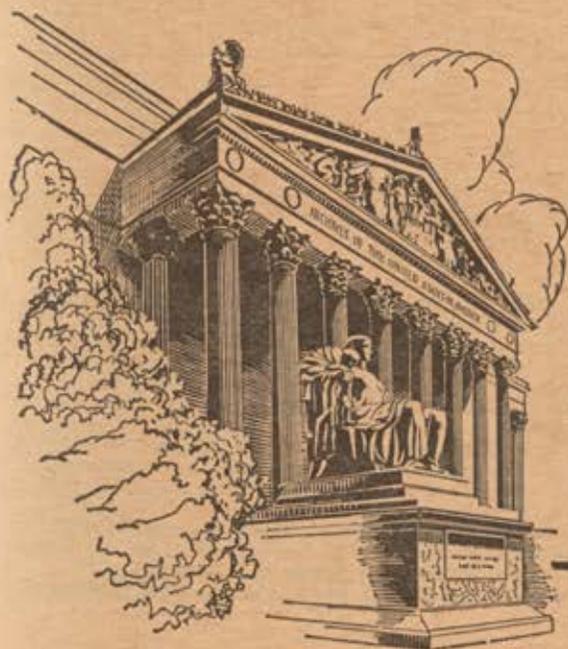
Tuesday, September 12, 1967 • Washington, D.C.

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## LIST OF CFR SECTIONS AFFECTED

1949-1963

This volume contains a compilation of the "List of Sections Affected" for all titles of the Code of Federal Regulations for the years 1949 through 1963. All sections of the CFR which have been expressly affected by documents published in the daily Federal Register are enumerated.

Reference to this list will enable the user to find the precise text of CFR provisions which were in force and effect on any given date during the period covered.

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(Codification Guide)

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### National Advisory Commission on Selective Service; National Conference on Problems of the Mexican-American and Puerto Rican Communities; Office of Economic Opportunity

Having expired by their own terms §§ 213.3189 and 213.3192 are revoked in their entirety and paragraph (g) of § 213.3273 is revoked.

(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. 67-10579; Filed, Sept. 11, 1967; 8:45 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Department of Commerce

Section 213.3314 is amended to show that the position of Director, Office of Standards Review is excepted under Schedule C. Effective upon publication in the FEDERAL REGISTER, subparagraph (5) is added to paragraph (n) of § 213.3314 as set out below.

§ 213.3314 Department of Commerce.

(n) Office of Assistant Secretary for Science and Technology.

(5) Director, Office of Standards Review.

(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. 67-10682; Filed, Sept. 11, 1967; 8:50 a.m.]

#### PART 213—EXCEPTED SERVICE

##### Department of Transportation

Section 213.3394 is amended to show that the position of Chief Counsel, Federal Highway Administration is excepted under Schedule C. Effective upon publication in the FEDERAL REGISTER, subparagraph (2) is added to paragraph (c) of § 213.3394 as set out below.

§ 213.3394 Department of Transportation.

(c) Federal Highway Administration.  
(2) Chief Counsel.

(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. 67-10683; Filed, Sept. 11, 1967; 8:50 a.m.]

#### PART 630—ABSENCE AND LEAVE

##### Recredit of Sick Leave

Section 630.502(b) is amended to permit the recredit of sick leave to employees of Regional Commissions established under 42 U.S.C. 3182 to the same extent it is permitted for employees of the Appalachian Regional Commission. Section 630.502(b) is amended as set out below.

§ 630.502 Sick leave recredit.

(b) (1) Except as provided in subparagraph (2) of this paragraph, an employee who is separated from the Federal Government or the government of the District of Columbia is entitled to a recredit of his sick leave if he is reemployed in the Federal Government or the government of the District of Columbia, without a break in service of more than 3 years.

(2) An employee who is employed by the Appalachian Regional Commission established under section 101 of title 40, App. A, United States Code, or one of the Regional Commissions established under section 3182 of title 42, United States Code, within 4 calendar days after separation from the Federal Government or the government of the District of Columbia is entitled to a recredit of his sick leave if he is reemployed by the Federal Government or the government of the District of Columbia within 6 months after separation from a continuous period of employment with one or more of the Regional Commissions established under section 101 of title 40, App. A, United States Code, or section 3182 of title 42, United States Code, that exceeds 2 years and 6 months without a break in service of more than 3 calendar days.

(5 U.S.C. 6311)

##### UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 67-10580; Filed, Sept. 11, 1967; 8:45 a.m.]

#### PART 733—POLITICAL ACTIVITIES OF FEDERAL EMPLOYEES AND OF ENROLLEES OF THE JOB CORPS

##### Subpart C—Privileged Localities

###### CRANE, IND.

Section 733.301 is amended to include political activity privileges to employee residents of Crane, Ind. Section 733.301 (b) is amended by the addition of "Crane, Ind. (Aug. 3, 1967)" under the heading "Other Municipalities".

(5 U.S.C. 3301, 3302, 7327, 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. 67-10654; Filed, Sept. 11, 1967; 8:51 a.m.]

#### PART 870—LIFE INSURANCE

##### Exclusions

Section 870.202 is amended as set out below.

§ 870.202 Exclusions.

(a) Employees, as defined in the Federal Employees' Group Life Insurance Act of 1954, as amended, in the following groups are excluded from the application of this part:

(1) An employee serving under appointment limited to 1 year or less, except an employee so appointed for full-time employment or part-time employment with a regular tour of duty, without break in service or after a separation of 3 days or less, following service in which he was insured, and an acting postmaster.

(2) An employee whose employment is of uncertain or purely temporary duration, or who is employed for brief periods at intervals, and an employee who is expected to work less than 6 months in each year, except an employee having a career-conditional or career appointment, or appointed under schedule B of Part 213 of this chapter, who is employed under a cooperative work-study program of at least 1 year's duration which requires the employee to be in pay status during not less than one-third of the total time required for completion of the program.

(3) An intermittent employee—a non-full-time employee without a prearranged regular tour of duty.

(4) An employee whose salary, pay, or compensation on an annual basis is \$12 a year or less.

(5) A beneficiary or patient employee in a Government hospital or home.

(6) An employee paid on a contract or fee basis, except an employee who is

a citizen of the United States who is appointed by a contract between the employee and the Federal employing authority which requires his personal service and is paid on the basis of units of time.

(7) An employee paid on a piecework basis, except one whose work schedule provides for full-time service or part-time service with a regular tour of duty.

(b) The Commission shall make final determination regarding applicability of the above classifications to a specific employee or group of employees.

(5 U.S.C. 8716)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 67-10581; Filed, Sept. 11, 1967;  
8:45 a.m.]

## Title 12—BANKS AND BANKING

### Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

#### PART 1—INVESTMENT SECURITIES REGULATION

##### Cudahy Civic Center Authority Revenue Bonds

##### § 1.195 Cudahy Civic Center Authority Revenue Bonds.

(a) *Request.* The Comptroller of the Currency has been requested to rule that the \$350,000 Cudahy Civic Center Authority Revenue Bonds are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Cudahy Civic Center Authority is a public entity created under the laws of the State of California by an agreement between the county of Los Angeles and the city of Cudahy. Under this agreement, the Authority is empowered to acquire land, construct, and lease public buildings and to issue bonds to finance such projects. The Authority is issuing these bonds for the purpose of constructing a civic center, including a city hall, community center, public library, and related structures and landscaping, which will be leased to the city.

(2) Under the least rental agreement the City has unconditionally promised to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The City, which possesses general powers of taxation, has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion, therefore, that the \$350,000 Cudahy Civic Center Authority Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and, as such, are eligible for purchase, dealing in, under-

writing, and unlimited holding by national banks.

Dated: September 6, 1967.

[SEAL] WILLIAM B. CAMP,  
*Comptroller of the Currency.*

[F.R. Doc. 67-10627; Filed, Sept. 11, 1967;  
8:49 a.m.]

## Title 7—AGRICULTURE

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

#### SUBCHAPTER C—SPECIAL PROGRAMS

[Amdt. 3]

#### PART 755—REGIONAL PROGRAMS

##### Subpart—Appalachian Land Stabilization and Conservation Service

###### NONCOMPLIANCE

Section 755.10(b) of the regulations governing the Appalachian Land Stabilization and Conservation Program, 30 F.R. 8669, as amended, is revised to read as follows:

##### § 755.10 Noncompliance.

(b) Failure to maintain a practice for the contract period or the normal lifespan of the practice, whichever is shorter, in accordance with good farming practices shall be a violation of the contract and any payment made in connection with such practice shall be refunded unless the practice is restored within the time prescribed by the county committee. The normal lifespan of a practice shall be determined by the county committee.

(Sec. 203; 79 Stat. 5, 12; 40 U.S.C. App. A 203)

Effective date: Date of signature.

Signed at Washington, D.C., on September 6, 1967.

E. A. JAENKE,  
*Acting Administrator, Agricultural Stabilization and Conservation Service.*

[F.R. Doc. 67-10649; Filed, Sept. 11, 1967;  
8:50 a.m.]

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

[Lemon Reg. 283, Amdt. 1]

#### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### Limitation of Handling

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agri-

cultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

*Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 910.583 (Lemon Reg. 283, 32 F.R. 12709) are hereby amended to read as follows:

##### § 910.583 Lemon Regulation 283.

- (b) *Order.* (1) \* \* \*
- (ii) District 2: 255,750 cartons;

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

Dated: September 7, 1967.

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

[F.R. Doc. 67-10650; Filed, Sept. 11, 1967;  
8:50 a.m.]

[Grapefruit Reg. 9; Grapefruit Reg. 8 Terminated]

#### PART 944—FRUIT; IMPORT REGULATIONS

##### Grapefruit

##### § 944.105 Grapefruit Regulation 9.

(a) On and after September 18, 1967, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 and be of a size not smaller than  $3\frac{1}{16}$  inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; and

(2) Seedless grapefruit shall grade at least Improved No. 2 and be of a size not smaller than  $3\frac{1}{16}$  inches in diameter,

except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit. ("Improved No. 2" shall mean grapefruit grading at least U.S. No. 2 and also meeting the requirements of the U.S. No. 1 grade as to shape (form) and color.)

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of grapefruit that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of grapefruit, is required on all imports of grapefruit. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of grapefruit should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the grapefruit will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 McClendon Bldg., Harlingen, Tex. 78551 (Phone—512-423-5644), or A. D. Mitchell, Room 516, U.S. Courthouse, El Paso, Tex. 79901 (Phone—915-533-9351, Ext. 5340).	1 day.
All New York points.	Edward J. Beller, 346 Broadway, Room 306, New York, N. Y. 10013 (Phone—212-264-1130 and 1131).	Do.
All Arizona points.	R. H. Bertelson, 136 Grand Ave., Nogales, Ariz. 85621 (Phone—602-287-2902).	Do.
All Florida points.	Lloyd W. Honey, 1350 Northwest 12th Ave., Room 538, Miami, Fla. 33136 (Phone—305-371-2517), or Hubert S. Flynt, 775 Warner Lane, Orlando, Fla. 32812 (Phone—305-841-2141).	Do.
All California points.	Carley D. Williams, 784 South Central Ave., Room 294, Los Angeles, Calif. 90021 (Phone—213-622-8756).	3 days.
All other points.	D. S. Matheson, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (Phone—202-388-5879).	Do.

(c) Inspection certificates shall cover only the quantity of grapefruit that is

being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any grapefruit to be imported into the United States shall set forth, among other things:

- (1) The date and place of inspection;
- (2) The name of the shipper, or applicant;
- (3) The commodity inspected;
- (4) The quantity of the commodity covered by the certificate;
- (5) The principal identifying marks on the container;
- (6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipment; and
- (7) The following statement if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provision of this section, any importation of grapefruit which, in the aggregate does not exceed five standard nalled boxes, or equivalent quantity, may be imported without regard to the restrictions specified herein.

(g) It is hereby determined that imports of grapefruit, during the effective time of this section, are in most direct competition with grapefruit grown in the State of Florida. The requirements set forth in this section are the same as those being made effective for grapefruit grown in Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on grapefruit under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of grapefruit for the purpose of making it eligible for importation.

(j) The terms used herein relating to grade, diameter, standard pack, and standard box shall have the same meaning as when used in the U.S. Standards for Florida Grapefruit (§§ 51.750-51.783 of this title). Importation means release from custody of the U.S. Bureau of Customs.

Grapefruit Regulation 8 (§ 944.104, 31 F.R. 12012; 32 F.R. 8235, 8761) is hereby terminated at the effective time hereof.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this regulation beyond that herein specified (5 U.S.C. 553) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agri-

cultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those being made effective on domestic shipments of grapefruit under Grapefruit Regulation 66 (§ 905.495); (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (d) notice hereof in excess of 3 days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

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

Dated: September 7, 1967.

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

[F.R. Doc. 67-10651; Filed, Sept. 11, 1967; 8:50 a.m.]

[Area 2]

**PART 948—IRISH POTATOES GROWN IN COLORADO**

**Expenses and Rate of Assessment**

Notice of rule making regarding the proposed expenses and rate of assessment for Area No. 2 (San Luis Valley), to be effective under Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948), was published in the August 16, 1967, issue of the FEDERAL REGISTER (32 F.R. 11803). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than the 15th day after publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters, including the proposals set forth in the aforesaid notice which were recommended by the Area Committee for Area No. 2, established pursuant to the said marketing agreement and order, it is hereby found and determined that:

**§ 948.255 Expenses and rate of assessment.**

(a) The reasonable expenses that are likely to be incurred by the Area Committee for Area No. 2, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended, to enable such committee to perform its functions pursuant to the provisions of the aforesaid amended agreement and order during the fiscal period ending June 30, 1968, will amount to \$13,391.50.

(b) The rate of assessment to be paid by each handler in Area No. 2 pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended, shall be \$0.0024 per hundredweight of potatoes handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending June 30, 1968, may be carried over as a reserve.

(d) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97, as amended, and this part.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such period, and (2) the current fiscal period began July 1, 1967, and the rate of assessment herein will automatically apply to all assessable potatoes beginning with such date.

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

Dated: September 7, 1967.

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

[F.R. Doc. 67-10610; Filed, Sept. 11, 1967; 8:47 a.m.]

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

[Milk Order 50]

#### PART 1050—MILK IN CENTRAL ILLINOIS MARKETING AREA

##### Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Central Illinois marketing area (7 CFR Part 1050), it is hereby found and determined that:

(a) The following provision of the order does not tend to effectuate the declared policy of the Act for the month of August 1967: In § 1050.14(b)(2) the words "on any day during the months of May and June and in any other month for not more than 8 days of production of producer milk by such producer."

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

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

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

(3) A public notice was issued August 23, 1967, and published in the FEDERAL REGISTER on August 25, 1967 (32 F.R. 12404) stating that the Department was giving consideration to a proposed suspension of the aforementioned provision

for the month of August 1967. Interested parties were provided 3 days after publication in the FEDERAL REGISTER to submit written data, views, or arguments in connection with the proposed suspension. In response to the notice of the proposed suspension, the handler requesting the suspension and a cooperative association which supplies part of the producer milk for this handler supported this suspension as proposed. Another cooperative association opposed the suspension as being unnecessary.

(4) The diversion provision of the order is intended to allow the economical handling of reserve milk of the market when such milk must be moved to non-pool plants for manufacturing. The use of diversion is limited under the order, however, to confine the use of this practice to the milk of producers who have had a substantial association with the market. Because of the seasonal changes in milk production, there is no limit on the diversion of producer milk during the two months of normally highest production (May and June). In other months the milk of each producer may be diverted as much as 8 days of his production. The diversion provision is not intended to result in the pooling of the milk of a producer for an indefinite period without substantial performance by delivery of milk to pool plants with sufficient regularity to be considered part of the market's normal supply of milk.

The producer association which desires the suspension of the limit on diversion for the month of August 1967 claims that there is an unusual seasonally high production continuing later than usual, and that this has necessitated diversion of member milk beyond the limit provided in the order for the month of August. The dairy farmers involved have made deliveries on some days in the month of August and have been producers in the immediate prior months. It is also expected that they will qualify as producers in the future. Thus, the suspension will serve to maintain producer status for these dairy farmers during the month of August.

Therefore, based upon materials submitted by interested parties and market information available, the suspension of the aforesaid provision is necessary for the month of August 1967. This suspension will allow for the movement of such producers' milk direct from their farms to nonpool manufacturing plants.

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

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of August 1967.

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

Effective date: August 1, 1967.

Signed at Washington, D.C., on September 6, 1967.

RODNEY E. LEONARD,  
Deputy Assistant Secretary.

[F.R. Doc. 67-10611; Filed, Sept. 11, 1967; 8:47 a.m.]

[Milk Order 133]

#### PART 1133—MILK IN INLAND EMPIRE MARKETING AREA

##### Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Inland Empire marketing area (7 CFR Part 1133), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act for the months of September, October, and November 1967: "15 percent in the months of September, October, and November," where such provision appears in both subparagraphs (1) and (2) of § 1133.12(c). The provisions relate to the limit on diverting the milk of producers in each of the months September through November.

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

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

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

(3) The suspension order will permit handlers to divert producer milk from a pool plant to a nonpool plant during the months of September, October, and November 1967 without limit. The order presently provides for diversion not in excess of 15 percent for each of the months during the period September through November.

A cooperative association representing a substantial number of producers supplying the market has requested this suspension pending the issuance of a final order on amendments considered at a public hearing held at Spokane, Wash., on July 25, 1967. One of the proposals considered at the hearing concerned diversion limits.

Proponent stated that marketing conditions which necessitated suspension of the diversion provisions for the period April through July 1967 (32 F.R. 6341) will continue to exist for the period September through November 1967. Producer deliveries have increased in recent months more than usual for the season. It is expected, therefore, that milk in excess of 15 percent (as permitted for each of the months of September through November) of producer receipts will need to be diverted to nonpool plants for manufacture into butter, cheese, and other manufactured dairy products.

This suspension will permit dairy farmers who have supplied the fluid milk requirements of the market to continue as producers under the order.

(4) Interested parties were afforded opportunity to file written data, views, or arguments concerning this suspension (32 F.R. 11957). None was filed in opposition to the proposed suspension.

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

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the period September, October, and November 1967.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 7, 1967.

RODNEY E. LEONARD,  
Deputy Assistant Secretary.

[F.R. Doc. 67-10612; Filed, Sept. 11, 1967; 8:47 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

#### PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

##### Promotional Allowances by Fabric Supplier

###### § 15.143 Promotional allowances by fabric supplier.

(a) In an advisory opinion the Commission ruled that a fabric supplier who makes advertising allowances available to one or more resellers of a finished product, irrespective of the fact that an intermediary performs work on the raw material which transforms it into the finished product, thereby adopts those resellers of the finished product as his customers and must comply with section 2(d) of the Robinson-Patman Act.

(b) Commenting further upon the customer relationship, the Commission said: "We think Congress clearly intended to ban discriminations in the form of advertising allowances, regardless of the fact that intermediaries might be interposed, where the grantor deliberately contacts hundreds of retailers directly with the purpose of expending thousands of dollars for advertising purposes. Thus where a supplier initiates such a promotional plan with retailers and has primary, if not the sole, responsibility over the control and administration of the plan, we think the customer relationship has been established and the plan must be tested in the light of the requirements of section 2(d) of the Act."

(c) Under the terms of the proposed plan, the fabric supplier would pay 50 percent of retailers' advertising costs if the retailer sells and advertises wearing apparel manufactured from a certain line of fabric, up to a total cost of 1,200 lines published in Advertising Checking Bureau (ACB) newspapers. Retailers who use non-ACB rated newspapers, radio, television, handbills, or mail stuffers will be paid an equivalent measurable cost. The plan will be made available

to all retailers located in selected trading areas of all wearing apparel manufacturers who purchase and produce the finished product from the fabric in question. Only dealers who purchase apparel at regular wholesale prices will be eligible to participate.

(d) In its opinion, the Commission concluded that the plan complies with section 2(d) of the Robinson-Patman Act with two reservations. In commenting upon the first reservation, the Commission said: "The statute requires one who gives advertising allowances to make those payments available to all competing customers. Availability means that the grantor of the allowance must notify all competing customers of their right to participate in the plan. Thus the provision of the plan which requires a retailer located just outside one of the selected areas to show that he competes with one or more of the favored retailers in order to have the offer made available to him would appear to shift the responsibility of notification required under the statute. For this reason, the Commission cannot approve this particular provision of the plan should it result in discrimination against retailers located on the periphery of the selected trading areas."

(e) With respect to its second reservation, the Commission said that its opinion should not be construed as implying approval of the phrase "at regular wholesale prices" if the practical effect of that language is to procure resale price maintenance.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: September 11, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 67-10648; Filed, Sept. 11, 1967; 8:50 a.m.]

## Title 30—MINERAL RESOURCES

### Chapter II—Geological Survey, Department of the Interior

#### PART 229—REGULATIONS FOR OBTAINING FEDERAL ASSISTANCE IN FINANCING EXPLORATIONS FOR MINERAL RESERVES, EXCLUDING ORGANIC FUELS, IN THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS

##### Change in Government Participation

Sections 229.3 and 229.9 of Part 229 are amended to increase the Government participation in the costs of exploring for antimony, bismuth, gold, mercury, platinum group metals, rutile, tantalum, and tin from 50 to 75 percent.

The amendment as set forth below is effective upon the date of publication in the FEDERAL REGISTER.

DAVID S. BLACK,  
Acting Secretary of the Interior.

SEPTEMBER 6, 1967.

Sections 229.3 and 229.9 are amended to read as follows:

##### § 229.3 Eligible minerals or mineral products.

(a) The following are eligible for Government financial assistance of 50 percent of the allowable costs of exploration:

Asbestos.	Kyanite (strategic).
Bauxite.	Manganese.
Beryllium.	Mica (strategic).
Cadmium.	Molybdenum.
Chromite.	Monazite.
Cobalt.	Nickel.
Columbium.	Quartz Crystal (piezoelectric).
Copper.	Rare Earths.
Corundum.	Selenium.
Diamond (industrial).	Sulphur.
Fluorspar.	Talc (block steatite).
Graphite (crucible flake).	Tellurium.
Iron Ore.	Thorium.
	Uranium.

(b) The following are eligible for Government financial assistance of 75 percent of the allowable costs of exploration:

Antimony.	Rutile.
Bismuth.	Silver.
Gold.	Tantalum.
Mercury.	Tin.
Platinum Group Metals.	

(c) Combinations of the minerals or mineral products named in paragraphs (a) and (b) of this section may be eligible for Government financial assistance of 62.5 percent of the allowable costs of exploration.

##### § 229.9 Government participation.

The Government will contribute not more than the percent of the total allowable costs of exploration which is specified in each exploration project contract. The percent specified in each contract will depend upon the minerals or mineral products sought and the Government contribution provided by § 229.3 at the time the contract is made.

[F.R. Doc. 67-10624; Filed, Sept. 11, 1967; 8:48 a.m.]

## Title 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of International Commerce, Department of Commerce

#### SUBCHAPTER B—EXPORT REGULATIONS

[10 Gen. Rev. of Export Regs., Amdt. 38]

#### PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

##### Copper Produced From or Shipped as Offset Against Foreign Materials

Part 373 of the Code of Federal Regulations is amended as set forth below:  
*Purpose and effect of amendment.*  
Short supply controls over the export of copper and copper products from the United States will be continued during

the remaining months of calendar year 1967.

During the 4-month period, September-December 1967, the Office of Export Control will consider applications for licenses against (a) that portion of the July-August 1967 quotas (previously announced in 32 F.R., 10077-10078 (July 8, 1967)) that remained unlicensed as of

August 31, 1967, and (b) the newly established export licensing quotas set forth below. This continues the level of control that has been in effect since January 1966.

The newly established quotas (excluding the unlicensed amounts remaining from the July-August quota) are as follows:

Commodity	Quota
(a) Copper scrap, as follows: Copper metalliferous ash and residues (Export Control Commodity No. 28401); copper or copper-base alloy waste and scrap, including copper alloy waste and scrap of less than 40 percent copper content where the copper is the component of chief weight (Export Control Commodity No. 28402); Nickel waste and scrap containing 50 percent or more copper irrespective of nickel content (Export Control Commodity No. 28403).	11,000 copper content short tons.
(b) Refined copper including remelted, in cathodes, billets, ingots (except copper-base alloy ingots), wire bars, and other crude forms (Export Control Commodity No. 68212). <sup>1</sup>	16,670 copper content short tons.
(c) Copper-base alloy ingots composed essentially of copper with one or more other metals, for example: Beryllium copper ingots, devarda alloy ingots, guinea alloy ingots, ounce metal ingots, etc. (Export Control Commodity No. 68212).	670 copper content short tons.
(d) Semifabricated copper products and master alloys of copper, as follows: <sup>2</sup>	6,000 copper content short tons.

<sup>1</sup> Shipments of refined copper produced from foreign-origin copper raw materials, and refined copper produced from material which was declared as an offset against an equivalent quantity of foreign-origin copper raw materials entered into the United States under a recent U.S. Customs Import Entry may be licensed for export without a charge against the quota (see § 373.43(b)(2) of the U.S. Export Regulations).

<sup>2</sup> Shipments of semifabricated copper products and master alloys of copper under U.S. military contracts or under contracts financed by the Agency for International Development will be licensed without a charge against the quota.

*Export Control Commodity Number and Commodity Description*

51470	Master alloys of copper containing 8 percent or more phosphor.
68213	Master alloys of copper.
68221	Bars, rods, angles, shapes, sections, and wire of copper or copper-base alloy.
68222	Plates, sheets, and strips of copper or copper-base alloy.
68223	Copper foil.
68223	Paperbacked copper foil.
68224	Copper or copper alloy powders and flakes.
68225	Tubes, pipes, and blanks therefor, and hollow bars of copper or copper-base alloy.
69692	Copper and copper-base alloy castings and forgings.
72310	Wire and cable coated with, or insulated with, fluorocarbon polymers copolymers.
72310	Coaxial-type communications cable as follows: (a) Containing fluorocarbon polymers or copolymers, (b) using a mineral insulator dielectric, (c) using a dielectric sired by discs, beads, spiral, screw, or any other means, (d) designed for pressurization or use with a gas dielectric, or (e) intended for submarine laying.
72310	Other coaxial cable.

72310 Communications cable containing more than pair of conductors of which any one of the conductors, single or stranded, has a diameter exceeding 0.9 mm. (0.035 inch), as follows: (a) Cable in which the nominal mutual capacitance of paired circuits is less than 53 nanofarads/mile (33 nanofarads/KM), except conventional paper and air dielectric types, (b) submarine cable, or (c) cable containing fluorocarbon polymers or copolymers.

72310 Other communications cable containing more than one pair of conductors and containing any conductor, single or stranded, exceeding 0.9 mm. in diameter.

72310 Other copper or copper-base alloy insulated wire and cable.

*Licensing under past participation in exports licensing method.* The quotas set forth above for copper-base scrap, refined copper, and copper-base alloy ingots will be licensed in accordance with the Past Participation in Exports licensing method described in § 373.8 of the U.S. Export Regulations except as otherwise indicated in the footnote to the quota announcement in this Bulletin.

Of the total quota of 6,000 copper content short tons established for semifabricated copper products and master alloys of copper, 65 percent (or 3,900 copper content short tons) will be allocated in accordance with the Past Participation in Exports licensing method. The remaining portion of the quota, 35 percent (or 2,100 copper content short tons) will be reserved to meet essential export requirements that cannot be satisfied under the Past Participation in Exports licensing method.

*Notification of share of quota.* The Office of Export Control will notify each exporter of his share of the quota for the 6-month period, July 1, through December 31, 1967. This share of the quota will include his total entitlement under both the 4-month quota announcement set forth above and the 2-month quota (July-August 1967) (previously announced in 32 F.R., 10077-10078, July 8, 1967).

*Time schedules for submitting applications.* An exporter who qualifies as a "historical exporter" under the Past Participation in Exports licensing method may submit his applications as soon as he receives his notice of entitlement but not later than November 30, 1967. An exporter who does not qualify as a "historical exporter" shall submit his applications no later than October 15, 1967.

The submission of applications for licenses to export semifabricated copper products and master alloys of copper is not subject to time schedules. Applications for these products may be submitted at any time.

*Copper produced from or shipped as an offset against foreign materials.* The Export Regulations are also revised to extend the time period during which license applications covering shipments of refined copper produced from, or shipped as an offset against, foreign-origin copper raw materials must be submitted to the Office of Export Control in order to be approved without a charge against the quota. Previously such applications had to be filed within 3 months following the related Customs Import Entry. Applications will now be considered for licensing without a charge against the quota provided (a) the related Customs Import Entry was made on or after May 15, 1967, and (b) the application is submitted to the Office of Export Control no later than 1 month following the cessation of the strike in the domestic copper industry that began on July 15, 1967.

*Applicability of other provisions.* Exporters are reminded that all other special copper provisions continue in effect. These provisions are set forth in §§ 373.20 and 373.43 of the U.S. Export Regulations. It should be noted in particular that applications for licenses to export copper ores, concentrates, matte and blister copper generally are denied. However, applications for licenses to export these commodities as well as copper and copper-base alloy waste and certain nickel scrap that cannot be processed commercially in the United States will continue to be considered for licensing without a charge against the export quota.

Accordingly, the Export Regulations are amended in the following respects:

1. Supplement No. 1 to Part 373 is amended as set forth herein under Time Schedules for Submitting Applications.

2. Section 373.43(b)(2) is amended to read as follows:

§ 373.43 Blister and refined copper, copper-base alloy ingots, master alloys, and semifabricated copper products.

(b) \* \* \*

(2) *Copper produced from or shipped as an offset against foreign materials.* Subject to the provisions of subparagraph (4) of this paragraph, license applications covering refined copper produced from foreign-origin copper raw material or refined copper produced from material which was declared as an offset against an equivalent quantity of foreign-origin copper raw materials entered into the United States under a Customs Import Entry will be considered for licensing without a charge against the refined copper export quota only if:

(i) The application is submitted to the Office of Export Control within 3 months following the date of the related Customs Import Entry. However, such an application may be submitted to the Office of

Export Control subsequent to 3 months following the date of the Customs Import Entry provided that the Customs Import Entry is dated on or after May 15, 1967, and provided that the application is submitted either during the duration of the strike in the domestic copper industry that began on July 15, 1967, or within 1 month following the settlement of the strike; and

(ii) The application is supported by the following certification:

I (We) certify that the refined copper described in this license application has been or will be (a) produced from foreign-origin copper raw materials, or (b) produced in the United States from copper raw materials against which an equivalent quantity of copper raw materials, originating from (name of country), has been entered into the United States by (name and address of importer) under Customs Import Entry No. (Entry number), (on date), (location of port), covering (quantity) pounds of copper content.

If the importer is a customs broker or is otherwise acting as an agent, the certification shall also include the name of the name of the principal for whom the agent is acting.

(Secs. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-63 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-63 Comp.)

Effective date: September 7, 1967.

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

[F.R. Doc. 67-10621; Filed, Sept. 11, 1967; 8:48 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER A—GENERAL

#### PART 8—COLOR ADDITIVES

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

##### CARROT OIL; CONFIRMATION OF EFFECTIVE DATE

In the matter of listing and exempting from certification the color additive carrot oil for general use in foods in amounts consistent with good manufacturing practice:

1. Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c) (2), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (2), (d)) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of July 27, 1967 (32 F.R. 10980). Accordingly, the regulation (§ 8.324) promulgated by that order will become effective September 25, 1967.

2. Effective September 25, 1967, § 8.501 *Provisional lists of color additives* (32 F.R. 10980). Accordingly, the regulation paragraph (e) the item "Carrot oil."

(Sec. 706 (b), (c) (2), (d), 74 Stat. 399-403; 21 U.S.C. 376 (b), (c) (2), (d))

Dated: September 1, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10617; Filed, Sept. 11, 1967; 8:48 a.m.]

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

#### PART 121—FOOD ADDITIVES

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

##### Subpart D—Food Additives Permitted in Food for Human Consumption

#### ALUMINUM PHOSPHIDE

1. A petition (PP 6F0508) was filed with the Food and Drug Administration by Hazleton Laboratories, Inc., Falls Church, Va. 22046, on behalf of Hollywood Termite Control Co., Inc., Alhambra, Calif. 91801, proposing the establishment of tolerances of 0.1 part per million for residues of the fumigant phosphine in or on barley, corn, millet, oats, rice, rye, and wheat from the fumigation of these commodities with aluminum phosphide. The petitioner later amended the petition by adding sorghum to the list of raw agricultural commodities requested.

The Secretary of Agriculture has certified that the pesticide chemical is useful for the purposes for which the tolerances are being established.

After consideration of the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (2), 68 Stat. 512; 21 U.S.C. 348a(d) (2)) and delegated by him to the Commissioner (21 CFR 2.120), Part 120 is amended by adding to Subpart C the following new section:

#### § 120.225 Aluminum phosphide; tolerances for residues.

Tolerances are established for residues of the fumigant phosphine from treatment with aluminum phosphide at 0.1 part per million in or on the raw agricultural commodities barley, corn, millet, oats, rice, rye, sorghum, and wheat.

