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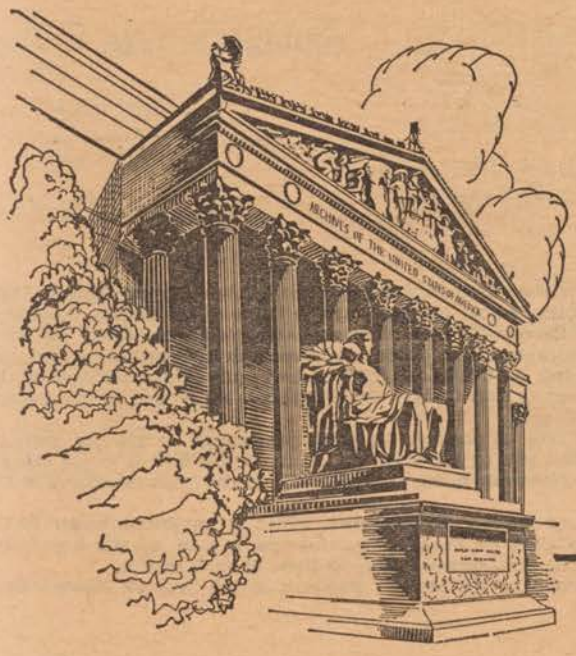
Agencies in this issue—

Detailed list of Contents appears inside.



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Contents

(Continued on next page)

List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1968, and specifies how they are affected.

3 CFR

EXECUTIVE ORDERS:
- Jan. 26, 1867 (revoked in part by PLO 4358) 3068
- 2528 (revoked in part by PLO 4358) 3068
- 5327 (revoked in part by PLO 4363) 3070
- 5526 (see PLO 4358) 3068

7 CFR

- 728 3045
- 730 (2 documents) 3052, 3053

PROPOSED RULES:
- 160 3076

14 CFR

- 21 3054
- 71 (5 documents) 3055, 3056
- 73 3056
- 97 3057

PROPOSED RULES:
- 71 (2 documents) 3077
- 153 3078

15 CFR

- 399 3053

16 CFR

- 15 (2 documents) 3054

20 CFR

- 404 (3 documents) 3060

21 CFR

PROPOSED RULES:
- 28 3076
- 191 3076

26 CFR

PROPOSED RULES:
- 1 3072
- 31 3072

32A CFR

Ch. X:
- OI Reg. 1 3061

33 CFR

- 208 3063
- 209 3063

36 CFR

- 311 3064

41 CFR

- 1–1 3064
- 1–2 3064
- 1–12 3064
- 1–16 3064
- 9–1 3067

43 CFR

PUBLIC LAND ORDERS:
- 1375 (revoked in part by PLO 4359) 3069
- 1739 (revoked in part by PLO 4359) 3069
- 1874 (revoked in part by PLO 4359) 3069
- 4305 (corrected by PLO 4360) 3069
- 4311 (revoked in part by PLO 4357) 3068
- 4327 (corrected by PLO 4365) 3070
- 4356 3068
- 4357 3068
- 4358 3068
- 4359 3069
- 4360 3069
- 4361 3069
- 4362 3069
- 4363 3070
- 4364 3070
- 4365 3070
- 4366 3070

46 CFR

PROPOSED RULES:
- 541 3081

47 CFR

PROPOSED RULES:
- 73 (3 documents) 3078, 3080, 3081

49 CFR

- 239 3071

PROPOSED RULES:
- 1048 3082

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields, and Wheat Certificate Program for Crop Years 1968–69

Part 728 of Chapter VII of Title 7 of the Code of Federal Regulations is amended as follows:

1. The subpart now designated "Regulations Pertaining to Acreage Allotments, Yields, Wheat Diversion and Wheat Certificate Programs for Crop Years 1966 Through 1969" is amended by changing "1966 Through 1969" to "1966–67".

2. Sections 728.351 through 728.357 of the subpart entitled "Regulations Pertaining to Acreage Allotments, Yields, Wheat Diversion and Wheat Certificate Programs for Crop Years 1966–67", as redesignated, announcing the national acreage allotment and the county acreage allotments for the 1968 crop of wheat, are hereby deleted from such subpart and made a part of a new subpart entitled "Regulations Pertaining to Farm Acreage Allotments, Yields, and Wheat Certificate Program for Crop Years 1968–69". Section 728.515 of such new subpart reads as follows (the remaining text of the subpart will be issued as an amendment):

§ 728.515 County projected yields for the 1968 crop of wheat.

(a) A county projected yield has been determined for each wheat producing county in the United States for the 1968 crop, except for counties in Alaska, Hawaii, and New Hampshire, for which no apparent need for such yields exists. The county projected yield for 1968 was determined on the basis of the average of the yields per harvested acre of wheat for the county during each of the 5 calendar years, 1962 through 1966, adjusted for abnormal weather conditions affecting such yields, for trends in yields, and for any significant changes in production practices.

(b) In adjusting for abnormal weather conditions: (1) 80 percent of the 5-year period, 1962 through 1966, average yield was substituted for each annual yield less than 80 percent of the 5-year average, (2) 140 percent of the 5-year period, 1962 through 1966, average yield was substituted for each annual yield in excess of 140 percent of the 5-year average yield, (3) an average of the 5 annual yields, after adjustment as provided in subparagraphs (1) and (2) of this paragraph, was then obtained, and (4) the "county adjusted average yield" would be the yield calculated under subparagraph (3), but not less than the higher of the unadjusted 5-year (1962–1966) average yield or the unadjusted 10-year (1957–1966) average yield. (Use of the 10-year average yield was confined to counties in those States where the unadjusted 10-year (1957–1966) adjusted average yield, based on State Statistical Reporting Service (SRS) yield data, was equal to or higher than the 5-year (1962–1966) adjusted average yield.)

(c) The adjustment for trend was as follows: (1) Each county 5-year (1962–1966) adjusted average yield calculated under subparagraph (4) of paragraph (b) was then averaged with the 2-year (1965–1966) adjusted average yield to obtain the county trend adjusted average yield (if the 5-year adjusted average yield was equal to or greater than the 2-year adjusted average yield, no adjustment for trend was made), (2) the county adjusted average yields calculated under subparagraph (1) of this paragraph were then weighted by the 1967 county wheat acreage allotment to determine a State weighted average of county trend adjusted average yields, and (3) the State weighted average yield calculated under subparagraph (2) of this paragraph was then divided into the State check yield (as determined in paragraph (d)) less a 0.2 bushel State reserve to obtain a State adjustment factor. Each county trend adjusted average yield (paragraph (c)(1) was then multiplied by the State adjustment factor to obtain the preliminary county projected yield.

(d) In determining the State check yield, the State average of county adjusted average yields calculated under paragraph (b) (weighted by 1967 county acreage allotments) was adjusted for trend by adding the bushel difference by which the 5-year average (1962–66) exceeded the 10-year average (1957–66 of SRS State yields (each adjusted for abnormal weather as described in paragraph (b)). Each resulting State trend adjusted yield was then weighted by the 1967 State wheat allotment. The resulting national weighted average yield was then divided into the national projected yield (adjusted by the amount needed to compensate for the following 3 and 6 percent limitations) to obtain a national adjustment factor. Each State trend adjusted yield was then multiplied by the national adjustment factor to arrive at each State check yield: *Provided*, That no State check yield would be less than the 1967 State check yield by more than 3 percent or exceed the 1967 State check yield by more than 6 percent.

(e) Preliminary county projected yield computations made under the foregoing paragraphs were then submitted to the State committees for their review and recommendations. State committees were authorized, where the situation warranted, to recommend additional adjustments, using the State reserve provided herein in addition to compensating adjustments of preliminary county projected yields, to compensate for abnormal weather, trend, and significant changes in production practices based upon specific and detailed knowledge of yield conditions in local areas: *Provided*, That the State weighted average of county projected yields after such adjustments could not exceed the State check yield. Yield adjustments recommended by State committees were submitted to the Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, for final approval.

(f) The county projected yields determined on the basis of the foregoing provisions, with such adjustments as were recommended by the State committees and approved as provided in paragraph (e), are as follows:

ALABAMA

County	1968 projected yield (bushels per acre)	County	1968 projected yield (bushel per acre)
Autauga	27.0	Jackson	27.1
Baldwin	23.7	Jefferson	28.1
Barbour	22.0	Lamar	26.1
Bibb	24.6	Lauderdale	28.8
Blount	25.5	Lawrence	27.4
Bullock	24.2	Lee	21.5
Butler	0	Limestone	29.2
Calhoun	26.9	Lowndes	23.2
Chambers	24.7	Macon	23.1
Cherokee	27.8	Madison	29.2
Chilton	23.6	Marengo	25.2
Choctaw	0	Marion	27.4
Clarke	23.3	Marshall	29.0
Clay	24.7	Mobile	23.8
Cleburne	24.7	Monroe	27.6
Coffee	26.1	Montgomery	25.9
Colbert	28.5	Morgan	29.0
Conecuh	25.7	Perry	25.3
Coosa	23.7	Pickens	24.7
Covington	26.6	Pike	27.2
Crenshaw	28.0	Randolph	26.0
Cullman	26.3	Russell	21.6
Dale	27.4	St. Clair	24.8
Dallas	26.6	Shelby	27.7
De Kalb	26.8	Sumter	27.5
Elmore	25.3	Talladega	23.4
Escambia	28.7	Tallapoosa	24.3
Etowah	25.2	Tuscaloosa	25.1
Fayette	29.0	Walker	25.7
Franklin	26.4	Washington	25.9
Geneva	23.9	Wilcox	22.8
Greene	24.1	Winston	27.1
Hale	23.2	State check yield	27.1
Henry	26.0		
Houston	23.9		

ARIZONA

County	1968 projected yield (bushels per acre)
Apache	16.5
Cochise	40.1
Coconino	14.2
Gila	0
Graham	31.5
Greenlee	34.2
Maricopa	49.7
Mohave	21.7
Navajo	14.2
Pima	37.3
Pinal	45.2
Santa Cruz	0
Yavapai	24.6
Yuma	48.8
State check yield	43.6

ARKANSAS

County	1968 projected yield (bushels per acre)
Arkansas	31.8
Ashley	24.6
Baxter	24.5
Benton	26.3
Boone	25.1
Bradley	17.9
Calhoun	28.7
Carroll	25.4
Chicot	28.7
Clark	17.9
Clay	28.3
Cleburne	19.5
Cleveland	34.1
Columbia	24.7
Conway	27.4
Craighead	29.7
Crawford	30.9
Crittenden	33.8
Cross	33.6
Dallas	20.5
Desha	30.4
Drew	26.6
Faulkner	27.0
Franklin	26.4
Fulton	19.4
Garland	16.0
Grant	16.7
Greene	27.2
Hempstead	29.1
Hot Spring	25.7
Howard	0
Independence	30.3
Izard	16.7
Jackson	28.1
Jefferson	30.8
Johnson	29.5
Lafayette	28.8
Lawrence	26.4
Lee	29.6
Lincoln	27.9
Little River	28.0
Logan	28.7
Lonoke	30.0
Madison	29.3
Marion	24.5
Miller	22.1
Mississippi	33.9
Monroe	31.6
Montgomery	20.5
Nevada	0
Newton	21.4
Ouachita	17.5
Perry	22.9
Phillips	31.6
Pike	0
Poinsett	31.6
Polk	22.8
Pope	24.5
Prairie	25.3
Pulaski	29.1
Randolph	25.5
St. Francis	32.9
Saline	18.3
Scott	25.3
Searcy	17.1
Sebastian	27.1
Sevier	0
Sharp	23.6
Stone	21.3
Union	21.2
Van Buren	27.0
Washington	29.5
White	21.0
Woodruff	30.0
Yell	27.1
State check yield	30.4

CALIFORNIA

County	1968 projected yield (bushels per acre)
Alameda	27.9
Alpine	26.3
Amador	29.8
Butte	35.9
Calaveras	0
Colusa	39.1
Contra Costa	48.2
Del Norte	0
El Dorado	0
Fresno	46.3
Glenn	28.4
Humboldt	31.7
Imperial	63.2
Inyo	21.8
Kern	33.1
Kings	50.7
Lake	29.6
Lassen	30.4
Los Angeles	23.5
Madera	24.1
Marin	26.7
Mariposa	28.2
Mendocino	31.5
Merced	40.6
Modoc	44.2
Mono	21.3
Monterey	26.3
Napa	30.2
Nevada	0
Orange	20.8
Placer	27.2
Plumas	21.4
Riverside	21.6
Sacramento	43.8
San Benito	29.8
San Bernardino	23.2
San Diego	27.1
San Francisco	0
San Joaquin	52.8
St. Luis Obispo	15.1
San Mateo	19.4
Santa Barbara	18.4
Santa Clara	24.6
Santa Cruz	0
Shasta	23.9
Sierra	22.1
Siskiyou	35.9
Solano	44.2
Sonoma	22.9
Stanislaus	34.5
Sutter	43.2
Tehama	29.6
Trinity	21.6
Tulare	26.2
Tuolumne	20.8
Ventura	24.8
Yolo	45.8
Yuba	32.7
State check yield	30.1

COLORADO

County	1968 projected yield (bushels per acre)
Adams	23.5
Alamosa	38.5
Arapahoe	22.9
Archuleta	31.2
Baca	18.2
Bent	21.5
Boulder	28.5
Chaffee	31.2
Cheyenne	19.4
Clear Creek	0
Conejos	34.2
Costilla	35.5
Crowley	20.8
Custer	22.7
Delta	42.3
Denver	0
Dolores	21.0
Douglas	22.9
Eagle	41.4
Elbert	19.7
El Paso	17.1
Fremont	24.1
Garfield	25.0
Gilpin	0
Grand	21.9
Gunnison	0
Hinsdale	0
Huerfano	17.4
Jackson	23.0
Jefferson	27.5
Kiowa	17.5
Kit Carson	21.9
Lake	0
La Plata	27.2
Larimer	25.8
Las Animas	15.4
Lincoln	18.9
Logan	22.6
Mesa	30.4
Mineral	0
Moffat	24.8
Montezuma	22.7
Montrose	39.9
Morgan	24.0
Otero	39.9
Ouray	25.3
Park	0
Phillips	25.1
Pitkin	36.6
Prowers	21.1
Pueblo	21.0
Rio Blanco	25.8
Rio Grande	40.3
Routt	27.3
Saguache	37.2
San Juan	0
San Miguel	21.2
Sedgwick	27.1
Summit	0
Teller	33.5
Washington	21.3
Weld	24.0
Yuma	23.0
State check yield	21.6

CONNECTICUT

County	1968 projected yield (bushel per acre)
Fairfield	29.7
Hartford	29.7
Litchfield	29.7
Middlesex	29.7
New Haven	29.7
New London	0
Tolland	29.7
Windham	29.7
State check yield	29.7

DELAWARE

County	1968 projected yield (bushel per acre)
Kent	32.5
New Castle	34.3
Sussex	32.5
State check yield	33.2

FLORIDA

County	1968 projected yield (bushel per acre)
Alachua	18.4
Baker	17.8
Bay	0
Bradford	0
Brevard	0
Broward	0
Calhoun	23.7
Charlotte	0
Citrus	0
Clay	0
Collier	0
Columbia	21.4
Dade	0
De Soto	0
Dixie	0
Duval	0
Escambia	26.9
Flagler	0
Franklin	0
Gadsden	24.6
Gilchrist	17.2
Glades	0
Gulf	0
Hamilton	19.9
Hardee	0
Hendry	0
Hernando	0
Highlands	0
Hillsborough	0
Holmes	24.8
Indian River	0
Jackson	27.4
Jefferson	19.0
Lafayette	16.7
Lake	0
Lee	0
Leon	22.2
Levy	20.0
Liberty	20.8
Madison	22.5
Manatee	0
Marion	24.6
Martin	0
Monroe	0
Nassau	0
Okaloosa	26.8
Okeechobee	0
Orange	0
Osceola	0
Palm Beach	0
Pasco	0
Pinellas	0
Polk	0
Putnam	0
St. Johns	0
St. Lucie	0
Santa Rosa	27.8
Sarasota	0
Seminole	0
Sumter	20.3
Suwannee	18.4
Taylor	0
Union	0
Volusia	0
Wakulla	0
Walton	22.6
Washington	20.9
State check yield	25.0

GEORGIA

County	1968 projected yield (bushel per acre)
Appling	31.7
Atkinson	28.5
Bacon	27.5
Baker	30.7
Baldwin	27.0
Banks	25.6
Barrow	24.9
Bartow	25.5
Ben Hill	30.0
Berrien	28.8
Bibb	34.9
Bleckley	33.3
Brantley	0
Brooks	28.6
Bryan	22.0
Bulloch	29.7
Burke	27.7
Butts	30.7
Calhoun	31.6
Camden	0
Candler	33.7
Carroll	30.3
Catoosa	25.3
Charlton	0
Chatham	20.4
Chattahoochee	0
Chattooga	24.0
Cherokee	26.7
Clarke	28.9
Clay	26.0
Clayton	28.6
Clinch	0
Cobb	21.8
Coffee	28.9
Colquitt	31.4
Columbia	26.2
Cook	25.8
Coweta	22.7
Crawford	34.4
Crisp	33.5
Dade	19.6
Dawson	23.2
Decatur	30.3
De Kalb	24.8
Dodge	24.8
Dooly	34.3
Dougherty	30.9
Douglas	21.7
Early	28.9
Echols	21.0
Effingham	22.6
Elbert	28.1
Emanuel	30.5
Evans	26.8
Fannin	24.5
Fayette	26.7
Floyd	27.6
Forsyth	25.5
Franklin	26.3
Fulton	25.0
Gilmer	22.2
Glasscock	27.3
Glynn	0
Gordon	25.5
Grady	27.7
Greene	23.0
Gwinnett	26.6
Habersham	24.2
Hall	23.9
Hancock	25.9
Haralson	27.2
Harris	23.7
Hart	29.1
Heard	31.2
Henry	30.8
Houston	37.7
Irwin	30.3
Jackson	26.6
Jasper	27.9
Jeff Davis	27.3
Jefferson	31.0
Jenkins	27.0
Johnson	26.9
Jones	21.8
Lamar	28.6
Lanier	26.6
Laurens	33.9
Lee	32.5
Liberty	0
Lincoln	27.3
Long	0
Lowndes	25.6
Lumpkin	24.7
McDuffie	28.4
McIntosh	0
Macon	37.2
Madison	28.5
Marion	30.0
Meriwether	29.7
Miller	27.6
Mitchell	31.5
Monroe	27.5
Montgomery	28.4
Morgan	27.2
Murray	28.9
Muscogee	32.2
Newton	25.5
Oconee	33.3
Oglethorpe	31.6
Paulding	26.0
Peach	37.5
Pickens	26.3
Pierce	21.0
Pike	27.4
Polk	27.1
Pulaski	36.7
Putnam	24.0
Quitman	29.6
Rabun	22.2
Randolph	33.1
Richmond	24.7
Rockdale	24.5
Schley	34.4
Screven	29.2
Seminole	31.4
Spalding	30.6
Stephens	27.1
Stewart	31.7
Sumter	36.1
Talbot	30.9
Taliaferro	24.8
Tattnall	30.8
Taylor	27.9
Telfair	30.1
Terrell	33.0
Thomas	30.3
Tift	31.2
Toombs	30.9
Towns	22.7
Treutlen	24.6
Troup	25.4
Turner	31.5
Twiggs	34.6
Union	23.5
Upson	29.8
Walker	27.9
Walton	25.9
Ware	25.4
Warren	28.1
Washington	34.9
Wayne	0
Webster	30.3
Wheeler	30.7
White	22.7
Whitfield	26.2
Wilcox	30.5
Wilkes	26.9
Wilkinson	28.7
Worth	30.9
State check yield	30.0

IDAHO

County	1968 projected yield (bushels per acre)
Ada	50.8
Adams	35.2
Bannock	27.9
Bear Lake	27.1
Benewah	50.8
Bingham	50.5
Blaine	39.2
Boise	36.2
Bonner	32.7
Bonneville	34.9
Boundary	49.5
Butte	37.8
Camas	23.4
Canyon	67.8
Caribou	30.9
Cassia	38.6
Clark	29.1
Clearwater	47.2
Custer	50.3
Elmore	36.0
Franklin	33.7
Fremont	38.0
Gem	52.1
Gooding	55.2
Idaho	48.4
Jefferson	50.3
Jerome	62.0
Kootenai	39.0
Latah	54.8
Lemhi	49.8
Lewis	55.2
Lincoln	55.0
Madison	36.4
Minidoka	57.4
Nez Perce	52.8
Oneida	25.5
Owyhee	66.8
Payette	55.8
Power	26.8
Shoshone	0
Shoshone	0
Teton	30.3
Twin Falls	66.0
Valley	27.7
Washington	38.2
State check yield	41.2

ILLINOIS

County	1968 projected yield (bushels per acre)
Adams	35.2
Alexander	36.2
Bond	39.8
Boone	38.8
Brown	34.8
Bureau	38.8
Calhoun	35.2
Carroll	35.3
Cass	36.3
Champaign	42.9
Christian	42.7
Clark	41.2
Clay	38.8
Clinton	38.7
Coles	43.5
Cook	39.6
Crawford	40.9
Cumberland	45.8
De Kalb	42.1
De Witt	43.8
Douglas	45.1
Du Page	41.9
Edgar	41.7
Edwards	39.9
Effingham	43.8
Fayette	39.6
Ford	41.2
Franklin	35.3
Fulton	34.6
Gallatin	38.9
Greene	36.9
Grundy	40.3
Hamilton	37.2
Hancock	34.0
Hardin	26.3
Henderson	36.1
Henry	38.0
Iroquois	39.2
Jackson	35.2
Jasper	45.6
Jefferson	36.7
Jersey	39.4
Jo Daviess	33.7
Johnson	27.9
Kane	41.1
Kankakee	39.2
Kendall	40.7
Knox	38.1
Lake	40.2
La Salle	39.8
Lawrence	38.8
Lee	40.2
Livingston	37.0
Logan	40.5
McDonough	37.3
McHenry	40.2
McLean	41.9
Macon	45.1
Macoupin	41.8
Madison	40.4
Marion	41.1
Marshall	40.0
Mason	34.6
Massac	34.4
Menard	39.0
Mercer	34.3
Monroe	39.3
Montgomery	41.0
Morgan	39.7
Moultrie	43.6
Ogle	37.6
Peoria	39.3
Perry	35.4
Platt	42.0
Pike	32.8
Pope	26.8
Pulaski	31.8
Putnam	39.8
Randolph	35.3
Richland	39.3
Rock Island	34.0
St. Clair	40.5
Saline	32.6
Sangamon	43.9
Schuyler	34.9
Scott	35.5
Shelby	41.2
Stark	39.2
Stephenson	34.9
Tazewell	37.7
Union	34.7
Vermilion	41.1
Wabash	41.1
Warren	39.1
Washington	39.3
Wayne	36.7
White	39.0
Whiteside	37.8
Will	39.4
Williamson	31.0
Winnebago	33.7
Woodford	39.4
State check yield	39.6

INDIANA

County	1968 projected yield (bushels per acre)
Adams	42.3
Allen	41.2
Bartholomew	39.1
Benton	46.0
Blackford	39.8
Boone	43.2
Brown	28.5
Carroll	43.5
Cass	41.8
Clark	35.7
Clay	39.8
Clinton	44.8
Crawford	28.6
Daviess	41.3
Dearborn	30.3
Decatur	37.0
De Kalb	37.7
Delaware	41.6
Dubois	34.0
Elkhart	35.6
Fayette	38.5
Floyd	32.1
Fountain	42.3
Franklin	32.4
Fulton	37.6
Gibson	39.4
Grant	42.5
Greene	39.6
Hamilton	44.1
Hancock	42.0
Harrison	32.1
Hendricks	43.0
Henry	40.4
Howard	44.5
Huntington	43.0
Jackson	33.8
Jasper	40.2
Jay	35.7
Jefferson	32.3
Jennings	34.3
Johnson	43.9
Knox	44.5
Kosciusko	36.0
Lagrange	34.8
Lake	43.6
La Porte	38.2
Lawrence	32.7
Madison	43.9
Marion	40.2
Marshall	36.2
Martin	35.9
Miami	43.0
Monroe	31.6
Montgomery	43.4
Morgan	40.2
Newton	42.8
Noble	35.4
Ohio	32.7
Orange	35.3
Owen	31.9
Parke	41.3
Perry	29.5
Pike	37.0
Porter	40.1
Posey	37.2
Pulaski	38.3
Putnam	39.4
Randolph	39.9
Ripley	32.2
Rush	36.7
St. Joseph	34.9
Scott	33.1
Shelby	39.0
Spencer	35.5
Starke	32.4
Steuben	38.7
Sullivan	44.0
Switzerland	30.4
Tippecanoe	42.2
Tipton	46.0
Union	40.4
Vanderburgh	38.6
Vermillion	40.8
Vigo	41.2
Wabash	40.7
Warren	43.3
Warrick	36.7
Washington	33.2
Wayne	37.3
Wells	43.0
White	44.2
Whitley	41.0
State check yield	39.5

IOWA

County	1968 projected yield (bushels per acre)
Adair	24.9
Adams	25.1
Allamakee	29.3
Appanoose	29.1
Audubon	28.2
Benton	30.5
Black Hawk	24.0
Boone	28.3
Bremer	30.3
Buchanan	28.1
Buena Vista	0
Butler	30.4
Calhoun	28.1
Carroll	30.5
Cass	26.0
Cedar	28.0
Cerro Gordo	26.0
Cherokee	27.2
Chickasaw	27.7
Clarke	24.1
Clay	29.3
Clayton	30.1
Clinton	30.0
Crawford	27.7
Dallas	28.4
Davis	26.6
Decatur	25.9
Delaware	32.3
Des Moines	34.8
Dickinson	24.3
Dubuque	32.9
East Pottawattamie	26.2
Emmet	23.1
Fayette	32.9
Floyd	29.0
Franklin	26.1
Fremont	26.2
Greene	27.6
Grundy	25.0
Guthrie	25.6
Hamilton	30.0
Hancock	22.7
Hardin	29.2
Harrison	28.5
Henry	28.1
Howard	24.8
Humboldt	29.5
Ida	24.9
Iowa	29.2
Jackson	30.2
Jasper	27.7
Jefferson	25.6
Johnson	29.1
Jones	30.3
Keokuk	24.6
Kossuth	25.4
Lee	30.1
Linn	31.2
Louisa	33.0
Lucas	22.7
Lyon	30.2
Madison	24.8
Mahaska	30.1
Marion	30.0
Marshall	30.3
Mills	27.9
Mitchell	29.5
Monona	22.9
Monroe	25.8
Montgomery	27.0
Muscatine	28.5
O'Brien	30.4
Osceola	23.7
Page	25.0
Palo Alto	26.6
Plymouth	21.4
Pocahontas	25.3
Polk	27.5
Poweshiek	29.9
Ringgold	23.7
Sac	30.9
Scott	30.2
Shelby	30.2
Sioux	24.4
Story	30.7
Tama	29.5
Taylor	25.3
Union	27.7
Van Buren	27.3
Wapello	26.0
Warren	25.8
Washington	29.5
Wayne	26.7
Webster	31.3
West Pottawattamie	26.2
Winnebago	26.0
Winneshiek	29.9
Woodbury	21.6
Worth	26.7
Wright	27.6
State check yield	26.7

KANSAS

County	1968 projected yield (bushel per acre)
Allen	29.3
Anderson	29.8
Atchison	28.0
Barber	26.7
Barton	20.2
Bourbon	27.6
Brown	32.7
Butler	27.9
Chase	30.2
Chautauqua	30.3
Cherokee	31.2
Cheyenne	26.8
Clark	19.8
Clay	27.2
Cloud	27.4
Coffey	27.8
Comanche	19.0
Cowley	30.0
Crawford	30.2
Decatur	27.4
Dickinson	31.4
Doniphan	32.2
Douglas	30.0
Edwards	21.4
Elk	26.1
Ellis	19.0
Ellsworth	23.5
Finney	27.2
Ford	21.5
Franklin	28.4
Geary	33.2
Gove	25.5
Graham	22.2
Grant	26.5
Gray	22.7
Greeley	22.5
Greenwood	25.0
Hamilton	22.0
Harper	27.8
Harvey	31.3
Haskell	23.3
Hodgeman	20.1
Jackson	29.9
Jefferson	26.9
Jewell	25.0
Johnson	32.1
Kearny	27.5
Kingman	25.6
Kiowa	21.4
Labette	31.1
Lane	24.0
Leavenworth	29.7
Lincoln	25.3
Linn	28.3
Logan	25.5
Lyon	27.5
McPherson	28.9
Marion	28.9
Marshall	30.2
Meade	20.2
Miami	30.7
Mitchell	24.8
Montgomery	30.9
Morris	29.7
Morton	20.5
Nemaha	32.0
Neosho	30.2
Ness	20.5
Norton	26.1
Osage	29.3
Osborne	22.5
Ottawa	27.1
Pawnee	21.3
Phillips	24.7
Pottawatomie	29.5
Pratt	23.2
Rawlins	27.8
Reno	28.1
Republic	27.4
Rice	25.4
Riley	29.9
Rooks	21.2
Rush	20.8
Russell	19.4
Saline	28.6
Scott	28.9
Sedgwick	29.4
Seward	20.9
Shawnee	30.8
Sheridan	26.2
Sherman	27.0
Smith	25.4
Stafford	24.1
Stanton	26.3
Stevens	23.4
Sumner	29.6
Thomas	27.0
Trego	22.5
Wabaunsee	29.5
Wallace	22.5
Washington	29.7
Wichita	26.0
Wilson	28.4
Woodson	25.2
Wyandotte	34.0
State check yield	25.4

KENTUCKY

County	1968 projected yield (bushel per acre)
Adair	26.1
Allen	26.7
Anderson	25.6
Ballard	31.3

KENTUCKY—Continued

County	1968 projected yield (bushels per acre)
Barren	31.6
Bath	24.0
Bell	0
Boone	26.9
Bourbon	30.7
Boyd	23.0
Boyle	25.9
Bracken	31.3
Breathitt	0
Breckinridge	28.9
Bullitt	29.7
Butler	26.7
Caldwell	32.8
Calloway	32.0
Campbell	26.2
Carlisle	26.2
Carroll	30.0
Carter	24.2
Casey	25.3
Christian	37.5
Clark	30.0
Clay	0
Clinton	29.0
Crittenden	29.9
Cumberland	24.6
Daviess	33.4
Edmonson	22.8
Elliott	0
Estill	23.3
Fayette	30.5
Fleming	27.5
Floyd	0
Franklin	31.2
Fulton	36.0
Gallatin	30.0
Garrard	26.7
Grant	30.8
Graves	33.8
Grayson	28.7
Green	27.5
Greenup	23.3
Hancock	29.5
Hardin	29.2
Harlan	0
Harrison	29.0
Hart	29.8
Henderson	37.2
Henry	31.7
Hickman	33.8
Hopkins	28.9
Jackson	22.6
Jefferson	36.2
Jessamine	25.4
Johnson	0
Kenton	28.5
Knott	0
Knox	22.1
Larue	28.7
Laurel	24.0
Lawrence	0
Lee	19.9
Leslie	0
Letcher	0
Lewis	24.0
Lincoln	28.3
Livingston	27.5
Logan	35.4
Lyon	29.4
McCracken	32.6
McCreary	0
McLean	30.4
Madison	28.5
Magoffin	0
Marion	32.1
Marshall	28.9
Martin	0
Mason	29.4
Meade	29.7
Menifee	0
Mercer	27.6
Metcalfe	28.0
Monroe	26.0
Montgomery	28.1
Morgan	20.0
Muhlenberg	31.2
Nelson	30.3
Nicholas	29.8
Ohio	25.9
Oldham	33.9
Owen	28.1
Owsley	0
Pendleton	23.4
Perry	0
Pike	0
Powell	22.9
Pulaski	28.3
Robertson	27.3
Rockcastle	26.4
Rowan	22.2
Russell	25.9
Scott	28.1
Shelby	29.4
Simpson	35.8
Spencer	26.1
Taylor	30.9
Todd	36.2
Trigg	34.2
Trimble	32.8
Union	37.2
Warren	35.4
Washington	30.0
Wayne	31.3
Webster	32.3
Whitley	0
Wolfe	0
Woodford	31.3
State check yield	32.6

LOUISIANA—(PARISHES)

County	1968 projected yield (bushels per acre)
Acadia	21.1
Allen	20.6
Ascension	0
Assumption	0
Avoyelles	23.0
Beauregard	0
Bienville	0
Bossier	26.5
Caddo	25.1
Calcasieu	21.5
Caldwell	26.2
Cameron	0
Catahoula	25.0
Claiborne	17.3
Concordia	25.0
De Soto	21.1
East Baton Rouge	23.0
East Carroll	26.4
East Feliciana	21.8
Evangeline	22.5
Franklin	24.2
Grant	0
Iberia	0
Iberville	0
Jackson	18.3
Jefferson	0
Jefferson Davis	19.6
Lafayette	20.4
Lafourche	0
La Salle	21.9
Lincoln	0
Livingston	0
Madison	26.8
Morehouse	24.2
Natchitoches	22.7
Orleans	0
Ouachita	26.5
Plaquemines	0
Pointe Coupee	22.0
Rapides	21.3
Red River	26.9
Richland	24.0
Sabine	0
St. Bernard	0
St. Charles	0
St. Helena	0
St. James	20.4
St. John the Baptist	0
St. Landry	19.0
St. Martin	0
St. Mary	0
St. Tammany	0
Tangipahoa	0
Tensas	25.5
Terrebonne	0
Union	0
Vermilion	20.6
Vernon	0
Washington	0
Webster	20.1
West Baton Rouge	0
West Carroll	24.8
West Feliciana	0
Winn	0
State check yield	25.8

MAINE

County	1968 projected yield (bushels per acre)
Androscoggin	0
Aroostook	30.4
Cumberland	0
Franklin	0
Hancock	0
Kennebec	0
Knox	0
Lincoln	0
Oxford	0
Penobscot	30.4
Piscataquis	0
Sagadahoc	0
Somerset	30.4
Waldo	30.6
Washington	30.3
York	30.7
State check yield	30.4

MARYLAND

County	1968 projected yield (bushels per acre)
Allegany	27.0
Anne Arundel	23.6
Baltimore	34.3
Calvert	24.6
Caroline	33.7
Carroll	31.5
Cecil	34.8
Charles	24.9
Dorchester	33.3
Frederick	31.3
Garrett	29.1
Harford	36.8
Howard	31.9
Kent	37.1
Montgomery	32.9
Prince Georges	23.7
Queen Annes	35.0
St. Marys	25.1
Somerset	28.8
Talbot	33.8
Washington	30.9
Wicomico	28.1
Worcester	28.2
State check yield	32.3

MASSACHUSETTS

County	1968 projected yield (bushels per acre)
Barnstable	0
Berkshire	30.0
Bristol	29.5
Dukes	0
Essex	29.4
Franklin	30.3
Hampden	30.3
Hampshire	30.1
Middlesex	0
Nantucket	0
Norfolk	0
Plymouth	29.2
Suffolk	0
Worcester	29.6
State check yield	30.0

MICHIGAN

County	1968 projected yield (bushel per acre)
Alcona	29.2
Alger	23.8
Allegan	36.8
Alpena	31.0
Antrim	27.9
Arenac	36.5
Baraga	25.0
Barry	37.5
Bay	41.6
Benzie	23.8
Berrien	35.0
Branch	33.8
Calhoun	36.7
Cass	32.8
Charlevoix	26.3
Cheboygan	25.6
Chippewa	21.4
Clare	32.8
Clinton	39.5
Crawford	23.1
Delta	20.8
Dickinson	21.2
Eaton	40.2
Emmet	29.2
Genesee	37.7
Gladwin	33.8
Gogebic	0
Grand Traverse	30.4
Gratiot	41.4
Hillsdale	36.4
Houghton	23.0
Huron	40.9
Ingham	40.0
Ionia	40.0
Iosco	29.2
Iron	0
Isabella	35.8
Jackson	36.5
Kalamazoo	37.2
Kalkaska	18.9
Kent	34.9
Keweenaw	0
Lake	29.1
Lapeer	37.2
Leelanau	27.0
Lenawee	41.5
Livingston	36.3
Luce	18.5
Mackinac	24.3
Macomb	38.0
Manistee	24.1
Marquette	0
Mason	35.4
Mecosta	33.5
Menominee	23.4
Midland	40.9
Missaukee	30.9
Monroe	40.0
Montcalm	34.5
Montmorency	30.2
Muskegon	36.4
Newaygo	34.2
Oakland	35.7
Oceana	34.8
Ogemaw	30.9
Ontonagon	19.3
Osceola	30.9
Oscoda	25.4
Otsego	27.0
Ottawa	35.5
Presque Isle	28.5
Roscommon	30.9
Saginaw	42.4
St. Clair	36.6
St. Joseph	33.8
Sanilac	38.5
Schoolcraft	18.3
Shiawassee	39.5
Tuscola	41.4
Van Buren	35.2
Washtenaw	39.5
Wayne	36.5
Wexford	24.1
State check yield	37.9

MINNESOTA

County	1968 projected yield (bushels per acre)
Aitkin	18.8
Anoka	21.4
Becker	24.7
Beltrami	21.1
Benton	21.9
Big Stone	20.5
Blue Earth	27.7
Brown	22.7
Carlton	20.5
Carver	26.5
Cass	19.8
Chippewa	21.0
Chisago	21.2
Clay	27.4
Clearwater	22.0
Cook	0
Cottonwood	23.4
Crow Wing	20.2
Dakota	25.0
Dodge	25.8
Douglas	22.1
East Ottertail	23.7
East Polk	26.3
Faribault	28.8
Fillmore	25.8
Freeborn	27.8
Goodhue	25.0
Grant	23.1
Hennepin	24.1
Houston	28.5
Hubbard	19.2
Isanti	22.6
Itasca	20.9
Jackson	23.0
Kanabec	22.1
Kandiyohi	23.9
Kittson	24.7
Koochiching	20.1
Lac Qui Parle	20.5
Lake	0
Lake of the Woods	21.6
Le Sueur	27.0
Lincoln	20.5
Lyon	20.9
McLeod	25.9
Mahnomen	25.6
Marshall	27.0
Martin	25.9
Meeker	24.7
Mille Lacs	21.4
Morrison	19.8
Mower	26.4
Murray	21.6
Nicolet	26.2
Nobles	22.3
Norman	26.9
North St. Louis	22.7
Olmsted	27.8
Pennington	23.7
Pine	20.0
Pipestone	20.3
Pope	20.2
Ramsey	0
Red Lake	23.4
Redwood	22.6
Renville	24.5
Rice	25.3
Rock	21.1
Roseau	21.4
Scott	26.0
Sherburne	20.7
Sibley	25.4
South St. Louis	0
Stearns	21.2
Steele	27.4
Stevens	21.9
Swift	20.8
Todd	20.1
Traverse	21.7
Wabasha	27.9
Wadena	19.3
Waseca	28.6
Washington	25.6
Watonwan	21.6
West Ottertail	24.8
West Polk	27.1
Wilkin	25.0
Winona	27.0
Wright	24.5
Yellow Medicine	21.6
State check yield	25.0

