

# FEDERAL REGISTER

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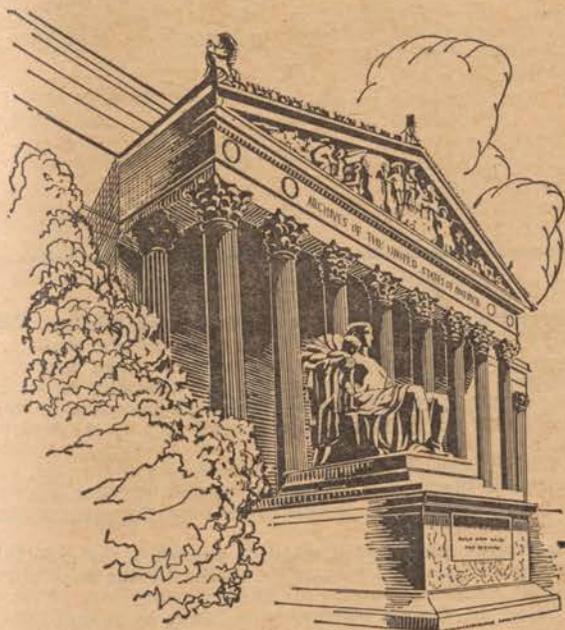
Friday, September 6, 1968 • Washington, D.C.

Pages 12609-12711

Agencies in this issue—

The President  
Agricultural Stabilization and  
Conservation Service  
Army Department  
Civil Aeronautics Board  
Commodity Credit Corporation  
Consumer and Marketing Service  
Customs Bureau  
Defense Department  
Education Office  
Federal Aviation Administration  
Federal Communications Commission  
Federal Crop Insurance Corporation  
Federal Maritime Commission  
Federal Power Commission  
Federal Reserve System  
Federal Trade Commission  
Fiscal Service  
Fish and Wildlife Service  
Food and Drug Administration  
Housing and Urban Development  
Department  
Indian Affairs Bureau  
Interstate Commerce Commission  
Justice Department  
Land Management Bureau  
National Park Service  
National Science Foundation  
National Transportation Safety  
Board  
Packers and Stockyards  
Administration  
Post Office Department  
Securities and Exchange Commission  
Social and Rehabilitation Service  
Transportation Department

Detailed list of Contents appears inside.



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[Revised as of January 1, 1968]

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# Contents

## THE PRESIDENT

### EXECUTIVE ORDERS

Federal-State liaison and cooperation .....	12615
Terminating the Maritime Advisory Committee .....	12617

## EXECUTIVE AGENCIES

### AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

<b>Rules and Regulations</b>	
Peanuts; 1968 crop; acreage allotments and marketing quotas .....	12671

### AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Commodity Credit Corporation; Consumer and Marketing Service; Federal Crop Insurance Corporation; Packers and Stockyards Administration.

### ARMY DEPARTMENT

<b>Notices</b>	
Interagency Civil Defense Committee; continuance .....	12680

### CIVIL AERONAUTICS BOARD

<b>Notices</b>	
<i>Hearings, etc.:</i>	
International Air Transport Association .....	12687
Mohawk Airlines, Inc. ....	12688

### COMMODITY CREDIT CORPORATION

<b>Rules and Regulations</b>	
Cooperative marketing associations; eligibility requirements for price support; nominations .....	12673
<b>Notices</b>	
Sales of certain commodities; September sales list .....	12682

### CONSUMER AND MARKETING SERVICE

<b>Proposed Rule Making</b>	
Milk in Greater Kansas City marketing area; decision .....	12675

### CUSTOMS BUREAU

<b>Notices</b>	
Furazolidone; restriction on importation .....	12680

### DEFENSE DEPARTMENT

See also Army Department.

<b>Rules and Regulations</b>	
Availability to the public of Defense Contract Audit Agency information; exemptions from public disclosure .....	12650

## EDUCATION OFFICE

<b>Rules and Regulations</b>	
Financial assistance for schools affected by certain disasters; miscellaneous amendments: Construction of public elementary and secondary schools .....	12650
Current school expenditures of local educational agencies .....	12652

## FEDERAL AVIATION ADMINISTRATION

<b>Rules and Regulations</b>	
Airworthiness directive; certain models of Cessna airplanes .....	12620
Control zone and transition area; alteration .....	12620
Standard instrument approach procedures; miscellaneous amendments .....	12621

### Proposed Rule Making

Washington National and Dulles International Airports; clarification of authority and other requirements, limitation of certain activities, and increase in number of persons carried by mobile lounges .....	12677
---	-------

## FEDERAL COMMUNICATIONS COMMISSION

<b>Rules and Regulations</b>	
Frequency allocations and radio treaty matters and stations on land and shipboard in maritime services; miscellaneous amendments; correction .....	12673

### Proposed Rule Making

Assignment and transfer of construction permits for new broadcast stations .....	12678
--	-------

### Notices

Common carrier services information; domestic public radio services applications accepted for filing .....	12690
--	-------

### *Hearings, etc.:*

American Telephone and Telegraph Co. ....	12688
Cherokee Broadcasting Co. and Fannin County Broadcasting Co. ....	12689
WBBM-TV .....	12689

## FEDERAL CROP INSURANCE CORPORATION

<b>Rules and Regulations</b>	
Crop insurance; 1969 and succeeding crop years; endorsements:	
Combined crop .....	12671
Corn-silage .....	12670
Peanuts .....	12666
Potatoes .....	12667
Sugar beets .....	12668
Tobacco .....	12669
Tomatoes, canning and processing .....	12665

## FEDERAL MARITIME COMMISSION

<b>Rules and Regulations</b>	
Licensing of independent ocean freight forwarders .....	12654
<b>Notices</b>	
Columbus Line et al.; agreement filed for approval .....	12692

## FEDERAL POWER COMMISSION

<b>Rules and Regulations</b>	
Rate schedules and tariffs; denial of Public Service Electric and Gas Co.'s petition for rehearing .....	12619
<b>Notices</b>	
<i>Hearings, etc.:</i>	
Arizona Public Service Co. ....	12695
Consolidated Gas Supply Corp. Department of the Interior Southeastern Power Administration .....	12696
Gulf States Utilities Co. ....	12696
Mississippi River Transmission Corp. ....	12697
Osage Natural Gas Co. and Texas Eastern Transmission Corp. ....	12697
Superior Oil Co. et al. ....	12692
Transcontinental Gas Pipe Line Corp. ....	12697

## FEDERAL RESERVE SYSTEM

<b>Rules and Regulations</b>	
Discount rates; changes .....	12673
<b>Notices</b>	
B.N.Y. Co., Inc.; application for approval of acquisition of shares of banks .....	12697

## FEDERAL TRADE COMMISSION

<b>Rules and Regulations</b>	
Administrative opinions and rulings:	
Compost peat .....	12646
Membership in trade association by manufacturer under Commission order .....	12647
Publication of advertising standards by private association .....	12646
Receipt of promotional allowances prohibited by order .....	12646

## FISCAL SERVICE

<b>Notices</b>	
Security Mutual Casualty Co.; surety company acceptable on Federal bonds .....	12680

(Continued on next page)

**FISH AND WILDLIFE SERVICE****Rules and Regulations****Hunting:**

- Arizona; Cabeza Prieta Game Range ..... 12665  
 Illinois national wildlife refuges:  
 Chautauqua ..... 12664  
 Crab Orchard ..... 12664  
 Mark Twain (3 documents) ... 12664, 12665  
 Kansas; Kirwin National Wildlife Refuge ..... 12665  
 Migratory game birds; open seasons, bag limits, and possession... 12660

**FOOD AND DRUG ADMINISTRATION****Rules and Regulations**

- Colistin; sodium colistimethate for injection ..... 12619

**Notices**

- Combination drug containing sulfadiazine, allantoin, and gamma (diethylamino) propyl-*p-n*-butoxybenzoate; drug efficacy study implementation ..... 12687

**HEALTH, EDUCATION, AND WELFARE DEPARTMENT**

See Education Office; Food and Drug Administration; Social and Rehabilitation Service.

**HOUSING AND URBAN DEVELOPMENT DEPARTMENT****Rules and Regulations**

- Operations of Federal National Mortgage Association ..... 12648

**INDIAN AFFAIRS BUREAU****Rules and Regulations**

- Operation and maintenance; tribal and trust patent Indian lands of San Carlos Project, Arizona ..... 12649

**INTERIOR DEPARTMENT**

See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; National Park Service.

**INTERSTATE COMMERCE COMMISSION****Rules and Regulations**

- Car service orders; railroads authorized to operate over certain trackage abandoned by Tennessee Central Railway Co.:  
 Harriman & Northeastern Railroad Co. .... 12660  
 Louisville and Nashville Railroad Co. .... 12660

**Proposed Rule Making**

- U.S.-Canadian and U.S.-Mexican international boundary lines; transfer of equipment or traffic at or near ports of entry; extension of time ..... 12679

**Notices**

- Fourth section applications for relief ..... 12708  
 Motor carrier, broker, water carrier, and freight forwarder applications ..... 12698  
 Motor carriers:  
 Temporary authority applications ..... 12709  
 Transfer proceedings (2 documents) ..... 12710

**JUSTICE DEPARTMENT****Rules and Regulations**

- Organization; Civil Division; authority delegation regarding compromise of litigation ..... 12649

**LAND MANAGEMENT BUREAU****Notices**

- California; proposed withdrawal and reservation of lands (2 documents) ..... 12680  
 Colorado; classification ..... 12681  
 Montana; proposed classification... 12681  
 Oregon; proposed withdrawal and reservation of land ..... 12681  
 Utah; proposed extension of public land orders ..... 12682

**NATIONAL PARK SERVICE****Notices**

- Blue Ridge Parkway; concession permit ..... 12682  
 Hot Springs National Park, Ark.; concession contract ..... 12682

**NATIONAL SCIENCE FOUNDATION****Rules and Regulations**

- Keeping of records and furnishing of reports in connection with weather modification activities; miscellaneous amendments ..... 12654

**NATIONAL TRANSPORTATION SAFETY BOARD****Rules and Regulations**

- Employee responsibilities and conduct ..... 12641  
 Statement of organization, functions, and delegations of authority; miscellaneous amendments... 12640

**PACKERS AND STOCKYARDS ADMINISTRATION****Notices**

- 98 Livestock Market et al.; changes in names of posted stockyards... 12686

**POST OFFICE DEPARTMENT****Rules and Regulations**

- Second-class rates and meter reply postage ..... 12619

**SECURITIES AND EXCHANGE COMMISSION****Rules and Regulations**

- Securities Act of 1933 and Securities Exchange Act of 1934; industrial revenue bonds ..... 12647

**Notices**

- Hearings, etc.:  
 Cameo-Parkway Records, Inc. ... 12698  
 Comstock-Keystone Mining Co. ... 12698  
 Golden Age Mines, Ltd. .... 12698

**SOCIAL AND REHABILITATION SERVICE****Notices**

- Coordination of Title XIX with Part B of Title XVIII; interim policies and requirements ..... 12687

**TRANSPORTATION DEPARTMENT**

See also Federal Aviation Administration.

**Rules and Regulations**

- Authority delegations:  
 Natural gas pipeline safety ..... 12659  
 Organization ..... 12659

**TREASURY DEPARTMENT**

See Customs Bureau; Fiscal Service.

## 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, 1963, and specifies how they are affected.

<b>3 CFR</b>	<b>17 CFR</b>	<b>45 CFR</b>
EXECUTIVE ORDERS:	230.....12647	112.....12650
11156 (revoked by EO 11427).....12617	240.....12647	113.....12652
11426.....12615		635.....12654
11427.....12617	<b>18 CFR</b>	
<b>7 CFR</b>	154.....12619	<b>46 CFR</b>
401 (7 documents).....12665-12671	<b>21 CFR</b>	510.....12654
729.....12671	148c.....12619	
1425.....12673	<b>24 CFR</b>	<b>47 CFR</b>
PROPOSED RULES:	81.....12648	2.....12673
1064.....12675	<b>25 CFR</b>	81.....12673
<b>12 CFR</b>	221.....12649	83.....12673
224.....12673	<b>28 CFR</b>	PROPOSED RULES:
<b>14 CFR</b>	0.....12649	1.....12678
39.....12620	<b>32 CFR</b>	
71.....12620	290.....12650	<b>49 CFR</b>
97.....12621	<b>39 CFR</b>	1 (2 documents).....12659
400.....12640	132.....12619	1033 (2 documents).....12660
405.....12641	143.....12619	PROPOSED RULES:
PROPOSED RULES:		Ch. X.....12679
159.....12677	<b>50 CFR</b>	
<b>16 CFR</b>	10.....12660	
15 (4 documents).....12646, 12647	32 (7 documents).....12664, 12665	

Presidential Documents

Investing the President's Authority in the Federal and State Governments

# Presidential Documents

## Title 3—THE PRESIDENT

### Executive Order 11426

#### FEDERAL-STATE LIAISON AND COOPERATION

WHEREAS, at a meeting of the Cabinet on February 25, 1965, I designated the Director of the Office of Emergency Planning to serve as liaison with the Governors of the fifty States for the purpose of establishing and maintaining better understanding, increased cooperation, and improving the lines of communication between the President and State governors and between the executive agencies of the Federal Government and State governments; and

WHEREAS, the Director of the Office of Emergency Planning was designated because his office, through its national office and regional offices, is in constant contact with the State governors with respect to cooperative programs dealing with continuity of government, mobilization of resources, and Federal assistance in major natural disasters; and

WHEREAS, this function assigned to the Office of Emergency Planning has been performed for more than three years without the employment of any additional personnel, and has significantly advanced Federal-State relations, contributing to more efficient service to the American people, through many improvements in effective administration of jointly financed Federal-State programs, simplification of grant-in-aid procedures, expedition of decisions, consolidation of related programs, and advance consultation on proposed changes in federal programs and regulations affecting state and local governments; and

WHEREAS, during such period the Office of Emergency Planning has identified and resolved at least 1,300 questions, problems or complaints raised by the Governors during conferences which were attended by 285 top ranking Federal officials, 300 Federal regional and field officials, and more than 2,000 state officials; and

WHEREAS a resolution unanimously adopted by the National Governors' Conference in Cincinnati, Ohio, on July 24, 1968, described this liaison program as having "resulted in the best working partnership in the modern history of our Nation between the Governors and the Executive Branch of the Federal Government," and urged the President and the Congress "to give formal status to, and continue in the future \* \* \* the existing Federal-State relations program being carried on by the agency now established and functioning."

NOW, THEREFORE, by virtue of the authority vested in me by Section 2(e) of Reorganization Plan No. 1 of 1958 (72 Stat. 1799) and as President of the United States, it is hereby ordered as follows:

SECTION 1. In addition to his other duties, the Director of the Office of Emergency Planning shall also continue to act as the President's liaison with the Governors of the States and Territories, with the title of Assistant to the President for Federal-State Relations.

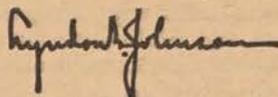
SEC. 2. The Office of Emergency Planning, its Regional Directors, staff and employees, shall assist the Director in carrying out these additional responsibilities. To accomplish continued and effective liaison with and assistance to the Governors and State agencies, the Office of Emergency Planning shall continue to serve as the clearing house for the prompt handling and solution of Federal-State problems involving the executive branches of the Federal and State governments.

## THE PRESIDENT

SEC. 3. (a) All Federal departments, agencies, and Regional Federal Executive Boards shall continue to extend full cooperation and assistance to the Assistant to the President for Federal-State Relations and to the Office of Emergency Planning in carrying out their responsibilities under this order. The Assistant to the President for Federal-State Relations and the Office of Emergency Planning shall be available to and assist, upon request, all Federal departments and agencies with problems which may arise between them and the executive agencies of the States and Territories.

(b) The head of each Federal department and agency shall designate an appropriate official with broad general experience in his department or agency, upon request by the Assistant to the President for Federal-State Relations, to serve as a point of contact in carrying out Federal-State liaison activities under this order.

SEC. 4. Nothing in this order shall be construed as subjecting any Federal department or agency, or function thereof, to the authority of the Director of the Office of Emergency Planning or the Assistant to the President for Federal-State Relations.



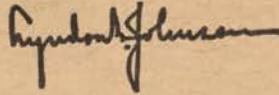
THE WHITE HOUSE,  
*August 31, 1968.*

[F.R. Doc. 68-10850; Filed, Sept. 4, 1968; 3:03 p.m.]

**Executive Order 11427**

**TERMINATING THE MARITIME ADVISORY COMMITTEE**

By virtue of the authority vested in me as President of the United States, the Maritime Advisory Committee established by Executive Order No. 11156 of June 17, 1964, is hereby terminated and that order is revoked.



THE WHITE HOUSE,  
*September 4, 1968.*

[F.R. Doc. 68-10890; Filed, Sept. 5, 1968; 11:13 a.m.]

# Rules and Regulations

The following rules and regulations shall govern the conduct of all members of the organization. It is the duty of every member to observe these rules and regulations and to report any violation to the proper authorities.

1. All members shall be treated as equals and shall have the right to express their views on any matter.

2. No member shall engage in any activity that is detrimental to the interests of the organization.

3. All members shall be required to attend all meetings and to participate actively in the work of the organization.

4. No member shall be allowed to speak at any meeting unless he or she has been given the floor by the presiding officer.

5. All members shall be required to pay the dues specified in the constitution of the organization.

6. No member shall be allowed to resign from the organization without the approval of the proper authorities.

7. All members shall be required to observe the highest standards of moral and ethical conduct.

8. No member shall be allowed to engage in any activity that is illegal or that is in violation of the laws of the United States.

9. All members shall be required to maintain the confidentiality of any information that is disclosed to them in the course of their duties.

10. No member shall be allowed to engage in any activity that is in violation of the rules and regulations of the organization.

These rules and regulations shall be subject to change from time to time as may be deemed necessary by the proper authorities.

Approved and adopted by the Board of Directors on this 1st day of January, 1950.

Secretary

President

# Rules and Regulations

## Title 18—CONSERVATION OF POWER AND WATER RESOURCES

### Chapter I—Federal Power Commission

[Docket No. R-330; Order 365-A]

#### PART 154—RATE SCHEDULES AND TARIFFS

##### Statement of Lateral Line Policy in Rate Schedules Filed by Natural Gas Pipeline Companies; Denying Public Service Electric and Gas Company's Petition for Rehearing

AUGUST 28, 1968.

By Order No. 365, issued July 8, 1968, the Commission amended § 154.39 of its regulations (18 CFR 154.39) to clarify the requirement that the tariffs filed by natural gas companies set out their policies as to when and how much they will contribute to build lateral lines to reach their customers. July 30, 1968, Public Service Electric and Gas Co., Newark, N.J. ("Public Service"), by its attorney, Edward S. Kirby, Esq., petitioned for rehearing of this order.

Public Service's petition for rehearing argues that the new rule will allow changes in tariffs without notice to the customers or opportunity for hearing. However, this ignores the fact that under section 4 (c) and (d) of the Natural Gas Act (15 U.S.C. section 717c (c) and (d)) and § 154.22 of the Commission's regulations (18 CFR 154.22), no tariff charge can take effect without at least 30 days posting, and § 154.22 (18 CFR 154.22) makes it clear that posting includes mailing a copy to "each customer affected". Comments can be filed within 15 days (18 CFR 154.27), and, where appropriate, hearings are held.

Public Service also expresses concern that the Commission will require a single treatment for new laterals and enlargements of old laterals. But, as we said in Order No. 365:

We recognize that the economics of constructing a lateral to a new customer may differ from the economics of lateral construction to an existing customer. Accordingly, there is nothing inherently objectionable in a policy statement which creates separate sets of criteria with respect to new and existing purchasers, as long as the difference does not embody undue discrimination against either group.

Clarification of Order No. 365 (R-330) is, however, in order to correct the indication that Public Service supported the rule. The words "the distribution company," will be dropped from the third sentence of the second paragraph which, as revised, will read: "The municipalities and one pipeline company support the proposals with minor qualifications; \* \* \*".

The Commission orders:

(A) The words "the distribution company," are deleted from the third sentence of the second paragraph of the order.

(B) The Petition for rehearing filed July 30, 1968, filed by Public Service Electric and Gas Company, is hereby denied.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 68-10737; Filed, Sept. 5, 1968; 8:45 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER C—DRUGS

#### PART 148c—COLISTIN

##### Sodium Colistimethate for Injection

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the antibiotic drug regulation providing for certification of sodium colistimethate for injection is amended as follows to delete references to quantities per vial, to change the reference regarding dibucaine hydrochloride to "a suitable local anesthetic," and to effect certain editorial changes.

Accordingly, § 148c.5 is amended by revising paragraphs (a) (1) and (3) (i) (b) (1) and (b) (1) to read as follows:

##### § 148c.5 Sodium colistimethate for injection.

(a) *Requirements for certification—*  
(1) *Standards of identity, strength, quality, and purity.* Sodium colistimethate for injection is a dry mixture of sodium colistimethate and a suitable local anesthetic with or without a suitable buffer substance and preservative. Its content of colistimethate is satisfactory if it is not less than 90 percent nor more than 120 percent of the number of milligrams of colistimethate that it is represented to contain. It is sterile. It is nonpyrogenic. It is nontoxic. When reconstituted as directed in the labeling, its pH is not less than 5.5 and not more than 6.5. Its moisture content is not more than 9 percent. The sodium colistimethate used conforms to the standards prescribed by § 148c.4 (a) (1) (i), (v), (vi), (vii), (viii), and (ix). Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(3) \* \* \*  
(ii) \* \* \*  
(b) \* \* \*

(1) For all tests except sterility: A minimum of 12 vials or if each vial contains less than 150 milligrams of colistimethate a minimum of 25 vials.

(b) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 148c.4 (b) (1), after suspending the drug as directed in the labeling and removing the entire contents of each vial with a syringe and needle.

This order effects technical and editorial changes in the subject antibiotic drug regulation and is nonrestrictive and noncontroversial in nature; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

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

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

Dated: August 29, 1968.

HERBERT L. LEY, JR.,  
Commissioner of Food and Drugs.

[F.R. Doc. 68-10779; Filed, Sept. 5, 1968; 8:48 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### PART 132—SECOND CLASS

#### PART 143—METERED STAMPS

##### Second-Class Rates and Meter Reply Postage

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

I. In § 132.4 paragraph (a) is revised to give additional information on the mailing of complete and incomplete copies of second-class mail.