2. By an order published in the FEDERAL REGISTER of March 16, 1966 (31 F.R. 4447), existing tolerances were estab-

lished for residues of phosphine at 0.1 part per million from use of aluminum phosphide in the fumigation of cottonseed cake for animal feed in § 121.281 and certain processed foods for human consumption in § 121.1178. Hazleton Laboratories, Inc., on behalf of Hollywood Termite Control Co., Inc., proposed (FAP 6H2052) that the above-named sections be amended to establish tolerances at 0.1 part per million for the aforementioned fumigant on all animal feeds and all processed foods for human consumption. Subsequently, the tolerance level requested under both sections was decreased to 0.01 part per million.

The Commissioner of Food and Drugs, having evaluated the data in the petition and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of aluminum phosphide to generate phosphine for the fumigation of animal feeds and processed foods for human consumption. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (4), 72 Stat. 1786; 21 U.S.C. 348 (c) (4)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended by revising §§ 121.281 (a), (b), and (c), and 121.1178 (a) and (c), as follows:

#### § 121.281 Aluminum phosphide.

(a) It is used to generate phosphine in the fumigation of animal feeds.

(b) To assure safe use of the additive, it is used in compliance with label and labeling conforming to that registered with the U.S. Department of Agriculture. Labeling shall bear a warning to aerate the finished feed for 48 hours before use. A further warning shall state that under no condition should the formulation containing aluminum phosphide be used so that it or its unreacted residues will come in contact with any processed feed.

(c) Residues of phosphine in or on animal feeds do not exceed 0.01 part per million.

#### § 121.1178 Aluminum phosphide.

(a) It is used to generate phosphine in the fumigation of processed foods.

(c) Residues of phosphine in or on processed foods do not exceed 0.01 part per million.

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

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

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

(Secs. 408(d)(2), 409(c)(4), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348(c)(4))

Dated: September 1, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10618; Filed, Sept. 11, 1967;  
8:48 a.m.]

## Title 22—FOREIGN RELATIONS

### Chapter VI—U.S. Arms Control and Disarmament Agency

#### PART 601—CONDUCT OF EMPLOYEES

##### Miscellaneous Amendments

Part 601 is amended to reflect current statutory citations and to add several paragraphs.

1. In paragraph (c) of § 601.735-12 subparagraphs (4), (6), (7), (8), and (10) are amended and subparagraphs (16) and (17) are added:

§ 601.735-12 Statutes, rules, and regulations governing conduct of employees.

(c) *Miscellaneous statutory provisions.* In addition to the statutory provisions referred to in paragraphs (a) and (b) of this section, ACDA employees must observe the following:

(4) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(6) The prohibitions against (i) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); (ii) the disclosure of confidential information (18 U.S.C. 1905); and (iii) the disclosure of privileged information to be withheld under the exemptions of the Public Information Section of the Administrative Procedures Act (5 U.S.C. 552).

(7) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(8) The prohibitions against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(10) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(16) The prohibitions against political activities in subchapter III of chapter 73 of title 5, United States Code, and 18 U.S.C. 602, 603, 607, and 608.

(17) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

2. The heading of § 601.735-13 is revised for clarity.

§ 601.735-13 Outside employment and other activities.

3. Section 601.735-14(b) is amended to indicate circumstances under which a voluntary gift to an official superior may be allowed; § 601.735-14(c) is amended to reflect current statutory citations; § 601.735-14(d) has been added to show that non-Government reimbursement for travel on official business under agency orders is not allowed.

§ 601.735-14 Gifts, entertainment, and favors.

(b) An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(c) An employee shall not accept a gift, present, decoration, or any other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 7342.

(d) Neither this section nor § 601.735-13 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under agency orders.

4. Section 601.735-24 is amended to read as follows:

§ 601.735-24 Membership in subversive organizations.

The provisions of 5 U.S.C. 7311 are quoted for the information of all employees:

An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

(1) Advocates the overthrow of our constitutional form of government;

(2) Is a member of an organization that he knows advocates the overthrow of our constitutional form of government;

(3) Participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

(4) Is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he

knows asserts the right to strike against the Government of the United States or the government of the District of Columbia.

5. Section 601.735-52 is revised to read as follows:

§ 601.735-52 Action by personnel officer.

Upon receipt of a letter of complaint against an employee from an alleged creditor, the Personnel Officer, after consulting an attorney in the Office of the General Counsel, where appropriate, will notify the employee and will determine whether the alleged debt is a "just financial obligation"; such as one acknowledged by the employee or reduced to judgment by a court. If the debt is determined to be a just financial obligation, the Personnel Officer will give the employee any appropriate assistance, other than financial, toward payment of the debt in a "proper and timely manner"; that is, in a manner that does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require the Agency to determine the validity or amount of the disputed debt.

6. Section 601.735-61 is revised to read as follows:

§ 601.735-61 Elections.

(a) All employees retain the right to vote as they choose and to express their opinions on all political subjects and candidates (5 U.S.C. 7324).

(b) The prohibitions contained in 5 U.S.C. 7324 against using official authority or influence to interfere with or affect the result of an election; or against taking active part in political management or in political campaigns must be observed.

(c) Exception: Special Government employees are subject to the political activity restrictions set forth in 5 U.S.C. 7324 while in an active duty status only and for the entire 24 hours of any day of actual employment.

7. The introductory text of § 601.735-62 is revised to read as follows:

§ 601.735-62 Activities punishable under the criminal code.

All employees are prohibited from the following activities under pain of criminal penalty:

8. Section 601.735-71 has been revised to restrict the requirements relative to reporting employment and financial interests to those employees in positions in which the possibility of conflicts of interest involvement is clear, and to evidence availability of the Agency's grievance procedure for settling questions concerning the applicability of the reporting requirement:

§ 601.735-71 Employees required to submit statements.

(a) The following employees of ACDA (and persons assigned or loaned to ACDA) are required to submit statements of employment and financial interests:

- (1) The Deputy Director.
- (2) Assistant Directors.
- (3) Deputy Assistant Directors.
- (4) The General Counsel.
- (5) The Executive Director.
- (6) The Contracting Officer.
- (7) The Assistant Contracting Officer.
- (8) The Chairman of the Research Council.

(9) Attorneys in grades GS-13 and above who exercise procurement responsibilities.

(10) All special Government employees.

(b) The Agency's grievance procedures are available to any employee who complains that his position has been improperly included under the Agency's regulations as one requiring the submission of a statement of employment and financial interests.

9. Section 601.735-72 is amended as follows:

**§ 601.735-72 Submission of statements and supplementary statements.**

(a) *Regular officers and employees.* Each employee coming within the list in § 601.735-71(a) (1) through (9) must submit a fully completed ACDA Form 18 in duplicate to the Office of the General Counsel no later than: (1) Ninety days after the effective date of the regulations in this part if employed on or before that effective date; or (2) 30 days after he becomes subject to the reporting requirements by occupying a position covered under § 601.735-71(a) (1) through (9) if he occupies the position after that effective date. Changes in, or additions to, the information contained in an employee's statement of employment and financial interest shall be reported in a supplementary statement (ACDA Form 18) as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required hereunder, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflict of interest provisions of 18 U.S.C. 208 or of the regulations in this part. One copy of ACDA Form 18 will be returned to the employee following review and determination by the counselor or deputy counselor that no conflict of interest is involved.

(b) *Special Government employees.* Each special Government employee must submit a fully completed ACDA Form 19 in duplicate to the Office of the General Counsel before he may be appointed for duty or before his appointment may be extended into a new fiscal year. During his period of employment with the Agency, he must notify the Office of the General Counsel, in writing, of any significant change in his Federal or non-Federal employment and in his financial interest within 30 days after the change occurs. One copy will be returned to the special Government employee following review and determination as specified in paragraph (a) of this section.

10. Section 601.735-74 is revised to read as follows:

**§ 601.735-74 Confidentiality of statements.**

ACDA will hold in confidence each statement of employment and financial interests and each supplementary statement made by an employee. Each statement shall be sent by its maker directly to the General Counsel. Such statements will be retained and safeguarded under the control of the General Counsel. Access to, or information from, a statement will not be allowed except to carry out the purposes of these conflict of interest provisions. Information from a statement may be disclosed only upon the determination of the Chairman of the Civil Service Commission or of the Director of the Arms Control and Disarmament Agency that disclosure is for good cause shown.

11. Section 601.735-75 is revised to read as follows:

**§ 601.735-75 Review of statements and report of conflict of interest.**

Each statement of employment and financial interests and each supplementary statement will be reviewed by the General Counsel or by an experienced attorney or attorneys designated deputy counselors by the General Counsel, in order to determine whether a conflict of interest or an apparent conflict of interest may exist between a regular employee's or a special Government employee's services to the Government and his outside interests. If a conflict or apparent conflict is discovered, the designated attorney acting as deputy counselor for the Agency will discuss the situation with the employee and offer him an opportunity to explain the conflict or apparent conflict. Unless the conflict or apparent conflict is resolved as a result of the discussion, the information concerning the matter shall be reported to the Director of ACDA through the General Counsel, who is counselor for the Agency.

(E.O. 11222 of May 8, 1965, 30 F.R. 6469; 3 CFR, 1965 Supp.; 5 CFR 735.104)

These amendments were approved by the Civil Service Commission on August 24, 1967, to be effective upon publication in the FEDERAL REGISTER.

Dated: September 5, 1967.

ADRIAN S. FISHER,  
Acting Director.

[F.R. Doc. 67-10629; Filed, Sept. 11, 1967; 8:49 a.m.]

**Title 36—PARKS, FORESTS,  
AND MEMORIALS**

**Chapter II—Forest Service, Department of Agriculture**

**PART 251—LAND USES**

**Recreation Sites**

Part 251 of Title 36, Code of Federal Regulations, is amended, effective upon publication in the FEDERAL REGISTER, by

adding §§ 251.90 through 251.96 to read as follows:

**OCCUPANCY AND USE OF DEVELOPED RECREATION SITES AND AREAS OF CONCENTRATED PUBLIC RECREATION USE**

Sec.	
251.90	Definitions.
251.91	Applicability and scope.
251.92	Sanitation.
251.93	Public behavior, preservation of public property and resources.
251.94	Audio devices.
251.95	Occupancy of developed recreation sites.
251.96	Vehicles.

**AUTHORITY:** The provisions of §§ 251.90 through 251.96 issued under 30 Stat. 35, as amended, 16 U.S.C. 551.

**§ 251.90 Definitions.**

The following definitions shall apply to all regulations in §§ 251.90 through 251.96:

(a) The term "developed recreation sites" means all improved observation, swimming, boating, camping, and picnic sites.

(b) The word "sites" refers to recreation sites.

(c) The term "areas of concentrated public recreation use" means those areas identified by a posted map delineating its boundaries.

(d) The word "areas" refers to areas of concentrated public recreation use.

(e) The term "camping equipment" includes tent or vehicle used to accommodate the camper, the vehicles used for transport, and the associated camping paraphernalia.

**§ 251.91 Applicability and scope.**

(a) The regulations in §§ 251.90 through 251.96 prescribe the proper use, management, government, and protection of, and maintenance of good order in, the sites and areas to which they apply on lands of the United States within the National Forest System.

(b) The regulations in §§ 251.90 through 251.96 apply to all persons entering, using, or visiting developed recreation sites or posted areas of concentrated public recreation use. A map delineating the boundaries of the areas of concentrated public recreation use shall be posted by the Forest Supervisor at each such area in such a manner as will reasonably bring them to the attention of the public.

**§ 251.92 Sanitation.**

The following acts are prohibited at developed recreation sites and posted areas of concentrated public recreation use.

(a) Failing to dispose of all garbage, including paper, cans, bottles, waste materials, and rubbish by removal from the site or area, or disposal at places provided for such disposition.

(b) Draining or dumping refuse or waste from any trailer or other vehicle except in places or receptacles provided for such uses.

(c) Cleaning fish or food, or washing clothing or articles of household use at hydrants or at water faucets located in restrooms.

(d) Polluting or contaminating water supplies or water used for human consumption.

(e) Depositing, except into receptacles provided for that purpose, any body waste in or on any portion of any comfort station or any public structure, or depositing any bottles, cans, cloths, rags, metal, wood, stone, or other damaging substance in any of the fixtures in such stations or structures.

(f) Using refuse containers or other refuse facilities for dumping household or commercial garbage or trash brought as such from private property.

**§ 251.93 Public behavior, preservation of public property and resources.**

The following acts are prohibited at developed recreation sites and posted areas of concentrated public recreation use.

(a) Inciting or participating in riots, or indulging in boisterous, abusive, threatening, or indecent conduct.

(b) Destroying, defacing, or removing any natural feature or plant.

(c) Destroying, injuring, defacing, removing, or disturbing in any manner any public building, sign, equipment, marker, or other structure or property.

(d) Selling or offering for sale any merchandise without the written consent of the Forest Supervisor.

(e) Distributing any handbills, or circulars, or posting, placing, or erecting any bills, notices, papers, or advertising devices or matter of any kind without the written consent of the Forest Supervisor.

(f) Discharging firearms, firecrackers, rockets, or any other fireworks.

**§ 251.94 Audio devices.**

The following acts are prohibited at developed recreation sites and posted areas of concentrated public recreation use.

(a) Operating or using any audio devices, including radio, television, and musical instruments, and other noise producing devices, such as electrical generator plants and equipment driven by motors or engines, in such a manner and at such times so as to disturb other persons.

(b) Operating or using public address systems, whether fixed, portable, or vehicle mounted, except when such use or operation has been approved by the Forest Supervisor in writing.

(c) Installing aerial or other special radiotelephone or television equipment unless approved by the Forest Supervisor in writing.

**§ 251.95 Occupancy of developed recreation sites.**

The following acts are prohibited within developed recreation sites.

(a) Occupying a site for other than primarily recreation purposes.

(b) Entering or using a site or a portion of a site closed to public use. Notices establishing closure shall be posted in such locations as will reasonably bring them to the attention of the public.

(c) Erecting or using unsightly or inappropriate structures.

(d) Occupying a site with camping equipment prohibited by the Forest Supervisor. Notices establishing limitations on the kind or type of camping equipment shall be posted in such locations as will reasonably bring them to the attention of the public.

(e) Building a fire outside of stoves, grills, fireplaces, or outside of fire rings provided for such purpose.

(f) Camping overnight in places restricted to day use only.

(g) Before departure, failing to remove their camping equipment or to clean their rubbish from the place occupied by the person or persons.

(h) Pitching tents or parking trailers or other camping equipment except in places provided for such purposes.

(i) Camping within a campground for a longer period of time than that established by the Forest Supervisor. Notices establishing limitations on the period of time persons may camp within a campground shall be posted in such locations as will reasonably bring them to the attention of the public.

(j) Leaving a camp unit unoccupied during the first night after camping equipment has been set up, or leaving unattended camping equipment for more than 24 hours thereafter, without permission of a Forest Officer. Unattended camping equipment which is not removed within the prescribed time limit is subject to impoundment in accordance with the provisions of § 261.16 of this chapter.

(k) Failing to maintain quiet in campgrounds between the hours of 10 p.m. and 6 a.m.

(l) Entering or remaining in campground closed during established night periods to persons other than those who occupy the campground for camping purposes or persons visiting those campers. Notices establishing the period of closure shall be posted in such locations as will reasonably bring them to the attention of the public.

(m) Bringing a dog, cat, or other animal into the site unless it is crated, caged, or upon a leash not longer than 6 feet, or otherwise under physical restrictive control at all times.

(n) Bringing animals, other than Seeing Eye dogs, to a developed swimming beach.

(o) Bringing saddle, pack, or draft animals into the site unless it has been developed to accommodate them and is posted accordingly.

**§ 251.96 Vehicles.**

The following are prohibited at developed recreation sites.

(a) Driving motor vehicles in excess of posted speeds.

(b) Driving or parking any vehicle or trailer except in places developed for this purpose.

(c) Driving any vehicle carelessly and heedlessly disregarding the rights or safety of others, or without due caution and at a speed, or in a manner, so as to endanger, or be likely to endanger, any person or property.

(d) Driving bicycles, motorbikes, and motorcycles on trails within developed recreation sites.

(e) Driving motorbikes, motorcycles, or other motor vehicles on roads in developed recreation sites for any purpose other than access into, or egress out of, the site.

(f) Operating a motor vehicle at any time without a muffler in good working order, or operating a motor vehicle in such a manner as to create excessive or unusual noise or annoying smoke, or using a muffler cutoff, bypass, or similar device.

(g) Excessively accelerating the engine of a motor vehicle or motorcycle when such vehicle is not moving or is approaching or leaving a stopping place.

Done at Washington, D.C., this 5th day of September 1967.

JOHN A. BAKER,  
Assistant Secretary.

[F.R. Doc. 67-10614; Filed, Sept. 11, 1967; 8:48 a.m.]

**PART 251—LAND USES**

**PART 261—TRESPASS**

**Use of Public Campgrounds and Occupancy Trespases**

**§ 251.24 [Revoked]**

1. In Part 251 of Title 36, Code of Federal Regulations, § 251.24 is revoked.

2. Part 261 of Title 36, Code of Federal Regulations, is amended by revising § 261.11, paragraphs (a), (b), and (h), to read as follows, and by revoking paragraph (g) of § 261.11:

**§ 261.11 Occupancy trespases.**

The following acts are prohibited on national forests or other land under Forest Service control:

(a) Squatting or making settlement thereon.

(b) Constructing or maintaining any kind of works, structure, fence, or inclosure; conducting any kind of business enterprise or carrying on any kind of work without a permit, except as otherwise allowed by law or regulation.

(g) [Revoked]

(h) The operation of motorboats on artificial bodies of water without adequate devices to prevent unnecessary noise or at a rate of speed in excess of 5 miles per hour when within 150 feet of bathers, small boats, or established boat landings.

(30 Stat. 35, as amended, 16 U.S.C. 551)

Done at Washington, D.C., this 5th day of September 1967.

JOHN A. BAKER,  
Assistant Secretary.

[F.R. Doc. 67-10615; Filed, Sept. 11, 1967; 8:48 a.m.]

**Title 39—POSTAL SERVICE**

**Chapter I—Post Office Department**

**SUBCHAPTER B—PROCEDURES**

**PART 201—PROCEDURES OF THE POST OFFICE DEPARTMENT**

**SUBCHAPTER I—PERSONNEL**

**PART 747—EQUAL EMPLOYMENT OPPORTUNITY**

The regulations of the Post Office Department are amended as follows:

New Part 747 is added which supercedes the regulations formerly appearing in Subpart K of Part 201 (§§ 201.90-201.94) of Subchapter B.

Accordingly, the revised regulations read as follows and are effective upon publication in the FEDERAL REGISTER:

- Sec. 747.1 Introduction.
- 747.2 Filing complaints.
- 747.3 Presentation of complaint.
- 747.4 Settlements.
- 747.5 Organization or third party complaints.
- 747.6 Equal employment opportunity without regard to sex.

**AUTHORITY:** The provisions of this Part 747 issued under 5 U.S.C. 301, 39 U.S.C. 501.

**§ 747.1 Introduction.**

(a) *Authority and scope.* (1) Executive Order 11246 of September 24, 1965, abolished the President's Committee on Equal Employment Opportunity and established the authority of the Civil Service Commission to supervise and provide leadership policy for exclusion and prohibition of discrimination against any employee or applicant for employment in the Federal Government because of race, creed, color, or national origin. The Executive order points out that discrimination because of race, creed, color, or national origin is contrary to the constitutional principles and policies of the United States and that it is the policy of the Executive Branch of the Government to encourage by positive measures equal opportunity for all qualified persons within the Government.

(2) Executive Order 10980, dated December 14, 1961, states that women should be assured the opportunity to develop their capacities and fulfill their aspirations. Presidential memorandum of July 23, 1962, states that appointments and promotions must be made without regard to sex.

(3) Part 747 issued in conformity with and under the authority of Executive Order 11246 and Presidential memorandum of July 23, 1962 shall govern the administration of employment policies in the Post Office Department. The regulations in this part shall apply also to cases pending under Executive Order 10925, as amended, and regulations promulgated thereunder.

(b) *Designation of equal employment opportunity officer.* The Assistant Postmaster General, Bureau of Personnel, is the Equal Employment Opportunity Officer for the Post Office Department. He shall:

(1) Be directly responsible to the Postmaster General and have the authority necessary to enable him to carry out his responsibilities under the regulations in this part.

(2) Advise the Postmaster General regarding the preparation of regulations, reports, and other matters dealing with the exclusion and prohibition of discrimination under Executive Order 11246 and Presidential memorandum of July 23, 1962.

(3) Provide for the receipt and prompt investigation of complaints of alleged discrimination in personnel matters within the Post Office Department Headquarters and field installations, including complaints of general discrimination by organizations unrelated to a specific complaint under this Part 747.

(4) Evaluate from time to time the sufficiency of the total affirmative action program for equal employment opportunity and report thereon to the Postmaster General with recommendations as to any improvement or correction needed, including remedial or disciplinary action with respect to managerial or supervisory employees who have failed in their responsibilities.

(5) Make final decisions for the Department on complaints of discrimination and order such corrective measures as he deems necessary.

(6) Be responsible for developing a complete case record, including an adequate transcript or agreed summary of any hearing, sufficient to dispose of all relevant issues. Whenever necessary or appropriate for a full development of the case, the investigation shall include an appraisal of employment practices in the organizational segments or unit in which the alleged discrimination occurred.

(c) *Designation of Deputy Equal Employment Opportunity Officers.* The following officials are designated as Deputy Equal Employment Opportunity Officers for the indicated units, and as such are directly responsible to the Equal Employment Opportunity Officer in carrying out their functions as outlined in the regulations in this part.

Unit	Deputy Equal Employment Opportunity Officer
Bureau or office, headquarters.	Deputy Postmaster General.
Headquarters organizations.	Bureau or office head.
Mail equipment shops, Washington, D.C.	Assistant Postmaster General, Bureau of Facilities.
Mailbag depositories.	Assistant Postmaster General, Bureau of Facilities.
Mailbag repair centers and depositories.	Do.
Area supply centers.	Do.
U.S. postal agency, Washington, D.C.	Do.
U.S. stamped envelope agency.	Do.
Postal data centers.	Director, Office of Regional Administration.
Regional offices.	Do.
Inspection service field organizations.	Chief postal inspector.
Post offices.	Regional director.

**§ 747.2 Filing complaints.**

(a) *Right to file.* The right to file complaints without restraint, interference, coercion, or reprisal is recognized.

(b) *Who may file.* Any postal employee or qualified applicant for postal employment who believes he has been discriminated against because of race, creed, color, national origin, or sex may file a complaint. The complaint may be submitted by an authorized representative of the complainant and such authorization must be in writing. (For complaints based on sex, see § 747.6.) Organizations may file complaints of general discrimination unrelated to a specific complaint under these regulations (see § 747.5).

(c) *Where to file.* Complaints may be filed with the Deputy Equal Employment Opportunity Officer, with the Equal Employment Opportunity Officer, or with the Civil Service Commission.

(d) *When to file.* Complaints must be submitted in writing by the complainant or his representative within 30 calendar days of the date of the action giving rise to the complaint or, if a personnel action, within 30 calendar days of its effective date, except that a complaint made in connection with an adverse action covered by § 746.4 of this chapter shall be submitted in writing by the complainant or his representative not later than 10 calendar days after the adverse action has been effected.

(1) The Equal Employment Opportunity Officer or the Deputy Equal Employment Opportunity Officer shall extend the prescribed time limit for good cause shown by the complainant.

(2) A complaint concerned with a continuing discriminatory employment practice may be filed at any time.

(e) *What to file.* The complainant must file a written complaint, in duplicate, and must sign the complaint. This letter of complaint must contain the following information:

- (1) Name and address of complainant.
- (2) Position and/or PFS level.
- (3) Specification or situation complained of.
- (4) Date of the alleged act of discrimination.
- (5) Name and title of official responsible for the alleged act of discrimination.

(6) Type of discrimination that is alleged (specify whether race, creed, color, national origin, or sex).

(7) Brief statement of the facts which support complaint, or reasons the complaint has for believing discrimination exists.

(f) *On receipt of a complaint.* The Deputy Equal Employment Opportunity Officer shall immediately send two copies of the complaint to the Equal Employment Opportunity Officer, who will forward one copy to the Civil Service Commission.

**§ 747.3 Presentation of complaint.**

(a) *Complainant.* In presenting a complaint, the complainant shall be free from restraint, interference, coercion, discrimination, or reprisal and shall have the right to be accompanied, represented,

and advised by a representative of his own choosing. If the complainant is a postal employee, he shall be on-the-clock while presenting his complaint, if he is otherwise in an active duty status. If the complainant is a postal employee and he designates another postal employee as his representative, the representative shall be free from restraint, interference, coercion, discrimination, or reprisal, and shall be on-the-clock while presenting the complaint, if he is otherwise in an active duty status.

(b) *Investigation*—(1) *Assignment of investigator*. The Equal Employment Opportunity Officer or the Special Assistant for Employee Relations shall immediately assign a specially selected and trained hearing officer-investigator to conduct the investigation of the complaint.

(2) *Scope of investigation*. 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. On completion of the investigation, the investigator shall submit the whole investigative file to the Deputy Equal Employment Opportunity Officer.

(3) *Investigative report*. The Deputy Equal Employment Opportunity Officer shall furnish the complainant and/or his representative a written summary which shall contain all the information in the investigation related to the resolution of the complaint.

#### § 747.4 Settlements.

(a) *Informal settlement*. (1) After completion of the investigation and receipt of the summary by the complainant, an effort shall be made to restore the matter informally. The informal settlement shall include a personal interview with the complainant and the postal official in charge of the installation.

(2) In addition to the Deputy Equal Employment Opportunity Officer listed in § 747.1(c), the following regional officials are designated as having the authority to effect informal settlement of complaints arising in post offices.

Deputy Regional Director.  
Special Assistant for Employee Relations.  
Employee Relations Officer.

The settlement effected by these officials shall be binding on the Deputy Equal Employment Opportunity Officer.

(b) *Formal settlement*. In every case, whether disposed of informally or not, the complainant shall be given a letter of proposed resolution by the Deputy Equal Employment Opportunity Officer. The letter of proposed resolution shall include any stipulations resulting from the informal settlement; any facts relied on in disposing of the claim; and shall advise the complainant that if he is not satisfied

with the proposed resolution, he may request an oral hearing provided such hearing is requested within 10 days from receipt of the proposed resolution. The complainant shall also be advised that the hearing officer shall not be the same officer who made the investigation in his case.

(c) *When a hearing is requested*—(1) *Scheduling hearing*. When a hearing is requested, the Equal Employment Opportunity Officer or the Deputy Equal Employment Opportunity Officer shall schedule a hearing at a convenient time and place, and notify the complainant accordingly.

(2) *Assignment of hearing officer*. The Equal Employment Opportunity Officer or the Special Assistant for Employee Relations shall assign a specially selected and trained hearing officer to conduct the hearing.

(3) *Witnesses at the hearing*. Any request for the attendance of necessary witnesses shall be made in writing by the complainant at least 10 days prior to the date of the hearing. At the hearing, the installation shall produce any witnesses under its jurisdiction upon a showing satisfactory to the hearing officer of reasonable necessity therefor. Parties to the hearing shall have the right of confrontation and cross-examination as may be necessary to a development of the facts.

(4) *Prehearing conference*. Prior to the hearing, the hearing officer shall conduct a prehearing conference throughout which only the complainant and/or his representative, and management's representative shall be present. At this conference the parties concerned shall have the opportunity to examine the complete complaint file which shall not contain any documents that have not been made available to the complainant. The hearing officer will determine the total scope of the hearing.

(5) *Conduct of hearing*. The hearing officer shall conduct the hearing so as to bring out pertinent facts, including the production of related documents. Strict rules of evidence shall not be applied, but the hearing officer shall exclude irrelevant or unduly repetitious evidence. Information having a bearing on the complaint or employment policies or practices relevant to the complaint shall be received in evidence. All testimony at the hearing shall be given under oath or affirmation, and all witnesses shall be free from restraint, interference, coercion, discrimination or reprisal. Witnesses who are postal employees shall be rescheduled, if necessary, so as to be on the clock for the time they are to appear at the hearing.

(6) *Record of hearing*. The hearing shall be recorded and the complainant and/or his representative shall be given the opportunity to listen to the recording at the regional office. If a written transcript of the recording is desired, the complainant will be obliged to pay the cost. Under no circumstances will the recording discs, or reproductions of same, be turned over to the complainant or to management officials. If a verbatim tran-

script is not requested, a full summary of the testimony shall be made by the hearing officer. The Deputy Equal Employment Opportunity Officer shall furnish the parties a copy of the summary. If either party does not agree with the summary, he may note and sign his exceptions which will become a part of the summary, provided they are submitted within five (5) days from receipt of the summary. The hearing officer shall make his findings and recommendations to the Deputy Equal Employment Opportunity Officer. The Deputy Equal Employment Opportunity Officer shall render his decision to the complainant based on the total record. The letter of decision shall contain a concise and accurate summary of the facts relied on in reaching the decision and, when claim is denied, a statement of the reasons for denying the claim.

(d) *When no hearing is requested*. If the complainant fails to request a hearing within 10 days after receipt of the proposed resolution, the Deputy Equal Employment Opportunity Officer shall render a written decision based on the total record before him, and shall advise the complainant of his right to appeal.

(e) *Delay on part of complainant*. When the complainant fails to appear without good cause shown or fails within 30 days to furnish requested information or to otherwise process his complaint, the case may be closed.

(f) *Appeals by complainant*—(1) *To Equal Employment Opportunity Officer*. In the letter of decision, the Deputy Equal Employment Opportunity Officer shall advise the complainant that if he is not satisfied with the decision it may be appealed to the Equal Employment Opportunity Officer, Assistant Postmaster General, Bureau of Personnel, Washington, D.C. 20260, within 10 days from receipt of the decision, unless the Equal Employment Opportunity Officer waives this time limitation for good cause. The Equal Employment Opportunity Officer will make the final decision for the Department and notify the complainant and the Deputy Equal Employment Opportunity Officer. The letter of decision shall contain a concise and accurate summary of the facts relied on in reaching the decision and, when claim is denied, a statement of the reasons for denying the claim.

(2) *To U.S. Civil Service Commission*. The Equal Employment Opportunity Officer in rendering his written decision on the complaint, shall advise the complainant that if he is not satisfied with the decision, it may be appealed to the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415. If the complainant elects to appeal, the appeal must be submitted in writing within 10 days from receipt of the Equal Employment Opportunity Officer's decision, unless the Civil Service Commission waives this time limitation for good cause.

(3) *Complaint rejected or canceled*. When it is determined by the Deputy Equal Employment Opportunity Officer to reject the complaint because it was

not timely filed, or it was not within the purview of the Department's regulations; or to cancel the complaint because of the complainant's failure to prosecute the complaint or because of the complainant's voluntary separation which is not related to his complaint, the complaint shall be forwarded immediately to the Equal Employment Opportunity Officer for his determination as to whether the complaint will be processed.

(4) *Decision to close complaint.* If it is decided to close the complaint, the Equal Employment Opportunity Officer will render the decision and advise the complainant of his right to appeal the decision to the Civil Service Commission. If the decision of the Equal Employment Opportunity Officer is other than rejection or cancellation, the complaint shall be remanded to the Deputy Equal Employment Opportunity Officer to be adjudicated in accordance with existing procedures.

(g) *Time limitation for processing complaints.* Within 60 days from receipt of a complaint by the Deputy Equal Employment Opportunity Officer, and when no hearing is held, the complaint shall be processed and the disposition report shall be submitted to the Civil Service Commission as required by paragraph (h) of this section. When the complainant requests a hearing, the complaint shall be processed within 90 days. When a complaint has not been resolved within these time limitations, the complainant may appeal to the Civil Service Commission for a review of the reasons for the delay in the processing of his complaint.

(h) *Report of disposition of complaint—(1) By the Equal Employment Opportunity Officer.* Within 10 calendar days of the close of a complaint, the Equal Employment Opportunity Officer shall report to the Director, Bureau of Inspections, U.S. Civil Service Commission, Washington, D.C. 20415, the disposition of the complaint, whether the complaint was closed because of a rejection or cancellation of the complaint, or a decision on the merits of the complaint. For each closed complaint there shall be submitted a separate report, consisting of the following information:

(i) Name of the complaint (in the event of a group appeal, the name of one complainant selected to identify the group).

(ii) Title and grade of complainant's position or of the complainant's position selected to identify the group.

(iii) Date on which the complaint was received.

(iv) A description of the action, decision, or condition giving rise to the complaint.

(v) Nature of the complaint (kind of discrimination alleged).

(vi) Name and location of the employing activity.

(vii) Nature of the closing action (including the reason for any rejection or cancellation) and a description of any corrective action resulting from the complaint.

(viii) Date of the closing action.

(ix) Name and title of the official taking the closing action.