MISSISSIPPI

County	1968 projected yield (bushels per acre)
Adams	28.8
Alcorn	28.0
Amite	25.2
Attala	28.3
Benton	28.2
Bolivar	31.3
Calhoun	28.9
Carroll	28.4
Chickasaw	26.0
Choctaw	27.0
Claiborne	28.7
Clarke	26.2
Clay	25.6
Coahoma	31.6
Copiah	24.7
Covington	26.6
De Soto	31.6
Forrest	27.7
Franklin	0
George	27.7
Greene	0
Grenada	27.9
Hancock	0
Harrison	0
Hinds	28.2
Holmes	29.7
Humphreys	30.0
Issaquena	30.4

MISSISSIPPI—Continued

County	1968 projected yield (bushels per acre)
Itawamba	29.1
Jackson	24.2
Jasper	0
Jefferson	27.1
Jefferson Davis	26.0
Jones	26.8
Kemper	27.8
Lafayette	27.5
Lamar	0
Lauderdale	0
Lawrence	26.4
Leake	28.4
Lee	30.1
Leflore	31.3
Lincoln	25.5
Lowndes	26.6
Madison	30.1
Marion	24.0
Marshall	27.7
Monroe	28.1
Montgomery	27.9
Neshoba	26.8
Newton	23.7
Noxubee	28.1
Oktibbeha	26.5
Panola	30.3
Pearl River	0
Perry	21.6
Pike	23.1
Pontotoc	27.6
Prentiss	27.6
Quitman	31.1
Rankin	28.2
Scott	26.1
Sharkey	31.7
Simpson	28.4
Smith	0
Stone	0
Sunflower	31.3
Tallahatchie	31.6
Tate	32.0
Tippah	27.7
Tishomingo	28.0
Tunica	32.5
Union	28.8
Walthall	25.1
Warren	29.4
Washington	31.4
Wayne	0
Webster	28.5
Wilkinson	26.1
Winston	26.7
Yalobusha	27.5
Yazoo	31.7
State check yield	31.3

MISSOURI

County	1968 projected yield (bushels per acre)
Adair	29.6
Andrew	28.4
Atchison	29.5
Audrain	34.7
Barry	28.8
Barton	31.0
Bates	27.1
Benton	27.5
Bollinger	27.4
Boone	32.6
Buchanan	30.0
Butler	34.2
Caldwell	28.4
Callaway	34.5
Camden	24.6
Cape Girardeau	35.1
Carroll	32.5
Carter	27.5
Cass	28.3
Cedar	26.0
Chariton	31.9
Christian	26.6
Clark	28.3
Clay	30.4
Clinton	29.7
Cole	31.2
Cooper	32.6
Crawford	26.7
Dade	30.2
Dallas	27.8
Daviess	27.6
De Kalb	28.4
Dent	24.3
Douglas	22.2
Dunklin	35.2
Franklin	33.8
Gasconade	31.8
Gentry	28.0
Greene	28.0
Grundy	28.2
Harrison	27.5
Henry	28.6
Hickory	24.1
Holt	29.5
Howard	30.8
Howell	24.0
Iron	21.8
Jackson	31.6
Jasper	31.0
Jefferson	30.4
Johnson	27.3
Knox	32.0
Laclede	28.7
Lafayette	31.4
Lawrence	27.7
Lewis	29.1
Lincoln	35.5
Linn	30.6
Livingston	30.3
McDonald	27.7
Macon	30.3
Madison	26.9
Maries	27.3
Marion	31.1
Mercer	26.5
Miller	31.4
Mississippi	39.7
Moniteau	30.1
Monroe	29.1
Montgomery	36.5
Morgan	28.6
New Madrid	36.9
Newton	27.1
Nodaway	28.7
Oregon	26.7
Osage	33.6
Ozark	24.4
Pemiscot	40.3
Perry	36.1
Pettis	31.6
Phelps	28.6
Pike	34.1
Platte	29.9
Polk	27.4
Pulaski	24.3
Putnam	27.6
Ralls	29.6
Randolph	30.7
Ray	32.2
Reynolds	26.3
Ripley	24.8
St. Charles	38.6
St. Clair	24.3
St. Francois	35.2
St. Louis	37.7
Ste. Genevieve	40.7
Saline	31.0
Schuyler	29.0
Scotland	28.1
Scott	37.5

MISSOURI—Continued

County	1968 projected yield (bushels per acre)
Shannon	25.6
Shelby	30.1
Stoddard	35.7
Stone	24.9
Sullivan	28.0
Taney	22.5
Texas	24.6
Vernon	30.2
Warren	34.9
Washington	32.6
Wayne	28.9
Webster	25.2
Worth	26.8
Wright	25.6
State check yield	31.3

MONTANA

County	1968 projected yield (bushels per acre)
Beaverhead	28.8
Big Horn	28.2
Blaine	22.9
Broadwater	27.4
Carbon	28.5
Carter	19.0
Cascade	31.5
Chouteau	31.8
Custer	23.5
Daniels	22.5
Dawson	22.0
Deer Lodge	52.6
Fallon	19.0
Fergus	29.3
Flathead	42.8
Gallatin	34.7
Garfield	20.4
Glacier	28.7
Golden Valley	25.4
Granite	31.3
Hill	24.4
Jefferson	24.6
Judith Basin	28.5
Lake	32.8
Lewis and Clark	26.9
Liberty	25.2
Lincoln	29.7
McCone	21.6
Madison	29.7
Meagher	27.7
Mineral	29.3
Missoula	30.2
Musselshell	26.0
Park	27.3
Petroleum	23.4
Phillips	22.9
Pondera	33.0
Powder River	22.3
Powell	32.5
Prairie	23.0
Ravalli	34.0
Richland	22.6
Roosevelt	22.5
Rosebud	24.9
Sanders	27.5
Sheridan	25.0
Silver Bow	22.7
Stillwater	28.1
Sweet Grass	24.7
Teton	29.2
Toole	26.6
Treasure	28.9
Valley	22.8
Wheatland	24.6
Wibaux	20.9
Yellowstone	30.4
State check yield	26.1

NEBRASKA

County	1968 projected yield (bushels per acre)
Adams	24.1
Antelope	25.0
Arthur	17.1
Banner	24.9
Blaine	0
Boone	26.3
Box Butte	25.3
Boyd	19.7
Brown	21.7
Buffalo	24.2
Burt	28.0
Butler	28.3
Cass	29.0
Cedar	19.8
Chase	24.6
Cherry	21.3
Cheyenne	24.6
Clay	24.9
Colfax	28.3
Cuming	28.0
Custer	25.9
Dakota	25.9
Dawes	24.6
Dawson	24.8
Deuel	26.4
Dixon	24.0
Dodge	27.3
Douglas	28.1
Dundy	24.8
Fillmore	25.0
Franklin	23.1
Frontier	24.7
Furnas	24.2
Gage	26.1
Garden	26.1
Garfield	21.5
Gosper	25.4
Grant	0
Greeley	24.9
Hall	23.6
Hamilton	24.4
Harlan	25.2
Hayes	25.9
Hitchcock	25.4
Holt	17.3
Hooker	13.9
Howard	24.2
Jefferson	25.3
Johnson	26.4
Kearney	24.4
Keith	26.9
Keya Paha	19.4
Kimball	22.2
Knox	23.3
Lancaster	29.3
Lincoln	23.8
Logan	22.4
Loup	25.0
McPherson	19.3
Madison	26.6
Merrick	23.3
Morrill	23.2
Nance	26.0
Nemaha	28.4
Nuckolls	25.2
Otoe	28.2
Pawnee	27.9
Perkins	25.3
Phelps	25.0
Pierce	26.0
Platte	26.9
Polk	27.8
Red Willow	26.6
Richardson	27.9
Rock	17.4
Saline	25.6
Sarpy	28.4
Saunders	29.7
Scotts Bluff	25.2
Seward	27.5
Sheridan	23.8
Sherman	24.9
Sioux	23.9
Stanton	26.2
Thayer	25.5
Thomas	13.7
Thurston	25.0
Valley	26.5
Washington	28.0
Wayne	27.3
Webster	22.8
Wheeler	19.5
York	26.9
State check yield	25.4

NEVADA

County	1968 projected yield (bushels per acre)
Churchill	49.1
Clark	31.9
Douglas	41.0
Elko	41.0
Esmeralda	38.3
Eureka	31.5
Humboldt	51.4
Lander	40.8
Lincoln	35.4
Lyon	52.8
Mineral	31.7
Nye	32.9
Ormsby	38.3
Pershing	65.1
Storey	38.3
Washoe	37.3
White Pine	32.4
State check yield	49.6

NEW JERSEY

County	1968 projected yield (bushels per acre)
Atlantic	32.5
Bergen	0
Burlington	36.0
Camden	35.5
Cape May	31.8
Cumberland	36.0
Essex	0
Gloucester	35.5
Hudson	0
Hunterdon	33.4
Mercer	36.0
Middlesex	36.0
Monmouth	36.0
Morris	29.9
Ocean	33.5
Passaic	0
Salem	36.0
Somerset	32.3
Sussex	32.8
Union	29.9
Warren	36.0
State check yield	35.2

NEW MEXICO

County	1968 projected yield (bushels per acre)
Bernalillo	20.3
Catron	30.0
Chaves	36.7
Colfax	22.7
Curry	29.5
De Baca	33.0
Dona Ana	26.1
Eddy	35.0
Grant	33.6
Guadalupe	17.1
Harding	12.0
Hidalgo	41.0
Lea	19.5
Lincoln	18.7
Luna	30.6
McKinley	13.6
Mora	21.5
Otero	34.2
Quay	15.2
Rio Arriba	14.0
Roosevelt	17.5
Sandoval	22.1
San Juan	28.0
San Miguel	21.7
Santa Fe	22.7
Sierra	32.1
Socorro	17.8
Taos	24.0
Torrance	17.1
Union	21.3
Valencia	29.9
State check yield	22.0

NEW YORK

County	1968 projected yield (bushels per acre)
Albany	35.4
Allegany	32.0
Broome	29.8
Chautauqua	35.4
Cayuga	40.0
Chautaugua	35.4
Chemung	30.4
Chenango	37.0
Clinton	26.0
Columbia	38.8
Cortland	37.0
Delaware	37.5
Dutchess	39.2
Erie	36.4
Essex	34.4
Franklin	26.0
Fulton	32.7
Genesee	40.4
Greene	38.7
Hamilton	0
Herkimer	35.2
Jefferson	31.6
Lewis	32.3
Livingston	38.6
Madison	37.2
Monroe	39.7
Montgomery	36.2
Nassau	39.0
New York City	0
Niagara	39.1
Oneida	39.8
Onondaga	38.5
Ontario	40.1
Orange	39.8
Orleans	40.7
Oswego	34.9
Otsego	35.2
Putnam	0
Rensselaer	35.5
Richmond	0
Rockland	0
St. Lawrence	30.6
Saratoga	36.8
Schenectady	34.6
Schoharie	35.3
Schuyler	30.2
Seneca	39.0
Steuben	32.8
Suffolk	40.2
Sullivan	29.4
Tioga	29.2
Tompkins	34.4
Ulster	39.5
Warren	0
Washington	35.1

NEW YORK—Continued

County	1968 projected yield (bushel per acre)	County	1968 projected yield (bushels per acre)
Wayne	37.5	Yates	39.2
Westchester	29.1	State check yield	38.2
Wyoming	37.5		

NORTH CAROLINA

Alamance	29.1	Lee	27.5
Alexander	26.9	Lenoir	33.0
Alleghany	29.4	Lincoln	29.6
Anson	24.5	McDowell	27.2
Ashe	28.6	Macon	24.9
Avery	26.2	Madison	26.1
Beaufort	32.3	Martin	34.9
Bertie	33.1	Mecklenburg	25.4
Bladen	31.7	Mitchell	26.9
Brunswick	30.2	Montgomery	23.5
Buncombe	27.8	Moore	23.2
Burke	26.8	Nash	33.4
Cabarrus	26.4	New Hanover	29.4
Caldwell	28.8	Pamlico	35.5
Camden	37.5	Northampton	29.8
Carteret	33.5	Onslow	28.7
Caswell	26.1	Orange	28.6
Catawba	28.8	Pamlico	35.6
Chatham	25.1	Pasquotank	36.5
Cherokee	22.6	Pender	29.4
Chowan	35.5	Perquimans	37.9
Clay	25.9	Person	25.1
Cleveland	27.1	Pitt	35.7
Columbus	30.2	Polk	26.4
Craven	34.5	Randolph	25.7
Cumberland	27.4	Richmond	23.5
Currituck	34.9	Robeson	28.4
Dare	0	Rockingham	28.6
Davidson	27.0	Rowan	28.1
Davie	29.5	Rutherford	28.0
Duplin	30.5	Sampson	30.5
Durham	28.9	Scotland	29.1
Edgecombe	33.2	Stanly	24.8
Forsyth	26.1	Stokes	26.2
Franklin	27.1	Surry	30.0
Gaston	26.3	Swain	0
Gates	32.2	Transylvania	27.2
Graham	0	Tyrrell	34.9
Granville	24.5	Union	27.5
Greene	35.6	Vance	26.2
Guilford	28.4	Wake	27.8
Halifax	33.0	Warren	25.5
Harnett	30.0	Washington	35.9
Haywood	26.8	Watauga	28.5
Henderson	28.0	Wayne	34.4
Hertford	32.0	Wilkes	28.3
Hoke	28.4	Wilson	35.8
Hyde	33.2	Yadkin	28.5
Iredell	27.9	Yancey	24.9
Jackson	23.9	State check yield	28.5
Johnston	31.2		
Jones	32.0		

NORTH DAKOTA

Adams	21.7	McHenry	25.3
Barnes	26.8	McIntosh	20.0
Benson	28.3	McKenzie	24.2
Billings	22.9	McLean	28.4
Bottineau	30.5	Mercer	25.7
Bowman	21.4	Morton	23.2
Burke	29.6	Mountrail	28.2
Burleigh	23.2	Nelson	32.7
Cass	27.7	Oliver	21.4
Cavalier	31.5	Pembina	29.0
Dickey	21.2	Pierce	26.1
Divide	27.3	Ramsey	30.8
Dunn	23.4	Ransom	23.3
Eddy	26.2	Renville	31.2
Emmons	21.2	Richland	23.9
Foster	27.7	Rolette	28.6
Golden Valley	24.1	Sargent	23.9
Grand Forks	30.4	Sheridan	23.5
Grant	21.8	Sioux	20.3
Griggs	28.5	Slope	23.9
Hettinger	24.2	Stark	24.2
Kidder	20.3	Steele	31.8
La Moure	23.5	Stutsman	24.5
Logan	20.1	Towner	29.9
		Traill	30.2

NORTH DAKOTA—Continued

County	1968 projected yield (bushel per acre)	County	1968 projected yield (bushel per acre)
Walsh	30.7	Williams	25.7
Ward	30.9	State check yield	26.5
Wells	27.3		

OHIO

Adams	26.4	Logan	38.6
Allen	38.2	Lorain	35.4
Ashland	34.0	Lucas	40.5
Ashtabula	34.8	Madison	39.2
Athens	28.3	Mahoning	36.2
Auglaize	39.5	Marion	36.7
Belmont	31.3	Medina	34.4
Brown	25.7	Meigs	29.4
Butler	33.2	Mercer	39.3
Carroll	33.4	Miami	39.4
Champaign	40.9	Monroe	28.8
Clark	40.8	Montgomery	36.0
Clermont	27.8	Morgan	30.2
Clinton	34.3	Morrow	32.9
Columbiana	34.8	Muskingum	29.1
Coshocton	30.0	Noble	28.3
Crawford	36.9	Ottawa	39.1
Cuyahoga	34.4	Paulding	37.4
Darke	40.0	Perry	29.2
Defiance	36.3	Pickaway	35.5
Delaware	34.2	Pike	29.3
Erie	40.1	Portage	33.0
Fairfield	32.4	Preble	37.1
Fayette	36.7	Putnam	38.9
Franklin	34.1	Richland	35.2
Fulton	41.5	Ross	31.5
Gallia	26.6	Sandusky	39.1
Geauga	31.9	Scioto	30.1
Greene	37.0	Seneca	38.6
Guernsey	28.6	Shelby	39.1
Hamilton	33.6	Stark	36.7
Hancock	39.5	Summit	33.0
Hardin	37.6	Trumbull	32.2
Harrison	31.7	Tuscarawas	32.7
Henry	40.9	Union	35.6
Highland	28.8	Van Wert	41.1
Hocking	28.3	Vinton	29.3
Holmes	34.0	Warren	32.3
Huron	38.1	Washington	29.3
Jackson	28.4	Wayne	36.3
Jefferson	31.6	Williams	37.1
Knox	31.1	Wood	40.0
Lake	32.0	Wyandot	37.5
Lawrence	30.0	State check yield	36.3
Licking	30.9		

OKLAHOMA

Adair	28.0	Jackson	22.4
Alfalfa	28.4	Jefferson	25.0
Atoka	23.2	Johnston	27.1
Beaver	16.1	Kay	32.2
Beckham	20.8	Kingfisher	24.7
Blaine	25.8	Kiowa	23.5
Bryan	24.7	Latimer	20.1
Caddo	29.7	Le Flore	29.3
Canadian	28.6	Lincoln	23.3
Carter	25.3	Logan	27.3
Cherokee	24.3	Love	25.1
Choctaw	25.0	McClain	30.0
Cimarron	14.5	McCurtain	21.9
Cleveland	28.6	McIntosh	24.6
Coal	25.5	Major	26.3
Comanche	21.9	Marshall	25.4
Cotton	27.9	Mayes	29.1
Craig	27.1	Murray	26.3
Creek	23.4	Muskogee	27.7
Custer	26.5	Noble	28.9
Delaware	28.0	Nowata	27.5
Dewey	21.6	Okfuskee	24.6
Ellis	15.1	Oklahoma	27.6
Garfield	27.7	Okmulgee	23.1
Garvin	27.1	Osage	28.6
Grady	29.5	Ottawa	29.4
Grant	28.1	Pawnee	28.1
Greer	20.9	Payne	26.4
Harmon	20.4	Pittsburg	23.4
Harper	16.4	Pontotoc	25.5
Haskell	26.3	Pottawatomie	27.9
Hughes	25.2	Pushmataha	23.0

OKLAHOMA—Continued

County	1968 projected yield (bushel per acre)	County	1968 projected yield (bushel per acre)
Roger Mills	19.7	Wagoner	27.6
Rogers	27.9	Washington	29.0
Seminole	25.4	Washita	24.3
Sequoyah	29.0	Woods	23.7
Stephens	25.3	Woodward	20.4
Texas	15.9	State check yield	23.8
Tillman	26.8		
Tulsa	29.5		

OREGON

Baker	37.2	Lane	44.5
Benton	49.3	Lincoln	0
Clackamas	45.6	Linn	45.1
Clatsop	0	Malheur	57.1
Columbia	41.1	Marion	51.1
Coos	0	Morrow	27.5
Crook	55.3	Multnomah	47.3
Curry	0	Polk	49.8
Deschutes	41.4	Sherman	33.0
Douglas	30.3	Tillamook	0
Gilliam	29.4	Umatilla	36.2
Grant	26.0	Union	42.9
Harney	21.0	Wallowa	37.5
Hood River	24.2	Wasco	32.8
Jackson	37.0	Washington	52.9
Jefferson	50.8	Wheeler	30.8
Josephine	33.5	Yamhill	52.2
Klamath	43.1	State check yield	36.4
Lake	28.0		

PENNSYLVANIA

Adams	32.0	Lebanon	36.0
Allegheny	29.0	Lehigh	34.0
Armstrong	30.0	Luzerne	30.5
Beaver	30.5	Lycoming	32.0
Bedford	32.0	McKean	31.5
Berks	34.0	Mercer	32.5
Blair	33.0	Mifflin	32.0
Bradford	30.5	Monroe	32.0
Bucks	33.5	Montgomery	33.0
Butler	32.5	Montour	29.0
Cambria	29.0	Northampton	37.0
Cameron	23.2	Northumberland	32.0
Carbon	31.0	Perry	32.0
Centre	33.0	Philadelphia	0
Chester	39.5	Pike	30.0
Clarion	28.0	Potter	33.0
Clearfield	28.3	Schuylkill	30.0
Clinton	33.1	Snyder	31.2
Columbia	34.0	Somerset	30.2
Crawford	30.5	Sullivan	31.0
Cumberland	34.0	Susquehanna	33.0
Dauphin	34.0	Tioga	30.0
Delaware	36.0	Union	33.5
Elk	28.4	Venango	29.0
Erie	31.0	Warren	28.5
Fayette	31.3	Washington	32.0
Forest	26.7	Wayne	31.5
Franklin	34.0	Westmoreland	32.0
Fulton	28.0	Wyoming	30.0
Greene	31.0	York	35.6
Huntingdon	30.0	State check yield	33.5
Indiana	30.0		
Jefferson	28.0		
Juniata	31.5		
Lackawanna	30.0		
Lancaster	40.1		
Lawrence	33.7		

RHODE ISLAND

Bristol	0	Washington	28.5
Kent	0	State check yield	28.5
Newport	28.5		
Providence	0		

SOUTH CAROLINA

Abbeville	28.2	Beaufort	32.5
Aiken	26.9	Berkeley	31.7
Allendale	30.6	Calhoun	32.7
Anderson	27.7	Charleston	33.1
Bamberg	29.8	Cherokee	27.6
Barnwell	29.1	Chester	28.0

SOUTH CAROLINA—Continued

County	1968 projected yield (bushels per acre)
Chesterfield	28.1
Clarendon	29.1
Colleton	27.2
Darlington	30.8
Dillon	30.5
Dorchester	29.5
Edgefield	29.9
Fairfield	28.0
Florence	29.3
Georgetown	25.1
Greenville	27.0
Greenwood	28.8
Hampton	30.8
Horry	31.1
Jasper	28.6
Kershaw	28.5
Lancaster	27.6
Laurens	29.5
Lee	30.9
Lexington	26.5
McCormick	29.0
Marion	29.1
Marlboro	30.2
Newberry	32.1
Oconee	25.0
Orangeburg	29.8
Pickens	24.7
Richland	30.0
Saluda	29.4
Spartanburg	27.1
Sumpter	28.5
Union	25.7
Williamsburg	29.6
York	27.3
State check yield	28.7

SOUTH DAKOTA

County	1968 projected yield (bushels per acre)
Aurora	16.7
Beadle	14.9
Bennett	26.1
Bon Homme	16.4
Brookings	17.5
Brown	18.1
Brule	20.5
Buffalo	16.8
Butte	19.3
Campbell	17.2
Charles Mix	18.0
Clark	15.4
Clay	20.3
Codington	16.9
Corson	17.9
Custer	15.4
Davison	17.7
Day	19.7
Deuel	17.3
Dewey	15.5
Douglas	16.4
Edmunds	14.8
Fall River	20.3
Faulk	15.5
Grant	17.8
Gregory	21.3
Haakon	21.7
Hamlin	17.7
Hand	16.7
Hanson	18.3
Harding	15.8
Hughes	15.8
Hutchinson	17.1
Hyde	15.9
Jackson	20.8
Jerauld	14.9
Jones	19.7
Kingsbury	16.7
Lake	17.3
Lawrence	21.2
Lincoln	19.0
Lyman	22.0
McCook	18.0
McPherson	14.9
Marshall	20.3
Meade	21.4
Mellette	21.0
Miner	15.9
Minnehaha	19.9
Moody	21.0
Pennington	22.0
Perkins	16.9
Potter	17.1
Roberts	17.7
Sanborn	15.5
Shannon	23.9
Spink	15.3
Stanley	20.7
Sully	17.0
Todd	20.7
Tripp	24.5
Turner	17.8
Union	19.9
Walworth	17.9
Washabaugh	26.5
Yankton	17.1
Ziebach	16.0
State check yield	17.8

TENNESSEE

County	1968 projected yield (bushel per acre)
Anderson	21.0
Bedford	24.8
Benton	24.3
Bledsoe	21.2
Blount	24.6
Bradley	26.6
Campbell	21.8
Cannon	24.6
Carroll	27.7
Carter	25.2
Cheatham	27.5
Chester	27.4
Claiborne	26.2
Clay	23.1
Cocke	26.4
Coffee	30.2
Crockett	29.9
Cumberland	24.2
Davidson	23.7
Decatur	17.6
De Kalb	22.9
Dickson	25.8
Dyer	34.1
Fayette	26.5
Fentress	25.0
Franklin	30.6
Gibson	28.7
Giles	24.2
Grainger	25.5
Greene	25.8
Grundy	29.7
Hamblen	29.5
Hamilton	21.5
Hancock	22.3
Hardeman	27.7
Hardin	24.9
Hawkins	25.2
Haywood	29.2
Henderson	29.7
Henry	31.1
Hickman	25.2
Houston	27.0
Humphreys	23.6
Jackson	19.2
Jefferson	29.1
Johnson	26.2
Knox	24.1
Lake	37.7
Lauderdale	34.1
Lawrence	25.7
Lewis	22.6
Lincoln	24.0

TENNESSEE—Continued

County	1968 projected yield (bushel per acre)
Loudon	25.5
McMinn	22.9
McNairy	24.7
Macon	25.0
Madison	27.5
Marion	24.8
Marshall	22.1
Maury	26.3
Meigs	21.5
Monroe	25.0
Montgomery	35.7
Moore	22.9
Morgan	22.7
Obion	31.4
Overton	25.0
Perry	20.3
Pickett	24.6
Polk	23.7
Putnam	25.8
Rhea	21.8
Roane	24.4
Robertson	32.3
Rutherford	26.5
Scott	0
Sequatchie	23.2
Sevier	27.3
Shelby	29.4
Smith	19.9
Stewart	26.3
Sullivan	26.2
Sumner	30.8
Tipton	35.5
Trousdale	23.0
Unicoi	25.0
Union	23.4
Van Buren	24.3
Warren	25.6
Washington	27.3
Wayne	24.6
Weakley	28.8
White	27.4
Williamson	24.9
Wilson	22.6
State check yield	28.1

TEXAS

County	1968 projected yield (bushels per acre)
Anderson	0
Andrews	0
Angelina	0
Aransas	0
Archer	16.8
Armstrong	17.3
Atascosa	16.5
Austin	0
Bailey	27.1
Bandera	14.4
Bastrop	17.2
Baylor	17.5
Bee	16.8
Bell	17.2
Bexar	18.2
Blanco	15.8
Borden	12.4
Bosque	16.1
Bowie	26.4
Brazoria	0
Brazos	19.2
Brewster	0
Briscoe	20.6
Brooks	0
Brown	14.7
Burleson	0
Burnet	13.9
Caldwell	17.7
Calhoun	0
Callahan	16.6
Cameron	0
Camp	0
Carson	18.2
Cass	0
Castro	36.5
Chambers	0
Cherokee	14.7
Childress	16.2
Clay	18.7
Cochran	22.6
Coke	13.6
Coleman	15.1
Collin	21.3
Collingsworth	16.0
Colorado	21.0
Comal	15.4
Comanche	15.4
Concho	13.4
Cooke	20.2
Coryell	15.7
Cottle	15.1
Crane	0
Crockett	0
Crosby	23.5
Culberson	19.6
Dallam	22.2
Dallas	19.9
Dawson	20.1
Deaf Smith	33.3
Delta	23.1
Denton	19.7
De Witt	16.5
Dickens	14.4
Dimmit	14.7
Donley	15.7
Duval	0
Eastland	13.6
Ector	0
Edwards	14.7
Ellis	18.3
El Paso	0
Erath	14.7
Falls	17.1
Fannin	24.4
Fayette	0
Fisher	14.9
Floyd	23.4
Foard	15.1
Fort Bend	0
Franklin	0
Freestone	0
Frio	22.5
Gaines	20.8
Galveston	0
Garza	13.5
Gillespie	17.7
Glasscock	20.1
Goliad	0
Gonzales	18.3
Gray	16.9
Grayson	22.3
Gregg	0
Grimes	0
Guadalupe	20.2
Hale	32.5
Hall	15.5
Hamilton	15.4
Hansford	24.3
Hardeman	16.8
Hardin	0
Harris	0
Harrison	0
Hartley	18.5
Haskell	16.3
Hays	16.5
Hemphill	13.7
Henderson	16.0
Hidalgo	0
Hill	17.5
Hockley	20.5
Hood	16.0
Hopkins	17.7
Houston	21.6
Howard	13.6
Hudspeth	0
Hunt	22.7
Hutchinson	25.3
Irion	16.6
Jack	16.1
Jackson	15.1
Jasper	0
Jeff Davis	0

TEXAS—Continued

County	1968 projected yield (bushels per acre)
Jefferson	0
Jim Hogg	0
Jim Wells	0
Johnson	17.4
Jones	16.7
Karnes	17.5
Kaufman	19.6
Kendall	14.4
Kenedy	0
Kent	12.8
Kerr	13.5
Kimble	13.0
King	14.4
Kinney	0
Kleberg	0
Knox	19.4
Lamar	24.3
Lamb	31.4
Lampasas	16.0
La Salle	0
Lavaca	22.3
Lee	0
Leon	15.7
Liberty	0
Limestone	16.9
Lipscomb	15.8
Live Oak	14.8
Llano	15.2
Loving	0
Lubbock	21.5
Lynn	17.2
McCulloch	13.7
McLennan	17.4
Madison	0
Marion	0
Martin	14.4
Mason	13.6
Matagorda	0
Maverick	24.5
McMullen	0
Medina	20.1
Menard	13.7
Midland	15.7
Milam	17.8
Mills	14.2
Mitchell	14.7
Montague	17.5
Montgomery	0
Moore	29.0
Morris	0
Motley	15.3
Nacogdoches	0
Navarro	19.3
Newton	0
Nolan	16.7
Nueces	0
Ochiltree	16.7
Oldham	16.0
Orange	0
Palo Pinto	14.8
Panola	0
Parker	16.0
Parmer	45.7
Pecos	29.5
Polk	0
Potter	16.4
Presidio	24.6
Rains	20.4
Randall	19.6
Reagan	15.9
Real	0
Red River	24.1
Reeves	24.2
Refugio	0
Roberts	15.9
Robertson	0
Rockwall	19.8
Runnels	14.9
Rusk	0
Sabine	0
San Augustine	0
San Jacinto	0
San Patricio	0
San Saba	15.5
Schleicher	13.9
Scurry	12.9
Shackelford	17.2
Shelby	0
Sherman	23.8
Smith	0
Somervell	14.9
Starr	0
Stephens	15.4
Sterling	12.8
Stonewall	15.9
Sutton	0
Swisher	33.0
Tarrant	18.5
Taylor	15.8
Terrell	0
Terry	18.2
Throckmorton	16.8
Titus	0
Tom Green	14.3
Travis	18.4
Trinity	0
Tyler	0
Upshur	0
Upton	0
Uvalde	14.3
Val Verde	0
Van Zandt	17.7
Victoria	19.2
Walker	15.4
Waller	16.7
Ward	0
Washington	18.5
Webb	0
Wharton	19.2
Wheeler	15.7
Wichita	19.5
Wilbarger	18.5
Willacy	0
Williamson	16.3
Wilson	17.2
Winkler	0
Wise	17.2
Wood	0
Yoakum	20.1
Young	18.4
Zapata	0
Zavala	22.9
State check yield	21.5

UTAH

County	1968 projected yield (bushels per acre)
Beaver	47.3
Box Elder	29.1
Cache	33.1
Carbon	42.8
Daggett	36.4
Davis	52.5
Duchesne	41.3
Emery	36.2
Garfield	32.0
Grand	30.3
Iron	33.9
Juab	25.1
Kane	26.0
Millard	24.2
Morgan	36.2
Piute	46.7
Rich	21.0
Salt Lake	32.4
San Juan	17.7
Sanpete	31.0
Sevier	56.2
Summit	37.9
Toole	16.4
Uintah	32.3
Utah	37.0
Wasatch	52.5
Washington	25.2
Wayne	45.6
Weber	48.5
State check yield	29.1

VERMONT

County	1968 projected yield (bushel per acre)
Addison	31.4
Bennington	0
Caledonia	0
Chittenden	31.4
Essex	0
Franklin	0
Grand Isle	31.4
Lamoille	0
Orange	0
Orleans	31.4
Rutland	0
Washington	0
Windham	31.4
Windsor	0
State check yield	31.4

VIRGINIA

County	1968 projected yield (bushel per acre)
Accomack	30.3
Albemarle	29.1
Alleghany	26.6
Amelia	28.4
Amherst	25.3
Appomattox	26.5
Augusta	29.8
Bath	25.8
Bedford	28.0
Bland	27.0
Botetourt	29.2
Brunswick	25.1
Buchanan	21.8
Buckingham	27.9
Campbell	26.6
Caroline	27.7
Carroll	27.1
Charles City	31.2
Charlotte	26.4
Chesapeake	31.4
Chesterfield	25.5
Clarke	28.3
Craig	27.6
Culpeper	29.1
Cumberland	27.7
Dickenson	22.3
Dinwiddie	26.3
Essex	29.1
Fairfax	28.8
Fauquier	28.9
Floyd	29.8
Fluvanna	27.5
Franklin	26.4
Frederick	27.0
Giles	26.4
Gloucester	26.6
Goochland	26.5
Grayson	26.4
Greene	24.9
Greensville	26.0
Halifax	25.1
Hampton	24.9
Hanover	28.8
Henrico	28.2
Henry	25.3
Highland	26.8
Isle of Wight	27.4
James City	31.2
King and Queen	27.8
King George	28.9
King William	29.0
Lancaster	28.8
Lee	28.1
Loudoun	29.1
Louisa	28.2
Lunenburg	26.9
Madison	28.1
Mathews	30.3
Mecklenburg	25.4
Middlesex	29.8
Montgomery	27.5
Nansemond	27.3
Nelson	27.8
New Kent	31.9
Newport News	24.9
Northampton	32.6
Northumberland	31.8
Nottoway	27.1
Orange	28.9
Page	28.0
Patrick	27.5
Pittsylvania	25.5
Powhatan	27.6
Prince Edward	28.3
Prince George	27.5
Prince William	27.0
Pulaski	25.7
Rappahannock	28.8
Richmond	30.3
Roanoke	29.9
Rockbridge	29.2
Rockingham	29.9
Russell	24.1
Scott	24.7
Shenandoah	29.1
Smyth	27.1
Southampton	26.1
Spotsylvania	26.5
Stafford	28.6
Surry	27.8
Sussex	26.8
Tazewell	25.1
Virginia Beach	30.8
Warren	29.0
Washington	25.7
Westmoreland	31.3
Wise	22.3
Wythe	28.5
York	30.2
State check yield	27.8

WASHINGTON

County	1968 projected yield (bushel per acre)
Adams	32.6
Asotin	36.6
Benton	26.4
Chelan	22.5
Clallam	51.8
Clark	39.9
Columbia	53.0
Cowlitz	44.3
Douglas	27.4
Ferry	36.1
Franklin	36.5
Garfield	49.7
Grant	44.3
Grays Harbor	34.2
Island	61.5
Jefferson	54.4
King	0
Kitsap	0
Kittitas	61.2
Klickitat	34.0
Lewis	46.4
Lincoln	38.5
Mason	0
Okanogan	24.6
Pacific	0
Pend Oreille	27.2
San Juan	49.5
Pierce	31.5
Skagit	59.4
Skamania	0
Snohomish	42.2
Spokane	48.1
Stevens	41.9
Thurston	43.0
Wahkiakum	0
Walla Walla	46.0
Whatcom	39.4
Whitman	52.4
Yakima	43.7
State check yield	40.7

WEST VIRGINIA

County	1968 projected yield (bushel per acre)
Barbour	26.0
Berkeley	31.7
Boone	0
Braxton	22.1
Brooke	28.3
Cabell	23.0
Calhoun	0
Clay	0
Doddridge	0
Fayette	23.2
Gilmer	24.9
Grant	29.1
Greenbrier	26.8
Hampshire	28.7
Hancock	25.1
Hardy	31.2
Harrison	23.8
Jackson	21.8
Jefferson	28.6
Kanawha	20.7
Lewis	22.7
Lincoln	21.3
Logan	0
McDowell	0
Marion	24.4
Marshall	24.0
Mason	24.5
Mercer	23.4
Mineral	29.7
Mingo	19.4
Monongalia	22.8
Monroe	29.0
Morgan	20.9
Nicholas	25.1
Ohio	26.4
Pendleton	26.9
Pleasants	24.8
Pocahontas	28.8
Preston	26.3
Putnam	20.1
Raleigh	21.0
Randolph	30.4
Ritchie	23.7
Roane	23.1
Summers	28.2
Taylor	24.7
Tucker	22.6
Tyler	24.0
Upshur	23.3
Wayne	22.0
Webster	21.3
Wetzel	23.2
Wirt	20.8
Wood	25.9
Wyoming	0
State check yield	27.8

WISCONSIN

County	1968 projected yield (bushel per acre)
Adams	23.4
Ashland	23.2
Barron	24.1
Bayfield	24.3
Brown	33.0
Buffalo	26.7
Burnett	21.9
Calumet	34.7
Chippewa	23.5
Clark	28.8
Columbia	35.6
Crawford	39.0
Dane	37.2
Dodge	37.0
Door	29.0
Douglas	25.1
Dunn	25.9
Eau Claire	25.1
Florence	21.8
Fond du Lac	34.8
Forest	22.0
Grant	35.3
Green	38.1
Green Lake	26.6
Iowa	34.3
Iron	20.4
Jackson	28.2
Jefferson	38.3
Juneau	25.2
Kenosha	41.3
Kewaunee	33.3
La Crosse	26.0
Lafayette	32.9
Langlade	25.9
Lincoln	28.2
Manitowoc	34.1
Marathon	28.0
Marinette	24.1
Marquette	22.7
Menominee	0
Milwaukee	36.1
Monroe	27.3
Oconto	26.4
Oneida	23.0
Outagamie	32.5
Ozaukee	35.5
Pepin	26.5
Pierce	26.5
Polk	24.1
Portage	23.0
Price	22.0
Racine	40.4
Richland	36.9
Rock	38.5
Rusk	22.6
St. Croix	25.3
Sauk	32.0
Sawyer	21.2
Shawano	29.1
Sheboygan	36.3
Taylor	27.4
Trempealeau	26.0
Vernon	35.9
Vilas	21.6
Walworth	38.4
Washburn	21.8
Washington	38.9
Waukesha	36.0
Waupaca	28.6
Waushara	25.6
Winnebago	33.6
Wood	27.2
State check yield	35.2

WYOMING

County	1968 projected yield (bushel per acre)
Albany	13.7
Big Horn	37.4
Campbell	22.8
Carbon	17.4
Converse	18.1
Crook	22.2
Fremont	40.0
Goshen	20.7
Hot Springs	36.5
Johnson	19.9
Laramie	22.0
Lincoln	22.1
Natrona	25.6
Niobrara	18.3
Park	41.8
Platte	23.0
Sheridan	24.5
Sublette	0
Sweetwater	0
Teton	36.5
Uinta	27.7
Washakie	37.2
Weston	20.6
State check yield	22.0

(Secs. 339(g), 375(b), 379j; 52 Stat. 66, 76 Stat. 624, 76 Stat. 630; 7 U.S.C. §§ 1339(g), 1375(b), 1379j)

Effective date. Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on February 7, 1968.