##### § 132.4 What may be mailed at second-class rates.

(a) *Complete copies.* Copies of the regular issues containing all of the pages may be mailed at the applicable second-class rates provided by § 132.1 (a) and (b) to subscribers, as samples (see § 132.4 (f) (1) for limitation), and as provided for by § 132.2(c). The transient rate provided by § 132.1(c) applies to copies mailed to nonsubscribers and as excess samples. Copies which are not complete by reason of having pages or portions of pages removed must be charged with postage at the applicable third- or fourth-class rates.

NOTE: The corresponding Postal Manual section is 132.41.

II. Section 143.5 is revised to furnish instructions on how to prepare the address side of a reply mail prepaid by meter stamp.

§ 143.5 Meter reply postage.

Meter stamps may be used to prepay reply postage on letters and postcards under the following conditions:

(a) Meter stamps must be printed directly on the envelope or card that bears

the return address of the meter license holder in the amount sufficient to prepay in full the first-class or airmail rate.

(b) Any photographic, mechanical, or electronic process, or any combination of such processes, other than handwriting, typewriting, or handstamping, may be used to prepare the address side of reply mail prepaid by meter stamps. The address side must be prepared both as to style and content in the following form without the addition of any matter other than a return address:

(Meter stamp to be placed here)

NO POSTAGE STAMP NECESSARY  
POSTAGE HAS BEEN PREPAID BY

John Doe Company  
123 Tremont Street  
New York, N.Y. 10010

(c) Reply mail prepaid by meter stamps will be delivered only to the address of the meter license holder. If the address is altered, the mail will be held for postage.

NOTE: The corresponding Postal Manual section is 143.5.

As the foregoing amendments relate to a proprietary function of the Government and do not affect substantive rights, advance notice, public rule making procedures, or a delayed effective date are unnecessary.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,  
General Counsel.

AUGUST 30, 1968.

[F.R. Doc. 68-10765; Filed, Sept. 5, 1968; 8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

#### SUBCHAPTER C—AIRCRAFT

[Docket No. 68-CE-11-AD; Amdt. 39-650]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Certain Models of Cessna Airplanes

Amendment 39-639 (33 F.R. 11975), AD-68-17-4, requires on the Cessna model aircraft referred to therein including Cessna Model 177 aircraft a preflight test of the pneumatic stall warning system, the installation of a placard to remind the pilot to perform the test and a modification to the airplane by the in-

stallation of Cessna reed assembly Part No. 0413483-2 and the affixing of 18 x 14 or 18 x 16 mesh screens over the system openings. Subsequent to its issuance the manufacturer informed the Federal Aviation Administration that Cessna Model 177 aircraft are equipped with a headliner in the cabin which adequately protects the horn bell and prevents the entrance of foreign objects. Since the Federal Aviation Administration has determined that the headliner offers satisfactory protection, the mesh screen required to be placed over the horn bell in the cabin by paragraph C of the airworthiness directive need not be installed in Cessna Model 177 aircraft. Consequently, paragraph C of the airworthiness directive is being amended by the addition of a footnote which exempts Cessna Model 177 aircraft from compliance with the requirement of installing a mesh screen over the horn bell inside the cabin.

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-639 (33 F.R. 11975), AD 68-17-4, is amended by adding the following footnote to paragraph C of the airworthiness directive:

FOOTNOTE: The mesh screen need not be installed in the cabin of Cessna Model 177 aircraft.

This amendment becomes effective September 7, 1968.

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

Issued in Kansas City, Mo., on August 28, 1968.

DANIEL E. BARROW,  
Acting Director, Central Region.

[F.R. Doc. 68-10770; Filed, Sept. 5, 1968; 8:48 a.m.]

#### SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 68-AL-9]

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

#### Alteration of Control Zone and Transition Area

On July 2, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 9620) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Unalakleet, Alaska, control zone and transition area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., November 14, 1968, as hereinafter set forth.

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

#### UNALAKLEET, ALASKA

Within a 5-mile radius of the Unalakleet Airport (lat. 63°53'10" N., long. 160°47'40" W.); within 2 miles each side of the Unalakleet RR northwest course, extending from the 5-mile radius zone to 14 miles northwest of the RR; within 2 miles each side of the Unalakleet VOR 225° radial, extending from the 5-mile radius zone to 14 miles southwest of the VOR; and within 2 miles each side of the Unalakleet TACAN 175° radial, extending from the 5-mile radius zone to 10.5 miles south of the TACAN. This control zone is effective from 0545 to 2145 hours, local time, daily.

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

#### UNALAKLEET, ALASKA

That airspace extending upward from 700 feet above the surface within 5 miles north and 8 miles south of the Unalakleet RR northwest course, extending from the RR to 17 miles northwest of the RR; and within 8 miles northwest and 5 miles southeast of the Unalakleet VOR 225° radial, extending from the VOR to 17 miles southwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within 7 miles northeast and 8 miles southwest of the RR southeast and northwest courses, extending from 7 miles southeast to 23 miles northwest of the RR.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1510); and Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on August 29, 1968.

H. B. HELSTROM,  
Chief, Airspace and Air  
Traffic Rules Division.

[F.R. Doc. 68-10771; Filed, Sept. 5, 1968; 8:48 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES  
[Reg. Docket No. 9080; Amdt. 612]

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:

- Miami, Fla.—Miami International, ADF 3, Amdt. 6, 29 Jan. 1966 (established under Subpart C).
- Miami, Fla.—Miami International, ADF 1, Amdt. 5, 2 Apr. 1966 (established under Subpart C).
- Allegan, Mich.—Padgham Field, VOR Runway 27, Orig., 17 Aug. 1967 (established under Subpart C).
- Gaylord, Mich.—Otsego County, VOR 1, Orig., 21 July 1966 (established under Subpart C).
- Gulfport, Miss.—Gulfport Municipal, VOR Runway 13, Amdt. 3, 29 July 1967 (established under Subpart C).
- Miami, Fla.—Miami International, VOR 1, Amdt. 15, 29 Jan. 1966 (established under Subpart C).
- Rapid City, S. Dak.—Rapid City Municipal, VOR 1, Amdt. 12, 5 Nov. 1966 (established under Subpart C).

2. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

- Rapid City, S. Dak.—Rapid City Municipal, VOR/DME No. 1, Amdt. 3, 5 Nov. 1966 (established under Subpart C).

3. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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. 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		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
LMT VOR	LFA RBn	Direct	8500	T-dn%	300-1	300-1	200- $\frac{1}{4}$
Mountain Dome Int.	LFA RBn	Direct	7500	C-dn	800-1	800-1	800- $\frac{1}{4}$
LMT VOR, 17-mile DME Fix, R 162° counter-clockwise	LMT VOR, 17-mile DME Fix, R 140°	17-mile DME Arc	8500	S-dn-32°#	300- $\frac{3}{4}$	300- $\frac{3}{4}$	300- $\frac{3}{4}$
LMT VOR, 17-mile DME Fix, R 140°	LFA RBn (final)	Direct	7100	A-dn	800-2	800-2	800-2

Radar available.

Procedure turn S side of crs, 139° Outbnd, 319° Inbnd, 7500' within 10 miles of LFA RBn.

Minimum altitude at glide slope interception Inbnd, 7100'.

Altitude of glide slope and distance to approach end of runway at LFA, 7038'—10.5 miles; at OM, 5721'—5.8 miles; at MM, 4308'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb straight ahead on runway heading to 4600', thence make a climbing left turn direct to LFA RBn, continue climb on SE crs, LMT LCLZR to 7500', within 10 miles of LFA RBn or, when directed by ATC, climb direct to LMT VOR, turn left and climb to 7500' on R 256° LMT VOR within 10 miles. All maneuvering N of R 256°.

CAUTION: High terrain all quadrants.

NOTE: Back crs unusable.

% Takeoffs all runways: Climb via LMT LCLZR SE crs/LMT VOR, R 140° to 6000', then turn right heading, 250° to intercept and proceed via LMT VOR, R 162° to cross LMT VOR at or above 7000'; westbound, V122—6000'.

% 200- $\frac{1}{4}$  authorized only Runway 14. 300-1 required Runway 32. 500-1 required Runways 7/25 and 18/36.

\*FAIR CARRIER NOTE: Sliding scale for landing not authorized.

\*Procedure not authorized with glide slope inoperative. The ALS is not a component of LMT ILS.

MSA within 25 miles of LFA RBn. 000°-090°—8300'; 090°-360°—9300'.

City, Klamath Falls; State, Ore.; Airport name, Kingsley Field; Elev., 4092'; Fac. Class., ILS; Ident., I-LMT; Procedure No. ILS Runway 32, Amdt. 8; Eff. date 10 Sept. 68; Sup. Amdt. No. 7; Dated, 9 Nov. 67

## RULES AND REGULATIONS

4. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

- Miami, Fla.—Miami International, ILS-9L, Amdt. 5, 25 June 1966 (established under Subpart C).  
 Miami, Fla.—Miami International, ILS-9R, Amdt. 2, 5 Feb. 1966 (back crs.) (established under Subpart C).  
 Miami, Fla.—Miami International, ILS-27L, Amdt. 5, 25 June 1966 (established under Subpart C).  
 Miami, Fla.—Miami International, ILS-27R, Amdt. 3, 25 Dec. 1965 (back crs.) (established under Subpart C).

5. By amending § 97.19 of Subpart B to delete radar procedures as follows:

- Miami, Fla.—Miami International, Radar 1, Amdt. 9, 14 Oct. 1967 (established under Subpart C).

6. 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: 5.6 miles after passing Big Lake Int.
PMM VORTAC	Big Lake Int	Direct	2900	Climb to 3000' proceed direct to PMM
Orangeville Int.	Gun Int.	D R, 300° and PMM, R 073°	2900	VORTAC.
Gun Int.	Big Lake Int (NOPT)	Direct	2400	Supplementary charting information: TDZ elevation, 704'.

Procedure turn N side of crs, 073° Outbnd, 253° Inbnd, 2900' within 10 miles of Big Lake Int.

FAF, Big Lake Int. Final approach crs, 253°. Distance FAF to MAP, 5.6 miles.

Minimum altitude over Big Lake Int., 2400'.

MSA: 000°-090°-2900'; 090°-180°-2400'; 180°-360°-2100'.

NOTES: (1) Use Grand Rapids, Mich., altimeter setting. (2) Dual VOR receivers or DME required.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-28	1300	1	596	1300	1	596	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1300	1	594	1300	1	594	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.			T over 2-eng.—Standard.		

City, Allegan; State, Mich.; Airport name, Padgham Field; Elev., 706'; Facility, PMM; Procedure No. VOR Runway 28, Amdt. 1; Eff. date, 19 Sept. 68; Sup. Amdt. No. VOR Runway 27, Orig.; Dated, 17 Aug. 67

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	Map: GLE VOR
Jordan Int.	GLR VOR	Direct	2800	Climb to 2900' on GLR, R 268° and return to VOR. Supplementary charting information: 130' lighted water tower, approximately 3500' NE, Runway 27. TDZ elevation, 1335'.

Procedure turn N side of crs, 088° Outbnd, 268° Inbnd, 2600' within 10 miles of GLR VOR.

Final approach crs, 268°.

MSA: 000°-360°-2800'.

NOTE: Use Pellston altimeter setting.

\*Night minimum visibility, 2 miles.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
*S-27	2100	1	765	2100	1¼	765	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
*C	2100	1	765	2100	1¼	765	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.			T over 2-eng.—Standard.		

City, Gaylord; State, Mich.; Airport name, Otsego County; Elev., 1335'; Facility, GLR; Procedure No. VOR Runway 27, Amdt. 1; Eff. date, 19 Sept. 68; Sup. Amdt. No. VOR 1, Orig.; Dated, 21 July 68

RULES AND REGULATIONS

12623

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.
R 242°, GPT VORTAC counterclockwise.....	R 208°, GPT VORTAC.....	7-mile DME Arc.....	1500	Climb to 2500' via R 339° to Mouse Int and hold or, when directed by ATC, climbing left turn to 1600' direct to GPT VORTAC and hold. Supplementary charting information. Mouse holding; hold NW, 159° Inbnd, 1-minute right turns. GPT holding; hold NW, 140° Inbnd, 1-minute right turns. TDZ elevation, 28'.
Henderson Int.....	Edgewater Int (NOPT).....	Direct.....	1500	
7-mile DME Arc.....	2-mile DME GPT, R 208° (NOPT)....	GPT, R 208°.....	660	

Procedure turn E side of crs, 208° Outbnd, 028° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 028°.

Minimum altitude over 2-mile DME, GPT R 208°, 660'.

MSA: 090°-270°-1500'; 270°-090°-2600'.

\*Night operations authorized Runways 13/31 only.

@Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.

#Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4#.....	600	1	632	660	1	632	660	1¼	632	660	1½	632
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#.....	680	1	652	680	1	652	680	1½	652	680	2	652
VOR/DME Minimums:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4#.....	600	1	572	600	1	572	600	1	572	600	1¼	572
A.....	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 4, Amdt. Orig.; Eff. date, 19 Sept. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.
R 242°, GPT VORTAC clockwise.....	R 320°, GPT VORTAC (NOPT)....	7-mile DME Arc.....	1800	Climbing right turn to 1500' via R 242° to Morris Int and hold or, when directed by ATC, climb to 1500'; proceed to Hawkeye Int via R 180° and hold. Supplementary charting information: Morris holding; hold SW, 062° Inbnd, 1-minute right turns. Hawkeye holding; hold S, 300° inbnd, 1-minute right turns. TDZ elevation, 24'.
R 068°, GPT VORTAC counterclockwise.....	R 320°, GPT VORTAC (NOPT)....	7-mile DME Arc.....	1800	

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 140°.

MSA: 090°-270°-1500'; 270°-090°-2600'.

\*Night operations authorized Runways 13/31 only.

@Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.

#Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13#.....	460	¾	436	460	¾	436	460	¾	436	460	1	436
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#.....	680	1	652	680	1	652	680	1½	652	680	2	652
A.....	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 13, Amdt. 4; Eff. date, 19 Sept. 68; Sup. Amdt. No. 3; Dated, 29 July 67

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: GPT VORTAC.
From—	To—	Via		
R 330°, GPT VORTAC clockwise.....	R 045°, GPT VORTAC.....	7-mile DME Arc.....	1800	Climb to 1500' via R 242° to Morris Int and hold or, when directed by ATC, climb to 1500' via R 180° to Hawkeye Int and hold. Supplementary charting information: Morris holding; hold SW, 062° Inbnd, 1-minute right turns. Hawkeye holding; hold S, 360° Inbnd, 1-minute right turns. TDZ elevation, 27'.
R 058°, GPT VORTAC counterclockwise.....	R 045°, GPT VORTAC.....	7-mile DME Arc.....	1800	
7-mile DME Arc.....	4-mile DME GPT, R 045° (NOPT).....	GPT, R 045°.....	680	

Procedure turn N side of crs, 045° Outbnd, 225° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 225°.

Minimum altitude over 4-mile DME GPT, R 045°, 680'.

MSA: 090°-270°-1500'; 270°-090°-2600'.

\*Night operations authorized Runways 13/31 only.

@Alternate minimum not authorized when control zone not effective except for operators with approved weather reporting service.

#Use mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22*#.....	680	1	653	680	1	653	680	1½	653	680	1½	653
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*#.....	680	1	652	680	1	652	680	1½	652	680	2	652
VOR/DME Minimums:												
S-22*#.....	460	1	433	460	1	433	460	1	433	460	1	433
A.....	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 22, Amdt. Orig.; Eff. date, 19 Sept. 68

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: GPT VORTAC.
From—	To—	Via		
R 058°, GPT VORTAC clockwise.....	R 124°, GPT VORTAC.....	7-mile DME Arc.....	1600	Climbing left turn to 1500' via R 242° to Morris Int and hold or, when directed by ATC, climb to 2500', R 330° to Mouse Int and hold. Supplementary charting information: Morris holding; hold SW, 062° Inbnd, 1-minute right turns. Mouse holding; hold NW, 159° Inbnd, 1-minute right turns. TDZ elevation, 25'.
R 242°, GPT VORTAC counterclockwise.....	R 124°, GPT VORTAC.....	7-mile DME Arc.....	1600	
7-mile DME Arc.....	4-mile DME GPT, R 124° (NOPT).....	GPT, R 124°.....	480	

Procedure turn N side of crs, 124° Outbnd, 304° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 124°.

Minimum altitude over 4-mile DME GPT, R 124°, 480'.

MSA: 090°-270°-1500'; 270°-090°-2600'.

NOTE: Inoperative table does not apply to HIRL Runway 31.

\*Night operations authorized Runways 13/31 only.

@Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

#Use mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31*#.....	480	1	455	480	1	455	480	1	455	480	1	455
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*#.....	680	1	652	680	1	652	680	1½	652	680	2	652
VOR/DME MINIMUMS:												
S-31*#.....	420	1	395	420	1	395	420	1	395	420	1	395
A.....	Standard.@			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 31, Amdt. Orig.; Eff. date, 19 Sept. 68

RULES AND REGULATIONS

12625

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Minimum altitudes (feet)	Missed approach MAP: 4 miles after passing Marty Int.
From—	To—	Via			
Miami VORTAC	Marty Int.	R 139°		1000	Climb to 1500' direct BSY VOR. Supplementary charting information: VASI, Runway 12. TDZ elevation, 9'.

Procedure turn not authorized. Approach crs (profile), starts at Miami VORTAC. FAF, Marty Int. Final approach crs, 139°. Distance FAF to MAP, 4 miles. Minimum altitude over MIA VORTAC, 1500'; over Marty VHF/LF/DME 9-mile Fix, 1000'. MSA: 000°-180°-2000'; 180°-270°-1600'; 270°-360°-1200'.  
NOTE: ASR.  
\*Reduction in visibility not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-12"	420	1	411	420	1	411	420	1	411	420	1/4	411
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	460	1	451	460	1	451	460	1/4	451	560	2	551
A	Standard.			T 2-eng. or less—RVR 24, 9L, and 27L, standard other runways.			T over 2-eng.—RVR 24, 9L, and 27L, standard other runways.					

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility, MIA; Procedure No. VOR Runway 12, Amdt. 16; Eff. date, 19 Sept. 68; Sup. Amdt. No. VOR 1, Amdt. 15; Dated, 29 Jan. 66

Terminal routes				Minimum altitudes (feet)	Missed approach MAP: 3.8 miles after passing RAP VORTAC.
From—	To—	Via			
R 027°, RAP VORTAC clockwise	R 142°, RAP VORTAC	7-mile Arc		4500	Climb to 4700' on R 322° within 10 miles, return to RAP VORTAC. Supplementary charting information: TDZ elevation, 3157'.
R 275°, RAP VORTAC counterclockwise	R 238°, RAP VORTAC	7-mile Arc		6000	
R 285°, RAP VORTAC counterclockwise	R 142°, RAP VORTAC	7-mile Arc		5600	
7-mile Arc	RAP VORTAC (NOPT)	RAP, R 322°		4300	

Procedure turn E side of crs, 142° Outbnd, 322° Inbnd, 4500' within 10 miles of RAP VORTAC. FAF, RAP VORTAC. Final approach crs, 322°. Distance FAF to MAP, 3.8 miles. Minimum altitude over RAP VORTAC, 4300'. MSA: 000°-180°-4500'; 180°-270°-3200'; 270°-360°-7200'.  
NOTE: Radar vectoring.  
\*Inoperative table does not apply to REIL Runway 32.  
% IFR departures: For aircraft departing SW on V-26 takeoffs Runways 14, 32, and 1, climb to 4200' on takeoff heading before proceeding on crs. Runway 19 takeoffs turn right, climb to 4200' on 320° heading before proceeding on crs. Restrictions required by 7242' terrain 22 miles SW.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
8-32"	3440	3/4	283	3440	3/4	283	3440	3/4	283	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	3560	1	378	3660	1	478	3660	1 1/2	478	NA
A	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%			

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3182'; Facility, RAP; Procedure No. VOR Runway 32, Amdt. 12; Eff. date, 19 Sept. 68; Sup. Amdt. No. VOR 1, Amdt. 12; Dated, 5 Nov. 66

## RULES AND REGULATIONS

## STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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: MLU, R 025°—21.4-mile DME Fix.	
MLU VORTAC.....	MLU, R 025°—9-mile DME.....	Direct.....	4000	Climbing right turn to 4000' intercepting MLU VORTAC, R 025° direct to MLU VORTAC and hold. Supplementary charting information: Hold SW of MLU VORTAC on R 216°—036° Inbnd, right turns, 1 minute.	

Procedure turn not authorized.

Final approach crs, 025°.

Minimum altitude over MLU VORTAC, R 025°—9-mile DME, 4000'; over 17-mile DME, 1700'.

MSA: 140°—230°—3100'; 230°—140°—1900'.

NOTE: Use Monroe, La., altimeter setting.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	700	1	533	700	1	533	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Bastrop; State, La.; Airport name, Morehouse Memorial; Elev., 167'; Facility, MLU; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 19 Sept. 68

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: BPR R-350°, 23.8-mile DME Fix.	
BPR VORTAC.....	R 350°—27-mile DME.....	Direct.....	3000	Climb to 3000' on BPR, R 350° direct to BPR VORTAC and hold.	
R 018°, BPR VORTAC counterclockwise.....	R 350°, BPR VORTAC.....	32-mile Arc BPR, R 354° lead radial.	3000	Supplementary charting information: Hold NW of Bridgeport VORTAC, R 306°, Inbnd 128°, right turns, 1-minute pattern.	
R 306°, BPR VORTAC clockwise.....	R 350°, BPR VORTAC.....	32-mile Arc BPR, R 346° lead radial.	3000	Depict: Tower, 2 miles SW of airport, 1460', tower, 3 miles WSW of airport, 1444'. TDZ elevation, 1090'.	
32-mile Arc.....	27-mile DME, R 350° (NOPT).....	BPR, R 350°.....	2700		

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3000' within 10 miles of 27-mile DME Fix.

Final approach crs, 170°.

Minimum altitude over 27-mile DME, 2700'.

NOTE: Use Fort Worth, Tex., altimeter setting.

\*CAUTION: Maneuvering not authorized W of airport as defined by extension of runway centerline.