(x) A statement as to whether or not the complainant has appealed the closing action to the Commission, when known.

(xi) As attachment to the report, a copy of the complaint, a description of any additional allegations of discrimination made during the investigation or hearing, and a copy of the agency's notice of final action on the complaint.

(2) *By the Deputy Equal Employment Opportunity Officer.* The Deputy Equal Employment Opportunity Officer shall submit disposition reports on all cases, in duplicate, to the Equal Employment Opportunity Officer. For each closed complaint, a separate report shall be submitted, in duplicate, in the format outlined in subparagraph (1) of this paragraph.

(i) *Retention of regional complaint file.* After the Deputy Equal Employment Opportunity Officer has submitted his disposition report to the Equal Opportunity Officer, the regional office retention file of the case shall be returned to the control clerk in the office of the Special Assistant for Employee Relations.

#### § 747.5 Organization or third party complaints.

(a) *Definition.* A complaint of discrimination based on race, creed, color, national origin, or sex, filed by an individual, a group of individuals, or any organization not connected with the Department shall be accepted as a third party complaint.

(b) *Receipt and acceptance.* When a complaint of the nature described in this section is received by the Deputy Equal Employment Opportunity Officer, it shall immediately be forwarded to the Equal Employment Opportunity Officer for his determination as to how it shall be handled.

(c) *Disposition by Deputy Equal Employment Opportunity Officer.* When the complaint is remanded to the Deputy Equal Employment Opportunity Officer, he shall immediately initiate an investigation. After the investigation, the Deputy Equal Employment Opportunity Officer shall attempt to settle the complaint informally. In every case, whether disposed of informally or not, the complainant shall be given a letter of decision by the Deputy Equal Employment Opportunity Officer. The letter of decision shall include any stipulations resulting from the informal settlement; any facts relied on in disposing of the claim; and shall advise the complainant that if this decision is not satisfactory to him, he may appeal to the Equal Employment Opportunity Officer, provided such appeal is submitted within 10 days from receipt of the decision letter. The Deputy Equal Employment Opportunity Officer shall submit disposition reports in accordance with the provisions of § 747.3(h)(2).

(d) *Disposition by the Equal Employment Opportunity Officer.* Based on the total record, the Equal Employment Opportunity Officer shall render a written

decision, and shall advise the complainant that if he is not satisfied with the decision, it may be appealed to the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415, provided such appeal is submitted within 10 days from receipt of the decision letter. The Equal Employment Opportunity Officer shall submit to the Civil Service Commission a report of his final disposition of the complaint as outlined in § 747.4(h)(1).

(e) *Retention of regional complaint file.* After the Deputy Equal Employment Opportunity Officer has submitted his disposition report to the Equal Employment Opportunity Officer, the regional office retention file of the case shall be returned to the control clerk in the office of the Special Assistant for Employee Relations.

#### § 747.6 Equal employment opportunity without regard to sex.

(a) *Policy.* It is the policy of the Department that the Postal Service be maintained in every respect without discrimination because of sex and with equal opportunity for employment and advancement without regard to sex.

(b) *Specific prohibitions.* In determining the merit and fitness of a person for postal appointment, appointment by noncompetitive action to a position in the Postal Service, or for any other position change in the Postal Service, the appointing officer shall not discriminate on the basis of the person's sex. No adverse action shall be taken against any employee, neither shall a probationer be terminated because of the sex of the employee or probationer.

(c) *Processing complaints alleging discrimination based on sex—(1) In connection with a grievance.* When a complaint is part of a grievance, it shall be handled through the grievance procedure outlined in § 746.1 of this chapter. Upon receipt of a grievance appeal from a hearing committee's decision, or from an installation head's decision in the event a hearing was waived, where an allegation of discrimination based on sex is attached, the Special Assistant for Employee Relations shall assign a specially selected and trained hearing officer-investigator to conduct an investigation on the allegation. The investigator shall submit his report and findings to the Deputy Equal Employment Opportunity Officer and they shall become a part of the grievance file. Based on the total evidence before him, the Deputy Equal Employment Opportunity Officer shall render a decision on the merits of the grievance as well as the issue of discrimination. In his decision, the Deputy Equal Employment Opportunity Officer shall advise the grievant-complainant that if the decision is not satisfactory he has a right to appeal the decision to the Board of Appeals and Review, Post Office Department, Washington, D.C. 20260, within 10 days from receipt thereof. If the grievant-complainant elects to appeal the Deputy Equal Employment Opportunity Officer's decision to the Board of Appeals and Review, the merits of the grievance and the issue of discrimination

shall be reviewed, and a decision rendered by the Board on the basis of the total record. In its decision, the Board shall advise the grievant-complainant of his right to appeal to the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415, from the decision of the Department's Board, relative to the issue of discrimination only, provided such appeal is submitted within 10 days from receipt thereof. A copy of any appeal to the Commission shall also be submitted to the Department's Board of Appeals and Review.

(2) *In connection with an adverse action.* (i) When a complaint is part of an adverse action, it shall be handled through the adverse action procedure outlined in §746.4 of this chapter. Upon receipt of an adverse action appeal from the installation head's decision where an allegation of discrimination based on sex is attached, and an investigation or hearing is requested, the decision-making authority at the first appellate level shall request the Special Assistant for Employee Relations to assign a specially selected and trained hearing officer-investigator to conduct an investigation or hearing. The issue of discrimination and the merits of the adverse action shall form the basis for the investigation or hearing. The hearing officer-investigator shall submit his report of the investigation or hearing, and it shall become a part of the adverse action file. Based on the total evidence before him, the decision-making authority at the first appellate level shall render a decision on the merits of the adverse action as well as the issue of discrimination. The decision-making authority at the first appellate level shall advise the appellant-complainant that if the decision is not satisfactory he has a right to appeal the decision to the Board of Appeals and Review, Post Office Department, Washington, D.C. 20260, within 10 days from receipt thereof, or to the Regional Office, U.S. Civil Service Commission.

(ii) If the appellant-complainant elects to appeal to the regional office of the Civil Service Commission, and the adverse action is in excess of a 30-day suspension, the case shall be reviewed on merits and procedure as well as the issue of discrimination. If the adverse action is not in excess of a 30-day suspension, the case shall be reviewed on procedures and the issue of discrimination. If the appellant-complainant elects to appeal the first appellate level decision to the Department's Board of Appeals and Review, the merits of the adverse action and the issue of discrimination shall be reviewed and a decision rendered by the Board on the basis of the total record. In its decision, the Board shall advise the appellant-complainant of his right to appeal to the Board of Appeals and Review, U.S. Civil Service Commission, Washington, D.C. 20415, from the decision of the Department's Board, relative to the issue of discrimination only, provided such appeal is submitted within 10 days from receipt thereof. A copy of any appeal to the Commission shall also be submitted to the Department's Board of Appeals and Review.

(3) *In connection with a promotion grievance.* When a complaint is part of a promotional grievance, it shall be handled through the existing promotion appeal procedure. Upon receipt of a promotion grievance appeal, where an allegation of discrimination based on sex is attached, the decision-making authority at the first appellate level shall request the Special Assistant for Employee Relations to assign a specially selected and trained hearing officer-investigator to investigate the allegation. The investigator shall submit his report and findings to the decision-making authority and they shall become part of the promotion grievance case file. Based on the total evidence before him, the decision-making authority shall render a decision based on the procedural handling of the promotion as well as the issue of discrimination. In all appellate decisions the grievant-complainant must be advised of his further appeal rights to the appropriate office of the U.S. Civil Service Commission.

(4) *In connection with race, creed, color, or national origin.* When a complaint filed under Executive Order 11246 (race, creed, color, or national origin) includes an allegation of discrimination based on sex, it shall be handled through the Equal Employment Opportunity complaint procedure outlined in §747.3. The investigation and adjudication of the complaint shall include the issue of discrimination based on sex as well as any other allegation of discrimination.

(5) *In connection with nonselection for employment.* Upon receipt of a complaint from an applicant alleging discrimination based on sex in connection with nonselection for employment, but not involving a disputed rating in an open competitive examination, a specially selected and trained hearing officer-investigator shall be assigned by the Special Assistant for Employee Relations to investigate the allegation. The investigator shall submit a report of the investigation and his findings to the Deputy Equal Employment Opportunity Officer. The Deputy Equal Employment Opportunity Officer shall render a decision based on the total evidence before him, and shall advise the complainant that if he is not satisfied with the decision, he has a right to appeal to the Equal Employment Opportunity Officer, Assistant Postmaster General, Bureau of Personnel within 10 days from receipt of the decision. If the Deputy Equal Employment Opportunity Officer's decision is appealed, the Equal Employment Opportunity Officer shall render a decision in the matter and shall advise the complainant that if he is not satisfied with the decision, he has a right to appeal to the Board of Appeals and Review, Civil Service Commission, Washington, D.C. 20415, provided such appeal is made within 10 days from receipt of the decision. Upon receipt of a complaint from an applicant alleging discrimination based on sex in connection with nonselection for employment, and involving a disputed rating in an open competitive examination, the complainant shall be advised that his complaint must be di-

rected to the Civil Service Commission office which conducted the examination.

(6) *Retention of regional complaint file.* After the Deputy Equal Employment Opportunity Officer has submitted his disposition report to the Equal Employment Opportunity Officer, the regional office retention file of the case shall be returned to the appropriate control clerk in the regional office.

TIMOTHY J. MAY,  
General Counsel.

SEPTEMBER 6, 1967.

[F.R. Doc. 67-10607; Filed, Sept. 11, 1967; 8:47 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4266]

[Utah 0146674; 828; 1836]

#### UTAH

### Partial Revocation of Executive Order No. 8652

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. Executive Order No. 8652 of January 28, 1941, which reserved public lands within described areas in Utah for use of the Department of the Air Force as an aerial bombing and gunnery range, is hereby revoked so far as it affects the following described areas:

#### SALT LAKE MERIDIAN

T. 1 S., R. 19 W.,

Sec. 14, N $\frac{1}{2}$ ;

Sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$ .

The areas described aggregate 320 acres (Tooele County).

2. Until 10 a.m. on March 8, 1968, the State of Utah shall have a preferred right of application to select the lands as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on March 8, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

DAVID S. BLACK,  
Under Secretary of the Interior.

SEPTEMBER 6, 1967.

[F.R. Doc. 67-10600; Filed, Sept. 11, 1967; 8:46 a.m.]

**Title 46—SHIPPING**

**Chapter II—Maritime Administration,  
Department of Commerce**

**SUBCHAPTER A—POLICY, PRACTICE,  
AND PROCEDURE**

[General Order 85, Rev.]

**PART 206—MISCELLANEOUS FEES**

**Subpart A—Charges for Statistical or  
Economic Data**

Effective upon publication hereof in the FEDERAL REGISTER, Subpart A of this part is hereby revised to read as follows:

**Subpart A—Charges for Statistical or  
Economic Data**

- Sec.
- 206.1 Purpose.
- 206.2 Data required in the public interest.
- 206.3 Data providing special benefit.
- 206.4 Charges.
- 206.5 Procedure.

**AUTHORITY:** The provisions of this Subpart A issued under secs. 3, 204, 49 Stat. 293, as amended, 1987, as amended; 15 U.S.C. 192, 46 U.S.C. 1114; sec. 1, 40 Stat. 1256, as amended; sec. 1, 49 Stat. 292; 15 U.S.C. 192, 189a.

**§ 206.1 Purpose.**

To set forth the charges to be made for statistical or economic data, furnished to an individual or a group by the Maritime Administration, and to describe the policy and procedure applicable thereto.

**§ 206.2 Data required in the public interest.**

The basic statistical data required by the Maritime Subsidy Board in considering applications for operating-differential subsidy under Title VI, Merchant Marine Act 1936, as amended, include:

(a) For each year of a given 3-year period, outbound and inbound liner and nonlinear cargo, broken down between commercial and military, showing U.S.-flag and foreign-flag carryings for areas and countries covered by each service for which subsidy is requested;

(b) For each year of a given 3-year period, number of sailings per annum by each U.S.-flag line and by all foreign-flag lines serving countries on the service for which subsidy is sought.

The above data will be considered as being required in the public interest and will be furnished free of charge to an applicant for operating-differential subsidy and to any other party directly concerned.

**§ 206.3 Data providing special benefit.**

Any additional statistical or economic data furnished to an individual or a group will be considered as providing a special benefit to the recipient, above and beyond that accruing to the public at large, and a charge will be made for such data, as indicated in § 206.4.

**§ 206.4 Charges.**

To recover the cost to the Federal Government of statistical or economic data furnished within the purview of § 206.3, including the direct and indirect

costs thereof, the Maritime Administration will make a charge of:

\$6 per hour for regular time, and \$9 per hour for overtime,

for each employee's time required to produce the information.

**§ 206.5 Procedure.**

(a) An applicant desiring statistical or economic data should submit a formal written request therefor to the Maritime Administrator. In the case of data which, under § 206.3, provides a special benefit to the recipient, the project will be undertaken, at the discretion of the Maritime Administrator, on the basis of the nature and scope of the work, its estimated cost, availability of personnel and other services, and other pertinent information.

(b) Upon approval of the project, the applicant will be requested to make payment in advance in the amount of the estimated cost of the work, based on the charges set forth in § 206.4.

(c) Cost estimates of \$500 or less will be established as fixed fees. Such fixed fees will be kept as close to the actual cost as possible.

(d) Cost estimates of more than \$500 shall be subject to revision as the work progresses, to reflect actual costs. If the advance payment is insufficient to cover the actual cost, the applicant will be required to make such additional payment as may be required before the project is completed. Conversely, if the advanced payment is more than the actual cost, the difference will be refunded to the applicant.

Dated: September 7, 1967.

By order of the Maritime Subsidy Board/Maritime Administration.

JAMES S. DAWSON, JR.,  
Secretary.

[P.R. Doc. 67-10717; Filed, Sept. 11, 1967; 8:52 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 in Alaska**

The following regulations are issued and are effective on date of publication in the FEDERAL REGISTER. These regulations apply to public hunting on National Wildlife Refuges in Alaska.

General conditions: Hunting shall be in accordance with applicable State regulations. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. Information on special conditions applying to individual refuges and maps can be obtained at refuge headquarters or from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

**§ 32.12 Special regulations; migratory  
game birds; for individual wildlife  
refuge areas.**

Migratory game birds may be hunted on the following refuges:

- Arctic National Wildlife Range, Post Office Box 500, Kenai, Alaska 99611.
- Clarence Rhode National Wildlife Refuge, Post Office Box 346, Bethel, Alaska 99559.
- Izembek National Wildlife Range, Cold Bay Alaska.
- Kenai National Moose Range, Post Office Box 500, Kenai, Alaska 99611.
- Kodiak National Wildlife Refuge, Box 825, Kodiak, Alaska 99615.
- Nunivak National Wildlife Range, Bethel, Alaska.

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 December 14, 1967.

JOHN D. FINDLAY,  
Deputy Regional Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 6, 1967.

[P.R. Doc. 67-10645; Filed, Sept. 11, 1967; 8:50 a.m.]

**PART 32—HUNTING**

**Bombay Hook National Wildlife  
Refuge, Del.**

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

**§ 32.12 Special regulations; migratory  
game birds; for individual wildlife  
refuge areas.**

**DELAWARE**

**BOMBAY HOOK NATIONAL WILDLIFE REFUGE**

The public hunting of rails and gallinules on Bombay Hook National Wildlife Refuge is permitted from September 1, 1967, through November 9, 1967, inclusive; and of mourning doves from September 15, 1967, to October 24, 1967, inclusive; and from December 15, 1967, to January 13, 1968, inclusive; and of woodcock from November 17, 1967, through January 20, 1968, inclusive; and of common snipe from November 3, 1967, to December 22, 1967, inclusive; but only on the area designated by signs as open to hunting. This open area, comprising 141 acres, is delineated on a map available at the refuge headquarters, Rural Delivery No. 1, Smyrna, Del. 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State and Federal regulations covering the hunting of rails and gallinules, mourning doves, woodcock, and common snipe.

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 20, 1968.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

SEPTEMBER 1, 1967.

[F.R. Doc. 67-10594; Filed, Sept. 11, 1967;  
8:46 a.m.]

### PART 32—HUNTING

#### Bombay Hook National Wildlife Refuge, Del.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of establishment of the State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

#### DELAWARE

##### BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of upland game on Bombay Hook National Wildlife Refuge, Del., is permitted from September 15, 1967, through March 31, 1968, inclusive, on the Uplands Game Hunting Area designated by signs as open to hunting. This open Upland Game Hunting Area, comprising 141 acres, is delineated on maps available at refuge headquarters, Rural Delivery No. 1, Smyrna, Del. 19977, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game subject to the following special conditions:

(1) No deer, mink, otter, hawks (including vultures), nor owls may be taken.

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 March 31, 1968.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

SEPTEMBER 1, 1967.

[F.R. Doc. 67-10595; Filed, Sept. 11, 1967;  
8:46 a.m.]

### PART 32—HUNTING

#### Montezuma National Wildlife Refuge, N.Y.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

#### NEW YORK

##### MONTEZUMA NATIONAL WILDLIFE REFUGE

The public hunting of gray squirrels, cottontail rabbits, raccoons, foxes, and opossums is permitted from December 23, 1967, to February 28, 1968, inclusive, on the Montezuma National Wildlife Refuge, N.Y., except on areas designated by signs as closed. Hunting is prohibited on Sundays. The open area, comprising 5,285 acres, is delineated on maps available at refuge headquarters, 4 miles east of Seneca Falls, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109.

Hunting shall be in accordance with all other applicable State regulations governing the hunting of the above mammals.

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 February 28, 1968.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 31, 1967.

[F.R. Doc. 67-10598; Filed, Sept. 11, 1967;  
8:46 a.m.]

### PART 32—HUNTING

#### Tamarac National Wildlife Refuge, Minn.

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.

#### MINNESOTA

##### TAMARAC NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Tamarac National Wildlife Refuge, Minn., is permitted on the area designated by signs as open to hunting. This open area, comprising 45,000 acres, is delineated on maps available at refuge headquarters, Rochert, Minn., and from the office of 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 regulations covering the hunting of deer and black bear. Subject to the following special conditions:

(1) The open season for hunting deer and black bear, with legal firearms or bow and arrow is from November 11, through November 15, 1967, inclusive.

(2) In addition an open season for hunting deer and black bear with legal bow and arrow is permitted from Sep-

tember 30, through October 31, 1967, on the area designated by signs as open to hunting. This open area, comprising of 12,000 acres, is delineated on maps available at refuge headquarters.

(3) A Federal permit is not required to enter the public hunting area.

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 15, 1967.

NELIUS B. NELSON,  
Refuge Manager, Tamarac National  
Wildlife Refuge, Rochert,  
Minn.

SEPTEMBER 5, 1967.

[F.R. Doc. 67-10596; Filed, Sept. 11, 1967;  
8:46 a.m.]

### PART 32—HUNTING

#### Montezuma National Wildlife Refuge, N.Y.

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.

#### NEW YORK

##### MONTEZUMA NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Montezuma National Wildlife Refuge, N.Y., is permitted except on the areas designated by signs as closed. The open area, comprising 3,639 acres, is delineated on maps available at refuge headquarters, 4 miles east of Seneca Falls, N.Y., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) The open season is Mondays, Wednesdays, and Fridays from November 20, to December 4, 1967, inclusive. Actual dates open are November 20, November 22, November 24, November 27, November 29, December 1, and December 4, 1967.

(2) Only longbows may be used. No gun hunting will be allowed.

(3) Deer of either sex may be taken.

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 December 4, 1967.

RICHARD E. GRIFFITH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 31, 1967.

[F.R. Doc. 67-10597; Filed, Sept. 11, 1967;  
8:46 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[ 50 CFR Parts 32, 33 ]

### WILDLIFE REFUGES IN KANSAS AND CERTAIN OTHER STATES

#### Hunting and Fishing

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), and the Endangered Species Preservation Act of October 15, 1966 (80 Stat. 926, 16 U.S.C. 668aa), it is proposed to amend 50 CFR 32.11, 32.21, 32.31, and 33.4 by the addition of Quivira National Wildlife Refuge, Kans., to the list of areas open to the hunting of migratory game birds; Quivira National Wildlife Refuge, Kans., to the list of areas open to the hunting of upland game; Browns Park National Wildlife Refuge, Colo., Kirwin National Wildlife Refuge, Kans., Imperial National Wildlife Refuge, Ariz., and Havasu Lake National Wildlife Refuge, Ariz., to the list of areas open to the hunting of big game; and Browns Park National Wildlife Refuge, Colo., Salton Sea National Wildlife Refuge, Calif., and Shiawassee National Wildlife Refuge, Mich., to the list of areas open to sport fishing.

It has been determined that the regulated hunting of upland game, big game, and migratory game birds, and sport fishing may be permitted as designated on the above refuges without detriment to the objectives for which the areas were established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, within 20 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.11 is amended by the following addition:

§ 32.11 List of open areas; migratory game birds.

#### KANSAS

Quivira National Wildlife Refuge.

2. Section 32.21 is amended by the following addition:

§ 32.21 List of open areas; upland game.

#### KANSAS

Quivira National Wildlife Refuge.

3. Section 32.31 is amended by the following additions:

§ 32.31 List of open areas; big game.

#### ARIZONA

Imperial National Wildlife Refuge.  
Havasau Lake National Wildlife Refuge.

#### COLORADO

Browns Park National Wildlife Refuge.

#### KANSAS

Kirwin National Wildlife Refuge.

4. Section 33.4 is amended by the following additions:

§ 33.4 List of open areas; sport fishing.

#### CALIFORNIA

Salton Sea National Wildlife Refuge.

#### COLORADO

Browns Park National Wildlife Refuge.

#### MICHIGAN

Shiawassee National Wildlife Refuge.

JOHN S. GOTTSCHALK,  
Director, Bureau of  
Sport Fisheries and Wildlife.

SEPTEMBER 7, 1967.

[F.R. Doc. 67-10623; Filed, Sept. 11, 1967; 8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

[ 7 CFR Part 51 ]

### FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS

#### Inspection, Certification, and Standards; Notice of Proposed Rule Making

##### Correction

In F.R. Doc. 67-9765, appearing in the issue for Tuesday, August 22, 1967, at page 12052 make the following changes:

1a. In § 51.2, insert a new paragraph (g) to read as follows:

(g) *Federal-State Inspection Agency.* "Federal-State Inspection Agency" means any State agency, business association or trade organization, private firm, or other person or corporation with which the Department has entered

into a cooperative agreement for inspection service.

b. Present paragraphs (g) through (s) should be redesignated paragraphs (h) through (t).

2. Section 51.36 should read as follows:

§ 51.36 Expiration and renewal of license.

An inspector's license issued pursuant to the regulations in this part shall expire on June 30 of each year following the date of issuance. The license of an inspector may be renewed by the issuance of a new license and the renewal shall subject the inspector to the terms and conditions of the regulations in this part.

3. The table of contents entry for § 51.36 should read "Expiration and renewal of license."

[ 9 CFR Parts 316, 317, 328 ]

### MEAT INSPECTION

#### Ingredient Statement for Standard of Identity Products

Notice is hereby given, in accordance with the administrative procedure provisions in 5 U.S.C. 553, that pursuant to the authority conferred by the Meat Inspection Act, as amended (21 U.S.C. 71-91) and paragraphs 306 (b) and (c) of the Tariff Act of 1930, as amended (19 U.S.C. 1306 (b) and (c)), it is proposed to amend, as follows, §§ 316.14, 317.2(b), 328.2(d), and 328.3 of the Meat Inspection Regulations (9 CFR 316.14, 317.2(b), 328.2(d), and 328.3) relating to the ingredient statement for standard of identity products.

§ 316.14 [Amended]

1. Section 316.14 would be amended by revoking the first proviso and the word "further" in the second proviso.

§ 317.2 [Amended]

2. Section 317.2(b) would be amended by revoking that part which reads: ", except in the case of products for which definition and standards of identity have been prescribed under Part 328 of this subchapter;".

3. Section 328.2(d) would be amended by revising subparagraph (1) to read as follows:

§ 328.2 Corned beef hash: identity; label statement of optional ingredients.

(d) (1) The label shall bear the name "Corned Beef Hash," an ingredient statement, and other information required by Parts 301 through 328 of this subchapter.

4. Section 328.3 would be amended by revising paragraph (c) to read as follows:

§ 328.3 Chopped ham: identity; optional ingredients; labeling.

(c) The label shall bear the name "Chopped Ham," an ingredient statement, and other information required by Parts 301 through 328 of this subchapter.

The Department of Agriculture receives frequent questions and comments pertaining to the absence of an ingredient statement from labels for these two "Standard of Identity" products. It is obvious that purchasers are dissatisfied with the practices of omitting this feature from labels. They feel the identity of the ingredients should be readily available to permit product selections based on personal preferences or dietary needs. The proposed amendments would provide for the complete identification of these products.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 60 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Done at Washington, D.C., this 7th day of September 1967.

R. K. SOMERS,  
Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[F.R. Doc. 67-10613; Filed, Sept. 11, 1967; 8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 17496; RM-1084]

### TELEVISION BROADCAST STATIONS

#### Table of Assignments, Baytown, Tex.; Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of § 73.606, *Table of Assignments*, Television Broadcast Stations (Baytown, Tex.); Docket No. 17496, RM-1084.

1. On June 9, 1967, the Commission released a notice of proposed rulemaking in this proceeding (FCC 67-667) inviting comments on a proposal of several petitioners to assign television broadcast Channel 50 to Baytown, Tex. The times for filing comments and reply comments, as extended, are September 5, and September 15, 1967, respectively.

2. On August 31, petitioners' counsel requested that the time for filing comments be extended from September 5, to September 8, 1967. The basis for the request is that reports as to the engineering feasibility of Channel 43 in the area and an economic study of the Baytown area, although completed, were not yet in counsel's hands. The brief extension is needed to permit the preparation of meaningful comments. This is an adequate basis for further extension.

3. Accordingly, it is ordered, That the request of George Chandler, H. W. Kilpartick III, W. T. Jones, Jr., Richard Park, and Mrs. Hellen Nelson, through counsel, to extend the time for filing comments is granted; that the time for filing comments is extended from September 5, 1967, to September 8, 1967; and that the time for filing reply com-

ments is extended from September 15, 1967, to September 22, 1967.

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

Adopted: September 5, 1967.

Released: September 7, 1967.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10642; Filed, Sept. 11, 1967; 8:50 a.m.]

## FEDERAL TRADE COMMISSION

[16 CFR Part 415]

### ADVERTISING OF NONPRESCRIPTION SYSTEMIC ANALGESIC DRUGS

#### Extension of Time for Comments Regarding Proposed Trade Regulation Rule

Notice of rulemaking proceeding for the establishment of a Trade Regulation Rule for the advertising of nonprescription systemic analgesic drugs was published in the FEDERAL REGISTER issued July 6, 1967, 32 F.R. 9843.

Notice is hereby given that the Commission has extended the closing date for the submission of written data, views, or arguments concerning the proposed rule until November 15, 1967.

Approved: September 7, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 67-10644; Filed, Sept. 11, 1967; 8:50 a.m.]

# Notices

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[The Dalles 031400]

### OREGON

#### Order Providing for Opening of Public Lands

SEPTEMBER 5, 1967.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

##### WILLAMETTE MERIDIAN

T. 22 S., R. 24 E.

Sec. 7;

Sec. 13;

Sec. 15;

Sec. 23;

Sec. 25;

Sec. 27;

Sec. 35.

T. 22 S., R. 25 E.,

Sec. 1, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;

Sec. 13, W $\frac{1}{2}$ .

T. 21 S., R. 26 E.,

Sec. 31.

T. 22 S., R. 26 E.,

Sec. 3;

Sec. 5;

Sec. 7;

Sec. 9;

Sec. 17;

Sec. 19.

The areas described aggregate 9,495.46 acres.

2. The lands are located in Harney County. They are partly semiarid in character and some portions support a stand of scattered ponderosa pine timber. The lands are not suitable for farming.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location, and selection. All valid applications received at or prior to 10 a.m., October 11, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals, Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

IRVING W. ANDERSON,  
Chief, Division of Lands and Minerals, Program Management and Land Office.

[F.R. Doc. 67-10601; Filed, Sept. 11, 1967; 8:46 a.m.]

[Oregon 015535]

### OREGON

#### Order Providing for Opening of Public Lands

SEPTEMBER 5, 1967.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

##### WILLAMETTE MERIDIAN

T. 22 S., R. 23 E.,

Sec. 1, S $\frac{1}{2}$ .

The areas described aggregate 320 acres.

2. The lands are located in Deschutes County. They are semiarid in character and are not suitable for farming.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location, and selection. All valid applications received at or prior to 10 a.m., October 11, 1967, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals, Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

IRVING W. ANDERSON,  
Chief, Division of Lands and Minerals, Program Management and Land Office.

[F.R. Doc. 67-10602; Filed, Sept. 11, 1967; 8:47 a.m.]

### Fish and Wildlife Service

#### LOWER SOURIS NATIONAL WILDLIFE REFUGE, N. DAK.

##### Notice of Name Change to J. Clark Salyer National Wildlife Refuge

Notice is hereby given that the Lower Souris National Wildlife Refuge, established by Executive Order No. 7170 on September 4, 1935, shall hereafter be known as the J. Clark Salyer National Wildlife Refuge.

This name change is in honor of J. Clark Salyer II, whose vision, hopes, and tireless efforts played a decisive part in the development of the National Wildlife Refuge System.

JOHN S. GOTTSCHALK,  
Director, Bureau of Sport Fisheries and Wildlife.

SEPTEMBER 6, 1967.

[F.R. Doc. 67-10599; Filed, Sept. 11, 1967; 8:46 a.m.]

Office of the Secretary

### WATCHES AND WATCH MOVEMENTS

#### Reallocation of 1967 Calendar Year Quota and Allocation of 1968 Calendar Year Quota for American Samoa

CROSS REFERENCE: For a document issued jointly by the Secretaries of Commerce and the Interior relating to the reallocation of the 1967 calendar year quota and the allocation of the 1968 calendar year quota for American Samoa of watches and watch movements, see F.R. Doc. 67-10707, Commerce Department, Office of the Secretary, *infra*.

## DEPARTMENT OF COMMERCE

Bureau of International Commerce

[Case 369]

### KADY TRADING & ENGINEERING

#### Order Denying Export Privileges

In the matter of Maurice Cressaty doing business as Kady Trading & Engineering, Starco North Building No. 316, Georges Picot Street, Beirut, Lebanon, respondent; Case No. 369.

By charging letter dated March 31, 1967, issued by the Director, Investigations Division, Office of Export Control, Bureau of International Commerce, Cressaty and Kady Trading & Engineering Co., Beirut, Lebanon, as separate respondents, were charged with violations of the U.S. Export Regulations. As will hereinafter appear, Cressaty in fact is the sole owner of and does business under the trade name of Kady Trading & Engineering. The violations charged were alleged to have been committed by Cressaty acting for and on behalf of Kady. For the purposes of this case the individual and his firm will be treated as one respondent.

Three charges are alleged: (1) Exporting or causing the exportation on or about July 16, 1966, of six photomultiplier tubes to Lebanon without presenting to a U.S. Customs Office for authentication a duly executed Shipper's Export Declaration; (2) exporting or causing the exportation on or about July 16, 1966, of a sampling accessory kit and trigger countdown without first applying for and obtaining the required validated export license and without presenting a Shipper's Export Declaration to a Customs Office for authentication; (3) misrepresenting on a Single Transaction Statement (Form FC-842) that the country of ultimate destination and end-use of commodities covered thereby was Lebanon when in fact respondent intended to sell the commodities to a customer in the United Arab Republic.

The charging letter was duly served on respondent and he filed an answer but he did not request a hearing. In accordance with the usual practice an informal hearing was held before the Compliance Commissioner at which time evidence in support of the charges was presented and a record was made.

The Compliance Commissioner has considered the record in the case and has found that violations occurred. He has recommended that remedial action as hereinafter set forth be taken against the respondent. On consideration of the record and of the Compliance Commissioner's report, I hereby make the following findings of fact:

1. Maurice Cressaty of Beirut, Lebanon, was the owner and manager of Kady Trading & Engineering, a firm located in Beirut. (Cressaty and his firm will be referred to as the respondent.) The respondent was engaged in purchasing goods from the United States and European countries and reselling same in Middle Eastern countries. A substantial part of the respondent's business consisted of transactions with United Arab Republic.

2. Cressaty had a friendly business acquaintanceship with certain officials of a firm engaged in the import-export business then located in New York City. (This firm will be referred to as the New York firm.) Around the middle part of June 1966 Cressaty came to New York and with permission of the officials of said New York firm he used the business facilities and stationery of said firm for the purpose of ordering and obtaining electronic equipment from U.S. manufacturers.

3. On June 21, 1966, Cressaty ordered from a manufacturer located in New Jersey a number of electronic tubes. Said tubes were delivered to the premises of the New York firm on or before July 15, 1966. At all times here material the tubes referred to in this finding did not require a validated export license for exportation to certain countries, including Lebanon and United Arab Republic, but were exportable to such countries under General License.