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

[F.R. Doc. 68-1820; Filed, Feb. 15, 1968; 8:45 a.m.]

[Amdt. 2]

PART 730—RICE

Subpart—Rice Marketing Quota Regulations for 1967 and Subsequent Crop Years

EXPERIMENTAL RICE

The amendment herein is issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended.

The purpose of this amendment is to change the definition of "rice acreage" to exclude certain acreages of rice grown for the purpose of experiments on mosquito control.

Since rice farmers are planning rice farming operations for the 1968 crop year, and will need to know the provisions of this amendment, it is important that this amendment be issued and made effective as soon as possible. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall become effective as provided herein.

Paragraph (b)(21) of § 730.2 is amended to read as follows:

§ 730.2 Definitions.

* * * * *

(b) * * *

(21) "Rice acreage" means the acreage planted to rice and the acreage of volunteer rice which reaches maturity, excluding (i) any acreage of nonirrigated rice produced on any farm on which such acreage is 3 acres or less, (ii) any acreage of sweet, glutenous, or candy rice, commonly known as Mochi Gomi, (iii) any acreage of rice grown for experimental purposes only by or under contract to a publicly owned agricultural

experiment station, (iv) any acreage of rice grown for the purpose of experiments on mosquito control by or under contract to a Federal, State, or local public health service: *Provided*, That (*a*) the rice is planted in small plots which are designated by the producer and approved by the county committee with the concurrence of the State committee for such purpose before planting, and (*b*) evidence of destruction of the rice produced on such plots satisfactory to the county committee is furnished within 60 calendar days after the date on which the harvesting of rice is normally substantially completed in the county as provided in § 730.10(a), (v) any acreage of rice in excess of the allotment on a wildlife refuge farm consisting solely of Federal- or State-owned land, if such acreage is not harvested, but is left on the land for wildlife feed, (vi) any acreage planted to rice in excess of the farm allotment, or when applicable, the permitted acreage of rice under the conservation and cropland adjustment programs, which is destroyed or otherwise handled or treated (by the producer or from some cause beyond his control) not later than the final date for disposal of excess acreage as provided in Part 718 of this chapter, Determination of Acreage and Compliance, so that rice cannot be harvested therefrom, (vii) any acreage seeded to rice outside of the field border levee where such levee is bounded by a fence or other barrier which would make it impossible to harvest or destroy the rice from such acreage by mechanical means, and any acreage seeded to rice inside of drainage ditch banks where the topography would make it impossible to harvest or destroy the rice from such acreage by mechanical means: *Provided*, That the seeding operations have been performed with an end gate seeder or by airplane, and (viii) any acreage planted to rice for wildlife food plots or for establishing wildlife habitat if (*a*) the rice is planted in small plots which are designated by the producer and approved by the county committee for such purpose before planting, and (*b*) no grazing or harvesting other than by wildlife is permitted. A second planting and maturing of rice on a farm on which one crop has been planted and matured in the same crop year shall be considered additional acreage when determining the farm rice acreage.

(Secs. 301, 375, 52 Stat. 38, as amended, 66, as amended, 7 U.S.C. 1301, 1375)

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

Signed at Washington, D.C., on February 12, 1968.

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

[F.R. Doc. 68-1965; Filed, Feb. 15, 1968; 8:49 a.m.]

[Amdt. 16]

PART 730—RICE

Subpart—Regulations for Determination of Acreage Allotments for 1964 and Subsequent Crops of Rice

MISCELLANEOUS AMENDMENTS

The amendments herein are issued under and in accordance with provisions of the Agricultural Adjustment Act of 1938, as amended.

The purpose of these amendments is to change (1) the definition of "rice acreage" to exclude certain acreages of rice grown for the purpose of experiments on mosquito control and (2) the closing date for the release of rice allotments in Louisiana from April 1 to March 1, effective for 1968 and subsequent crop years.

Since rice farmers are planning rice farming operations for the 1968 crop year, and will need to know the provisions of these amendments, it is important that these amendments be issued and made effective as soon as possible. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and these amendments shall become effective as provided herein.

1. Paragraph (h) of § 730.1511 is amended to read:

§ 730.1511 Definitions.

* * * * *

(h) "Rice acreage" means the acreage planted to rice and the acreage of volunteer rice which reaches maturity, excluding (1) any acreage of nonirrigated rice produced on any farm on which such acreage is 3 acres or less, (2) any acreage of sweet, glutenous, or candy rice, commonly known as Mochi Gomi, (3) any acreage of rice grown for experimental purposes only by or under contract to a publicly owned agricultural experiment station, (4) any acreage of rice grown for the purpose of experiments on mosquito control by or under contract to a Federal, State, or local public health service: *Provided*, That (i) the rice is planted in small plots which are designated by the producer and approved by the county committee with the concurrence of the State committee for such purpose before planting, and (ii) evidence of destruction of the rice produced on such plots satisfactory to the county committee is furnished within 60 calendar days after the date on which the harvesting of rice is normally substantially completed in the county as provided in § 730.10(a), (5) any acreage of rice in excess of the allotment on a wildlife refuge farm consisting solely of Federal- or State-owned land, if such acreage is not harvested, but is left on the land for wildlife feed, (6) any acreage planted to rice in excess of the farm allotment, or when applicable, the permitted acreage of rice under the conservation and cropland adjustment programs, which is destroyed or otherwise handled or treated (by the producer or from some cause beyond his control) not later than the final date for disposal of excess acreage as provided in Part 718 of this chapter, Determination of Acreage and Compliance, so that rice cannot be harvested therefrom, (7) any acreage seeded to rice outside of the field border levee where such levee is bounded by a fence or other barrier which would make it impossible to harvest or destroy the rice from such acreage by mechanical means, and any acreage seeded to rice inside of drainage ditch banks where the topography would make it impossible to harvest or destroy the rice from such acreage by mechanical means: *Provided*, That the seeding operations have been performed with an end gate seeder or by airplane, and (8) any acreage planted to rice for wildlife food plots or for establishing wildlife habitat if (i) the rice is planted in small plots which are designated by the producer and approved by the county committee for such purpose before planting, and (ii) no grazing or harvesting other than by wildlife is permitted. Effective with 1965 and subsequent crops of rice, a second planting and maturing of rice on a farm on which one crop has been planted and matured in the same crop year shall be considered additional acreage when determining the farm rice acreage.

§ 730.1524 [Amended]

2. Paragraph (a) of § 730.1524 is amended by deleting "April 1" for Louisiana in the listing of closing dates for release of rice allotment and inserting "March 1".

§ 730.1533 [Amended]

3. Paragraph (a) of § 730.1533 is amended by deleting "April 1" for Louisiana in the listing of closing dates for release of rice allotment and inserting "March 1".

(Secs. 301, 353, 375, 52 Stat. 38, as amended, 61, as amended, 66 as amended; 7 U.S.C. 1301, 1353, 1375)

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

Signed at Washington, D.C., on February 12, 1968.

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

[F.R. Doc. 68-1945; Filed, Feb. 15, 1968; 8:47 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. C.C.L. No. 14]

PART 399—COMMODITY CONTROL LIST

Incorporation by Reference

Section 399.1 *Commodity Control List* is revised to read as follows:

§ 399.1 Commodity Control List; incorporation by reference.

(a) The text of the current edition of the Commodity Control List as published in the Comprehensive Export Schedule, which is referred to and invoked by provisions in this Subchapter B, is hereby incorporated by reference pursuant to 5 U.S.C. 552(a)(1) and 1 CFR Part 20.

(b) The Commodity Control List is available at the following places:

Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.
Exporters Service Section, Office of Export Control, Bureau of International Commerce, Department of Commerce, Washington, D.C. 20230.
Field offices of the Bureau of International Commerce, Department of Commerce.

(c) Revisions, amendments, revocations, deletions, recodifications, redesignations, and corrections will be issued in Current Export Bulletins from time to time by the Office of Export Control, Bureau of International Commerce, Department of Commerce, Washington, D.C. 20230, in the form of replacement pages or insert sheets, and an official historic file will be maintained by the Office of Export Control.

(Sec. 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: February 13, 1968.

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

NOTE: Incorporation by reference provisions in § 399.1 approved by Director of the Federal Register on February 15, 1968.

[F.R. Doc. 68–1975; Filed, Feb. 15, 1968; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Random Distribution of "Bonus Certificates" With Purchase

§ 15.190 Random distribution of "bonus certificates" with purchase.

(a) The Commission in an advisory opinion stated that the random inclusion of "bonus certificates" in egg cartons would be violative of section 5 of the Federal Trade Commission Act.

(b) The seller proposed to include "bonus certificates" in cartons of eggs offered for sale. The certificates were decribed as being worth "so many eggs or $5 in cash." They would be randomly distributed so that some cartons would contain eggs plus a bonus certificate of value, while others would contain eggs only, or eggs plus a certificate of little or no value.

(c) The Commission was of the view that this would be merchandising by lottery, a practice which the Commission has long held to be unfair within the meaning of section 5 of the Federal Trade Commission Act.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: February 15, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68–1881; Filed, Feb. 15, 1968; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Advertisements Which Appear in News Format

§ 15.191 Advertisements which appear in news format.

(a) The Commission rendered an advisory opinion involving the question of whether it is deceptive to publish an advertisement in the format of a news article without disclosing it is an advertisement, as required in the Commission's press release of November 28, 1967.

(b) The factual situation presented to the Commission involved the publication of a column in a newspaper which advertised the cuisine facilities of several restaurants. Written in narrative form, the writeup about each restaurant usually identified the chef and/or head waiter, gave a brief description of how a certain meal is prepared, and contained other factual information concerning the hours during which meals are served, whether dancing is permitted, whether cocktails are served, and some general indication of the price range of the meal.

(c) In its opinion, the Commission concluded: "* * * the column uses the format and has the general appearance of a news feature and/or article for public information which purports to give an independent, impartial and unbiased view of the cuisine facilities of a particular restaurant. Since the column in fact consists of a series of commercial messages which are paid for by the advertisers, the Commission is of the opinion that it will be necessary to clearly and conspicuously disclose it is an advertisement, as outlined in the aforementioned press release. This conclusion would not be altered even though the column carried the exact cost of each meal being advertised, or if it listed the price range of the various meals."

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: February 15, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68–1882; Filed, Feb. 15, 1968; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8295, Amdt. 21–20]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Issue of Airworthiness Certificates for Certain Normal, Utility, Acrobatic, and Transport Category Aircraft

The purpose of this amendment to § 21.183(d)(2) is to add performance standards, and permit more persons to qualify, with respect to the airworthiness inspection conducted on certain aircraft by private persons prior to the Administrator's inspection for the issue of an airworthiness certificate for such aircraft.

This amendment is based on a notice of proposed rule making (Notice 67–33) published in the FEDERAL REGISTER on July 28, 1967 (32 F.R. 11042).

Most comments supported the proposal. However, one commentator agreed provided the level of safety upon which this amendment is based is assured by including details for the 100-hour inspection for particular airplanes. As indicated in the provisions of Part 43, the detailed performance requirements set forth in that part for the 100-hour inspection are sufficiently broad to provide a basis for determining that any aircraft inspected in accordance with those requirements is in an airworthy condition. Therefore, there should be no derogation of safety when inspections of the same scope are conducted under § 21.183(d)(2). It should be noted that the inspection conducted under § 21.183(d)(2) provides one source of information that the Administrator, after inspection, may use in making his determination, under § 21.183(d)(3), as to whether the aircraft conforms to the type design and is in condition for safe operation. For this purpose, as stated in the notice, an inspection of the scope of a 100-hour inspection as outlined in Part 43 of the Federal Aviation Regulations would provide the necessary information.

One comment stated that a mechanic with airframe and powerplant ratings should not be permitted to perform the inspection under § 21.183(d)(2) because he does not have the maintenance organization possessed by air carriers, manufacturers, or repair stations for conducting the required inspection. The FAA disagrees. Section 43.13(a) requires each person performing maintenance to use any tools, equipment, and test apparatus necessary to assure completion of the work in accordance with accepted industry practice, including any special equipment recommended by the manufacturers (or its equivalent acceptable to the Administrator). This rule covers required inspections as well as other maintenance. The FAA has no reason to believe that this rule is not

adequate for certificated mechanics conducting 100-hour inspections. This amendment simply incorporates the scope of the 100-hour inspection of Part 43 into the required inspection provisions of § 21.183(d)(2). This comment cannot, therefore, be accepted.

With respect to certificated mechancis, the notice proposed to limit the inspection privilege to mechanics who hold "both airframe and powerplant ratings." This would have prevented mechanics who hold only one of those ratings from conducting an inspection, of the scope of the 100-hour inspection requirements of § 43.15, on that portion of the aircraft covered by their single rating. This exclusion would conflict with §§ 65.85 and 65.87, which together permit the holders of airframe ratings to perform 100-hour inspections on airframes and permit the holders of powerplant ratings to perform 100-hour inspections on powerplants, propellers, or any part thereof. Since this amendment simply incorporates the scope of the 100-hour inspection requirements of Part 43 into the required inspection provisions of § 21.183(d)(2), there is no valid reason to require that a certificated mechanic must hold both ratings in order to perform the inspection prescribed under this amendment. Rather than referring to "both" ratings, new § 21.183(d)(2)(iii) therefore simply refers to all holders of mechanic certificates "as authorized by Part 65 of this chapter" (which includes §§ 65.85 and 65.87).

One comment suggested that the rule be amended to permit the persons who make the airworthiness inspection to also conduct the conformity check required under § 21.183(d)(1). While this comment goes beyond the scope of Notice 67-33, it will be given consideration for possible future rule-making action.

Interested persons have been afforded the opportunity to participate in the making of this amendment. All relevant material submitted has been fully considered.

In consideration of the foregoing, § 21.183(d)(2) of Part 21 of the Federal Aviation Regulations is amended, effective March 17, 1968, as follows:

§ 21.183 Issue of airworthiness certificates for normal, utility, acrobatic, and transport category aircraft.

* * * * *

(d) *Other aircraft.* * * *

(2) The aircraft (except an experimentally certificated aircraft that previously had been issued a different airworthiness certificate under this section) has been inspected in accordance with the performance rules for 100-hour inspections set forth in § 43.15 of this chapter and found airworthy by—

(i) The manufacturer;

(ii) The holder of a repair station certificate as provided in Part 145 of this chapter;

(iii) The holder of a mechanic certificate as authorized in Part 65 of this chapter; or

(iv) The holder of a certificate issued under Part 121 or 127 of this chapter, and having a maintenance and inspection organization appropriate to the aircraft type; and

* * * * *

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

Issued in Washington, D.C., on February 9, 1968.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 68-1934; Filed, Feb. 15, 1968; 8:46 a.m.]

[Docket No. 68-AL-3]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the effective times of the Fort Yukon, Alaska, control zone.

The effective times of the Fort Yukon control zone are from 0745 to 1645 hours local time daily. Sufficient aviation weather observations will not be available on Sundays to support the control zone designation although weather observations will be provided on Sundays when required by the scheduled air carrier company serving Fort Yukon. Military aircraft do not normally conduct instrument approaches at Fort Yukon on Sundays. Other primary users of the airspace state that they have no need for the designation of the control zone on Sundays for operation under instrument flight rules. Therefore, this amendment will revoke the control zone designation on Sundays.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 28, 1968, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the Fort Yukon, Alaska, control zone is amended by deleting "from 0745 to 1645 hours, local time daily" and substituting therefor, "from 0745 to 1645 hours, local time Monday through Saturday."

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

Issued in Anchorage, Alaska, on February 12, 1968.

JOHN R. KULLMAN,
Brigadier General, U.S. Air Force, Acting Director, Alaskan Region.

[F.R. Doc. 68-1935; Filed, Feb. 15, 1968; 8:46 a.m.]

[Airspace Docket No. 67-CE-84]

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

Alteration of Control Zone and Transition Area

On page 10450 of the FEDERAL REGISTER dated July 15, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Sidney, Nebr.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendments.

No objections have been received and the proposed amendments are hereby adopted without change and are set forth below.

These amendments shall be effective 0001 e.s.t., May 23, 1968.

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

Issued in Kansas City, Mo., on January 31, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

(1) In § 71.171 (33 F.R. 2058), the following control zone is amended to read:

SIDNEY, NEBR.

Within a 5-mile radius of Sidney Municipal Airport (latitude 41°05'55" N., longitude 102°58'55" W.); within 2 miles each side of the Sidney VORTAC 128° radial, extending from the 5-mile radius zone to 8 miles SE of the VORTAC; and within 2 miles each side of the Sidney VORTAC 321° radial, extending from the 5-mile radius zone to 8 miles NW of the VORTAC.

(2) § 71.181 (33 F.R. 2137), the following transition area is amended to read:

SIDNEY, NEBR.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Sidney Municipal Airport (latitude 41°05'55" N., longitude 102°58'55" W.); within 5 miles NE and 8 miles SW of the Sidney VORTAC 321° radial, extending from the 10-mile radius area to 12 miles NW of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within 5 miles SW and 8 miles NE of the Sidney VORTAC 128° radial, extending from the VORTAC to 12 miles SE of the VORTAC; and that airspace SW of Sidney VORTAC extending upward from 8,500 feet MSL bounded on the N by the S edge of V-138, on the E by the W edge of V-169, on the SE by the NW edge of V-172, on the SW by the NE edge of V-132 and on the NW by the SE edge of V-207, excluding the airspace within Federal airways.

[F.R. Doc. 68-1936; Filed, Feb. 15, 1968; 8:47 a.m.]

[Airspace Docket No. 67-CE-133]

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

Alteration of Control Zone and Transition Area

On pages 17597 and 17598 of the FEDERAL REGISTER dated December 8, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Grand Island, Nebr.

Interested persons were given 45 days to submit written comments, suggestions, or objection regarding the proposed amendments.

No objections have been received and the amendments as so proposed are hereby adopted, subject to the following changes:

The Grand Island Municipal Airport coordinates recited in the Grand Island, Nebr., control zone and transition area alteration as "latitude 40°58'04" N., longitude 98°18'51" W.," are changed to read "latitude 40°58'05" N., longitude 98°18'20" W.".

This amendment shall be effective 0001 e.s.t., April 25, 1968.

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

Issued in Kansas City, Mo., on January 31, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

(1) In § 71.171 (33 F.R. 2058), the following control zone is amended to read:

GRAND ISLAND, NEBR.

Within a 5-mile radius of Grand Island Municipal Airport (latitude 40°58'05" N., longitude 98°18'20" W.); within 2 miles each side of the Grand Island VORTAC 360° radial, extending from the 5-mile radius zone to 8 miles north of the VORTAC; within 2 miles each side of the Grand Island VORTAC 304° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC; and within 2 miles each side of the Grand Island ILS localizer south course, extending from the 5-mile radius to the OM.

(2) In § 71.181 (33 F.R. 2137), the following transition area is amended to read:

GRAND ISLAND, NEBR.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Grand Island Municipal Airport (latitude 40°58'05" N., longitude 98°18'20" W.); within 5 miles east and 8 miles west of the Grand Island VORTAC 360° radial, extending from the 9-mile radius area to 12 miles north of the VORTAC; within 5 miles northeast and 8 miles southwest of the Grand Island, VORTAC 304° radial, extending from the 9-mile radius area to 12 miles northwest of the VORTAC; and within 2 miles each side of the Grand Island ILS localizer south course, extending from the 9-mile radius area to 8 miles south of the OM; and that airspace extending upward from 1,200 feet above the surface within the arc of a 17-mile radius circle centered on the Grand Island VORTAC, extending from the Grand Island VORTAC 273° radial clockwise to the Grand Island VORTAC 084° radial; within the arc of a 27-mile radius circle centered on the Grand Island VORTAC, extending from the Grand Island VORTAC 084° radial clockwise to the Grand Island VORTAC 273° radial; and within 5 miles east and 8 miles west of the Grand Island VORTAC 360° radial, extending from the 17-mile radius area to the south edge of V-172, excluding the portion which overlies the Hastings, Nebr., transition area.

[F.R. Doc. 68-1937; Filed, Feb. 15, 1968; 8:47 a.m.]

[Airspace Docket No. 67-CE-131]

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

Designation of Transition Area

On page 17598 of the FEDERAL REGISTER dated December 8, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Vincennes, Ind.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following changes:

The O'Neal Airport coordinates recited in the Vincennes, Ind., transition area designation as "latitude 38°41'18" N., longitude 87°37'12" W." are changed to read "latitude 38°41'30" N., longitude 87°33'10" W.".

This amendment shall be effective 0001 e.s.t., April 25, 1968.

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

Issued in Kansas City, Mo., on January 31, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2137), the following transition area is added:

VINCENNES, IND.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of O'Neal Airport (latitude 38°41'30" N., longitude 87°33'10" W.); and within 2 miles each side of the 258° bearing from O'Neal Airport, extending from the 5-mile radius area to 8 miles west of the airport.

[F.R. Doc. 68-1940; Filed, Feb. 15, 1968; 8:47 a.m.]

[Airspace Docket No. 67-CE-152]

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

Alteration of Transition Area

On page 17596 of the FEDERAL REGISTER dated December 8, 1967, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Columbia, Mo.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0001 e.s.t., April 25, 1968.

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

Issued in Kansas City, Mo., on January 31, 1968.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2147), the following transition area is amended to read:

COLUMBIA, MO.

That airspace extending upward from 700 feet above the surface bounded on the north by latitude 39°09'00" N., on the west by longitude 92°31'00" W., on the south by latitude 38°53'30" N., on the east by longitude 92°14'00" W., and within 2 miles each side of the Columbia VOR 176° radial, extending from the VOR to 13 miles south of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 38°38'40" N., longitude 92°31'00" W., thence north along longitude 92°31'00" W. to the south edge of V-12, thence east along the south edge of V-12 to a line 5 miles southeast of and parallel to the Jefferson City, Mo., VOR 041° radial, thence southwest along a line 5 miles southeast of and parallel to the Jefferson City VOR 041° and 221° radials to latitude 38°27'30" N., longitude 92°11'00" W., thence southwest to latitude 38°19'00" N., longitude 92°34'00" W., thence north to the point of beginning.

[F.R. Doc. 68-1939; Filed, Feb. 15, 1968; 8:47 a.m.]

[Airspace Docket No. 67-PC-7]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations (FARs) is to reduce the size of the Schofield-Makua Restricted Area R-3109, Oahu, Hawaii, and divide it into two areas, R-3109A and R-3109B.

The U.S. Army has advised that they have no requirement for altitudes above 19,000 feet MSL and requested that R-3109 be modified as follows: (a) Adjust the boundary inland from Kaena Point to facilitate around-island general aviation flight and access to Dillingham AFB, (b) reduce the ceiling from 29,000 feet to 19,000 feet MSL, and (c) divide R-3109 into two areas to permit better utilization of the airspace. Action is taken herein to effect these changes.

Since this amendment is less restrictive to the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 73 of the FARs is amended, effective 0001 e.s.t., March 28, 1968, as hereinafter set forth.

In § 73.31 (33 F.R. 2314), R-3109 at Oahu, Hawaii, is deleted and the following is substituted therefor:

R-3109A SCHOFIELD-MAKUA, OAHU, HAWAII

Beginning at lat. 21°30'29" N., long. 158°04'09" W.; to lat. 21°29'25" N., long. 158°05'00" W.; to lat. 21°27'28" N., long. 158°05'55" W.; to lat. 21°29'11" N., long. 158°07'35" W.; to lat. 21°29'30" N., long. 158°08'40" W.; to lat. 21°33'15" N., long. 158°08'40" W.; to lat. 21°32'14" N., long. 158°05'12" W.; to point of beginning.

Designated altitudes: The area southeast of a line between lat. 21°28'35" N., long. 158°07'00" W.; and lat. 21°29'25" N., long. 158°05'00" W.; surface to 8,000 feet MSL. The area northwest of this line, surface to 19,000 feet MSL.

Time of designation: Continuous.

Controlling agency: FAA, Honolulu Flight Service Station.

Using agency: U.S. Army, Hawaii, Schofield Barracks, Hawaii.

R-3109B SCHOFIELD-MAKUA, OAHU, HAWAII

Beginning at lat. 21°29'30" N., long. 158°08'40" W.; to lat. 21°31'00" N., long. 158°14'00" W.; to lat. 21°32'30" N., long. 158°14'30" W.; to lat. 21°33'15" N., long. 158°15'15" W.; to lat. 21°34'30" N., long. 158°15'15" W.; to lat. 21°34'30" N., long. 158°13'15" W.; to lat. 21°33'15" N., long. 158°08'40" W.; to point of beginning.

Designated altitudes: Surface to 19,000 feet MSL.

Time of designation: Continuous.

Controlling agency: FAA, Honolulu Flight Service Station.

Using agency: U.S. Army, Hawaii, Schofield Barracks, Hawaii.

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

Issued in Washington, D.C., on February 9, 1968.

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

[F.R. Doc. 68-1938; Filed, Feb. 15, 1968; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8715; Amdt. 581]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

1. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Bloomington, Ind.—Monroe County, VOR Runway 6, Amdt. 4, 28 Oct. 1967 (established under Subpart C).

Bloomington, Ind.—Monroe County, VOR Runway 24, Amdt. 3, 28 Oct. 1967 (established under Subpart C).

2. By amending § 97.11 of Subpart B to cancel low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 7 MAR. 1968 OR UPON RESTORATION OF CLL VOR.

City, College Station; State, Tex.; Airport name, Easterwood Field; Elev., 319'; Fac. Class., H; Ident., CLL; Procedure No. NDB (ADF) Runway 10, Amdt. 1; Eff. date, 16 Dec. 67; Sup. Amdt. No. NDB (ADF) Runway 10, Orig.; Dated, 4 Nov. 67

3. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes				Missed approach
From	To	Via	Minimum altitudes (feet)	MAP: BMG VOR.
Scotland VOR	BMG VOR	Direct	2400	Climb to 2400' on R 055° and return to BMG VOR.
Spencer Int	BMG VOR	Direct	2400	
Paragon Int	BMG VOR	Direct	2400	
Wilbur Int	BMG VOR	Direct	2400	

Procedure turn S side of crs, 235° Outbnd, 055° Inbnd, 2400' within 10 miles of BMG VOR.
Final approach crs, 055°.
Minimum altitude over BMG VOR, 1340' (1520' when control zone not effective).
MSA: 000°–090°—3100'; 090°–180°—2400'; 180°–360°—2200'.
NOTES: (1) Use Indianapolis altimeter setting when control zone not effective. (2) Circling and straight-in MDA increased 180' when control zone not effective except operators with approved weather reporting service.
CAUTION: 90' lighted hill approximately 2500' SW of airport.
*Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-6	1340	1	508	1340	1	508	1340	1	508	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1340	1	500	1340	1	600	1340	1½	500	
A	Standard.*		T 2-Eng. or less—Standard.					T over 2-eng—Standard.		

City, Bloomington; State, Ind.; Airport name, Monroe County; Elev., 840'; Fac., BMG; Procedure No. VOR Runway 6, Amdt. 5; Eff. date, 7 Mar. 68; Supt. Amdt. No. 4; Dated, 28 Oct. 67

Terminal Routes				Missed Approach
From	To	Via	Minimum altitudes (feet)	MAP: BMG VOR.
Scotland VOR	BMG VOR	Direct	2400	Climb to 2400′ on BMG VOR R 160° and return to VOR.
Spencer Int	BMG VOR	Direct	2400	
Paragon Int	BMG VOR	Direct	2400	
Wilbur Int	BMG VOR	Direct	2400	

Procedure turn W side of crs, 340° Outbnd, 160° Inbnd, 2400′ within 10 miles of BMG VOR.
Final approach crs, 160°.
Minimum altitude over BMG VOR, 1360′ (1540′ when control zone not effective).
MSA: 000°–090°—3100′; 090°–180°—2400′; 180°–360°—2200′.
NOTES: (1) Use Indianapolis altimeter setting when control zone not effective. (2) Circling and straight-in MDA increased 180′ when control zone not effective except for operators with approved weather reporting service.
CAUTION: 90′ lighted hill approximately 2500′ SW of airport.
*Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S–17	1360	1	525	1360	1	525	1360	1	525			
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1360	1	520	1360	1	520	1360	1½	520			
A	Standard.*		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Bloomington; State, Ind.; Airport name, Monroe County; Elev., 840′; Fac., BMG; Procedure No. VOR Runway 17, Amdt. Orig.; Eff. date, 7 Mar. 68

Terminal routes				Missed approach
From	To	Via	Minimum altitudes (feet)	MAP: BMG VOR.
Scotland VOR	BMG VOR	Direct	2400	Climb to 2400′ on BMG R 251° and return to VOR.
Spencer Int	BMG VOR	Direct	2400	
Paragon Int	BMG VOR	Direct	2400	
Wilbur Int	BMG VOR	Direct	2400	

Procedure turn N side of crs, 071° Outbnd, 251° Inbnd, 2400′ within 10 miles of BMG VOR.
Final approach crs, 251°.
Minimum altitude over BMG VOR, 1460′ (1640′ when control zone not effective).
MSA: 000°–090°—3100′; 090°–180°—2400′; 180°–360°—2200′.
NOTES: (1) Use Indianapolis altimeter setting when control zone not effective. (2) Circling and straight-in MDA increased 180′ when control zone not effective except for operators with approved weather reporting service.
CAUTION: 90′ lighted hill approximately 2500′ SW of airport.
*Alternate minimums not authorized with control zone not effective except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S–24	1460	1	620	1460	1	620	1460	1	620			
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1460	1	620	1460	1	620	1460	1½	620			
A	Standard.*		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Bloomington; State, Ind.; Airport name, Monroe County; Elev., 840′; Fac., BMG; Procedure No. VOR Runway 24, Amdt. 4; Eff. date, 7 Mar. 68; Sup. Amdt. No. 3; Dated, 28 Oct. 67

Terminal routes				Missed approach
From	To	Via	Minimum altitudes (feet)	MAP: BMG BOR.
Scotland VOR	BMG VOR	Direct	2400	Climb to 2400′ on BMG R 360° and return to VOR.
Spencer Int	BMG VOR	Direct	2400	
Paragon Int	BMG VOR	Direct	2400	
Wilbur Int	BMG VOR	Direct	2400	

Procedure turn W side of crs, 180° Outbnd, 360° Inbnd, 2400′ within 10 miles of BMG VOR.
Final approach crs, 360°.
Minimum altitude over Stanford Int, 1540′ (1720′ when control zone not effective).
MSA: 000°–090°—3100′; 090°–180°—2400′; 180°–360°—2200′.
NOTES: (1) Use Indianapolis altimeter setting when control zone not effective. (2) Circling and straight-in MDA increased 180′ when control zone not effective except for operators with approved weather reporting service.
CAUTION: 90′ lighted hill approximately 2500′ SW of airport.
*Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S-35	1540	1	702	1540	1	702	1540	1¼	702			
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1540	1	700	1540	1	700	1540	1½	700			
	Dual VOR minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT			
S-35	1300	1	462	1300	1	462	1300	1	462			
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1300	1	460	1300	1	460	1300	1½	460			
A	Standard.*			T 2-eng. or less—Standard.				T over 2-eng.—Standard.				

City, Bloomington; State, Ind.; Airport name, Monroe County; Elev., 840'; Fac., BMG; Procedure No. VOR Runway 35, Amdt. Orig.; Eff. date, 7 Mar. 68

Terminal routes				Missed approach
From	To	Via	Minimum altitudes (feet)	MAP: 12.1 miles after passing TXO VORTAC
TXO VORTAC	R 239° TXO VORTAC 7-mile DME Fix (NOPT).	R 239°	5400	Climbing right turn to 5400' direct to Texico VORTAC. Supplementary charting information: Final approach crs intercepts Runway 21 centerline 3000' from threshold.

Procedure turn N side of crs, 059° Outbnd, 239° Inbnd, 5400' within 10 miles of TXO VORTAC.
FAS, TXO VORTAC. Final approach crs, 239°. Distance FAF to MAP, 12.1 miles.
Minimum altitude over TXO VORTAC, 5400'; over TXO R 239°, 7-mile DME Fix with procedure turn, 4860'; without procedure turn, 5400'.
MSA: 000°–180°—5400'; 180°–270°—5800'; 270°–360°—5400'.

NOTE: Use Cannon AFB, N. Mex., altimeter setting.
*Alternate minimums 800-2 authorized for air carrier with weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S-21	4860	1	646	4860	1	646	4860	1¼	646		NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	4860	1	646	4860	1	646	4860	1½	646		NA	
	DME minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT			
S-21	4560	1	346	4560	1	346	4560	1	346		NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	4600	1	386	4700	1	486	4700	1½	486		NA	
A	Not authorized.*			T 2-eng. or less—Standard.				T over 2-eng.—Standard.				

City, Clovis; State, N. Mex.; Airport name, Clovis Muncipal; Elev., 4214'; Fac. TXO; Procedure No. VOR Runway 21, Amdt. Orig.; Eff. date, 7 Mar. 68

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on February 2, 1968.

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

[F.R. Doc. 68-1628; Filed, Feb. 16, 1968; 8:45 a.m.]

Title 20—EMPLOYEES BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Regs. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950–)

Subpart B—Quarters of Coverage and Insured Status

MISCELLANEOUS AMENDMENTS

Correction

In F.R. Doc. 68–45 appearing at page 12 of the issue for Wednesday, January 3, 1968, § 404.116(a)(2)(ii)(*b*)(*1*) should read as follows:

(*b*)(*1*) Not less than one-half of the quarters during the period ending with such quarter and beginning after he attained age 21 were quarters of coverage (when the number of quarters in a period is an odd number, such number is reduced by one), or

[Regs. 4 further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950–_____)

Subpart E—Deductions; Reductions; Nonpayments; Increases

Correction

In F.R. Doc. 67–14735 appearing at page 19159 of the issue for Wednesday, December 20, 1967, make the following changes:

1. In § 404.408 column 3, page 19164, at the bottom of the column, the paragraphs designated "(i)", "(ii)", and "(4)", consecutively, should be transposed so they appear in the same column directly under the paragraph designated "(3)".

2. In § 404.432, line 2, the word "and" should read "an".

3. In § 404.460(b)(2), line 13, the word "and" should read "an".

[Regs. No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950–_____)

Subpart J—Procedures, Payment of Benefits, and Representation of Parties

MISCELLANEOUS AMENDMENTS

Regulations No. 4, as amended, of the Social Security Administration (20 CFR 404.1 et seq.) are further amended as follows:

1. Section 404.906(a) is amended to read as follows:

§ 404.906 Administrative actions which are not initial determinations.

Administrative actions which shall not be considered initial determinations under any provision of the regulations in this Subpart J, but which may receive administrative review, include, but are not limited to, the following:

(a) The suspension of benefits pursuant to section 203(h)(3) of the Act pending investigation and determination of any factual issue as to the applicability of a deduction or deductions under section 203(b) of the Act.

* * * * *

2. Section 404.942 is revised to read as follows:

§ 404.942 Appeals Council proceedings on certification and review; procedure before Appeals Council on certification by the hearing examiner.

When a case has been certified to the Appeals Council by a hearing examiner with his recommended decision (see § 404.939), the hearing examiner shall mail notice of such action to the parties at their last known addresses. The parties shall be notified of their right to file with the Appeals Council within 20 days from the date of mailing of the recommended decision, briefs or other written statements of exceptions or allegations as to applicable fact and law. Where there is more than one party, copies of such briefs or written statements shall be filed in sufficient number that they may be made available to any party requesting a copy or any other party designated by the Appeals Council. Copies or a statement of the contents of the documents or other written evidence received in evidence in the hearing record, and a copy of the transcript of oral evidence adduced at the hearing, if any, or a condensed statement thereof shall be made available to any party upon request, upon payment of the cost, or if such cost is not readily determinable, the estimated amount thereof, unless, for good cause shown, such payment is waived. When a case has been certified to the Appeals Council by a hearing examiner for decision, any party shall be given, upon his request, a reasonable opportunity to appear before the Appeals Council for the purpose of presenting oral argument.

3. Section 404.950 is revised to read as follows:

§ 404.950 Decision by Appeals Council or remanding of case.

(a) *General.* If a case is certified to the Appeals Council by a hearing examiner (see § 404.939), the Appeals Council shall make a decision. If the Appeals Council decides to review a hearing examiner's decision as provided in § 404.947, the Appeals Council may, upon such review, affirm, modify, or reverse the decision of the hearing examiner, or vacate such decision and remand the case to a hearing examiner either for rehearing and the issuance of a decision thereon or to take further testimony in the case and return it to the Appeals Council with a recommended decision for decision by the Appeals Council. Where a case has been remanded by a court for further consideration, the Appeals Council may proceed then to make the decision or it may in turn remand the case to a hearing examiner with directions to return the case upon completion of the necessary action to the Appeals Council with a recommended decision for decision by the Appeals Council.

(b) *Case remanded to hearing examiner.* Where a case is remanded to a hearing examiner, he shall initiate such additional proceedings and take such other action (under §§ 404.919 through 404.940) as is directed by the Appeals Council in its order of remand. The hearing examiner may take any additional action not inconsistent with the order of remand. Upon completion of all action called for by the order of remand and any other action initiated by the hearing examiner, the hearing examiner shall promptly (1) issue a decision in writing which contains findings of fact and a statement of reasons, or (2) when so directed by the Appeals Council, return the case with his recommended decision to the Appeals Council for its decision. A copy of the decision shall be mailed to each party at his last known address. When a recommended decision is issued, the hearing examiner shall also notify each party of his right to file with the Appeals Council within 20 days from the date of mailing of the recommended decision, briefs or other written statements of exceptions and allegations as to applicable fact and law.

(c) *Decision by Appeals Council.* A decision of the Appeals Council shall be based upon the evidence received into the hearing record and such further evidence as the Appeals Council may receive, as provided in §§ 404.942, 404.943, 404.948, and 404.949. This decision shall be made in writing and contain findings of fact, and a statement of reasons. A copy of the decision shall be mailed to each party at his last known address.

(Sec. 205, 206, 221(d), 1102, 53 Stat. 1368, as amended, 53 Stat. 1372, as amended, 68 Stat. 1082, as amended, 49 Stat. 647, as amended, sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405, 406, 421(d), and 1302)

Dated: January 30, 1968.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved February 7, 1968.