%South takeoff turn E to avoid tower, 1460'—2 miles SW of airport.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-17.....	1680	1	590	1680	1	590	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C*.....	1680	1	580	1680	1	580	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard. %			T over 2 eng.—Standard. %	

City, Bowie; State, Tex.; Airport name, Bowie Municipal; Elev., 1100'; Facility, BPR; Procedure No. VOR/DME Runway 17, Amdt. Orig.; Eff. date, 19 Sept. 68

RULES AND REGULATIONS

12627

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5-mile DME Fix, R 321° RAP VORTAC.
RAP VORTAC.....	10-mile DME Fix, R 321°.....	Direct.....	4700	Climb to 4500' direct to RAP VORTAC.
R 238°, RAP VORTAC clockwise.....	R 275°, RAP VORTAC.....	16-mile Arc.....	7200	Supplementary charting information;
R 275°, RAP VORTAC clockwise.....	R 300°, RAP VORTAC.....	16-mile Arc.....	6600	TDZ elevation, 3182'.
R 300°, RAP VORTAC clockwise.....	R 321°, RAP VORTAC.....	16-mile Arc.....	5500	
16-mile DME Arc.....	10-mile DME Fix, R 321° (NOPT).....	Direct.....	4900	
R 072°, RAP VORTAC counterclockwise.....	R 321°, RAP VORTAC.....	16-mile Arc.....	4700	

Procedure turn E side of crs, 321° Outbnd, 141° Inbnd, 4700' within 10 miles of 10-mile DME Fix, R 321°, RAP VORTAC.

Final approach crs, 141°.

Minimum altitude over 10-mile DME Fix, R 321°—4600'

MSA: 090°-180°—4500'; 180°-270°—8200'; 270°-360°—7200'.

Note: Radar vectoring.

\*Inoperative table does not apply to HIRL or REIL, Runway 14.

% IFR departures: For aircraft departing SW on V-26 takeoffs Runways 14, 32, and 1, climb to 4200' on takeoff heading before proceeding on crs. Runway 19 takeoffs turn right, climb to 4200' on 320° heading before proceeding on crs. Restriction required by 7242', terrain 22 miles SW.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-14°.....	3740	1	558	3740	1	558	3740	1	558	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	3740	1	558	3740	1	558	3740	1½	558	NA
A.....	Standard.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %			

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3182'; Facility, RAP; Procedure No. VOR/DME Runway 14, Amdt. 4; Eff. date, 19 Sept. 68; Sup. Amdt. No. VOR/DME No. 1, Amdt. 3; Dated, 5 Nov. 66

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: FYV R 252°, 18.2-mile DME Fix.
FYV VORTAC.....	R 252°, FYV VORTAC, 11-mile DME Fix.....	Direct.....	3000	Climb to 3000', right turn to FYV VORTAC, R 261° direct Gentry Int and hold.
R 183°, FYV VORTAC clockwise.....	R 252°, FYV VORTAC (NOPT).....	11-mile Arc FYV, R 242° lead radial.....	3000	Supplementary charting information: Hold W of Gentry DME Int on FYV VORTAC, R 261°, left turns 4 NM pattern.
R 330°, FYV VORTAC counterclockwise.....	R 252°, FYV VORTAC (NOPT).....	11-mile Arc FYV, R 262° lead radial.....	3000	

Procedure turn not authorized.

Final approach crs, 252°.

Minimum altitude over 11-mile DME, 3000'; over 14-mile DME, 2200'.

MSA: 090°-180°—3500'; 180°-090°—3100'.

Note: Use Fayetteville, Ark., altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	1660	1	483	1660	1	483	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Siloam Springs; State, Ark.; Airport name, Smith Field; Elev., 1177'; Facility, FYV; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 19 Sept. 68

RULES AND REGULATIONS

7. By amending § 97.23 of Subpart C to amend 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: GSW VORTAC.	
				Climbing right turn to 2000' on crs, 10' within 15 miles. Supplementary charting information: TDZ elevation, 568'.	

Procedure turn N side of crs, 313° Outbnd, 133° Inbnd, 2200' within 10 miles of GSW VORTAC.  
Final approach crs, 133°.  
Minimum altitude over Bedford Int, 1600'.  
MSA: 090°-180°-3400'; 180°-270°-2800'; 270°-090°-2300'.  
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	980	R 7 R 24	412	980	RVR 24	412	980	RVR 24	412	980	RVR 50	412
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1020	1	452	1020	1	452	1020	1½	452	1120	2	552
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Fort Worth; State, Tex.; Airport name, Greater Southwest International Dallas-Fort Worth; Elev., 568'; Facility, GSW; Procedure No. VOR Runway 13, Amdt. 8; Eff. date, 19 Sept. 68; Sup. Amdt. No. 7, Dated, 18 July 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

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: 11.7-mile DME Fix R 124.	
GSW VORTAC	Stack Int.	Direct	2500	Climb to 2500' on R 124° within 20 miles. Supplementary charting information: Tower, 2 miles S of airport, 1000'. Tower, 2.5 miles NW of airport, 949'. Tower, 1.4 miles NW of airport, 830'. TDZ elevation, 660'.	

Procedure turn not authorized. Approach crs (profile) starts at Stack Int.  
Final approach crs, 124°.  
Minimum altitude over Stack Int, 2500'; over 9-mile DME Fix, 1200'.  
MSA: 090°-180°-3400'; 180°-270°-2800'; 270°-090°-2300'.  
NOTE: Radar vectoring.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-13	1140	1	480	1140	1	480	1140	1	480	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1160	1	500	1160	1	500	1160	1½	500	NA
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Dallas; State, Tex.; Airport name, Redbird; Elev., 660'; Facility, GSW; Procedure No. VOR/DME Runway 13, Amdt. 2; Eff. date, 19 Sept. 68; Sup. Amdt. No. 1; Dated, 27 June 68

RULES AND REGULATIONS

12629

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: Lodi DME Fix.
Wayne DME Fix.....	Clifton DME Fix (NOPT).....	Direct.....	1500	Climbing left turn to 2500' direct to Wayne Int and hold. Supplementary charting information: Hold NW, 1-minute right turns, 126° Inbnd. 093', tower, 1.4 miles N of airport.

Procedure turn not authorized. Approach crs (profile), starts at Wayne DME Fix at 2500'.  
Final approach crs, 126°.  
Minimum altitude over Wayne DME, 2500'; over Clifton DME, 1500'; over Lodi DME, 1000'.  
MSA: 000°-090°-2600'; 090°-180°-1600'; 180°-270°-2600'; 270°-360°-2600'.  
NOTES: (1) Radar required. (2) Inoperative visual aids table does not apply.  
%Runways 1, 6, 19, 24 IFR departures must comply with published Teterboro SID's.  
IFR departure procedures: Runway 19 requires 290'/mile climb rate to 800'. Runway 24 requires 270'/mile climb rate to 800'.

DAY AND NIGHT MINIMUMS

Cond	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C.....	1000	1¼	993	1000	1½	993	1000	1¼	993	NA
A.....	1200-2		T 2-eng. or less—Runway 1, 700-1; Standard all others. %					T over 2-eng.—Runway 1, 700-1; Standard all others. %		

City, Teterboro; State, N.J.; Airport name, Teterboro; Elev., 7'; Facility, LGA; Procedure No. VOR/DME-1, Amdt. 1; Eff. date, 19 Sept. 68; Sup. Amdt. No. Orig.; Dated, 30 May 68

8. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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 altitude (feet)	MAP: 4.7 miles after passing Innes Int.
MIA VORTAC.....	Innes Int.....	Direct.....	1500	Climb to 1500' on LOC crs, 087° to Ocean-side Int. Supplementary charting information: VASI, Runway 12. TDZ elevation, 8'.
Portland NDB/OM.....	Innes Int.....	Direct.....	1500	
Orange NDB/OM.....	Innes Int.....	Direct.....	1500	
Glades Int.....	Innes Int (NOPT).....	Direct.....	1300	

Procedure turn N side of crs 267° Outbnd, 087° Inbnd, 1500' within 10 miles of Innes Int.  
FAF, Innes Int. Final approach crs, 087°. Distance FAF to MAP, 4.7 miles.  
Minimum altitude over Innes Int, 1300'.

NOTE: ABE.  
%RVE 24, Runway 9L, 27L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
B-9R.....	360	¾	352	360	¾	352	360	¾	352	360	1	352
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	460	1	451	460	1	451	460	1½	451	560	2	551
A.....	Standard.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility, I-MIA; Procedure No. LOC (BO) Runway 9R, Amdt. 3; Eff. date, 19 Sept. 68; Sup. Amdt. No. ILS-9R, Amdt. 2; Dated, 5 Feb. 66 (back crs)

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP; 4.4 miles after passing Flagler Int.	
BSY VOR.....	Flagler VHF Int.....	Direct.....	1500	Climb to 1500' on LOC crs, 267° to Krome Int.	
Bayshore VHF Int.....	Flagler VHF Int (NOPT).....	Direct.....	1500	Supplementary charting information: VASI, Runway 12. TDZ elevation, 9'.	

Procedure turn N. side of crs, 087° Outbnd, 267° Inbnd, 1500' within 10 miles of Flagler Int.  
 FAF, Flagler Int. Final approach crs, 267°. Distance FAF to MAP, 4.4 miles.  
 Minimum altitude over Flagler Int, 1500'.

Note: ASR.  
 %RVR 24, Runways 9L, 27L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-27R.....	460	¾	451	460	¾	451	460	¾	451	460	1	451
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	460	1	451	460	1	451	460	1½	451	560	2	551
A.....	Standard.			T 2-eng or less—Standard.%			T over 2-eng.—Standard.%					

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility I-MFA; Procedure No. Loc (BC) Runway 27R, Amdt. 4; Eff. date, 19 Sept. 68; Sup. Amdt. No. ILS-27R, Amdt. 3; Dated, 25 Dec. 65 (back crs)

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.5 miles after passing Boxelder Int.	
R 238°, RAP VORTAC clockwise.....	R 275°, RAP VORTAC.....	16-mile Arc.....	7200	Climb to 4500' on SE crs, ILS direct to	
R 275°, RAP VORTAC clockwise.....	R 300°, RAP VORTAC.....	16-mile Arc.....	6600	OM.	
R 300°, RAP VORTAC.....	RAP LOC.....	16-mile Arc RAP, R 314° lead radial.	5500	Supplementary charting information: TDZ elevation, 3182'.	
R 072°, RAP VORTAC counterclockwise.....	RAP LOC.....	14-mile Arc RAP, R 328° lead radial.	4700		
16-mile DME Arc.....	Boxelder Int (NOPT).....	LOC (BC).....	4100		

Procedure turn E side of crs, 319° Outbnd, 139° Inbnd, 4700' within 10 miles of Boxelder Int.  
 FAF, Boxelder Int. Final approach crs, 139°. Distance FAF to MAP, 3.5 miles.  
 Minimum altitude over Boxelder Int., 4100'.

NOTES: (1) Radar vectoring. (2) Dual VOR receivers or radar required.  
 \*Inoperative table does not apply to HIRL or REIL, Runway 14.

%IFR departures: For aircraft departing SW on V-26 takeoffs Runways 14, 32, and 1, climb to 4200' on takeoff heading before proceeding on crs. Runway 19 takeoffs turn right, climb to 4200' on 320° heading before proceeding on crs. Restriction required by 7242' terrain, 22 miles SW.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-14°.....	3680	1	498	3680	1	498	3680	1	498	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	3680	1	498	3680	1	498	3680	1½	498	NA
A.....	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%			

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3182'; Facility; Procedure No. LOC (BC) Runway 14, Amdt. Orig.; Eff. date, 19 Sept. 68

**RULES AND REGULATIONS**

12631

**STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC—Continued**

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.6 miles after passing OM.
R 027°, RAP VORTAC clockwise.....	RAP LOC.....	7-mile Arc RAP, R 121° lead radial.	4500	Climb to 5400' on NW crs, ILS within 10 miles, return to OM.
R 275°, RAP VORTAC counterclockwise.....	R 238°, RAP VORTAC.....	7-mile Arc.....	6000	Supplementary charting information: TDZ elevation, 3167'.
R 238°, RAP VORTAC counterclockwise.....	RAP LOC.....	7-mile Arc RAP, R 153° lead radial.	5500	
7-mile DME Arc.....	OM (NOPT).....	Localizer crs.....	4400	
RAP VORTAC.....	OM.....	Direct.....	4500	

Procedure turn E side of crs, 139° Outbnd, 319° Inbnd, 4500' within 10 miles of OM.  
 FAF, OM. Final approach crs, 319°. Distance FAF to MAP, 4.6 miles.  
 Minimum altitude over OM, 4400'.  
 Distance to runway threshold at OM, 4.6 miles.  
 Note: Radar vectoring.  
 \*Inoperative table does not apply to HIRL or REIL, Runway 32.  
 %IFR departures: For aircraft departing SW on V-26 takeoffs Runways 14, 32, and 1, climb to 4200' on takeoff heading before proceeding on crs. Runway 19 takeoffs turn right, climb to 4200' on 320° heading before proceeding on crs. Restriction required by 7242' terrain, 22 miles SW.

**DAY AND NIGHT MINIMUMS**

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-32°.....	3440	1	283	3440	1	283	3440	1	283	NA
	MDA	VIS	HAA	MDA	VIS	HAA				
C.....	3560	1	378	3660	1	478	3660	1½	478	NA
A.....	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%			

City, Rapid City; State, S. Dak.; Airport name, Rapid City Municipal; Elev., 3182'; Facility, I-RAP; Procedure No. LOC Runway 32, Amdt. Orig.; Eff. date, 19 Sept. 68  
 9. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

**STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)**

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: CIN NDB;
POD VOR.....	CIN NDB.....	Direct.....	3000	Climb to 2800' on 316° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline, 3700' from threshold. TDZ elevation, 1196'.
Mandla Int.....	CIN NDB.....	Direct.....	3000	
Menlo Int.....	CIN NDB.....	Direct.....	3000	

Procedure turn E side of crs, 136° Outbnd, 316° Inbnd, 3000' within 10 miles of CIN NDB;  
 Final approach crs, 316°.  
 Minimum altitude over CIN NDB, 1840' (1920' when using Des Moines altimeter setting).  
 MSA: 000°-360°—2800'.  
 \*Use Fort Dodge altimeter setting. Use Des Moines altimeter setting when Fort Dodge altimeter setting not available. Circling and straight-in MDA raised 80' when using Des Moines altimeter setting.  
 CAUTION: Runway 3/21 unlighted.

**DAY AND NIGHT MINIMUMS**

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-31°.....	1840	1	644	1840	1	644	1840	1½	644	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C°.....	1840	1	638	1840	1	638	1840	1½	638	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Carroll; State, Iowa; Airport name, Arthur N. Neu; Elev., 1202'; Facility, CIN; Procedure No. NDB(ADF) Runway 31, Amdt. Orig.; Eff. date, 19 Sept. 68

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: MJQ NDB.	
EST VOR.....	MJQ NDB.....	Direct.....	3000	Climb to 3000' on 140° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline, 3000' from threshold, TDZ elevation, 1430'.	

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 3000' within 10 miles of Jackson NDB.  
 Final approach crs, 140°.  
 Minimum altitude over MJQ NDB, \*2140' (2280' when using Redwood Falls altimeter setting).  
 MSA: 090°-270°-3000'; 270°-090°-2800'.  
 \* Use Fairmont altimeter setting. Use Redwood Falls altimeter setting when Fairmont altimeter setting not available. Circling and straight-in MDA increased 140' when using Redwood Falls altimeter setting.  
 % Aircraft departing Runway 13 make left-climbing turn to 2300' on 090° bearing from NDB before proceeding southbound.  
 CAUTION: Runway 4/22 unlighted.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
S-13*.....	2140	1	704	2140	1	704	2140	1½	704	NA	
C*.....	2140	1	695	2140	1	695	2140	1½	695	NA	
A.....	Not authorized.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%				

City, Jackson; State, Minn.; Airport name, Municipal; Elev., 1445'; Facility, MJQ; Procedure No. NDB (ADF) Runway 13, Amdt. Orig.; Eff. date, 19 Sept. 68

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.5 miles after passing Portland NDB/OM.	
MIA VORTAC.....	Portland NDB/OM.....	Direct.....	1500	Climb to 1500' direct to Bayshore Int via Portland NDB, 087°.	
BSY VOR.....	Portland NDB/OM.....	Direct.....	1500	Supplementary charting information: VASI, Runway 12. TDZ elevation, 9'.	
PRR NDB.....	Portland NDB/OM.....	Direct.....	1500		
Bayshore Int.....	Portland NDB/OM.....	Direct.....	1500		
Krome LF Int.....	Portland NDB/OM (NOPT).....	Direct.....	1300		

Procedure turn N side of crs, 267° Outbnd, 087° Inbnd, 1500' within 10 miles of Portland NDB/OM.  
 FAF, Portland NDB/OM. Final approach crs, 087°. Distance FAF to MAP, 4.5 miles.  
 Minimum altitude over Portland NDB/OM, 1300'.  
 MSA: 090°-090°-2000'; 090°-180°-1400'; 180°-270°-2000'; 270°-360°-1300'.  
 NOTE: ASR.  
 % RVR 24, Runways 9L, 27L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9L.....	400	RVR 40	451	400	RVR 40	451	400	RVR 40	451	400	RVR 50	451
C.....	400	1	451	400	1	451	400	1½	451	500	2	551
A.....	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%					

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility, MF; Procedure No. NDB (ADF) Runway 9L, Amdt. 7; Eff. date, 19 Sept. 68; Sup. Amdt. No. ADF 3, Amdt. 6; Dated, 29 Jan. 66

RULES AND REGULATIONS

12633

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.4 miles after passing Orange NDB/OM.
DSY VOR	Orange NDB/OM	Direct	1500	Climb to 1500' direct to Glades Int via Orange NDB, 267°. Supplementary charting information: VASI, Runway 12. TDZ elevation, 9'.
MIA VORTAC	Orange NDB/OM	Direct	1500	
Oceanside Int.	Orange NDB/OM (NOPT)	Direct	1300	
Guppy VHF/LF Int.	Orange NDB/OM (NOPT)	Direct	1500	

Procedure turn S side of crs, 087° Outbnd, 267° Inbnd, 1500' within 10 miles of Orange NDB/OM. FAF, Orange NDB/OM. Final approach crs, 267°. Distance FAF to MAP, 4.4 miles. Minimum altitude over Orange NDB/OM, 1300'. MSA: 090°-180°-1400'; 180°-090°-2000'. NOTE: ASR. %RVR 24, Runways 9L, 27L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-27L	520	RVR 40	511	520	RVR 40	511	520	RVR 40	511	520	RVR 50	511
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	520	1	511	520	1	511	520	1½	511	560	2	551
A	Standard.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, Miami; State, Fla.; Airport name, Miami International; Elev. 9'; Facility, MI; Procedure No. NDB (ADF) Runway 27L, Amdt. 6; Eff. date, 19 Sept. 68; Sup. Amdt. No. ADF 1, Amdt. 5; Dated, 2 Apr. 66

Terminal routes			Missed approach	
From—	To—	VIA	Minimum altitudes (feet)	MAP: MVE NDB.
Ardue Int.	MVE NDB	Direct	2800	Climb to 2800' on 135° bearing from MVE NDB, return to MVE NDB. Supplementary charting information: 1388' AMSL tower, 44°56'00", 95°42'30". TDZ elevation, 1034'.

Procedure turn W side of crs, 318° Outbnd, 138° Inbnd, 2800' within 10 miles of MVE NDB.

Final approach crs, 138°. MSA: 000°-090°-2500'; 090°-180°-2400'; 180°-270°-2400'; 270°-360°-2600'.

NOTE: Use Redwood Falls altimeter setting.

%Takeoffs Runway 14—When weather is below 400-2, westbound aircraft maintain takeoff heading until reaching 2100' before proceeding on crs. Restriction due to E86 AMSL tower, 2.2 miles SW.

CAUTION: Runway 3/21 unlighted.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-14	1720	1	686	1720	1	686	1720	1½	686	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1720	1	684	1720	1	684	1720	1½	684	NA
A	Not authorized.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %			

City, Montevideo; State, Minn.; Airport name, Montevideo Municipal; Elev., 1036'; Facility, MVE; Procedure No. NDB (ADF) Runway 14, Amdt. Orig.; Eff. date, 19 Sept. 68

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: MUT NDB.	
Nichols Int.....	MUT NDB.....	Direct.....	2300	Climb to 2300', turn right to MUT NDB. Supplementary charting information: Final approach crs intercepts runway centerline, 3920' from threshold.	
Grandview Int.....	MUT NDB.....	Direct.....	2400		
Buffalo Int.....	MUT NDB.....	Direct.....	2300		

Procedure turn S side of crs, 242° Outbnd, 062° Inbnd, 2300' within 7 miles of MUT NDB.  
 Final approach crs, 062°.  
 Minimum altitude over MUT NDB, 1320'.  
 MSA within 25 miles of facility: 000°-270°-2100'; 270°-360°-2200'.  
 NOTE: Use Moline, Ill., altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	VIS			VIS		
S-5.....	1320	1	774	1320	1½	774	NA			NA		
	MDA	VIS	HAA	MDA	VIS	HAA						
C.....	1320	1	774	1320	1½	774	NA			NA		
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Muscatine; State, Iowa; Airport name, Municipal; Elev., 546'; Facility, MUT; Procedure No. NDB (ADF) Runway 5, Amdt. Orig.; Eff. date, 19 Sept. 68.

10. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.6 miles after passing GS LOM.	
Fort Worth NDB.....	GS LOM.....	Direct.....	2200	Climbing right turn to 2000' on crs, 190° within 15 miles. Supplementary charting information: TDZ elevation, 568'.	
Britton VOR.....	GS LOM.....	Direct.....	2800		

Procedure turn N side of crs, 309° Outbnd, 129° Inbnd, 2200' within 10 miles of GS LOM.  
 FAF, GS LOM. Final approach crs, 129°. Distance FAF to MAP, 4.6 miles.  
 Minimum altitude over GS LOM, 2000'.  
 MSA: 090°-180°-3400'; 180°-270°-2800'; 270°-090°-2300'.  
 NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond:	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13.....	1020	RVR 40	452	1020	RVR 40	452	1020	RVR 40	452	1020	RVR 50	452
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1020	1	452	1020	1	452	1020	1½	452	1120	2	552
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Fort Worth; State, Tex.; Airport name, Greater Southwest International Dallas-Fort Worth Field; Elev., 568'; Facility, GS; Procedure No. NDB (ADF) Runway 13 Amdt. 13; Eff. date, 19 Sept. 68; Sup. Amdt. No. 12; Dated, 22 Aug. 68

RULES AND REGULATIONS

12635

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.6 miles after passing SJ NDB/LOM.
SJU VORTAC	SJ NDB/LOM	Direct	1600	Climb to 1600' on crs of 075° within 15 miles of SJ NDB. Supplementary charting information: TDZ elevation, 9'.
SJU NDB	SJ NDB/LOM	Direct	1600	
San Lorenzo Int.	SJ NDB/LOM	Direct	3400	
Greenwater Int.	SJ NDB/LOM	Direct	2000	
Coral Int.	SJ NDB/LOM	Direct	1600	
Mangrove Int.	SJ NDB/LOM	Direct	2000	
Caribbean Int.	SJ NDB/LOM	Direct	2000	
Gasynabo Int.	SJ NDB/LOM	Direct	3200	

Procedure turn N side of crs, 285° Outbnd, 105° Inbnd, 1600' within 10 miles of SJ NDB/LOM.  
FAF, SJ NDB/LOM. Final approach crs, 075°. Distance FAF to MAP, 4.6 miles.  
Minimum altitude over SJ NDB/LOM, 1500'.  
MSA: 000°-090°-1300'; 090°-180°-5100'; 180°-270°-5100'; 270°-360°-1800'.