4. On June 21, 1966, Cressaty ordered from a manufacturer located in California certain electronic equipment, including a sampling accessory kit (which included divider probes or plugs) and a trigger countdown. The items so ordered were delivered to the premises of the New York firm on or before July 15, 1966. At all times here material the items referred to in this finding required a validated export license for exportation to all destinations except Canada.

5. Commencing on July 16, 1966 Cressaty travelled by airplane from New York to Beirut, Lebanon, and he handcarried with him from New York to Beirut six of the electronic tubes referred to in Finding 3, having a total value of \$166, and also the sampling accessory kit and trigger countdown referred to in Finding 4, having a total value of \$415.

6. With respect to the items referred to in Finding 3 which Cressaty carried

from New York to Beirut, he did not present to a U.S. Customs Office a duly executed Shipper's Export Declaration for authentication.

7. With respect to the items referred to in Finding 4, which required a validated license for exportation, and which Cressaty carried from New York to Lebanon, he did not apply for or obtain a validated export license and he did not present to a U.S. Customs Office a related duly executed Shipper's Export Declaration for authentication.

8. At the time the respondent exported the commodities referred to in Finding 5, he knew or should have known that with respect to all of said commodities a Shipper's Export Declaration had to be presented to a U.S. Customs Office for authentication before the exportation could be made. He knew or should have known that with respect to the items referred to in Finding 4 a validated export license was required before the exportation could be made.

9. At the request of the New York firm through which the respondent had procured the items which he exported he returned all of said items to the United States.

10. The respondent Cressaty, as President of Kady Trading & Engineering, executed a Single Transaction Statement by Consignee and Purchaser (Form FC-842) dated July 11, 1966, which was intended to be and which was submitted with an application for a validated export license. On this form Cressaty represented with respect to the commodities therein referred to that the country of ultimate destination was Lebanon and that the said commodities would not be sold outside of said country. These statements were misrepresentations by Cressaty because at all times he intended to sell the commodities to a customer in the United Arab Republic. The misrepresentations were discovered before the exportation was made and the exportation was prevented.

Based on the foregoing it is concluded: that the respondent transported and exported from the United States, commodities, some of which were exportable under General License and others which required a validated license, without presenting to and having authenticated by a U.S. Customs Office, Shipper's Export Declarations, as required by §§ 371.2, 379(a)(1) (i) and (ii) of the Export Regulations; that the respondent transported and exported from the United States commodities, which required a validated license for exportation, without obtaining such a license from the Office of Export Control, as required by §§ 372.3 and 399.1 of the Export Regulations, all in violation of §§ 381.4 and 381.6 of the Export Regulations. It is further concluded that the respondent in connection with the preparation of an export control document (Form FC-842) made false and misleading representations and certifications regarding the end use and country of ultimate destination, in violation of § 381.5 of the Export Regulations.

As to the culpability of the respondent and the sanction that should be imposed, the Compliance Commissioner stated:

The respondent's failure to file a Shipper's Export Declaration and to have it authenticated is a violation that is not to be lightly regarded. Where the value of the commodities which are being exported requires the attention of Government officials such a document serves several important functions in the enforcement of the export control program. It serves, among other things, to inform Government officials of the parties involved, the description, classification, and value of the commodities, and the destination of the goods. If any of the parties involved is subject to an order denying export privileges, or if the commodity may not be exported to the destination indicated, or if the commodity requires a validated license that has not been obtained, the necessary corrective measures may be taken. In addition the information contained in Shipper's Export Declarations is used for statistical purposes by the Bureau of the Census.

It is a serious violation of the Export Regulations to export strategic or other commodities that require validated export licenses without obtaining the required licenses. Such a violation could result in injury to the national security of the United States. No person may disregard the requirements of the Export Regulations for his own convenience or to expedite an exportation.

The making of false representations in an FC-842 (or in any other export control document) is also a serious violation. Such representations could furnish the basis for authorizing exportations which would not be authorized if the true facts were known. This could result in serious injury to the national interest. Fortunately in this case the discovery of the false statements prevented the exportation concerning which the statements were made.

Even though the violations were of a serious nature there are several factors which suggest that in deciding what sanction should be imposed some degree of leniency is warranted. The respondent promptly returned to the United States all of the commodities he had exported when requested to do so by the New York firm through which they had been procured. The total value of the commodities was in a relatively small amount—\$581. The commodities concerning which the respondent made the false representations in the FC-842 were never exported. Finally, the respondent has acknowledged that he performed the acts which resulted in the violations. He has expressed his regrets and has given assurance of future compliance with our regulations.

I believe that the remedial purposes of the Export Regulations will be accomplished if the respondent is denied export privileges for 5 years with conditional restoration of such privileges after one year while he remains on probation for the balance of the period. I recommend that such sanction be imposed.

After considering the record in the case and the report and recommendation of the Compliance Commissioner and being of the opinion that his recommendation as to the sanction that should be imposed is fair and just and calculated to achieve effective enforcement of the law: *It is hereby ordered:*

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. Except as qualified in Part IV hereof, the respondent for a period of 5 years from the effective date of this order is hereby denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the export regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control documents; (d) in the carrying on of negotiations with respect to, or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data; (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent, but also to his representatives, agents, partners, and employees, and also to any person, firm, corporation, or other business organization with which he now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. One year after the effective date hereof, without further order of the Bureau of International Commerce, the respondent shall have his export privileges restored conditionally and thereafter for the remainder of the 5-year denial period the respondent shall be on probation. The conditions of such restoration are that the respondent shall fully comply with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses, and orders issued thereunder.

V. Upon a finding by the Director, Office of Export Control, or such other official as may be exercising the duties now exercised by him, that the respondent has knowingly failed to comply with the requirements and conditions of this order or with the conditions of probation, said official at any time, with or without prior notice to said respondent, by supplemental order, may revoke the probation of said respondent, revoke all outstanding validated export licenses to which said respondent may be a party, and deny to said respondent all export privileges for a period up to 48 months. Such order shall not preclude the Bureau of International Commerce from taking further action for any violation as shall be warranted. On the entry of a supplemental order revoking respondent's probation without notice, he may file objections and request that such order be

set aside, and may request an oral hearing, as provided in § 382.16 of the Export Regulations, but pending such further proceedings, the order of revocation shall remain in effect.

VI. During the time when the respondent or other person within the scope of this order is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with the respondent or other person denied export privileges within the scope of this order, or whereby any said respondent or such other person may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for said respondent or other person denied export privileges within the scope of this order; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

This order shall become effective on September 11, 1967.

Dated: September 1, 1967.

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

[P.R. Doc. 67-10583; Filed, Sept. 11, 1967;  
8:45 a.m.]

### Maritime Administration

[Report No. 83]

#### LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through August 30, 1967, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

#### FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage
Total, all flags (270 ships).....	1,943,181
British (76 ships).....	574,419
**Amalia (now Maltese).....	7,234
**Amazon River (broken up).....	8,785
Antarctica.....	8,791
Arctic Ocean.....	7,036
**Ardenode (now Tynlee—Panama- manian).....	6,981
**Ardgem (now Kelso—British).....	4,664
**Ardmore (now Kall Elpis—Brit- ish).....	7,054
**Ardpatrick (now Haringhata— Pakistani).....	5,820
Ardrossmore.....	7,300
Ardrowan.....	7,025
**Ardsrod (broken up).....	5,795
**Ardara (now Rosetta Maud— British).....	11,149
**Arlington Court (now South- gate—British).....	9,089
Athelcrown (tanker).....	9,087
**Athelduke (tanker—broken up).....	9,087
**Athelknight (tanker—broken up).....	7,524
Athelmere (tanker).....	11,182
Athelmonarch (tanker).....	9,149
**Athelsultan (tanker—broken up).....	7,868
Avisfaith.....	8,813
Baxtergate.....	8,566
Cheung Chau.....	7,271
**Chipbee (broken up).....	4,939
**Cosmo Trader (trips to Cuba under ex-name Ivy Fair—Brit- ish).....	8,789
**Dalren (now Agate—Panama- nian).....	8,995
**East Breeze (now Maulabaksh— Pakistani).....	7,134
Eastfortune.....	7,284
Eastglory.....	7,284
**Elilos (broken up).....	7,542
**Formenter (now Dorine Papi- lios—Cypriot).....	7,792
Fortune Enterprise.....	7,907
**Free Enterprise (now Cypriot).....	2,111
**Free Merchant (now Cypriot).....	8,718
**Garthdale (now Jeb Lee—Brit- ish).....	7,121
Glenmoor.....	9,483
**Grosvenor Mariner (now Red Sea—British).....	9,353
Hazelmoor.....	5,678
**Helka (now Anna Maria— Greek).....	9,486
Hemisphere.....	5,255
Ho Fung.....	7,043
Huntsfield.....	7,201
Huntsland.....	8,660
Huntsmore.....	8,660
Huntsville.....	5,388
**Inchstaffa (now Nankwang— British).....	
Inchstuart.....	
**Ivy Fair (now Cosmo Trader— British—broken up).....	
**Jeb Lee (trip to Cuba under ex-name Garthdale—British).....	
Jollity.....	
**Kall Elpis (trips to Cuba under ex-name Ardmore—British).....	
**Kelso (trips to Cuba under ex- name Ardgem—British).....	
Kinross.....	

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
British—Continued		Lebanese—Continued		Greek—Continued	
La Hortensia.....	9,486	Claire.....	5,411	**Maria Theresa (now Ingrid Anne—South African).....	7,245
Linkmoor.....	8,236	Cris.....	6,032	**Marigo (now Amfitriti—Cyprriot).....	7,147
**Loradore (now Allartos—Greek).....	8,078	**E. Myrtilotissa (aground, trips to Cuba under ex-name, Kalliope D. Lemos—Lebanese).		**Maroudio (now Thalle—Panamanian).....	7,369
Magister.....	2,339	**Free Trader (now Cyprriot).		**Mastro-Stellos II (now Wendy H.—South African).....	7,282
Nancy Dee.....	6,597	Giannis.....	5,270	Mery.....	7,258
**Nankwang (trip to Cuba under ex-name Inchstaffa—British).		Giorgos Taikiroglou.....	7,240	**Nicolao F. (previous trip to Cuba under ex-name, Nicolao Frangistas—Greek).....	7,199
Nebula.....	8,924	Granikos.....	7,282	**Nicolao Frangistas (now Nicolao F.—Greek).	
**Newdene (now Free Navigator—Cyprriot).		Iiena.....	5,925	Nikolis M.....	7,176
**Newforest (now Cyprriot).		Ioannis Aspiotis.....	7,297	**Olga (previous trips to Cuba—Lebanese).....	7,199
Newgate.....	6,743	**Kalliope D. Lemos (now E. Myrtilotissa—Lebanese).....	5,103	Pantanassa.....	7,131
Newglade.....	7,368	Katerina.....	9,357	**Paxol (broken up).....	7,144
**Newgrove (now Cyprriot).		**Leftric.....	7,176	**Penelope (now Andromachi—Greek).	
Newheath.....	7,643	Mantric.....	7,255	**Presvia (broken up).....	10,820
Newhill.....	7,855	**Maria Despina (broken in two).....	7,254	Redestos.....	5,911
Newlane.....	7,043	**Maria Renee (broken up).....	7,203	Roula Maria (tanker).....	10,608
**Newmeadow (now Cyprriot).		Mariechristina.....	7,124	**Seirios (broken up).....	7,239
Newmoat.....	7,151	**Marika (now Cyprriot).....	7,253	Sophia.....	7,030
Newmoor.....	7,168	**Marymark (broken up).....	4,383	**Stylian N. Vlassopoulos (now Antonia II—Cyprriot).....	7,303
Oceantramp.....	6,185	**Mersinidi (broken up).....	6,782	**Timios Stavros (formerly British flag—now Maltese).	
Oceantravel.....	10,477	Mousse.....	9,307	Tina.....	7,362
Peony.....	9,037	Nictric.....	7,296	Western Trader.....	9,268
**Phoenician Dawn (now Maulabaksh — Pakistani — previous trips to Cuba under ex-name East Breeze—British).....	8,708	Noelle.....	7,251		
**Red Sea (previous trip to Cuba under ex-name Grosvenor Mariner—British).....	7,026	**Noemi (aground—total loss).....	7,070	Polish (20 ships).....	143,460
**Redbrook (now E. Evangelia—Greek).....	7,388	**Oiga (now Greek).		Baltyk.....	6,963
**Rosetta Maud (trips to Cuba under ex-name Ardara—British).		Panagos.....	7,133	Bialystok.....	7,173
Ruthy Ann.....	7,361	Parmarina.....	6,721	Bytom.....	5,967
**St. Antonio (now Maltese).		**Razani (broken up).....	7,253	Chopin.....	9,148
Sandsend.....	7,236	Rio.....	7,194	Chorzow.....	7,237
Santa Granda.....	7,229	**St. Anthony (broken up).....	5,349	Energetyk.....	10,843
Sea Amber.....	10,421	**St. Nicolas (broken up).....	7,165	Grodzic.....	3,379
Sea Coral.....	10,421	San Spyridon.....	7,260	Huta Florian.....	7,258
Sea Empress.....	8,941	Steve.....	7,066	Huta Labedy.....	7,221
Seasage.....	4,330	Tertric.....	7,045	Huta Ostrowiec.....	7,175
Shienfoon.....	7,127	Theodoros Lemos.....	7,198	Huta Zgoda.....	6,840
**Shun Fung (wrecked).....	7,148	Tony.....	7,176	Hutnik.....	10,897
**Sociyye (now Maltese).		Toula.....	6,426	Kopalnia Bobrek.....	7,221
**Southgate (previous trips to Cuba under ex-name Arlington Court—British).....	9,662	Troyan.....	7,243	Kopalnia Czladz.....	7,252
**Suva Breeze (now Cathay Trader—Panamanian).....	4,970	**Vasiliki (now Cyprriot).		Kopalnia Miecchowice.....	7,223
**Swift River (now Kallithea—now Cyprriot).		**Vastric (broken up).....	6,751	Kopalnia Siemianowice.....	7,165
**Timios Stavros (now Maltese flag—previous trips to Cuba—Greek).		Vergollivada.....	6,339	Kopalnia Wujek.....	7,033
Venice.....	8,611	Yanxilas.....	10,051	Piast.....	3,184
Vercharman.....	7,265	Greek (36 ships).....	273,190	Rejowiec.....	3,401
Vermont.....	7,381	Agios Therapon.....	7,205	Transportowiec.....	10,880
Yungfutary.....	5,388	**Akastos (now Cyprriot).			
Yunglutaton.....	5,414	**Allartos (trip to Cuba under ex-name, Loradore—British).		Cyprriot (29 ships).....	204,346
**Zela M.—(now Cyprriot).		Alice.....	7,189	Acme.....	7,159
Lebanese (49 ships).....	333,111	**Ambassade (broken up).....	8,600	**Adelphos Petrakis (broken up).....	7,170
**Alolos II (now Cyprriot).....	7,256	**Americana (broken up).....	7,104	Agenor.....	7,139
**Ais Giannis (broken up).....	6,997	**Anacreon (now White Daisey—Panamanian).....	7,359	**Alolos II (trips to Cuba—Lebanese).	
**Akamas (now Cyprriot).		**Anatoli (now Sunrise—Cyprriot).		**Akamas (previous trips to Cuba—Lebanese).....	7,285
**Al Amin (now Fortune Sea—Panamanian).....	7,186	**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek).....	6,712	**Akastos (previous trip to Cuba—Greek).....	7,331
Alaska.....	6,989	**Anna Maria (trips to Cuba under ex-name Helka—British).		**Aktor (sunk).....	6,993
**Anthas (broken up).....	7,044	**Antonia (now Amfithea—Cyprriot).		Amfilali.....	7,110
Antonis.....	6,259	Apollon.....	9,744	**Amfithea (previous trip to Cuba under ex-name Antonia—Greek).....	5,171
**Ares (constructive total loss).....	4,557	Athanassios K.....	7,216	**Amfitriti (trip to Cuba under ex-name Marigo—Greek).	
**Areti (now Cyprriot).		Barbarino.....	7,064	Amon.....	7,229
**Aristefs (now Tung Yih—Panamanian).....	8,995	Calliope Michalos.....	7,249	Angeliki.....	8,482
Astir.....	5,324	**Embassy (broken up).....	8,418	**Antonia II (trip to Cuba under ex-name Stylian N. Vlassopoulos—Greek).	
**Athamas (now Cyprriot—broken up).....	4,729	**E. Evangelia (trips to Cuba under ex-name, Redbrook—British).		Apollonlan.....	7,284
**Carnation (broken up).....	4,884	Eftyhia.....	10,865	Apostolos Andreas.....	5,357
		Eretria.....	7,199	**Areti (previous trips to Cuba—Lebanese).....	7,176
		**Gloria (now Helen—Greek).		Artemida.....	7,247
		**Helen (previous trips to Cuba under ex-name, Gloria—Greek—broken up).....	7,128		
		Irena.....	7,232		
		**Istros II (broken up).....	7,275		
		**Kapetan Kostlis (broken up).....	5,032		
		**Kyra Harikila (broken up).....	6,888		

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage	FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
<b>Cypriot—Continued</b>		<b>French (10 ships)</b>	<b>52,535</b>	<b>Panamanian</b>	
**Athamas (trips to Cuba—Lebanese—broken up)		**Arainoe (tanker—sunk)	10,426	**Agate (trips to Cuba under ex-name Dalren—British)	
**Dorine Papillos (previous trips to Cuba under ex-name Formentor—British)	8,424	**Atlanta (trip to Cuba under ex-name Enee—French)		**Avranchoise (trips to Cuba under ex-name Avranches—French)	
E. D. Papalios	9,431	**Avranches (now Avranchoise—Panamanian)	7,282	**Ball Mariner (trips to Cuba under ex-name Dagmar—Swedish)	
El Toro	5,949	Circe	2,874	**Cathay Trader (trips to Cuba under ex-name Suva Breeze—British)	
**Free Enterprise (previous trips to Cuba—British)	6,807	**Enee (now Atlanta—French)	1,232	**Chung Thal (trip to Cuba under ex-name Somalia—Italian)	
**Free Merchant (previous trips to Cuba—British—sunk)	5,237	Foulaya	3,739	**Fortune Sea (trips to Cuba under ex-name Al Amin—Lebanese—broken up)	
**Free Navigator (previous trips to Cuba under ex-name Newdene—British)	7,181	Mungo	4,820	**Jezreel (trip to Cuba under ex-name Tine—Norwegian—wrecked)	
**Free Trader (previous trips to Cuba—Lebanese)	7,067	Nelee	2,874	**San Carlo (trip to Cuba under ex-name Reneka—Lebanese—broken up)	
**Kallithea (previous trips to Cuba under ex-name Swift River—British—broken up)	7,251	**Neve (now Drame Oumar—Guinean)	852	**Thalie (trip to Cuba under ex-name Maroudio—Greek)	
**Marika (trip to Cuba—Lebanese)		*Penja	3,777	**Tung Yih (trip to Cuba under ex-name Aristefs—Lebanese)	
Mparmpamarcos	7,239	Senanque (tanker)	14,659	**Tynlee (trip to Cuba under ex-name Ardenode—British)	
**Newforest (previous trips to Cuba—British)	7,185	<b>Moroccan (5 ships)</b>	<b>35,828</b>	**White Daisey (trips to Cuba under ex-name Anacreon—Greek)	
**Newgrove (previous trips to Cuba—British and Haitian—constructive total loss)	7,172	Atlas	10,392	<b>South African:</b>	
**Newmeadow (previous trips to Cuba—British—sunk)	5,654	**Banora (sunk)	3,082	**Ingrid Anne (trip to Cuba under ex-name Maria Theresa—Greek)	
**Sunrise (previous trips to Cuba under ex-name Anatoli—Greek)	7,187	Marrakech	3,214	**Wendy H. (trip to Cuba under ex-name Mastro-Stellos II—Greek)	
**Vassilikl (previous trips to Cuba—Lebanese)	7,192	Mauritanie	10,392		
**Zela M. (previous trips to Cuba—British)	7,237	Toubkal	8,748		
<b>Italian (17 ships)</b>	<b>148,693</b>	<b>Maltese (5 ships)</b>	<b>33,788</b>		
Achille	6,950	**Amalia (previous trips to Cuba—British)	7,304		
Agostino Bertani	8,380	Ispahan	7,156		
**Andrea Costa (tanker—broken up)	10,440	**St. Antonio (broken up—previous trip to Cuba—British)	6,704		
**Aspromonte (broken up)	7,154	**Soclyve (previous trips to Cuba—British)	7,291		
**Atria (tanker)	12,845	**Timlos Stavros (previous trips to Cuba—British and Greek)	5,333		
Caprera	7,189	<b>Finnish (6 ships)</b>	<b>43,845</b>		
Ella (tanker)	11,377	Atlas	3,916		
Fucinatoro	12,790	Augusta Paulin	7,096		
**Geremia (previous trips to Cuba under ex-name Mariasusanna—Italian)	2,479	**Hermia (trip to Cuba under ex-name Amfred—Swedish)			
Giuseppe Gulletti (tanker)	17,519	*Jytte Paulin	7,010		
**Graziella Zeta (trips to Cuba under ex-name Montiron—Italian)		Margrethe Paulin	7,251		
**Mariasusanna (now Geremia—Italian)		Ragni Paulin	6,823		
**Montiron (now Graziella Zeta—Italian)	1,595	Sword (tanker)	11,749		
**Nazareno (broken up)	7,173	<b>Netherlands (2 ships)</b>	<b>999</b>		
Nino Bixio	8,427	Meike	500		
San Francesco	9,284	Tempo	499		
San Nicola (tanker)	12,461	<b>Swedish (2 ships)</b>	<b>9,318</b>		
Santa Lucia	9,278	**Amfred (now Hermia—Finnish)	2,828		
**Somalia (now Chung Thal—Panamanian)	3,352	**Dagmar (now Ball Mariner—Panamanian)	6,490		
<b>Yugoslav (11 ships)</b>	<b>77,585</b>	<b>Monaco (1 ship)</b>	<b>7,314</b>		
**Bar (broken up)	7,233	**Saint Lys (broken up)	7,314		
Cetinje	7,200	<b>Norwegian (1 ship)</b>	<b>4,750</b>		
**Dugi Otok (broken up)	6,997	**Tine (now Jezreel—Panamanian flag—Wrecked)	4,750		
Kolastin	7,217	<b>Guinean</b>			
Mojkovac	7,125	**Drame Oumar (trip to Cuba under ex-name, Neve—French)			
Piva	7,519	<b>Haitian</b>			
Piod	3,657	**Newgrove (now Cypriot)			
**Promina (broken up)	6,960	<b>Pakistani</b>			
Subicevac	9,033	**Haringhata (trip to Cuba under ex-name, Ardpatrick—British)			
Tara	7,499	**Maulabaksh (trip to Cuba under ex-name, Phoenician Dawn and East Breeze—British)			
**Trebisnjica (wrecked)	7,145				

Sec. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
a. Since last report:	
Norwegian (1 ship)	5,252
Ole Bratt	5,252
b. Previous reports:	
Flag of registry (total)	104
British	41
Cypriot	2
Danish	1
Finnish	2

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Number of ships	FLAG OF REGISTRY AND NAME OF SHIP	Number of ships
French	1	Spanish	6
German (West)	1	Swedish	1
Greek	27	Yugoslav	1
Israeli	1		
Italian	5		
Japanese	1		
Kuwaiti	1		
Lebanese	9		
Norwegian	4		

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through August 30, 1967.

Flag of registry	Number of trips									Total
	1963	1964	1965	1966	1967					
					Jan.- Apr.	May	June	July	Aug.	
British	133	180	126	101	30	8	6	6	2	592
Lebanese	64	61	58	25	8	1		1	1	249
Greek	99	27	23	27	14	2	3	2		197
Italian	16	20	24	11	3	1	2	1		78
Cypriot		1	17	27	11	2	4	7	1	70
Yugoslav	12	11	15	10	3	1	2	1		55
French	8	9	9	10		1			3	40
Finnish	1	4	5	11				1	1	29
Spanish	8	17			4	1				25
Norwegian	14	10								24
Moroccan	9	13	1							23
Maltese		2	6	1	3					12
Netherlands		4	2							6
Swedish	3	3								6
Kuwaiti		2	1							3
Israeli			2							2
Danish	1									1
German (West)	1									1
Haitian			1							1
Japanese	1									1
Monaco				1						1
Subtotal	570	394	290	234	76	17	18	19	8	1,416
Polish	18	16	12	10	3	2		2		63
Grand total	388	410	302	234	79	19	18	21	8	1,479

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data become available.

\* Added to Rept. No. 82, appearing in the FEDERAL REGISTER issue of Aug. 11, 1967.

\*\* Ships appearing on the list that have been sunk, scrapped, or have had changes in name and/or flag of registry.

Dated: September 1, 1967.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,  
Secretary.

[F.R. Doc. 67-10622; Filed, Sept. 11, 1967; 8:45 a.m.]

### Office of the Secretary WATCHES AND WATCH MOVEMENTS

#### Reallocation of 1967 Calendar Year Quota and Allocation of 1968 Calendar Year Quota for American Samoa

The purpose of this notice is to invite interested parties to apply for the 1967 quota for watches and watch movements assembled in American Samoa for duty-free entry into the customs territory of the United States.

Interested parties may refer to the following previously published FEDERAL REGISTER notices for the background history of duty-free watch quota allocations issued pursuant to the authority granted the Secretaries of Commerce and of the Interior by Public Law 89-805.

Temporary procedures. Notice of public hearings to consider allocation of quotas.	31 F.R. 16379...	Dec. 28, 1966
Interim allocation statement.	32 F.R. 471...	Jan. 17, 1967
Adjusted quota allocations for the Virgin Islands and allocation for American Samoa.	32 F.R. 4178...	Mar. 17, 1967
Clarification and implementation of policy prohibiting transfers of duty-free quotas.	32 F.R. 8316...	June 9, 1967
Adjusted quota allocations for Guam and adjusted allocation for Virgin Islands Watch Co., Inc., Virgin Islands.	32 F.R. 11048...	July 28, 1967
	32 F.R. 11294...	Aug. 3, 1967

In the notice published in the FEDERAL REGISTER on June 9, 1967, the Departments granted the Waltham Watch Co. the entire quota of watches and watch movements to be produced in American Samoa during calendar year 1967 for duty-free entry into the customs terri-

tory of the United States. On July 28, 1967, the Waltham Watch Co. advised the Departments that it had decided to renounce the American Samoa quota of 195,698 units. In a letter dated August 8, 1967, the two Departments accepted Waltham's voluntary surrender of this quota and indicated that the duty-free American Samoa quota for calendar year 1967 would be reallocated.

Under the terms of Public Law 89-805, any portion of the duty-free watch quota unused during any given calendar year may not be carried over into the following calendar year. Because of the time required to establish a watch assembly facility, acquire inventory and train personnel, the Departments are aware that the applicant to which the 1967 quota will be reallocated may not be able to produce and enter into the customs territory of the United States the entire 1967 quota of 195,698 units on or prior to December 31, 1967. In order to justify the investment costs of establishing a watch assembly operation which will make a substantial and lasting contribution to the economy of American Samoa, an applicant may understandably expect to receive a duty-free allocation for a longer period of time than the last few months of calendar year 1967. However, under the terms of Public Law 89-805, the Departments cannot make any final allocation of the duty-free 1968 watch quota for American Samoa until after they have received certain statistics from the U.S. Tariff Commission which will be made available during the first quarter of 1968. Accordingly, the Departments have determined that any applicant to which the 1967 quota for American Samoa is reallocated will receive the duty-free watch quota for American Samoa that may be allocable during 1968 under Public Law 89-805, provided, of course, that the applicant abides substantially with all the terms and conditions under which said 1967 quota is reallocated.

All applicants are advised that the reallocation of the 1967 quota will be based on the information and representations contained in answers to Form BDSAF-783 which has been prepared jointly by the Departments of Commerce and the Interior. This form may be obtained from:

Business and Defense Services Administration, U.S. Department of Commerce, Washington, D.C. 20230, Attention: Scientific, Photographic, and Business Equipment Division.

Failure on the part of any firm to which the 1967 quota is reallocated to abide substantially and in a timely fashion with representations made in Form BDSAF-783 may result in cancellation of the 1967 and 1968 quotas and their reallocation to another firm.

In view of the limited time available to reallocate the 1967 quota for American Samoa, the Departments find that notice and oral public participation with respect to this reallocation and the tenta-

tive allocation of the 1968 quota would be impracticable. However, any interested party may submit a written brief concerning the subject matter of these allocations. Such a brief shall state clearly the position taken and shall describe in detail the evidence supporting such position. It shall be submitted to the Business and Defense Services Administration at the address listed above in not less than eight (8) copies which shall be legibly typed, printed, or duplicated. Four of these copies will be transmitted to the Department of the Interior by the Department of Commerce. The application form BDSAF-783 as well as any briefs on this matter must be submitted to the above address no later than September 25, 1967.

The recipient of the American Samoa quota allocation for calendar years 1967 and 1968 will be required to comply with U.S. Customs regulations and with the general requirements of the territorial government regarding the establishment and conduct of business in American Samoa.

LAWRENCE C. MCQUADE,  
Assistant Secretary for Domestic and International Business, Department of Commerce.

HARRY R. ANDERSON,  
Assistant Secretary for Public Land Management, Department of the Interior.

SEPTEMBER 7, 1967.

[F.R. Doc. 67-10707; Filed, Sept. 11, 1967; 8:52 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration  
AMERICAN CYANAMID 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 8F0634) has been filed by American Cyanamid Co., Agricultural Division, Post Office Box 400, Princeton, N.J. 08540, proposing the establishment of tolerances for residues of the insecticide malathion in or on raw agricultural commodities as follows: 135 parts per million in or on cowpea hay, lespedeza, lupines, peanuts (forage and hay), soybeans (forage and hay), and yetch; 50 parts per million in or on almonds (hulls); 8 parts per million in or on chestnuts, filberts, lentils, okra, papayas, soybeans (dry and succulent forms), sugar beets, and sweetpotatoes; 1 part per million for negligible residues in or on almonds (meats) and macadamia nuts; 0.5 part per million for negligible residues in or on peanuts; 0.2 part per

million for negligible residues in milk; and 0.1 part per million for negligible residues in eggs and in or on safflower seed.

The analytical method proposed in the petition for determining residues of malathion is a colorimetric technique. After extraction of malathion with carbon tetrachloride, the insecticide is decomposed by the addition of ethanol and sodium hydroxide into sodium O,O-dimethyl dithiophosphate, which is converted to the cupric salt and measured spectrophotometrically at 418 millimicrons.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10655; Filed, Sept. 11, 1967; 8:51 a.m.]

### DAWE'S LABORATORIES, INC., AND PREMIER MALT PRODUCTS, INC.

#### Notice of Filing of Petition for Food Additive Bacitracin

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 Dawe's Laboratories, Inc., 4800 South Richmond, Chicago, Ill. 60632, and Premier Malt Products, Inc., 1037 West McKinley Avenue, Milwaukee, Wis. 53201, proposing the issuance of a food additive regulation to provide for the safe use of bacitracin in cattle feed and calf milk replacers for growth promotion and feed efficiency.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10658; Filed, Sept. 11, 1967; 8:51 a.m.]

### EMULSION A/S

#### 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 6A2046) has been filed by Emulsion A/S, Palsgaard, Juelsminde, Denmark, proposing the issuance of a regulation to provide for the safe use of partial glycerol-fatty acid-citric acid esters as emulsifying agents in non-standardized dressings and sauces.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10657; Filed, Sept. 11, 1967; 8:51 a.m.]

### IMPERIAL CHEMICAL INDUSTRIES, LTD.

#### Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Imperial Chemical Industries, Ltd., Mond Division, The Heath, Runcorn, Cheshire, England, has withdrawn its petition (FAP 8A2198), notice of which was published in the FEDERAL REGISTER of August 8, 1967 (32 F.R. 11448), proposing the issuance of a regulation to provide for the safe use in tea production of 1,1,1-trichloroethane as a flotation agent for the separation of leaf from stalk.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10658; Filed, Sept. 11, 1967; 8:51 a.m.]

### PABST BREWING CO.

#### Notice of Withdrawal of Petition for Food Additive Bacitracin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Pabst Brewing Co., 917 West Juneau Avenue, Milwaukee, Wis. 53201, has withdrawn its petition (FAP 764), notice of which was published in the FEDERAL REGISTER of December 5, 1962 (27 F.R. 11999), proposing an amendment to the food additive regulations to provide for the addition of bacitracin to cattle feed for growth promotion.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10659; Filed, Sept. 11, 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 8F0639) has been filed by the Stauffer Chemical Co., 1200 South 47th Street, Richmond, Calif. 94804, proposing the establishment of tolerances for negligible

residues of the herbicide *S*-propyl dipropylthiocarbamate in or on the raw agricultural commodities peanuts, peanut forage, peanut hay, soybeans, soybean forage, soybean hay, and sweet potatoes at 0.1 part per million.