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

[F.R. Doc. 68–1973; Filed, Feb. 15, 1968; 8:49 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter X—Oil Import Administration, Department of the Interior

[Rev. 5, Amdt. 6]

OI REG. 1—OIL IMPORT REGULATION

Miscellaneous Amendments

Proclamation 3823 of January 29, 1968 (33 F.R. 1171) modified Proclamation 3279 and a number of the amendments made in this Amendment 6 serve to conform Oil Import Regulation 1 (Revision 5) to the provisions of the amendatory proclamation. In this category are the amendments to paragraph (b) of section 15 (shipments from Puerto Rico to District V), and the amendment to paragraph (f) of section 22 and the addition of a new paragraph (q) to that section (relating to liquid hydrocarbons derived from tar sands). The amendatory proclamation also provided that, because of disruptions in petroleum transport and supply resulting from recent actions in the Middle East, persons in Districts I–IV and District V who did not fully utilize 1967 import licenses may be permitted to "carry over" such licenses for stated periods. A new section 23 provides for such "carry overs." Sections 9, 10, and 11 are amended to provide initial allocations to petrochemical plants and refiners in Districts I–IV and District V for the current allocation period. This procedure has been adopted to provide an opportunity to remedy apparent inequities in the system of allocations to petrochemical plants.

The Administrator, Oil Import Administration, has been directed to publish, not later than March 15, 1968, proposed amendments addressed to this problem, in order that additional allocations may be made under amended regulations as soon before July 1, 1968, as possible. Sections 10, 11, and 13, as amended make stated quantities of imports available to the Oil Import Appeals Board.

Because allocations of imports should be made immediately, it is impracticable either to give notice of proposed rulemaking or to delay the effective date of this amendment. Accordingly, this Amendment 6 shall become effective immediately.

Sections 9, 10, 11, and 13, paragraph (b) of section 15, and paragraph (f) of section 22, of Oil Import Regulation 1 (Revision 5) are amended to read as set forth below, and, as set forth below, a new paragraph (q) is added to section 22 and a new paragraph 23 is added to the regulation:

Sec. 9 Allocations—crude and unfinished oils—petrochemical plants—Districts I–IV, District V.

(a) For the first 182 days of the allocation period, January 1, 1968, through December 31, 1968, each eligible person with a petrochemical plant in Districts I–IV shall receive an allocation of imports of crude oil and unfinished oils equal to the average barrels per day of petrochemical plant inputs to his petrochemical plants in these districts during the year ending September 30, 1967, multipled by 8.35 percent, multiplied by 182.

(b) For the first 182 days of the allocation period, January 1, 1968, through December 31, 1968, each eligible person with a petrochemical plant in District V shall receive an allocation of imports of crude oil and unfinished oils equal to the average barrels per day of petrochemical plant inputs to his petrochemical plants in this district during the year ending September 30, 1967, multiplied by 10.6 percent, multiplied by 182.

(c) No allocation made pursuant to paragraph (a) of this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 15 percent of the allocation, and no allocation made pursuant to paragraph (b) of this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 25 percent of the allocation. However, a person obtaining an allocation for imports of crude oil or unfinished oils pursuant to this section may petition the Administrator to adjust the percentage of imports of unfinished oils upward to 100 percent of such person's allocation if the petitioner certifies that the imported unfinished oils will not be exchanged, that the oils will be processed entirely in the petitioner's own petrochemical plant, and that more than 50 percent of the yields (by weight) from the unfinished oils will be petrochemicals, or that more than 75 percent (by weight) of recovered product output will consist of petrochemicals.

(d) Licenses issued pursuant to paragraphs (a) and (b) of this section will expire July 31, 1968.

(e) No allocation made pursuant to this section may be sold, assigned or otherwise transferred.

Sec. 10 Allocations—crude and unfinished oils—refiners—Districts I–IV.

(a) For the allocation period January 1, 1968, through December 31, 1968, approximately 2,000 B/D of imports of crude oil and unfinished oils into Districts I–IV are made available to the Oil Import Appeals Board. The Administrator shall make to eligible persons having refinery capacity in these districts initial allocations of such imports for the first 182 days of the allocation period as provided in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (c) of this section, each eligible applicant shall receive an initial allocation based on refinery inputs for the year ending September, 30, 1967, and computed according to the following schedule:

Average b/d input	Percent of input	Number of days
0–10,000 10–30,000 30–100,000 100,000 plus	× 19.0 10.2 6.7 2.74	182

(c) (1) Except as provided in subparagraph (2) of this paragraph, if an eligible applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program and if an allocation computed under paragraph (b) of this section would be less than 45 percent of the applicant's last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182, the applicant shall receive an initial allocation under this section equal to 45 percent of his last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182.

(2) If an applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program which reflected imports of crude oil that would now be exempt from restrictions pursuant to clause (4) of paragraph (a) of section 1 of Proclamation 3279, as amended, and if an allocation computed under paragraph (b) of this section would be less than 33.25 percent of the applicant's last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182, the applicant shall receive an initial allocation under this section equal to 33.25 percent of his last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182: *Provided, however,* That if the allocation computed on this basis will result in a reduced historical allocation which is smaller than an allocation for this period would be if computed (for the purposes of comparison only) on the basis of a total of inputs to the applicant's refinery which includes inputs of crude oil and unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1 of Proclamation 3279, as amended, the applicant shall nevertheless receive an initial allocation under this section equal to 37.75 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program expressed in average barrels daily and multiplied by 182.

(d) No allocation made pursuant to this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 15 percent of the allocation.

(e) Except for those licenses which were issued pending the promulgation of this regulation and which have an expiration date of December 31, 1968, all licenses issued under this section will expire on July 31, 1968.

(f) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 11 Allocations—crude and unfinished oils—refiners—District V.

(a) For the allocation period January 1, 1968 through December 31, 1968, approximately 500 B/D of imports of crude oil and unfinished oils into District V are made available to the Oil Import Appeals Board. The Administrator shall make to eligible persons having refinery capacity in this district initial allocations of such imports for the first 182 days

of the allocation period as provided in paragraphs (b) and (c) of this section.

(b) Except as provided in paragraph (c) of this section, each eligible applicant shall receive an initial allocation based on refinery inputs for the year ending September 30, 1967, and computed according to the following schedule:

Average b/d input	Percent of input	Number of days
0-10,000 10-30,000 30-100,000 100,000 plus	45.0 11.0 5.2 2.2	182

(c) (1) Except as provided in subparagraph (2) of this paragraph, if an eligible applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program and if an allocation computed under paragraph (b) of this section would be less than 28.5 percent of the applicant's last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182, the applicant shall receive an initial allocation under this section equal to 28.5 percent of his last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182.

(2) If an applicant imported crude oil pursuant to an allocation under the Voluntary Oil Import Program which reflected imports of crude oil that would now be exempt from restrictions pursuant to clause (4) of paragraph (a) of section 1 of Proclamation 3279, as amended, and if an allocation computed under paragraph (b) of this section would be less than 22 percent of the applicant's last allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182 the applicant shall, nevertheless, receive an initial allocation under this section equal to 22 perecnt of his allocation of imports of crude oil under that program expressed in average barrels daily and multiplied by 182: *Provided, however,* That if the allocation computed on this basis will result in a reduced historical allocation which is smaller than an allocation for this period would be if computed (for the purposes of comparison only) on the basis of a total of inputs to the applicant's refinery which includes inputs of crude oil and unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1 of Proclamation 3279, as amended, the applicant shall nevertheless receive an initial allocation under this section equal to 34 percent of his last allocation of imports of crude oil under the Voluntary Oil Import Program expressed in average barrels daily and multiplied by 182.

(d) No allocation made pursuant to this section shall entitle a person to a license which will allow the importation of unfinished oils in excess of 25 percent of the allocation.

(e) Except for those licenses which were issued pending the promulgation of this regulation which have an expiration date of December 31, 1968, all licenses issued under this section will expire on July 31, 1968.

(f) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 13 Allocations of finished products—Districts I–IV, Districts II–IV, District V.

(a) For the allocation period January 1, 1968, through December 31, 1968, 5,395 B/D of imports of finished products into Districts I–IV and 500 B/D of imports of finished products into District V are made available to the Oil Import Appeals Board until September 30, 1968. (If, by Oct. 1, 1968 the quantities reserved have not been exhausted by the Board, the amounts remaining shall, on that date, become available for allocation by the Administrator, who shall promptly prorate such amounts among all eligible applicants in the respective districts.) The allocation of imports of finished products heretofore made to eligible persons by the Administrator with Secretarial approval for the allocation period January 1, 1968, through December 31, 1968 are confirmed. As used in this section, the term "finished products" does not include residual fuel oil to be used as fuel.

(b) No allocation made pursuant to this section may be sold, assigned, or otherwise transferred.

Sec. 15 Allocations of crude oil and unfinished oils—Puerto Rico.

* * * * *

(b) If, during the calendar year 1968, a person who will receive an allocation under paragraph (a) of this section for the allocation period April 1, 1968, through March 31, 1969, ships to Districts I–IV or to District V unfinished oils or finished products (other than residual fuel oil to be used as fuel), or sells unfinished oils or finished products (other than residual fuel oil to be used as fuel) which were shipped to Districts I–IV or to District V in excess of the volume of unfinished oils or finished products (other than residual fuel oil to be used as fuel) which he so shipped or which he sold and were so shipped to the respective districts during the calendar year 1965, the person's allocation for the allocation period April 1, 1969, through March 31, 1970, shall be reduced by the amount of the excess. Thereafter, each succeeding allocation made to such a person shall be reduced by the amount by which shipments (as described above in this paragraph) made by or attributable to such person during the calendar year immediately preceding the beginning of the allocation period exceeds shipments made by or attributable to such person during the calendar year 1965.

* * * * *

Sec. 22 Definitions.

* * * * *

(f) "Crude oil" means crude petroleum as it is produced at the wellhead and liquids (under atmospheric conditions) that have been recovered from mixtures of hydrocarbons which existed in a vaporous phase in a reservoir and that are not natural gas products and the initial liquid hydrocarbons produced from tar sands.

* * * * *

(q) As used in paragraph (g) and paragraph (h) of this section, the term "petroleum oils" includes liquid hydrocarbons derived from crude oil.

Sec. 23 Reissuance of unused portion of 1967 licenses.

(a) Persons who did not fully utilize licenses to import crude oil and unfinished oils or finished products which were issued for Districts I–IV and for District V under allocations made for the allocation period January 1, 1967, through December 31, 1967, and who return such partially used licenses to the Oil Import Administration within the time specified in paragraph (b) of this section will, without further application, have licenses reissued to them for the amounts of the unused portions of the returned licenses under the following terms and conditions:

(1) Finished product licenses for Districts I–IV and for District V will be reissued in quantities equal to the full amount of the unused portions of the 1967 licenses and will be valid through July 31, 1968.

(2) Crude oil and unfinished oil licenses for District V will be reissued in amounts equaling not more than 45 percent of the unused portions of the 1967 licenses and will be valid through December 31, 1968; the licenses for the balance (55 percent) of the unused portion of the 1967 licenses will be issued for utilization during the calendar year 1969. However, if 45 percent of an unused 1967 license will result in a person's receiving a license for less than 150,000 barrels, such person will be issued a license at a percentage in excess of the 45 percent limitation but in no event in an amount in excess of 150,000 barrels for importation during the calendar year 1968 and the balance, if any, will be licensed for importation during the calendar year 1969.

(3) Crude oil and unfinished oil licenses for Districts I–IV will be reissued in an amount equaling not more than 40 percent of the unused portions of the 1967 licenses for utilization during the calendar year 1968 and one-half of this quantity will be issued in licenses bearing an expiration date of July 31, 1968, and one-half will be issued in licenses bearing an expiration date of December 31, 1968. The balance (60 percent) of the unused portions of the 1967 licenses will be issued for utilization during the calendar year 1969 and one-half of this quantity will be issued in licenses bearing an expiration date of July 31, 1969, and one-half will be issued in licenses bearing an expiration date of December 31, 1969. However, if 40 percent of an unused 1967 license will result in a person's receiving a license for less than 300,000 barrels, such person will be issued a license at a percentage in excess of the 40 percent limitation but in no event in an amount

in excess of 300,000 barrels for importation during the calendar year 1968 and the balance, if any, will be licensed for importation during the calendar year 1969.

(b) Licenses will be issued under paragraph (a) of this section only with respect to partially used 1967 licenses which are returned to the Oil Import Administration before February 20, 1968.

(c) As used in this section the term "finished products" does not include residual fuel oil to be used as fuel.

STEWART L. UDALL,
Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-2022; Filed, Feb. 15, 1968; 8:50 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

Bonny Dam and Reservoir, South Fork Republican River, Yuma County, Colo.

Pursuant to the applicabe provisions of sections 7 and 9 of the Act of Congress approved December 22, 1944 (58 Stat. 890, 891; 33 U.S.C. 709), the following regulations are hereby prescribed to govern the use of storage capacity for flood-control purposes in the Bonny Reservoir on South Fork Republican River, Yuma County, Colo., and the operation of Bonny Dam for flood-control purposes.

§ 208.41 Bonny Dam and Reservoir, South Fork Republican River, Yuma County, Colo.

The Bureau of Reclamation, Department of the Interior, represented by its appropriate Project Manager, hereinafter referred to as the Project Manager, shall operate the Bonny Dam and Reservoir in the interest of flood-control as follows:

(a) The flood-control storage capacity of the reservoir, which initially amounts to 128,820 acre-feet, between elevations 3672 and 3710 shall be regulated as follows:

(1) For local flood-control on South Fork Republican River below the dam with the objective, insofar as practicable, of limiting flows in the channel below the dam to a maximum of 5,000 c.f.s. or not to exceed 5.5 feet at the Benkelman gage, whichever controls.

(2) For coordination of flood-control regulation in the Bonny Reservoir with existing and potential flood conditions and the regulation of other flood-control reservoirs and projects in the Republican, Kansas, and Missouri River basins, releases from and flood-control operation of the project will be adjusted as required for optimum effectiveness during all flood periods.

(b) During flood periods and whenever the reservoir contains impounded water in the flood-control storage zone, releases shall be made in accordance with instructions issued to the Project Manager by the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, hereinafter referred to as the District Engineer. Such instructions shall be for achievement of the necessary local flood-control below the dam and coordination of flood-control regulation of the reservoir with flood conditions and flood-control regulations of other reservoirs and flood-control projects in the Republican, Kansas, and Missouri River basins. If desirable, on the basis of flood conditions at the time, these instructions to the Project Manager may require a temporary modification of the provisions for local flood-control regulation contained in paragraph (a)(1) of this section. Oral instructions from the District Engineer to the Project Manager shall be confirmed in writing under date of the day issued.

(c) The discharge characteristics of the gated sluiceway incorporated into the spillway structure (having an estimated maximum capacity at elevation 3710 of 9,940 c.f.s. with the sluiceway gate open and 5,080 c.f.s. with the sluiceway gate closed) shall be maintained in accordance with the construction plans (Bureau of Reclamation Specifications No. 2398 as modified by Drawing 331-D-13, Revision dated Oct. 27, 1949).

(d) Flood-control operations shall not restrict releases necessary for irrigation.

(e) Whenever the reservoir level reaches or exceeds elevation 3672, or flood discharges appear imminent, the Project Manager shall report at once to the District Engineer by telephone, telegraph, or radio and as requested thereafter until the reservoir level falls to elevation 3672 or below and flood discharges cease.

(f) Proposed schedules of irrigation releases and storage changes, if available, and current operating data shall be provided to the District Engineer by the Project Manager. These data shall be tabulated daily and furnished periodically as required, and shall include such items as reservoir elevation, reservoir storage, inflow, discharge, and pertinent available hydrologic data.

(g) Releases made in accordance with the regulations of this section are subject to the condition that releases shall not be made at rates or in a manner that would be inconsistent with requirements for protecting the dam and reservoir from major damage.

(h) All elevations stated in this section are at the Bonny Dam and are referred to the datum in use at that location.

[Regs. Jan. 16, 1968, ENGCW-EY] (Secs. 7 and 9, 58 Stat. 890, 891; 33 U.S.C. 709)

For the Adjutant General.

J. W. HURD,
Colonel, AGC Comptroller, TAGO.

[F.R. Doc. 68-1913; Filed, Feb. 15, 1968; 8:45 a.m.]

PART 209—ADMINISTRATIVE PROCEDURE

Shipping Safety Fairways and Anchorage Areas, Gulf of Mexico

Pursuant to the provisions of section 10 of the River and Harbor Act of March 3, 1899 (30 Stat. 1151; 33 U.S.C. 403) and section 4 of the Outer Continental Shelf Lands Act of August 7, 1953 (67 Stat. 462; 43 U.S.C. 1333(f)), § 209.135 establishing shipping safety fairways and anchorage areas in the Gulf of Mexico is hereby amended with respect to paragraph (d) prescribing a new subparagraph (19-a) establishing Freshwater Bayou Safety Fairway, amending subparagraphs (20) Atchafalaya Pass Safety Fairway, (21) Caillou Pass Safety Fairway, (23) Belle Pass Safety Fairway, and (26) Empire to the Gulf Safety Fairway, effective upon publication in the FEDERAL REGISTER, as follows:

§ 209.135 Shipping safety fairways and anchorage areas, Gulf of Mexico.

* * * * *

(d) *The areas.*

* * * * *

(19-a) *Freshwater Bayou Safety Fairway.* The area between lines joining points at:

Latitude	*Longitude*
29°31'59"	92°18'45"
29°31'10"	92°18'54"
29°31'13"	92°19'14"
29°27'44"	92°19'53"

and a line joining points at:

29°27'34"	92°18'45"
29°31'03"	92°18'06"
29°31'06"	92°18'26"
29°31'55"	92°18'17"

(20) *Atchafalaya Pass Safety Fairway.* The area between a line joining points at:

Latitude	*Longitude*
29°22'36"	91°23'28"
29°14'42"	91°30'28"

and a line joining points at:

29°14'05"	91°29'34"
29°21'59"	91°22'34"

(21) *Bayou Grand Caillou Safety Fairway.* The area between a line joining points at:

Latitude	*Longitude*
29°10'59"	90°57'26"
29°05'24"	90°58'10"
29°01'08"	91°00'44"

and a line joining points at:

29°05'06"	90°57'03"
29°05'06"	90°57'03"
29°09'46"	90°56'27"

* * * * *

(23) *Belle Pass Safety Fairway.* The area between a line joining points at:

Latitude	*Longitude*
29°05'06"	90°14'07"
29°02'50"	90°14'46"

and a line joining points at:

29°02'56"	90°13'48"
29°05'06"	90°13'10"

* * * * *

(26) *Empire to the Gulf Safety Fairway.* The area between a line joining points at:

Latitude	*Longitude*
29°15'22"	89°36'55"
29°13'52"	89°37'15"

and a line joining points at:

29°13'24"	89°36'11"
29°14'54"	89°35'51"

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[Regs., Jan. 26, 1968, ENGCW-ON] (Sec. 10, 30 Stat. 1151, sec. 4, 67 Stat. 462; 3 U.S.C. 403, 43 U.S.C. 1333(f))

For the Adjutant General.

J. W. HURD,
Colonel, AGC, Comptroller, TAGO.

[F.R. Doc. 68-1911; Filed, Feb. 15, 1968; 8:48 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers, Department of the Army

PART 311—PUBLIC USE OF CERTAIN RESERVOIR AREAS

Mill Creek Reservoir Area, Wash.

The Secretary of the Army having determined that the use of Mill Creek Reservoir Area, Wash., by the general public for boating, swimming, bathing, fishing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoir for its primary purposes, hereby prescribes rules and regulations for its public use, pursuant to the provisions of section 4 of the Flood Control Act of 1944, as amended (76 Stat. 1195), adding it to the list in § 311.1, as follows:

§ 311.1 **Areas covered.**

* * * * *

WASHINGTON

* * * * *

Mill Creek Reservoir Area.

* * * * *

[Regs., Jan. 16, 1968, ENGCW-OM] (Sec. 4, 58 Stat. 889, as amended; 16 U.S.C. 460d)

For the Adjutant General.

J. W. HURD,
Colonel, AGC, Comptroller, TAGO.

[F.R. Doc 68-1912; Filed, Feb. 15, 1968; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

EQUAL OPPORTUNITY IN EMPLOYMENT

This amendment of the Federal Procurement Regulations makes changes in Part 1-1, General; Part 1-2, Procurement by Formal Advertising; Part 1-12, Labor; and Part 1-16, Procurement Forms. The purpose of the changes is to clarify the relationship of the Equal Opportunity and Disputes clauses; prescribe policies and procedures to implement the May 9, 1967, order (32 F.R. 7439, May 19, 1967) of the Secretary of Labor regarding nonsegregated facilities; and to provide for the inclusion of a Certification of Nonsegregated Facilities on Standard Forms 2-A, 19-B, and 33.

PART 1-1—GENERAL

The table of contents for Part 1-1 is amended by the revision of § 1-1.318 and the addition of § 1-1.318-1 and § 1-1.318-2, as follows:

1-1.318 Disputes clause.
1-1.318-1 Contracting officer's decision under a Dispute clause.
1-1.318-2 Relationship to the Equal Opportunity clause.

Subpart 1-1.3—General Policies

Section 1-1.318 is revised to clarify the relationship of the Equal Opportunity and Disputes clauses. As revised, the section reads as follows:

§ 1-1.318 **Disputes clause.**

§ 1-1.318-1 **Contracting officer's decision under a Disputes clause.**

(a) When a final decision of the contracting officer concerns a dispute that is or may be subject to the Disputes clause, a paragraph substantially as follows shall be included in the decision:

This decision is made in accordance with the Disputes clause and shall be final and conclusive as provided therein, unless, within 30 days from the date of receipt of this decision, a written notice of appeal (in triplicate) addressed to the (Title of the head of the agency) is mailed or otherwise furnished to the Contracting Officer. The notice of appeal, which is to be signed by you as the contractor or by an attorney acting on your behalf, and which may be in letter form, should indicate that an appeal is intended, should refer to this decision and should identify the contract by number. The notice of appeal may include a statement of the reasons why the decision is considered to be erroneous.

(b) A copy of each contracting officer's decision shall be furnished to the contractor by certified mail, return receipt requested, or by any other method which provides evidence of the date of receipt of the decision by the contractor.

§ 1-1.318-2 **Relationship to the Equal Opportunity clause.**

See § 1-12.805-9 regarding disputed matters related to the equal opportunity program.

PART 1-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 1-2.2—Solicitation of Bids

Section 1-2.201 is amended to prescribe a notice regarding the requirement for certification of nonsegregated facilities.

§ 1-2.201 **Preparation of invitations for bids.**

* * * * *

(a) * * *

(29) The following provision regarding nonsegregated facilities shall be placed on the face of the invitation for bids or on a cover sheet where contract awards exceeding $10,000 may result.

NOTICE OF REQUIREMENT FOR CERTIFICATION OF NONSEGREGATED FACILITIES

Bidders and offerors are cautioned as follows: By signing this bid or offer, the bidder or offeror will be deemed to have signed and agreed to the provisions of the "Certification of Nonsegregated Facilities" in this solicitation. The certification provides that the bidder or offeror does not maintain or provide for his employees facilities which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis. The certification also provides that he will not maintain such segregated facilities. Failure of a bidder or offeror to agree to the Certification of Nonsegregated Facilities will render his bid or offer nonresponsive to the terms of solicitations involving awards of contracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause.

* * * * *

PART 1-12—LABOR

The table of contents for Part 1-12 is amended to add new entries as follows:

1-12.803-7 Elimination of segregated facilities.
1-12.805-9 Disputed matters related to the equal opportunity program.

Subpart 1-12.8—Equal Opportunity in Employment

Sections 1-12.802, 1-12.803, 1-12.804, 1-12.805, and 1-12.807 are amended, and § 1-12.808 is revised in order to prescribe policies and procedures to implement the May 9, 1967, order of the Secretary of Labor regarding nonsegregated facilities. As revised, or amended, the sections read as follows:

§ 1-12.802 **Definitions.**

As used in this subpart, the following terms have the meanings stated (references in this subpart to E.O. No. 10925 and E.O. No. 11114 shall be deemed to be references to the comparable provisions of E.O. No. 11246):

* * * * *

(d) "Chairman" means the Secretary of Labor (successor to the Chairman of the Committee).

(e) "Committee" means Office of Federal Contract Compliance, Department of Labor (successor to the President's Committee on Equal Employment Opportunity).

* * * * *

(j) "Executive Vice Chairman" means the Director, Office of Federal Contract Compliance, Department of Labor (successor to the Executive Vice Chairman of the Committee).

* * * * *

(w) "Vice Chairman" means the Director, Office of Federal Contract Compliance, Department of Labor (successor to the Vice Chairman of the Committee).

§ 1-12.803 **Basic requirements.**

§ 1-12.803-7 **Elimination of segregated facilities.**

This subsection prescribes policies and procedures which implement the May 9, 1967, order (32 F.R. 7439, May 19, 1967) by the Secretary of Labor regarding the Government contractors and elimination of segregated facilities by subcontractors.

(a) Prime contractors, subcontractors, and applicants subject to the Equal Opportunity clause must ensure that the facilities provided for employees are provided in a manner that segregation on the basis of race, creed, color, or national origin cannot result. They may neither require such segregated use by explicit directives nor tolerate such use by employee custom. The obligation extends further to ensuring that employees are not assigned to perform their services at any location under the prime contractor's, subcontractor's, or applicant's (where he is himself performing federally assisted construction) control where the facilities are segregated. Such segregation at any facility provided by a prime contractor, subcontractor, or applicant is an unacceptable failure to comply with the contractor's equal opportunity obligations. Discharge of this obligation in no way whatsoever diminishes or relieves a prime contractor, subcontractor, or applicant of his responsibility to carry out fully the other nondiscrimination and affirmative action requirements of his contract.

(b) The notice to bidders prescribed in § 1–2.201(a)(29) shall be included in invitations for bids. A similar provision shall be included in requests for proposals.

(c) Agencies shall make appropriate provision for the giving of the notice prescribed by this paragraph (c) to, and for its inclusion in agreements with applicants which may involve federally assisted construction contracts and related subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause. The notice to be included in agreements with applicants is as follows:

NOTICE TO APPLICANTS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

(a) A Certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted by the applicant prior to any agreement for Federal financial assistance where the applicant will himself perform a federally assisted construction contract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity clause.

(b) Applicants for Federal assistance shall notify prospective federally assisted construction contractors of the Certification of Nonsegregated Facilities required by the May 9, 1967, order on Elimination of Segregated Facilities by the Secretary of Labor, as follows:

NOTICE TO PROSPECTIVE FEDERALLY ASSISTED CONSTRUCTION CONTRACTORS

(a) A Certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Examination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a federally assisted construction contract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity clause.

(b) Contractors receiving federally assisted construction contract awards exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed $10,000 and are not exempt from the provisions of the Equal Opportunity clause:

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

(a) A Certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity clause.

(b) Contractors receiving subcontract awards exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed $10,000 and are not exempt from the provisions of the Equal Opportunity clause.

(d) Agencies shall include a requirement in their invitations for bids, requests for proposals, federally assisted construction contracts of applicants, and agreements with applicants that bidders, offerors, applicants performing federally assisted construction contracts, federally assisted construction contractors, and their subcontractors submit the certifications prescribed by this paragraph (d) with their bids and proposals where awards and agreements may result in contracts and subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause. Certifications shall be individually signed except where the certification is executed by reason of the signature on the bid or offer (see § 1–2.201(a)(29)). The certifications submitted by subcontractors shall be retained in the files of the prime contractor or subcontractor receiving the certification. Where a prime contractor or subcontractor does business with a concern on a continuing basis, a single certification may be submitted periodically (quarterly, semiannually, or annually) rather than with each transaction.

(1) Certification to be submitted by bidders, offerors, subcontractors, and applicants who are themselves performing federally assisted construction contracts:

CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to contracts, subcontracts, and agreements with applicants who are themselves performing federally assisted construction contracts, exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause.)

By the submission of this bid, the bidder, offeror, applicant, or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. He certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The bidder, offeror, applicant, or subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause; that he will retain such certifications in his files; and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding $10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

(2) Certification to be submitted by federally assisted construction contractors of applicants and their subcontractors:

CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to federally assisted construction contracts and related subcontracts exceeding $10,000 which are not exempt from the Equal Opportunity clause.)

The federally assisted construction contractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor certifies further that he will not maintain or provide for his employees any segregated facilities at any of his establishments, and that he will not permit his employees to perform their services at any location, under his control, where segregated facilities are maintained. The federally assisted construction contractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. The federally assisted construction contractor agrees that (except where he has obtained identical certifications from proposed subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the

award of subcontracts exceeding $10,000 which are not exempt from the provisions of the Equal Opportunity clause, and that he will retain such certifications in his files.

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

(e) The failure of a prime contractor or subcontractor to comply with the terms of his Certification of Nonsegregated Facilities or with the terms of the Equal Opportunity clause as construed by § 1–12.803–7(a) shall be grounds for termination or cancellation of contracts or subcontracts as provided in § 1–12.805–8.

§ 1–12.804 Exemptions.

§ 1–12.804–1 General.

* * * * *

(f) *National security.* Contracts and subcontracts are exempt from the notice and certification requirements regarding segregated facilities in § 1–12.803–7 where the head of the agency determines that a contract or subcontract is essential to the national security and that its award without the requirement of a certification is necessary to the national security. Upon making such a determination, the head of the agency shall forward a written notification within 30 days to the Director, Office of Federal Contract Compliance (OFCC).

§ 1–12.804–2 Specific contracts.

The Director, OFCC, may exempt an agency from (a) requiring the inclusion of any or all of the Equal Opportunity clause in any specific contract, or subcontract, and (b) from requiring compliance with any rules, regulations or orders, or parts thereof, when he deems that special circumstances in the national interest so require. The Director, OFCC, may also exempt groups or categories of contracts of the same type where he finds it impracticable to act upon each request individually or where group exemptions will contribute to convenience in the administration of the orders.

§ 1–12.805 Administration.

§ 1–12.805–8 Sanctions.

(a) *General.* In every case where investigation indicates the existence of an apparent violation of the provisions of the clause the matter should be resolved by informal means, including conference, conciliation, mediation, and persuasion, whenever possible. This will also include, where appropriate, establishing a program for future compliance approved by the head of the agency. Where the apparent violation is not resolved by informal means, the agency may afford the contractor or subcontractor an opportunity for a hearing (see § 1–12.807). If a prime contractor or subcontractor, without a hearing, has complied with the recommendations or orders of an agency and believes such orders or recommendations to be erroneous, he shall, upon filing a request therefor within 10 days of such compliance, be accorded an opportunity for a hearing and review of the alleged erroneous action under § 1–12.807.

(b) *Termination.* A contract or subcontract may be canceled, terminated, or suspended, in whole or in part, for failure to comply with the provisions of the Equal Opportunity clause. Whenever the Director, Office of Federal Contract Compliance (OFCC), or an agency, upon prior notification to the Director, OFCC, proposes to cancel or terminate, or cause to be canceled or terminated, in whole or in part, a prime contract or to require cancellation or termination of a subcontract, the prime contractor or subcontractor shall be notified in writing of such proposed action and given at least 10 days from the mailing of the notice either to comply with the provisions of the contract or to mail a request for a hearing to the Director, OFCC, or the agency, as appropriate, under § 1–12.807. During the 10-day notice period, reasonable efforts shall continue to be made to secure compliance by conference, mediation, and persuasion.

(c) *Debarment.* A prime contractor or subcontractor may be debarred from receiving contracts for failure to comply with the provisions of the Equal Opportunity clause provided that debarment has been recommended by the head of the agency, and approved by the Director, OFCC. In every case where debarment is being proposed the prime contractor or subcontractor will be notified by the head of the agency, in writing, of the proposed recommendation and given 10 days from the receipt of such notice in which to mail a request for a hearing by the agency, under § 1–12.807, or for a hearing before the Director, OFCC.

(d) *Referral to the Department of Justice.* Each agency, with the approval of the Director, OFCC, may recommend to the Department of Justice that, in cases where there is substantial or material violation or the threat of substantial or material violation of the provisions of the Equal Opportunity clause, appropriate proceedings be brought to enforce those provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups which prevent directly or indirectly compliance with the aforesaid provisions: *Provided, however,* That no case shall be refered to the Department of Justice until the expiration of at least 10 days from the mailing of a notice of such proposed referral by the agency to the prime contractor or subcontractor involved, affording him an opportunity to comply with the provisions of the order. The agency may also recommend to the Department of Justice that criminal proceedings be brought for the furnishing of false information to the agency.

(e) *Imposition of corrective action or sanction.* Following notification by the Director, OFCC, the agency shall promptly take the corrective action or impose the sanction stipulated in the notice.

§ 1–12.805–9 Disputed matters related to the equal opportunity program.

Disputes related to matters pertaining to the equal opportunity program shall be handled pursuant to the provisions of the Equal Opportunity clause in Government contracts, agreements, and subcontracts, rather thanthe Disputes clause contracts, rather than the Disputes clause contained therein. This relationship stems largely from the provision "except as otherwise provided in this contract" which appears in the standard Disputes clauses (see clauses 6 and 12 of Standard Forms 23–A and 32, respectively). The Equal Opportunity clause prescribed by § 1–12.803 (as amended) does so "otherwise provide" in paragraph (d), which specifies that the contractor shall comply with the rules, regulations, and relevant orders of the Secretary of Labor. Those rules, regulations, and relevant orders prescribe particular procedures for handling disputed matters pertaining to the equal opportunity program (see 41 CFR, Ch. 60, Subpart B) which are implemented by §§ 1–12.805 and 1–12.807.

§ 1–12.806 [Reserved]

§ 1–12.807 Hearings.

§ 1–12.807–1 General.

(a) An opportunity for a hearing may be afforded to a prime contractor or a subcontractor by the agency when an apparent act, or acts, of discrimination or other violation of the Equal Opportunity clause, as shown by investigation, are not resolved informally.

(b) An opportunity for a hearing shall be afforded to a prime contractor or subcontractor by the agency when:

(1) The prime contractor or subcontractor having complied with the recommendation or orders of the agency, believes such recommendations or orders to be erroneous; or

(2) The agency proposes to debar the prime contractor or subcontractor.

(c) Whenever the prime contractor or subcontractor requests a hearing, pursuant to § 1–12.805–8(b), a hearing shall be convened by the Director, OFCC, or any agency head, with the approval of the Director. The contract may be suspended, in the discretion of the Director, OFCC, during the pendency of the hearing.

§ 1–12.807–2 Delegation of authority.

The head of the agency may delegate to any person, or board of such persons within his agency, all the authority of the head of the agency conferred by the orders or the rules and regulations of the Secretary of Labor to give notice of hearings, to conduct hearings, and to make findings of fact and recommendations as to whether a contractor or subcontractor is or has been in violation of the Equal Opportunity clause. If the head of an agency delegates his authority to a board, one of the members of the board shall be a person trained in law, and the head of the agency shall designate one member to be the presiding officer of the board.

§ 1–12.807–5 Findings and recommended conclusions.

As soon as practicable after completion of the hearing the person or board that conducted the hearing shall make written findings and recommended conclusions on the basis of the record with

respect to all material issues. If the conclusion is that a violation of the Equal Opportunity clause has taken place, the agency head may make recommendations to the Director, OFCC, and may with the Director's approval cause the cancellation, termination, or suspension of the contract or subcontract. The agency head may, with the approval of the Director, OFCC, impose such other sanctions, including debarment, as seem necessary and appropriate to carry out the purposes of the orders.

§ 1–12.808 Reinstatement of ineligible contractors or subcontractors.

Any prime contractor or subcontractor declared ineligible for further contracts or subcontracts under the orders may request reinstatement in a letter directed to the Director, OFCC. In connection with the reinstatement proceeding, the prime contractor or subcontractor shall be required to show that it has now complied with the orders or that it has a program of compliance acceptable to the Director, OFCC.

PART 1–16—PROCUREMENT FORMS

Subpart 1–16.1—Forms for Advertised Supply Contracts

Section 1–16. 101 is amended to provide for the inclusion of the Certification of Nonsegregated Facilities on Standard Form 33. As amended, the section reads as follows:

§ 1–16.101 Contract forms.

* * * * *

(a) Solicitation, Offer, and Award (Standard Form 33, July 1966 edition). Pending the publication of a new edition of SF 33, the Certification of Nonsegregated Facilities prescribed in § 1–12.803–7(d)(1) shall be made an additional provision of the Representations, Certifications, and Acknowledgements on the form.

* * * * *

Subpart 1–16.4—Forms for Advertised Construction Contracts

Section 1–16.401 is amended to provide for the inclusion of the Certification of Nonsegregated Facilities on Standard Form 19–B. As amended, the section reads as follows:

§ 1–16.401 Forms prescribed.

* * * * *

(c) Representations and Certifications (Construction Contract) (Standard Form 19–B, December 1965 edition). Pending the publication of a new edition of SF 19–B, the Certification of Nonsegregated Facilities prescribed in § 1–12.803–7(d)(1) shall be made an additional provision of the form.

* * * * *

Subpart 1–16.6—Forms of Leases for Real Property

Section 1–16.601 is amended to provide for the inclusion of the Certification of Nonsegregated Facilities on Standard Form 2–A. As amended, the section reads as follows:

§ 1–16.601 Forms prescribed.

* * * * *

(b) Standard Form 2–A, February 1965 edition, U.S. Government Lease for Real Property. Pending the publication of a new edition of SF 2–A, the Certification of Nonsegregated Facilities prescribed in § 1–12.803–7(d)(1) shall be made an additional provision of the form.

* * * * *

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

Effective date. These regulations are effective with respect to invitations for bids, requests for proposals, and applications of applicants issued on or after February 26, 1968, but may be observed earlier.

Dated: February 12, 1968.

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

[F.R. Doc. 68–1967; Filed, Feb. 15, 1968; 8:49 a.m.]

Chapter 9—Atomic Energy Commission

PART 9–1—GENERAL

Subpart 9–1.4—Procurement Authority and Responsibility

Subpart 9–1.51—Procurement Authority and Responsibility

Subpart 9–1.4 is issued to supplement recently published subpart in the Federal Procurement Regulations on this subject and to eliminate material formerly contained in AECPR 9–1.51 which is now covered by the FPR subpart.

1. The following subpart is added to Part 9–1, General:

Subpart 9–1.4—Procurement Authority and Responsibility

Sec.
9–1.450 General responsibility of contracting officers.
9–1.451 Standards of conduct.

AUTHORITY: Sec. 161 of the Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205 of the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486.

Subpart 9–1.4—Procurement Authority and Responsibility

§ 9–1.450 General responsibility of contracting officers.