Note: ASR.  
\*Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S*	580	¾	571	580	¾	571	580	¾	571	580	1¼	571
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	580	1	571	580	1	571	580	1½	571	580	2	571
A	Standard.			T 2-eng. or less Standard.			T over 2-eng. Standard.					

City, San Juan; State, P.R.; Airport name, Puerto Rico International; Elev., 9; Facility SJ; Procedure No. NDB (ADF) Runway 7, Amdt. 11; Eff. date, 19 Sept. 68; Sup. Amdt. No. 10; Dated, 17 Feb. 68

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing VSF NDB.
Jamaica Int.	VSF NDB	Direct	4000	Make right-climbing turn to VSF NDB. Cross VSF NDB at 3000' or above, continue climb in holding pattern to 4000' and hold. Supplementary charting information: Hold SW of VSF NDB, 048° Inbnd, 1-minute right turns.

Procedure turn S side of crs, 228° Outbnd, 048° Inbnd, 4000' within 10 miles of VSF NDB.  
FAF, VSF NDB. Final approach crs, 048°. Distance FAF to MAP, 5 miles.  
Minimum altitude over VSF NDB, 3000'.  
MSA: 000°-090°-5000'; 090°-180°-3800'; 180°-270°-5000'; 270°-360°-5300'.

Notes: (1) Use Lebanon altimeter setting. (2) Facility must be monitored aurally during approach. (3) Approach from holding pattern not authorized; procedure turn required.

%IFR departure: Depart airport at 1300' on heading, 050°, make right-climbing turn to VSF NDB, cross VSF NDB at 3000' or above. Continue climb in holding pattern to MSA for route of flight.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1820	1¼	1245	1820	2	1245	1820	2¼	1245	NA
A	Not authorized.			T 2-eng. or less—800-1.0%			T over 2-eng.—800-1.0%			

City, Springfield; State, Vt.; Airport name, Hartness Municipal; Elev., 575'; Facility, VSF; Procedure No. NDB (ADF) Runway 5, Amdt. I; Eff. date, 19 Sept. 68; Sup. Amdt. No. Orig.; Dated, 22 Aug. 68

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.5 miles after passing TE LOM
Chatham NDB.....	TE LOM.....	Direct.....	2000	Climb straight ahead to 1900'. Then
Paterson NDB.....	TE LOM.....	Direct.....	1900	climbing left turn to 2000' direct to
Morristown Int.....	TE LOM.....	Direct.....	2000	Paterson Int/NDB and hold.
EW LOM.....	TE LOM (NOPT).....	Direct.....	1400	Supplementary charting information: Hold NE, 1-minute, right turns, Inbd crs, 211°, 693' tower, 1.4 miles N of airport

Procedure turn N side of crs, 239° Outbnd, 059° Inbnd, 1900' within 10 miles of TE LOM.  
FAF, TE LOM. Final approach crs, 059°. Distance FAF to MAP, 3.5 miles.  
Minimum altitude over TE LOM, 1400'.  
MSA: 000°-180°-2600'; 180°-270°-2000'; 270°-360°-2900'.

NOTES: (1) Radar vectoring. (2) Inoperative table does not apply to ALS Runway 6.

CAUTION: Teterboro OM and Newark OM at approximately same geographic location and signals are simultaneously keyed to indicate one OM serving two ILS systems.  
% Runways 1, 6, 19, 24 IFR departures must comply with published Teterboro SID's.  
IFR departures procedures: Runway 19 requires 290'/mile climb rate to 800'. Runway 24 requires 270'/mile climb rate to 800'.  
#Circling not authorized NW, Runways 6-24 centerline extended.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-06.....	740	1	733	740	1	733	740	1 1/4	733	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	NA
C#.....	740	1	733	740	1	733	740	1 1/2	733	
A.....	1000-2									T 2-eng. or less—Runway 1, 700-1; standard all others.% T over 2-eng.—Runway 1, 700-1; standard all others.5

City, Teterboro; State, N.J.; Airport name, Teterboro; Elev., 7'; Facility, TE LOM; Procedure No. NDB (ADF) Runway 6, Amdt. 7; Eff. date, 19 Sept. 68; Sup. Amdt. No. 8 Dated, 11 July 68

11. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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: ILS DH, 209'. LOC 4.5 miles after passing Portland NDB/OM.
MIA VORTAC.....	Portland NDB/OM.....	Direct.....	1500	Climb to 1500' on LOC (BC), 087° to
BSY VOR.....	Portland NDB/OM.....	Direct.....	1500	Bayshore Int.
Bayshore VHF Int.....	Portland NDB/OM.....	Direct.....	1500	Supplementary charting information:
PRR NDB.....	Portland NDB/OM.....	Direct.....	1500	VASI, Runway 12. TDZ elevation, 9'.
Krome Int.....	Portland NDB/OM (NOPT).....	Direct.....	1300	

Procedure turn N side of crs 267° Outbnd, 087° Inbnd, 1500' within 10 miles of Portland NDB/OM.  
FAF, Portland NDB/OM. Final approach crs, 087°. Distance FAF to MAP, 4.5 miles.  
Minimum glide slope interception altitude, 1300'. Glide slope altitude at OM, 1248'; at MM, 192'.  
Distance to runway threshold at OM, 4.5 miles; at MM, 0.6 mile.  
MSA: 000°-090°-2000'; 090°-180°-1400'; 180°-270°-2000'; 270°-360°-1300'.

NOTE: ASR.  
%RVR 24, Runway 9L, 27L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-9L.....	209	RVR 24	200	209	RVR 24	200	209	RVR 24	200	209	RVR 24	200
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9L.....	360	RVR 24	351	360	RVR 24	351	360	RVR 24	351	360	RVR 40	351
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	460	1	451	460	1	451	460	1 1/2	451	560	2	551
A.....	Standard.									T over 2-eng.—Standard .%		

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility, I-FMA; Procedure No. ILS Runway 96, Amdt. 6; Eff. date, 19 Sept. 68; Sup. Amdt. No. ILS-96, Amdt. 5; Dated, 25 June 66

RULES AND REGULATIONS

12637

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 209', LOC 4.4 miles after passing Orange NDB/OM.	
BSY VOR.....	Orange NDB/OM.....	Direct.....	1500	Climb to 1500' on LOC (BC), 267° to Glades Int.	
MIA VORTAC.....	Orange NDB/OM.....	Direct.....	1500	Int.	
PRR NDB.....	Orange NDB/OM.....	Direct.....	1500	Supplementary charting information: VASI, Runway 12. TDZ elevation, 9'.	
Golden Beach Int.....	Orange NDB/OM.....	Direct.....	1500		
Dania Int.....	Orange NDB/OM (NOPT).....	Direct.....	2000		
Oceanside Int.....	Orange NDB/OM (NOPT).....	Direct.....	1300		
Guppy VIII/LF Int.....	Orange NDB/OM (NOPT).....	Direct.....	1500		

Procedure turn S side of crs, 087° Outbnd, 267° Inbnd, 1500' within 10 miles of Orange NDB/OM. FAF, Orange NDB/OM. Final approach crs, 267°. Distance FAF to MAP, 4.4 miles. Minimum glide slope interception altitude, 1300'. Glide slope altitude at OM, 1261'; at MM, 200'. Distance to runway threshold at OM, 4.4 miles; at MM, 0.5 mile. MSA: 090°-180°-1400'; 180°-270°-2000'; 270°-090°-2000'.

NOTE: ASR.  
% RVR 24, Runway 9L, 27L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-27L.....	209	RVR 24	200	209	RVR 24	200	209	RVR 24	200	209	RVR 24	200
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-27L.....	460	RVR 24	451	460	RVR 24	451	460	RVR 24	451	460	RVR 40	451
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	460	1	451	460	1	451	460	1½	451	560	2	551
A.....	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%					

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility, I-MIA; Procedure No. ILS Runway 27L, Amdt. 6; Eff. date, 19 Sept. 68; Sup. Amdt. No. ILS-27L, Amdt. 5; Dated, 25 June 66

12. By amending § 97.29 of Subpart C to amend instrument landing system (ILS) procedures as follows:

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 675'. LOC, 4.9 miles after passing LV LOM.	
DAL VORTAC.....	LV LOM.....	Direct.....	2000	Climb to 2200' on LOC (BC) 308° within 15 miles or climb to 2000', right turn, direct to Dallas VORTAC.	
GSW VORTAC.....	LV LOM.....	Direct.....	2000		
ADS VOR.....	LV LOM.....	Direct.....	2000		
Forest Int.....	LV LOM (NOPT).....	Direct.....	2000	Supplementary charting information: Depict Central VHF INT as stepdown fix for LOC S-31L. Depict 1049' building, 23,300' from threshold, 1800' left of centerline. Depict runway centerline lighting. TDZ elevation, 475'.	
Hutchins Int.....	LV LOM (NOPT).....	Direct.....	2000		

Procedure turn S side of crs, 128° Outbnd, 308° Inbnd, 2000' within 10 miles of LV LOM. FAF, LV LOM. Final approach crs, 308°. Distance FAF to MAP, 4.9 miles. Minimum altitude over Central VHF INT, 1500'. Minimum glide slope interception altitude, 2000'. Glide slope altitude at OM, 2000'; at MM 687'. Distance to runway threshold at OM, 4.9 miles; at MM, 0.6 mile. MSA: 000°-180°-2200'; 180°-270°-3400'; 270°-360°-2300'.

NOTE: ASR.  
\*RVR 24, Runways 31L and 13L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-31L.....	675	RVR 18	200	675	RVR 18	200	675	RVR 18	200	675	RVR 20	200
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31L.....	1500	RVR 50	1025	1500	RVR 50	1025	1500	RVR 60	1025	1500	1½	1025
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C-LOC.....	1500	1	1015	1500	1	1015	1500	1½	1015	1500	2	1015
LOC/VOR Minimums:												
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31L.....	1120	RVR 40	645	1120	RVR 40	645	1120	RVR 50	645	1120	RVR 50	645
A.....	Standard.			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Facility, I-LVF; Procedure No. ILS Runway 31L, Amdt. 3; Eff. date, 19 Sept. 68; Sup. Amdt. No. 2; Dated, 25 July 68

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 415'. LOC, 3.5 miles after passing TE LOM.
Paterson NDB.....	TE LOM.....	Direct.....	1900	Climb straight ahead to 1000'. Then climbing left turn to 2000', proceeding via HUG, R 155° to Paterson Int/NDB and hold. Supplementary charting information: Hold NE of Paterson Int on IGN, R 211°, 1-minute right turns, 211° Inbd. 600' tower, 1.4 miles N of airport.
Chatham NDB.....	Roselle Park Int.....	Direct.....	1900	
Amboy Int.....	Roselle Park Int.....	Direct.....	1900	
Solberg VORTAC.....	Roselle Park Int.....	Direct.....	1900	
Roselle Park Int.....	TE LOM (NOPT).....	Direct.....	1400	

Procedure turn N side of crs, 239° Outbnd, 059° Inbnd, 1900' within 10 miles of TE LOM.

FAF, TE LOM. Final approach crs, 059°. Distance FAF to MAP, 3.5 miles.

Minimum altitude over Roselle Park Int., 1900'; over TE LOM, 1340'.

Minimum glide slope interception altitude, 1400'. Glide slope altitude at OM, 1340'; at MM, 238'.

Distance to runway threshold at OM, 4 miles; at MM, 0.5 mile.

MSA: 000°-180°-2600'; 180°-270°-2000'; 270°-360°-2900'.

NOTES: (1) Radar vectoring. (2) Sliding scale not authorized. (3) Back crs unusable. (4) Inoperative table does not apply to HIRL or ALS Runway 6.

% Runways 1, 6, 19, 24 IFR departures must comply with published Teterboro SID's.

IFR departure procedures: Runway 19 requires 290'/mile climb rate to 800'. Runway 24 requires 270'/mile climb rate to 800'.

\*If ALS inoperative, increase visibility ¼ mile.

#Circling not authorized NW, Runway 6-24 centerline extended.

CAUTION: Teterboro OM and Newark OM at approximately the same geographic location and signals are simultaneously keyed to indicate one OM serving two ILS systems

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	VIS
S-6.....	415	¾	409	415	¾	409	415	¾	409	NA
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-6*.....	480	¾	474	480	¾	474	480	¾	474	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C#.....	740	1	733	740	1	733	740	1½	733	NA
A.....	1000-2									

T 2-eng. or less—Runway 1, 700-1; standard all others.% T over 2-eng.—Runway 1, 700-1; standard all others.%

City, Teterboro; State, N.J.; Airport name, Teterboro; Elev., 7'; Facility, I-TEB; Procedure No. ILS Runway 6, Amdt. 16; Eff. date, 19 Sept. 68; Sup. Amdt. No. 15; Dated 30 May 68

13. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes	
From—	To—	Distance	Altitude								
000	360	25	1500'	-----	-----	-----	-----	-----	-----	-----	-----
160	250	25/40	3000'	-----	-----	-----	-----	-----	-----	-----	-----

1. FAF 6 miles from threshold, all ASR runways. Descend aircraft to MDA after 6 mile. FAF except Radar will not descend aircraft below 900' until 4 miles from the threshold of 27L, 27R, and 30.  
 2. Radar control will provide 1000' vertical clearance within 3-mile radius of antenna towers, 1049', 997', and 734'—11 miles NNE, 643'—20 miles SW, and 1049'—17 miles SSW.  
 Supplementary charting information: VASI, Runway 12. Runway 9R TDZ elevation, 8'; other runways, 9'.

Missed approach:  
 Runway 12: Climb to 1600' left turn to Orange NDB, 087° to Oceanside Int.  
 Runway 9R: Climb to 1500' direct to Oceanside Int.  
 Runway 9L: Climb to 1500' direct to Bayshore Int.  
 Runway 30: Climb to 1500' left turn to Portland NDB, 267° to Krome Int.  
 Runway 27R: Climb to 1500' direct to Krome Int.  
 Runway 27L: Climb to 1500' direct to Glades Int.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
ASR:												
S-9L	420	RVR 24	411	420	RVR 24	411	420	RVR 24	411	420	RVR 50	411
S-27L	480	RVR 24	471	480	RVR 24	471	480	RVR 24	471	480	RVR 50	471
S-9R	380	3/4	372	380	3/4	372	380	3/4	372	380	1	372
S-27R	480	3/4	471	480	3/4	471	480	3/4	471	480	1	471
S-30	460	1	451	460	1	451	460	1	451	460	1	451
S-12	420	1	411	420	1	411	420	1	411	420	1	411
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C:												
27L/R	480	1	471	480	1	471	480	1 1/2	471	560	2	551
9L/R, 12, 30	460	1	451	460	1	451	460	1 1/2	451	560	2	551
A	Standard.			T 2-eng. or less—RVR 24, 9L, and 27L, standard 9R, 27R, 12, 30.			T over 2-eng.—RVR 24, 9L, and 27L, standard 9R, 27R, 12, 30.					

City, Miami; State, Fla.; Airport name, Miami International; Elev., 9'; Facility, ASR; Procedure No; RADAR-1, Amdt. 10; Eff. date, 19 Sept. 68; Sup. Amdt. No. Radar 1, Amdt. 9; Dated, 14 Oct. 67

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes	
From—	To—	Distance	Altitude								

Descend aircraft to MDA after FAF 5-mile radius of airport. Radar control must provide 3 miles horizontal or 1000' vertical separation from 1235' tower located 6 miles SSE of airport. Use Houston altimeter setting.

As established by Houston ASR Minimum Altitude Vectoring Chart.  
 Missed approach: Climbing right or left turn to heading of 090°, 2200' intercept GLS VORTAC R 314° direct to GLS VORTAC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	760	1	709	760	1	709	NA	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Pearland; State, Tex.; Airport name, Pearland; Elev., 51'; Facility HOU RADAR; Procedure No. Radar-1, Amdt. Orig.; Eff. date, 19 Sept. 68

14. By amending § 97.31 of Subpart C to amend precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)											Notes			
From—	To—	Distance	Altitude											
													Descend aircraft after passing FAF. 1. Runway 17 FAF, 5 miles from threshold. TDZ elevation, 56'. 2. Runway 17 FAF, 5 miles from threshold. TDZ elevation 546'. 3. Runway 31 FAF, 4.5 miles from threshold. TDZ elevation, 536'. 4. Runway 31 FAF, 5 miles from threshold. Minimum altitude over 3.6 mile Radar Fix, 1500'. TDZ elevation, 541'.	

As established by GSW ASR minimum altitude vectoring chart.  
Missed approach:  
Runway 13: Climbing right turn to 2000' on crs, 190° within 20 miles.  
Runway 17: Climbing right turn to 2000' on crs, 190° within 20 miles.  
Runway 31: Climbing left turn to 2000' on crs, 300° within 20 miles.  
Runway 35: Climbing left turn to 2000' on crs, 300° within 20 miles.

## DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13.....	980	RVR 24	412	980	RVR 24	412	980	RVR 24	412	980	RVR 50	412
S-17.....	900	1	354	900	1	354	900	1	354	900	1	354
S-31.....	880	¾	344	880	¾	344	880	¾	344	880	1	344
S-35.....	900	1	359	900	1	359	900	1	359	900	1	359
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1020	1	452	1020	1	452	1020	1½	452	1120	2	552
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Fort Worth; State, Tex.; Airport name, Greater Southwest International Dallas-Fort Worth Field; Elev., 568'; Facility, GSW ASR; Procedure No. ASR-1, Amdt. 5. Eff. date, 19 Sept. 68; Sup. Amdt. No. 4; Dated, 18 July 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 August 14, 1968.

R. S. SLIFF,

Acting Director, Flight Standards Service.

[F.R. Doc. 68-10159; Filed, Sept. 5, 1968; 8:45 a.m.]

### Chapter III—National Transportation Safety Board

[Amdt. 2]

#### PART 400—STATEMENT OF ORGANIZATION AND FUNCTIONS OF THE BOARD AND DELEGATIONS OF AUTHORITY

##### Miscellaneous Amendments

Section 400.24 of Part 400 provides for delegations of authority to the General Counsel. The section is hereby amended to delegate authority to the General Counsel to issue orders staying, pending judicial review, orders of the Board revoking as well as suspending airman certificates, or to consent to the entry of judicial stays with respect to such orders; to issue orders dismissing appeals from initial decisions of Board examiners pursuant to the request of an appellant, and to make corrections or editorial changes not involving matters of substance in the Board's orders.

Section 400.43 of the part delegates authority to the Commandant of the Coast Guard, the Federal Highway Administrator, and the Federal Railroad Administrator to determine the cause or probable cause of certain transportation accidents in the different modes of transportation and to report the facts and circumstances of such accidents. The section is hereby amended to make clear

that the reports of such accidents shall be made public, except as otherwise provided by statute, and the use of such reports as evidence or for other purposes in suits or actions for damages growing out of any accident mentioned in such reports are subject to the provision of law applicable to such reports.

Section 400.44 of the part establishes the procedures for identifying motor carrier, rail, and pipeline accidents for which the Board shall determine cause or probable cause and for giving notice to the Administrator concerned of the role that the Board shall take in the investigation and reporting of such accidents. The section is hereby amended to define more clearly the legal relationship of the Board and the Administrator in the conduct of the investigation of such accidents.

Section 400.45 of the part delegates authority to the Federal Aviation Administrator to investigate certain accidents involving civil aircraft, including certain accidents in which fatal injuries have occurred to persons aboard the aircraft. With respect to the fatal accidents, § 400.45 is hereby amended to expressly delegate authority to the Administrator to conduct autopsies and such other tests of the remains of persons who were aboard the aircraft and died as a result of the accident, as may be necessary to the investigation. The section is amended further to authorize the Administrator

to redelegate this authority to any official or employee of the Federal Aviation Administration, but not to aviation medical examiners designated by him to give medical examinations for airman certificates.

Sections 400.3(c) and 400.43(a) of the part relate to appeals to the Board from decisions of the Commandant of the Coast Guard sustaining orders of revocation of licenses, certificates, documents, and registers. The sections are amended hereby to achieve consistency with Part 425 of the Board's regulations (14 CFR Part 425), which provides that appeals may be taken to the Board with respect to revocations in proceedings under R.S. 4450, as amended (46 U.S.C. 239); Act of July 15, 1954 (49 U.S.C. 239a-b); or section 4, Great Lakes Pilotage Act (46 U.S.C. 216b).

Inasmuch as these amendments only relate to rules of agency organization and procedure and to interagency agreements and will not impose any additional burden on any person, notice and public procedure hereon are not necessary and they may be made effective within less than 30 days from publication.

In consideration of the foregoing, the National Transportation Safety Board hereby amends Part 400 of its Organization Regulations (14 CFR Part 400), effective as of the date of publication in the FEDERAL REGISTER, as follows:

1. By amending paragraph (c) in § 400.3, to read as follows:

§ 400.3 Functions.

(c) Upon the request of aggrieved parties, the Board reviews in quasi-judicial proceedings, conducted pursuant to the Administrative Procedure Act, denials by the Administrator of the Federal Aviation Administration of applications for airman certificates and orders of the Administrator modifying, amending, suspending, or revoking any air safety certificates. The Board also reviews, upon request, decisions of the Commandant, U.S. Coast Guard, on appeals from orders of the hearing examiners revoking licenses, certificates, documents, or registers in proceedings under R.S. 4450, as amended (46 U.S.C. 239); Act of July 15, 1954 (46 U.S.C. 239a-b); or section 4, Great Lakes Pilotage Act (46 U.S.C. 216b).

2. In § 400.24, paragraph (e) is amended and new paragraphs (g) and (h) are added, to read as follows:

§ 400.24 Delegation to the General Counsel.

(e) Issue orders staying, pending judicial review, orders of the Board suspending or revoking airman certificates, or to consent to the entry of judicial stays with respect to such orders.

(g) Issue orders dismissing appeals from initial decisions of Board examiners pursuant to the request of the appellant.

(h) Correct Board orders by eliminating typographical, grammatical, and similar errors, and to make editorial changes therein not involving matters of substance.