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 dipropylamine, which is converted to the cupric dithiocarbamate complex and determined spectrophotometrically at 440 millimicrons.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10660; Filed, Sept. 11, 1967;  
8:51 a.m.]

### UNITED STATES RUBBER CO.

#### Notice of Withdrawal 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)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations (21 CFR 120.8), the United States Rubber Co., Chemical Division, Bethany, Conn. 06525, has withdrawn its petition (PP 7F0552), notice of which was published in the FEDERAL REGISTER of February 8, 1967 (32 F.R. 2661), proposing the establishment of tolerances for residues of the plant regulator succinic acid 2,2-dimethylhydrazide in or on the following raw agricultural commodities: Apples, at 30 parts per million; grapes, at 10 parts per million; and tomatoes, at 0.5 part per million.

Dated: September 5, 1967.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 67-10661; Filed, Sept. 11, 1967;  
8:51 a.m.]

### DEPARTMENT OF AGRICULTURE

Office of the Secretary

MICHIGAN AND NEW MEXICO

#### Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of Michigan and New Mexico natural disasters

have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### MICHIGAN

Benzie.	Lenawee.
Branch.	Manistee.
Cass.	Monroe.
Grand Traverse.	St. Clair.
Leelanau.	St. Joseph.

#### NEW MEXICO

Sierra.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 6th day of September 1967.

ORVILLE L. FREEMAN,  
Secretary.

[F.R. Doc. 67-10616; Filed, Sept. 11, 1967;  
8:48 a.m.]

### CIVIL AERONAUTICS BOARD

[Docket No. 17665]

#### WASHINGTON/BALTIMORE HELI- COPTER SERVICE INVESTIGATION

##### Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-titled proceeding will be held on October 2, 1967, at 10 a.m. in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference reports and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., on September 6, 1967.

[SEAL] WILLIAM J. MADDEN,  
Hearing Examiner.

[F.R. Doc. 67-10620; Filed, Sept. 11, 1967;  
8:48 a.m.]

### FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16979; FCC 67-994]

#### COMPUTER AND COMMUNICATION SERVICES AND FACILITIES

##### Order Extending Time for Filing Responses

In the matter of regulatory and policy problems presented by the interdepend-

ence of computer and communication services and facilities, Docket No. 16979.

1. On August 9, 1967, the Business Equipment Manufacturers Association (BEMA) filed with the Commission a "Request for Change in Schedule" requesting that the final date for submission of written responses to the issues contained in the Commission's above-captioned notice of inquiry be extended from October 2, 1967, to February 2, 1968. Copies of the filing were served by the petitioner on all of the persons listed in paragraph 1 of the supplemental notice of inquiry, or their attorneys.

2. BEMA states that on behalf of industry members of its Data Processing Group it has taken steps looking toward the development of a full and constructive response to the questions raised in the notice of inquiry, including employment of outside consultants to prepare a full factual study and report on the computer-data processing field, in terms responsive to the factual issues raised by the Commission, and to assist in preparation of an appropriate response to the regulatory policy questions. In support of its request for an extension of the filing date, the Association further states that the basic study activity cannot be completed until mid-September or the early part of October and additional time will be required to prepare the material for submission to the Commission in a form that reflects the most considered position of the organization.

3. No opposition to the "Request for Change in Schedule" has been received. Communications supporting the requested extension of time for filing responses to the notice have been received from the National Association of Manufacturers, the Electronic Industries Association, the Collins Radio Co., and the National Retail Merchants Association. Additionally verbal expressions have been received from others suggesting that an extension of time would help to insure that the issues in the proceeding are treated fully and comprehensively by respondents.

4. The Commission is concerned that it receive adequate and appropriate responses in this proceeding, which represent the considered views and recommendations of interested persons. We feel that there is sufficient showing that this purpose would best be served by allowing further time for the parties to develop a record which will enable us to make the most informed decisions possible in the public interest. We will, therefore, grant the requested extension of time, but feel it more appropriate for the new filing date to be February 5, rather than February 2, 1968.

5. Accordingly, it is ordered, That the final date for the submission of responses to the notice of inquiry in the matter of regulatory and policy problems presented by the interdependence of computer and communication services and facilities is

extended from October 2, 1967, to February 5, 1968.

Adopted: August 30, 1967.

Released: September 7, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 67-10630; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket Nos. 17357-17359; FCC 67-990]

## AKRON TELERAMA, INC., ET AL.

### Memorandum Opinion and Order Amending Designation Order

In re petitions by Akron Telerama, Inc., Akron, Ohio, Docket No. 17357, File No. CATV 100-16; Lorain Cable TV, Inc., Lorain, Ohio, Docket No. 17358, File No. CATV 100-128; Telerama, Inc., Cleveland Heights, Richmond Heights, South Euclid, Beachwood, Oakwood, East Cleveland, Garfield Heights, Euclid, Highland Heights, University Heights, Bedford Heights, Maple Heights, Lyndhurst, Bedford, and North Randall; also Shaker Heights, Warrensville Heights, and Warrensville Township, Ohio, Docket No. 17359, File No. CATV 100-146; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Cleveland television market.

1. By a memorandum opinion and order, FCC 67-422, 7 FCC 2d 809, released April 11, 1967, the Commission granted certain requests for waivers of the provisions of section 74.1107 to permit the carriage of distant signals on CATV systems in various communities and designated for hearing other requests for such waivers. Before the Commission for consideration are: (a) The petition filed by Telerama, Inc., for reconsideration of the denial of its request for a waiver to add the distant signals of Erie, Pa., stations WJET-TV (Channel 24) and WSEE (Channel 35) on its existing CATV systems in Shaker Heights, Warrensville Heights, and Warrensville Township, Ohio; and (b) the petition of United Artists Broadcasting, Inc.,<sup>2</sup> for reconsideration of the authorizations granted Telerama to carry Youngstown, Ohio, stations WKBN-TV (Channel 27), WYTV (Channel 33), and WFMJ-TV (Channel 21) on its proposed CATV systems in 15 suburban communities in the Cleveland, Ohio, television market, and to Lorain Cable TV, Inc., to carry Akron, Ohio, station WAKR-TV (Channel 49) and Toledo, Ohio, stations WSPD-TV (Channel 13), and WDHO-TV (Channel

24) on its proposed CATV system at Lorain, Ohio.<sup>3</sup>

2. Telerama has provided subscribers to its Shaker Heights, Warrensville Heights, and Warrensville Township, CATV systems with the distant signal of station WICU-TV (Channel 12) at Erie, Pa., since prior to February 16, 1966, and may therefore continue to carry the signal by virtue of the "grandfather" provisions of section 74.1107(d) of the Commission's rules.<sup>4</sup> Relying upon our decisions in Greater Television, Inc., 5 FCC 2d 699 (1966), Athens TV Cable, Inc., 5 FCC 2d 577 (1966), and Video Vision, Inc., 7 FCC 2d 112 (1967), Telerama contends that a waiver of the hearing provisions of § 74.1107 should be granted to permit carriage of two other stations assigned to Erie, i.e., WJET-TV and WSEE.

3. In each of the cited cases, the CATV community was within the predicted Grade B contour of at least one of the television stations and we were able to determine without hearing that the public interest would be served by permitting carriage of other television signals emanating from the same city. However, no Erie station provides predicted service to the communities where the "grandfathered" CATV systems are located, and we expressly held in the Second Report and Order, 2 FCC 2d 725, 785 (1966) at paragraph 148, that the "addition of a new distant signal on an existing system in the top 100 markets would come within the major market policy." Furthermore, even with respect to situations where one of the stations in a television market places a predicted Grade B signal over the CATV community, the hearing provisions of § 74.1107 are not waived to permit carriage of the distant signals where such carriage may adversely affect the development and growth of UHF in the market. See Cosmos Cablevision Corp., 8 FCC 2d 384 (1967). Here Telerama proposes to introduce the distant Erie stations into the very heart of the market upon which UHF stations in the

<sup>1</sup> The following pleadings are now before us: (1) Petition for reconsideration filed May 9, 1967, by Telerama, Inc.; (2) Petition for reconsideration filed May 11, 1967, by United Artists Broadcasting, Inc.; (3) opposition to Telerama's petition filed May 23, 1967, by United Artists; (4) opposition to Telerama's petition filed May 24, 1967, by Storer Broadcasting Co.; (5) comments on Telerama's petition filed June 1, 1967, by the Broadcast Bureau; (6) opposition to Telerama's petition filed June 1, 1967, by the Cleveland Browns, Inc., and the National Football League; (7) opposition to Telerama's petition filed June 1, 1967, by Summit Radio Corp.; (8) opposition to United Artists' petition filed May 25, 1967, by Lorain Cable; (9) opposition to United Artists' petition filed June 26, 1967, by Telerama; (10) Telerama's reply filed June 12, 1967; and (11) United Artists' reply filed July 7, 1967.

<sup>2</sup> The existing facilities will be referred to herein as the "grandfathered" systems and the CATV systems in the remaining 15 communities listed in the caption above will be referred to as the "nongrandfathered" systems.

Cleveland area will depend for support.<sup>4</sup> In the circumstances, we cannot, on the basis of the pleadings before us, find that carriage of WJET-TV and WSEE on the "grandfathered" CATV systems would be consistent with the public interest.

4. In our designation order, we found that the Youngstown CBS affiliate, WKBN-TV, provided Grade B or better signals to the eastern suburbs of Cleveland and we authorized Telerama to carry the signals of WFMJ-TV and WYTV, as well as WKBN-TV, on its "nongrandfathered" CATV systems. United Artists contends that we erred in our finding with respect to WKBN-TV. In support of this contention, United Artists submitted an engineering statement which shows that no part of the suburban areas to be served by such CATV systems are within the predicted Grade B contour of either WKBN-TV or WYTV and that only Oakwood receives a predicted Grade B or better signal from WFMJ-TV. No engineering evidence has been submitted by Telerama which instead relies entirely on the engineering finding contained in the designation order. From our examination of United Artists' engineering data, we are convinced that the information therein contained is substantially accurate. Thus Telerama is authorized under § 74.1107 to carry WFMJ-TV on its Oakwood CATV system and we find that it should be authorized in accord with our decisions in Greater Television, supra, Athens TV Cable, supra, and Video Vision, supra, to carry stations WKBN-TV and WYTV in Oakwood. However, for the purposes of § 74.1107, the CATV system serving each of the Cleveland suburban communities must be considered as a separate and distinct system and the carriage of distant Youngstown signals on the Oakwood system provides no basis for the carriage of such signals on the remaining "nongrandfathered" systems. See Telerama, Inc., 3 FCC 2d 585 (1966). In view of the foregoing, and because no other adequate reasons have been advanced to justify waivers without hearing, we conclude that the request for waivers to permit carriage of the three Youngstown stations on the "nongrandfathered" CATV systems, other than at Oakwood, must be designated for hearing.

5. We also find merit in United Artists' petition with respect to the authorizations granted Lorain Cable to carry the distant signals of two Toledo, Ohio, stations on its proposed CATV system at Lorain, Ohio. One Toledo station, WTOL-TV on Channel 11, provides a predicted Grade B signal to Lorain and we waived the provisions of § 74.1107 to permit carriage of the distant signals of a VHF television station, WSPD-TV, and a UHF television station, WDHO-TV. On reconsideration, we conclude that the public interest would better be served

<sup>4</sup> Construction permits are outstanding for Channels 43 in Lorain, and 61 in Cleveland, and applications are pending for Channel 19 in Cleveland.

<sup>1</sup> Commissioner Wadsworth absent.

<sup>2</sup> Permittee of station WUAB-TV on Channel 43 at Lorain, Ohio.

by designating the waiver request for hearing in order to determine the impact of such importation upon the UHF station on Channel 43 assigned to Lorain and for which a construction permit has been issued to United Artists (WUAB-TV). Toledo is approximately 75 miles from Lorain and each community is in a separate and distinct Standard Metropolitan Statistical Area. Nothing in the pleadings before us indicates that the Toledo stations derive any significant economic support from Lorain or that the relative competitive positions of the Toledo stations in the Toledo television market area would be materially affected by carriage or noncarriage on the Lorain CATV system. However, the importation of an additional VFH station and an independent UHF station into the very community on which the Lorain UHF station must principally depend for support could have a serious adverse impact upon the Lorain UHF station by further fractionalizing the limited audience available for its own independent programming. The determination as to whether carriage of the distant signals of VHF station WSPD-TV and UHF station WDHO-TV on the Lorain cable system is in the public interest must be made on the basis of a hearing record.

6. United Artists also objects to the carriage of WAKR-TV, Akron, Ohio, on the Lorain CATV. We have considered the arguments advanced in support of its position, but we are not persuaded that the objection has merit or that any further change in our designation order is warranted.

7. *It is ordered*, That the petition for reconsideration filed on May 9, 1967, by Telerama, Inc., is denied.

8. *It is further ordered*, That the Commission's memorandum opinion and order, 7 FCC 2d 809, is revised to the extent set forth herein; that the petition of Telerama, Inc., for waiver of the hearing provisions of § 74.1107 of the rules to permit carriage of the distant signals of Youngstown stations WFMJ-TV (Channel 21), WKBN-TV (Channel 27), and WYTV (Channel 33), on its proposed "nongrandfathered" CATV systems in the suburban Cleveland communities, other than Oakwood, is denied; the petition of Lorain Cable TV, Inc., for a waiver to carry the distant signals of Toledo stations WSPD-TV (Channel 13) and WDHO-TV (Channel 24) on its CATV system at Lorain, Ohio, is denied; and the said petitions are designated for hearing on the issues specified in our designation order.

9. *It is further ordered*, That the petition for reconsideration filed on May 11, 1967, by United Artists Broadcasting, Inc., is granted to the extent reflected herein and in all other respects is denied.

Adopted: August 30, 1967.

Released: September 7, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>5</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10631; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket Nos. 17234-17241; FCC 67M-1484]

### CATV OF ROCKFORD, INC., ET AL.

#### Statement and Order After Further Prehearing Conference

In re petitions by CATV of Rockford, Inc., Rockford, Ill., Docket No. 17234, File Nos. CATV 100-23, 100-39; Rockford Community Television, Inc., Loves Park, Ill., Docket No. 17235, File No. CATV 100-68; TV Cable Company of Stephenson County, Freeport, Ill., Docket No. 17236, File No. CATV 100-105; Beloit Community Television Services, Inc., Beloit, Wis., Docket No. 17237, File No. CATV 100-92; Television Wisconsin, Inc., Whitewater, Wis., Docket No. 17238, File No. CATV 100-26; Whitewater Cable Corp., Whitewater, Wis., Docket No. 17239, File No. CATV 100-37; Jefferson Cable Corp., Jefferson, Wis., Docket No. 17240, File No. CATV 100-51; Total TV, Inc., Janesville, Wis., Docket No. 17241, File No. CATV 100-13; for authority pursuant to § 74.1107 to serve and operate CATV systems in the Milwaukee, Wis., market (24), Madison, Wis., market (80), and Rockford, Ill., market (99).

At today's conference, among other things procedural dates were extended as follows:

Receipt of notification of witnesses desired for cross-examination (at same time, to extent possible, direct case oral witnesses and area of their testimony will be specified); from September 11, to October 16, 1967.

Hearing from September 18, to October 30, 1967.

Issued: September 6, 1967.

Released: September 7, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10632; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket No. 15461 etc.; FCC 67-992]

### CHAPMAN RADIO AND TELEVISION CO. ET AL.

#### Memorandum Opinion and Order Deleting Issues

In re applications of William A. Chapman and George K. Chapman doing

<sup>1</sup> Commissioner Bartley's dissenting statement and Commissioner Cox's concurring statement filed as part of the original document; Commissioner Loevinger dissenting; Commissioner Wadsworth absent.

business as Chapman Radio and Television Co., Homewood, Ala., Docket No. 15461, File No. BPCT-3282; Alabama Television, Inc., Birmingham, Ala., Docket No. 16760, File No. BPCT-3706; Birmingham Broadcasting Co., Birmingham, Ala., Docket No. 16761, File No. BPCT-3707; for construction permit for new television broadcast station; Birmingham Television Corp. (WBMG), Birmingham, Ala., Docket No. 16758, File No. BPCT-3663; for modification of construction permit.

1. The above-captioned applications for television facilities on Channel 21 were designated for hearing in a consolidated proceeding by an order (FCC 66-636) released July 20, 1966. Thereafter, on the basis of pleadings charging misconduct on the part of certain attorneys and their respective clients, the Commission directed that a special expedited hearing be held in order to develop the facts pertaining to such charges. Issues were designated to determine whether the law firm and the members thereof representing either Alabama Television, Inc., or Birmingham Broadcasting Co. engaged in conduct which required their disqualification from continuing as counsel for an applicant. In addition, an issue was specified to determine whether either applicant or its principals participated in any improper conduct which might be developed under the first two issues.

2. Hearings were held before Hearing Examiner David I. Kraushaar on June 14-16, 19, 21-23, 26, and 27 at which the following persons testified: Jason L. Shrinisky (tr. 779-975); Seymour M. Chase (tr. 986-1021); Thomas G. Fisher (tr. 1041-1664); and Ellis J. Parker III (tr. 1690-1918, 1957-1987, 2006-2063). On the basis of representations by counsel for Alabama Television and Birmingham Broadcasting that the parties had come to an agreement which might obviate the necessity for further hearings under the special issues, the Examiner granted a continuance in order to afford the parties an opportunity to submit their proposal for Commission consideration.

3. On July 17, 1967, a petition was filed requesting reconsideration of the order designating the special hearing issues and deletion of the said issues.<sup>2</sup> Petitioners assert that they are now in possession of all relevant facts and that no disqualification or adverse finding or inference is warranted as to any applicant, principal, or past or present counsel or law firm. In further support of their contention that the special issues are now moot, petitioners allege that they are agreed as to the following:

(a) No law firm or member thereof, or any individual associated with a law firm

<sup>1</sup> 8 FCC 2d 370, released May 31, 1967, as modified by 8 FCC 2d 547, released June 20, 1967.

<sup>2</sup> The petition is filed jointly by Alabama Television, Birmingham Broadcasting, Jason L. Shrinisky, their respective attorneys, and attorneys Seymour M. Chase, and Thomas G. Fisher.

representing either Alabama Television or Birmingham Broadcasting, engaged in any conduct or committed any act in connection with this docketed proceeding which requires the disqualification of the law firm or any individual associated therewith from appearing as counsel in this proceeding:

(b) No facts exist relating to the participation by any of the principals of either of the two aforementioned applicants in conduct which would warrant disqualification or any adverse inferences;

(c) All motions, counter motions, and other pleadings which resulted in or relate to the special issues are withdrawn with prejudice;

(d) Birmingham Broadcasting will not claim prejudice to its case by virtue of any circumstances relating to the special issues and it has no objection to the past or future participation in the case of Alabama Television's past or present attorneys; and

(e) The evidence of record compiled in the special hearing is available to all applicants for use on other designated issues.

4. The critical question to be determined is whether the special hearing may properly be terminated at this time. The parties may waive their objections to counsel for a competing applicant continuing in that capacity, as Alabama Television and Birmingham Broadcasting have done, but there remains for our determination the question of what the public interest requires in the circumstances. In this respect, we stress particularly that parties cannot, by their agreement, preclude Commission action for misconduct or for an abuse of the Commission's processes. For this reason we have carefully reviewed the evidence in the light of the representations contained in the petition for reconsideration to determine whether petitioners' request for termination of the special hearing may be granted. Based on our review of the record, which included the testimony of critical witnesses (see par. 2), we find that it may be granted. The evidence is sufficient to indicate that no attorney, past or present, for either Alabama Television or Birmingham Broadcasting was guilty of misconduct or engaged in any activities which constituted an abuse of the Commission's processes. Consequently, we conclude that no basis exists for the disqualification of any attorney from continuing as counsel for an applicant in this proceeding.

5. The foregoing conclusion is also dispositive of the question of whether Alabama Television or Birmingham Broadcasting, or the principals of either applicant, participated in any improper acts committed by counsel. We therefore conclude that the special issues may be deleted. Nevertheless, the evidence developed under the special issues is a part of the record in this proceeding and will remain available for whatever use may be necessary and appropriate in the ultimate disposition of the comparative proceeding.

6. Accordingly, it is ordered, That the petition for reconsideration filed on July 17, 1967, is granted; that the issues designated by the Commission's memorandum opinion and order, 8 FCC 2d 370, released May 31, 1967, as modified by the order, 8 FCC 2d 547, released June 20, 1967, are deleted; that the withdrawal of Jason L. Shrinisky as a party to the hearing is authorized; and that this proceeding is remanded to the hearing examiner for hearing on the other issues which have been, or which may be designated in the consolidated proceeding.

Adopted: August 30, 1967.

Released: September 6, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>3</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10633; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket No. 16792; FCC 67M-1475]

### CITY OF CAMDEN AND L & P BROADCASTING CORP.

#### Memorandum of Ruling; Order of Extensions

In re application of city of Camden (Assignor), and L & P Broadcasting Corp. (Assignee), Docket No. 16792, File No. BAL-5702; for assignment of license of Station WCAM, Camden, N.J.

1. During prehearing conference held September 1, 1967, L & P Broadcasting Corp. sought extensions of certain procedural dates heretofore prescribed in the above-entitled proceeding and for continuance of the hearing which had been scheduled to commence September 18, 1967. The Commission's Broadcast Bureau urged that a change in the place of hearing from Washington, D.C., to Camden, N.J., was essential and that a continuance of the hearing would be required to enable it to make preparations for the presentation of its case there. The ground for the extensions sought by L & P was that negotiations were in progress looking toward the purchase of Station WCAM by the McLenon Broadcasting interests, and, therefore, that any steps taken at this time under the current issues might prove futile.

2. The nature of the proceeding here involved is such that the hearing therein should be held in Camden, N.J. This will be authorized in the order below. Moreover, as indicated by counsel for the Broadcast Bureau, more time than is now available prior to the previously scheduled hearing date will be necessary for the Bureau to prepare itself for the presentation of its case in Camden. Accordingly, the hearing must be continued. In view of these rulings, it is also appropriate to extend the procedural dates which

<sup>3</sup> Commissioners Bartley and Cox not participating; Commissioner Wadsworth absent; Commissioner Johnson concurring in the result.

were established at a time when hearings in Washington, D.C., were contemplated.

3. In view of the foregoing, it is unnecessary to pass upon the sufficiency of the ground stated by L & P Broadcasting Corp. in support of its request for extensions.

It is ordered, That the dates heretofore prescribed for exchanging exhibits (Sept. 5, 1967), for giving notification of witnesses to be called for cross-examination (Sept. 11, 1967), and for commencement of hearing (Sept. 18, 1967), are hereby set aside and new dates will be assigned by the presiding Hearing Examiner; And, it is further ordered, That the order of the Chief Hearing Examiner released herein August 1, 1966 (FCC 66M-1057), is hereby amended to substitute Camden, N.J., for Washington, D.C., as the place of hearing.

Issued: September 5, 1967.

Released: September 6, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10634; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket No. 16070; FCC 67M-1482]

### COMMUNICATIONS SATELLITE CORP.

#### Order Rescheduling Prehearing Conference

In the matter of Communications Satellite Corp., Docket No. 16070; charges, practices, classifications, rates and regulations for and in connection with the leasing of voice grade and television channels to common carriers authorized by the Federal Communications Commission, between Andover, Maine, and a communications-satellite in connection with the establishment of communication paths between points in the United States and Europe for the transmission and reception of voice, record, data, telephoto, facsimile, television and other signals.

The Hearing Examiner having under consideration an unopposed "Motion To Reschedule Prehearing Conference" filed August 28, 1967, by counsel for the Chief, Common Carrier Bureau, and

It appearing that the motion is well-founded:

It is ordered, That the motion is granted and, accordingly, the further prehearing conference in this matter now scheduled for September 7, 1967, is rescheduled to commence at 10:30 a.m., October 23, 1967.

Issued: September 6, 1967.

Released: September 7, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10635; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket No. 17401, etc.; FCC 67M-1470]

**MIAMI BROADCASTING CORP.  
ET AL.****Order Continuing Hearing**

In re applications of Miami Broadcasting Corp., Miami, Fla., Docket No. 17401, File No. BPH-4910; Mission East Co., Miami, Fla., Docket No. 17403, File No. BPH-5481; Edward Winton, Myer Feldman, David Ginsburg, and Norma Fine, doing business as WOCN Broadcasters, Miami, Fla., Docket No. 17404, File No. BPH-5661; for construction permits.

On the joint motion of the applicants in the above-entitled proceeding, filed August 30, 1967, the Commission's Broadcast Bureau (the only other party) having consented: *It is ordered*, That the said motion is hereby granted and that the hearing is rescheduled to convene at 10 a.m. on Monday, October 9, 1967, at the Commission's offices, Washington, D.C., in lieu of September 22; and

*It is ordered further*, That September 22, 1967, is established as the new deadline for exchanging exhibits and September 27 for notification of witnesses.

Issued: September 5, 1967.

Released: September 5, 1967.

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

[F.R. Doc. 67-10636; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket Nos. 17656-17658; FCC 67M-1478]

**MONTANA NETWORK ET AL.****Order Regarding Procedural Dates**

In re applications of The Montana Network, Lewistown, Mont., Docket No. 17656, File No. BPTTV-2738; Crain-Snyder Television, Inc., Lewistown, Mont., Docket No. 17657, File No. BPTTV-2742; Snyder & Associates, Inc., Lewistown, Mont., Docket No. 17658, File No. BPTTV-2807; for construction permits for new VHF television broadcast translator stations.

As a result of agreements reached on the record of a prehearing conference held in the above matter on this date: *It is ordered*, That:

- (1) Exhibits are to be exchanged on or before October 20, 1967;
- (2) Notification of witnesses to be made by October 30, 1967; and
- (3) The hearing is rescheduled to commence on November 7, 1967, instead of September 19, 1967.

Issued: September 1, 1967.

Released: September 6, 1967.

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

[F.R. Doc. 67-10637; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket Nos. 17591-17593; FCC 67M-1480]

**QUEST FOR LIFE, INC., ET AL.****Order After Prehearing Conference**

In re applications of Quest for Life, Inc., Rockford, Ill., Docket No. 17591, File No. BPH-5601; Greater Rockford Sound, Inc., Rockford, Ill., Docket No. 17592, File No. BPH-5647; Belvidere Broadcasting Co., Inc., Belvidere, Ill., Docket No. 17593, File No. BPH-5755; for construction permits.

Based on the agreements reached during prehearing conference in the above proceeding held today:

*It is ordered*, That the hearing is hereby rescheduled and will convene on Monday, December 4, 1967, at 10 a.m., at the Commissioner's offices, Washington, D.C.; and

*It is ordered further*, That direct case exhibits in affidavit form, as specified, are to be exchanged among counsel, with one copy of each provided the Examiner, by the close of business, Wednesday, November 15, and that notification of the names of witnesses is to be accomplished informally by not later than November 27.

Issued: September 5, 1967.

Released: September 6, 1967.

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

[F.R. Doc. 67-10638; Filed, Sept. 11, 1967;  
8:49 a.m.]

[Docket Nos. 17695, 17696; FCC 67-1002]

**JOHN C. ROACH AND GORDON  
COUNTY BROADCASTING CO.  
(WCGA)****Memorandum Opinion and Order  
Designating Applications for Con-  
solidated Hearing on Stated Issues**

In re applications of John C. Roach, Calhoun, Ga., Docket No. 17695, File No. BP-16665; Requests: 900 kc, 1 kw, Day, Class II; for construction permit; Gordon County Broadcasting Co. (WCGA), Calhoun, Ga., Docket No. 17696, File No. BR-2831; for renewal of broadcast license.

1. The Commission has before it for consideration the above-captioned and described applications;<sup>1</sup> an amendment filed by John C. Roach ("Roach") on December 15, 1965; and related correspondence.

2. The Commission finds that the two proposals are mutually exclusive in that

<sup>1</sup> The Gordon County Broadcasting Co. renewal application was filed on Aug. 22, 1965, but Commission action on it has been deferred to date for reasons generally indicated in the body of this Memorandum Opinion and Order. The Roach application, for substantially the same facilities as those utilized by Gordon County Broadcasting Co., was tendered on Mar. 25, 1965, and accepted for filing by Commission action on May 5, 1965 (Public Notice, FCC 65-372).

their simultaneous operation would result in mutually destructive interference; that they must, therefore, be designated for hearing in a consolidated proceeding; and that, except as indicated by the issues set forth below, each of the applicants is qualified to construct and/or operate as proposed.

3. The Roach application contains no indication of any efforts by the applicant to ascertain the program service needs and interests of the area to be served. An appropriate issue will therefore be specified herein regarding the Roach program proposal.

4. For the following reasons, an issue will also be specified as to Roach's financial qualifications to construct and operate as proposed: Roach estimates that this initial construction and first-year operating costs will total \$38,725.<sup>2</sup> His balance sheet, as of February 28, 1965, indicates that he has \$2,400 in liquid assets (cash and U.S. Bonds). Apart from that, Roach relies upon a \$5,000 loan commitment, dated November 14, 1964, by the Calhoun National Bank, of Calhoun, Ga., and an updated \$6,000 loan commitment by his mother. These figures total \$13,400—\$25,325 short of the amount needed to cover his estimated initial and first-year expenses. Moreover, a question exists as to the present availability of the contemplated \$5,000 loan from the Calhoun National Bank, in view of the age of the commitment letter from that institution. Although Roach estimates that his station would receive \$48,000 in revenues during the first year of operation, he has submitted no specific evidence to support that estimate.

5. A financial issue is also required with respect to the Gordon County Broadcasting Co. ("WCGA") renewal application by virtue of the facts that the most recent balance sheet filed by WCGA is a statement of its financial condition as of May 31, 1963—4 years ago—and that WCGA has failed to submit financial reports (FCC Form 324) for 1964, 1965 and 1966, as required by § 1.611 of our rules despite persistent Commission efforts to obtain them.

6. Letters were sent by the Commission to WCGA, requesting annual financial reports, in January 1965, on June 25 and July 9, 1965, in January 1966, and on April 22 and May 26, 1966. The July 1965 and May 1966 Commission letters were sent by "certified mail, return receipt requested." No reply to any of these letters has yet been received. It is further noted that WCGA's last license renewal was for a 1-year period only, and that the letter to WCGA adopted by the Commission on that occasion (Sept. 12, 1962) stated that the facts before it had established "a willful failure" by WCGA "to comply with the Commission's rules and to answer Commission correspondence \* \* \*".

<sup>2</sup> I.e., \$2,725 in initial construction costs (\$2,225 down payment for transmitter, antenna system, monitors, and studio technical equipment, plus \$500 for studio furnishings and miscellaneous), plus \$36,000 estimated cost of first-year operation.

7. Since that date, the Commission has also found that WCGA participated in the filing of an application, by Blue Ridge Mountain Broadcasting Co., Inc., for an improper purpose: To obstruct the grant of another application which would have established a competing station in Calhoun.<sup>7</sup> That decision was subsequently affirmed by the U.S. Court of Appeals, D.C. Circuit.<sup>8</sup>

8. For the reasons indicated in paragraphs 6 and 7, an issue will be included to determine whether WCGA possesses the requisite qualifications of a broadcast licensee.

9. Finally, a programing issue will be specified regarding the WCGA application in view of the fact that WCGA has failed to indicate in any way the efforts it has made to ascertain the needs and interests of the area to be served.

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

1. To determine, with respect to the application of John C. Roach:

(a) The present availability to John C. Roach of a \$5,000 loan from the Calhoun National Bank, of Calhoun, Ga., in accordance with the terms set forth in the bank's loan commitment letter of November 14, 1964.

(b) The basis for Roach's estimate of revenues in the proposed station's first year of operation, whether such estimate is reasonable, and the extent to which revenues may be relied upon to yield necessary funds for the operation of the proposed station during the first year; and

(c) In light of the evidence adduced pursuant to 1 (a) and (b), whether the applicant is financially qualified.

2. To determine the efforts made by the respective applicants to ascertain the programing needs and interests of the area to be served and the manner in which they propose to meet such needs and interests.

3. To determine whether Gordon County Broadcasting Co. is financially qualified to continue operation of Station WCGA.

4. To determine the facts and circumstances surrounding Gordon County Broadcasting Co.'s repeated failure to file form 324 as required by Commission rules and failure to respond to official Commission communications.

5. To determine in light of the evidence adduced under issues 3 and 4 and, in light of the Commission's findings in the matter of Blue Ridge Mountain Broadcasting Co., Inc. (37 FCC 791, 2 RR 2d 511), whether Gordon County Broadcasting Co. possesses the requisite

<sup>7</sup> Blue Ridge Mountain Broadcasting Co., Inc., 37 FCC 791, 2 RR 2d 511 (Rev. Bd. 1964); application for review denied, FCC 65-5 (1965).

<sup>8</sup> Gordon County Broadcasting Co. v. Federal Communications Commission, No. 19165, U.S. App. D.C., Sept. 14, 1966 (6 RR 2d 2044).

qualifications to be a broadcast licensee of this Commission.