Contracting officers are responsible for:

(a) Executing and administering contracts in such a manner as to safeguard the interest of the United States in contractual relationships and making determinations of fact under contracts;

(b) Advising the contractor by letter or other appropriate means:

(1) The name of any contracting officer's representative, the extent of such representative's authority and any limitations placed thereon;

(2) The name of any site representative or other technical representative designated to provide technical surveillance of the work being performed under the contract, the extent of such representative's authority and any limitations placed thereon.

(c) Using standard contract forms, as required by the FPR and AECPR;

(d) Obtaining all necessary approvals and otherwise complying with applicable directives issued by the General Manager; Director, Division of Contracts; other Division Directors; and Managers of Field Offices;

(e) Personally signing all contracts and modifications entered into by them (this authority cannot be delegated to others, nor will the signing of contractual documents be accomplished by facsimile stamps or by proxy);

(f) Exercising care, skill, and judgment in all their actions;

(g) Assuring that funds are available and that their authority to subject the Government or its property to any risk is not being exceeded;

(h) Maintaining constant cognizance with respect to contract compliance on the part of the contractor;

(i) Securing the advice of legal, technical, and administrative staffs of the AEC as to the sufficiency of the contracts prior to their execution;

(j) Initiating any appropriate action necessary to properly assure the satisfactory performance of their contracts;

(k) Knowing and acting within the scope and limitation of their authority.

§ 9–1.451 Standards of conduct.

The business ethics of all persons charged with administration and expenditure of Government funds must be above reproach and suspicion in every respect at all times. It is important that all persons engaged in procurement and related duties adhere to and be guided by the AEC's policies and instructions on personnel conduct. Detailed rules applicable to the conduct of employees are set forth in the Appendix to 10 CFR Part 1, Subpart E.

§§ 9–1.5101—9–1.5104 [Deleted]

2. Subpart 9–1.51, Procurement Authority and Responsibility, is deleted and reserved.

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

Dated at Germantown, Md., this 9th day of February 1968.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 68–1910; Filed, Feb. 15, 1968; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4356]

[Arizona 1228]

ARIZONA

Partial Revocation of Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of March 18, 1918, creating Stock Driveway Withdrawal No. 10, is hereby revoked so far as it affects the following described lands:

GILA AND SALT RIVER MERIDIAN

T. 15 N., R. 16 E.,
Sec. 4, lots 1 to 12, inclusive, and S½;
Secs. 8, 10, and 14;
Sec. 18, lots 1 to 4, inclusive, E½W½ and E½;
Secs. 26 and 28;
Sec. 30, lots 1 to 4, inclusive, E½W½ and E½.
T. 15 N., R. 17 E.,
Secs. 26 and 28;
Sec. 30, lots 1 to 4, inclusive, E½W½ and E½.
T. 15 N., R. 18 E.,
Sec. 28.
T. 14 N., R. 21 E.,
Sec. 12;
Sec. 14, E½.
T. 15 N., R. 21 E.,
Sec. 10, E½;
Sec. 14;
Sec. 22, E½E½.
T. 16 N., R. 21 E.,
Sec. 4, lots 1 to 4, inclusive, S½N½ and S½;
Secs. 10, 22, and 34.
T. 17 N., R. 21 E.,
Sec. 18, E½;
Secs. 20, 22, 26, 28, and 34.

The areas described aggregate 16,049.88 acres in Navajo, Apache, and Coconino Counties.

Portions of these lands are located approximately 17 miles north of Heber, Ariz., and the remainder are near State Highway 77, extending from just south of Holbrook to 6 miles north of Snowflake, Ariz. The soils are quite shallow, and are either sandy or clay with an intermix of bedrock fragments. Vegetation consists of prickly pear, grass, cholla cacti, snakeweed, and juniper bushes.

2. Until 10 a.m. on August 12, 1968, the State of Arizona 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 operation of the public land laws generally, 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 August 12, 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, and to location under the U.S. mining laws subject to the regulations in 43 CFR 3400.3.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Phoenix, Ariz.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1917; Filed, Feb. 15, 1968; 8:45 a.m.]

[Public Land Order 4357]

[Oregon 185]

OREGON

Withdrawal for National Forest Administrative Site Partly Revoking Public Land Order

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described lands in the Umatilla National Forest are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture as an addition to the Ant Hill Administrative Site established by Public Land Order No. 4311:

WILLAMETTE MERIDIAN

T. 8 S., R. 26 E.,
Sec. 13, NW¼NE¼SW¼.

Containing 10 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. Public Land Order No. 4311 of October 31, 1967, is hereby revoked so far as it affects the following described lands in the Umatilla National Forest:

WILLAMETTE MERIDIAN

T. 8 S., R. 26 E.,
Sec. 13, NE¼NE¼SW¼.

Containing 10 acres.

4. At 10 a.m. on March 19, 1968, the lands described in paragraph 3 hereof shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1818; Filed, Feb. 15, 1968; 8:45 a.m.]

[Public Land Order 4358]

[Riverside 06656; 06980; Nevada 042819]

CALIFORNIA AND NEVADA

Revocation of Lighthouse and Reclamation Project Withdrawals

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), and by virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The Executive order of January 26, 1867, and Executive Order No. 2528 of February 14, 1917, withdrawing lands for lighthouse purposes, are hereby revoked so far as they affect the following described lands:

CALIFORNIA

(Riverside 06656)

SAN BERNARDINO MERIDIAN

T. 6 N., R. 36 W.,
An unsurveyed rocky island located approximately 300 feet off Point Arguello, Calif., in what probably will be the SE¼SW¼, sec. 15, when surveyed, containing approximately 0.4 acre.

(Riverside 06980)

T. 5 S., R. 15 W.,
An unsurveyed island or rock (El Codo Rock) in the Pacific Ocean opposite Point Vincente (Point Vicente), Calif., in approximate sec. 14, containing approximately 0.5 acre.

The parcels described in paragraph 1, above, remain withdrawn by Executive Order No. 5326 of April 14, 1930, which withdrew all unsurveyed islands, rocks, and pinnacles in the Pacific Ocean off the coast of California.

2. The departmental orders of July 2, 1902, and July 9, 1904, withdrawing lands for the Truckee-Carson Project, are hereby revoked so far as they affect the following described lands:

NEVADA

(Nevada 042819)

MOUNT DIABLO MERIDIAN

T. 19 N., R. 18 E.,
Sec. 30, lots 7, 10, and SW¼SE¼;
Sec. 31, lot 7.

The areas described aggregate 63.47 acres, of which lot 7, sec. 30, is nonpublic (private) land. The remaining lands are in the Toiyabe National Forest.

3. At 10 a.m. on March 19, 1968, the national forest lands described in paragraph 2, above, shall be open to such forms of disposition as may by law be made of such lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1919; Filed, Feb. 15, 1968; 8:45 a.m.]

[Public Land Order 4359]

[Oregon 1375 (Wash.)]

WASHINGTON

Revocation of Withdrawals for National Forest Administrative Sites and Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The departmental orders of November 30, 1907, April 1, 1908, November 14, 1908, and February 17, 1909, and Public Land Orders No. 1375 of December 20, 1956, No. 1739 of October 6, 1958, and No. 1874 of June 9, 1959, withdrawing national forest lands as administrative sites and recreation areas, are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

COLVILLE NATIONAL FOREST

Graphite Administrative Site

T. 40 N., R. 32 E.,
Sec. 18, lots 3 and 4.

Sherman Creek Radio Relay Station Site

T. 36 N., R. 34 E.,
Sec. 24, W½NE¼NE¼.

St. Peters Creek Administrative Site

T. 38 N., R. 34 E.,
Sec. 7, lot 3, E½SW¼, and NW¼SE¼.

Davis Lake Recreation Area

T. 38 N., R. 36 E.,
Sec. 34, N½SE¼SW¼.

Frater Lake Recreation Area

T. 36 N., R. 42 E.,
Sec. 2, lots 1 and 2.

Dry Canyon Administrative Site

T. 37 N., R. 43 E.,
Sec. 35, a metes and bounds survey in the NW¼.

Bunchgrass Administrative Site

T. 37 N., R. 44 E.,
Sec. 24, W½SE¼NE¼, E½SW¼NE¼, SW¼SW¼NE¼, SE¼SE¼NW¼, and N½NW¼SE¼.

The areas described, including the patented lands and national forest lands, aggregate 379.14 acres in Ferry and Pend Oreille Counties. The patented lands are those described above for the Frater Lake Recreation Area.

2. At 10 a.m. on March 19, 1968, the national forest lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1920; Filed, Feb. 15, 1968; 8:45 a.m.]

[Public Land Order 4360]

[Oregon 1572]

OREGON

Public Land Order; Correction

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. Public Land Order No. 4305 of October 31, 1967, reserving lands in sec. 25, T. 14 S., R. 7 W., Willamette Meridian for protection of public recreation values, so far as it described the W½NE¼SW¼NE¼, is hereby corrected to read "W½NE¼SW¼NW¼".

2. The lands are revested Oregon and California Railroad grant lands. At 10 a.m. on March 19, 1968, the W½NE¼SW¼NE¼ shall be open to such forms of disposition as may by law be made of such lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1921; Filed, Feb. 15, 1968; 8:45 a.m.]

[Public Land Order 4361]

[Sacramento 1169]

CALIFORNIA

Opening of Land

By virtue of the authority contained in section 24 of the act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determination of the Federal Power Commission in DA-1066-California, it is ordered as follows:

Subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law, the following described land in the Klamath National Forest, withdrawn in Powersite Classification No. 118 of October 1, 1925, shall at 10 a.m. on March 19, 1968, be open to such forms of disposition as may by law be made of national forest lands, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920, supra.

MOUNT DIABLO MERIDIAN

T. 46 N., R. 12 W.,
SEC. 11, Tract 54-B, part (7.38 acres) of former lot 15.

The area described contains 7.38 acres in Siskiyou County.

The State of California has waived the preference right afforded it under section 24 of the Federal Power Act of June 10, 1920, as amended May 28, 1948 (62 Stat. 275; 16 U.S.C. 818).

The land has been open to application and offers under the mineral leasing laws, and to location under the U.S. mining laws.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1922; Filed, Feb. 15, 1968; 8:45 a.m.]

[Public Land Order 4362]

[Oregon 1374]

WASHINGTON

Withdrawal for National Forest Administrative Sites, Roadside Zones, and Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

COLVILLE NATIONAL FOREST

WILLAMETTE MERIDIAN

San Poil (Federal No. 19) Highway, Roadside Zone

A strip of land 200 feet on each side of the centerline of Federal Highway No. 19 through the following legal subdivisions:

T. 35 N., R. 32 E.,
Sec. 24, SE¼SE¼;
Sec. 25, E½E½.
T. 35 N., R. 33 E.,
Sec. 19, lot 4;
Sec. 30, lot 1;
Sec. 31, lot 4, and SE¼SW¼.

Bodie Lookout Administrative Site

T. 38 N., R. 32 E.,
Sec. 6, lot 4. Beginning at a point from which the fire lookout tower on Bodie Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Republic-Kettle Falls (Federal No. 20) Highway, Roadside Zone

A strip of land 200 feet on each side of the centerline of Federal Highway No. 20 through the following legal subdivisions:

T. 36 N., R. 33 E.,
Sec. 25, NW¼NW¼;
Sec. 26, N½NE¼, and NE¼NW¼.

Quartz Lookout Administrative Site

T. 36 N., R. 33 E.,
Sec. 34, SW¼SW¼. Beginning at a point from which the fire lookout tower on Quartz Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Barnaby Butte Lookout Administrative Site

T. 35 N., R. 35 E.,
Sec. 7, (unsurveyed);
Sec. 18, (unsurveyed). Beginning at a point from which the fire lookout tower on Barnaby Butte bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Kettle Range Observation Site

T. 36 N., R. 35 E.,
Sec. 19 (unsurveyed). Beginning at the junction where the existing observation site road leaves Federal Highway No. 20 which is a point approximately 65 chains in an easterly direction from Sherman Creek Pass, thence west, 5 chains; north, 6 chains; east, 20 chains; south, 6 chains; west, 15 chains, to point of beginning.

Twin Sisters Lookout Administrative Site

T. 37 N., R. 35 E.,
Sec. 10 (unsurveyed). Beginning at a point from which the fire lookout tower on Twin Sisters bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Marble Lookout Administrative Site

T. 39 N., R. 35 E.,
Sec. 4 (unsurveyed). Beginning at a point from which the fire lookout tower on Marble Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Canyon Creek Recreation Area

T. 36 N., R. 36 E.,
Sec. 35, S½NE¼NE¼, and SE¼NE¼.

Davis Lake Recreation Area

T. 37 N., R. 36 E.,
Sec. 3, N½SE¼NW¼.

First Thought Lookout Administrative Site

T. 39 N., R. 37 E.,
Sec. 7, NE¼SW¼. Beginning at a point from which the fire lookout tower on First Thought Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Dominion Lookout Administrative Site and Picnic Area

T. 36 N., R. 40 E.,
Sec. 34, NE¼. Beginning at a point from which the fire lookout tower on Dominion Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 20 chains; east, 10 chains; south, 15 chains, to point of beginning.

Chewelah Lookout Administrative Site

T. 32 N., R. 41 E.,
Sec. 12, N½SE¼. Beginning at a point from which the fire lookout tower on Chewelah Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Frater Lake Recreation Area

T. 36 N., R. 42 E.,
Sec. 3, lots 1 and 2.

Huckleberry Lookout Administrative Site

T. 38 N., R. 42 E.,
Sec. 29, W½SW¼;
Sec. 30, E½SE¼. Beginning at a point from which the fire lookout tower on Huckleberry Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

Crescent Lake Recreation Area

T. 40 N., R. 43 E.,
Sec. 12, E½NE¼NE¼SW¼, and W½NW¼NW¼SE¼.

LeClerc Creek Recreation Area

T. 36 N., R. 44 E.,
Sec. 19, E½W½SW¼NE¼, and E½SW¼NE¼.

Salmo Lookout Administrative Site

T. 40 N., R. 45 E.,
Sec. 16, S½NE¼, and N½SE¼. Beginning at a point from which the fire lookout tower on Salmo Mountain bears west, 5 chains, thence south, 5 chains; west, 10 chains; north, 10 chains; east, 10 chains; south, 5 chains, to point of beginning.

The areas described aggregate 485.85 acres in Ferry, Pend Oreille, and Stevens Counties.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1923; Filed, Feb. 15, 1968; 8:46 a.m.]

[Public Land Order 4363]
[Wyoming 7564]

WYOMING

Partial Revocation of Executive Order

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Order No. 5327 of April 15, 1930, withdrawing oil shale deposits and lands containing such deposits, is hereby revoked so far as it affects the following described lands except for the oil shale deposits therein:

SIXTH PRINCIPAL MERIDIAN

T. 19 N., R. 109 W.,
Sec. 30, SE¼NE¼SE¼, E½SW¼NE¼SE¼, E½E½SW¼SE¼, E½W½E½SW¼SE¼, SE¼SE¼.

The areas described aggregate 70 acres in Sweetwater County.

2. The lands are hereby classified for sale under the act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421–1427), subject to the regulations in 43 CFR 2243.2. However, the lands will not be sold unless and until local authorities have enacted zoning legislation sufficient to meet the requirements of the law and applicable regulations.

3. Any disposal of the lands or any part thereof shall reserve to the United States, its grantees or lessees, a right of access over and across the lands for purposes of mineral development.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1924; Filed, Feb. 15, 1968; 8:46 a.m.]

[Public Land Order 4364]
[Riverside 06908]

CALIFORNIA

Withdrawal in Aid of Proposed Legislation

By virtue of the authority vested in the Secretary of the Interior by section 4 of the act of March 3, 1927 (44 Stat. 1347; 25 U.S.C. 398d), it is ordered as follows:

Subject to valid existing rights, the following described public lands which are under the jurisdiction of the Secretary of the Interior, are hereby temporarily withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., ch. 2), and from leasing under the mineral leasing laws, in aid of legislation to add such lands to the Rincon Indian Reservation:

SAN BERNARDINO MERIDIAN

T. 10 S., R. 1 W.,
Sec. 28, E½SW¼, and SE¼;
Sec. 33, N½NE¼.

The areas described aggregate 320 acres in San Diego County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1925; Filed, Feb. 15, 1968; 8:46 a.m.]

[Public Land Order 4365]
[Wyoming 0313690]

WYOMING

Public Land Order; Correction

In paragraphs numbered two and three of Public Land Order No. 4327 of November 27, 1967 (32 F.R. 16531–2), the date "May 29, 1967" is corrected to read "May 29, 1968".

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1926; Filed, Feb. 15, 1968; 8:46 a.m.]

[Public Land Order 4366]
[Oregon 05641]

OREGON

Addition to Deer Flat National Wildlife Refuge

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., ch. 2), but not from leasing under the mineral leasing laws, and reserved as an addition to the Deer Flat National Wildlife Refuge:

WILLAMETTE MERIDIAN

T. 21 S., R. 47 E.,
Sec. 6, lot 6;
Sec. 7, lot 6.

The area described aggregates 2.91 acres.

2. Grazing of domestic livestock on the lands shall be in accordance with provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315), as amended, and the regulations in

43 CFR, but shall be subordinate to the use of the lands for wildlife purposes.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

FEBRUARY 12, 1968.

[F.R. Doc. 68-1927; Filed, Feb. 15, 1968; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Department of Transportation

PART 239—STANDARD TIME ZONE INVESTIGATION

[OST Docket No. 9, Amdt. 3]

NEW STANDARD TIME ZONE BOUNDARIES GOVERNING STATES OF ALASKA AND HAWAII

Establishment

The purpose of this amendment to Part 239 (formerly Part 139) of Title 49 of the Code of Federal Regulations is to establish three new U.S. standard time zones to be known as the Yukon standard time zone, the Alaska-Hawaii standard time zone, and the Bering standard time zone. The first new zone, the Yukon zone, includes all U.S. territory between 137° W. longitude and 141° W. longitude. The second new zone, the Alaska-Hawaii zone, includes all U.S. territory between 141° W. longitude and 157°30′ W. longitude and the entire State of Hawaii. The third new zone, the Bering zone, includes all U.S. territory between 157°30′ W. longitude and 172°30′ W. longitude and all of the Aleutian Islands. The Bering zone does not include any of the State of Hawaii.

This amendment is based on a notice of proposed rule making issued by the General Counsel of the Department of Transportation and published in the FEDERAL REGISTER on August 9, 1967 (32 F.R. 11479), and a revised notice of proposed rule making issued by the General Counsel and published in the FEDERAL REGISTER on November 30, 1967 (32 F.R. 16439). Both proposals were made under the authority of section 4(a) of the Uniform Time Act of 1966, which established the new zones based on the one hundred and thirty-fifth, one hundred and fiftieth, and the one hundred and sixty-fifth degrees of longitude west from Greenwich, respectively.

In its notice of August 9, 1967, the Department proposed that all U.S. territory between 127°30′ W. longitude and 141° W. longitude be included within the new Yukon standard time zone; that all territory between 141° W. longitude and 157°30′ W. longitude be included within the new Alaska-Hawaii standard time zone; and that all territory between 157°30′ W. longitude and 172°30′ W. longitude be included within the new Bering standard time zone. In the notice of November 30, 1967, the original proposal was revised with regard to the Yukon zone. It proposed instead that the Yukon zone include all territory between 137° W. longitude and 141° W. longitude and also proposed that the portion of Alaska lying east of 137° W. longitude be placed in the U.S. Pacific standard time zone. The revised proposal was based on the receipt of a considerable number of communications opposing the original proposal from citizens, civic groups, and chambers of commerce in the affected area.

Thus, interested persons have been afforded two opportunities to participate in the making of this amendment and due consideration has been given to all matters presented. Comments received were generally in agreement with the proposal, as revised. The Department of Transportation has determined that the new time zones will allow the citizens of Alaska and Hawaii to continue the observation of historical time zone patterns, and will be in accord with the commercial needs of the citizens involved.

This amendment will not affect the right of Alaska and Hawaii to exempt themselves from advanced time from the last Sunday in April to the last Sunday in October. Any state "* * * may by law exempt itself from the provisions of the [Uniform Time Act] providing for the advancement of time * * *" (15 U.S.C. 260(a)).

In consideration of the foregoing Part 239 of Title 49, Code of Federal Regulations, is amended effective March 18, 1968, as follows:

(1) By adding the following new sections after § 239.8:

§ 239.9 Yukon zone.

The sixth standard time zone, the Yukon time zone, includes all territory of the United States between 137° W. longitude and 141° W. longitude.

§ 239.10 Alaska-Hawaii zone.

The seventh standard time zone, the Alaska-Hawaii time zone, includes all territory of the United States between 141° W. longitude and 157°30′ W. longitude, and the entire State of Hawaii.

§ 239.11 Bering zone.

The eighth standard time zone, the Bearing time zone, includes all territory of the United States between 157°30′ W. longitude and 172°30′ W. longitude, and all of the Aleutian Islands which lie west of 172°30′ W. longitude, but does not include any part of the State of Hawaii.

(2) By amending § 239.8 to read as follows:

§ 239.8 Pacific zone.

The fourth zone, designated as the U.S. standard Pacific time zone, shall include that portion of the United States lying west of the third zone, as described in §§ 239.6, 239.7 and east of the line described in § 239.9, with the exceptions and inclusions enumerated therein.

(Act of Mar. 19, 1918, ch. 24, as amended by Uniform Time Act of 1966; 15 U.S.C. 260–267, sec. 6(e)(5), Department of Transportation Act; 80 Stat. 939, 49 U.S.C. 1655)

Issued in Washington, D.C., on February 12, 1968.

ALAN S. BOYD,
Secretary of Transportation.

[F.R. Doc. 68-1944; Filed, Feb. 15, 1968; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 31]

FILING WITH SERVICE CENTERS

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, and which are received prior to March 4, 1968. Any comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] SHELDON S. COHEN,
Commissioner of Internal Revenue.

In order to revise the rules for the filing of certain returns and other documents with service centers, and to conform the Income Tax Regulations (26 CFR Part 1) to the amendments made by section 1 of the Act of November 2, 1966 (Public Law 89–713, 80 Stat. 1107), the following regulations (26 CFR Parts 1, 31, and 301) are amended as set forth below. However, the amendments to such regulations do not make all of the changes necessitated by section 1 of the Act of November 2, 1966 (Public Law 89–713), nor do such amendments reflect the amendments made by section 2 of the Act of November 2, 1966 (Public Law 89–721, 80 Stat. 1150) or by section 2(b) of the Act of December 27, 1967 (Public Law 90–225, 81 Stat. 731). The amendments to the regulations made necessary by such Acts will be issued in the future.

PARAGRAPH 1. Paragraphs (c) and (d) of § 1.6073–1 are amended to read as follows:

§ 1.6073–1 Time and place for filing declarations of estimated tax by individuals.

* * * * *

(c) *Place for filing declaration.* The declaration of estimated tax shall be filed at the place prescribed by the instructions applicable to such declaration. For example, if the instructions applicable to a declaration provide that the declaration of a taxpayer located in North Carolina be filed with the Director, Internal Revenue Service Center, Chamblee, Ga., such declaration shall be filed with the service center.

(d) *Amendment of declaration.* An amended declaration of estimated tax may be filed during any interval between installment dates prescribed for the taxable year. However, no amended declaration may be filed until after the installment date on or before which the original declaration was filed and only one amended declaration may be filed during each interval between installment dates. An amended declaration shall be filed with the internal revenue officer with whom the original declaration was filed.

PAR. 2. Paragraph (a) of § 1.6073–4 is amended to read as follows:

§ 1.6073–4 Extension of time for filing declarations by individuals.

(a) *In general.* District directors and directors of service centers are authorized to grant a reasonable extension of time for filing a declaration or an amended declaration. An application for an extension of time for filing such a declaration shall be addressed to the internal revenue officer with whom the taxpayer is required to file his declaration, and must contain a full recital of the causes for the delay. Except in the case of taxpayers who are abroad, no extension for filing declarations may be granted for more than 6 months.

* * * * *

PAR. 3. Paragraphs (c) and (d) of § 1.6074–1 are amended to read as follows:

§ 1.6074–1 Time and place for filing declarations of estimated income tax by corporations.

* * * * *

(c) *Place for filing declaration.* The declaration of estimated tax shall be filed at the place prescribed by the instructions applicable to such declaration. For example, if the instructions applicable to a declaration provide that the declaration of a corporation located in North Carolina be filed with the Director, Internal Revenue Service Center, Chamblee, Ga., such declaration shall be filed with the service center.

(d) *Amendment of declaration*—(1) *Taxable years beginning on or before December 31, 1963.* A declaration of estimated tax for a taxable year beginning on or before December 31, 1963, which is filed by a corporation prior to the 15th day of the 12th month of the taxable year may be amended in the manner prescribed in § 1.6016–3, at any time on or before such 15th day. An amended declaration shall be filed with the internal revenue officer with whom the original declaration was filed.

(2) *Taxable years beginning after December 31, 1963.* In any case where a declaration of estimated tax for a taxable year beginning after December 31, 1963, has been filed, an amended declaration of estimated tax may be filed during any interval between installment dates prescribed for the taxable year. However, no amended declaration may be filed until after the installment date on or before which the original declaration was filed and only one amended declaration may be filed during each interval between installment dates. See § 1.6016–3 for the manner of making an amended declaration. An amended declaration shall be filed with the internal revenue officer with whom the original declaration was filed.

PAR. 4. Paragraph (a) of § 1.6074–3 is amended to read as follows:

§ 1.6074–3 Extension of time for filing declarations by corporations.

(a) *In general.* District directors and directors of service centers are authorized to grant a reasonable extension of time for filing a declaration or an amended declaration. An application by a corporation for an extension of time for filing such a declaration shall be addressed to the internal revenue officer with whom the corporation is required to file its declaration, and must contain a full recital of the causes for the delay.

* * * * *

PAR. 5. Paragraph (a) of § 1.6081–1 is amended to read as follows:

§ 1.6081–1 Extension of time for filing returns.

(a) *In general.* District directors, including the Director of International Operations, and directors of service centers are authorized to grant a reasonable extension of time for filing any return, declaration, statement, or other document which relates to any tax imposed by subtitle A of the Code and which is required under the provisions of subtitle A or F of the Code or the regulations thereunder. However, except in the case of taxpayers who are abroad, such extensions of time shall not be granted for more than 6 months. Except in the case of declarations of estimated income tax, an extension of time for filing an income tax return does not operate to extend the time for the payment of the tax, or any installment thereof, unless so specified in the extension. For extension of time for filing declarations of estimated tax, see §§ 1.6073–4 and 1.6074–3. For extension of time for paying tax, see § 1.6161–1.

* * * * *

PAR. 6. Paragraph (c) of § 1.6081–3 is amended to read as follows:

§ 1.6081–3 Automatic extension of time for filing corporation income tax returns.

* * * * *

(c) *Termination of automatic extension.* The district director, including the Director of International Operations, or the director of a service center may, in his discretion, terminate at any time an automatic extension by mailing to the corporation (parent corporation in the case of an affiliated group), or the person who requested such extension for the corporation, a notice of termination. The notice shall be mailed at least 10 days prior to the termination date designated in such notice. The notice of termination shall be sufficient for all purposes when mailed to the corporation at its address shown on Form 7004 or to the person who requested such extension for the corporation at his last known address or last known place of business, even if such corporation has terminated its existence, or such person is deceased or is under a legal disability.

PAR. 7. Section 1.6091 is amended by revising section 6091(b) and adding a historical note to read as follows:

§ 1.6091 Statutory provisions; place for filing returns or other documents.

SEC. 6091. *Place for filing returns or other documents*—* * *

(b) *Tax returns.* In the case of returns of tax required under authority of part II of this subchapter—

(1) *Persons other than corporations*—(A) *General rule.* Except as provided in subparagraph (B), a return (other than a corporation return) shall be made to the Secretary or his delegate—

(i) In the internal revenue district in which is located the legal residence or principal place of business of the person making the return, or

(ii) At a service center serving the internal revenue district referred to in clause (i),

as the Secretary or his delegate may by regulations designate.

(B) *Exception.* Returns of—

(i) Persons who have no legal residence or principal place of business in any internal revenue district,

(ii) Citizens of the United States whose principal place of abode for the period with respect to which the return is filed is outside the United States,

(iii) Persons who claim the benefits of section 911 (relating to earned income from sources without the United States), section 931 (relating to income from sources within possessions of the United States), or section 933 (relating to income from sources within Puerto Rico), and

(iv) Nonresident alien persons,

shall be made at such place as the Secretary or his delegate may by regulations designate.

(2) *Corporations*—(A) *General rule.* Except as provided in subparagraph (B), a return of a corporation shall be made to the Secretary or his delegate—

(i) In the internal revenue district in which is located the principal place of business or principal office or agency of the corporation, or

(ii) At a service center serving the internal revenue district referred to in clause (i),

as the Secretary or his delegate may by regulations designate.

(B) *Exception.* Returns of—

(i) Corporations which have no principal place of business or principal office or agency in any internal revenue district,

(ii) Corporations which claim the benefits of section 922 (relating to special deduction for Western Hemisphere trade corporations), section 931 (relating to income from sources within possessions of the United States), or section 941 (relating to the special deduction for China Trade Act corporations), and

(iii) Foreign corporations,

shall be made at such place as the Secretary or his delegate may by regulations designate.

* * * * *

(4) *Hand-carried returns.* Notwithstanding paragraph (1) or (2), a return to which paragraph (1)(A) or (2)(A) would apply, but for this paragraph, which is made to the Secretary or his delegate by hand carrying shall, under regulations prescribed by the Secretary or his delegate, be made in the internal revenue district referred to in paragraph (1)(A)(i) or (2)(A)(i), as the case may be.

(5) *Exceptional cases.* Notwithstanding paragraph (1), (2), * * * or (4) of this subsection, the Secretary or his delegate may permit a return to be filed in any internal revenue district, and may require the return of any officer or employee of the Treasury Department to be filed in any internal revenue district selected by the Secretary or his delegate.

[Sec. 6091 as amended by sec. 1(a), Act of Nov. 2, 1966 (Public Law 89–713, 80 Stat. 1107)]

PAR. 8. Section 1.6091–2 is amended to read as follows:

§ 1.6091–2 Place for filing income tax returns.

Except as provided in § 1.6091–3 (relating to income tax returns required to be filed with the Director of International Operations) and § 1.6091–4 (relating to exceptional cases)—

(a) *Individuals, estates, and trusts.* (1) Except as provided in paragraph (c) of this section, income tax returns of individuals, estates, and trusts shall be filed with the district director for the internal revenue district in which is located the legal residence or principal place of business of the person required to make the return, or, if such person has no legal residence or principal place of business in any internal revenue district, with the District Director at Baltimore, Md. 21202.

(2) An individual employed on a salary or commission basis who is not also engaged in conducting a commercial or professional enterprise for profit on his own account does not have a "principal place of business" within the meaning of this section.

(b) *Corporations.* Except as provided in paragraph (c) of this section, income tax returns of corporations shall be filed with the district director for the internal revenue district in which is located the principal place of business or principal office or agency of the corporation.

(c) *Returns filed with service centers.* Notwithstanding paragraphs (a) and (b) of this section, whenever instructions applicable to income tax returns provide that the returns be filed with a service center, the returns must be so filed in accordance with the instructions.

(d) *Hand-carried returns.* Notwithstanding paragraphs (1) and (2) of section 6091(b) and paragraph (c) of this section—

(1) *Persons other than corporations.* Returns of persons other than corporations which are filed by hand carrying shall be filed with the district director as provided in paragraph (a) of this section.

(2) *Corporations.* Returns of corporations which are filed by hand carrying shall be filed with the district director as provided in paragraph (b) of this section.

(e) *Amended returns.* In the case of amended returns filed after April 14, 1968, except as provided in paragraph (d) of this section—

(1) *Persons other than corporations.* Amended returns of persons other than corporations shall be filed with the service center serving the internal revenue district referred to in paragraph (a) of this section.

(2) *Corporations.* Amended returns of corporations shall be filed with the service center serving the internal revenue district referred to in paragraph (b) of this section.

PAR. 9. Section 1.6091–3 is amended to read as follows:

§ 1.6091–3 Income tax returns required to be filed with Director of International Operations.

The following income tax returns shall be filed with the Director of International Operations, Internal Revenue Service, Washington, D.C. 20225, or at such other address as is designated on the return form or in the instructions issued with respect to such form:

(a) Income tax returns on which all, or a portion, of the tax is to be paid in foreign currency. See §§ 301.6316–1 to 301.6316–6 inclusive, and §§ 301.6316–8 and 301.6316–9 of this chapter (Regulations on Procedure and Administration).

(b) Income tax returns of an individual citizen of the United States whose principal place of abode for the period with respect to which the return is filed is outside the United States.

(c) Income tax returns of an individual citizen of a possession of the United States (whether or not a citizen of the United States) who has no legal residence or principal place of business in any internal revenue district in the United States.

(d) Except in the case of any departing alien return under section 6851 and § 1.6851–2, the income tax return of any nonresident alien.

(e) The income tax return of an estate or trust the fiduciary of which is outside the United States and has no legal residence or principal place of business in any internal revenue district in the United States.

(f) Income tax returns of foreign corporations.

(g) The return by a withholding agent of the income tax required to be withheld at source under chapter 3 of the Code on nonresident aliens and foreign

corporations and tax-free covenant bonds, as provided in § 1.1461–2.

(h) Income tax returns of persons who claim the benefits of section 911 (relating to earned income from sources without the United States).

(i) Income tax returns of corporations which claim the benefits of section 922 (relating to special deduction for Western Hemisphere trade corporations).

(j) Income tax returns of persons who claim the benefits of section 931 (relating to income from sources within possessions of the United States).

(k) Income tax returns of persons who claim the benefits of section 933 (relating to income from sources within Puerto Rico).

(l) Income tax returns of corporations which claim the benefits of section 941 (relating to the special deduction for China Trade Act corporations).

PAR. 10. Section 1.6151 is amended by revising section 6151(a) and adding a historical note to read as follows:

§ 1.6151 Statutory provisions; time and place for paying tax shown on returns.

SEC. 6151. *Time and place for paying tax shown on returns*—(a) *General rule.* Except as otherwise provided in this section, when a return of tax is required under this title or regulations, the person required to make such return shall, without assessment or notice and demand from the Secretary or his delegate, pay such tax to the internal revenue officer with whom the return is filed, and shall pay such tax at the time and place fixed for filing the return (determined without regard to any extension of time for filing the return).

* * * * *

[Sec. 6151 as amended by sec. 1(b), Act of Nov. 2, 1966 (Public Law 89–713, 80 Stat. 1108)]

PAR. 11. Paragraph (a) of § 1.6151–1 is amended to read as follows:

§ 1.6151–1 Time and place for paying tax shown on returns.

(a) *In general.* Except as provided in section 6152 and paragraph (b) of this section, the tax shown on any income tax return shall, without assessment or notice and demand, be paid to the internal revenue officer with whom the return is filed at the time fixed for filing the return (determined without regard to any extension of time for filing the return). For provisions relating to the time for filing income tax returns, see section 6072 and §§ 1.6072–1 to 1.6072–4, inclusive. For provisions relating to the place for filing income tax returns, see section 6091 and §§ 1.6091–1 to 1.6091–4, inclusive.

* * * * *

PAR. 12. Section 1.6153–4 is amended to read as follows:

§ 1.6153–4 Extension of time for paying the estimated tax.

An extension of time granted an individual under section 6081 for filing the declaration of estimated tax automatically extends the time for paying the estimated tax (without interest) for the same period. See § 1.6073–4 for rules relating to extensions of time for filing declarations of estimated tax by individuals. An application for an extension of time for paying a particular installment of the estimated tax shall be addressed to the internal revenue officer with whom the taxpayer files his declaration, and must contain a full recital of the causes for the delay. Such extension may be for a reasonable period not to exceed 6 months from the date fixed for payment thereof except in the case of a taxpayer who is abroad. Such extension does not relieve the taxpayer from the addition to the tax imposed by section 6654, and the period of the underpayment will be determined under section 6654(c) without regard to such extension.

PAR. 13. Section 1.6154–3 is amended to read as follows:

§ 1.6154–3 Extension of time for paying estimated tax.

An extension of time granted a corporation under section 6081 for filing the declaration of estimated tax automatically extends the time for paying the estimated tax (without interest) for the same period. See § 1.6074–3 for rules relating to extensions of time for filing declarations of estimated tax by corporations. An application for an extension of time for paying an installment of the estimated tax shall be addressed to the internal revenue officer with whom the taxpayer files its declaration, and must contain a full recital of the causes for the delay. Any such extension will not relieve the taxpayer from the addition to the tax imposed by section 6655, and the period of the underpayment will be determined under section 6655(c) without regard to such extension.

PAR. 14. Paragraph (c) of § 1.6161–1 is amended to read as follows:

§ 1.6161–1 Extension of time for paying tax or deficiency.

* * * * *

(c) *Application for extension.* An application for an extension of the time for payment of the tax shown or required to be shown on any return, or for the payment of any installment thereof, or for the payment of any amount determined as a deficiency shall be made on Form 1127 and shall be accompanied by evidence showing the undue hardship that would result to the taxpayer if the extension were refused. Such application shall also be accompanied by a statement of the assets and liabilities of the taxpayer and an itemized statement showing all receipts and disbursements for each of the 3 months immediately preceding the due date of the amount to which the application relates. The application, with supporting documents, must be filed on or before the date prescribed for payment of the amount with respect to which the extension is desired. If the tax is required to be paid to the Director of International Operations, such application must be filed with him, otherwise, the application must be filed with the applicable district director referred to in paragraph (a) or (b) of § 1.6091–2, regardless of whether the return is to be filed with, or tax is to be paid to, such district director. The application will be examined, and within 30 days, if possible, will be denied, granted, or tentatively granted subject to certain conditions of which the taxpayer will be notified. If an additional extension is desired, the request therefor must be made on or before the expiration of the period for which the prior extension is granted.

* * * * *

PAR. 15. Paragraphs (b)(2) and (c) of § 1.6411–1 are amended to read as follows:

§ 1.6411–1 Tentative carryback adjustments.

* * * * *

(b) *Contents of applications.* * * *

(2) An application for a tentative carryback adjustment does not constitute a claim for credit or refund. If such application is disallowed by the district director or director of a service center in whole or in part, no suit may be maintained in any court for the recovery of any tax based on such application. The filing of an application for a tentative carryback adjustment will not constitute the filing of a claim for credit or refund within the meaning of section 6511 for purposes of determining whether a claim for credit or refund was filed prior to the expiration of the applicable period of limitation. The taxpayer, however, may file a claim for credit or refund under section 6402 at any time prior to the expiration of the applicable period of limitation, and may maintain a suit based on such claim if it is disallowed or if the district director or director of a service center does not act on the claim within 6 months from the date it is filed. Such claim may be filed before, simultaneously with, or after the filing of the application for a tentative carryback adjustment. A claim for credit or refund under section 6402 filed after the filing of an application for a tentative carryback adjustment is not to be considered an amendment of such application. Such claim, however, in proper cases may constitute an amendment to a prior claim filed under section 6402.