3. In § 400.43, subparagraph (2) of paragraph (a) is amended and a new paragraph (d) is added, to read as follows:

§ 400.43 Delegations of authority to officers of the Department of Transportation.

(2) The authority to review decisions of the Commandant on appeals from orders of hearing examiners revoking licenses, certificates, documents, or registers under the procedures of R.S. 4450, as amended (46 U.S.C. 239); Act of July 15, 1954 (46 U.S.C. 239a-b); or section 4, Great Lakes Pilotage Act (46 U.S.C. 216b).

(d) Any report of the facts, circumstances, and the determination of cause or probable cause of an accident issued by the Commandant of the Coast Guard, the Federal Highway Administrator, or the Federal Railroad Administrator, under the delegation of authority set forth in this section, shall be subject to the provisions of section 5(e) of the Act which provides that such reports shall be made public except as otherwise provided by statute, and the use of such re-

ports as evidence or for other purposes in suits or actions for damages growing out of any accident mentioned in such reports are subject to the provision of law applicable to such reports.

4. By amending § 400.44 to read as follows:

§ 400.44 Procedures for identifying nondelegated accidents.

(a) To facilitate decisions by the National Transportation Safety Board on motor carrier, rail, and pipeline accidents for which it will determine cause or probable cause, the Federal Highway Administrator and the Federal Railroad Administrator, respectively, in exercising their authority under this order, shall immediately notify the National Transportation Safety Board of the occurrence of such accidents as in their best judgment fall within the categories indicated in paragraphs (b) and (c) of § 400.43.

(b) The Board shall thereupon promptly notify the Administrator as to whether it agrees with the designation. If it does, the Board shall issue a notice indicating such designation and thereby identifying the accident as one for which it will retain authority to determine cause or probable cause and report the facts, conditions, and circumstances relating to the accident as authorized by section 5(b)(1) of the Department of Transportation Act. The Board, in such notice, shall also notify the Administrator as to the following:

(1) That the Board shall conduct an investigation pursuant to its authority under section 5(d)(4) of the Act; or

(2) That the Board shall participate in the Administrator's investigation pursuant to section 5(d)(7) of the Act, and thereafter hold a public hearing in assistance of its function of determining cause or probable cause and preparing a final report; or

(3) That the Board shall participate in the Administrator's investigation, pursuant to section 5(d)(7) of the Act, but not hold a public hearing and rely on facts developed by such investigation as the basis for its determination of cause or probable cause and preparing a final report; or

(4) That the Board shall not participate in the Administrator's investigation, but shall determine cause or probable cause and issue a final report relying wholly upon the facts developed by the Administrator's investigation.

(c) The Board, however, may at any time during the proceeding alter its role as circumstances may dictate.

5. In § 400.45, by amending paragraph (a), by redesignating existing paragraph (c) as paragraph (d), and by adding a new paragraph (c) to read as follows:

§ 400.45 Investigation of certain aircraft accidents.

(a) Pursuant to the authority set forth in section 5(m) of the Act, the National Transportation Safety Board, with the approval of the Secretary of Transportation, hereby delegates to the Federal

Aviation Administrator, the authority, subject to the terms, conditions, and limitations of Title VII of the Federal Aviation Act, and as set forth below, to investigate the facts, conditions, and circumstances surrounding certain fixed-wing and rotocraft aircraft accidents, to conduct autopsies and such other tests of the remains of deceased persons aboard the aircraft at the time of the accident, who die as a result of the accident, as may be necessary to the investigation of the accident, and to submit a report to the Board from which the Board may then make a determination of the probable cause.

(c) The authority hereby delegated to conduct autopsies and other tests of the remains of persons aboard the aircraft at the time of the accident may be redelegated by the Administrator to any official or employee of the Federal Aviation Administration. For the purpose of this delegation, designated aviation examiners are not deemed to be officials or employees.

(Sec. 5(b), 5(c), 5(k), 5(m), 80 Stat. 935, 936; 49 U.S.C. 1654)

By the National Transportation Safety Board.

[SEAL] JOSEPH J. O'CONNELL, Jr.,  
Chairman.

AUGUST 30, 1968.

[F.R. Doc. 68-10819; Filed, Sept. 5, 1968; 8:52 a.m.]

[NTSB Reg. OR-3]

PART 405—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Adopted by the National Transportation Safety Board at its office in Washington, D.C., on the 30th day of August 1968.

Part 405 prescribes standards of ethical and other conduct, and reporting requirement, for members and employees and special Government employees of the National Transportation Safety Board. It implements the requirements of law, Executive Order 11222 of May 8, 1965 (30 F.R. 6469) and Part 735 of the Civil Service Commission Regulations (5 CFR 735), effective August 9, 1967.

Part 735 of the Civil Service Commission Regulations requires each agency to submit its implementing regulations to the Commission for approval prior to submitting the regulations to the Office of the Federal Register for publication. The regulation that follows was approved by the Commission on July 16, 1968.

Since this is a rule relating to Board management, procedures, and practices, notice and public procedure hereon are not required, and it may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, the National Transportation Safety Board hereby adopts new Part 405 of the Regulations (14 CFR Part 405), effective September 6, 1968, to read as follows:

Sec.	Purpose.
405.735-1	Definitions.
405.735-2	Policy.
405.735-3	Financial interests of members and employees.
405.735-4	Receipt of gifts, entertainment, and favors by members or employees.
405.735-5	Misuse of information by members and employees.
405.735-6	Outside activities of members and employees.
405.735-7	Employment of family members in transportation and related enterprises.
405.735-8	Use of Government property.
405.735-9	Member and employee indebtedness.
405.735-10	Gambling, betting, and lotteries.
405.735-11	Coercion.
405.735-12	Conduct prejudicial to the Government.
405.735-13	Specific regulations for special Government employees.
405.735-14	Miscellaneous statutory provisions.
405.735-15	Statements of employment and financial interests.
405.735-16	Supplementary statements.
405.735-17	Interests of employees' relatives.
405.735-18	Information not known by employees.
405.735-19	Information not required of employees.
405.735-20	Confidentiality of statements.
405.735-21	Effect of statements on other requirements.
405.735-22	Submission of statements by special Government employees.
405.735-23	Review of financial statements.
405.735-24	Publication and interpretation.
405.735-25	Employee's complaint on filing requirements.
405.735-26	Disciplinary or remedial action.
405.735-27	Appendix I—Miscellaneous statutory provisions.
Appendix II	—Employees required to submit statements.

**AUTHORITY:** The provisions of this Part 405 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR 1965 Supp.; 5 CFR 735.101 et seq.

#### § 405.735-1 Purpose.

This part sets forth the standards of ethical and other conduct required of all Board members and employees, in implementation of Executive Order 11222, May 8, 1965 (30 F.R. 6469), and Part 735 of the Civil Service Commission Regulations adopted pursuant thereto (5 CFR Part 735). It also contains references to the several applicable statutes governing employee conduct, particularly Public Law 87-849 (76 Stat. 119, 18 U.S.C. 201 et seq.), and the "Code of Ethics for Government Service," House Concurrent Resolution 175, 85th Congress, 2d Session (72 Stat. B12).

#### § 405.735-2 Definitions.

As used in this part:

"Members and employees" means the Board members and employees of the National Transportation Safety Board and active duty officers or enlisted members of the Armed Forces, but does not include special Government employees.

"Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

"Special Government employee" means an employee of the Board who is retained, designated, appointed, or employed to perform temporary duties, with or without compensation, for a period not to exceed 130 days during any period of 365 consecutive days, on either a full-time or intermittent basis.

"Executive order" means Executive Order 11222 of May 8, 1965 (30 F.R. 6469).

#### § 405.735-3 Policy.

(a) The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by its members and employees and special Government employees is essential to assure the proper performance of the Board's business and the maintenance of confidence by citizens in their Government. Therefore, the Board requires that its members and employees and special Government employees adhere strictly to the highest standard of ethical conduct in all of their social, business, political and other off-the-job activities, relationships, and interests, as well as in their official actions.

(b) All Members and employees and special Government employees shall avoid situations which might result in actual or apparent misconduct or conflicts of interest.

(c) Members and employees shall avoid any action, whether or not specifically prohibited by the regulations in this part which might result in, or create the appearance of:

- (1) Using public office for private gain;
- (2) Giving preferential treatment to any person;
- (3) Impeding Government efficiency or economy;
- (4) Losing complete independence or impartiality;
- (5) Making a Government decision outside official channels; or
- (6) Affecting adversely the confidence of the public in the integrity of the Government.

#### § 405.735-4 Financial interests of members and employees.

(a) A member or employee shall not:

- (1) Have direct or indirect financial interests which conflict, or appear to conflict, with his assigned duties and responsibilities within the Board; or
- (2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his employment by the Board.

(b) This section does not preclude a Member or an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government, so long as it is not prohibited by law, the Executive order, 5 CFR Part 735, or the regulations in this part.

#### § 405.735-5 Receipt of gifts, entertainment, and favors by members or employees.

(a) Except as provided in paragraphs (b) and (g) of this section, a Member or employee shall not solicit or accept, di-

rectly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with the Board;

(2) Conducts operations or activities that are subject to Board jurisdiction; or

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) The prohibitions of paragraph (a) of this section do not apply to:

(1) Obvious family or personal relationships such as those between the employee and his parents, children or spouse, when the circumstances make it clear that those relationships rather than the business of the persons concerned are the motivating factors;

(2) Acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting, other meetings, or inspection tours where a member or employee may properly be in attendance;

(3) Acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars, and other items of nominal intrinsic value;

(4) Acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities or employees, such as home mortgage loans;

(5) Utilization by members or employees of the services offered to the public by any of the persons specified in paragraph (a) of this section, provided that full value, as published in a carrier's tariffs, or as is customarily charged to the public, is paid therefor;

(6) Carriage without charge by a carrier, of members or employees engaged in official duties, for safety purposes, as provided for in the Civil Aeronautics Board's regulations;

(7) Acceptance of invitations, when approved by the Chairman or the Executive Director, in respect to meals and accommodations when on official business outside the continental United States; where commercial accommodations are unavailable or inappropriate; or where refusal of the offer would be otherwise inappropriate in light of all circumstances involved; and

(8) Acceptance of an invitation addressed to the Board, when approved by the Chairman or the Executive Director, by an employee (including, where applicable, his wife or a member of his immediate family), to participate in an inaugural flight or similar ceremonial event related to transportation, and accept food, lodging, and entertainment incident thereto.

(c) Members and employees shall not solicit contributions from another member or employee for a gift, or make a donation as a gift, to a member or employee in a superior official position.

(d) A member or an employee in a superior official position shall not accept a gift from an employee or employees receiving less salary than himself. However, paragraph (c) of this section and

this paragraph (d) do not prohibit a voluntary gift of nominal value or a donation in a nominal amount made on a special occasion such as marriage, illness, retirement, or transfer.

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

(f) Members and employees may not be directly reimbursed by a person for travel on official business under agency orders. However, reimbursement in the form of a donation may be made to the Board. The member or employee involved will be paid by the Board in accordance with applicable laws and regulations relating to reimbursement for official travel. If the member or employee is furnished accommodations, goods, or services in kind they may be treated as a donation to the Board, and either no per diem and other travel expenses will be paid or an appropriate reduction will be made in the per diem or other travel expenses payable, depending upon the extent of the donation. No member or employee may be reimbursed, or payment made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits.

(g) Members and employees are not precluded from receipt of bona fide reimbursement, unless prohibited by law, for expenses of nonofficial travel and such other necessary subsistence as is compatible with this part for private personal interests for which no Government payment or reimbursement is authorized.

**§ 405.735-6 Misuse of information by members and employees.**

For the purpose of furthering private interest, members and employees shall not, except as provided in § 405.735-7(c), directly or indirectly, use, or allow the use of, official information obtained through or in connection with his employment within the Board which has not been made available to the general public.

**§ 405.735-7 Outside activities of members and employees.**

(a) A member or employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of his duties and responsibilities as an officer or employee of the Board. Before an employee can engage in outside employment or activity for profit, he shall obtain the approval of the Board's Executive Director by requesting written authorization from the Executive Director prior to engaging in such activity. Board members desiring to engage in outside employment or activity for profit may request prior written authorization from the Chairman. Should such authorization be granted, the member or employee has a continuing responsibility to confine himself to the scope of the authorization. If the circumstances change so as to involve a possible incompatible activity, the member or employee must seek further authorization in order to continue in his

outside employment or activity for profit. Authorization granted in specific cases may be deemed subsequently to involve an incompatible activity, and in such cases the member or employee concerned shall be notified in writing of the cancellation of the authorization with instructions to modify or terminate the outside activity at the earliest practicable time.

(b) Incompatible activities by members or employees include, but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, a conflict of interest; or

(2) Outside employment or activity which tends to impair his mental or physical capacity to perform in an acceptable manner his duties and responsibilities within the Board.

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive order, 5 CFR Part 735, or the regulations in this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing, including teaching, lecturing, or writing for the purpose of the special preparation of a person or class of persons for an examination of the Commission or Board of Examiners for the Foreign Service, that is dependent on information obtained as a result of his employment by the Board, except when that information has been made available to the general public or will be made available on request, or when the Chairman gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

(d) Board members, as Presidential appointees covered by section 401(a) of the Executive order, are specifically precluded by 5 CFR 735.203(c) from receiving compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of their agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(e) If an activity covered by paragraphs (c) and (d) of this section is to be undertaken as official duty, expenses will be borne by the Board, and the member or employee may not accept compensation or allow his expenses to be paid for by the person or group under whose auspices the activity is being performed. If it is determined that the activity is to be undertaken in a private capacity, the member or employee may not use duty hours or Government facilities, but he may accept compensation, and he may use his official title if he makes it clear that he does not represent the Board.

(f) Members and employees shall not receive any salary or anything of monetary value from a private source as com-

ensation for his services to the Board (18 U.S.C. 209).

(g) This section does not preclude a member or employee from:

(1) Participating in the activities of national or State political parties not prohibited by law;

(2) Participating in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational or recreational, public service, or civic organization.

**§ 405.735-8 Employment of family members in transportation and related enterprises.**

(a) No individual will be employed or retained in employment by the Board if a member of his immediate family (blood relations who are residents of the employee's household) is employed by a carrier, a person or firm representing a carrier, or a transportation trade association.

(b) Members and employees may request a waiver, modification, or postponement of the implementation of this prohibition from the Chairman and Executive Director, respectively, on the grounds of undue hardship to himself or the family member involved. The request must contain an agreement to forego any privilege to which the Board member or employee would be entitled as a relative of the family member.

**§ 405.735-9 Use of Government property.**

Members and employees shall not, directly or indirectly, use, or allow the use of, Board property of any kind, including property leased to the Board, for other than officially approved activities. A member or employee has a positive duty to protect and conserve Board property, including equipment supplies, and other property entrusted to or issued to him.

**§ 405.735-10 Member and employee indebtedness.**

Members and employees shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or one reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the Board determines does not, under the circumstances, reflect adversely on the Board as his employer.

**§ 405.735-11 Gambling, betting, and lotteries.**

Members and employees shall not participate, while on Board-owned or leased property or while on duty for the Board, in any gambling activity, including the operation of a gambling device, conducting a lottery or pool, a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities regarding solicitations conducted by an employee recreation and welfare organization among its members, for orga-

nizational support or for benefit or welfare funds for its members, these having been approved under section 3 of Executive Order 10927, dated March 18, 1961.

#### § 405.735-12 Coercion.

Members and employees shall not use their employment by the Board to coerce, or give the appearance of coercing, a person to provide financial benefit to themselves or another person, particularly one with whom they have family, business, or financial ties.

#### § 405.735-13 Conduct prejudicial to the Government.

Members and employees shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Board or to the Government.

#### § 405.735-14 Specific regulations for special Government employees.

(a) *Use of Board affiliation.* A special Government employee of the Board shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) *Use of inside information.* (1) A special Government employee shall not use inside information obtained as a result of his employment by the Board for private gain for himself or another person, either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For this purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(2) Special Government employees may teach, lecture, or write in a manner not inconsistent with § 405.735-7(c) for employees.

(c) *Receipt of gifts, entertainment, and favors.* (1) A special Government employee, while employed by the Board or in connection with his employment, shall not receive or solicit from a person having business with the Board, anything of value such as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(2) The exception as set forth in § 405.735-5(b) for employees will apply with equivalent force and effect to special Government employees with regard to the prohibitions of paragraph (a) of this section.

(d) *Applicability of other provisions.* The provisions of § 405.735-9 (Use of Government property), § 405.735-11 (Gambling, betting, and lotteries), § 405.735-12 (Coercion), § 405.735-13 (Conduct prejudicial to the Government) and § 405.735-15 (Miscellaneous statutory provisions) apply to special Government employees in the same manner as to employees.

#### § 405.735-15 Miscellaneous statutory provisions.

Each Member and employee shall acquaint himself with the statutory provisions in Appendix I, attached hereto and made a part thereof, which relate to his ethical and other conduct as a Member and employee of the Board and the Government.

#### § 405.735-16 Statements of employment and financial interests.

(a) All employees in the positions specified in Appendix II, attached hereto and made a part thereof, shall submit a statement of employment and financial interests under the regulations in this part in triplicate to the Personnel Manager not later than:

(1) Ninety days after the effective date of the regulations in this part if he is employed on or before that effective date; or

(2) Thirty days after he becomes subject to the reporting requirements by occupying a position covered under paragraph (a) of this section, if he occupies the position after that effective date.

(b) An employee required to submit a statement of employment and financial interests shall submit that statement in the format prescribed by the Executive Director.

(c) Board Members are subject to separate reporting requests under section 401 of the Executive order, and are not required to file statements pursuant to this section.

#### § 405.735-17 Supplementary statements.

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in supplementary statements, in the format prescribed by the Executive Director, as of June 30th of each year. If there are no changes or additions, a negative report is not required. Notwithstanding the filing of the annual report required by this section, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions, 18 U.S.C. 208, or the provisions of this part.

#### § 405.735-18 Interests of employees' relatives.

The interest of a spouse, minor child, or other members of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's household" means those blood relations who are residents of the employee's household.

#### § 405.735-19 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall require that other person to submit information in his behalf.

#### § 405.735-20 Information not required of employees.

An employee is not required to submit on a statement of employment and financial interests or supplementary statement, any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization, or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work, involving grants of money from or contracts with the government, are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

#### § 405.735-21 Confidentiality of statements.

Subject to the provisions of § 405.735-24 concerning review of employee statements, each statement of employment and financial interests, and each supplementary statement, shall be held in confidence. The Personnel Manager is personally responsible for the retention of employee statements in confidence and may not disclose information from a statement or allow access to a statement, except to carry out the purpose of this part, or as the Civil Service Commission or the Chairman may determine for good cause shown.

#### § 405.735-22 Effect of statements on other requirements.

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

#### § 405.735-23 Submission of statements by special Government employees.

(a) A special Government employee shall submit a statement of employment and financial interests which reports:

(1) All other employment; and  
(2) The financial interests of the special Government employee which the Chairman determines are relevant in the light of the duties he is to perform.

(b) A special Government employee who is a consultant or expert shall submit a statement of employment and financial interests to the Personnel Manager, in the format prescribed by the Executive Director, at the time of his employment, and shall keep his statement current throughout his period of employment by submission of supplementary statements.

(c) The Chairman may waive the requirement in paragraph (a) of this section for the submission of a statement of employment and financial interests in the case of a special Government em-

employee who is not a consultant or an expert when it has been determined that the duties of the position held by the special Government employee are of a nature, and at such a level of responsibility, that the submission of the statement by the incumbent is not necessary to protect the integrity of the Board. For the purpose of paragraphs (b) and (c) of this section, the following are examples of special Government employees who are not consultants and experts:

- (1) A physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients; or
- (2) A veterinarian whose services are procured to provide care and service to animals.

**§ 405.735-24 Review of financial statements.**

(a) The Personnel Manager shall review each statement of employment and financial interests submitted under the regulations in this part (other than his own, which is reviewed by the Executive Director) to determine whether conflicts of interest or apparent conflicts of interest exist. If the review, or other information from other sources, indicates a conflict between the interests of an employee or special Government employee and the performance of his services for the Board, the Personnel Manager shall forward the statement, together with a position description of the employee involved, to the General Counsel of the Board.

(b) The employee or special Government employee whose statement has been referred under the provisions of paragraph (a) of this section will receive, from the General Counsel, advice and guidance regarding the matters questioned by the Personnel Manager. He will be afforded an opportunity to explain the conflict or appearance of conflict. It is expected that most problems will be settled at this informal stage. However, if an agreement cannot be reached after consultation, the matter shall be reported by the General Counsel, after consulting with the Executive Director, to the Chairman for resolution.

(c) The Chairman may provide the employee or special Government employee concerned with an additional opportunity to explain the conflict or appearance of conflict. If the matter cannot be resolved, the Chairman may invoke the disciplinary provisions of § 405.735-27, or may decide that remedial steps shall be taken with regard to such employee or special Government employee. When the questions of conflict of interest are resolved at one of the stages of review, the reviewing official shall sign and date a copy of the employee's statement to evidence clearance, and this statement shall thereafter be kept as provided in § 405.735-21.

**§ 405.735-25 Publication and interpretation.**

(a) The Personnel Manager of the Board shall be responsible for making the regulations in this part and all revisions thereof, and the formats for state-

ments of employment and financial interests available to:

(1) Each member, employee, and special Government employee at the time of issuance and at least annually thereafter;

(2) Each new member, employee, and special Government employee of the Board at the time of his entrance on duty; and

(3) Each member, employee, and special Government employee of the Board at such other times as circumstances warrant.

(b) The Personnel Manager shall have available for review by members, employees, and special Government employees of the Board, copies of such laws, Executive orders, Civil Service Commission regulations and instructions, and Board regulations as may currently appertain to their standards of ethical and other conduct.

(c) The General Counsel of the Board is designated to provide counseling and assistance to interpret the regulations in this part and matters relating to ethical conduct, particularly matters subject to the provisions of the conflict-of-interest laws and other matters covered by the Executive order. These counseling services are available to all members, employees, and special Government employees at the General Counsel's office, by appointment for consultation or by written communication.

**§ 405.735-26 Employee's complaint on filing requirements.**

An employee who believes that his position has been improperly included under the regulations in this part, as one requiring the submission of a statement of employment and financial interests, may request review through the Board's grievance procedure.