6. To determine which of the proposals would better serve the public interest.

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

It is ordered, That Gordon County Broadcasting Co. submit forms 324 (Annual Financial Report) for the years 1964, 1965, and 1966 within 15 days of the date of the release of this order; should Gordon County Broadcasting Co. fail to file these documents within the specified time, the Hearing Examiner charged with conducting this hearing is hereby authorized to dismiss Gordon County Broadcasting Co.'s pending renewal application pursuant to § 1.568(b) of the Commission's rules, thereby terminating the licensee's authority to broadcast or operate Station WCGA.

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

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

Adopted: August 30, 1967.

Released: September 7, 1967.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>9</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 67-10639; Filed, Sept. 11, 1967;  
8:50 a.m.]

[Docket Nos. 17680-17682; FCC 67-988]

### STATE OF OREGON ET AL.

#### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of State of Oregon acting by and through the State Board of Higher Education, Medford, Oreg., Docket No. 17680, File No. BPCT-3814; Liberty Television, a joint venture comprised of Liberty Television, Inc., and Siskiyou Broadcasters, Inc., Medford, Oreg., Docket No. 17681, File No. BPCT-3858; Medford Printing Co., Medford, Oreg., Docket No. 17682, File No. BPCT-3859; for construction permit for new television broadcast station.

<sup>9</sup> Commissioner Wadsworth absent.

1. The Commission has before it for consideration the above-captioned applications, each requesting a construction permit for a new television broadcast station to operate on Channel 8, Medford, Oreg. The above-captioned applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. The following matters are to be considered in connection with the issues specified below:

a. Based on information contained in the application of the Board of Education, cash in excess of \$116,000 will be required for the construction and operation of the proposed station for 1 year. The applicant, however, appears to have made no provision for the costs of legal and engineering fees, miscellaneous costs or contingencies. To meet the cash requirements, the applicant relies upon \$172,000 from appropriations "to be made" by the State at a future date. Since an appropriation to be made at some future date by the State Legislature cannot be considered to be funds definitely available, it cannot be considered to be a present source of funds to the applicant. Consequently, it cannot be determined that the State Board of Higher Education will have sufficient funds available to undertake this project.

b. The Board of Education proposes to devote 38.4 percent of total broadcast time to instructional programing (in-school and in-service). Because of the significant difference in the programing proposals of the commercial applicants and of the noncommercial educational applicant, evidence will be admissible under the standard comparative issue as to the programing proposals of the commercial applicants with respect to that of the noncommercial educational applicant, but not with respect to the two commercial proposals vis-a-vis one another.

c. Based on information contained in the application of Liberty Television, cash of approximately \$703,000 will be required for the construction and operation of the proposed station for 1 year.<sup>1</sup> To meet these cash requirements, the applicant relies upon capital contributions of \$250,000 from each of the two joint venturers,<sup>2</sup> Liberty Television, Inc., and Siskiyou Broadcasters, Inc., totaling \$500,000, and a loan of \$500,000, if needed, from the Oregon Bank. The balance sheet submitted by one of the joint venturers, Liberty Television, Inc., does not show that it has current and liquid assets (as defined in sec. III, par. 4(d),

<sup>1</sup> Consisting of down payment on equipment (\$147,847), principal payments on equipment (\$128,627), land (\$2,500), buildings (\$80,000), miscellaneous expenses (\$68,000), interest payments on bank loan, 6 percent assumed (\$30,000), and costs of operation (\$245,381), totaling \$702,355.

<sup>2</sup> The joint venture agreement provides that Liberty Television, Inc., will furnish the necessary funds in the event that Siskiyou is unable to furnish its portion, but, as set forth above, it does not appear that Liberty Television, Inc., has sufficient funds to meet its own commitment.

FCC Form 301) in excess of current liabilities in sufficient amount to meet a commitment of \$250,000; the other joint venturer, Siskiyou Broadcasters, Inc., has not filed a balance sheet. Siskiyou has filed stock subscriptions which are not supported by balance sheets or financial statements showing the ability of the subscribers to meet their commitments. It appears, therefore, that the applicant may have no more than the \$500,000 bank loan available to it to meet a \$703,000 commitment. It cannot be determined that the applicant is financially qualified.

d. Based on information contained in the application of Liberty Television and the current authorization of its commonly owned Television Broadcast Station KEZI-TV, Channel 9, Eugene, Oreg., it appears that, operating as proposed, there would be overlap of the proposed Grade B contour with the predicted Grade B contour of Station KESI-TV, both of which are computed in accordance with the regular prediction method prescribed by § 73.684 of the Commission's rules. The applicant contends that there would be no overlap because of terrain factors. To support this contention, the applicant has submitted a supplemental showing, pursuant to § 73.684(f) of the Commission's rules, regarding the extent of Station KEZI-TV's Grade B contour in pertinent directions toward the proposed Grade B contour. In this showing, because of line-of-sight limitations at points along pertinent radials between the respective stations and the area of interest, the applicant has employed a method of calculating field strengths behind shadowing obstacles taken from certain specified technical notes published by the National Bureau of Standards. The Commission has made no determination as to whether the conclusions which the applicant has drawn from its supplemental showing are valid since a hearing will be required in any event. An issue will be specified, therefore, to determine whether there would be overlap of the Grade B contours of commonly owned stations in contravention of § 73.636 of the Commission's rules.

3. The transmitter proposed by Liberty Television has not been type-accepted by the Commission. In the event of a grant of that application, therefore, the grant shall be subject to the condition that, prior to licensing, the permittee submit acceptable data for type-acceptance in accordance with the requirements of § 73.640 of the Commission's rules.

4. There appears to be a significant disparity in the proposed Grade B contours of the applications. In accordance with the Commission's policy, evidence with respect to which of the proposals would represent the most efficient use of the frequency may be adduced under the comparative issue.<sup>2</sup>

<sup>2</sup> Harriscope, Inc., FCC 65-1165, 2 FCC 2d 223.

5. Except as indicated by the issues set forth below, each of the applicants appears to be qualified to construct, own, and operate the proposed new television broadcast station. The Commission, however, is unable to make the statutory finding that grant of the applications would serve the public interest, convenience, and necessity and is of the opinion that they must be designated for hearing in a consolidated proceeding upon the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of State of Oregon acting by and through the State Board of Higher Education, Liberty Television, a joint venture comprised of Liberty Television, Inc., and Siskiyou Broadcasters, Inc., and Medford Printing Co., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order upon the following issues:

1. In connection with the application of the Board of Education, to determine:

a. The costs of construction and operation of the proposed station for 1 year, including provisions for professional fees, miscellaneous costs and contingencies.

b. How the applicant will obtain sufficient funds to meet its costs of construction and operation as determined pursuant to the foregoing issue.

c. Whether, in the light of the evidence adduced pursuant to the foregoing issues, it is reasonably likely that the State Board of Higher Education will have sufficient funds available to complete this project.

2. In connection with the application of Liberty Television, to determine:

a. Whether Liberty Television, Inc., has current and liquid assets (as defined in sec. III, par. 4(d), FCC Form 301) in excess of current liabilities and in excess of any funds which may be required in connection with its participation as a joint venturer in the application (BPCT-3672) of Northwest Television & Broadcasting Co., now in comparative hearing in Docket Nos. 16924-16926 for a construction permit for a new television broadcast station to operate on Channel 35, Yakima, Wash., to enable it to provide approximately \$203,000 to the applicant.

b. Whether, in light of the foregoing, the applicant is financially qualified.

c. Whether a grant of the application would be consistent with § 73.636(a)(1) of the Commission's rules.

3. To determine which of the proposals would best serve the public interest, convenience and necessity.

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

It is further ordered, That, in the event of a grant of the application of Liberty Television, such application shall be granted subject to the following condition: That prior to licensing, the permit-

tee shall submit acceptable data for type-acceptance of its proposed transmitter in accordance with the requirements of § 73.640 of the Commission's rules.

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

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

Adopted: August 24, 1967.

Released: September 6, 1967.

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

[F.R. Doc. 67-10640; Filed, Sept. 11, 1967;  
8:50 a.m.]

[Docket Nos. 17680-17682; FCC 67M-1485]

#### STATE OF OREGON ET AL. Order Scheduling Hearing

In re applications of State of Oregon acting by and through the State Board of Higher Education, Medford, Oreg., Docket No. 17680, File No. BPTC-3814; Liberty Television, a joint venture comprised of Liberty Television, Inc., and Siskiyou Broadcasters, Inc., Medford, Oreg., Docket No. 17681, File No. BPCT-3858; Medford Printing Co., Medford, Oreg., Docket No. 17682, File No. BPCT-3859; for construction permit for new television broadcast station (channel 8):

It is ordered, That Chester F. Naumowicz, Jr., shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on December 4, 1967, at 10 a.m., and that a prehearing conference shall be held on September 26, 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 31, 1967.

Released: September 7, 1967.

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

[F.R. Doc. 67-10641; Filed, Sept. 11, 1967;  
8:50 a.m.]

\* Commissioner Cox absent.

## DEPARTMENT OF STATE

### Agency for International Development DIRECTOR, GOVERNMENT PROPERTY RESOURCES DIVISION, OFFICE OF MATERIAL RESOURCES

#### Revocation of Delegation of Authority

Pursuant to the authority delegated to me by paragraph 1(b) of Delegation of Authority No. 67 from the Administrator of A.I.D. (32 F.R. 3781) relating to contracting functions, I hereby revoke the Delegation of Authority to the Director, Government Property Resources Division, Office of Material Resources from the Assistant Administrator, Office of Material Resources, dated September 11, 1964, which provided authority to sign contracts and other necessary ancillary or implementing documents and to otherwise perform the functions of a contracting officer for programs authorized under section 608 of the Foreign Assistant Act of 1961, as amended. In addition, any delegations of authority from the Assistant Administrator, Office of Material Resources, or redelegations of such authority to enter into contracts, or to perform the functions of a contracting officer, for rehabilitation of excess property are hereby revoked.

This revocation of authority is effective immediately.

WILLIAM O. HALL,  
Assistant Administrator  
for Administration.

SEPTEMBER 1, 1967.

[F.R. Doc. 67-10608; Filed, Sept. 11, 1967;  
8:47 a.m.]

## FEDERAL MARITIME COMMISSION

### SCANDANAVIA BALTIC/U.S. NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE

#### Notice of Agreement Filed for Approval

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as

indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. M. J. Kelly, Assistant Vice President,  
Moore-McCormack Lines, Inc., 2 Broadway,  
New York, N.Y. 10004.

Agreement No. 9364-1, between the member lines of the Scandinavia Baltic/U.S. North Atlantic Westbound Freight Conference, modifies Article (1) of the basic agreement to provide that any Conference member which is also a stockholder of Atlantic Container Line, Ltd., a corporation organized under Agreement No. 9498, as amended, may (1) charter to Wallenius Line, on any terms which may be agreed upon between them, space in any vessel operated under authority of such Agreement for the carriage only of set-up, packed, or unpacked automobiles, trucks, and house trailers, and (2) shall be entitled to represent Wallenius Line solely in respect to the aforesaid commodities and to permit its agents, operators, or managers to do so.

Dated: September 6, 1967.

By order of the Federal Maritime  
Commission.

FRANCIS C. HURNEY,  
Assistant Secretary.

[F.R. Doc. 67-10584; Filed, Sept. 11, 1967;  
8:45 a.m.]

## CIVIL SERVICE COMMISSION

### RESOURCES POLICY ANALYST (ECONOMIST), PUBLIC LAND LAW REVIEW COMMISSION

#### Notice of Manpower Shortage

Under provisions of 5 U.S.C. 5723, the Civil Service Commission has found, effective August 31, 1967, that there is a manpower shortage for the position of Resources Policy Analyst (Economist) Public Land Law Review Commission, Washington, D.C.

An appointee to this position may be paid for the expenses of travel and transportation to his first duty station.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 67-10582; Filed, Sept. 11, 1967;  
8:45 a.m.]

## NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

### INFORMAL CONFERENCES, HEARINGS, DEPOSITIONS, AFFIDAVITS UNDER OATH, AND PRESERVATION OF EVIDENCE

#### Rules for Conduct

Pursuant to Executive Order No. 11365, dated July 29, 1967, and Public Law

90-61, 81 Stat. 164, the National Advisory Commission on Civil Disorders prescribes the following rules for the conduct of informal conferences and hearings, the questioning of witnesses under oath in hearings before the Commission and in depositions taken by its staff, the receipt of affidavits, and the preservation of evidence received by the Commission.

#### PART I—INFORMAL CONFERENCES AND HEARINGS

SECTION 101. *Informal conferences.* To obtain information and expressions of views relevant and material to the matters which the Commission is directed to investigate under section 2 of Executive Order No. 11365, the Commission will, to the maximum extent practicable, conduct oral and informal conferences with persons having such information and views. Such conferences shall be conducted as follows:

(a) Any member of the Commission (hereinafter referred to as a "Commissioner"), any member of its staff (hereinafter referred to as a "staff member"), or any other representative designated by the Commission for that purpose may conduct such conferences.

(b) Any person with whom such a conference is held may be accompanied by counsel of his own choosing, who may advise the witness of his Constitutional and legal rights and make brief objections to questions. At the conclusion of the witness' testimony, counsel may clarify such testimony by questioning the witness at reasonable length. Any such questioning shall be relevant and material to the subject of the conference or testimony.

(c) No stenographic transcript will be made of such a conference, unless otherwise directed by the Commissioner, staff member, or other representative of the Commission. In the event that a transcript is made, such transcript shall be available for inspection by the witness and his counsel, and copies may be purchased by them from the official reporter at the regularly prescribed rates. The Commissioner, staff member, or other representative of the Commission shall make such written summary thereof as he deems advisable to preserve for the use of the Commission the information and views expressed at the conference.

(d) Nothing in these rules shall affect the Federal Bureau of Investigation in performing its functions under section 3 of Executive Order No. 11365.

Sec. 102. *Informal hearings.* To obtain information and expressions of views relevant and material to the matters which the Commission is directed to investigate under section 2 of Executive Order No. 11365, the Commission may also hold informal hearings at which it will hear and consult with Federal, State, and local officials and officers and authorized representatives of nongovernmental organizations and groups and other persons having such information and views.

(a) Such hearings will be held before one or more Commissioners.

(b) To provide persons with whom such hearings are held the opportunity to furnish information and express their views freely and frankly, such hearings shall be conducted in private, unless otherwise directed by the Commissioner.

(c) The provisions of subsections (b) and (c) of section 101 shall also apply to hearings under this section.

#### PART II—HEARINGS, DEPOSITIONS, AND AFFIDAVITS UNDER OATH

The Commission may supplement the information obtained by informal proceedings under Part I by receiving evidence under oath pursuant to Public Law 90-61 and the rules set forth in this Part II.

SEC. 201. *General provisions applicable to hearings and depositions under oath.* (a) Any Commissioner, any staff member, or any person designated by the Commission for such purpose may administer oaths and affirmations pursuant to Public Law 90-61.

(b) Subpoenas pursuant to subsection (b) of Public Law 90-61 may be issued by any Commissioner, subject to such limitations as the Commission may from time to time determine. Process and papers of the Commission issued under subsection (d) of Public Law 90-61 shall be returnable no less than 3 days from the date on which such process or papers are served, and shall state the time, place, and general subject matters of the hearing or deposition to which they relate. Any period of notice specified in this section 201(b) shall be 5 days in case of service or dispatch by mail.

(c) The provisions on service or dispatch of a subpoena or other process or papers shall be deemed to have been waived by a witness who appears and does not object at the commencement of his testimony to any failure to comply therewith.

(d) At the opening of any hearing under this Part II, or prior to taking any deposition, a Commissioner or staff member shall read into the record a statement setting forth the nature of the Commission's inquiry and the purpose for which the witness has been asked to testify or produce evidence. A copy of this statement shall be given to each witness prior to his testifying.

(e) A witness shall have the right to be accompanied by counsel of his own choosing, who may advise the witness of his Constitutional and legal rights and make brief objections to questions. At the conclusion of the witness' testimony, counsel may clarify such testimony by questioning the witness at reasonable length. Any such questioning shall be relevant and material to the subject of the hearing or testimony.

(f) A stenographic verbatim transcript shall be made of all testimony under oath at a hearing or deposition. Such transcript shall be available for inspection by the witness and his counsel, and copies may be purchased by them from

the official reporter at the regularly prescribed rates.

SEC. 202. *Hearings under oath before the Commission.* (a) A Commissioner shall be present at all hearings at which testimony is taken under oath. If more than one Commissioner is present, the Chairman or Vice Chairman of the Commission shall preside, or designate the Commissioner who shall preside at the hearing.

(b) Rulings on objections or other procedural questions shall be made by the Commissioner presiding.

(c) Testimony shall be received in public or executive session, as the Commission may determine.

(d) If a witness objects to testifying or to producing evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to penalty or forfeiture, the Commissioner presiding shall, after such consideration as he deems advisable and subject to such limitations as the Commission may from time to time determine, rule on the question whether the witness is to be compelled to testify or produce evidence on the matter under inquiry and thereby be accorded the immunity from prosecution provided in subsection (e) of Public Law 90-61.

(e) Every witness who testifies at a hearing shall have the right to make an oral statement of reasonable length, and to file a sworn statement which shall be made part of the transcript of the hearing, but such oral or written statement shall be relevant and material to the subject of the hearing.

(f) Copies of the stenographic transcript of hearings before the Commission in public session shall be available to the public for purchase from the official reporter at the regularly prescribed rates.

SEC. 203. *Depositions under oath taken by a staff member or Commissioner.* (a) Any Commissioner or staff member is hereby authorized to examine witnesses and receive evidence by taking sworn depositions on any matter under investigation by the Commission. Depositions may be taken only from witnesses designated in writing to give evidence in this manner by the Chairman, Vice Chairman, Executive Director, or General Counsel of the Commission.

(b) Depositions shall be taken in private, unless otherwise authorized by the Chairman, Vice Chairman, Executive Director, or General Counsel of the Commission.

(c) Any witness who refuses to testify or produce evidence during the taking of a deposition shall state the grounds for his refusal. At the conclusion of any deposition in which the witness has refused to answer a question or produce evidence the transcript shall be submitted to the Executive Director or the General Counsel of the Commission for review and consideration of the question

whether the witness should be called to testify before the Commission.

SEC. 204. *Sworn affidavits.* (a) Any Commissioner or staff member is hereby authorized to obtain sworn affidavits on any matter under investigation by the Commission, and to administer an oath or affirmation to the affiant. Affidavits may be received only from persons designated in writing to give evidence in this manner by the Chairman, Vice Chairman, Executive Director, or the General Counsel of the Commission.

(b) Copies of the affidavit shall be provided the affiant and his counsel.

#### PART III—PRESERVATION OF EVIDENCE

SEC. 301. *Deposit in National Archives.* Within 90 days after the Commission submits its final report and recommendations, all material received by the Commission under Parts I and II hereof shall be deposited in the National Archives of the United States. All material thus deposited shall be available for public inspection under the customary procedures of the Archives, except that the Commission may direct that access to certain items be limited in accordance with the provisions of section 552 of title 5, United States Code, as amended by Public Law 90-23, 81 Stat. 54.

#### PART IV—EFFECTIVE DATE AND AMENDMENTS

SEC. 401. *Effective date of rules.* These rules shall become effective upon publication in the FEDERAL REGISTER.

SEC. 402. *Amendments.* These rules may be amended, modified, or revoked by action of the Commission. Any such amendment, modification or revocation shall become effective upon publication in the FEDERAL REGISTER.

Dated: September 8, 1967.

By direction of the Commission.

DAVID GINSBURG,  
Executive Director.

[F.R. Doc. 67-10721; Filed, Sept. 11, 1967;  
8:52 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. RI68-90, etc.]

### ATLANTIC RICHFIELD CO. ET AL.

Order Accepting Contract Amendments, Providing for Hearings on and Suspension of Proposed Changes in Rates<sup>1</sup>

AUGUST 31, 1967.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until--	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
E108-90	Atlantic Richfield Co., Post Office Box 2619, Dallas, Tex. 75221.	56	15	Humble Gas Transmission Co. (Vixen Field, Caldwell Parish, La.) (North Louisiana).	\$8,599	8-1-67	10-1-67	2-1-68	\$ 15.75	\$ 17.0	
	do	127	28	Cities Service Gas Co. (Hardtner, Blunk, and Sharon Fields, Barber County, Kans.).	16,472	8-1-67	10-1-67	(Accepted) 2-1-68	\$ 12.0	\$ 14.0	
	do	163	9	Cities Service Gas Co. (Northeast Norman Field, Cleveland County, Okla.) (Oklahoma "Other" Area).	6,712	8-1-67	10-1-67	2-1-68	\$ 11.0	\$ 12.0	
	do	170	26	Colorado Interstate Gas Co. (Mocane Field, Beaver County, Okla.) (Panhandle Area).	2,399	8-1-67	10-1-67	(Accepted) 2-1-68	\$ 16.785	\$ 19.038	
	do	170	7								
	do	172	10	Natural Gas Pipeline Co. of America (Guymon-Hugoton Field, Beaver County, Okla.) (Panhandle Area).	532	8-1-67	10-1-67	2-1-68	\$ 16.2	\$ 18.215	
	do	174	3	Northern Natural Gas Co. (Northwest Camp Creek Field, Beaver County, Okla.) (Panhandle Area).	2,417	8-1-67	10-1-67	2-1-68	\$ 16.395	\$ 18.391	
	do	175	6	Northern Natural Gas Co. (McKinney Gas Field, Clark and Meade Counties, Kans.).	12,496	8-1-67	10-1-67	2-1-68	\$ 14.0	\$ 16.0	
	do	203	10	Michigan Wisconsin Pipe Line Co. (Northwest Doby Springs (Leverne Area) Field, Beaver and Harper Counties, Okla.) (Panhandle Area).	4,574	8-1-67	10-1-67	2-1-68	\$ 17.800	\$ 20.000	
	do	206	8	Kansas-Nebraska Natural Gas Co., Inc. (Guymon-Hugoton Field, Texas County, Okla.) (Panhandle Area).	1,435	8-1-67	10-1-67	2-1-68	\$ 16.40	\$ 18.01	
	do	213	2	Cities Service Gas Co. (Northeast Woodfield, Woodward County, Okla.) (Panhandle Area).	358	8-1-67	10-1-67	2-1-68	\$ 16.0	\$ 17.0	
	do	223	5	Natural Gas Pipeline Co. of America (Northeast Dower Field, Beaver County, Okla.) (Panhandle Area).	721	8-1-67	10-1-67	2-1-68	\$ 17.0	\$ 18.215	
	do	225	23	Michigan Wisconsin Pipe Line Co. (Woodward Area, Woodward County, Okla.) (Panhandle Area) and Major and Dewey Counties, Okla.) (Oklahoma "Other" Area).	11,854	8-1-67	10-1-67	2-1-68	\$ 17.440	\$ 19.440	
	do	225	14		17,374	8-1-67	10-1-67	2-1-68	\$ 15.960	\$ 18.800	
	do	228	3	Arkansas Louisiana Gas Co. (Vixen Field, Caldwell Parish, La.) (North Louisiana).	14,849	8-1-67	10-1-67	2-1-68	\$ 18.5	\$ 19.5	
	do	234	5	Northern Natural Gas Co. (North Harper Ranch and Sitka Fields, Clark County, Kans.).	4,103	8-1-67	10-1-67	2-1-68	\$ 16.0	\$ 17.0	
	do	263	2	Panhandle Eastern Pipe Line Co. (Mocane-Leverne (Knowles Area) Field, Beaver County, Okla.) (Panhandle Area).	1,048	8-1-67	10-1-67	2-1-68	17.0	\$ 18.0	
	do	264	9	Panhandle Eastern Pipe Line Co. (Avard and Lenora Areas, Woods and Dewey Counties, Okla.) (Oklahoma "Other" Area).	18,132	8-1-67	10-1-67	2-1-68	\$ 15.780	\$ 18.831	
	do	274	3	Panhandle Eastern Pipe Line Co. (Northeast Trail Field, Dewey County, Okla.) (Oklahoma "Other" Area).	4,723	8-1-67	10-1-67	2-1-68	\$ 17.085	\$ 20.008	
	do	3	10	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Bayou Sale Field, St. Mary Parish, La.) (South Louisiana).	119,989	8-1-67	10-1-67	2-1-68	\$ 17.5	\$ 18.5	
	do	5	8	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Mustang Island Field, Nueces County, Tex.) (R.R. District No. 4).	85,966	8-1-67	10-1-67	2-1-68	\$ 14.6	\$ 15.6	
	do	44	14	United Gas Pipe Line Co. (Burnell and North Pettus Fields, Goliad, Bee, and Karnes Counties, Tex.) (R.R. District No. 2).	2,835	8-1-67	10-1-67	(Accepted) 2-1-68	\$ 14.0	\$ 15.4850	
	do	44	15								
	do	55	11	Texas Gas Transmission Corp. (North Teptate Field, Acadia Parish, La.) (South Louisiana).	40,924	8-1-67	10-1-67	2-1-68	\$ 15.75	\$ 16.75	
	do	57	12	Texas Gas Transmission Corp. (Lewisburg and North Lewisburg Fields, Acadia and St. Landry Parishes, La.) (South Louisiana).	25,017	8-1-67	10-1-67	(Accepted) 2-1-68	\$ 15.75	\$ 18.25	
	do	57	13								
	do	201	10	Florida Gas Transmission Co. (East Corpus Christi Bay Field, Nueces County, Tex.) (R.R. District No. 4).	12,873	8-1-67	10-1-67	2-1-68	\$ 15.0	\$ 16.0	

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.	
									Rate in effect	Proposed increased rate		
R168-90	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	211	3	Southern Natural Gas Co. (Saturday Field, Plaquemines and Jefferson Parishes, La.) (South Louisiana).	\$19,368	8-1-67	9-1-67	2-1-68	19.175	21.175		
	do	237	4	Transcontinental Gas Pipe Line Co. (San Miguel Creek Field, McMullen County, Tex.) (R.R. District No. 1).	5,344	8-1-67	9-1-67	2-1-68	14.1890	15.2025		
	do	134	8	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Magnet-Withers Field, Wharton County, Tex.) (R.R. District No. 3).	4,287	8-1-67	9-1-67	2-1-68	14.6	15.6		
	do	150	8	Transcontinental Gas Pipe Line Corp. (Midland Field Acadia Parish, La.) (South Louisiana).	15,982	8-1-67	9-1-67	2-1-68	17.5	19.5		
	do	166	10	United Fuel Gas Co. (Bourg Field, Lafourche and Terrebonne Parishes, La.) (South Louisiana).	358	8-1-67	9-1-67	2-1-68	17.0	21.1		
	do	195	6	Transcontinental Gas Pipe Line Corp. (Live Oak Field, Vermillion Parish, La.) (South Louisiana).	85,732	8-1-67	9-1-67	2-1-68	17.5	19.5		
	do	20	15	Northern Utilities, Inc. (Riverton Dome Field, Fremont County, Wyo.).	6,466	8-1-67	9-1-67	2-1-68	13.0	14.0		
	do	50	16	Kansas-Nebraska Natural Gas Co., Inc. (Riverton Dome Field, Fremont County, Wyo.).	21,880	8-1-67	9-1-67	2-1-68	13.0	14.0		
	do	279	7	Southern Union Gathering Co. (Basin Dakota Field, San Juan County, N. Mex.) (San Juan Basin Area).	3,897	8-1-67	9-1-67	2-1-68	13.0	14.0578		
	R168-91	Atlantic Richfield Co. (Operator) et al.	133	21	Natural Gas Pipeline Co. of America (Guymon-Hugoton and Southeast Camerick Fields, Tex., and Beaver County, Okla.) (Panhandle Area).	33,838	8-1-67	9-1-67	2-1-68	16.0	18.215	
		do	169	4	Cities Service Gas Co. (Southeast Eureka Field, Grant and Alfalfa County, Okla.) (Oklahoma "Other" Area).	6,840	8-1-67	9-1-67	2-1-68	12.0	14.0	
		do	206	7	El Paso Natural Gas Co. (Highland Field, Beaver County, Okla.).	3,498	8-1-67	9-1-67	2-1-68	17.0	19.0	
		do	216	5	Northern Natural Gas Co. (Guymon-Hugoton Field, Beaver County, Okla.) (Panhandle Area).	605	8-1-67	9-1-67	2-1-68	16.5	17.515	
do		219	5	Transwestern Pipeline Co. (Northeast Elmwood and Southeast Griggs Field, Beaver and Cimarron Counties, Okla.) (Panhandle Area).	5,677	8-1-67	9-1-67	2-1-68	17.0	19.0		
do		236	6	Arkansas Louisiana Gas Co. (Burns Field, Grady County, Okla.) (Oklahoma "Other" Area).	808	8-1-67	9-1-67	2-1-68	12.0	13.015		
do		4	10	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Midland-Esterwood Field, Acadia Parish, La.) (South Louisiana).	55,156	8-1-67	9-1-67	(Accepted) 2-1-68	15.75	20.623		
do		214	3	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (New Refugio Field, Refugio County, Tex.) (R.R. District No. 2).	2,466	8-1-67	9-1-67	2-1-68	14.0	15.0		
do		224	8	Natural Gas Pipeline Co. of America (Northeast Thompsonville and Tacquachie Creek Fields, Jim Hogg, Webb, and Zapata Counties, Tex.) (R.R. District No. 4).	235,939	8-1-67	9-1-67	2-1-68	15.0	18.0		
do		260	3	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (South Pass Block 31, Plaquemines Parish (Zone 1) Offshore, Louisiana).	4,657	8-1-67	9-1-67	2-1-68	19.5	20.5		
do		147	9	Transcontinental Gas Pipe Line Co. (Live Oak Field, Vermillion Parish, La.) (South Louisiana).	356,109	8-1-67	9-1-67	2-1-68	17.5	19.5		
do		148	10	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Tahasseo Field, Hidalgo County, Tex.) (R.R. District No. 4).	15,995	8-1-67	9-1-67	2-1-68	14.6	15.6		
do		63	20	United Fuel Gas Co. (Midland-Esterwood Field, Acadia Parish, La.) (South Louisiana).	467,786	8-1-67	9-1-67	2-1-68	19.0	21.1		

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
B168-91	Atlantic Richfield Co. (Operator) et al.	199	11	Florida Gas Transmission Co. (East Aransas Pass Field, Aransas County, Tex.) (R.R. District No. 4).	\$2,254	8-1-67	9-1-67	2-1-68	** 15.0	** 16.0	

\* The stated effective date is the first day after expiration of the statutory notice.

† Renegotiated rate increase.

‡ Pressure base is 15.025 p.s.i.a.

§ Subject to a downward B.T.U. adjustment.

¶ Settlement rate approved by Commission order issued Oct. 8, 1964, in Docket Nos. G-9283 and G-9284, et al. Moratorium on filing rate increases expired Aug. 1, 1967.

\*\* Pressure base is 14.65 p.s.i.a.

†† Periodic rate increase.

‡‡ Includes base rate of 15 cents plus 1.785 cents upward B.T.U. adjustment (1,119 B.T.U. gas) before increase and base rate of 17 cents plus 2.023 cents upward B.T.U. adjustment plus 0.015-cent tax reimbursement after increase.

§§ Base rate subject to upward and downward B.T.U. adjustment.

¶¶ 10-step periodic rate increase.

‡‡‡ Provides for 14-cent price from Dec. 23, 1964, to Dec. 22, 1969, and a 15-cent price from Dec. 23, 1969, to Dec. 22, 1974.

§§§ Contract amendment dated Apr. 14, 1967, deletes indefinite pricing provisions from the contract and provides for 17-cent price from June 1, 1967, to May 31, 1972, with 1 cent periodic escalations every 5 years thereafter.

¶¶¶ 2-step periodic rate increase.

‡‡‡‡ Includes base rate of 15 cents plus 1.395 cents upward B.T.U. adjustment (1,093 B.T.U. gas) before increase and base price of 17 cents plus 1.581 cents upward B.T.U. adjustment plus 0.010-cent tax reimbursement after increase.

§§§§ "Fractured" rate increase. Respondent is contractually due a base rate of 19.5 cents.

‡‡‡‡‡ Includes base rate of 17 cents plus 1.090 cents upward B.T.U. adjustment (1,109 B.T.U. gas) before increase and base price of 19 cents plus 1.090 cents upward B.T.U. adjustment after increase.

¶¶¶¶ 8-step periodic rate increase.

§§§§§ Includes 1 cent paid by buyer for gathering, dehydrating and delivering gas.

¶¶¶¶¶ 6-step periodic rate increase.

‡‡‡‡‡ "Fractured" rate increase. Contractual due rate is 19.5 cents.

§§§§§§ Includes base rate of 17 cents before increase and base rate of 19 cents after increase plus 0.440 cent upward B.T.U. adjustment (1,044 B.T.U. gas). Base rate subject to upward and downward B.T.U. adjustment.