(c) *Time and place for filing application.* The application for a tentative carryback adjustment shall be filed on or after the date of the filing of the return for the taxable year of the net operating loss and shall be filed within a period of twelve months from the end of such taxable year. Any application filed prior to the date the return for the taxable year of the loss is filed shall be considered to have been filed on the date such return is filed. In the case of an application filed before April 15, 1968, the application shall be filed with the internal revenue officer to whom the tax was paid or the assessment was made. In the case of an application filed after April 14, 1968, if the tax was paid to the Director of International Operations, the application shall be filed with him, otherwise the application shall be filed with the service center serving the internal revenue district in which the tax was paid.

PAR. 16. Section 1.6411–3 is amended to read as follows:

§ 1.6411–3 **Allowance of adjustments.**

(a) *Time prescribed.* The district director or director of a service center (either of whom are sometimes hereinafter referred to in this section as internal revenue officer) shall act upon any application for a tentative carryback adjustment filed under section 6411(a) within a period of 90 days from whichever of the following two dates is the later:

(1) The date the application is filed; or

(2) The last day of the month in which falls the last date prescribed by law (including any extension of time granted the taxpayer) for filing the return for the taxable year of the net operating loss from which the carryback results.

(b) *Examination.* Within the 90-day period described in paragraph (a) of this section, the district director or director of a service center shall make, to the extent he deems practicable in such period, an examination of the application to discover omissions and errors of computation. He shall determine within such period the decrease in tax previously determined, affected by the carryback or any related adjustments, upon the basis of the application and such examination. Such decrease shall be determined in the same manner as that provided in section 1314(a) for the determination by the taxpayer of the decrease in taxes previously determined which must be set forth in the application for a tentative carryback adjustment. Such internal revenue officer, however, may correct any errors of computation or omissions he may discover upon examination of the application. In determining the decrease in tax previously determined which is affected by the carryback or any related adjustment, he accordingly may correct any mathematical error appearing on the application and he may likewise correct any modification required by the law and incorrectly made by the taxpayer in computing its net operating loss, the resulting carrybacks, or its net operating loss deduction. If the required modification has not been made by the taxpayer and such internal revenue officer has available the necessary information to make such modification within the 90-day period, he may, in his discretion, make such modification. In determining such decrease, however, such internal revenue officer will not, for example, change the amount claimed on the return as a deduction for depreciation because he believes that the taxpayer has claimed an excessive amount; likewise, he will not include in gross income any amount not so included by the taxpayer, even though such officer believes that such amount is subject to tax and properly should be included in gross income.

(c) *Disallowance in whole or in part.* If the district director or director of a service center finds that an application for a tentative carryback adjustment contains material omissions or errors of computation, he may disallow such application in whole or in part without further action. If, however, he deems that any error of computation can be corrected by him within the 90-day period, he may do so and allow the application in whole or in part. Such internal revenue officer's determination as to whether he can correct any error of computation within the 90-day period shall be conclusive. Similarly, his action in disallowing, in whole or in part, any application for a tentative carryback adjustment shall be final and may not be challenged in any proceeding. The taxpayer in such case, however, may file a claim for credit or refund under section 6402, and may maintain a suit based on such claim if it is disallowed or if such internal revenue officer does not act upon the claim within 6 months from the date it is filed.

(d) *Application of decrease.* (1) Each decrease determined by the district director or director of a service center in any previously determined tax which is affected by the carryback or any related adjustments shall first be applied against any unpaid amount of the tax with respect to which such decrease was determined. Such unpaid amount of tax may include one or more of the following:

(i) An amount with respect to which the taxpayer is delinquent;

(ii) An amount the time for payment of which has been extended under section 6164 and which is due and payable on or after the date of the allowance of the decrease; and

(iii) An amount (including an amount the time for payment of which has been extended under section 6162, but not including an amount the time for payment of which has been extended under section 6164) which is due and payable on or after the date of the allowance of the decrease.

(2) In case the unpaid amount of tax includes more than one of such amounts, the district director, or director of a service center, in his discretion, shall determine against which amount or amounts, and in what proportion, the decrease is to be applied. In general, however, the decrease will be applied against any amounts described in subparagraph (1) (i), (ii), and (iii) of this paragraph in the order named. If there are several amounts of the type described in subparagraph (1) (iii) of this paragraph, any amount of the decrease which is to be applied against such amounts will be applied by assuming that the tax previously determined minus the amount of the decrease to be so applied is "the tax" and that the taxpayer had elected to pay such tax in installments. The unpaid amount of tax against which a decrease may be applied under subparagraph (1) of this paragraph may not include any amount of tax for any taxable year other than the year of the decrease. After making such application, such internal revenue officer will credit any remainder of the decrease against any unsatisfied amount of any tax for the taxable year immediately preceding the taxable year of the net operating loss the time for payment of which has been extended under section 6164.

(3) Any remainder of the decrease after such application and credits may, within the 90-day period, in the discretion of the district director or director of a service center, be credited against any tax or installment thereof then due from the taxpayer, and, if not so credited, shall be refunded to the taxpayer within such 90-day period.

PAR. 17. Paragraphs (a)(2) and (b) of § 31.6081(a)–1 are amended to read as follows:

§ 31.6081(a)–1 **Extensions of time for filing returns and other documents.**

(a) *Federal Insurance Contributions Act; income tax withheld from wages; and Railroad Retirement Tax Act.* * * *

(2) *Information returns of employers required to file monthly returns of tax under the Federal Insurance Contributions Act.* The district director or director of a service center may, upon application of the employer, grant an extension of time in which to file any information return required under paragraph (b)(1) of § 31.6011(a)–5. Such extension of time shall not extend beyond the last day of the calendar month in which occurs the due date prescribed in paragraph (a)(3)(i) of § 31.6071(a)–1 for filing the information return. Each application for an extension of time for filing an information return shall be made in writing, properly signed by the employer or his duly authorized agent; shall be addressed to the internal revenue officer with whom the employer will file the return; and shall contain a full recital of the reasons for requesting the extension, to aid the officer in determining the period of the extension, if any, which will be granted. Such a request in the form of a letter to such internal revenue officer will suffice as an application. The application shall be filed on or before the due date prescribed in paragraph (a)(3)(i) of § 31.6071(a)–1 for filing the information return.

(3) *Information statements of employers required to file returns of income tax withheld from wages.* For good cause shown upon application by an employer, the district director or director of a service center may grant an extension of time not exceeding 30 days in which to file (i) the copies of Form W–2 pursuant to paragraph (b)(1) of § 31.6011(a)–4 or paragraph (b)(2) of § 31.6011(a)–5, and (ii) Form W–3 pursuant to paragraph (b)(2) of § 31.6011(a)–4 or paragraph (b)(2) of § 31.6011(a)–5, or such other form as may be furnished pursuant to paragraph (b)(2) of § 31.6011(a)–5 for use in lieu of Form W–3. Each application for an extension of time under this subparagraph shall be made in writing, properly signed by the employer or his duly authorized agent; shall be addressed to the internal revenue officer with whom the employer will file the Forms W–2 and Form W–3, or such other form as may be furnished for use in lieu thereof, and shall contain a full recital of the reasons for requesting the extension, to aid such officer in determining the period of the extension, if any, which will be granted. Such a request in the

form of a letter to such internal revenue officer will suffice as an application. The application shall be filed on or before the date on which the employer is required to file the Forms W–2 and Form W–3, or such other form as may be furnished for use in lieu thereof, without regard to this subparagraph.

(b) *Federal Unemployment Tax Act.* The district director or director of a service center may, upon application of the employer, grant a reasonable extension of time (not to exceed 90 days) in which to file any return required in respect of the Federal Unemployment Tax Act. Any application for an extension of time for filing the return shall be in writing, properly signed by the employer or his duly authorized agent; shall be addressed to the internal revenue officer with whom the employer will file the return; and shall contain a full recital of the reasons for requesting the extension, to aid such officer in determining the period of the extension, if any, which will be granted. Such a request in the form of a letter to such internal revenue officer will suffice as an application. The application shall be filed on or before the due date prescribed in paragraph (c) of § 31.6071(a)–1 for filing the return, or on or before the date prescribed for filing the return in any prior extension granted. An extension of time for filing a return does not operate to extend the time for payment of the tax or any part thereof.

* * * * *

PAR. 18. Paragraph (a)(2) of § 301.6402–2 is amended to read as follows:

§ 301.6402–2 Claims for credit or refund.

(a) *Requirement that claim be filed.* * * *

(2) In the case of a claim filed prior to April 15, 1968, the claim together with appropriate supporting evidence, must be filed in the office of the internal revenue officer to whom the tax was paid. In the case of a claim filed after April 14, 1968, if the tax was paid to the Director of International Operations, the claim, together with appropriate supporting evidence, must be filed with him, otherwise, the claim with appropriate supporting evidence must be filed with the service center serving the internal revenue district in which the tax was paid. As to interest in the case of credits or refunds, see section 6611. See section 7502 for provisions treating timely mailing as timely filing and section 7503 for time for filing claim when the last day falls on Saturday, Sunday, or legal holiday.

[F.R. Doc. 68–1947; Filed, Feb. 15, 1968; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 160]

ROSIN FOR NAVAL STORES

Proposed Standards

Notice is hereby given that the U.S. Department of Agriculture, under the authority contained in section 3 of the Naval Stores Act (42 Stat. 1435, as amended; 7 U.S.C. 91 et seq.), is considering proposed amendments to the Official Naval Stores Standards of the United States.

Statement of consideration leading to the proposed amendment. Innovations adopted by the naval stores industry in recent years have produced rosin and derivative products lighter in color than present grade "X." As a result, the industry has requested standards by which the lighter colored products can be graded.

Extensive investigations substantiated a need for three new color standards. Following considerable research and study, Committee D–17 on Naval Stores of the American Society for Testing and Materials developed specifications for the lighter colored grades. Physical standards were then carefully prepared according to these specifications.

The three proposed standards divide the region from "X" color to colorless into four approximately equal color spaces and fall along an extension of the color locus of the present rosin grade series. These standards also agree with the color locus by both visual and instrumental grading of the more highly refined grades of rosin currently being manufactured.

A public hearing on the proposed standards will be held Friday, May 17, 1968, at 10 a.m., in Room 2096, South Agriculture Building, Independence Avenue between 12th and 14th Streets SW., Washington, D.C.

Interested persons who desire to submit written data, views, or arguments in connection with this proposal should file the same, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than May 17, 1968, or with the presiding officer at the hearing. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendments are as follows:

1. Section 160.13 would be amended by inserting grade designations "XC," "XB," and "XA" between the word "respectively:" and grade designation "X."

2. Section 160.73 would be amended by changing the heading to read "Availability of standards", by designating the present provisions as paragraph (a) with the heading "Standards available on loan", and by adding a new paragraph (b), to read as follows:

(b) *Standards available for purchase.* Duplicate cubes for rosin standard grades XA, XB, and XC are not available from the Department but may be obtained commercially.

3. Section 160.302 would be amended by deleting the words "prepared by and".

4. Appendix B would be added following statement No. 6 of appendix A to read as follows:

APPENDIX B—COLORIMETRIC SPECIFICATIONS FOR U.S. ROSIN STANDARDS (MASTER CUBES XA, XB, AND XC)[1]

Grade	x	y	T
XA	0.4048	0.4443	0.708
XB	0.3724	0.4117	0.788
XC	0.3406	0.3696	0.848

[1] x and y are CIE trilinear coordinates; T is the luminous transmission factor.

(Sec. 3, 42 Stat. 1435; secs. 203, 205, 60 Stat. 1087, 1090, as amended; 7 U.S.C. 93, 1622, 1624, 29 F.R. 16210, 32 F.R. 11741)

Done at Washington, D.C., this 13th day of February 1968.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 68–1966; Filed, Feb. 15, 1968; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 28]

CHERRY PIE

Extension of Time for Filing Comments on Proposed Standards of Identity and Quality

In the matter of establishing a definition and standard of identity and a standard of quality for cherry pie:

The notice of proposed rulemaking in the above-identified matter published in the FEDERAL REGISTER of November 1, 1967 (32 F.R. 15116), provided that comments could be filed regarding the proposal therein within 90 days following its date of publication.

The Commissioner of Food and Drugs has received requests for an extension of time for filing comments and, good reasons therefor appearing, the time for filing comments in this matter is extended to March 29, 1968.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120).

Dated: February 8, 1968.

JAMES S. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68–1970; Filed, Feb. 15, 1968; 8:49 a.m.]

[21 CFR Part 191]

CARBON TETRACHLORIDE

Proposed Listing as Banned Hazardous Substance

The Commissioner of Food and Drugs proposes that carbon tetrachloride and mixtures containing it (including that used in fire extinguishers) be classified

as "banned hazardous substances" within the meaning of section 2(q)(1)(B) of the Federal Hazardous Substances Act, as amended, because information gathered from investigations and other sources indicates that the degree or nature of the hazard involved in the presence or use of such substances in or around the household is such that the objective of the protection of the public health and safety can be adequately served only by keeping these substances out of the channels of interstate commerce.

Therefore, pursuant to the provisions of that act (sec. 2(q)(1)(B), (2), 74 Stat. 372, 80 Stat. 1304; 15 U.S.C. 1261) and of the Federal Food, Drug, and Cosmetic Act (sec. 701(e), 52 Stat. 1055, as amended; 21 U.S.C. 371(e)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), it is proposed that § 191.9(a) be amended by adding thereto a new subparagraph, as follows:

§ 191.9 **Banned hazardous substances.**

(a) * * *

(__) Carbon tetrachloride and mixtures containing it (including carbon tetrachloride and mixtures containing it used in fire extinguishers).

All interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal within 30 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: February 9, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-1969; Filed, Feb. 15, 1968; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 68-WE-6]

CONTROL ZONE

Proposed Designation and Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would designate a new control zone for Palo Alto Airport, Calif., and redesignate the Mountain View, Calif. (Moffett Field NAS) control zone.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

On or about June 20, 1968, the FAA proposes to commission a new control tower at Palo Alto Airport, Calif. Weather reporting, communication and air traffic control services will be available and the control zone will be required to provide controlled airspace protection for aircraft conducting IFR and Special VFR operations at Palo Alto Airport.

Designation of the Palo Alto Airport control zone as proposed will also require amending the description of the Mountain View (Moffett Field NAS) control zone to contain the Palo Alto control zone during the hours that the Palo Alto control zone is not effective.

In consideration of the foregoing, the FAA proposes the following airspace actions:

In § 71.171 (32 F.R. 2119) the description of the Mountain View, Calif. (Moffett Field NAS) control zone is amended to read as follows:

MOUNTAIN VIEW, CALIF.

(MOFFETT FIELD NAS)

Within a 5-mile radius of Moffett Field NAS (latitude 37°24'55" N., longitude 122°02'50" W.), within a 3-mile radius of Palo Alto, Calif., airport (latitude 37°27'40" N., longitude 122°06'50" W.), within 2.5 miles southwest and 2 miles northeast of the Moffett TACAN 157° radial, extending from the 5-mile radius zone to 8 miles southeast of the TACAN and within 2 miles each side of the San Jose VOR 325° radial, extending from the VOR to 8 miles northwest of the VOR, excluding the portion southeast of a line from latitude 37°25'45" N., longitude 121°56'35" W. to latitude 37°19'30" N., longitude 122°00'10" W., and the portion within the Palo Alto control zone when it is effective.

In § 71.171 (32 F.R. 2071) the following control zone is added:

PALO ALTO, CALIF.

Within a 3-mile radius of Palo Alto Airport (latitude 37°27'39" N., longitude 122°06'50" W.) excluding the portion southeast of a line from latitude 37°25'14" N., longitude 122°08'30" W. to latitude 37°26'30" N., longitude 122°05'43" W. to latitude 37°29'10" N., longitude 122°04'08" W. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on February 9, 1968.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 68-1941; Filed, Feb. 15, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-AL-2]

CONTROL ZONE

Proposed Revocation

The Federal Aviation Administration is considering amendment to Part 71 of the Federal Aviation Regulations which would revoke the Yakataga control zone.

The services provided by the Yakataga Flight Service Station are planned to be remotely controlled from the Cordova, Alaska, Flight Service Station. Air-ground communications and operation and monitoring of air navigation aids will continue to be available on a 24-hour basis. However, hourly and special weather reporting services will not be available to support the control zone designation. Only a limited number of observations will be taken to meet minimum aviation requirements. Therefore, it is proposed to revoke the Yakataga control zone. The 1,200-foot floor transition area will remain as currently designated.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Regional Counsel, 632 Sixth Avenue, Anchorage, Alaska 99501.

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

Issued in Anchorage, Alaska, on February 12, 1968.

JOHN R. KULLMAN,
Brigadier General, U.S. Air Force, Acting Director, Alaskan Region.

[F.R. Doc. 68-1942; Filed, Feb. 15, 1968; 8:47 a.m.]

[14 CFR Part 153]

[Docket No. 8728, Notice 68-2]

REVERTER CLAUSES IN CONVEYANCES TO PUBLIC AGENCIES

Notice of Proposed Rule Making

The Federal Aviation Administration is considering an amendment to Part 153 of the Federal Aviation Regulations that would delay the automatic reversion provided in section 16(b) Federal Airport Act as now implemented by FAR § 153.13(b) by 2 years so that it would operate 5 instead of 3 years after conveyance, but the amendment would introduce a right of the Administrator, exercisable 1 year after conveyance, to enter upon and repossess any portion of the property conveyed that was not developed for airport purposes. Certain clarifying amendments would also be made.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communication should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before March 18, 1968, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 16(b) of the Federal Airport Act (49 U.S.C. 1115) subjects a conveyance of land, made at the Administrator's request to a public agency for airport purposes, to "the condition that the property interest conveyed shall automatically revert to the United States in the event that the lands in question are not developed, or cease to be used, for airport purposes". Present FAR § 153.13(b) implements this statutory provision by stipulating that the reversion due to nondevelopment occurs 3 years after conveyance.

These provisions do not in terms deal with the contingencies of partial and delayed development which occur for excusable reasons. It is therefore proposed to make the right of entry, now provided in § 153.13(a) for other breaches of covenant, applicable to nondevelopment within 1 year from the date of conveyance with discretion to exercise it only in respect of those portions of the conveyed property that the Administrator determines have not been developed for airport purposes; and to postpone operation of the automatic reverter until 5 years after conveyance. In case of nondevelopment the Administrator would fix, by notice to the grantee, a reasonable period or periods within which the grantee must take specified action towards development. After expiration of such a period without the required action by the grantee the right of entry would be exercised.

To make the operation of the proposed provisions more certain, it is also proposed to add a new § 153.2 to explain the meaning, for the purposes of Part 153, of the concept of airport purposes. Also, the reference to the "District Airport Engineer", in § 153.5, would be changed to "Area Manager".

In consideration of the foregoing, it is proposed to amend Part 153 of the Federal Aviation Regulations as follows:

1. By adding the following new § 153.2:

§ 153.2 Meaning of "airport purposes".

For the purposes of this part, "airport purposes" includes the following uses of land in connection with actual operation of a public airport—

(a) *Operational use.* Use of land for aerial approaches, runways, taxiways, aprons, or other aircraft movement areas, and for navigational aids;

(b) *Future developmental use.* Reservation of land for foreseeable aeronautical development, including planned runway extension and planned terminal building development;

(c) *Essential support services.* Use of land for activities directly supporting flight operations, such as aircraft maintenance and fueling, aircraft parking, crash rescue, fire fighting, or passenger handling; and

(d) *Use for nonaeronautical complemental purposes.* Use of land for facilities or services that enhance the utility or convenience of the aeronautical services, such as facilities for providing food, shelter, surface transportation, or vehicular parking.

§ 153.5 [Amended]

2. By amending § 153.5 by striking out the words "District Airport Engineer" and inserting the words "Area Manager" in place thereof.

3. By amending subparagraphs (1), (6), and (7) of § 153.13(a), by adding a new subparagraph (8) to § 153.13(a), and by amending § 153.13(b), to read as follows:

§ 153.13 Covenants and reverter clauses in conveyances.

(a) * * *

(1) That the grantee will use the property interest for airport purposes, and will develop that interest for airport purposes within 1 year of the date of this conveyance;

* * * * *

(6) That, if the covenant to develop the property interest for airport purposes within 1 year of the date of this conveyance is breached, the Federal Aviation Administrator may give notice to the airport sponsor requiring him to take specified action towards development within a fixed period. These notices may be issued repeatedly, and outstanding notices may be amended or supplemented. Upon expiration of a period so fixed without completion by the sponsor of the required action, the Federal Aviation Administrator may, on behalf of the United States, enter, and possess title to, the property interest conveyed or, in his discretion, that portion of that interest to which the breach relates;

(7) That, if any covenant or condition in the instrument of conveyance other than that referred to in the preceding subparagraph is breached, the Federal Aviation Administrator may, on behalf of the United States, immediately enter, and possess title to, the property interest conveyed or, in his discretion, that portion of that interest to which the breach relates;

(8) That a determination by the Federal Aviation Administrator that one of the foregoing covenants has been breached shall be conclusive of the facts; and that, if the right of entry and possession of title stipulated in the preceding covenants is exercised, the grantee will, upon demand of the Federal Aviation Administrator, take any action (including prosecution of suit or executing of instruments) that may be necessary to evidence transfer to the United States of title to the property interest conveyed or, in the Administrator's discretion, to that portion of that interest to which the breach relates.

(b) *Reverter clause.* The Administrator also requests that a reverter clause, reading as follows, be placed in the granting clause of the conveyance:

Any portion of the property interest hereby conveyed that has not been developed for airport purposes wtihin a period of 5 years from the date of conveyance, or that ceases to be used for airport purposes for a period of 6 months, shall automatically revert to the United States, the grantee agreeing by the acceptance of this conveyance or the rights granted herein that a determination by the Federal Aviation Administrator that all or a portion of the property interest has not been so developed, or has ceased to be so used, shall be conclusive of the facts.

* * * * *

This proposal is made under the authority of the Federal Airport Act (49 U.S.C. 1101-1119).

Issued in Washington, D.C., on February 8, 1968.

CHESTER G. BOWERS,
Director, Airports Service.

[F.R. Doc. 68-1943; Filed, Feb. 15, 1968; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16068; FCC 68-135]

MULTIPLE OWNERSHIP OF TELEVISION BROADCAST STATIONS

Notice of Proposed Rule Making

1. The twofold purpose of the Commission's multiple ownership rules is to promote maximum competition among broadcasters and the greatest possible diversity of programing sources and viewpoints. The rules appear in §§ 73.35, 73.240, and 73.636. These sections govern multiple ownership of stations in the

standard, FM, and television broadcast services respectively. Each section is divided into two main parts: (1) The so-called "duopoly" or "overlap" portion which provides limitations on the common ownership or control of broadcast stations in the same broadcast service which serve substantially the same area, and (2) the "concentration of control" portion which proscribes the grant of a license for an AM, FM, or TV station to any party if the grant "would result in concentration of control" in the particular broadcast service "in a manner inconsistent with public interest, convenience, or necessity."

2. The concentration of control part sets forth a number of specific factors that will be considered by the Commission in determining whether a particular grant would result in a concentration of control contrary to the public interest. In this regard, the AM and FM rules state:

> In determining whether there is such a concentration of control, consideration will be given to the facts of each case with particular reference to such factors as the size, extent, and location of areas served, the number of people served, classes of stations involved and the extent of other competitive service to the areas in question.

The TV rule uses the identical language except for the absence of the words "classes of stations involved."

3. The concentration of control portions go on to state that although the aforementioned factors will be considered in determining whether the grant of a license would result in undue concentration of control, in any event such a concentration will be deemed to exist if the grant would result in a party's having an interest in more than a specified maximum number of stations in each service. That maximum is seven AM stations, seven FM stations, and seven TV stations, no more than five of which may be VHF.

4. The present proceeding deals with a proposed amendment to the concentration of control portion of the multiple ownership rule pertaining to television broadcast stations (§ 73.636(a)(2)).

5. In a public notice issued December 18, 1964 (FCC 64–1171, 29 F.R. 18399, 3 Pike & Fischer, R.R. 2d 909), the Commission, citing figures, expressed its concern over the marked increase in multiple ownership of television stations in recent years, especially of VHF stations in the largest markets where the number of viewers is greatest and where diversity of interests and viewpoints should be maximized. Pending further study of the matter it announced an interim policy as follows:

> Absent a compelling affirmative showing, we will designate for hearing any application filed after December 18, 1964, for the acquisition of a VHF station in one of the top 50 television markets, if the applicant or any party thereto already owns or has interests in one or more VHF stations in the top 50 markets; we shall treat likewise any application to acquire interests in two or more VHF stations in these markets if the applicant now has no interests in VHF stations in these 50 markets. We are adopting this policy because, under presently existing circumstances, we cannot normally make the required finding that grant of an application for a second VHF station in the top 50 markets will serve the public interest without giving the proposal the detailed scrutiny of a hearing.

6. Subsequently, on June 21, 1965, after further study of the matter, the Commission released a notice of proposed rule making and memorandum opinion and order in the instant docket (FCC 65–547, 30 F.R. 8166, 5 Pike & Fischer, R.R. 2d 1609) which proposed adoption of an amendment to the concentration of control portion of the TV multiple ownership rule which provided for ownership of not more than three TV stations or more than two VHF stations in the top 50 television markets.

7. At the same time, the Commission terminated the interim policy expressed in the December 18 public notice and substituted therefor a new interim policy as follows:

> Absent a compelling affirmative showing to the contrary, we will designate for hearing any application filed after June 21, 1965, for a new television station, assignment of license, or transfer of control, the grant of which would result in the applicant or any party thereto having interests in violation of those set forth in proposed section 73.636(a)(2)(ii) in the attached appendix (the appendix referred to is the same as the appendix attached hereto and mentioned at the end of paragraph 6 above). Divestiture will not be required, but commonly owned stations in excess of the number set forth in the proposed rule which are proposed to be assigned or transferred to a single person, group, or entity will be designated for hearing. However, no hearing will be designated in any of the foregoing situations which involve applications for assignment or transfer of control filed in accordance with section 1.540(b) or 1.541(b) of the Commission's rules, or applications for assignment or transfer of control to heirs or legatees by will or intestacy if the assignment or transfer does not create common interests which would be proscribed by the above-mentioned section in the attached appendix.

The new interim policy was published in a public notice released on June 21, 1965 (FCC 65–548, 30 F.R. 8173, 5 Pike & Fischer, R.R. 2d 271), the same date on which the notice of proposed rule making and memorandum opinion and order was released in this proceeding. The latter document, in addition to proposing an amendment of § 73.636 of the rules, disposed of petitions for reconsideration of the December 18 interim policy.

8. The Commission now has before it for consideration comments filed in response to the notice herein. It also has under consideration the petitions for reconsideration mentioned in the previous paragraph which the notice announced would be considered as comments herein without prejudice to the filing of other comments by the parties who had filed petitions for reconsideration.[1]

9. The notice, after having presented statistics showing that there is an apparent trend toward more VHF stations coming under group ownership in the largest markets and a corresponding decline in the number of single-station owners, stated that the Commission was concerned that under the present limitation of five VHF stations per owner there might be a continuation of the trend. It also expressed concern that the future growth of UHF—which has its greatest immediate potential in the largest markets—might follow the VHF pattern. The proposed rule was designed to counter the apparent VHF trend and to prevent the development of a similar trend in UHF.[2]

The Top-50-Market Concept. We are proposing the 50-market cutoff for three reasons. These are (a) the substantial degree of ownership concentration reached in these markets; (b) the high proportion of the total population resident in these areas and consequently the very large audiences reached by the individual VHF stations; and (c) the availability of ample economic support for individual, local ownership of both VHF and UHF stations in these markets.

10. The notice of proposed rule making (paragraph 19) asked that parties focus their comments—

> Upon the question of need for the changed rules and the appropriateness of the specific rule proposed. In arguing need, or lack of need, for a new rule, parties may submit programing showings in a manner which seeks to demonstrate that the programing was made possible solely by virtue of a multiple ownership situation which could not arise under the proposed rule. Parties opposing the proposed rule should concentrate primarily upon the question of public benefits which may be ascribed to multiple ownership in excess of the level proposed herein. In short, the issue posed is not as between multiple ownership and single ownership, but as between the present level and a more limited degree of such ownership.

11. Elsewhere in the notice (paragraphs 16–18) comments were requested on six specific questions, as follows:

[1] Comments were filed by the following parties: American Broadcasting Cos., Inc., Columbia Broadcasting System, Inc., National Broadcasting Co., Inc., General Electric Broadcasting Co., Inc., Metromedia, Inc., Newhouse Broadcasting Corp., Plains Television Corp., Springfield Television Broadcasting Corp., Storer Broadcasting Co., 10 television stations (filing jointly), Westinghouse Broadcasting Co., Inc., and the Council for Television Development (more than 100 television stations). The comments for the Council included a research report by United Research, Inc., an independent research organization. In addition, relevant comments were considered from the following: Petition for Reconsideration filed by Meredith Broadcasting Co.; petition by 99 television stations for relief from the "Interim Policy" of Dec. 18, 1964; petition of the Council for Television Development for Relief of the "Interim Policy" of June 21, 1965; and petition to rescind by WLAC–TV, Inc.

[2] Paragraph 11 of the notice explains why the top 50 market concept was chosen:

Is the existing ownership limit, the one proposed here, or some other regulation, best suited to present circumstances?

Whether or not the present list of evidentiary factors (in § 73.636) should be expanded to include other factors, such as the overall effect on a local competitive situation of an added multiple owner, the nature of any distinctive program service a multiple owner may seek to offer, etc.

Is multiple ownership necessary for a licensee to undertake program production in competition with networks and other program suppliers? If so, what degree of multiple ownership is necessary?

Will the proposed rule have any effect on the possibilities for establishment of a fourth television network?

Is there any necessary correlation between a licensee's ability to present "quality" programing and multiple ownership? If there is any such correlation, is it strong enough to outweigh the strong policy considerations favoring the widest possible diversity of ownership?

Given the fact that we propose no compulsory divestiture of existing stations, what long-term increase in diversity of ownership may the proposed rules be expected to accomplish? More specifically, what increases in the number of individual owners in the top 50 markets may be expected as a result of assignments and transfers and the growth of UHF?

12. The Commission has studied all of the comments filed. Only one—filed by Springfield Television Broadcasting Corp.—expressed the view that there was an undue concentration of control in television broadcasting. However, Springfield believes that the proposed rule would be ineffective without the further requirement of divestiture. All other parties expressed the view that there was no undue concentration of control and opposed the proposed rule.

13. We have of course arrived at a decision in this matter upon the basis of our examination of the comments and our continuing experience in the broadcast field. Based thereon, we are of the opinion that the proposed rule should not be adopted and that the proceeding should be terminated.

14. First, we note that since the institution of the instant rule making proceeding many new UHF stations have been activated in the major markets. This has lowered the previous degree of concentration of station ownership in these markets and the development of UHF is providing as many separate owners and separate viewpoints as would have occurred with a more restrictive multiple ownership rule in the absence of these stations.[3] Equally important, it is observed that insofar as UHF stations are concerned, an absence of the type of restriction proposed in the rule herein may well serve to make for a more rapid development of such stations and enhance the chances for development of a fourth commercial TV network. It would significantly contribute to the entry of persons who have the know-how and the financial resources to enter into and carry on UHF television broadcasting during this most crucial period.[4] Indeed, this consideration of possible benefits to television service through entry of the multiple areas, although not as critical as in the UHF area, is also relevant to the public interest judgment to be made in this field with respect to VHF operation.

15. We have determined that the proposed modification of our rules should not be adopted, and that the problem of concentration in the top 50 markets should continue to be dealt with upon the basis of case-by-case consideration within the standards of the present multiple ownership rules. While there are of course the benefits of predictability in the adoption of a specific limit for the 50 largest markets, we believe that the greater flexibility permitted by an ad hoc approach is preferable. We already have a standard in the rules limiting total ownership and control by any one party, and will continue carefully to scrutinize every acquisition, whether in the top 50 markets or in other communities, to prevent undue concentration.

16. Thus, "* * * the fundamental purpose of this facet of the multiple ownership rules is to promote diversification of program and service viewpoints as well as to prevent any undue concentration of economic power contrary to the public interest * * *" (paragraph 10, report and order on Multiple Ownership, Docket No. 8967, 18 F.C.C. 288, 291–2, 9 Pike & Fischer, R.R. 1563, 1568 (1953)). Under section 310(b) of the Communications Act, every applicant is therefore required to establish that a grant of its application would serve the public interest, taking into account the benefits and any detriments involving undue concentration.

17. In particular, in light of the special problems concerning the top 50 markets set forth in the notice of proposed rule making herein, we will expect a compelling public interest showing by those seeking to acquire more than three stations (or more than two VHF stations) in those markets. The compelling showing should be directed to the critical statutory requirement of demonstrating, with full specifics, how the public interest would be served by a grant of the application—that is, the benefits in detail that are relied upon to overcome the detriment with respect to the policy of diversifying the sources of mass media communications to the public. However, within the total limits now contained in the rules, we believe the ad hoc approach will better enable us to deal with particular situations in particular communities than would a new fixed limit. Our conclusion in this respect is further reinforced by the present critical phase of UHF development and the need to have the flexibility to take action which on balance promotes the public interest in this vital area upon which the Congress and the American people, through purchase of all-channel receiver sets, have staked so much.

18. In the notice (paragraph 20) we stated that oral argument would be held in this matter after comments had been received, because such argument would be appropriate and helpful. However, in view of the comments filed it is obvious that there will not be conflicting points of view presented in oral argument and that it would therefore serve no useful purpose. Accordingly, we dispense with such argument.

19. In view of the foregoing: *It is ordered*, That the interim policy set forth in the public notice of June 21, 1965, is terminated.

20. *It is further ordered*, That the rule proposed in the notice of proposed rule making and memorandum opinion and order released June 21, 1965, in this proceeding is not adopted and this proceeding is terminated.

Adopted: February 7, 1968.

Released: February 9, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[5]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 68–1953; Filed, Feb. 15, 1968; 8:48 a.m.]

[47 CFR Part 73]

[Docket No. 17562]

"PRESUNRISE" OPERATION BY CLASS II STATIONS UNDER PRESUNRISE SERVICE AUTHORIZATION ON U.S. I–A CLEAR CHANNELS

Order Extending Time for Filing Reply Comments

1. Comments in this proceeding, which concerns "presunrise" operation by Class II stations on U.S. I–A clear channels, were filed to and including December 4, 1967. Reply comments are now due February 1, 1968. United Communications, Inc., licensee of Class II Station KMMJ, Grand Island, Nebr., has filed a motion requesting that the time for reply comments be extended about 2 weeks, or to and including February 16, 1968. Mentioned as reason for the extension is the need for more time to analyze and reply to the lengthy and

[3] Since the end of 1964 when we first adopted an interim policy limiting ownership in the larger markets, there has been a sharp increase in UHF activity in these markets. The number of UHF stations in operation has doubled—today there are 39 commercial UHF stations on the air as compared with 20 at the end of 1964. In addition, there are presently 67 outstanding construction permits for UHF stations in the top 50 markets as compared with 38 at the end of 1964. These are additional actual and potential voices in these markets beyond the 157 VHF stations.

[4] We note that during 1966 in the top 50 markets there were 29 UHF stations on the air (excluding WHCT, the pay TV station at Hartford, Conn., and KSAN–TV, in San Francisco, Calif., which is a satellite with no revenues). Of these, eight were profitable and 21 operated at a loss. The total revenues for the 29 stations were $13,326,696 and the overall loss was $9,667,281.

[5] Dissenting statements of Commissioners Bartley and Johnson, concurring statement of Commissioner Loevinger in which Commissioner Wadsworth joins are filed as part of original document and dissenting statement of Commissioner Cox to be released at a later date.

highly technical comments filed by parties urging restrictions on presunrise operation by such stations, particularly Clear Channel Broadcasting Service, whose comments occupy three volumes and contain a great deal of engineering material. Another request for extension has also been received.

2. It appears that good cause exists for the requested extension. Accordingly, pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules, the "Motion for Extension of Time" filed on February 1, 1968, by United Communications, Inc., is granted; and the time for filing reply comments herein is extended to and including February 16, 1968. However, there is need to resolve this remaining portion of the general "presunrise" matter promptly, and it is not contemplated that any further time for filing reply comments (which parties will have had more than 2 months to prepare) will be granted.

Adopted: February 1, 1968.

Released: February 7, 1968.

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

[F.R. Doc. 68-1954; Filed, Feb. 15, 1968; 8:48 a.m.]

[47 CFR Part 73]

CERTAIN FM BROADCAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Geneva, Ala., Baker, Mont., Wallace, N.C., Zeeland, Mich., Springdale, Ark., College, Alaska, Myrtle Beach, S.C., Refugio, Tex., Gardiner, N.Y., Fort Valley and Douglas, Ga., Billings, Mont., and McMinnville, Tenn.); Docket No. 17955, RM-1217, RM-1219, RM-1216, RM-1221, RM-1224, RM-1222, RM-1230, RM-1225, RM-1231, RM-1226, RM-1213, RM-1228.

1. In a notice of proposed rule making, released on January 12, 1968, in this proceeding (FCC 68-42), the Commission invited comments on a number of proposals to amend the FM Table of Assignments, including the addition of Channel 269A to Myrtle Beach, S.C. The time for filing comments was specified as February 12, 1968, and that for replies as February 27, 1968.

2. On February 7, 1968, Grand Strand Broadcasting Corp., petitioner in RM-1219, filed a request for extension of time in which to file comments until March 4, 1968, and for reply comments until March 19, 1968. Grand Strand submits that the additional time is needed in order to prepare adequate comments. We are of the view that the requested extension is merited in this case and would serve the public interest, especially since a special showing of need was requested by the Commission in this matter.

3. In view of the foregoing: *It is ordered*, That the time for filing comments in the proceeding in the matter of RM-1219 only is extended to March 4, 1968, and the time for filing reply comments is extended to March 19, 1968.

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 section 0.281(d)(8) of the Commission rules.

Adopted: February 9, 1968.

Released: February 12, 1968.

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

[F.R. Doc. 68-1955; Filed, Feb. 15, 1968; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR 541]

[Docket No. 68-9]

EXPORT CARGO

Free Time and Demurrage Charges

Notice is hereby given that the Federal Maritime Commission is considering the promulgation of a rule which will limit the free time period allowed on export cargo in the ports of New York and Philadelphia to not more than 10 days, exclusive of Saturdays, Sundays, and holidays.

By order of April 2, 1963, the Commission instituted Fact Finding Investigation No. 4, dealing with marine terminal practices at North Atlantic ports. Information obtained in that investigation shows that unlike other U.S. ports, there is no designated free time period or demurrage charges applicable on export cargo at New York or Philadelphia. In June 1967, a letter was directed to all water carriers serving the port of New York, outbound Atlantic Coast steamship conferences, and New York and Philadelphia terminal operators, urging that they take immediate steps to provide a free time period and demurrage charges on export cargo.