**§ 405.735-27 Disciplinary or remedial action.**

(a) A violation of the regulations in this part by an employee or special Government employee may be cause for disciplinary action in addition to any penalty prescribed by Federal statute or regulation, except for active duty officers or enlisted members of the Armed Forces detailed to the NTSB, in which cases disciplinary actions may be effected against such military personnel by the parent military service. Disciplinary action may take the form of a warning, suspension, demotion, or removal, depending upon the gravity of the offense.

(b) Any employee or special Government employee who is charged with a violation of the regulations in this part shall be provided an opportunity to explain the violation, or appearance of violation, to the charging authority. The charging authority shall be the Executive Director of the Board.

(c) When, after consideration of the explanation, the charging authority decides that disciplinary action is not required, he may take appropriate remedial action. Remedial action may include, but is not limited to:

- (1) Changes in assigned duties;

(2) Requiring divestment by the employee or special Government employee of any financial interest that conflicts, or appears to conflict, with the performance of his official duties; or

(3) Disqualification for a particular assignment.

(d) Remedial or disciplinary action shall be effected in accordance with any applicable laws, Executive orders, and regulations.

By the National Transportation Safety Board.

[SEAL] JOSEPH J. O'CONNELL, JR.,  
Chairman.

AUGUST 30, 1968.

APPENDIX

MISCELLANEOUS STATUTORY PROVISIONS

Each member and employee and each special Government employee has a positive duty to acquaint himself with each statute which relates to his ethical and other conduct as an officer or employee of the National Transportation Safety Board and of the Government. Therefore, each member and employee and each special Government employee shall acquaint himself with the following statutory and nonstatutory provisions which relate to his ethical and other conduct:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session (72 Stat. B12), the "Code of Ethics for Government Service."

(b) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest (18 U.S.C. 201 through 209).

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

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

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibition against:

- (1) The disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and
- (2) The disclosure of confidential information (18 U.S.C. 1905, 49 U.S.C. 1472(f)).

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

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

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

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

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibition against:

- (1) Embezzlement of Government money or property (18 U.S.C. 641);
- (2) Failing to account for public money (18 U.S.C. 643); and
- (3) Embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

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

(q) The prohibition against an employee's acting as the agent of a foreign principal

registered under the Foreign Agents Registration Act (18 U.S.C. 219).

## APPENDIX II

## EMPLOYEES REQUIRED TO SUBMIT STATEMENTS

(a) Statements of employment and financial interests are required of the following:

(1) Employees in grades GS-16, 17, and 18 or in positions not subject to the Classification Act paid at a rate at or above the entrance rate for grade GS-16.

(2) Hearing Examiners.  
 (3) Special Assistant to the Members.  
 (4) Public Information Officer.  
 (5) Personnel Manager.  
 (6) Budget and Systems Planning Officer.  
 (7) Office Services Manager, GS-12.  
 (8) Attorneys in grade GS-15.  
 (9) Bureau of Surface Transportation Safety.

(a) Division Chiefs.  
 (b) Associate Division Chiefs.  
 (10) Bureau of Aviation Safety.  
 (a) Executive Assistant.  
 (b) Administrator, Accident Investigation School.

(c) Division Chiefs.<sup>1</sup>  
 (d) Branch Chiefs.  
 (e) Chief or Senior Investigator, Field Offices.

[F.R. Doc. 68-10820; Filed, Sept. 5, 1968; 8:52 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

#### PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

##### Publication of Advertising Standards by Private Association

###### § 15.287 Publication of advertising standards by private association.

(a) The Commission announced its approval of advertising standards proposed for publication by a private association.

(b) The association has come to believe that a particular commodity is, in some instances, being locally advertised to the deception of consumers and the unfair disadvantage of competitors.

(c) It therefore devised a statement setting forth a number of practices which have heretofore been found unlawful by the Commission and proposes to invite industry members voluntarily to agree to avoid such practices. It intends also to make its statement available to advertising media with a request that the media voluntarily use the standards set forth in the statement to screen proposed copy for acceptance.

(d) The Commission stated that: "As long as each signer of the document agrees to, and abides by, its provisions without coercion, expressed or implied, and as long as each advertising medium exercises its own independent judgment, without coercion expressed or implied

<sup>1</sup> Incumbents of some of these positions occupying positions at GS-16 or above.

as to what copy it will accept or reject, the Commission would have no objection to your proposed document as written, or its proposed use."

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

Issued: September 5, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 68-10774; Filed, Sept. 5, 1968; 8:48 a.m.]

#### PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

##### Receipt of Promotional Allowances Prohibited by Order

###### § 15.288 Receipt of promotional allowances prohibited by order.

(a) The Commission was requested to render an advisory opinion with respect to the legality of a respondent's proposed participation in a special promotion sponsored by one of its suppliers. The respondent, a retailer, is under an outstanding Commission order which prohibits it from inducing and receiving promotional allowances when it knows or should know that the allowances are not made available on proportionally equal terms by the supplier to all its other customers in competition with the respondent.

(b) According to information provided by the respondent, the supplier essentially has offered to pay 50 percent of the respondent's advertising space and/or time costs up to a maximum participation of \$5,000. Further, the Commission understands that the supplier has at least two other retailer customers in the respondent's trading area, and that the supplier has represented to respondent that it will at some undisclosed future time offer the special promotion to each.

(c) On the basis of this information, the Commission advised that whether respondent's proposed participation in the subject promotion will be in compliance with the order to cease and desist depends in large part upon the general availability of the said promotion, a threshold determination which must be made by the respondent.

(d) The Commission advised that if the subject promotion is available to the other known customers of the supplier who compete with the respondent, no problem would seem to be presented by respondent's participation in the promotion. On the other hand, if respondent knows or, as a reasonable and prudent businessman, should know that the promotion is not available to such other known customers at such time as respondent would participate in the promotion (and the information before the Commission strongly suggests that this is the case), respondent's participation in the promotion would be in violation of the order.

(e) Accordingly, the respondent was directed to inform the Commission of any determination it makes to participate in this promotion.

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

Issued: September 5, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 68-10775; Filed, Sept. 5, 1968; 8:48 a.m.]

#### PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

##### Compost Peat

###### § 15.289 Compost peat.

(a) The Commission rendered an opinion to a company which sought permission to use the term "compost peat" as descriptive of organic, decomposed municipal refuse.

(b) Ruling that it had no objection to use of the word "compost" since the end product is the result of decomposed organic matter, nevertheless the Commission reached a different conclusion with respect to the use of the word "peat."

(c) In rejecting use of the word "peat" to describe the end product in question, the opinion stated: "The Commission believes that the purchasing public would generally understand 'peat' to be a natural product, that is, one that is formed naturally where vegetable matter has decomposed over a long period of time under particular conditions. Peat moss is a common form of such natural product. The organic material produced in your decomposition process would not be 'peat' as that term is so generally understood, and the Commission believes that to describe it as 'peat' would be misleading. Accordingly, you are advised that the Commission would find your proposed use of the term objectionable."

(d) Under the facts presented to it, the requesting party proposes to contract with various cities to handle their municipal refuse. All nonorganic material will be removed from such refuse and sold to various users thereof. The remaining organic material consisting of vegetable matter emanating from food and garden sources, grasses, leaves, trees, wood cellulose and other plants will then be processed under very high moisture conditions during the decomposition stage. Thereafter, the material will be held in large pits for seven days and then removed to storage sites for further decomposition.

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

Issued: September 5, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 68-10776; Filed, Sept. 5, 1968; 8:48 a.m.]

**PART 15—ADMINISTRATIVE  
OPINIONS AND RULINGS**

**Membership in Trade Association by  
Manufacturer Under Commission  
Order**

**§ 15.290 Membership in trade associa-  
tion by manufacturer under Com-  
mission order.**

(a) The Commission rendered an advisory opinion to a beverage manufacturer, currently subject to a cease and desist order, covering the legality of a proposed reorganization of an industry association to which the manufacturer belongs.

(b) Specifically the Commission was asked whether the manufacturer could properly sign the proposed articles of incorporation covering a state trade association, which is presently unincorporated and of which that manufacturer is now a member, where that manufacturer is covered by a Commission order prohibiting it from engaging in price fixing or engaging in any conversations with competitors regarding prices or terms of sale. The association's members are manufacturers and distributors of a product produced by the inquiring manufacturer. The proposed articles of incorporation state the purpose of the association to be to promote, represent and develop the industry within the state. In light of the foregoing circumstances, the Commission stated that it had no objection to the signing of the proposed articles of incorporation by the inquiring manufacturer.

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

Issued: September 5, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 68-10777; Filed, Sept. 5, 1968;  
8:48 a.m.]

**Title 17—COMMODITY AND  
SECURITIES EXCHANGES**

**Chapter II—Securities and Exchange  
Commission**

[Release Nos. 33-4921, 34-8388]

**PART 230—GENERAL RULES AND  
REGULATIONS SECURITIES ACT OF  
1933**

**PART 240—GENERAL RULES AND  
REGULATIONS SECURITIES EX-  
CHANGE ACT OF 1934**

**Industrial Revenue Bonds**

The Securities and Exchange Commission announced today that it has adopted Rule 131 (17 CFR 230.131) under the Securities Act of 1933 and Rule 3b-5 (17 CFR 240.3b-5) under the Securities Exchange Act of 1934. The new rules relate to "industrial revenue bonds."

Proposed rules were published for comment on February 1, 1968, in Securi-

ties Act Release No. 4896 (Securities Exchange Act Release No. 8248) (33 F.R. 3142, Feb. 17, 1968). The Commission received many helpful comments that pointed out problems that would be created by the rules in the form in which they were proposed, and that suggested means of overcoming these problems. In light of these comments, the Commission determined to revise the proposed rules to meet the objections raised in these comments and incorporate some of the suggestions for revision.

As was pointed out in the Release announcing the proposed rules, the typical industrial revenue bond financing plan represents a financing by a private company. Accordingly, investors should be given information concerning the business, prior experience, fiscal responsibilities and earnings of the company that has leased the facility, as well as the terms and conditions of the lease arrangement, in order to assess the worth of such investment. The municipality or other governmental unit usually has no significant obligation under the bond, except to the extent of applying lease payments received from the private company to the payment of principal and interest. The investor cannot look to the municipality for interest payments or repayment of the principal; he can look only to the possibility of success or failure of the private company. The municipality serves as a conduit through which the amounts payable under the lease arrangement flow from the private company to the bondholder. In these circumstances, the investor is offered an interest in an obligation of the private company which is a "security" within the meaning of the securities acts and should have the benefit of the disclosures required by the Securities Act of 1933 and the Securities Exchange Act of 1934 when applicable.

There appeared to be a failure on the part of many persons who submitted comments to understand that the proposed rules were interpretive rules that identify securities of private companies which are offered and sold in industrial revenue bond financing plans, and that the proposed rules were not intended to affect the exemptions for municipal or governmental bonds contained in the securities acts. In addition, in some of the comments it was noted that although the Release announcing the proposed rules pointed out that the rules would not affect the exemption for municipal or governmental bonds, they were broad enough in scope to have a contrary implication. As a consequence, the rules have been revised to remove such implication.

**Rule 131.** Paragraph (a) of the rule has been modified to relate specifically to section 3(a)(2) of the Act. This was accomplished by deleting the words "State or Territory of the United States, any political subdivision of a State or Territory, or any agency or instrumentality of one or more States, Territories or political subdivisions thereof," and substituting therefor the words "governmental unit specified in section 3(a)(2) of the Act."

Many of the comments that were received pointed out that a definition of the term "industrial or commercial enterprises" should be included in the rules, and gave suggestions as to how that term should be defined. In the light of those comments, the Commission has added a new paragraph (b), which states that "An obligation shall not be deemed payable from industrial or commercial enterprises if such obligation relates to a public project or facility owned and operated by or on behalf of and under the control of a governmental unit specified in section 3(a)(2) of the Act." This paragraph would make it clear that registration is not required where the lessee is a governmental unit specified in section 3(a)(2) of the Securities Act.

Paragraph (b) of the proposed rule has been relettered (c) and the word "issued" in the last line of the paragraph has been changed to the word "sold" and the rule will become effective January 1, 1969. These changes were made in response to comments that pointed out certain technical and timing problems that were raised by the proposed rule.

The rule is directed to financing plans in which any part of the principal and/or interest on a bond, note, debenture or evidence of indebtedness issued in the name of a government or its instrumentality is payable from payments which are to be made under a lease, sale or loan arrangement by private enterprise for property or money to be used by industrial or commercial enterprises. The rule does not have the effect of requiring registration of revenue bonds issued by a state, a political subdivision, a municipality or a public instrumentality to finance a revenue producing public project operated by such issuer, such as toll roads, municipal water systems, transportation facilities and systems or municipal recreational facilities, or revenue bonds which are to be funded by payments under a lease, sale or loan arrangement if the user of the facility or property is a state or a political subdivision or public instrumentality of a state or a municipality which is the lessee or obligor. New paragraph (b) of the rule is designed to remove all doubt as to the effect of the rule. In this connection, concern was expressed in many comments that the rule would have the effect of requiring registration of bonds issued to finance construction of airports, wharves, recreational and sporting facilities and convention facilities. Paragraph (b) would clearly make the rule inapplicable to the financings of such facilities that are owned by a municipality and operated by it or a public instrumentality.

It should be noted, however, that if the municipality were not to control the facility but were to lease it or sell it to a private enterprise to operate for a profit, the bonds would be payable from an industrial or commercial enterprise and registration would be required, absent an available exemption. On the other hand, the section 3(a)(2) exemption would be applicable where a governmental unit having taxing authority or other resources guarantees payment of the bond

obligation in the event of default under the lease, or where such governmental unit is responsible for all the bond payment obligation even though a portion or all of the facility is leased to a private enterprise. Further, whether or not section 3(a)(2) of the Act is applicable, if the securities are offered and sold exclusively to residents of the State in which the lessee company is organized and doing business and in which the facility is located, the exemption in section 3(a)(11) of the Act would be available; or if the securities are not publicly offered, the exemption in section 4(2) of the Act would be available.

It should be noted that the rule relates only to that part of an obligation evidenced by industrial revenue bonds which is payable from an industrial or commercial enterprise. Thus, if the lease obligation is in an amount less than the principal amount of the bonds, registration would be required of only that portion representing the lease obligation. Similarly, if a facility were leased to two separate lessee companies, each of which was obligated to make lease payments representing a portion of the principal amount of the bonds, each would be required to register its respective portion of the lease obligation.

The Commission has determined, based on a number of lease obligations that have recently been registered, that existing rules, procedures and policies under the Trust Indenture Act of 1939 are adequate in connection with the applicability of that Act to the securities identified in the rules. For example, the indenture which contains the provisions required by the Trust Indenture Act of 1939, may be executed between the trustee and the lessee and the lessee will be required to file the necessary reports and perform the other obligations of an obligor thereunder. However, it has been the practice for the municipality to execute the indenture and to assign its rights under the lease to the indenture trustee, in which case the lessee assumes the statutory functions of an obligor in the lease.

**Rule 3b-5.** Rule 3b-5 has been modified in the same manner as Rule 131.

Rule 3b-5 makes it clear that securities identified under Rule 131 are also "securities" within the meaning of section 3(a)(10) of the Securities Exchange Act of 1934. The provisions of the rule correspond to those of Rule 131. The rule informs brokers and dealers who deal in industrial revenue bonds, that consideration should be given to the existence of separate securities issued in connection with the issuance of industrial revenue bonds, in determining their obligations under the Securities Exchange Act, where any part of the obligation evidenced by any bond, note, debenture or other evidence of indebtedness is payable from industrial or commercial enterprises. Such separate securities ordinarily would not be exempted securities within the meaning of section 3(a)(12) of the Act. In such instances all the provisions of the Exchange Act and the Commission's rules thereunder will apply to any part of the obligation evidenced by the bond

which is deemed to be a separate security within the meaning of section 3(a)(10) of the Exchange Act and which is not issued by a lessee or obligor described in section 3(a)(12) of that Act.

**Commission action.** Sections 230.131 and 240.3b-5 of Chapter II of Title 17 of the Code of Federal Regulations are hereby adopted to read as follows:

**§ 230.131 Definition of security issued under governmental obligations.**

(a) Any part of an obligation evidenced by any bond, note, debenture, or other evidence of indebtedness issued by any governmental unit specified in section 3(a)(2) of the Act which is payable from payments to be made in respect of property or money which is or will be used, under a lease, sale, or loan arrangement, by or for industrial or commercial enterprise, shall be deemed to be a separate "security" within the meaning of section 2(1) of the Act, issued by the lessee or obligor under the lease, sale or loan arrangement.

(b) An obligation shall not be deemed payable from industrial or commercial enterprises if such obligation relates to a public project or facility owned and operated by or on behalf of and under the control of a governmental unit specified in section 3(a)(2) of the Act.

(c) This rule shall apply to transactions of the character described in paragraph (a) of this section only with respect to bonds, notes, debentures or other evidences of indebtedness sold after December 31, 1968.

(Sec. 19(a); 48 Stat. 85, as amended; 15 U.S.C. 77s)

**§ 240.3b-5 Non-exempt securities issued under governmental obligations.**

(a) Any part of an obligation evidenced by any bond, note, debenture, or other evidence of indebtedness issued by any governmental unit specified in section 3(a)(12) of the Act which is payable from payments to be made in respect of property or money which is or will be used, under a lease, sale, or loan arrangement, by or for industrial or commercial enterprise, shall be deemed to be a separate "security" within the meaning of section 3(a)(10) of the Act, issued by the lessee or obligor under the lease, sale or loan arrangement.

(b) An obligation shall not be deemed payable from industrial or commercial enterprises if such obligation relates to a public project or facility owned and operated by or on behalf of and under the control of a governmental unit specified in section 3(a)(12) of the Act.

(c) This rule shall apply to transactions of the character described in paragraph (a) of this section only with respect to bonds, notes, debentures or other evidences of indebtedness sold after December 31, 1968.

(Secs. 3(b), 23(a), 48 Stat. 882 and 901, as amended; 15 U.S.C. 78c, 78w)

By the Commission, August 28, 1968.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 68-10766; Filed, Sept. 5, 1968;  
8:47 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Subtitle A—Office of the Secretary, Department of Housing and Urban Development

#### PART 81—REGULATIONS GOVERNING OPERATIONS OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

In Subtitle A a new Part 81 is added as follows:

Sec.	
81.1	Scope of part.
81.2	Common stock.
81.3	Dividends. [Reserved]
81.4	Debt to capital ratio.
81.5	Issuance of obligations.
81.6	Housing for low and moderate income families. [Reserved]
81.7	Audits.
81.8	Reports.

**AUTHORITY:** The provisions of this Part 81 issued under secs. 303(c), 304(b), 309(h), 311, Federal National Mortgage Association Charter Act; 12 U.S.C. 1718(c), 1719(b), 1723a(h), 1723c.

**§ 81.1 Scope of part.**

This part is established for the codification of regulations governing the operations of the Federal National Mortgage Association (hereafter in this part called the corporation) issued and to be issued from time to time by the Secretary of Housing and Urban Development, as authorized by the Federal National Mortgage Association Charter Act (hereafter in this part called the Charter Act).

**§ 81.2 Common stock.**

The corporation is authorized to issue to any seller or borrower required to make capital contributions under section 303(b) of the Charter Act shares of the corporation's common stock required to be issued by section 303(c) of the Charter Act. The corporation is further authorized to issue and sell additional shares of its common stock to those persons and institutions that service its mortgages, in consideration for payments by such servicers into the corporation's capital or capital and surplus for each such share of an amount equal to the then current issue price of the common stock so required to be issued; but no such stock shall be issued to any servicer at any time in excess of its reasonably foreseeable need at such time in connection with the amount of stock required to be held under section 303(c) of the Charter Act. The authorizations of this section are granted on the condition that the Secretary of Housing and Urban Development be given written notice at least 15 days in advance of any change by the corporation in the issue price of its stock.

**§ 81.3 Dividends. [Reserved]**

**§ 81.4 Debt to capital ratio.**

(a) For the period beginning on September 1, 1968, and ending on October 1, 1968, the maximum debt to capital ratio of the corporation is automatically increased at any time to such ratio as

may be necessary to include all obligations issued under section 304(b) of the Charter Act and outstanding at such time. For the purposes of this section, the outstanding aggregate principal amount of any obligations of the corporation issued under section 304(e) of the Charter Act which are entirely subordinated to the obligations of the corporation issued or to be issued under section 304(b) of the Charter Act shall be deemed to be capital of the corporation.

(b) In the event at any time of a reduction in the sum of the corporation's capital, capital surplus, general surplus, reserves, and undistributed earnings, the maximum debt to capital ratio is automatically increased to such ratio as may be necessary to include all obligations issued under said section 304(b) and outstanding at such time. In the event at any time of a maturity or other event requiring the payment or redemption of any of the obligations issued under section 304(e) of the Charter Act, the maximum debt to capital ratio is automatically increased to such ratio as may be necessary to permit the issue of obligations under section 304(b) of the Charter Act in an amount sufficient to provide the proceeds required to pay the principal of and interest on the obligations outstanding under such section 304(e) and so required to be paid or redeemed at such time. As used in this section, the term "maximum debt to capital ratio" means the maximum ratio, set forth in paragraph (a) of this section or elsewhere, which may be borne to the aforesaid sum by the aggregate principal amount of the corporation's obligations issued under section 304(b) of the Charter Act and outstanding at any one time. So long as any obligations of the corporation issued under section 304(e) of the Charter Act are outstanding, no action shall be taken with respect to the debt to capital ratio provisions of this subsection which is detrimental to the holders of such obligations.

**§ 81.5 Issuance of obligations.**

The corporation is authorized, upon the approval of the Secretary of the Treasury, to issue its obligations and securities from time to time under subsections (b), (d), and (e) of section 304 of the Charter Act in such amounts as may be approved in writing by the Secretary of Housing and Urban Development. In the event at any time of a maturity or other event requiring the payment or redemption of any of the corporation's outstanding obligations, the corporation is hereby authorized, upon the approval of the Secretary of the Treasury, to issue its obligations and securities at such time under any of the aforesaid subsections of section 304 of the Charter Act in an amount sufficient to provide the proceeds required to pay the principal of and interest on the obligations so required to be paid or redeemed at such time.

**§ 81.6 Housing for low and moderate income families. [Reserved]**

**§ 81.7 Audits.**

The books and financial transactions of the corporation shall be made available for audit by the Secretary of Housing and Urban Development at any time requested by him.

**§ 81.8 Reports.**

The corporation shall make such reports concerning its activities as the Secretary of Housing and Urban Development may request.

*Effective date.* Because each of these regulations is conforming, liberalizing, clarifying, or editorial, it is found unnecessary to issue them with notice and public procedure under 5 U.S.C. 553(b) or subject to the effective date limitation of 5 U.S.C. 553(d).