¶¶¶¶¶¶ For gas sold from Woodward County, Okla. (Panhandle Area).

§§§§§§§ For gas sold from Major and Dewey Counties, Okla. (Oklahoma "Other" Area).

‡‡‡‡‡‡ Includes base rate of 15 cents before increase and base rate of 17.9 cents after increase plus 0.960 cent upward B.T.U. adjustment (1,096 B.T.U. gas). Base rate subject to upward and downward B.T.U. adjustment.

¶¶¶¶¶¶¶ With the exception of Supplement

Nos. 2 and 29 to Atlantic's FPC Gas Rate

Schedule Nos. 263 and 264, respectively,

Atlantic Richfield Co. and Atlantic

Richfield Co. (Operator) et al. (both re-

ferred to herein as Atlantic), requests

waiver of the statutory notice to permit

its proposed rate increases to become

effective as of August 1, 1967, the date of

expiration of the moratorium period for

filing rate increases under Atlantic's

companywide settlement approved by the

Commission's order issued October 8,

1964, in Docket Nos. G-9283 et al. Good

cause has not been shown for waiving

the 30-day notice requirement provided

in section 4(d) of the Natural Gas Act

to permit an earlier effective date for

Atlantic's rate filings and such request

is denied.

Atlantic also requests that should the

Commission suspend its proposed rate

filings that the suspension periods be

shortened to 1 day. Good cause has not

been shown for granting Atlantic's re-

quest for limiting to 1 day the suspension

periods with respect to its rate filings and

such request is denied.

The subject rate schedules were in-

cluded in Atlantic's companywide settle-

ment approved by Commission order

issued October 8, 1964, in Docket Nos.

G-9283 et al. The moratorium period

for filing increases in excess of the

applicable area increased rate ceilings, as provided by the settlement order, expired on August 1, 1967.

Concurrently with the filing of its rate increases, Atlantic submitted five contract amendments which provide for proposed rate increases. We believe that it would be in the public interest to accept for filing Atlantic Richfield Co. and Atlantic Richfield Co. (Operator) et al.,<sup>10</sup> contract amendments to become effective on September 1, 1967, the date of expiration of the statutory notice, but not the proposed rates contained therein which are suspended as hereinafter ordered.

Atlantic's proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Atlantic's proposed

<sup>10</sup> Designated as Supplement Nos. 8, 6, 14, and 12 to Atlantic Richfield Co.'s FPC Gas Rate Schedule Nos. 127, 170, 44, and 57, respectively.

<sup>11</sup> Designated as Supplement No. 10 to Atlantic Richfield Co. (Operator) et al., FPC Gas Rate Schedule No. 4.

contract amendments, as set forth above, and for permitting such supplements to become effective on September 1, 1967, the date of expiration of the statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered (except for the supplements set forth in paragraph (1) above).

The Commission orders:

(A) Supplement Nos. 8, 6, 14, and 12 to Atlantic Richfield Co.'s FPC Gas Rate Schedule Nos. 127, 170, 44, and 57, respectively, and Supplement No. 10 to Atlantic Richfield Co. (Operator) et al., FPC Gas Rate Schedule No. 4 are accepted for filing and permitted to become effective on September 1, 1967, the date of expiration of the statutory notice.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and

charges contained in the above-designated supplements (except the supplements set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)), on or before October 11, 1967.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-10489; Filed, Sept. 11, 1967;  
8:45 a.m.]

[Docket No. RI68-100, etc.]

SUN OIL CO. ET AL.

Order Providing for Hearings on and  
Suspension of Proposed Changes  
in Rates<sup>1</sup>

AUGUST 31, 1967.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regula-

<sup>1</sup> Does not consolidate for hearing or disposal of the several matters herein.

tions pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 11, 1967.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until--	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI68-100..	Sun Oil Co., 1608 Walnut St., Philadelphia, Pa. 19103, Attn: Mr. Charles E. Webber.	9	14	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (North Government Wells Field, Duval County, Tex.) (R.R. District No. 4).	\$13,000	8-1-67	9-1-67	2-1-68	** 14.6	*** 15.6	
	do.....	10	9	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Braxton Field, Nueces County, Tex.) (R.R. District No. 4).	310	8-1-67	9-1-67	2-1-68	*** 14.6	*** 15.6	
	do.....	11	7	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Gyp Hill Field, Brooks County, Tex.) (R.R. District No. 4).	5,400	8-1-67	9-1-67	2-1-68	** 14.6	*** 15.6	
	do.....	12	13	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Placodo Field, Victoria County, Tex.) (R.R. District No. 2).	2,930	8-1-67	9-1-67	2-1-68	** 14.6	*** 15.6	
	do.....	13	10	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Chesterville Field, Colorado County, Tex.) (R.R. District No. 3).	70	8-1-67	9-1-67	2-1-68	*** 14.6	*** 15.6	
	do.....	15	8	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Edinburg Field, Hidalgo County, Tex.) (R.R. District No. 4).	600	8-1-67	9-1-67	2-1-68	** 14.6	*** 15.6	
	do.....	17	16	United Gas Pipe Line Co. (Cabela Creek Field, Goliad County, Tex.) (R.R. District No. 2).	19,011	8-1-67	9-1-67	2-1-68	* 14.0	*** 16.7158	
	do.....	33	9	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Heyser Field, Victoria County, Tex.) (R.R. District No. 2).	8,400	8-1-67	9-1-67	2-1-68	** 14.6	*** 15.6	
	do.....	37	22	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Midland, Grand Obenler and Hog Bayou Fields, Acadia and Cameron Parishes, La.) (South Louisiana).	177,500	8-1-67	9-1-67	2-1-68	** 17.75	** 20.625	
	do.....	44	25	Transcontinental Gas Pipe Line Corp. (Egan Field, Acadia Parish, La.) (South Louisiana).	67,373	8-1-67	9-1-67	2-1-68	** 15.75	** 20.625	
	do.....	54	14	United Gas Pipe Line Co. (Burnell and North Pettus Fields, Karnes, Bee, and Goliad Counties, Tex.).	1,272	8-1-67	9-1-67	2-1-68	* 14.0	*** 15.2803	

See footnotes at end of table.

Appendix A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
K104-100	Sun Oil Co., et al.	63	15	United Gas Pipe Line Co. (East Gibson Field, Terrebonne Parish, La.) (South Louisiana).	\$28,080	8-1-67	9-1-67	2-1-68	\$ 15.75	** 20.625	
do	do	67	7	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (San Salvador Field, Hidalgo County, Tex.) (R.R. District No. 4).	800	8-1-67	9-1-67	2-1-68	\$ 14.6	** 15.6	
do	do	71	9	Transcontinental Gas Pipe Line Corp. (Cowpen Creek and Kinder Fields, Beauregard and Allen Parishes, La.) (South Louisiana).	66,000	8-1-67	9-1-67	2-1-68	\$ 17.50	** 20.625	
do	do	72	8	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Crowley Field, Acadia Parish, La.) (South Louisiana).	336	8-1-67	9-1-67	2-1-68	\$ 15.75	** 20.625	
do	do	75	13	United Fuel Gas Co. (Branch Field, Acadia Parish, La.) (South Louisiana).	1,060	8-1-67	9-1-67	2-1-68	\$ 18.30	** 20.625	
do	do	76	16	United Fuel Gas Co. (North Chalkley Field, Calcasieu, and Jefferson Davis Parishes, La.) (South Louisiana).	38,125	8-1-67	9-1-67	2-1-68	\$ 19.10	** 20.625	
do	do	79	5	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (West Sullivan Field, Starr County, Tex.) (R.R. District No. 4).	(9)	8-1-67	9-1-67	2-1-68	\$ 14.6	** 15.6	
do	do	89	10	Trunkline Gas Co. (Creek Field, Beauregard, and Allen Parishes, La.) (South Louisiana).	468	8-1-67	9-1-67	2-1-68	\$ 17.70	** 20.625	
do	do	98	8	United Fuel Gas Co. (Midland-Esterwood Fields, Acadia Parish, La.) (South Louisiana).	3,394	8-1-67	9-1-67	2-1-68	\$ 17.50	** 20.625	
do	do	104	5	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Seeligson Field, Jim Wells County, Tex.) (R.R. District No. 4).	58,000	8-1-67	9-1-67	2-1-68	\$ 14.6	** 15.6	
do	do	115	4	Transcontinental Gas Pipe Line Corp. (Cooke Field, La Salle County, Tex.) (R.R. District No. 1).	190	8-1-67	9-1-67	2-1-68	\$ 14.0	** 14.6	
do	do	119	5	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Lower Mud Lake Field, Cameron Parish, La.) (South Louisiana).	944	8-1-67	9-1-67	2-1-68	\$ 20.0	** 20.625	
do	do	120	5	Trunkline Gas Co. (Sarah-White Field, Galveston County, Tex.) (R.R. District No. 3).	5,880	8-1-67	9-1-67	2-1-68	\$ 18.0	** 17.50	
do	do	121	2	South Texas Natural Gas Gathering Co. (Donna Field, Hidalgo County, Tex.) (R.R. District No. 4).	600	8-1-67	9-1-67	2-1-68	\$ 13.5	** 14.5	
do	do	137	8	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Northwest Chalkley Field, Calcasieu Parish, La.) (South Louisiana).	5,645	8-1-67	9-1-67	2-1-68	\$ 20.0	** 23.55	
do	do	16	10	United Gas Pipe Line Co. (Red Fish Bay Field, Nueces County, Tex.) (R.R. District No. 4).	22,988	8-1-67	9-1-67	2-1-68	\$ 14.0	** 17.1978	
do	do	160	1	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Patterson Field, St. Mary Parish, La.) (South Louisiana).	12,461	8-1-67	9-1-67	2-1-68	\$ 20.0	** 23.55	
do	do	170	10	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (North Sun K-1 Sand Field, Starr County, Tex.) (R.R. District No. 4).	2,700	8-1-67	9-1-67	2-1-68	\$ 14.6	** 15.6	
do	do	171	8	do	1,350	8-1-67	9-1-67	2-1-68	\$ 14.6	** 15.6	
do	do	184	8	United Fuel Gas Co. (South Pecan Lake Field, Cameron Parish, La.) (South Louisiana).	1,011	8-1-67	9-1-67	2-1-68	\$ 18.0	** 20.625	
do	do	69	6	Cities Service Gas Co. (Hardtner Field, Barber County, Kans.).	3,340	8-1-67	9-1-67	2-1-68	\$ 12.0	** 14.0	
do	do	78	4	Panhandle Eastern Pipe Line Co. (Hansford Field, Hansford County, Tex.) (R.R. District No. 10).	35,000	8-1-67	9-1-67	2-1-68	\$ 16.0	** 18.0	
do	do	83	4	Cities Service Gas Co. (Eureka Field, Grant, and Alfalfa Counties, Okla.) (Oklahoma "Other" Area).	4,280	8-1-67	9-1-67	2-1-68	\$ 12.0	** 14.0	

See footnotes at end of table.

## Appendix A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
R168-100	Sun Oil Co., et al.	86	# 4	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	\$94,705	8-1-67	9-1-67	2-1-68	\$ 18.110	\$ 20.125	
	do	102	2	Panhandle Eastern Pipe Line Co. (Moehler Field, Meade County, Kans.).	280	8-1-67	9-1-67	2-1-68	\$ 16.0	\$ 17.0	
	do	106	2	Natural Gas Pipeline Co. of America (Southeast Boyd Field, Beaver County, Okla.) (Panhandle Area).	2,030	8-1-67	9-1-67	2-1-68	\$ 16.0	\$ 17.015	
	do	107	5	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Beaver County, Okla.) (Panhandle Area).	1,163	8-1-67	9-1-67	2-1-68	\$ 16.2	\$ 17.815	
	do	116	8	Natural Gas Pipeline Co. of America (Camrick Field, Beaver County, Okla.) (Panhandle Area).	388	8-1-67	9-1-67	2-1-68	\$ 16.2	\$ 17.815	
	do	130	# 5	Michigan Wisconsin Pipe Line Co. (Laverne Field, Lovedale Pool, Harper County, Okla.) (Panhandle Area).	2,015	8-1-67	9-1-67	2-1-68	\$ 18.230	\$ 20.245	
	do	135	3	Natural Gas Pipeline Co. of America (Southeast Boyd Field, Beaver County, Okla.) (Panhandle Area).	142	8-1-67	9-1-67	2-1-68	\$ 16.0	\$ 17.015	
	do	136	2	Northern Natural Gas Co. (North Harper Ranch Field, Clark County, Kans.).	66	8-1-67	9-1-67	2-1-68	\$ 16.0	\$ 17.0	
	do	155	# 3	Northern Natural Gas Co. (Various Fields, Beaver County, Okla.) (Panhandle Area) and Hutchinson and Lipscomb Counties, Tex. (R.R. District No. 10).	3,300 2,741	8-1-67 8-1-67	9-1-67 9-1-67	2-1-68 2-1-68	\$ 17.0 \$ 17.0	\$ 18.0 \$ 18.015	
	do	199	1	Cities Service Gas Co. (Bishop Area, Roger Mills County, Okla.) (Oklahoma "Other" Area).	900	8-1-67	9-1-67	2-1-68	\$ 15.0	\$ 17.0	
	do	146	10	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	7,798	8-1-67	9-1-67	2-1-68	\$ 17.80	\$ 19.905	
	do	90	5	El Paso Natural Gas Co. (South Blanco-Pictured Cliffs Pool, Rio Arriba County, N. Mex.) (San Juan Basin Area).	533	8-1-67	9-1-67	2-1-68	\$ 13.0	\$ 14.0575	
	do	108	# 4	El Paso Natural Gas Co. (Blet Field, San Juan County, N. Mex.) (San Juan Basin Area).	448	8-1-67	9-1-67	2-1-68	\$ 13.0	\$ 14.0575	
	do	150	8	El Paso Natural Gas Co. (North Jameson (Strawn) Field, Nolan County, Tex.) (R.R. District No. 7-B).	267	8-1-67	9-1-67	2-1-68	\$ 14.80	\$ 16.7225	
R168-101	Sun Oil Co. (Operator) et al.	38	16	United Fuel Gas Co. (Ellis Field, Acadia Parish, La.) (South Louisiana).	195,000	8-1-67	9-1-67	2-1-68	\$ 17.50	\$ 20.625	
	do	84	10	Northern Natural Gas Co. (West Perryton Field, Ochiltree County, Tex.) (R.R. District No. 10).	17,700	8-1-67	9-1-67	2-1-68	\$ 15.5	\$ 17.5	
	do	109	2	Natural Gas Pipeline Co. of America (Southeast Boyd Field, Beaver County, Okla.) (Panhandle Area).	315	8-1-67	9-1-67	-1-68	\$ 16.0	\$ 17.015	
	do	110	9	Natural Gas Pipeline Co. of America (Camrick Field, Beaver County, Okla.) (Panhandle Area).	6,347	8-1-67	9-1-67	2-1-68	\$ 16.6	\$ 18.215	
	do	130	5	Northern Natural Gas Co. (Hansford Field, Hutchinson County, Tex.) (R.R. District No. 10).	1,500	8-1-67	9-1-67	2-1-68	\$ 16.5	\$ 17.5	
	do	140	4	Arkansas Louisiana Gas Co. (Vixon Field, Caldwell Parish, La.) (North Louisiana).	4,380	8-1-67	9-1-67	2-1-68	\$ 18.5	\$ 19.5	
	do	122	# 21	Transwestern Pipeline Co. (Panhandle Area, Various Counties, Okla.) (Panhandle Area and Texas R.R. District No. 10).	85,680 12,105	8-1-67	9-1-67	2-1-67	\$ 17.0 \$ 17.0	\$ 19.0 \$ 19.0175	

<sup>1</sup> The stated effective date is the effective date requested by Respondent.

<sup>2</sup> Periodic rate increase.

<sup>3</sup> Pressure base is 14.65 p.s.i.a.

<sup>4</sup> Subject to a downward R.I.U. adjustment.

<sup>5</sup> Settlement rate approved by Commission order issued Oct. 1, 1964, in Docket No. G-8288 et al., and G-18353. Moratorium on filing rate increases expired Aug. 1, 1967.

<sup>6</sup> Subject to 0.21931 cent per Mcf dehydration charge by buyer for gas which buyer dehydrates.

<sup>7</sup> Redetermined rate increase.

<sup>8</sup> As provided for in letter agreement designated as Supplement No. 15 to subject rate schedule.

<sup>9</sup> "Fractured" rate increase. Seller contractually due 23.242 cents per Mcf redetermined rate as provided by letter on file as Supplement No. 21 to subject rate schedule.

<sup>10</sup> Pressure base is 15.025 p.s.i.a.

<sup>11</sup> "Fractured" rate increase. Contractually due higher rate pursuant to favorability provision contained in subject contract. (Highest rate for this area is 23.55 cents per Mcf.)

<sup>12</sup> As provided for by redetermined letter accepted as Supplement No. 13 to the subject rate schedule.

<sup>13</sup> "Fractured" rate increase. Contractually due 23.75 cents per Mcf (21.70 base plus 2.05 cents tax reimbursement).

<sup>14</sup> "Fractured" rate increase. Contractually due higher rate pursuant to favorability provision contained in subject contract. (Highest rate for this area is 23.55 cents per Mcf.)

<sup>15</sup> "Fractured" rate increase. Contractually due a redetermined rate of 23.242 cents per Mcf pursuant to letter accepted as Supplement No. 7 to subject rate schedule.

<sup>16</sup> "Fractured" rate increase. Contractually due 21.5 cents (20 cents base plus 1.5 cents tax reimbursement).

- 11 "Fractured" rate increase. Contractually due 21.5 cents (20 cents base plus 1.5 cents tax reimbursement).
- 12 No current gas sales shown. No sales shown in 1966 Form 301-B on file.
- 13 "Fractured" rate increase. Contractually due 23.5 cents pursuant to favored-nation provisions contained in Sun's contract.
- 14 "Fractured" rate increase. Contractually due 21.1 cents per Mcf (19.6 cents base plus 1.5 cents tax reimbursement).
- 15 From settlement rate which is not a contractual rate to contractually provided for periodic rate.
- 16 "Fractured" rate increase. Contractually due periodic increase to 24.83333 cents (23.3333 cents base plus 1.5 cents tax reimbursement).
- 17 "Fractured" rate increase. Contractually due 20 cents base rate.
- 18 Settlement rate subject to outcome of H. L. Hawkins et al., Docket Nos. 0-18977 et al. proceeding (Opinion No. 475).
- 19 Redetermined rate as provided by letter dated Sept. 7, 1962, on file as part of Supplement No. 8 to subject rate schedule.
- 20 "Fractured" rate increase. Contractually due 24.675 cents per Mcf base rate plus applicable tax reimbursement.
- 21 "Fractured" rate increase. Contractually due 21.1 cents per Mcf (19.6 cents base plus 1.5 cents tax reimbursement).
- 22 Favored-nation rate increase.
- 23 Two-step periodic rate increase.
- 24 Filing completed Aug. 10, 1967.
- 25 "Fractured" rate increase. Contractually due 19.5 cents per Mcf base rate.
- 26 Includes 0.015 cent tax reimbursement.
- 27 Includes base rate of 17 cents before increase and base rate of 19.015 cents after increase plus 1.11 cents upward B.T.U. adjustment (1,110 B.T.U. gas). Base rate subject to upward and downward B.T.U. adjustment.

- 28 8-step periodic increase.
- 29 Completes filing submitted on Aug. 10, 1967.
- 30 "Fractured" rate increase. Contractually due 19.5 cents per Mcf base rate.
- 31 Includes base rate of 17 cents before increase and base rate of 19 cents after increase plus 1.23 cents upward B.T.U. adjustment (1,123 B.T.U. gas). Base rate subject to upward and downward B.T.U. adjustment.
- 32 Proposed rate for Texas R.R. District No. 10 production.
- 33 Proposed rate for Oklahoma Panhandle production.
- 34 "Fractured" rate increase. Contractually due 19.5 cents base rate.
- 35 Includes base rate of 17 cents before increase and base rate of 19 cents after increase plus 0.89 cent upward B.T.U. adjustment (1,089 B.T.U. gas). Base rate subject to upward and downward B.T.U. adjustment.
- 36 Not applicable to acreage added by Supplement Nos. 17 and 18 for which a rate of 19 cents is in effect subject to refund in Docket No. RP66-430.
- 37 Includes partial reimbursement for the 0.55 percent increase in New Mexico emergency school tax.
- 38 Rate Schedule covers acreage in Mitchell County, Tex., as well, but notice of change covers only the acreage in Nolan County.
- 39 "Fractured" rate increase. Seller contractually due 21.1 cents per Mcf (19.6 cents base plus 1.5 cents tax reimbursement).
- 40 Includes 1.5 cents tax reimbursement.
- 41 "Fractured" rate increase. Contractually due 19.5 cents per Mcf base rate.
- 42 Includes 0.0175 cent tax reimbursement.

All of Sun Oil Co. and Sun Oil Co. (Operator) et al., proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 67-10490; Filed, Sept. 11, 1967; 8:45 a.m.]

[Project No. 2647]

### COLORADO RIVER WATER CONSERVATION DISTRICT

#### Notice of Application for Preliminary Permit for Unconstructed Project; Correction

SEPTEMBER 1, 1967.

The original public notice that application for preliminary permit had been filed under the Federal Power Act (16 U.S.C. 781a-825r) by the Colorado River Water Conservation District (correspondence to: Philip P. Smith, Secretary-Engineer, The Colorado River Water Conservation District, Post Office Box 218, Glenwood Springs, Colo.) for unconstructed Project No. 2647, to be known as the South Fork of White River Project in the Counties of Garfield and Rio Blanco, in the region of Meeker and Glenwood Springs, Colo., incorrectly described the Rio Blanco Development of the proposed project as including a dam structure to be located on South Fork of White River about 290 feet high approximately 5 miles below the confluence of the North Fork of South River. Actually, however, the aforementioned dam structure is proposed to be located on South Fork of White River approximately 22 miles above its confluence with the North Fork of White River. Also, the original notice describes the Blair Mountain Pumped Storage Development forebay reservoir as having about 2,000 acre-feet of capacity at normal maximum water surface elevation of 14,450 feet, whereas the latter figure should be 10,450 feet.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 16, 1967. The application is on file with the Commission for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-10585; Filed, Sept. 11, 1967; 8:45 a.m.]

[Project No. 2649]

### DUKE POWER CO.

#### Notice of Application for License for Constructed Project

SEPTEMBER 1, 1967.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Duke Power Co. (correspondence to: Mr. Carl Horn, Jr., Vice President, Finance and General Counsel, Duke Power Co., Post Office Box 2178, Charlotte, N.C. 28201) for constructed Project No. 2649, known as Boyd's Mill Station Project, located on Reedy River in Laurens County, S.C., near the town of Laurens.

The existing Boyd's Mill Station Project consists of: (1) a concrete and rubble masonry dam 575 feet long and approximately 50 feet high that includes: a 200-foot long overflow spillway section with 2.6-foot high flash boards; an intake section; a section containing two inoperative sand gates; and two abutment sections; (2) a 246-acre reservoir (normal pool elevation at 535.3 feet U.S.G.S.) with no appreciable storage; (3) two 7-foot diameter steel penstocks about 115 feet long; (4) an indoor type rubble masonry powerhouse containing two turbines each rated at 850 hp. and each connected to a generator rated at 480 kw; (5) three step-up transformers each rated at 500 kva; and (6) appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 23, 1967. The application is on file with the Commission for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-10586; Filed, Sept. 11, 1967; 8:45 a.m.]

[Docket Nos. RP68-1, RP66-4]

### FLORIDA GAS TRANSMISSION CO.

#### Order Denying Motion for Reconsideration or Modification, and Providing for Extension of Time

SEPTEMBER 1, 1967.

By order issued July 19, 1967, the Commission instituted proceedings in Docket No. RP68-1, consolidated such proceedings with those in Docket No. RP66-4, prescribed procedure, and provided for hearing. On August 3, 1967, Florida Power Corp. (Florida Power) filed a pleading which it titled an "Application \* \* \* For Rehearing or Reconsideration and Modification" of this order. Inasmuch as this pleading is directed to an interlocutory order of the Commission involving matters which are now pending hearing, we deem it appropriate to accept Florida Power's pleading under the provisions of § 1.12 of the Commission's rules of practice and procedure as a motion for reconsideration or modification of the order of July 19, 1967, rather than as an application for rehearing of a "final order" under § 1.34 of such rules. In its motion Florida Power proposed that in the event the Commission decided not to grant rehearing, it should amend its order so as to sever from the consolidated proceedings the cost allocation and rate design issue relating to Florida Gas Transmission Co.'s (Florida Gas) transportation rates T-1 and T-2, which are the subject of Docket No. RP66-4, and adopt the interim order procedure to issue its order forthwith with respect to these two transportation rates. A statement in support of Florida Power's proposed use of the interim order procedure was filed by staff. Subsequently, motions to reject staff's statement were filed by Sun Oil Co. (Sun Oil) and by Florida Power & Light Co. (FPL).

The Commission determined in its order of July 19, 1967, over the opposition of Florida Power, Florida Gas, and staff, that it was appropriate and in the public interest that the two proceedings in Docket Nos. RP68-1 and RP66-4 be consolidated, in view of the fact that there

are issues of law and fact common to both proceedings and that the Commission's decision on those issues will establish basic ratemaking principles for Florida Gas' entire jurisdictional operations. The Commission stressed its belief that the establishment of these basic ratemaking principles should be made in connection with the determination of just and reasonable rates for all of Florida Gas' jurisdictional services prospectively, in the proceeding being instituted in Docket No. RP68-1, rather than on facts relating to a locked-in and limited past period as is involved in Docket No. RP-66-4.

Upon consideration of Florida Power's motion the Commission finds that the arguments advanced by Florida Power are basically similar to those which Florida Power set forth in its pleading of June 15, 1967, in opposition to the motion for the consolidation of the instant proceedings. These arguments were given full consideration by the Commission and were rejected when the Commission issued its order of July 19, 1967. Florida Power now recites these arguments at greater length and in greater detail than it did in its earlier pleading. However, no new material facts or contentions are presented which would be cause for granting rehearing or disturbing the order of July 19, 1967.

Florida Power's alternative proposal calls for the severance from the consolidated proceedings of the cost allocation and rate design issues relating to Florida Gas' transportation rates T-1 and T-2. We do not find that the basic questions inherent in these issues can be adequately resolved without prejudging to some extent matters involved in Docket No. RP68-1. Accordingly, we find that Florida Power's alternative proposal should be denied.

In light of the above disposition of Florida Power's application, the motions filed by Sun Oil and by FPL to reject staff's statement in support of the interim order procedure are deemed moot.

In so deciding it should be understood that we are in no way passing on the legal arguments advanced by any party to the proceeding as to our authority to order refunds.

There is also before the Commission a motion filed on August 11, 1967, by Florida Gas for extension of time from September 18, 1967, to October 18, 1967, within which to file its direct testimony and exhibits in Docket No. RP68-1. Answers to this motion have been filed by Florida Power and by FPL. Florida Power states that it does not oppose the requested extension of time provided that the January 9, 1968, date prescribed for a prehearing conference is not also extended. FPL, on the other hand, states that it does not oppose the requested extension if a corresponding extension of 30 days is given for the filing by the other parties and for the prehearing conference.

Upon consideration of Florida Gas' motion for extension of time, and of the

answers filed in reply thereto, we find that good cause has been shown for extending the time within which Florida Gas shall file its direct testimony and exhibits in Docket No. RP68-1, from September 18, 1967, to October 18, 1967, and that good cause has also been shown for granting a 30-day extension to the filing periods prescribed for staff and interveners in the Commission's order of July 19, 1967. Accordingly, staff shall serve its testimony and exhibits in Docket No. RP68-1 on or before January 3, 1968, and the interveners shall serve their testimony and exhibits in this Docket on or before January 17, 1968. Inasmuch as the testimony and exhibits of the interveners should be available to the other parties prior to the prehearing conference, we find, despite the objection of Florida Power, that the time for the prehearing conference should be changed from 10 a.m., e.s.t., on January 9, 1968, to 10 a.m., e.s.t., on February 8, 1968.

The Commission finds:

(1) The assignments of error and grounds for reconsideration set forth in the above-described motion for reconsideration and modification of the Commission's order of July 19, 1967, present no material facts or principles of law which were not considered by the Commission when it issued such order, and which having now been considered warrant any change in or modification of said order.

(2) Good cause has been shown for extending by 30 days in each instance the filing schedule prescribed in ordering paragraph (C) of the Commission's order of July 19, 1967, with respect to the filing of testimony and exhibits by Florida Gas, staff, and interveners.

(3) Good cause has been shown for extending by 30 days the date for the prehearing conference prescribed in ordering paragraph (E) of the Commission's order of July 19, 1967.

The Commission orders:

(A) The motion for reconsideration and modification of the Commission's order of July 19, 1967, filed by the applicant, Florida Power Corp., on August 3, 1967, is hereby denied.

(B) The dates for compliance with ordering paragraph (C) of the Commission's order of July 19, 1967, with respect to the filing of testimony and exhibits by Florida Gas, staff, and interveners, is extended in the manner set forth in finding paragraph (2) above.

(C) The date for the prehearing conference prescribed in ordering paragraph (E) of the Commission's order of July 19, 1967, is extended in the manner set forth in finding paragraph (3) above.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-10587; Filed, Sept. 11, 1967; 8:45 a.m.]

[Docket No. E-7367]

## NORTHERN STATES POWER CO.

### Notice of Application

SEPTEMBER 5, 1967.

Take notice that on August 28, 1967 Northern States Power Co. (Applicant) of Minneapolis, Minn., filed an application seeking authorization pursuant to section 203 of the Federal Power Act to acquire the electric distribution system owned by the village of Bayport, Minn. (Bayport).

The facilities to be acquired consist of all the operating distribution facilities of Bayport which presently serve 678 residential and commercial customers. The purchase price is \$525,000 as adjusted in accordance with the agreement and for which the Applicant has agreed to give Bayport an unsecured promissory note due 10 years from date of issue and bearing interest at the rate of 6 percent per annum payable quarterly. After the transaction, Applicant proposes to undertake all duties and legal obligations with respect to such facilities and their operation.

Any person desiring to be heard or to make any protest with reference to said application should, on or before September 25, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 67-10588; Filed, Sept. 11, 1967; 8:45 a.m.]

[Docket No. E-6577]

## RECLAMATION BUREAU

### Notice of Request for Approval of Rates and Charges

SEPTEMBER 5, 1967.

Notice is hereby given that the Acting Commissioner of the United States Bureau of Reclamation, has filed with the Federal Power Commission for confirmation and approval, pursuant to the provisions of the Act of Congress dated June 18, 1954 (68 Stat. 255), rates and charges for wholesale power service from the U.S. share of power from the Falcon project to Central Power and Light Co. in a proposed contract between the U.S. Department of Interior, Bureau of Reclamation and the Central Power and Light Co. which would extend for a period of 10 years from December 31, 1967.

The provisions relating to the rates and charges are as follows:

The Contractor shall pay for the electric service furnished hereunder in accordance with the following rate schedule, charges, and conditions: 4 mills per kilowatt hour for energy delivered between the hours of 8 a.m., and 10 p.m. (Saturdays and Sundays excepted); and 1.75 mills for energy delivered at any other time.

The annual aggregate of the monthly charges shall not exceed \$300,000 for the first 100 million kilowatt hours which are delivered to the Contractor during any calendar year.

All energy delivered in excess of 100 million kilowatt-hours during any calendar year shall be at a rate of 1 mill per kilowatt-hour.

At times when electric power and energy is not available from the international project for operations of project facilities, the Contractor shall deliver to the United States for the operation of said project facilities such energy as the United States may require for that purpose. Such energy shall be returned by the United States to the Contractor kilowatt-hour for kilowatt-hour at times and rates of delivery to be mutually agreed upon by the parties hereto. It is the intent of said parties that interchange energy shall be returned as promptly as circumstances permit.

The parties further agree that the Contractor may demand and receive payment from the United States adequate to balance the interchange energy account under any or all of the following conditions:

1. Upon termination of the contract;
2. By mutual agreement of the parties hereto at any time during the term hereof; or
3. When the interchange energy account remains unbalanced for a period of 1 year. Settlement of the interchange energy account by payment shall be at a net value of 3 mills per kilowatt-hour for all energy which may remain as a credit to the Contractor in the interchange energy account.

The application is on file with the Commission for public inspection. Any person desiring to make comments or suggestions for Commission consideration with respect to the rates as contained therein should submit the same in writing on or before October 2, 1967, to the Federal Power Commission, Washington 25, D.C.

GORDON M. GRANT,  
Secretary.

[P.D. Doc. 67-10590; Filed, Sept. 11, 1967;  
8:46 a.m.]

[Docket No. CP68-61]

## TRANSCONTINENTAL GAS PIPE LINE CORP.

### Notice of Application

SEPTEMBER 5, 1967.