While certain of these parties have filed tariff provisions setting forth a free time period on export cargo at New York, there is no uniformity in the amount of free time allowed. Most free time and demurrage rules on export cargo at New York have been postponed because of confusion that would result from the lack of uniformity. No export rules have been adopted at Philadelphia.

In past decisions relating to free time,[1] the Commission has indicated that excessive free time periods are unreasonable within the meaning of section 17.

[1] Docket No. 555—Practices, Etc., of San Francisco Bay Area Terminals, 2 U.S.M.C. 588; Docket No. 1217—Investigation of Free Time Practices—Port of San Diego, 9 F.M.C. 525; Docket No. 65-14—In the Matter of Free Time and Demurrage Practices on Inbound Cargo at New York Harbor, mult. op., Decided Dec. 7, 1967.

Since it appears that the practice of offering unlimited free time on export cargo in New York and Philadelphia might be unreasonable under the standards of section 17 of the Shipping Act, it is proposed that Title 46 CFR be amended by adding a new Part 541 as follows:

PART 541—FREE TIME AND DEMURRAGE CHARGES ON EXPORT CARGO

§ 541.1 Free time and demurrage at the ports of New York and Philadelphia.

(a) Free time on export cargo at the ports of New York and Philadelphia shall not be more than 10 days (exclusive of Saturdays, Sundays, and legal holidays).

(b) Free time on export cargo shall commence at 12:01 a.m. on the day after the said cargo is received at the terminal facility and terminate at 11:59 p.m. on the final day of free time.

(c) When a vessel is delayed beyond the announced date of arrival because of stress of weather, accident, breakdown, strike, or other emergency, cargo on free time shall be granted additional free time up to 5 days beyond the time it would normally expire. The announced date of arrival shall be that date of advertised arrival of the vessel appearing in a designated news media or other acceptable public advertisement. No penalty demurrage will be assessed in such delay situations.

(d) At the expiration of the free time period, demurrage charges in successive periods shall be assessed. The first period of demurrage shall be assessed at a compensatory level. Penal demurrage shall be assessed during subsequent periods. No demurrage shall be assessed on or after the day the vessel has commenced to load.

(e) Where the loading of cargo into a vessel is prevented or delayed by a strike or work stoppage of longshoremen or personnel employed by the terminal operator or water carrier, additional free time to cover the delay shall be granted to cargo on free time. If cargo is on demurrage, first period demurrage charges shall be assessed against such cargo.

Now therefore it is ordered, That the Commission, pursuant to sections 22 and 43 of the Shipping Act, 1916, enter upon this proposed rulemaking proceeding to determine whether the rule proposed above is just and reasonable within the meaning of section 17 of the Shipping Act, 1916;

It is further ordered, That the proceeding herein ordered be assigned for hearing before an examiner of the Commission's Office of Hearing Examiners at a date and place to be hereafter determined and announced by the Chief Examiner;

It is further ordered, That notice of this order be published in the FEDERAL REGISTER; and

It is further ordered, That persons who desire to participate in this proceeding shall file with the Examiner a petition to intervene, in accordance with Rule 5(1) (46 CFR 502.72) of the Commission's rules of practice and procedure, as

promptly as possible. The Federal Maritime Commission, Bureau of Compliance, Office of Hearing Counsel shall participate in the proceeding.

By the Commission.

[SEAL] THOMAS LISI, *Secretary.*

[F.R. Doc. 68-1952; Filed, Feb. 15, 1968; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1048]

[Ex Parte MC-37 (Sub-No. 13)]

RIO GRANDE RIVER BORDER MUNICIPALITIES

Commercial Zones and Terminal Areas

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 29th day of January A.D. 1968.

It appearing, that as disclosed by the facts in No. MC-C-4367, G. Arredondo Transfer Company, Inc., Investigation, 106 M.C.C. 557, the Federal Government of Mexico owns that part of the Rio Grande River south of the international boundary line between the United States and Mexico and a strip of land along the south bank of the Rio Grande extending southward for 20 meters into the Republic of Mexico;

It further appearing, that this Commission in the above-cited proceeding found (a) that it could not there conclude, on the basis of the evidence adduced at the further hearing in that proceeding, that the ownership of a part of the Rio Grande River and the strip of land along the Rio Grande by the Mexican Government precludes any possibility that the municipalities of Laredo, Tex., and Nuevo Laredo, Mexico, are contiguous municipalities within the meaning of section 203(b)(8) of the Interstate Commerce Act; (b) that it was not satisfied as to the actual character of the strip of land in question, which matter requires further scrutiny; (c) that consideration on a proper record should be given to (1) the character of the 20-meter strip of land and that portion of the Rio Grande River owned by the Mexican Government, and (2) the possibility of amending or modifying the commercial zone regulations which, although applicable to the determination of commercial zones at international boundary municipalities in the United States situated opposite municipalities in Mexico along the Rio Grande River, may not apply to the situation presented here; and (d) that in these circumstances, final determination of the question of whether the described operations of motor carriers between Laredo, on the one hand, and, on the other, the international boundary line between the United States and Mexico at or near Laredo are subject to economic regulation under part II of the act must await the outcome of a general rulemaking proceeding looking towards the consideration and resolution of those matters;

It further appearing, that the findings referred to in the preceding paragraph will not only affect those motor carrier operations between Laredo and Nuevo Laredo but will equally affect such operations between similarly situated municipalities along the Rio Grande River, including Presidio, Tex.-Ojinaga, Mexico, Eagle Pass, Tex-Piedras Negras, Mexico, and Brownsville, Tex.-Matamoros, Mexico;

And it further appearing, that for the reasons noted in the above-cited report it is in the public interest to institute a rulemaking proceeding to reexamine the regulations contained in Title 49 §§ 1048.100 and 1048.101, as republished and redesignated in the FEDERAL REGISTER issue of December 20, 1967, on pages 20048 and 20049 (formerly Part 270) of the Code of Federal Regulations (49 CFR Part 1048), to consider whether or not such regulations are both necessary and properly applicable to commercial zones situated along the Rio Grande River at the international boundary line between the United States and Mexico and the feasibility of amending or modifying our commercial zone regulations as they relate to this specific situation, and to give further consideration to the character of the 20-meter strip of land and that portion of the Rio Grande owned by the Mexican Government;

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of part II of the Interstate Commerce Act, and more specifically sections 204(a)(1), 204(a)(6), 206, 207, 209, and 212(a), of the Interstate Commerce Act and sections 4 and 12 of the Administrative Procedure Act solely to inquire into (a) the character of the 20-meter strip of land and that portion of the Rio Grande River owned by the Mexican Government, and (b) the commercial relationship between the aforementioned municipalities which exists as an economic fact, with a view towards determining the feasibility of amending or modifying our commercial zone regulations as they relate to this specific situation; to consider the promulgation of amended commercial zone regulations for fixing the limits of a commercial zone which exists about a municipality as an economic fact with respect to those aforementioned municipalities; to examine the propriety of including within a zone adjacent to and commercially a part of the aforementioned municipalities in the United States, those other mentioned municipalities in Mexico; and to take such other and further action as the facts and circumstances may justify or require.

It is further ordered, That no oral hearing be scheduled for the receiving of testimony in this proceeding unless a need therefor should later appear, but that carriers or any other interested persons may participate in this proceeding by submitting for consideration written statements of facts, views, and arguments on the subject mentioned above, or any other subjects pertinent to this proceeding.

It is further ordered, That any person intending to participate in this proceeding by submitting initial statements or reply statements shall notify the Commission, by filing with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before March 15, 1968, the original and one copy of a statement of his intention to participate; that the Commission should then prepare and make available to all such persons a list containing the names and addresses of all parties to this proceeding, upon whom copies of all statements must be filed; and that at the time of the service of the service list the Commission will fix the time within which initial statements and reply statements must be filed.

And it is further ordered, That a copy of this order be mailed to the Governor of every State and to the Public Utility Commissions or Boards of each State having jurisdiction over motor transportation; that a copy be posted in the office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

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

[F.R. Doc. 68-1951; Filed, Feb. 15, 1968; 8:48 a.m.]

Notices

POST OFFICE DEPARTMENT

CUBA

Notice of Limited Mail Service

Effective at once and until further notice, mail service to Cuba is limited to letters in their usual form, or braille letters for the blind, post cards, and unsealed envelopes containing printed matter by air or surface.

The acceptance of postal union mail packages and parcel post to Cuba is discontinued for the reason that the Post Office Department has received advice from the Department of State that delivery of packages from senders in the United States has been suspended by the Cuban Postal Service.

Because of the urgency of the situation, public rule making procedures prior to the promulgation of these regulations are impracticable and would be contrary to the public interest.

(5 U.S.C. 301, 39 U.S.C. 501, 505)

TIMOTHY J. MAY,
General Counsel.

FEBRUARY 14, 1968.

[F.R. Doc. 68-2068; Filed, Feb. 15, 1968; 10:40 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

PATRICK N. GRIFFIN

Statement of Changes in Financial Interests

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

(1) July 25, 1967, sold Phillips Petroleum stock.
(2) None.
(3) None.
(4) None.

This statement is made as of February 22, 1968.

Dated: January 29, 1968.

PAT N. GRIFFIN.

[F.R. Doc. 68-1928; Filed, Feb. 15, 1968; 8:46 a.m.]

THEODORE W. NELSON

Statement of Changes in Financial Interests

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

(1) Acquired 100 shares of Burgess Manning stock.
(2) None.
(3) None.
(4) None.

This statement is made as of February 29, 1968.

Dated: January 29, 1968.

T. W. NELSON.

[F.R. Doc. 68-1929; Filed, Feb. 15, 1968; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[Notice 1]

RAW SUGAR

Importation for Refining and Storage

Pursuant to provisions of paragraph (d) of § 817.8 (32 F.R. 14363) and on the basis of information before me, I do hereby determine and give public notice that during February and March 1968, the importation of raw sugar into the United States for refining and storage at locations north of Hatteras without charge to a quota at the time of importation will not interfere with the effective administration of the Sugar Act of 1948, as amended (60 Stat. 922 as amended).

Raw sugar supplies available both within the first quarter and within the second quarter are adequate. However, some refiners located north of Hatteras are experiencing difficulty in obtaining desired supplies for arrival in late February and early March. Shipping for most of the sugar to be imported within the first quarter has already been arranged and is subject to little modification. On the other hand, shipping for much of the sugar for later arrival has not yet been arranged. This action would permit the utilization of vessels that may be available in several foreign countries to augment immediate supplies of raw sugar.

Accordingly, notice is hereby given that during the period February 15 through the close of business March 31, 1968, raw sugar which is now under set-aside agreements approved for importation during the second quarter of 1968 may be authorized for release for importation by or delivery to refiners for the sole purpose of refining and storage at north of Hatteras locations without effect on a quota at the time of importation. Any such sugar shall be charged to the second quarter quota limitation for the 1968 calendar year when released by the Secretary.

Authorization for the release of sugar pursuant to this notice may be issued only to cover raw sugar to be imported by or delivered to a refiner who is the principal on a bond accepted pursuant to § 817.9 under which the principal is obligated to hold at the refinery at which such sugar is received the raw value equivalent of such sugar until release of such sugar from inventory is authorized by the Secretary within the second quarter quota limitation for the calendar year 1968.

For the purpose of this notice, sugar held in inventory under the control of a refiner in warehouse facilities within two miles of the refinery where such sugar was received shall be deemed to be held at that refinery.

Signed at Washington, D.C., this 12th day of February 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-1946; Filed, Feb. 15, 1968; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMDAL CO.

Notice of Withdrawal of Petition for Food Additives Erythromycin and Diethylstilbestrol

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), AMDAL Co., Agricultural Division, Abbott Laboratories, North Chicago, Ill. 60064, has withdrawn its petition, notice of which was published in the FEDERAL REGISTER of August 17, 1967 (32 F.R. 11896), proposing the issuance of a regulation to provide for the safe use of erythromycin as erythromycin thiocyanate in feed for feedlot beef cattle as an aid in reducing the incidence of liver abscesses, alone or in combination with diethylstilbestrol added for fattening beef cattle.

Dated: January 15, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-1971; Filed, Feb. 15, 1968; 8:49 a.m.]

S. B. PENICK AND CO.

Notice of Withdrawal of Petition for Food Additive Bacitracin Methylene Disalicylate

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), S. B. Penick and Co., 100 Church Street, New York, N.Y. 10007, has withdrawn its petition, notice of which was published in the FEDERAL REGISTER of May 17, 1966 (31 F.R. 7192), proposing the issuance of a food additive regulation to provide for the safe use of bacitracin methylene disalicylate in mink feed for increasing rate of gain, improving feed efficiency, increasing size and weight of pelt, and preventing and treating bacterial diarrhea.

Dated: February 7, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-1972; Filed, Feb. 15, 1968; 8:49 a.m.]

Office of the Secretary

PUBLIC HEALTH SERVICE

Statement of Organization and Functions and Delegations of Authority

Part 4 (Public Health Service) of the Statement of Organization and Functions and Delegations of Authority for the Department of Health, Education, and Welfare (32 F.R. 9739 et seq., July 4, 1967), as amended, is hereby amended as follows:

With regard to Section 4-C, Delegations of Authority—Following paragraph (32) under the heading *Specific Delegations* insert:

(33) The functions vested in the Secretary under section 353 of the Public Health Service Act as added by the Partnership for Health Amendments of 1967 (Public Law 90-174) relating to clinical laboratories except:

(i) The approval under subsection 353(d)(2) of a national accreditation body as qualified to accredit a hospital or clinical laboratory and thereby exempt if from the requirement for having in effect a laboratory license.

(ii) The denial, revocation, suspension, or cancellation of a laboratory license under subsections 353 (d) and (e).

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

FEBRUARY 9, 1968.

[F.R. Doc. 68-1974; Filed, Feb. 15, 1968; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-289]

METROPOLITAN EDISON CO.

Order and Notice Postponing Hearing and Prehearing Conference

In the matter of the application by Metropolitan Edison Co., Docket No. 50-289, for a provisional construction permit for the Three Mile Island Nuclear Power Station, Unit 1.

1. A prehearing conference and hearing upon the above application were scheduled for February 20, and March 5, 1968 by the Commission's notice of hearing which was published on January 27, 1968, at 33 F.R. 1082. That notice designated the undersigned members of the Atomic Safety and Licensing Board to conduct the proceedings upon issues therein stated and it described methods whereby interested members of the public may secure information about the proceeding or may seek to participate therein. The matters to be considered in prehearing, the issues for hearing, and the nature of the public proceedings are stated in the notice of hearing which, as hereinafter amended, is incorporated by reference in this order.

2. Now under consideration is Applicant's motion for postponement of prehearing conference and public hearing filed on February 12, 1968. That pleading shows, and telephone conference with counsel for the Applicant and the Staff confirmed, that the parties will not be ready for prehearing and hearing as scheduled because: Additional information needed by the Staff for its safety analysis is to be supplied by the Applicant within 10 days; the supplemented application is to be reviewed by the Staff and again by the Advisory Committee on Reactor Safeguards; and the parties anticipate that they will thereafter submit their prepared testimony, "on approximately March 19, 1968." Applicant requests a rescheduling of formal public proceedings on specific dates during the weeks commencing on March 24 or 31 for prehearing, and April 7 for the hearing.

3. The Board finds that good cause has been shown for postponing the prehearing conference and the hearing and that the respective dates of March 29 and April 10 will meet the expected needs and conveniences of all participants. The time for filing petitions for leave to intervene is extended; such petitions, if any, must be received in the Office of the Secretary, U.S. Atomic Energy Commission, Germantown, Md., or in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, not later than March 26, 1968, unless good cause for later filing is shown. Persons desiring to make a limited appearance are requested to inform the Commission by March 26, 1968.

It is ordered, This 13th day of February 1968, pursuant to section 7(b) of the Administrative Procedure Act and to §§ 2.721(c), 2.718, and 2.730(e) of the Commission's rules of practice, 10 CFR Part 2, that the notice of hearing published at 33 F.R. 1082 is amended in these respects:

The prehearing conference will be convened at 10 a.m. on Friday, March 29, 1968, and the hearing will be commenced at 10 a.m. on Wednesday, April 10, 1968, in the Middletown Moose Home, 100 Mill Street, Middletown, Pa. 17057;

The time for receipt of petitions to intervene is extended to March 26, 1968; and

Requests for limited appearances may be submitted by March 26, 1968.

It is further ordered, That this order and notice be promptly published in the FEDERAL REGISTER.

Issued: February 13, 1968, Germantown, Md.

ATOMIC SAFETY AND LICENSING BOARD,
Ruel C. Stratton,
Clarke Williams,
J. D. BOND,
Chairman.

[F.R. Doc. 68-1985; Filed, Feb. 15, 1968; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

FRONTIER AIRLINES, INC.

Notice of Application for Amendment of Certificate of Public Convenience and Necessity

FEBRUARY 13, 1968.

Notice is hereby given that the Civil Aeronautics Board on February 12, 1968, received an application, Docket 19580, from Frontier Airlines, Inc., for amendment of its certificate of public convenience and necessity under Subpart M of Part 302 of the Board's procedural regulations for route 73 to authorize it to engage in nonstop service between Denver, Colo., and Phoenix, Ariz. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-1963; Filed, Feb. 15, 1968; 8:49 a.m.]

MOHAWK AIRLINES, INC.

Notice of Application for Amendment of Certificate of Public Convenience and Necessity

FEBRUARY 13, 1968.

Notice is hereby given that the Civil Aeronautics Board on February 12, 1968, received an application, Docket 19582, from Mohawk Airlines, Inc., for amendment of its certificate of public convenience and necessity under Subpart M of Part 302 of the Board's procedural regulations for route 94 to authorize it to engage in nonstop service between Rochester and Buffalo, on one hand, and

New York-Newark, on the other. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 68-1964; Filed, Feb. 15, 1968; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17968; FCC 68M-229]

ASBURY AND JAMES TV CABLE SERVICE

Order Continuing Hearing

In re cease and desist order to be directed against the following CATV operator: Asbury & James TV Cable Service, Lower Belle, Malden, Dupont City, Rand, and George's Creek, W. Va., Docket No. 17968, File No. SR-971.

It is ordered, Pursuant to the understanding reached by all counsel to the proceeding during prehearing conference, that hearing in the above-entitled proceeding is hereby continued from February 21, to February 28, 1968.

Issued: February 7, 1968.

Released: February 9, 1968.

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

[F.R. Doc. 68-1957; Filed, Feb. 15, 1968; 8:48 a.m.]

[Docket Nos. 17617, 17618; FCC 68R-40]

ATHENS BROADCASTING CO., INC., AND 3 J'S BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In re applications of Athens Broadcasting Co., Inc., Athens, Tenn., Docket No. 17617, File No. BPH-5668; John P. Frew and Julia N. Frew, doing business as 3 J's Broadcasting Co., Athens, Tenn., Docket No. 17618, File No. BPH-5768; for construction permits.

1. This proceeding involves the applications of Athens Broadcasting Co., Inc. (Athens), and John P. Frew and Julia N. Frew, doing business as 3 J's Broadcasting Co. (3 J's), each seeking a permit to construct a new FM broadcast station in Athens, Tenn. The applications were designated for hearing by order (Mimeo No. 4466) released August 9, 1967. Now before the Review Board is a petition to enlarge issues, filed on October 26, 1967, by Athens.[1]

2. In its petition,[2] Athens requests the addition of two issues:

1. To determine whether the site proposed by 3 J's Broadcasting Co. (3 J's) is suitable for the erection of its proposed antenna tower.

2. To determine, in the event a negative finding is adduced pursuant to Issue No. 1, whether 3 J's has additional land available for use in constructing its tower.

Attached to the Athens petition is an affidavit from its consulting engineer, Claude M. Gray, which reviews several alternative methods of constructing the proposed tower and concludes that with adherence to the safety factors involved, "* * * there seems to be neither a practical or reasonably priced solution for erecting a guyed, 200-foot tower on property with the dimensions of 82' x 85' ".[3] The petition also includes a sketch of 3 J's proposed site prepared by Athens' vice president, William P. Atkins. While this drawing is not represented as a professional scale rendering, it attempts to depict an existing studio building which occupies a major portion of the site. Athens argues that "major renovations" to this structure would be necessary before the construction of any tower could be undertaken, and that 3 J's has made no provisions for such renovations. Athens further submits an affidavit of Atkins describing conversations he had with property owners of land adjacent to the 3 J's site; in all instances, these owners allegedly indicated that 3 J's had neither requested nor received permission to use portions of their property for broadcasting facilities. Thus, Athens argues, 3 J's present site, even with structural modifications, cannot be utilized, and no plans have been made to acquire additional land.

3. The 3 J's opposition challenges the professional qualifications of Athens' consulting engineer and, through the sworn statement of its engineer, Edward L. Roehn, characterizes Athens' conclusions as arbitrary and "tortuously contrived." Mr. Roehn contends that no unusual safety factors are present in the selected location; and that the 3 J's construction proposal can be safely effectuated by several alternative construction techniques on land presently available. The Broadcast Bureau urges the denial of the petition, contending that the conclusions offered by Athens are conjectural and are not directed toward the specific site proposed by 3 J's. The Bureau states that Athens has not alleged that the proposed tower cannot be constructed; but rather that such installation may violate applicable safety standards. However, the Bureau argues, while the petitioner's vice president had occasion to speak with local building authorities, the petition is silent as to any potential violation of local zoning or construction ordinances.

4. In reply to the allegations questioning the qualifications of its engineer, Athens submits the affidavit of E. J. Staubitz, who has previously appeared as an expert witness before the Commission. Mr. Staubitz reaffirms Athens' allegation that the 3 J's site is unsuitable for the type of construction proposed, and concludes that no guyed tower can be erected and be "expected to remain standing" on the present site. The petition also notes that in an amendment to the 3 J's application, filed June 20, 1967, a "self-supporting tower" was proposed. The use of such a tower, Athens argues, indicates that 3 J's was aware of a site limitation which necessitated the use of a more expensive tower structure.[4]

5. The Review Board is of the opinion that an issue inquiring into the suitability of 3 J's proposed site is warranted. Petitioner has alleged (supported by engineering affidavits) that it would not be possible, or at least not economically feasible, to construct a guyed 200-foot tower on the site proposed by 3 J's. This allegation is based primarily on the size of the site and the fact that certain existing structures now occupy a substantial portion of it. In response, 3 J's consulting engineer maintains that the tower can be built. However, he does not set forth any details of his plans for constructing the tower. Nor does 3 J's engineer address himself to the question of whether significant renovations in the existing buildings would be required. In view of the conflicting assertions, and the failure to resolve all of the questions raised by the petitioner, it is necessary to explore this matter further at the hearing. Cf. Du Page County Broadcasting, Inc., 7 FCC 2d 506, 9 RR 2d 860 (1967). The Board will not, however, add a contingent issue concerning the availability of additional land. No question exists concerning the availability of the site now specified by 3 J's, and that applicant does not now propose to acquire additional land. If, at some future time, 3 J's amends its application so as to encompass a larger or different site; and if the petitioner is able to show that a substantial question as to the availability of the changed site exists, an appropriate request for enlargement would be entertained. However, the addition of an issue regarding availability at this time would be premature.

6. *Accordingly, it is ordered,* That the petition to enlarge issues, filed October 26, 1967, by Athens Broadcasting Co., Inc., is granted to the extent indicated below and denied in all other respects; and

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[1] Also before the Board are: (a) Comments, filed Nov. 8, 1967, by the Broadcast Bureau; (b) opposition, filed Dec. 5, 1967, by 3 J's; and (c) reply to opposition, filed Dec. 29, 1967, by Athens.

[2] In an order (FCC 67M-1717, released Oct. 15, 1967), the Examiner accepted an amendment to the 3 J's application. The instant petition relates solely to the information contained in that amendment, and "good cause" has therefore been shown to excuse the late filing of the petition.

[3] A copy of a deed attached to Athens' petition recites the dimensions of the property presently owned by 3 J's as 81' x 82' x 85' x 82'.

[4] Paragraph 7 of Athens' reply questions the validity of 3 J's $1,500 installation estimate; however, no financial issue is requested and the facts appearing in the pleadings are insufficient to warrant the addition of such an issue.

7. *It is further ordered,* That the issues in this proceeding are enlarged by the addition of the following issue:

To determine, with respect to the application of 3 J's Broadcasting Co., whether the site proposed is suitable for the erection of its proposed antenna tower.

Adopted: January 30, 1968.

Released: February 5, 1968.

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

[F.R. Doc. 68-1956; Filed, Feb. 15, 1968; 8:48 a.m.]

[Docket Nos. 17995, 17996; FCC 68M-231]

FARM AND HOME BROADCASTING CO. AND TIOGA BROADCASTING CO.

Order Scheduling Hearing

In re applications of Farm and Home Broadcasting Co., Wellsboro, Pa., Docket No. 17995, File No. BPH-5620; John J. Antonio, Donald J. Fryday, J. Robert Grossenbacher, John D. Lewis, and William K. Francis doing business as Tioga Broadcasting Co., Mansfield, Pa., Docket No. 17996, File No. BPH-5674; for construction permits.

It is ordered, That Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on April 18, 1968, at 10 a.m.; and that a prehearing conference shall be held on March 26, 1968, commencing at 10 a.m.; and, *it is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: February 8, 1968.

Released: February 9, 1968.

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

[F.R. Doc. 68-1958; Filed, Feb. 15, 1968; 8:48 a.m.]

[Docket Nos. 17915-17917; FCC 68M-233]

GRAPHIC PRINTING CO., INC., ET AL.

Order Advancing Hearing

In re applications of the Graphic Printing Co., Inc., Portland, Ind., Docket No. 17915, File No. BPH-5788; Glenn West, Portland, Ind., Docket No. 17916, File No. BPH-5820; Soundvision Broadcasting, Inc., Portland, Ind., Docket No. 17917, File No. BPH-5899; for construction permits.

Pursuant to agreement reached at the prehearing conference held February 8, 1968, *It is ordered,* That the hearing in this proceeding heretofore scheduled to commence on March 27 is advanced to March 26, 1968, at 10 a.m., in the offices of the Commission at Washington, D.C.

Issued: February 8, 1968.

Released: February 12, 1968.

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

[F.R. Doc. 68-1959; Filed, Feb. 15, 1968; 8:48 a.m.]

[Docket Nos. 17997, 17998; FCC 68M-232]

JUD, INC., AND TRANSAMERICA TV INC.

Order Scheduling Hearing

In the matter of JUD, Inc., doing business as Channel 25 TV, Inc., West Palm Beach, Fla., Docket No. 17997, File No. BPCT-3979; Transamerica TV Inc., West Palm Beach, Fla., Docket No. 17998, File No. BPCT-3988; for construction permit for new television broadcast station.

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 April 22, 1968, at 10 a.m.; and that a prehearing conference shall be held on March 27, 1968, commencing at 10 a.m. *And, it is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: February 8, 1968.

Released: February 9, 1968.

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

[F.R. Doc. 68-1960; Filed, Feb. 15, 1968; 8:48 a.m.]

[Docket Nos. 17993, 17994; FCC 68M-230]

MOLINE TELEVISION CORP. (WQAD) AND COMMUNITY TELECASTING CORP.

Order Scheduling Hearing

In re applications of Moline Television Corp. (WQAD-TV), Moline, Ill., Docket No. 17993, File No. BRCT-584, for renewal of license of WQAD-TV; Community Telecasting Corp., Moline, Ill., Docket No. 17994, File No. BPCT-4032, for construction permit.

It is ordered, That David I. Kraushaar shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on April 24, 1968, at 10 a.m.; and that a prehearing conference shall be held on March 26, 1968, commencing at 10 a.m.: *And, is is further ordered,* That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: February 8, 1968.

Released: February 9, 1968.

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

[F.R. Doc. 68-1961; Filed, Feb. 15, 1968; 8:48 a.m.]

[Docket Nos. 17886-17888; FCC 68M-210]

OUTER BANKS RADIO CO. ET AL.

Order Continuing Prehearing Conference

In re applications of Douglas Lystra Craddock and Lacy Phil Wicker, doing business as Outer Banks Radio Co., Wanchese, N.C., Docket No. 17886, File No. BP-16917; J. M. Farlow and William D. Mills, doing business as Onslow County Broadcasters, Midway Park, N.C., Docket No. 17887, File No. BP-17272; Hendon M. Harris, Maysville, N.C., Docket No. 17888, File No. BP-17275; for construction permits.

Upon letter request filed February 5, 1968, by counsel for Seaboard Broadcasting Corp., and with the informal consent of all other counsel thereto, *It is ordered,* That the prehearing conference heretofore scheduled for February 21, 1968, in this proceeding is postponed to February 27, 1968, at 9 a.m., in the offices of the Commission at Washington, D.C.

Issued: February 6, 1968.

Released: February 7, 1968.

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

[F.R. Doc. 68-1961; Filed, Feb. 15, 1968; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI68-432 etc.]

HOUSTON NATURAL GAS PRODUCTION CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

FEBRUARY 9, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

[1] Does not consolidate for hearing or dispose of the several matters herein.

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 regulations 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: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(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 March 29, 1968.

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	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-432	Houston Natural Gas Production Co., Post Office Box 1188, Houston, Tex. 77001, Attn: Grover B. Cobb, Esq.	[2] 6	1	Valley Gas Transmission, Inc. (South Coleto Creek Field, Victoria County, Tex.) (RR. District No. 2).	$9,978	1-12-68	[3] 2-12-68	[4] 2-13-68	[7] [8] 14.0	[5] [7] 15.0	
RI68-433	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	139	3	Coastal States Gas Producing Co.[9] (West Charamousca Field, Duval County, Tex.) (RR. District No. 4).	3,000	1-15-68	[3] 3-1-68	[4] 3-2-68	[10] 9.0	[5] [10] 9.5	
RI68-434	Glover & Hefner Petroleum Management Corp., 1010 Kermac Bldg., Oklahoma City, Okla. 73102.	[2] 1	2	El Paso Natural Gas Co. (Panhandle E Field, Collingsworth County, Tex.) (RR. District No. 10).	1,200	1-22-68	[3] 3-1-68	[4] 3-2-68	13.0	[5] 14.0	

[2] Basic contract dated after Sept. 28, 1960, the date of issuance of General Policy Statement No. 61-1.
[3] The stated effective date is the effective date requested by Respondent.
[4] The suspension period is limited to 1 day.
[5] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a downward Btu adjustment.
[8] Initial service rate.
[9] Buyer resells gas involved to Natural Gas Pipeline Company of America under Buyer's FPC Gas Rate Schedule No. 7 at a presently effective rate of 14.5 cents per Mcf. Buyer presently contractually entitled to 15.5 cents per Mcf.
[10] Includes 1.5 cents gathering and central point delivery allowance.

The contracts related to the rate filings of Houston Natural Gas Production Co. (Houston Natural) and Glover & Hefner Petroleum Management Corp. (Glover & Hefner) were executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the increased rates are above the applicable ceilings for increased rates but do not exceed the applicable ceiling prices for initial rates in the areas involved. We believe, in this situation, the aforementioned producers' rate filings should be suspended for 1 day from February 12, 1968 (Houston Natural), and March 1, 1968 (Glover & Hefner), the proposed effective dates.

Humble Oil & Refining Co. (Humble) proposes a periodic increase, from 9 cents to 9.5 cents per Mcf, for gas sold to Coastal States Gas Producing Co. (Coastal) from the West Charamousca Field, Duval County, Tex. (Railroad District No. 4). Coastal gathers the subject gas, together with other gas produced in this area, and resells such gas to Natural Gas Pipeline Company of America under its FPC Gas Rate Schedule No. 7 at a presently effective initial rate of 14.5 cents per Mcf. Coastal is contractually due a periodic increase to 15.5 cents which, if filed for, would be suspended as exceeding the applicable area increased rate ceiling. Coastal's next periodic increase to 16.6 cents is due on February 5, 1969. Although Humble's proposed rate does not exceed the area increased rate ceiling of 14 cents per Mcf for Texas Railroad District No. 4 as announced in the Commission's statement of general policy No. 61-1, as amended, it should be suspended because such ceiling is applicable to Coastal's resale rate, not to Humble's. In view of the fact that any Coastal increase would be suspended, if filed for, we conclude that Humble's proposed rate increase should be suspended for 1 day from March 1, 1968, the proposed effective date.

[F.R. Doc. 68-1914; Filed, Feb. 15, 1968; 8:45 a.m.]

[Docket Nos. RI68-435 etc.]

EDWIN M. JONES OIL CO. ET AL.

Order Permitting Rate Filing, Accepting Contract Amendments, Providing for Hearings on and Suspension Proposed Changes in Rates [1]

FEBRUARY 9, 1968.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-435	Edwin M. Jones Oil Co. et al., 404 Milam Bldg., San Antonio, Tex. 78205.	7	12	Texas Eastern Transmission Corp. (West George West Field, Live Oak County, Tex.) (RR. District No. 2).	$551	1-19-68	[2] 2-19-68	7-19-68	[3] [6] [7] 14.3733	[3] [4] [5] 15.3733	
RI68-436	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001, Attn: Mr. John J. Carter.	170	7	Transcontinental Gas Pipe Line Corp. (San Miquel Creek and Dilworth Fields, McMullen County, Tex.) (RR. District No. 1).	47,332	1-19-68	[8] 3-10-68	8-10-68	[9] 15.2025	[3] [4] [9] 16.2160	RI68-2.
	do	316	7	Michigan-Wisconsin Pipe Line Co. (Woodward Area, Dewey and Major Counties, Okla.) (Oklahoma "Other" Area).	2,702	1-15-68	[8] 3-1-68	8-1-68	[11] 15.0	[4] [10] [11] 17.0	
RI68-437	Johnnye Jones Peet, d.b.a. Peet Oil Co., 814 Frost National Bank Bldg., San Antonio, Tex. 78205.	4	9	Texas Eastern Transmission Corp. (West George West Field, Live Oak County, Tex.) (RR. District No. 2).	322	1-22-68	[2] 2-22-68	7-22-68	[3] [7] [12] 14.3733	[3] [4] [5] 15.3733	
RI68-438	J. Ray McDermott & Co., Inc., 14th Floor, Houston Club Bldg., Houston, Tex. 77002.	17	3	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Patterson Field, St. Mary Parish, La.) (South Louisiana).	85,544	1-22-68	[2] 2-22-68	7-22-68	[9] [13] 21.25	[9] [13] [14] 23.55	
RI68-439	Mobil Oil Corp., Post Office Box 2444, Houston, Tex. 77001.	85	[17] 7	Northern Natural Gas Co.		1-11-68	[2] 2-11-68	(Accepted)			
		85	8	(Hugoton Field, Seward County, Kans.).	44	1-11-68	[2] 2-11-68	7-11-68	[9] 11.0	[4] [9] [16] 12.5	
	do	284	[15] 13	Northern Natural Gas Co.		1-11-68	[2] 2-11-68	(Accepted)			
		284	14	(Hugoton Field, Morton County, Kans.).	111	1-11-68	[2] 2-11-68	7-11-68	[9] 12.0	[4] [11] [16] 12.5	RI67-275.
RI68-440	Calvert Exploration Co. (Operator) et al., 2300 Fourth National Bank Bldg., Tulsa, Okla. 74119.	3	14	Arkansas Louisiana Gas Co. (Lacy Area, Kingfisher County, Okla.) (Oklahoma "Other" Area).	85,487	1-12-68	[8] 2-12-68	7-12-68	15.0	[4] [19] 17.8	
RI68-441	National Cooperative Refinery Association, McPherson, Kans. 67460.	5	8	Panhandle Eastern Pipe Line Co. (Wil Pool, Stafford and Edwards County, Kans.).	350	1-17-68	[8] 2-17-68	7-17-68	15.0	[3] [4] 16.0	
	do	3	2	Northern Natural Gas Co. (Hugoton Field, Finney County, Kans.).	500	1-17-68	[8] 2-17-68	7-17-68	[9] 13.0	[3] [4] [9] 14.0	
RI48-442	Northern Natural Gas Producing Co. (Operator) et al., Post Office Box 2444, Houston, Tex. 77001.	2	[20] 100	Northern Natural Gas Co.		1-15-68	[2] 2-15-68	(Accepted)			
		2	101	(Hugoton Field, Stevens et al., Counties, Kans.).	2,467	1-15-68	[2] 2-15-68	7-15-68	[9] 11.0	[4] [9] [16] [21] 12.5	
					787,087					[4] [16] [22] 12.6282	
					449					[4] [9] [16] [23] 14.0	
					65,783					[4] [9] [16] [24] 16.0	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Inclusive of 0.5-cent dehydration allowance paid by buyer for delivery of dehydrated gas at a central point in the field.
[6] Increase to 14.8733 cents (14.3733-cent base plus 0.5-cent dehydration allowance) suspended in Docket No. RI63-323 until July 5, 1963 and has not been made effective subject to refund.
[7] Renegotiated rate accepted by the Commission as a result of "Texas Eastern type" settlement. Prior to the issuance of the second Amendment to the Statement of General Policy No. 61-1.
[8] The stated effective date is the effective date requested by Respondent.
[9] Subject to a downward B.t.u. adjustment.
[10] "Fractured" rate increase. Respondent contractually due 22 cents. Filing from initial certificated rate.
[11] Subject to upward and downward B.t.u. adjustment.
[12] Increase to 14.3733-cent base plus 0.5-cent dehydration allowance where open suspended in Docket No. RI63-321 until July 5, 1963 and has not been made effecitve subject to refund.
[13] "Fractured" rate .Seller contractually due 24.675 cents per Mcf plus applicable tax seimbursement.
[14] Pressure base is 15.025 p.s.i.a.
[15] Initial rate as conditioned by temporary certificate issued Oct. 9, 1962, in Docket No. CI63-301.
[16] Renegotiated rate increase.
[17] Contract Amendment dated Nov. 27, 1967, provides for 12.5 cents per Mcf for period from Sept. 1, 1967 to June 30, 1972, and 13.5 cents per Mcf from July 1, 1972 to Mar. 29, 1976.
[18] Contract Amendment dated Nov. 27, 1967, provides for 12.5 cents per Mcf for period from Sept. 1, 1967 to June 30, 1972, and 13.5 cents per Mcf from July 1, 1972 to June 30, 1978; also provides for upward and downward B.t.u. adjustment from 975 B.t.u.'s per cubic foot instead of only downward B.t.u. adjustment from 950B.t.u.'s per cubic foot.
[19] Filing from initial certificated rate to first periodic increase.
[20] Contract Amendment dated Nov. 27, 1967, provides for 12.5 cents per Mcf from Sept. 1, 1967 to June 30, 1972, and 13.5 cents per Mcf from July 1, 1972 to June 30, 1978 for production down to the base of the Wolfcamp Sand. Provides for 14 cents per Mcf from Sept. 1, 1967, to June 30, 1968, 15 cents per Mcf from July 1, 1968, to June 30, 1972, and 16 cents per Mcf from July 1, 1972, to June 30, 1978, for production down to the Top of the Morrow Sand. Provides for 16 cents per Mcf from Sept. 1, 1967, to June 30, 1968, 17 cents from July 1, 1968 to June 30, 1972, and 18 cents per Mcf from July 1, 1972, to June 30, 1978, for production below Top of Morrow Sand. Provides for upward and downward B.t.u. adjustment for Chase Group of Wolfcamp Series of the Permian Basin System.
[21] Production from base of Chase Group to base of Wolfcamp Sand.
[22] Production down to base of Chase Group of Wolfcamp Series includes 0.1282-cent upward B.t.u. adjustment. Proposed base rate of 12.5 cents subject to upward and downward B.t.u. adjustment.
[23] Production from base of Wolfcamp to Top of Morrow Sand.
[24] Production below Top of Morrow Sand.