These regulations shall be effective September 1, 1968.

Issued at Washington, D.C., September 3, 1968.

ROBERT C. WEAVER,  
Secretary of Housing and  
Urban Development.

[F.R. Doc. 68-10764; Filed, Sept. 5, 1968; 8:47 a.m.]

**Title 25—INDIANS**

**Chapter I—Bureau of Indian Affairs, Department of the Interior**

**SUBCHAPTER T—OPERATION AND MAINTENANCE**

**PART 221—OPERATION AND MAINTENANCE CHARGES**

**Basic Charge; Tribal and Trust Patent Indian Lands of San Carlos Project, Arizona**

On page 10528 of the FEDERAL REGISTER of July 24, 1968, there was published a notice of intention to amend § 221.110 *Basic charge*, of Title 25, Code of Federal Regulations dealing with irrigation operation and maintenance assessments against tribal lands and trust patent Indian lands of the San Carlos Irrigation Project, Arizona, by increasing the annual basic assessment rate for the calendar year 1969 and subsequent years, unless changed by further order, from \$7.20 to \$7.50 per acre.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendment is hereby adopted without change as set forth below.

**§ 221.110 Basic charge.**

Pursuant to the provisions of section 10 of the Act of March 3, 1905 (33 Stat. 1081), as amended and supplemented by the Acts of August 24, 1912 (37 Stat. 522), August 1, 1914 (38 Stat. 583, 25 U.S.C.

385), section 5 of the Act of June 7, 1924 (43 Stat. 476), March 7, 1928 (45 Stat. 210, Title 25 U.S.C. 387), and the Act of August 9, 1937 (50 Stat. 577), as amended by the Act of May 9, 1938 (52 Stat. 291-305), and in accordance with the public notice issued on December 1, 1932, operation and maintenance charges are assessable against the 50,000 acres of tribal lands and trust patent Indian lands of the San Carlos Indian Irrigation Project within the boundaries of the Gila River Indian Reservation, Ariz., and the basic rate assessed for the calendar year 1969 and the subsequent years unless changed by further order, is hereby fixed at \$7.50. Such rate shall entitle each acre of land to have delivered for use thereon 2 acre-feet of water per acre or its proportionate share of the available water supply. The assessment for the 50,000 acres of Indian land will be payable as provided in §§ 221.111 to 221.116, inclusive.

GEORGE W. HEDDEN,  
Assistant Area Director.

[F.R. Doc. 68-10754; Filed, Sept. 5, 1968; 8:46 a.m.]

**Title 28—JUDICIAL ADMINISTRATION**

**Chapter I—Department of Justice**

**PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE**

**Subpart W—Authority To Compromise and Close Civil Claims and Responsibility for Judgments, Fines, Penalties, and Forfeitures**

**Appendix to Subpart W—Redelegations of Authority To Compromise and Close Civil Claims**

**CIVIL DIVISION**

[Directive No. 3-68]

**DELEGATION OF AUTHORITY WITH RESPECT TO THE COMPROMISE OF LITIGATION**

By virtue of the authority vested in me by Part 0 of Title 28 of the Code of Federal Regulations, particularly §§ 0.45, 0.46, 0.160, 0.162, 0.164, 0.166, and 0.168, it is hereby ordered as follows:

SECTION 1. *Delegation of authority to Section Chiefs, Chiefs of Units designated and Attorneys in Charge of Field Offices.* Authority delegated to the Assistant Attorney General in charge of the Civil Division to accept or reject offers in compromise is hereby redelegated, in part, to the several Section Chiefs, to the Chiefs of the Foreign Litigation Unit and the Judgment and Collection Unit, and to the Attorneys in Charge of Field Offices, of the Civil Division as follows (subject to the exceptions set forth in section 2 of this directive):

(1) *Section Chiefs and Chiefs of Units designated.* In all cases against the Government in which the amount to be paid

by the Government pursuant to the offer, and in all cases involving claims asserted by the Government in which the amount demanded by the Government, does not exceed \$20,000, exclusive of interests and costs.

(2) *Attorneys in Charge of Field Offices.* In all cases against the Government in which the amount to be paid by the Government pursuant to the offer, and in all cases involving claims asserted by the Government in which the amount demanded by the Government, does not exceed \$10,000, exclusive of interests and costs.

SEC. 2. *Exceptions.* In any case in which any of the following-described conditions exist all offers in compromise, whether asserted against or on behalf of the Government, must be presented to the Assistant Attorney General for his consideration—

(1) Whenever the agency or agencies involved oppose the settlement;

(2) Whenever a new precedent or a new point of law is involved;

(3) Whenever in the opinion of the Section Chief, the Unit Chief or the Attorney in Charge of the Field Office, as the case may be, a question of policy is or may be involved;

(4) Whenever the United States Attorney has requested reconsideration of a compromise offer previously recommended by him and rejected;

(5) Whenever the total amount involved in other claims arising out of the same transaction exceeds the sum covered by the delegation; and

(6) Whenever, for any reason, the compromise of a particular claim, as a practical matter, will control the disposition of related claims totaling an amount in excess of the sum covered by the delegation.

SEC. 3. *Record of action.* In each case in which a compromise has been accepted or rejected by a Section Chief, Unit Chief or Attorney in Charge of a Field Office pursuant to the authority delegated to him by this directive, a memorandum shall be prepared for the files which shall include:

(1) A statement of the offer;

(2) A statement of the action taken; and

(3) A full statement of the reasons for the action taken.

SEC. 4. *Necessity for submission to agency involved.* No offer in compromise, either of a claim asserted against or of a claim asserted on behalf of the Government, shall be finally acted upon pursuant to the authority delegated by this directive without first obtaining the views of the agency or agencies involved, except in cases in which no question of policy of interest to the agency or agencies involved is present and one of the following-described conditions exists:

(1) The amount of the claim asserted on behalf of the Government, or the amount to be paid in satisfaction of the claim against the Government, does not exceed \$5,000; or

(2) The compromise is based solely upon uncollectibility of the full amount of a claim asserted on behalf of the United States; or

(3) The compromise is one within the scope of section 784(1) of Title 38 of the United States Code.

SEC. 5. *Counteroffers by the Government.* The delegations of authority made by this directive to compromise include the authority to make counteroffers in situations in which the making of a counteroffer seems appropriate and might accelerate disposition of the case.

SEC. 6. *Recommendations for compromise submitted for approval of the Assistant Attorney General.* All recommendations for acceptance or rejection of compromise offers which require the approval of either the Attorney General or the Assistant Attorney General shall be prepared in conformity with the format prescribed for that purpose.

SEC. 7. *Prior directive superseded.* Civil Division Directive No. 16, published October 9, 1964, is hereby superseded.

SEC. 8. *Effective date.* The provisions of this directive shall be effective upon the date of the publication of this directive in the FEDERAL REGISTER.

Dated: August 23, 1968.

EDWIN L. WEISL, Jr.,  
Assistant Attorney General.

[F.R. Doc. 68-10778; Filed, Sept. 5, 1968;  
8:48 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter I—Office of the Secretary of Defense

#### SUBCHAPTER P—RECORDS

#### PART 290—AVAILABILITY TO THE PUBLIC OF DEFENSE CONTRACT AUDIT AGENCY INFORMATION

##### Exemptions From Public Disclosure

The Part 290 amendment published at 33 F.R. 12228 (Aug. 30, 1968) should be corrected to read "Section 290.10 has been amended to delete subparagraph (3) of paragraph (b)."

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

SEPTEMBER 3, 1968.

[F.R. Doc. 68-10773; Filed, Sept. 5, 1968;  
8:48 a.m.]

## Title 45—PUBLIC WELFARE

### Chapter I—Office of Education, Department of Health, Education, and Welfare

#### PART 112—FINANCIAL ASSISTANCE FOR CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AFFECTED BY CERTAIN DISASTERS

##### Miscellaneous Amendments

The following amendments to Part 112 are issued to reflect the amendments to

section 16 of Public Law 815, 81st Congress, that were made by Public Law 90-247:

(20 U.S.C. 642. Interpret or apply sec. 16, 79 Stat. 1158, 20 U.S.C. 646)

1. The heading of Part 112 is amended to read as set forth above.

2. In § 112.1, paragraphs (f), (g), (h), and (i) are amended to read as follows:

##### § 112.1 Definitions.

(f) "Local educational agency" means a board of education or other legally constituted local school authority (including, where applicable, a State agency which directly operates and maintains facilities for providing free public education) having exclusive administrative control and direction of free public education in a county, township, independent, or other school district located within a State and including any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age. If the local education agency so defined does not have responsibility for providing school facilities and that responsibility is vested in a State, county, city, or town agency, the term shall include such an agency, together with the agency having exclusive administrative control and direction of other phases of free public education.

(g) "Major disaster area" means an area which is determined, pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), to have suffered, after August 30, 1965, and prior to July 1, 1970, a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government. A certification by the Governor of the State in which such an area is located of the need for disaster assistance in that area under Public Law 81-875 shall be deemed to be certification of need for disaster assistance under section 16(a)(1)(A) of Public Law 81-815 and an assurance of the expenditure of a reasonable amount of the funds of the government of that State, or of a political subdivision thereof, for purposes the same as, or similar to those provided for in section 16 of Public Law 81-815 with respect to that catastrophe.

(h) "Project application" means a request, on forms prescribed by the Commissioner, for Federal financial assistance under section 16 of the Act for the cost of school facilities needed for the replacement or restoration of public elementary or secondary school facilities destroyed or seriously damaged as a result of a major disaster or for the replacement with needed public school facilities of private elementary and secondary school facilities which were destroyed and which will not be replaced.

(i) "State" means a State of the Union, the District of Columbia, Puerto

Rico, Guam, American Samoa or the Virgin Islands.

(20 U.S.C. 645, 646)

3. In § 112.2, paragraphs (a), (b), (c), and (e) are amended to read as follows:

§ 112.2 Eligibility for financial assistance.

(a) If, in accordance with section 16(a) of the Act, the Commissioner finds that, as a result of a major disaster, (1) public elementary or secondary school facilities (or public school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need for public school facilities; (2) the local educational agency is utilizing or will utilize all State and other financial assistance specifically available for the replacement or restoration of such school facilities; (3) said agency does not have sufficient funds available to it from State, local, and other Federal sources and from the proceeds of insurance on such school facilities, and requires an amount of additional assistance equal to at least \$1,000 or one-half of 1 percent of such agency's current operating expenditures during the fiscal year preceding the one in which such major disaster occurred, whichever is less, to provide the minimum school facilities needed (i) for the restoration or replacement of the school facilities of such agency so destroyed or seriously damaged or (ii) to serve, in facilities of such agency, children who but for the destruction of the private facilities would be served by such private facilities; and (4) said agency is making provision for the conduct, under public auspices and administration, of educational programs in which provision is made for participation by children who were enrolled in private elementary and secondary schools which are in the school attendance area of said agency and which had their operation disrupted or impaired by a major disaster, that agency is eligible to receive from the Commissioner the additional assistance under section 16 of the Act which is necessary to enable that agency to provide such facilities. If the Commissioner finds that funds will in the near future become available to the local educational agency specifically for such a purpose, the Federal financial assistance will, to the extent that such funds are to become so available, be in the form of a repayable advance under such terms and conditions as the Commissioner considers to be in the public interest under the circumstances.

(b) Federal financial assistance under section 16 of the Act will be limited to the amount deemed by the Commissioner to be necessary as additional assistance in order for the local educational agency to provide for the replacement or restoration of the school facilities destroyed or seriously damaged as a result of a major disaster, or for the replacement

with public school facilities of those private elementary or secondary school facilities which were destroyed and which will not be replaced. Such assistance will be provided only if the Commissioner, after consultation with the State and local educational agencies finds that the replacement or restoration of the school facilities would not be inconsistent with overall State plans with respect to the construction of school facilities.

(c) Federal financial assistance provided under section 16 of the Act as being necessary to enable the local educational agency to provide the needed minimum school facilities will not exceed the total amount required to pay for the cost of construction incident to the replacement or restoration of school facilities destroyed or seriously damaged as a result of a major disaster, or to provide the minimum school facilities needed to serve, in the facilities of said agency, children who but for the destruction of private facilities would be served by said private facilities, less all amounts available to the applicant specifically for such a purpose from local, State, other Federal sources, and from the proceeds of insurance on the school facilities destroyed or damaged as a result of the major disaster.

(e) Federal assistance under section 16 of the Act will be authorized in the case of a major disaster only to provide the minimum school facilities needed for the replacement or restoration of that portion of a building which was, at the time of the major disaster, in use as a school facility or in the process of being made ready for such a use. The school facility so provided must be functional and not elaborate in design or extravagant in the use of materials in comparison with school facilities of a similar type constructed in the State within recent years, and the replacement or restoration work must be undertaken in an economical manner.

(20 U.S.C. 646)

4. In § 112.3, paragraphs (a) and (b) are amended to read as follows:

§ 112.3 Certification of payments.

(a) Payments to an applicant in a major disaster area under section 16 of the Act will be made only on the basis of a completed application which satisfies the conditions for payment prescribed by section 16 of the Act and the regulations in this part.

(b) Upon approval of a project application of a local educational agency under section 16 of the Act, the Commissioner will pay to such agency an amount equal to 10 percentum of the estimated cost of the construction, incident to the replacement or restoration of the school facilities destroyed or seriously damaged as a result of the major disaster. After final drawings and specifications have been approved by the Commissioner and the construction contract has been entered into, the Commissioner will pay to the applicant local educational agency, in advance or by way of reimbursement at such times and in such

installments as he may deem to be reasonable, the remainder of the Federal share of the cost of the replacement or restoration of such school facilities.

(20 U.S.C. 646)

5. In § 112.8, paragraph (c) is amended to read as follows:

§ 112.8 Applications.

(c) Each application shall be submitted to the Commissioner through the appropriate State educational agency on or before (1) 90 days following the date on which the area in which the local educational agency is, in whole or in part, located is designated as being within a major disaster area, or (2) 90 days following the date of publication in the FEDERAL REGISTER of the amendment to the regulations in this part extending their application to the particular major disaster involved, whichever is later; except that whenever such a date falls on a nonbusiness day, the final day for filing applications shall be the next succeeding business day.

(20 U.S.C. 646)

6. In § 112.10, paragraph (a) is amended to read as follows:

§ 112.10 Determination of priorities among applications.

(a) The Commissioner will determine the order of priority for all applications involving the replacement or restoration of school facilities, the destruction of or serious damage to which as a result of a major disaster requires as a temporary expediency the relocation of students in another school building or classroom. Such applications of all local educational agencies will be assigned priorities on the basis of the percentage, in descending order, that the total number of children in the school district who are so relocated (after deducting the number of children so relocated from a school facility previously assigned a priority in accordance with the order of their consideration that is specified by the local educational agency) bears to the total memberships of all schools in the school district. Such membership will be determined on the basis of the latest and best information available. For the purpose of this section, the number of relocated children will include the number of children displaced from private schools as a result of the major disaster who are to be served by the local educational agency and who, but for the destruction of the private facilities, would be served by the private facilities. Those relocated children will be included in the computation of the membership of the public schools.

(20 U.S.C. 646)

7. Section 112.16 is amended to read as follows:

§ 112.16 Retention of records.

Local educational agencies receiving grants under the Act are required to keep

intact all records supporting claims for such grants 5 years following the date of final payment under the application, or until the grantee is notified that such records are not needed for program administrative review, whichever is the earlier.

(20 U.S.C. 646)

Dated: August 7, 1968.

[SEAL] HAROLD HOWE II,  
U.S. Commissioner of Education.

Approved: August 29, 1968.

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

[F.R. Doc. 68-10781; Filed, Sept. 5, 1968;  
8:49 a.m.]

## PART 113—FINANCIAL ASSISTANCE FOR CURRENT SCHOOL EXPENDI- TURES OF LOCAL EDUCATIONAL AGENCIES AFFECTED BY CERTAIN DISASTERS

### Miscellaneous Amendments

The following amendments to Part 113 are issued to reflect the amendments to section 7 of Public Law 874, 81st Congress, that were made by Public Law 90-247:

(20 U.S.C. 242. Interpret or apply sec. 7, 79 Stat. 1159, 20 U.S.C. 241-1)

1. The heading of Part 113 is amended to read as set forth above.

2. In § 113.1, paragraphs (c), (d), (g), and (h) are amended to read as follows:

#### § 113.1 Definitions.

(c) "Application" means a formal request submitted by a local educational agency on forms prescribed by the Commissioner, including any amendments thereto, as well as any document or documents in support thereof, filed by such a local educational agency, for additional financial assistance under section 7 of the Act and the regulations in this part with respect to current expenditures for providing free public education in an area affected by a major disaster (including assistance with respect to the repair of school facilities or the restoration or replacement of school facilities, when urgently needed to protect such facilities from further damage or deterioration or otherwise necessary for providing free public education, but not including assistance with respect to the making of substantial structural repairs) or for the cost of replacing instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such a major disaster, to make minor repairs, or to lease or otherwise provide school or cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of such a major disaster, or any combination of the foregoing.

(d) "Local educational agency" means a board of education or other legally constituted local school authority (includ-

ing, where applicable, a State agency which directly operates and maintains facilities for providing free public education) having exclusive administrative control and direction of free public education, in a county, township, independent, or other school district located within a State, and including any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age.

(g) "State" means a State of the Union, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(h) "Major disaster area" means an area which is determined, pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), to have suffered, after August 30, 1965, and prior to July 1, 1970, a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government. A certification by the Governor of the State in which such area is located of the need for disaster assistance in such area under Public Law 81-875 shall be deemed to be a certification of need for disaster assistance under section 7(a) (1) (A) of Public Law 81-874 and an assurance of the expenditure of a reasonable amount of the funds of the government of that State, or of any political subdivision thereof, for purposes the same as or similar to those provided for in section 7 of Public Law 81-874 with respect to that catastrophe.

(20 U.S.C. 241-1, 244)

3. Subpart B is amended to read as follows:

#### Subpart B—Financial Assistance for Providing Free Public Education in Areas Affected by Major Disasters

Sec.	
113.2	Financial assistance for providing free public education.
113.3	Assistance for the replacement of supplies, equipment, and materials, for minor repairs, and for the leasing of facilities.

AUTHORITY: The provisions of this Subpart B issued under 20 U.S.C. 242. Interpret or apply sec. 7, 79 Stat. 1159, 20 U.S.C. 241-1.

#### Subpart B—Financial Assistance for Providing Free Public Education in Areas Affected by Major Disasters

##### § 113.2 Financial assistance for providing free public education.

(a) When the Commissioner determines that a local educational agency is utilizing or will utilize all State and other financial assistance available to it for the purpose of meeting the cost of providing free public education for the children attending the schools of such agency, but, as the result of such major disaster, is unable to obtain sufficient funds for that purpose and requires an amount of additional assistance equal to at least \$1,000 or one-half

of 1 percent of such agency's current operating expenditures during the fiscal year preceding the one in which such major disaster occurred, whichever is less, and in the case of any such major disaster, to the extent that the operating of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provision for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate, the Commissioner may, upon application under section 7 of the act and approval thereof, provide such additional financial assistance, including assistance with respect to the restoration or replacement of school facilities other than structures destroyed or seriously damaged, as is necessary to enable that agency to provide free public education at a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster. Such assistance may be continued in subsequent fiscal years on the basis of applications approved during such fiscal years but not beyond the end of the fourth fiscal year following the fiscal year in which the area in which the whole or a part of such agency is located is determined to have suffered a major disaster.

(b) The amount of such Federal financial assistance for providing free public education at a preexisting level during the second, third, and fourth fiscal years following the fiscal year in which the area is determined to have suffered a major disaster will not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount of such financial assistance during the first fiscal year following such a determination exclusive of any financial assistance under section 7(b) of the Act. The amount of financial assistance so provided by the Commissioner to the agency for use during any fiscal year will not exceed the amount which the Commissioner determines to be necessary to enable such an agency with the other funds available to it for such a purpose, to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster. The determination by the Commissioner will take into account the additional costs reasonably necessary to provide under public auspices and administration, educational programs in which children enrolled in private elementary and secondary schools in the school attendance area of the applicant which have been disrupted or impaired by the major disaster may attend and participate.

(20 U.S.C. 241-1)

##### § 113.3 Assistance for the replacement of supplies, equipment, and materials, for minor repairs, and for the leasing of facilities.

(a) Where an applicant local educational agency is determined by the Com-

missioner to be eligible for financial assistance under § 113.2, the Commissioner may provide an additional amount to that agency which he determined to be necessary (1) to replace instructional and maintenance supplies, equipment, materials (including textbooks), whether or not acquired through the use in whole or in part of Federal funds made available under other programs, which have been destroyed or seriously damaged as a result of the major disaster, and (2) to make minor repairs, and (3) to lease or otherwise provide (other than by the acquisition of land or the erection of buildings) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the major disaster.

(b) If the applicant local educational agency is not determined to be eligible for financial assistance under § 113.2, the Commissioner may, nevertheless, provide financial assistance under this section for the purposes specified in paragraph (a) of this section if the amount of financial assistance applied for for those purposes amounts to at least \$1,000 or one-half of 1 percent of such agency's current operating expenditures during the fiscal year preceding the one in which the major disaster occurred, whichever is less.

(20 U.S.C. 241-1)

4. Section 113.8 is amended to read as follows:

§ 113.3 Applications.

As a condition to receiving benefits under section 7 of the Act, a local educational agency located in whole or in part in a major disaster area must, through the appropriate State educational agency, file with the Commissioner an application for financial assistance on forms prescribed by the Commissioner setting forth the need for such benefits under section 7 of the Act. An approved application for financial assistance for providing free public education at a preexisting level other than financial assistance under section 7(b) of the Act shall apply only to such financial assistance for the providing of free public education until the end of the fiscal year in which the application is approved. Otherwise an approved application shall apply to any expenditures made during a reasonable period of time with respect to those items which are covered by the application. An application that is timely made will be applicable retroactively for eligible expenditures made during or subsequent to the major disaster occasioning the expenditure.

(20 U.S.C. 241-1)

5. Section 113.9 is amended to read as follows:

§ 113.9 Dates for filing applications.

Each application for benefits under section 7 of the Act, except applications for financial assistance for continuing to provide free public education at a pre-

existing level that are filed for a fiscal year subsequent to that covered by such initial application, must be filed by the applicant on or before 90 days following the date on which the area in which the applicant is, in whole or in part, located is declared to be a major disaster area or 90 days following the date of the publication in the FEDERAL REGISTER of the amendment to the regulations in this part extending their application to the particular major disaster involved, whichever is later; except that, whenever such date shall fall on a nonbusiness day, the final date for filing applications shall be the next succeeding business day. An application for financial assistance for providing free public education for a fiscal year subsequent to that covered by the initial year of such application must be filed by March 31 in the fiscal year following the last such application. An application must either be received by the Commissioner, or be mailed under cover postmarked, on or before the final filing date. It must be transmitted through and certified for by the State educational agency. The applicant is responsible for obtaining the certification of the State educational agency and for securing transmittal of the application to the Commissioner.