Take notice that on August 28, 1967, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP68-61 an application pursuant to subsection (c) of section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities to be used as an additional delivery point to an existing customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate a sales meter station and appurtenant facilities, to be located at mile post 12.51 on the Leidy Line, Hunterdon County, N.J., for the purpose of providing a new and additional point of delivery to Elizabeth-

town Gas Co. (Elizabethtown), an existing customer. Applicant states that Elizabethtown has requested the additional delivery point to facilitate the sale and delivery of natural gas to the Hunterdon State School facilities located near Clinton, N.J. Applicant further states that Elizabethtown proposes to have Applicant deliver, through the delivery point proposed above, the necessary volumes of natural gas to Northwest Jersey Natural Gas, Inc. (Northwest), a wholly owned subsidiary of Elizabethtown, for Elizabethtown's account. Northwest will then purchase said volumes of natural gas from Elizabethtown and resell it to the State School. Applicant also states that the volumes of natural gas proposed to be delivered through the delivery point proposed above will be provided from allocations previously authorized by the Commission.

Applicant estimates the total cost of the facilities proposed at approximately \$29,200, said cost to be initially financed with available company funds and later reimbursed by Elizabethtown.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before October 2, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 67-10589; Filed, Sept. 11, 1967;  
8:46 a.m.]

## OFFICE OF EMERGENCY PLANNING NEBRASKA

### Amendment to Notice of Major Disaster

Notice of major disaster for the State of Nebraska, dated July 20, 1967, and published July 26, 1967 (32 F.R. 10949), is hereby amended to include the following counties among those counties determined to have been adversely affected

by the catastrophe declared a major disaster by the President in his declaration of July 18, 1967:

Johnson. Pierce.

Dated: September 5, 1967.

FARRIS BRYANT,  
Director,  
Office of Emergency Planning.

[P.R. Doc. 67-10606; Filed, Sept. 11, 1967;  
8:47 a.m.]

## TARIFF COMMISSION

[TEA-I-11]

### BARBERS' CHAIRS

#### Notice of Postponement of Hearing

Notice is hereby given by the U.S. Tariff Commission that the hearing ordered to be held on October 31, 1967, in connection with the investigation instituted under section 301(b)(1) of the Trade Expansion Act of 1962 with respect to certain barbers' chairs and parts thereof, is postponed until 10 a.m., e.s.t., on November 7, 1967. Notice of the investigation appeared in the FEDERAL REGISTER of July 29, 1967 (32 F.R. 11099).

Issued: September 6, 1967.

By order of the Commission.

[SEAL] DONN N. BENT,  
Secretary.

[P.R. Doc. 67-10609; Filed, Sept. 11, 1967;  
8:47 a.m.]

## DEPARTMENT OF LABOR

### Office of the Secretary

[Secretary's Order No. 18-67]

### BUREAU OF EMPLOYEES' COMPENSA- TION AND EMPLOYEES' COMPEN- SATION APPEALS BOARD

#### Performance of Functions

1. *Purpose.* This order is issued for the purpose of revalidating General Order No. 46 (Revised) and incorporating it into the Department of Labor Directives System as Secretary's Order No. 18-67.

2. *Directives affected.* Secretary's Order No. 6-67 provides for all general orders previously issued to be either canceled or incorporated into the Department of Labor Directives System. The provisions of General Order No. 46 (Revised) remain unchanged, and will have full force and effect whether referred to as Secretary's Order No. 18-67 or General Order No. 46 (Revised).

3. *Text of order issued by the Secretary of Labor October 13, 1959.*

By virtue of and pursuant to the authority vested in me by R.S. § 161 (5 U.S.C., sec. 22) and Reorganization Plan No. 19 of 1950 (15 F.R. 3178, 64 Stat. 1271) and in accordance with the Federal Employees' Compensation Act, as amended and extended (5 U.S.C., secs. 751-801), the Longshoremen's and Harbor Workers' Compensation Act, as amended and extended (33 U.S.C., secs. 901-950), the Defense Base Act (42 U.S.C., secs. 1651-1654),

the War Hazards Compensation Act (42 U.S.C., sec. 1701-1717), Section 3 of Reorganization Plan No. 2 of 1946 (11 F.R. 7873, 60 Stat. 1095), the War Claims Act of 1948, as amended (50 App. U.S.C., secs. 2001-2016), and the Act of September 8, 1959 (P.L. 86-233, 73 Stat. 469), it is hereby ordered:

1. Subject to applicable general orders and Secretary's instructions, the Director of the Bureau of Employees' Compensation shall serve as administrative head of such Bureau in the administration of the functions thereof.

2. All functions heretofore performed by the Director under the authority of the above Acts and all functions vested in the Secretary of Labor under section 1 of Reorganization Plan No. 19 of 1950 and functions under the Act of September 8, 1959 shall be performed, under the general direction and control of the Assistant Secretary for Labor-Management Relations, by or under the direction of the Director of the Bureau of Employees' Compensation, except:

(a) The functions, duties, and powers authorized under section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, including the issuance of any regulations pertaining to such functions, duties, and powers, and those functions authorized under section 33 (b) and (c) of the Federal Employees' Compensation Act, as amended;

(b) the preparation and submission of annual and other reports and recommendations to the Congress.

3. Subject to applicable general orders and Secretary's instructions, the Employee's Compensation Appeals Board shall have authority to hear and, subject to applicable law and the rules and regulations of the Secretary of Labor, to make final decisions on appeals taken from determinations and awards with respect to claims of employees of the Federal Government or of the District of Columbia. The Secretary of Labor shall have the function of preparing and submitting to the Congress the annual and other reports and recommendations of the Board.

4. *Effective date.* The effective date of this order shall be July 1, 1967.

Signed at Washington, D.C., this 5th day of September 1967.

LEO R. WERTS,  
Assistant Secretary  
for Administration.

[F.R. Doc. 67-10603; Filed, Sept. 11, 1967;  
8:47 a.m.]

[Secretary's Order No. 19-67]

### WAGE AND HOUR DIVISION Performance of Functions of Secretary

Performance of functions of Secretary—Fair Labor Standards Act of 1938, as amended.

1. *Purpose.* This order is issued for the purpose of revalidating General Order No. 45A and incorporating it into the Department of Labor Directives System as Secretary's Order No. 19-67.

2. *Directives affected.* Secretary's Order No. 6-67 provides for all general orders previously issued to be either canceled or incorporated into the Department of Labor Directives System. The provisions of General Order No. 45A remain unchanged, and will have full force and effect whether referred to as Secretary's Order No. 19-67 or General Order No. 45A.

### 3. Text of order issued by the Secretary of Labor May 24, 1950.

By virtue of and pursuant to the authority vested in me by R.S. § 161 (5 U.S.C. 22) and Reorganization Plan No. 6 of 1950, and in accordance with the Fair Labor Standards Act of 1938, as amended, provision is hereby made for the performance of functions under the Act, as follows:

1. Subject to applicable general orders and Secretary's instructions, including those relating to personnel and business management, the Administrator of the Wage and Hour Division shall serve as the administrative head of such Division in the administration of the provisions of the Fair Labor Standards Act of 1938, as amended, heretofore administered by him or under his direction and control.

2. All functions heretofore performed by or under the direction and control of the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938, as amended, including the exercise of powers conferred under section 9 of the Act and the issuance of rulings and interpretations on the advice of the Solicitor of Labor with respect to the Act and regulations thereunder, shall continue to be performed, subject to the general direction and control of the Secretary of Labor, by the Administrator or by his duly authorized representatives; except that the following functions shall be performed by the Secretary of Labor:

(a) The preparation and submission to the Congress of the annual report required by section 4(d) of the Act; and

(b) The bringing of legal proceedings under the Act, the determination in each case whether such proceedings are appropriate to be made by the Solicitor of Labor.

3. Except to the extent that they may be inconsistent with the provisions of this order, all rules, regulations, orders, or interpretations heretofore issued by or by virtue of authority vested in the Administrator of the Wage and Hour Division pursuant to the Fair Labor Standards Act of 1938, as amended, are hereby continued in full force and effect until amended, modified, or rescinded by the Secretary of Labor or the Administrator pursuant to the provisions of this order.

4. *Effective date.* The effective date of this order shall be July 1, 1967.

Signed at Washington, D.C., this 5th day of September, 1967.

LEO R. WERTS,  
Assistant Secretary  
for Administration.

[F.R. Doc. 67-10604; Filed, Sept. 11, 1967;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION FOURTH SECTION APPLICATION FOR RELIEF

SEPTEMBER 7, 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. 41124—Soda ash to Memphis, Tenn. Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2895), for interested rail carriers. Rates

on soda ash (other than modified soda ash), in bulk, in bulk in bags or barrels, in carloads, from specified points in Michigan, New York, and Ohio, to Memphis, Tenn.

Grounds for relief—Market competition.

Tariff—Supplement 66 to Traffic Executive Association—Eastern Railroads, agent, tariff ICC C-438.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 67-10625; Filed, Sept. 11, 1967;  
8:48 a.m.]

[Notice 448]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 6, 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 95084 (Sub-No. 62 TA), filed September 1, 1967. Applicant: HOVE TRUCK LINE, Stanhope, Iowa 50246. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Farm machinery and agricultural implements, and parts and attachments, from Kirksville, Mo. to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Kewanee Machinery & Conveyor Co., Kewanee, Ill. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 102560 (Sub-No. 10 TA), filed August 31, 1967. Applicant: FREILER INDUSTRIES, INC., Post Office 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 un-machined), (2) *steel reinforcing bars, angles, channels and beams*; (3) *wooden patterns for castings*; (4) *crated bolts, nuts, and bushings*; (5) *bronze bearings and pillar blocks*, from the plantsite of Dibert, Bancroft & Ross Co., Ltd., near Amite, La., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Dibert, Bancroft & Ross Co., Ltd., Post Office Box 50490, New Orleans, La. 70150, Thomas M. Wakefield, Executive Vice President. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T-4009 Federal Office Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 114301 (Sub-No. 49 TA), filed September 1, 1967. Applicant: DELAWARE EXPRESS CO., Post Office Box 141, Elkton, Md. 21921. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry dicalcium phosphate*, in bulk, from Baltimore, Md., to points in Delaware, Virginia, West Virginia, Pennsylvania, New Jersey, New York, Connecticut, Ohio, and the District of Columbia, for 150 days. Supporting shipper: International Minerals & Chemical Corp., Skokie, Ill., E. J. Walz. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 206 Old Post Office Building, Salisbury, Md. 21801.

No. MC 121525 (Sub-No. 1 TA), filed September 1, 1967. Applicant: SNIDER TRUCKING SERVICE, INC., 110 East Fifth Street, Ritzville, Wash. 99169. Applicant's representative: Jack R. Davis, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Agricultural commodities* consisting of fruit and vegetables only, between Wenatchee, Prosser, Yakima, Zillah, and Toppenish, Wash., and Seattle and Tacoma, Wash., *petroleum products* in packages between Richmond Beach and Spokane, Wash., *sugar* from Toppenish to Seattle and Tacoma, Wash., for Nalleys, Inc., *irregular route, heavy machinery and building materials* (excluding cement, in bulk, in tank trucks) between points in Washington. Applicant requests authority to interline traffic with other carriers at Vancouver and Pasco, Wash., for 150 days. Supporting shippers: Albina Transfer Co., 3710 North Mississippi Avenue, Portland, Ore. 97227. C & S Storage, Inc., 4720 North Channel Avenue, Portland, Ore. 97209. Telecty Manufacturing Co., 502 East Broadway, Ritzville, Wash. 99161. Timber Structures, Inc., 3400 Northwest Yeon Avenue, Box 3782, Portland, Ore. 97208. Mid-City Lumber, Inc., 21480 Southwest Tyalaton, Valley Highway, Aloha, Ore. 97005. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 121269 (Sub-No. 3 TA), filed August 31, 1967. Applicant: D. M. DAVIS, INC., 6402 North Bellefontaine, Kansas City, Mo. 64119. Applicant's representative: Charles A. Darby, 1215 Commerce Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except uncrated household goods), between Arley, Mo., and points within 10 miles thereof, on the one hand, and points in Missouri, on the other hand. Applicant intends to *tack sought authority with authority granted in MC-PC-69803 on July 26, 1967*, for 180 days. Supporting shipper: Knaus Transfer & Storage Co., Inc., Seventh and Osage, Kansas City, Kans. 66105. Send protests to: Vernon V. Coble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 128944 (Sub-No. 2 TA), filed August 31, 1967. Applicant: RELIABLE TRUCK LINES, INC., 402 Maplewood Avenue, Nashville, Tenn. 37210. Applicant's representative: Clarence Evans, Third National Bank Building, Nashville, Tenn. 37219. 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, commodities requiring special equipment, and those injurious or contaminating to other lading), to interchange traffic with other authorized common carriers at the points of Florence, Sheffield, and Tusculumbia, Ala., and points within 10 miles of each as a modification or amendment to its existing authority in MC-128944 TA; this existing authority already authorizes interchange at Nashville, Tenn., but restricts against interchange at these Alabama points. Said authority was issued to applicant (under the original name of Hoover Freightways, Inc., prior to a name change) by order of the Commission dated May 4, 1967. Applicant intends to interline with other carriers, for 180 days. Supporting shippers: There are approximately 20 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 129250 (Sub-No. 1 TA), filed August 31, 1967. Applicant: T. D. WILLIAMS, doing business as TED WILLIAMS, 230 North Ninth Avenue, Stertite: J. Max Harding, 301 N S E A Building, Colo. 80751. Applicant's representative: 14th and J Streets, Lincoln, Nebr. 68508. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (A) *Soybean meal*, from Minneapolis, Minn.; Fort Dodge, Des Moines, and Sioux City, Iowa; Lincoln, Nebr.; and St. Joseph, Mo.; to points in Boulder and Weld

Counties, Colo., and *feathermeal*, from points in Boulder County, Colo., to Omaha, Nebr., and points in Iowa, under continuing contract with Quality Poultry Co., (B) (1) *soybean meal*, from Minneapolis, Minn.; Fort Dodge, Des Moines, and Sioux City, Iowa; Lincoln, Nebr.; and St. Joseph, Mo.; to points in Colo., east of the Continental Divide, and points in Laramie, Albany, Platte, and Goshen Counties, Wyo., and (2) *calcium chloride*, from Detroit, Mich., to points in Colorado, east of the Continental Divide, points in Nebraska on and west of U.S. Highway 281 and points in Laramie, Albany, Platte, and Goshen Counties, Wyo., under continuing contract with Williams Bros., Sterling, Colo., for 180 days. Supporting Shippers: Williams Bros., Sterling, Colo. 80751, Quality Poultry Co., 3785 Osage Street, Denver, Colo. 80211. Send protests to: District Supervisor, C. W. Buckner, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 129366 TA, filed September 1, 1967. Applicant: MINNEAPOLIS INDUSTRIAL RAILWAY COMPANY, 400 West Madison Street, Chicago, Ill., 60606. Applicant's representative: Stuart F. Gassner, 400 West Madison Street, Chicago, Ill., 60606. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, limited to auxiliary and supplemental motor common carrier service to applicant's rail service, and further limited to shipments moving on through rail bills of lading, originating or terminating at stations of the applicant, and weighing not less than 6,000 pounds, between Minneapolis and Gluek via Routes 7 and 25 to Watertown, thence Routes 7 and 261 to Winsted, thence Routes 7 and 277 to Gluek; between Gluek and Clarkfield via Routes 277, 23, and 67 and alternate route via Routes 277, 7, and 59; between Granite Falls and Wood Lake via Route 67, between Granite Falls and Gaylord via Routes 67 and 19; between Gaylord and Chaska and Minneapolis via Route U.S. 212; between Chaska and Minneapolis via Route 101 and Interstate 35; between intersection of Routes 67 and 273 and Belview via 273; between intersection of Route 7 and U.S. 71 and Morton via U.S. 71; between Cosmos and Fairfax via Route 4; between Hutchinson and Winthrop via Route 15; between Hutchinson and Norwood via Route 22 and U.S. 212 and between the intersection of Route 7 and Interstate 494 and St. Paul via Interstate 494 and Route 5; and return via the above-designated routes, for 150 days. Supporting shipper: None. Send protests to: District Supervisor, Andrew J. Montgomery, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[P.R. Doc. 67-10626; Filed, Sept. 11, 1967;  
8:49 a.m.]

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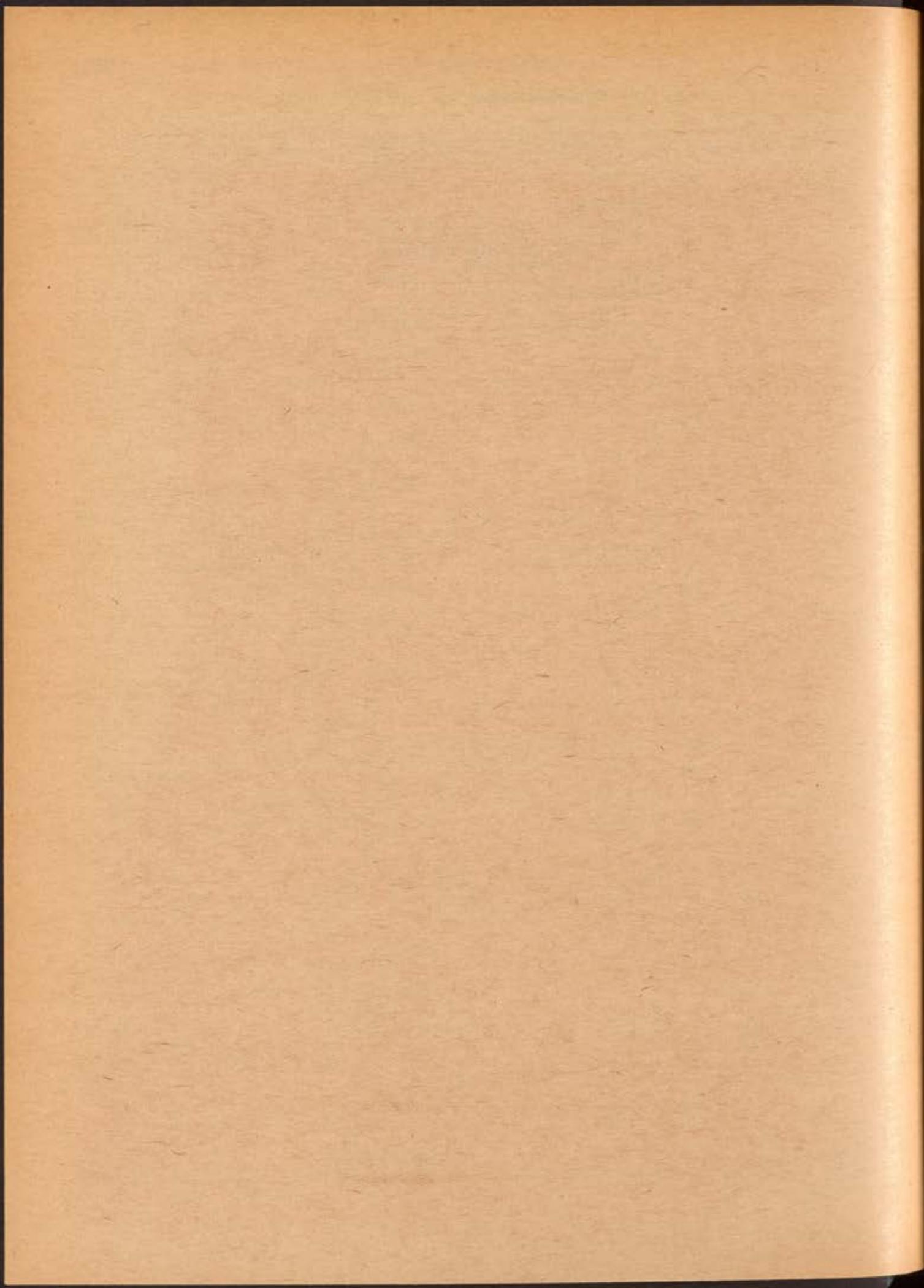
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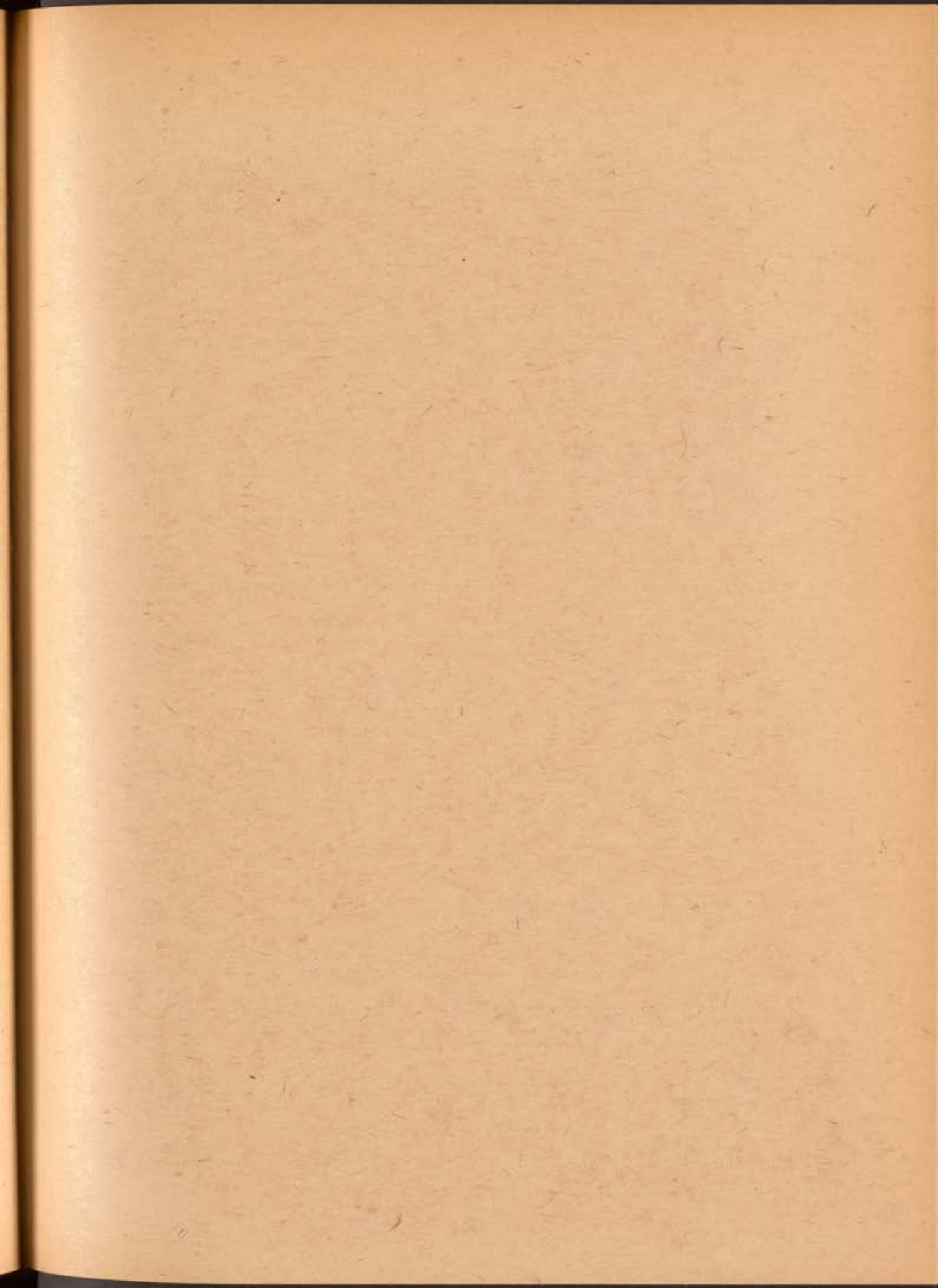
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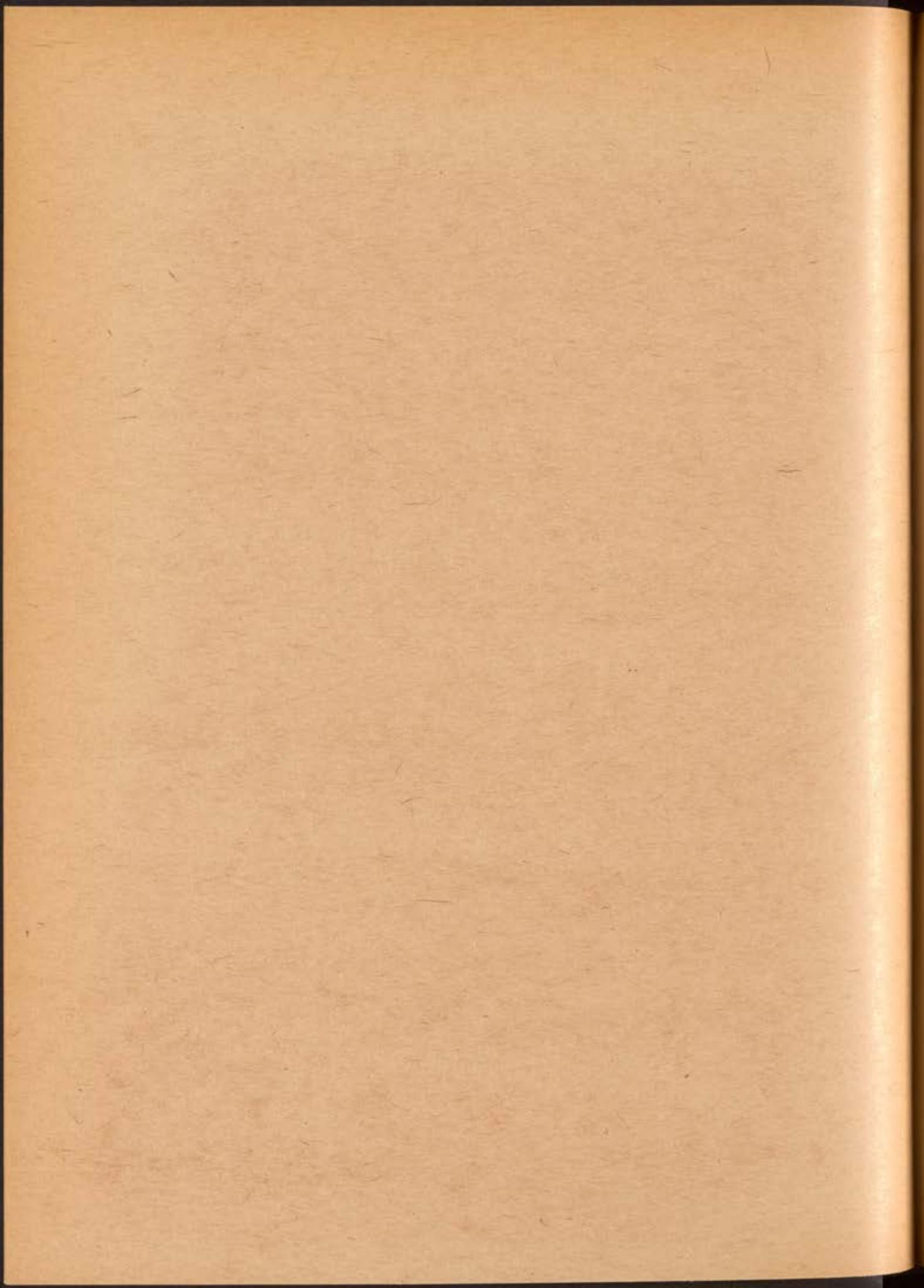
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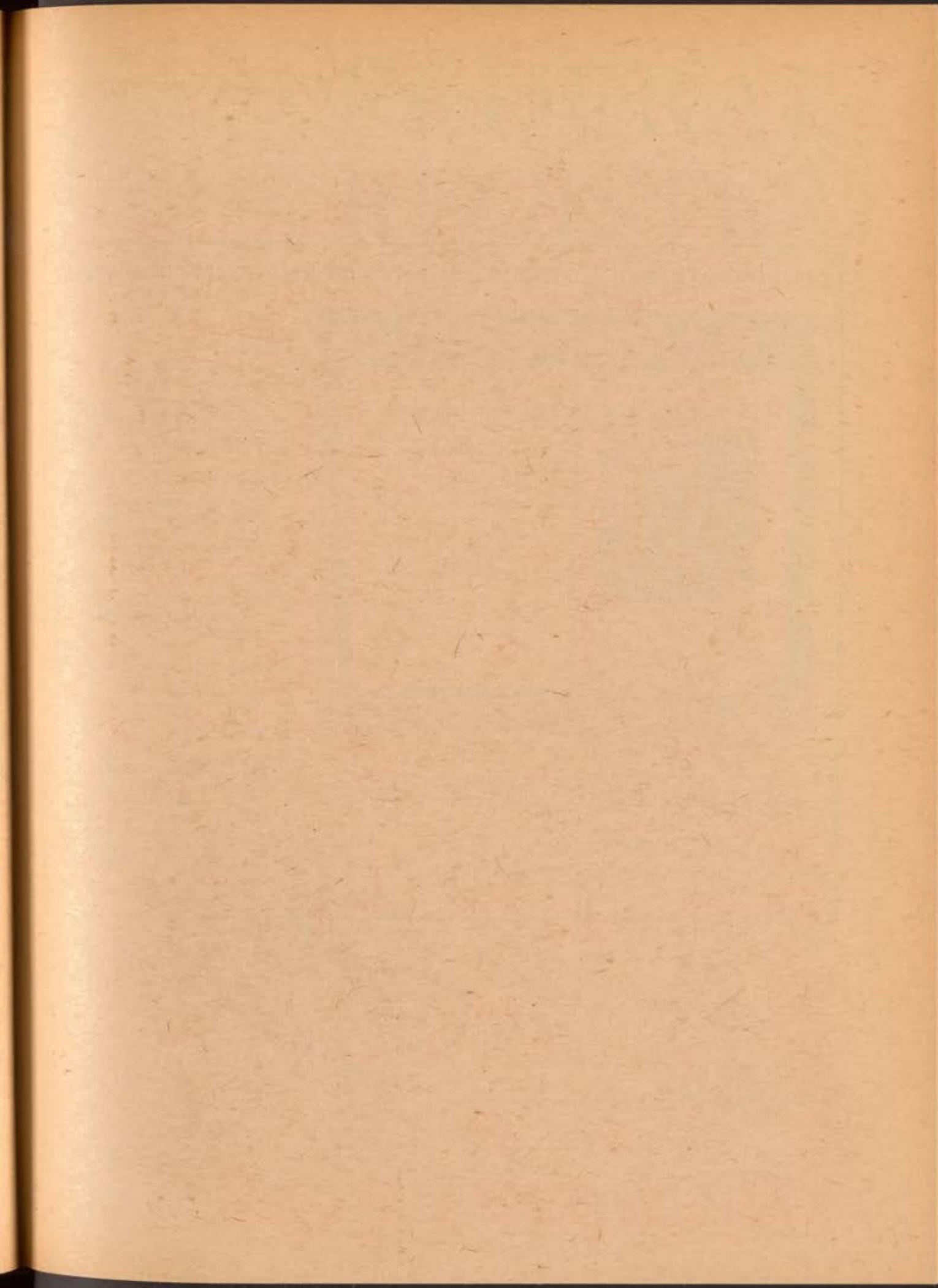
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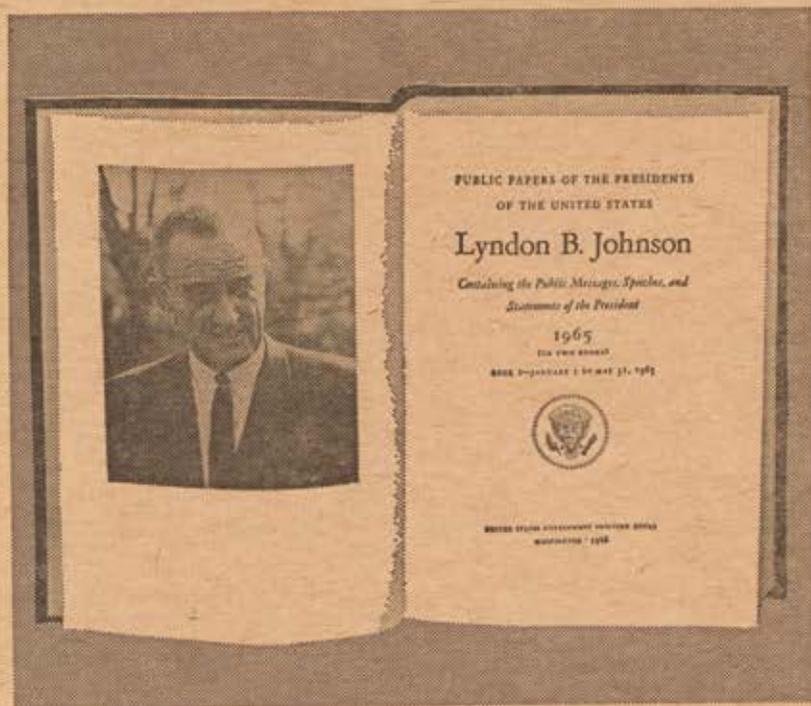








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