Edwin M. Jones Oil Co. et al., and Johnnye Jones Peet, doing business as Peet Oil Co. request that their proposed rate increases be permitted to become effective on February 5, 1968. J. Ray McDermott & Co., Inc. (McDermott), requests waiver of the statutory notice to permit an effective date of January 22, 1968, for its proposed rate increase. Mobil Oil Corp. (Mobil) also requests waiver of notice to permit an effective date of January 11, 1968, for its proposed contract amendments and rate increases. Northern Natural Gas Producing Co. (Operator) et al. (Northern Natural), request waiver of the notice requirement to permit its proposed contract amendment and rate increases to

become effective as of January 15, 1968. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied. Mobil, Humble Oil & Refining Co., and Northern Natural request that their rate filings be accepted without suspension and if they are suspended, the suspension period be limited to 1 day. Good cause has not been shown for granting, Mobil, Humble, and Northern Natural's requests to limit to 1 day the suspension periods with respect to their rate filings and such requests are denied.

McDermott is fracturing its contractually due rate of 24.675 cents and proposing an increase to 23.55 cents for gas sold pursuant to a rate schedule included in Opinion No. 436, Union Texas Petroleum et al., Docket Nos. G–13221 et al., South Louisiana and adjacent offshore initial "in-line" certificate proceeding (CA10–7912 et al.). This sale was initially made under a temporary certificate conditioned to an initial rate of 21.25 cents and contained a Condition (2) provision prohibiting changes in the initial rate unless ordered by the Commission in the related certificate proceeding, Docket No. CI63–301. Opinion No. 436 granted a permanent certificate to McDermott conditioned to an initial rate of 20 cents but the reduction in price was stayed pursuant to Opinion No. 436–A. Consistent therewith, McDermott has continued to sell the gas at the 21.25-cent rate conditioned in the temporary certificate. Although McDermott did not request waiver of Condition (2), we conclude that Condition (2) of the temporary certificate issued in Docket No. CI63–301 should be waived to permit McDermott's notice of change in rate to be filed since service was commenced under such authorization more than 3 years ago.

Concurrently with the filing of their proposed rate increases, Mobil and Northern Natural submitted contract amendments dated November 27, 1967, designated as Supplement Nos. 7 and 13 to Mobil's FPC Gas Rate Schedule Nos. 85 and 284, respectively, and Supplement No. 100 to Northern Natural's FPC Gas Rate Schedule No. 2, which provide the basis for their proposed rate increases. We believe that it would be in the public interest to accept for filing Mobil and Northern Natural's proposed contract amendments to become effective on February 11, 1968 (Mobil), and February 15, 1968 (Northern Natural), the expiration dates of the statutory notice, but not the proposed rates contained therein which are suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61–1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists for waiving Condition (2) in the temporary certificate issued in Docket No. CI63–301 with respect to McDermott's notice of change, designated as Supplement No. 3 to McDermott's FPC Gas Rate Schedule No. 17, and that such notice of change be permitted to be filed as hereinafter ordered.

(2) Good cause has been shown for accepting for filing Mobil and Northern Natural's contract amendments dated November 27, 1967, designated as Supplement Nos. 7 and 13 to Mobil's FPC Gas Rate Schedule Nos. 85 and 284, respectively, and Supplement No. 100 to Northern Natural's FPC Gas Rate Schedule No. 2, and for permitting such supplements to become effective on February 11, 1968 (Mobil), and February 15, 1968 (Northern Natural), the expiration dates of the statutory notice.

(3) Except for the supplements set forth in paragraph (2) above, 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.

The Commission orders:

(A) Condition (2) in the temporary certificate issued in Docket No. CI63–301 is hereby waived with respect to McDermott's notice of change, designated as Supplement No. 3 to McDermott's FPC Gas Rate Schedule No. 17, and such rate change is hereby permitted to be filed.

(B) Mobil and Northern Natural's contract amendments dated November 27, 1967, designated as Supplement Nos. 7 and 13 to Mobil's FPC Gas Rate Schedule Nos. 85 and 284, respectively, and Supplement No. 100 to Northern Natural's FPC Gas Rate Schedule No. 2, are accepted for filing and permitted to become effective on February 11, 1968 (Mobil), and February 15, 1968 (Northern Natural).

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except those supplements set forth in paragraph (B) above).

(D) Pending hearings and decisions thereon, the above-designated supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(E) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(F) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 29, 1968.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 68–1915; Filed, Feb. 15, 1968; 8:45 a.m.]

[Docket No. CP68–221]

NORTHERN NATURAL GAS CO.

Notice of Application

FEBRUARY 9, 1968.

Take notice that on February 5, 1968, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP68–221 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities and for the sale and delivery of additional volumes of natural gas to its Peoples Division, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to install and operate a sales measuring station to enable it to deliver volumes of natural gas to the Municipal Utilities of Cedar Falls, Iowa (Cedar Falls), for use in a proposed gas turbine generator. The annual sales to Cedar Falls are estimated to be 127,242 Mcf and will be made on an interruptible basis pursuant to the effective service agreement between Applicant and Cedar Falls.

The estimated cost of the measuring station and appurtenances is $26,810, which cost will be reimbursed by Cedar Falls.

Applicant also requests authority to provide an increase to 180 Mcf per day of contract demand to its Peoples Division to meet the requirements of Meinerz Creamery, Fredericksburg, Iowa. Such increase will produce incremental annual sales of 44,430 Mcf.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before March 8, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that

a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-1916; Filed, Feb. 15, 1968; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 7-2837—7-2839]

PITTSTON CO. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

FEBRUARY 12, 1968.

In the matter of applications of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges:

	File No.
Pittston Co	7-2837
Squibb Beech-Nut, Inc	7-2838
Cyprus Mines Corp	7-2839

Upon receipt of a request, on or before February 27, 1968, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-1932; Filed, Feb. 15, 1968; 8:46 a.m.]

[70-4588]

WHEELING ELECTRIC CO.

Notice of Proposed Issue and Sale of Short-Term Notes to Banks

FEBRUARY 12, 1968.

Notice is hereby given that Wheeling Electric Co. ("Wheeling"), 51 16th Street, Wheeling, W. Va., a West Virginia corporation and a public-utility subsidiary company of American Electric Power Co., Inc., a registered holding company, has filed a declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Pursuant to a bank loan agreement entered into by Wheeling with five commercial banks, Wheeling proposes to borrow from time to time prior to December 31, 1968, an aggregate of $2 million to be evidenced by its unsecured notes. Wheeling requests the Commission's approval for the issue and sale of such amount of notes not exempt pursuant to the first sentence of section 6(b) of the Act. The notes will be issued and sold to the following banks in the indicated principal amounts:

Mellon National Bank & Trust Co., Pittsburgh, Pa	$880,000
Bankers Trust Co., New York, N.Y	280,000
First National City Bank, New York, N.Y	280,000
Morgan Guaranty Trust Co. of New York, New York, N.Y	280,000
Manufacturers Hanover Trust Co., New York, N.Y	280,000
Total	2,000,000

The notes will mature not later than 270 days after the date of issue or renewal, and will bear interest at an annual rate equal to the prime credit rate (presently 6 percent per annum). The notes may be prepaid at any time without premium.

Wheeling will use the proceeds from the sale of the notes, to reimburse its treasury for past expenditures in connection with its construction program and to provide funds to finance, in part, its future construction program, estimated for 1968 to cost approximately $4,500,000, and for other corporate purposes.

It is represented that fees and expenses to be incurred in connection with the proposed transactions will not exceed $500 and that, at present, no regulatory commission other than this Commission has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 13, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-1933; Filed, Feb. 15, 1968; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING THE EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.) and Administrative Order No. 595 (31 F.R. 12981) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as indicated.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.20 to 522.25, as amended).

The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Acme Garment Co., Wentzville, Mo.; 1-17-68 to 1-16-69; 10 learners (women's sportswear).

Allen Garment Co., Nashville, Tenn.; 1-12-68 to 1-11-69 (sport shirts).

Angelica Uniform Co., Plant No. 1, Mountain View, Mo.; 1-12-68 to 1-11-69 (men's outerwear coats).

Bali Bra Manufacturing Co., Inc., Johnstown, Pa.; 2-4-68 to 2-3-69 (brassieres).

Berwick Shirt Co., Inc., Berwick, Pa.; 1-30-68 to 1-29-69 (men's sport shirts).

Big-Dad Manufacturing Co., Inc., Starke, Fla.; 1-23-68 to 1-22-69 (men's and boys' work pants).

Big Yank Corp., Water Valley, Miss.; 1-28-68 to 1-27-69 (men's and boys' dress trousers).

Blount Manufacturing Co., Blountsville, Ala.; 1-14-68 to 1-13-69 (children's apparel).

Byrds Manufacturing Corp., Albany, Ky.; 1-9-68 to 1-8-69 (ladies' shirts).

C & J Manufacturing Co., Eastman, Ga.; 1-22-68 to 1-21-69 (boys' sport and dress shirts).

C & M Sportswear Manufacturing Co., Meshoppen, Pa.; 2-1-68 to 1-31-69; 10 learners (men's outerwear jackets and ladies' ski jackets).

Carthage Garment Corp., Carthage, Miss.; 1-22-68 to 1-21-69 (boys' sport shirts).

Chester Manufacturing Co., Inc., Henderson, Tenn.; 1-31-68 to 1-30-69. (juvenile pants).

City Shirt Corp., Mahanoy City, Pa.; 2-1-68 to 1-31-69 (men's sport shirts).

Colshire Manufacturing Co., Inc., Morgantown, W. Va.; 2-1-68 to 1-31-69 (men's pajamas).

Cowden-Greenville Co., Greenville, Ky.; 1-25-68 to 1-24-69 (men's and boys' dungarees).

Cowden-Stanford Co., Stanford, Ky.; 1-19-68 to 1-18-69 (men's and boys' dungarees).

Decatur Shirt Corp., Decatur, Miss.; 1-11-68 to 1-10-69 (boys' sport shirts).

Diaper Jeans, Inc., Denison, Tex.; 1-26-68 to 1-25-69 (infants' dresses and diapers).

Dickson-Jenkins Manufacturing Co., Inc., Fort Worth, Tex.; 2-2-68 to 2-1-69 (men's, ladies', and children's pants and shirts).

Dillon Manufacturing Co., Savannah, Tenn.; 1-11-68 to 1-10-69 (men's washable shirts).

Donlin Sportswear, Inc., New Tazewell, Tenn.; 1-27-68 to 1-26-69 (men's sport shirts).

E & W of Dover, Inc., Dover, Tenn.; 1-24-68 to 1-23-69 (work pants).

E & W of Paragould, Inc., Paragould, Ark.; 2-5-68 to 2-4-69 (boys' sport shirts).

E & W of Yazoo City, Inc., Yazoo City, Miss.; 2-1-68 to 1-31-69 (men's pajamas).

Eastwill Sportswear Co., Inc., Greenwood, S.C.; 2-2-68 to 2-1-69 (men's and boys' sport shirts).

Emporia Garment Co., Inc., Emporia, Va.; 1-24-68 to 1-23-69 (children's dresses).

The Enro Shirt Co., Inc., Madisonville, Ky.; 2-1-68 to 1-31-69 (sport shirts).

Fairfield Manufacturing Co., Winnsboro, S.C.; 2-20-68 to 2-19-69 (ladies' dresses).

Glamorise Foundations, Inc., Dermott, Ark.; 1-24-68 to 1-23-69 (ladies' brassieres and girdles).

Gloria Manufacturing Corp., Newport News, Va.; 1-20-68 to 1-19-69 (children's dresses and sportswear).

Hamburg Shirt Corp., Hamburg, Ark.; 2-2-68 to 2-1-69 (boys' shirts).

Hebron Pants Factory, Hebron, Md.; 2-4-68 to 2-3-69; 10 learners (men's work pants).

Huggins Garment Co., Inc., Donalds, S.C.; 1-29-68 to 1-28-69 (men's and boys' sport shirts).

Huggins Garment Co., Inc., Due West, S.C.; 1-26-68 to 1-25-69 (men's and boys' shirts).

Imperial Reading Corp., Lynchburg, Va.; 1-13-68 to 1-12-69 (women's and girls' sportswear).

Imperial Reading Corp., Anniston, Ala.; 2-1-68 to 1-31-69 (men's, boys' and ladies' dungarees).

The Jay Garment Co., Brookville, Ind.; 1-24-68 to 1-23-69 (boys' cotton pants).

The Jay Garment Co., Portland, Ind.; 1-24-68 to 1-23-69 (men's cotton clothing).

Jomax Apparel Co., York, Pa.; 2-1-68 to 1-31-69; 10 learners (ladies' dresses).

Kinston Shirt Co., Kinston, N.C.; 1-31-68 to 1-30-69 (men's shirts).

L & H Shirt Co., Cochran, Ga.; 1-22-68 to 1-21-69 (boys' sport and dress shirts).

The H. D. Lee Co., Inc., Sulphur Springs, Tex.; 1-20-68 to 1-19-69 (pants).

Louisburg Sportswear Co., Louisburg, N.C.; 1-18-68 to 5-23-68 (replacement certificate) (men's and boys' knitted sport shirts).

The Manhattan Shirt Co., Ashburn, Ga.; 1-17-68 to 1-16-69 (men's pajamas and sport shirts).

The Manhattan Shirt Co., Salisbury, Md.; 1-30-68 to 1-29-69 (men's and ladies' shirts).

Mode O'Day Co., No. 6, Ottawa, Kans.; 1-11-68 to 1-10-69; 10 learners (ladies' dresses).

Mount Airy Pants Factory, Mount Airy, Md.; 1-29-68 to 1-28-69; 10 learners (men's work pants).

Powellville Pants Factory, Powellville, Md.; 1-27-68 to 1-26-69; 10 learners (men's work pants).

Prairie Manufacturing Co., East Prairie, Mo.; 1-30-68 to 1-29-69; 10 learners (men's and boys' dress pants).

Primo Pants Co., Versailles, Mo.; 2-1-68 to 1-31-69 (men's pants).

Princess Kent, Inc., Fort Kent, Maine; 1-15-68 to 1-14-69; 10 learners (children's cotton nightwear).

Publix Shirt Corp., Hazleton, Pa.; 1-30-68 to 1-29-69 (men's and boys' dress and sport shirts).

The Raleigh Corp., Raleigh, Miss.; 1-31-68 to 1-30-69 (ladies' slacks).

Rosebud Manufacturing Co., Division of Athlone Industries, Inc., Vidalia, Ga.; 2-1-68 to 1-31-69 (women's lingerie).

Salant & Salant, Inc., Loretto, Tenn.; and Lawrenceburg, Tenn.; 1-20-68 to 1-19-69 (men's and boys' outerwear jackets).

Samsons Manufacturing Corp., Wilson, N.C.; 2-9-68 to 2-8-69 (men's dresse shirts).

Shamrock of Dublin, Ltd., Dublin, Ga.; 1-30-68 to 1-29-69 (men's dress slacks).

Siceloff Manufacturing Co., Inc., Lexington, N.C.; 2-1-68 to 1-31-69 (men's and boys' pants).

Henry I. Siegel Co., Inc., Tiptonville, Tenn.; 2-1-68 to 1-31-69 (outerwear coats).

Smith Brothers Manufacturing Co., Carthage, Mo.; 2-10-68 to 2-9-69 (men's overalls).

Smith Brothers Manufacturing Co., Lamar, Mo.; 2-10-68 to 2-9-69; 10 learners (men's work jackets and jeans).

Smith Brothers Manufacturing Co., Neosho, Mo.; 2-10-68 to 2-9-69 (men's work pants and jeans).

Sparta Garment Co., Inc., Sparta, Ga.; 2-1-68 to 1-31-69 (men's and boys' trousers).

Spartans Industries, Inc., Dunlap, Tenn.; 1-18-68 to 1-17-69 (ladies' blouses and dresses).

W. E. Stephens Manufacturing Co., Inc., Watertown, Tenn.; 1-14-68 to 1-13-69; 10 learners (men's, boys', ladies', and girls' sport shirts).

Stitchcraft, Inc., Athens, Ga.; 1-10-68 to 1-9-69; 10 learners (ladies' dresses).

Levi Strauss & Co., Murphy, N.C.; 2-1-68 to 1-31-69 (men's trousers).

Levi Strauss & Co., Warsaw, Va.; 1-30-68 to 1-29-69 (cotton pants).

Sturgis Clothing Co., Sturgis, Ky.; 2-1-68 to 1-31-69 (men's pants).

Swirl, Inc., Easley, S.C.; 1-13-68 to 1-12-69 (women's dresses).

Tennessee Overall Co., Tullahoma, Tenn.; 1-29-68 to 1-28-69 (men's pants).

Thompkinsville Manufacturing Co., Thompkinsville, Ky.; 2-13-68 to 2-12-69 (men's work pants).

The Turner Manufacturing Co., Goodlettsville, Tenn.; 1-10-68 to 1-9-69 (ladies' and girls' blouses).

The Warner Bros Co., Thomasville, Ga.; 12-28-67 to 12-27-68 (corsets and brassieres).

Wilker Bros. Co., Inc., McKenzie, Tenn.; 1-17-68 to 1-16-69 (men's, boys', and ladies cotton pajamas).

The following plant expansion certificates were issued authorizing the number of learners indicated.

Angelica Corp., Mountain View, Mo.; 1-18-68 to 7-17-68; 20 learners (men's washable service apparel).

Chester Manufacturing Co., Inc., Henderson, Tenn.; 1-31-68 to 7-30-68; 40 learners (juvenile pants).

Glamorise Foundations, Inc., Dermott, Ark.; 1-24-68 to 7-23-68; 50 learners (ladies' girdles, brassieres, and lingerie).

Kellwood Co., Coffeeville, Miss.; 1-5-68 to 7-4-68; 50 learners (boys' pants).

Morris Maier Manufacturers Co., Prescott, Ark.; 2-1-68 to 7-31-68; 25 learners (ladies' blouses, outerwear jackets, and pants).

Somerville Manufacturers Co., Inc., Vivian, La.; 1-29-68 to 7-28-68; 100 learners (men's pants).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.80 to 522.85, as amended).

Jno. H. Swisher & Son, Inc., Cullman, Ala.; 2-1-68 to 1-31-69; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Jno. H. Swisher & Son, Inc., Jacksonville, Fla.; 2-1-68 to 1-31-69; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Jno. H. Swisher & Son, Inc., Waycross, Ga.; 2-1-68 to 1-31-69; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Glove Industry Learner Regulations (29 CFR 552.1 to 522.9, as amended and 29 CFR 522.60 to 522.65, as amended).

Coshocton Plant, Edmont-Wilson Division, Coshocton, Ohio; 2-1-68 to 1-31-69; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Indianapolis Glove Co., Inc., Mount Ida, Ark.; 1-22-68 to 1-21-69; 10 percent of the total number of machine stitchers for normal labor turnover purposes (gloves).

Mount Vernon Plant, Edmont-Wilson Division, Mount Vernon, Ohio; 1-31-68 to 1-30-69; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Mount Vernon Plant, Edmont-Wilson Division, Mount Vernon, Ohio; 1-31-68 to 7-30-68; 20 learners for plant expansion purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.40 to 522.43, as amended).

Belmont Hosiery Mills, Inc., Belmont, N.C.; 2-1-68 to 1-31-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

U.S. Industries, Inc., Grenada, Miss.; 1-25-68 to 1-24-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

The H. W. Gossard Co., Bristow, Okla.; 1-20-68 to 1-19-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's knit and woven underwear).

H. W. Gossard Co., Poplar Bluff, Mo.; 2-4-68 to 2-3-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's underwear and nightwear).

The H. W. Gossard Co., Troy, Mo.; 1-27-68 to 1-26-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's underwear and nightwear).

Mistee Lingerie, Inc., Boyertown, Pa.; 1-25-68 to 1-24-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie).

Walter W. Moyer Co., Inc., Ephrata, Pa.; 2-1-68 to 1-31-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (knit underwear).

Paul-Bruce Manufacturing Co., Scotland Neck, N.C.; 1-25-68 to 7-24-68; 20 learners for plant expansion purposes (ladies' sleepwear).

Penn-Mor Manufacturing Corp., Tempe, Ariz.; 2-1-68 to 1-31-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (infants' knit underwear).

Russell Mills Inc., Montgomery, Ala.; 2-1-68 to 1-31-69; 5 percent of the total number of factory production workers for normal labor turnover purposes (tee shirts).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number of learners authorized to be employed, are indicated.

Adele Manufacturing Corp., Rio Grande, P.R.; 12-18-67 to 12-17-68; 5 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 84 cents an hour (men's cotton shorts).

Alfredo Manufacturing Corp., Rio Grande, P.R.; 12-18-67 to 12-17-68; 19 learners for normal labor turnover purposes in the occupation of sewing machine operating, final pressing, each for a learning period of 320 hours at the rates of 84 cents an hour.

Central Knitting Mills, Inc., San German, P.R.; 1-12-68 to 7-11-68; 8 learners for plant expansion purposes in the occupations of: (1) Knitting for a learning period of 480 hours at the rates of 98 cents an hour for the first 240 hours and $1.15 an hour for the remaining 240 hours, and (2) machine stitching, for a learning period of 320 hours at the rates of 98 cents an hour for the first 160 hours and $1.15 an hour for the remaining 160 hours (ladies' sweaters).

Moca Mills, Inc., Moca, P.R.; 12-18-67 to 12-17-68; 5 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 320 hours at the rate of 84 cents an hour (men's and boys' briefs).

Plata Gloves, Inc., Cayey, P.R.; 12-29-67 to 12-28-68; 11 learners for normal labor turnover purposes in the occupation of sewing machine operating, for a learning period of 480 hours at the rates of 90 cents an hour for the first 240 hours and $1.03 an hour for the remaining 240 hours (ladies' fabric and leather gloves).

Each learner certificate has been issued upon the representations of the employer, which, among other things, were that employment of learners at special minimum wages is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR, Part 528.

Signed at Washington, D.C., this 2d day of February 1968.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 68-1931; Filed, Feb. 15, 1968; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 548]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 13, 1968.

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 protests 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 108068 (Sub-No. 63 TA), filed February 7, 1968. Applicant: U.S.A.C. TRANSPORT, INC., 25200 West Six Mile Road, Rural Route No. 2, Big Oak Acres, Dover, Del. (office), Detroit, Mich. 48240. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aircraft parts, aircraft assemblies, and related equipment* for aircraft, requiring special handling or special equipment, between points in King and Snohomish Counties, Wash., on the one hand, and, on the other, Tulsa, Okla.; Dallas, Tex.; Wichita, Kans.; and Litchfield Park, Ariz.; and from points in King and Snohomish Counties, Wash.; to Newbury Park, Chula Vista, and Riverside, Calif. Restricted to traffic originating at or destined to The Boeing Co. in King and Snohomish Counties, Wash., for 150 days. Supporting shipper: The Boeing Co., Commercial Airplane Division, Post Office Box 707, Renton, Wash. 98055. Send protests to: District Supervisor Gerald J. Davis, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48220.

No. MC 114725 (Sub-No. 38 TA), filed February 8, 1968. Applicant: WYNNE TRANSPORT SERVICE, INC., 2606 North 11th Street, Omaha, Nebr. 68110. Applicant's representative: J. Max Harding, 300 N.E.S.A. Building, 14th and J Street, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and fertilizers*, in bulk, from storage facilities of Terra Chemicals International, Inc., at or near Lincoln, Nebr. (Air Park West), to points in Colorado, Iowa, Kansas, Missouri, South Dakota, and Wyoming, for 150 days. Supporting shipper: Terra Chemicals International, Inc., 201 Davidson Building, Sioux City, Iowa 51101. Send protests to: K. P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 116077 (Sub-No. 233 TA), filed February 8, 1968. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: J. C. Browder (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground barite*, in bulk, in tank trailers, from Abbeville, La., to Intracoastal City, La., on traffic having a prior movement by rail, for 180 days. Supporting shipper: Oil Base, Inc. (Arnold C. Joyce, Assistant to General Manager), 3625 Southwest Freeway, Houston, Tex. 77027. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 119489 (Sub-No. 17 TA), filed February 8, 1968. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT COMPANY, Post Office Box 714, Norfolk, Nebr. 68701. Applicant's

representative: J. Max Harding, Post Office Box 2028, 300 NSEA Building, 605 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and fertilizers* in bulk, from storage facilities of Terra Chemicals International, Inc., at or near Lincoln, Nebr. (Air Park West), to points in Colorado, Iowa, Kansas, Missouri, South Dakota, and Wyoming, for 150 days. Supporting shipper: Terra Chemicals International, Inc., Kenneth G. Moe, Assistant Manager of Traffic and Order Processing, 201 Davidson Building, Sioux City, Iowa 51101. Send protests to: Carroll Russell, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 124522 (Sub-No. 3 TA) (Correction), filed January 15, 1968, published FEDERAL REGISTER, issue of January 23, 1968, and republished as corrected this issue. Applicant: CARLO C. DROGO, Delaware Avenue, Landisville, N.J. 08326. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products*, from Berlin and Williamstown Junction, N.J., and Baltimore, Md., to Philadelphia, Pa., for 150 days. Supporting shipper: Formigli Corp., Berlin, N.J. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, 402 East State Street, Trenton, N.J. 08608. NOTE: The purpose of this republication is to show that applicant has no representative, as shown in previous publication in error.

No. MC 126925 (Sub-No. 2 TA), filed February 8, 1968. Applicant: MARTIN VAN & STORAGE CO., INC., 901 Joy Road, Post Office Box 4036 (Beallwood Branch), Columbus, Ga. 31904. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between the ports of New Orleans, La.; Mobile, Ala.; Jacksonville, Fla.; Savannah, Ga.; and Charleston, S.C., on the one hand, and, on the other, points in Georgia, Alabama, Mississippi, Louisiana, Florida, South Carolina, North Carolina, Tennessee, and Kentucky, restricted to import-export shipments in containers moving on through bill of lading of freight forwarders operating under the exemption of section 402(b)(2) of the Interstate Commerce Act, for 180 days. Supporting shippers: There are approximately 10 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: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 128235 (Sub-No. 4 TA), filed February 8, 1968. Applicant: ALVIN JOHNSON, Post Office Box 95, Hinckley, Minn. 55037. Applicant's representative: Earl Hacking, 503 11th Avenue South, Minneapolis, Minn. 55415. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverage*, in containers, from the plant of the Kingsbury Division of G. Heileman Brewing Co. at Sheboygan, Wis., to Rush City, Minn., for 180 days. Supporting shipper: McDonald Distributing Co., Rush City, Minn. Send protests to: District Supervisor, A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 128337 (Sub-No. 3 TA), filed February 8, 1968. Applicant: ZED DAVIS, 1401 State Street, Washington, Ind. 47501. Applicant's representative: James R. Arthur, 408–409 Peoples Bank Building, Washington, Ind. 47501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and empty containers for malt beverages*, from Peoria, Ill., to Bloomfield, Ind.; from Newport, Ky., to Bloomfield, Ind., and from Louisville, Ky., to Petersburg, Ind., for 180 days. Supporting shippers: D & D Beverage Corp., Petersburg, Ind.; Greene County Distributing Co., Bloomfield, Ind. Send protests to: District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 128375 (Sub-No. 16 TA), filed February 7, 1968. Applicant: CRETE CARRIER CORPORATION, 15th and Main, Post Office Box 249, Crete, Nebr. 68333. Applicant's representative: Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Equipment, materials and supplies used in the manufacture of metal and fiberglass containers, industrial blenders and dump station machines, frankfurter processing machines, sand blasters, truck hoists, tractor stilts, stock tank heaters, farm fertilizer applicators, and nurse tank wagons*, from Willoughby, Jackson Center, Botkins, Middletown, and Cincinnati, Ohio; Butler, Pa.; Gary, Ind.; Chicago, Franklin Park, and Quincy, Ill.; Guymon, Okla.; Ashland, Ky.; Dallas and Houston, Tex.; Des Moines, Davenport, Webster City, and Peny, Iowa; Wausau, Wis.; St. Paul, Minn.; Kansas City, Kans.; and Kansas City, Mo.; to Lenox, Iowa; Beatrice, Nebr.; and the port of entry on the international boundary line between the United States and Canada at or near Detroit, Mich.; under a continuing contract with Tote System, Division Hoover Ball & Bearing Co., for 180 days. Supporting shipper: Tote Systems Division, Post Office Box 456, Beatrice, Nebr. 68310. Send protests to: District Supervisor, Max H. Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 129350 (Sub-No. 2 TA), filed February 7, 1968. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, 410 North 10th Street, Billings, Mont. 59101. Applicant's representative: J. F. Meglen, 207 Behner Building, 2822 Third Avenue North, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Red Lodge, Mont., to Sheridan, Wyo.; Denver, Pueblo, Fort Lupton, Brighton, and Longmont, Colo.; Seattle and Walla Walla, Wash.; Los Angeles and San Francisco, Calif.; Bismarck and Fargo, N. Dak.; Ortonville and Arlington, Minn.; and Durand, Wis.; and from Durand, Wis.; Ortonville and Arlington, Minn.; Walla Walla, Wash.; Cowley, Wyo.; Brighton, Longmont, and Fort Lupton, Colo.; to Red Lodge, Mont.; *empty container supplies*, from Denver, Colo.; Pocatello, Idaho; and Walla Walla, Wash.; to Red Lodge, Mont., for 180 days. Supporting shipper: Red Lodge Canning Co., Inc., Red Lodge, Mont. 59068. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 129696 TA, filed February 8, 1968. Applicant: E. L. DOHERTY AND RICHARD B. COOK, doing business as INTERSTATE RESIDENTIAL MOVERS, 2257 South Downing Street, Denver, Colo. 80210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Personal effects and household goods*, between points in Denver, Adams, Jefferson, and Arapahoe Counties, Colo., restricted to shipments having a prior or subsequent movement in interstate commerce, for 180 days. Supporting shippers: Cornelius Moynihan, 6196 South Josephine Way, Littleton, Colo.; Mary K. Cevallos, 1225 Dallas, Aurora, Colo.; Lynn Owens, 1431 Glenarm Street, Denver, Colo.; Opal Miller, 9405 West Cedar Avenue, Lakewood, Colo. Send protests to: District Supervisor C. W. Buckner, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68–1949; Filed, Feb. 15, 1968; 8:47 a.m.]

[Notice 90]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 13, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date

of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–70143. By order of February 7, 1968, the Transfer Board, on reconsideration, approved the transfer to Lockwood Freight Lines, Inc., Calumet City, Ill., of the operating rights in certificate No. MC–59695 issued December 11, 1941, to Arthur Dixon Transfer Co., a corporation, Chicago, Ill., authorizing the transportation, of general commodities, with the usual exceptions, between specified points in Illinois, including the Chicago, Ill., commercial zone. Harold E. Marks, 208 South La Salle Street, Chicago, Ill. 60604, attorney for applicants.

No. MC–FC–70203. By order of February 9, 1968, the Transfer Board approved the transfer to E & M Trucking, Inc., doing business as Della Rosa Trucking, Martinez, Calif., of the operating rights in certificate No. MC–82919 issued May 8, 1941, to Eugene Della Rosa, doing business as Della Rosa Trucking Co., Martinez, Calif., authorizing the transportation of petroleum products, in containers, and empty containers for same, between specified points in California. J. H. Filice, Box 629, Martinez, Calif. 94553, attorney for applicants.

No. MC–FC–70211. By order of February 8, 1968, the Transfer Board approved the transfer to Simanek, Inc., Wahoo, Nebr., of the operating rights of Tom Simanek, doing business as Simanek Oil Transport, Wahoo, Nebr. in certificate No. MC–119400, issued May 9, 1961, authorizing the transportation, over irregular routes, of refined petroleum products, from refining and distributing points in Kansas, to Naper and Spalding, Nebr., and points in Saunders County, Nebr., and refined petroleum products, in bulk, in tank trucks, from Arkansas City, El Dorado, and McPherson, Kans., to Arlington, Nebr., and from Council Bluffs, Iowa, and points in Iowa within 10 miles thereof, to Rogers and Schuyler, Nebr., and points in Saunders County, Nebr. J. Max Harding, Post Office Box 2028, Lincoln, Nebr. 68501, attorney for applicants.

No. MC–FC–70220. By order of February 9, 1968, the Transfer Board approved the transfer to Frank's Moving & Storage Co., Inc., Philadelphia, Pa., the operating rights in certificate No. MC–30773, issued September 16, 1940, to Pasquale Ingrilli, doing business as Frank's Moving & Storage Co., Philadelphia, Pa., authorizing the transportation of *household goods*, over irregular routes, between Philadelphia, Pa., on the one hand, and, on the other, points and places in Maryland, New Jersey, Delaware, and New York. Anthony L. V. Picciotti, 1720 Two Penn Center Plaza, Philadelphia, Pa. 19102, attorney for applicants.

No. MC–FC–70241. By order of February 9, 1968, the Transfer Board approved the transfer to E & E Rigging and Machinery Co., Inc., Colonia, N.J., of the operating rights set forth in permit No. MC–66565 issued April 30, 1956, to E. & E. Machinery Movers, Inc., Elizabeth, N.J., authorizing the transportation of plain and fabricated iron and steel building supplies, machine parts, and hoisting equipment, between Newark, N.J., on the one hand, and, on the other, New York, N.Y., and points in Dutchess, Columbia, Orange, Putnam, Rockland, Ulster, and Westchester Counties, N.Y. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306, representative for applicants.

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

[F.R. Doc. 68–1950; Filed, Feb. 15, 1968; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—FEBRUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during February.

3 CFR

	Page
PROCLAMATIONS:	
3814 (see EO 11394)	2429
3824	2495
3825	2623
3826	2755
3827	2881
3828	2929
3829	2985
EXECUTIVE ORDERS:	
Jan. 26, 1867 (revoked in part by PLO 4358)	3068
2528 (revoked in part by PLO 4358)	3068
5327 (revoked in part by PLO 4363)	3070
5526 (see PLO 4358)	3068
2618 (revoked by PLO 4351)	2942
10713 (amended by EO 11395)	2561
11010 (see EO 11395)	2561
11263 (see EO 11395)	2561
11394	2429
11395	2561
11396	2689
11397	2833

5 CFR

	Page
213	2497, 2563, 2987
330	2987
591	2835
771	2625
1300	2484

7 CFR

	Page
16	2497
51	2431, 2500, 2883
52	2500, 2883
58	2432
319	2835
354	2757
401	2931
724	2433–2435
728	3045
730	3052, 3053
775	2757
777	2707
811	2436, 2884
857	2593
891	2503
907	2437, 2708, 2987
910	2563, 2593, 2836, 2885
912	2563, 2836
913	2564, 2836
917	2564
945	2933
947	2503
971	2837
987	2934
989	2988
1062	2437
1064	2438
1073	2438
1094	2438
1103	2439
1106	2439
1126	2439

7 CFR—Continued

	Page
1133	2757
1137	2503
1421	2564
PROPOSED RULES:	
52	2608
160	3076
729	2783
906	2850
908	2569
911	2524
915	2524
953	2524
966	2526
980	2947
991	2712
993	2638
1001	2784, 2785
1002	2784, 2785
1003	2784, 2785
1004	2784, 2785
1005	2784–2786, 2894
1006	2785
1008	2784, 2785
1009	2784, 2785
1011	2784, 2785
1012	2785
1013	2785
1015	2784, 2785
1016	2784, 2785
1030	2784, 2785
1031	2784, 2785
1032	2784, 2785

7 CFR—Continued

PROPOSED RULES—Continued

9 CFR

10 CFR

PROPOSED RULES:

12 CFR

PROPOSED RULES:

14 CFR

PROPOSED RULES:

15 CFR

16 CFR

17 CFR

PROPOSED RULES:

18 CFR

PROPOSED RULES:

19 CFR

20 CFR

21 CFR

PROPOSED RULES:

22 CFR

23 CFR

26 CFR

PROPOSED RULES:

27 CFR

28 CFR

30 CFR

PROPOSED RULES:

31 CFR

32 CFR

32A CFR

33 CFR

36 CFR

	Page
311	3064
500	2936

38 CFR

1	2994
3	2994

39 CFR

Ch. I	2636
158	2941
171	2941
PROPOSED RULES:	
Ch. I	2638
132	2947

41 CFR

1–1	3064
1–2	3064
1–12	3064
1–16	3067
5A–1	2775
9–1	3067
9–7	2776
9–53	2776
101–26	2776
PROPOSED RULES:	
Ch. 60	3000

43 CFR

PUBLIC LAND ORDERS:	
1375 (revoked in part by PLO 4359)	3069
1739 (revoked in part by PLO 4359)	3069
1874 (revoked in part by PLO 4359)	3069
2418 (revoked in part by PLO 4353)	2943
4305 (corrected by PLO 4360)	3069

43 CFR—Continued

	Page
PUBLIC LAND ORDERS—Continued	
4311 (revoked in part by PLO 4357)	3068
4327 (corrected by PLO 4365)	3070
4350	2445
4351	2942
4352	2942
4353	2943
4354	2943
4355	2995
4356	3068
4357	3068
4358	3068
4359	3069
4360	3069
4361	3069
4362	3069
4363	3070
4364	3070
4365	3070
4366	3070

45 CFR

85	2940
301	2567
302	2567
PROPOSED RULES:	
85	2569

46 CFR

33	2847
94	2847
221	2943
222	2944
281	2944
282	2944
285	2944
286	2944
290	2944
291	2944
292	2944

46 CFR—Continued

	Page
298	2944
299	2944
308	2944
310	2944
355	2893, 2995
375	2944
526	2945
PROPOSED RULES:	
Ch. II	2531
504	2948
541	3081

47 CFR

0	2445
2	2940
73	2445
87	2940
PROPOSED RULES:	
0	2713
21	2610, 2857
64	2452
73	2452, 3078, 3080, 3081
97	2713

49 CFR

1	2995
99	2820
239	3071
1041	2711
1057	2847
PROPOSED RULES:	
1048	2948, 3082

50 CFR

33	2711, 2945, 2995
351	2777
PROPOSED RULES:	
230	2781