(20 U.S.C. 241-1)

6. Section 113.10 is amended to read as follows:

§ 113.10 Notification to applicants.

Each applicant will be notified by the Commissioner of the approval or disapproval of its application and the estimated amount of any payments to be made with respect to assistance in the cost of providing free public education, including assistance with respect to the making of minor repairs of school facilities, or the replacement or restoration of school facilities, and the cost of replacing destroyed or seriously damaged instructional and maintenance supplies, equipment and materials (including textbooks), and of leasing or otherwise providing school or cafeteria facilities as temporary replacements.

(20 U.S.C. 241-1)

7. In § 113.11, paragraphs (b) and (c) are amended to read as follows:

§ 113.11 Reports.

(b) *Final reports.* Each applicant whose application is approved shall submit to the Commissioner final reports concerning payments made by the applicant for which benefits are sought under section 7 of the Act. Final reports shall be submitted promptly with respect to subsections 7(a) and 7(b) of the Act as follows:

(1) Final reports with respect to assistance under section 7(a), and final reports with respect to the cost of leasing school and cafeteria facilities as temporary replacements under subsection 7(b), shall be submitted to the Commissioner with respect to each fiscal year no later than September 30 following the close of

the fiscal year for which the report is made.

(2) Final reports with respect to assistance under subsection 7(b), except final reports with respect to the cost of leasing school and cafeteria facilities as temporary replacements, shall be submitted to the Commissioner after the applicant has made final payment for approved expenditures and has received final insurance adjustments and all other funds, but in no event later than 90 days following the first anniversary date of the disaster, unless the applicant makes written request, showing good cause, for extension of time for submitting such a final report and such date is extended in writing by the Commissioner.

(c) *Excessive payments.* The Commissioner may disallow any portion of the amounts requested which are determined by him not to be necessary for the intended purpose or not to be eligible for benefits under section 7 of the Act. If, after the date for filing a final report, an applicant is found to have received amounts in excess of the amounts to which it is entitled under section 7 of the Act for a given fiscal year, an amount equal to the excess will be taken into consideration in determining the amounts to be subsequently certified for payment to the applicant for the current or any subsequent fiscal year. Where no subsequent payments are due, the applicant will be required to refund such excess to the United States Treasury through the Commissioner.

(20 U.S.C. 241-1)

8. Section 113.13 is amended to read as follows:

§ 113.13 Method of payment.

The Commissioner will pay in advance or by way of reimbursement and in such installments as he may determine the amounts due to an agency pursuant to the provisions of section 7 of the Act.

(20 U.S.C. 241-1)

9. Section 113.19 is amended to read as follows:

§ 113.19 Retention of records.

Local educational agencies receiving Federal assistance under the Act are required to keep intact all records supporting claims for such Federal funds for 5 years following the fiscal year to which the claim relates, or until the grantee is notified that such records are not needed for program administrative review, whichever is the earlier.

(20 U.S.C. 242)

Dated: August 7, 1968.

[SEAL] HAROLD HOWE II,  
U.S. Commissioner of Education.

Approved: August 29, 1968.

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

[F.R. Doc. 68-10782; Filed, Sept. 5, 1968;  
8:49 a.m.]

## Chapter VI—National Science Foundation

### PART 635—KEEPING OF RECORDS AND FURNISHING OF REPORTS IN CONNECTION WITH WEATHER MODIFICATION ACTIVITIES

#### Miscellaneous Amendments

The following amendments are issued pursuant to the amendments to the NSF Act of 1950 adopted July 18, 1968, to become effective September 1, 1968 (82 Stat. 360). The amendment to that Act repeals the Foundation's authority to require members of the public to supply information on weather modification activities. The amendments to these regulations will, effective September 1, 1968, change the regulations which were formerly mandatory into a request to the public to furnish information on a voluntary basis in order to continue the accumulation of data for the advancement of research and development in weather modification. It is anticipated that these regulations, as amended, will be rescinded if legislation should be enacted continuing elsewhere in the executive branch the reporting activities formerly required by NSF.

1. The Table of Contents is hereby amended by changing "requirement" to "request" in § 635.3 and deleting § 635.7.

2. The authority citation following the Table of Contents is amended by deleting "72 Stat. 353" and substituting therefor "sec. 3(a) (3), 82 Stat. 360".

#### § 635.1 [Amended]

3. Section 635.1 is hereby amended by deleting the words "the responsibility of the National Science Foundation to support a program of" in the first sentence, deleting the period at the end thereof and adding "and fostering the interchange of scientific information with respect to weather modification", by deleting the second sentence and amending the last sentence to read as follows: "The information requested under this regulation is not available elsewhere and therefore can only be obtained from individuals and organizations engaged in weather modification activities."

#### § 635.3 [Amended]

4. Section 635.3 is hereby amended by changing "requirements" to "request" in the title, by deleting in the first sentence of § 635.3 (a) the words "February 1, 1966, shall give not less than" and substituting therefor the words "September 1, 1968, is requested when possible to give at least", by deleting from the second sentence the words "Such notice will be submitted" and substituting therefor the words "Please submit such notice", and by amending the last sentence of § 635.3 (a) to read as follows: "When intention to engage in a weather modification activity develops less than 30 days prior to the planned activity, the report should be forwarded to the Foundation by airmail at the earliest possible time." In § 635.3 (b) substitute "is requested to" for "shall" in the first sentence and substitute "Please submit this report" for "This

report will be submitted" in the second sentence.

#### § 635.4 [Amended]

5. In the first sentence of § 635.4 substitute "is requested to" for "shall." In the second sentence substitute "should" for "shall." In § 635.4(a) (4) substitute "should" for "shall."

6. Section 635.5 is hereby deleted and the following substituted therefor:

#### § 635.5 Retention of records.

In the interest of assisting scientific research, it is requested that the operating logs and records mentioned in § 635.4 be retained for a period of not less than 5 years and be made available for inspection or reproduction by the National Science Foundation when requested.

#### § 635.6 [Amended]

7. Section 635.6 is amended by deleting the words "except where the Director of the Foundation determines that the withholding of such information would be contrary to the purposes of sections 3(a) (9) and 14 of the National Science Foundation Act of 1950, as amended" from the second sentence and by deleting from the last sentence the words "will give due consideration to granting such requests" and substituting therefor the words "will grant such requests to the extent permitted by law."

#### § 635.7 [Repealed]

8. Section 635.7 is hereby repealed.

*Effective date.* These amendments shall become effective at 12:01 a.m., e.d.t., on September 1, 1968.

Signed at Washington, D.C., on August 29, 1968.

LELAND J. HAWORTH,  
Director,  
National Science Foundation.

[F.R. Doc. 68-10763; Filed, Sept. 5, 1968; 8:47 a.m.]

## Title 46—SHIPPING

### Chapter IV—Federal Maritime Commission

#### SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 4 (Rev.)]

### PART 510—LICENSING OF INDEPENDENT OCEAN FREIGHT FORWARDERS

Because of the number and complexity of published amendments to Part 510 of Chapter IV, Title 46 of the Code of Federal Regulations, the part is republished in its entirety as set forth below. No substantive changes have been made in this republication.

#### Subpart A—General

Sec.	
510.1	Scope.
510.2	Definitions.
510.3	Licenses, when required.
510.4	Licenses, when not required.
510.5	Requirements for licensing.

Sec.	
510.6	Publication of applications.
510.7	Investigation of applicants.
510.8	Issuance or denial of licenses.
510.9	Revocation or suspension of licenses.

#### Subpart B—Duties and Obligations

510.20	Scope.
510.21	Definitions.
510.22	Oceangoing common carriers and persons shipping for own account.
510.23	Duties and obligations of licensees.
510.24	Compensation and freight forwarder certifications.
510.25	Special contracts.
510.26	Section 15 agreements.
510.27	Separability.

#### Subpart A—General

*AUTHORITY:* The provisions of this Subpart A issued under secs. 43, 44, Shipping Act, 1916 (75 Stat. 522, 523, and 766); sec. 204, Merchant Marine Act, 1936 (49 Stat. 1987, as amended; 46 U.S.C. 1114).

#### § 510.1 Scope.

This subpart sets forth regulations providing for the licensing as independent ocean freight forwarders of persons, including individuals, corporations, partnerships, and associations, desiring to carry on the business of forwarding, the procedure for applying for licenses, the qualifications required of the applicants, and the grounds for revocation or suspension of licenses.

#### § 510.2 Definitions.

(a) An "independent ocean freight forwarder" is a person carrying on the business of forwarding for a consideration who is not a shipper or consignee or a seller or purchaser of shipments to foreign countries, nor has any beneficial interest therein, nor directly or indirectly controls or is controlled by such shipper or consignee or by any person having such a beneficial interest.

(b) The term "carrying on the business of forwarding" means the dispatching of shipments by any person on behalf of others, by oceangoing common carriers in commerce from the United States, its Territories, or possessions to foreign countries, or between the United States and its Territories or possessions, or between such Territories and possessions, and handling the formalities incident to such shipments.

(c) The term "freight forwarding service or dispatching of shipments" means a service rendered by an independent ocean freight forwarder on behalf of other persons in the process of dispatching or facilitating an export shipment as authorized by such persons. Such service includes, but is not limited to, the following: Examining instructions and documents received from shippers; ordering cargo to port; preparing or processing export declarations; booking cargo space; preparing or processing delivery orders and dock receipts; preparing instructions to truckmen or lightermen, or arranging for, or the furnishing of trucks and lighters; preparing and processing ocean bills of lading; preparing or processing consular documents and arranging for their certification; arranging for or furnishing warehouse storage when necessary; arranging for

insurance when so instructed; clearing shipments in accordance with United States Government regulations; preparing advice notices of shipments and sending copies thereof to banks, shippers, or consignees as required; sending completed documents to shippers, banks, or consignees as directed; advancing necessary funds in connection with the foregoing; providing supervision in the coordination of services rendered to shipments from origin to vessel; rendering special services on unusual shipments or when difficulties in transit arise; and giving expert advice to exporters as regards letters of credit, licenses, inspections.

(d) The term "person" includes individuals, corporations, partnerships, associations, and other legal entities existing under or authorized by the laws of the United States, or any State, Territory, District or possession thereof, or the Commonwealth of Puerto Rico, or of any foreign country.

(e) The term "Commission" means the Federal Maritime Commission.

§ 510.3 Licenses, when required.

(a) No person shall engage in carrying on the business of forwarding as defined herein unless such person holds a license issued by the Federal Maritime Commission to engage in such business. A license to carry on the business of forwarding may be granted by the Commission upon application submitted in accordance with the regulations in this part.

(b) In order to comply with section 44(b), of the Shipping Act, 1916, as amended (Public Law 87-254, approved Sept. 19, 1961), a freight forwarder who on September 19, 1961, held a valid certificate of registration, issued pursuant to Part 244 of this title (General Order 72 (15 F.R. 3153)) must have filed an application on Form FMC-18, prescribed herein, on or before midnight January 17, 1962, in order to continue in the business of forwarding pending action of the Commission on such application.

(c) Application for a license as an independent ocean freight forwarder shall be made on Form FMC-18 (Application for a License as an Independent Ocean Freight Forwarder), copies of which may be obtained from the Secretary, Federal Maritime Commission, Washington, D.C. 20573.

§ 510.4 Licenses, when not required.

(a) Any person whose primary business is the sale of merchandise may dispatch such merchandise without a license.

(b) An employee of a licensed independent ocean freight forwarder is not required to be licensed in order to act solely for his employer; but each licensed independent ocean freight forwarder will be held strictly responsible for the acts or omissions of his employees.

§ 510.5 Requirements for licensing.

(a) A forwarder's license shall be issued to any qualified applicant therefor if it is found that the applicant is, or will be, (1) an independent ocean freight forwarder as defined herein, (2) fit, willing, and able properly to carry on the business of forwarding and to conform to the provisions of the Shipping Act, 1916, as amended, and the requirements, rules, and regulations of the Commission issued thereunder, and (3) that the proposed forwarding business is, or will be, consistent with the national maritime policies declared in the Merchant Marine Act, 1936; otherwise such application shall be denied.

(b) A person desiring to engage in carrying on the business of forwarding shall submit to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, an application in triplicate, executed on Form FMC-18, hereby prescribed for this purpose. Such application shall be accompanied by an application fee of \$100 by money order, certified or cashier's check, made payable to the Federal Maritime Commission. The application fee shall be returned only when application for return is made within 1 year of denial of the license or 1 year from the date of adoption of the rule, whichever is later, and when on the face of the application the applicant fails to meet the requirements of section 44, Shipping Act, 1916, or the regulations promulgated thereunder. In no event shall the application fee be returned where a field investigation of applicant's qualifications has been conducted, or an application has been denied on the basis of hearing pursuant to § 510.8(a). Applications denied prior to hearing, without prejudice, may be refiled on the basis of changed facts within 1 year of the denial or 1 year from the date of adoption of this rule, whichever is later, without additional fee.

(c) Each applicant for a license and each independent ocean freight forwarder to whom a license has been issued, shall submit to the Commission each change of business address, and any other changes in the facts called for in Form FMC-18, within 30 days after such changes occur, and any other additional information required by the Commission.

(d) The applications received will be assigned application numbers and each applicant will be informed as to the number assigned to his application.

(e) In the case of applicants who may continue in the business of forwarding under section 44(b), Shipping Act, 1916, as amended, each such applicant shall, pending issuance of his license, conduct his ocean freight forwarding operations under the registration number previously assigned him under the provisions of Part 244 of this title (General Order 72) and the application number. After a license number has been assigned, such operations shall be conducted under that number only. Such license number shall be set forth on the licensee's letterhead, invoices and shipping documents.

(f) Prior to the issuance of a license to an independent ocean freight forwarder such forwarder shall file with the Commission, a bond in such form and amount as the Commission by rule may require. The said bond shall be kept in effect as long as the license remains effective.

(g) (1) The purpose of this paragraph is to prescribe a temporary bonding rule and establish the form and amount of a surety bond to be filed with the Federal Maritime Commission by applicants for licenses as independent ocean freight forwarders, who on September 19, 1961, were not operating under a registration number issued by the Commission or who were so operating but failed to file an application for license in the prescribed form on or before January 17, 1962. This requirement is not applicable to other ocean freight forwarders.

(2) A rulemaking proceeding will be instituted at a later date for the promulgation of a bond in such form and amount as the Commission may require for industry-wide applicability. All applicants temporarily licensed upon the basis of the bond prescribed herein will be required to comply with any future bonding regulations adopted by the Commission.

(3) No license shall be issued to a person to whom this paragraph is applicable unless such person has filed with the Commission a surety bond in the amount of \$10,000 on Form FMC-59 in the following form:

FEDERAL MARITIME COMMISSION

Surety Co. Bond No. -----  
FMC License No. -----

INDEPENDENT OCEAN FREIGHT FORWARDER'S BOND

(Section 44, Shipping Act of 1916)

Know all men by these presents, That we -----, as Principal (hereinafter called Principal), and -----, as Surety (hereinafter called Surety) are held and firmly bound unto the United States of America in the sum of ----- dollars (\$-----) for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, Principal has applied, or is about to apply, for a license as an independent ocean freight forwarder pursuant to section 44 of the Shipping Act, 1916, and has elected to file this bond with the Federal Maritime Commission;

Now, therefore, the Condition of this obligation is such that if the Principal shall, while this bond is in effect supply the services of an independent ocean freight forwarder in accordance with the contracts, agreements, or arrangements made therefor, then this obligation shall be void, otherwise to remain in full force and effect.

The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall aggregate the penalty of this bond, and in no event shall the Surety's total obligation hereunder exceed said penalty.

This bond shall inure to the benefit of any and all persons for whom the Principal shall have undertaken to act as an independent ocean freight forwarder.

This bond is effective the ----- day of ----- 19--, and shall continue in effect until discharged or terminated as herein provided. The Principal or the Surety may at any time terminate this bond by written notice to the Federal Maritime Commission at its office in Washington, D.C. Such termination shall become effective thirty (30) days after receipt of said notice by the Commission. The Surety shall not be liable for any contracts, agreements, or arrangements made

by the Principal after the expiration of said thirty (30) day period but such termination shall not affect the liability of the Principal and Surety for any breach of the Condition hereof occurring prior to the date when said termination becomes effective.

The underwriting Surety will promptly notify the Secretary, Federal Maritime Commission, Washington, D.C. 20573, of any claims against this bond.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

(Please type name of signer under each signature.)

----- [SEAL] -----  
(Individual principal) (Business address)

----- [SEAL] -----  
(Individual principal) (Business address)

----- [SEAL] -----  
(Individual principal) (Business address)

----- [Affix corporate seal] -----  
(Corporate principal)

-----  
(Business address)

By -----  
(Title)

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(Corporate Surety)

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(Business address)

By ----- [Affix corporate seal]  
(Title)

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### § 510.7 Investigation of applicants.

All applicants shall be investigated and such investigation shall seek information relevant to the applicant's qualifications for a license, including (a) the correctness of the statements made in the application, (b) the business integrity and financial responsibility of the applicant, (c) the character and experience of the applicant, officers or members of the corporation or partnership as the case may be, and (d) such further evidence of the fitness, willingness, and ability of the applicant properly to carry on the business of forwarding as the Commission may require.

### § 510.8 Issuance or denial of licenses.

(a) After evaluation of the results of the investigation, the Commission will issue a license to an applicant found to be qualified within the provisions of applicable statutes and the requirements, rules, and regulations of the Commission thereunder, otherwise such application shall be denied. Prior to the denial of a license the Commission shall advise the applicant of its intention to do so and state the reasons therefor. If the applicant within 20 days after the receipt of such advice requests a hearing on his application, such hearing shall be granted by the Commission pursuant to its rules of practice and procedure.

(b) The Commission will issue licenses only in the name of the person applying therefor. Where such person is a partnership, association, corporation, or similar legal entity, the license will be issued in the legal name thereof. Licenses will not be issued to partnerships unless all partners execute the application.

(c) Except as provided in subparagraph (1) of this paragraph, only one license shall be issued to any person regardless of the number of names under which such person may be doing business.

(1) Each separately incorporated qualified applicant for an independent ocean freight forwarder license may be granted a separate license even though under common control with other independent ocean freight forwarding corporations, if such applicant submits a separate (i) application form FMC-18, (ii) \$100 application fee as required by § 510.5(b), and (iii) surety bond in the form and amount hereafter to be prescribed.

(2) Each independent ocean freight forwarder authorized to carry on the business of forwarding under the Shipping Act, 1916, shall indicate on its letterhead stationery and on billing invoices the name or names of all such related freight forwarders.

(d) Licenses shall not be transferable without the prior approval of the Commission.

### § 510.9 Revocation or suspension of licenses.

A license may be revoked, suspended, or modified after notice and hearing for any of the following reasons:

(a) Violation of any provision of the Shipping Act, 1916, as amended, or of

any other statute related to carrying on the business of forwarding.

(b) Failure to respond to any lawful inquiries, or to comply with any lawful rules, regulations, or orders of the Commission.

(c) Making any wilfully false statement to the Commission in connection with an application for a license or its continuance in effect.

(d) Change of circumstances whereby the licensee no longer qualifies as an independent ocean freight forwarder.

(e) Such conduct as the Commission shall find renders the licensee unfit or unable to carry on the business of forwarding.

*Provided, however,* That no license shall remain in force unless a valid surety bond is maintained on file with the Commission. A license will be automatically suspended or revoked, without hearing or other proceeding, for failure of a licensee to maintain a valid surety bond on file. The Commission, upon receipt of notice of cancellation of any bond, will notify the licensee in writing that his license will automatically be suspended or revoked, effective on the bond cancellation date, unless a new or reinstated bond is submitted to and approved by the Commission prior to such date. *Provided further,* That notice of each suspension or revocation effected pursuant to this section shall be published in the FEDERAL REGISTER.

### Subpart B—Duties and Obligations

**AUTHORITY:** The provisions of this Subpart B issued under secs. 43, 44, Shipping Act, 1916 (75 Stat. 522, 523, 766); sec. 204, Merchant Marine Act, 1936 (49 Stat. 1987, as amended; 46 U.S.C. 1114).

### § 510.20 Scope.

This subpart pertains to the practices of licensed independent ocean freight forwarders, ocean freight brokers, and oceangoing common carriers pursuant to Public Law 87-254.

### § 510.21 Definitions.

(a) The term "licensee" means any person licensed by the Commission as an independent ocean freight forwarder, or any independent ocean freight forwarder who, on September 19, 1961, was carrying on the business of freight forwarding under a valid registration number issued by the Commission, or its predecessors, who filed an application for such a license (Form FMC-18) on or before January 17, 1962, and whose application has not been denied.

(b) The term "in commerce from the United States" means export commerce from the United States, its Territories, or possessions to foreign countries, or between the United States and its Territories or possessions or between such Territories and possessions.

(c) The term "oceangoing common carrier" as used in the rules in this subpart means a common carrier engaged in transportation by water of property in commerce from the United States, as defined in paragraph (b) of this section.

(d) The term "nonvessel operating common carrier by water" means a person who holds himself out by the establishment and maintenance of tariffs, by advertisement, solicitation, or otherwise, to provide transportation for hire by water in interstate commerce as defined in the Act, and in commerce from the United States as defined in paragraph (b) of this section; assumes responsibility or has liability imposed by law for safe transportation of shipments; and arranges in his own name with underlying water carriers for the performance of such transportation whether or not owning or controlling the means by which such transportation is effected.

(e) The term "principal" means the shipper, consignee, seller, purchaser who employs the services of a licensee.

(f) The term "ocean freight broker" means any person who is engaged by a carrier to sell or offer for sale transportation, and who holds himself out by solicitation or advertisement as one who negotiates between shipper and carrier for the purchase, sale, conditions and terms of transportation.

(g) The term "freight forwarding fee" means payment by a shipper, consignee, seller, purchaser, or any agent thereof, to a licensee for the performance of a freight forwarding service as defined in § 510.2(c).

(h) The term "compensation" means payment by an oceangoing common carrier for the performance of services as specified in § 510.24(e).

(i) The term "brokerage" means payment by a common carrier by water to an ocean freight broker for the performance of functions specified in paragraph (f) of this section.

(j) The term "special contract" means lump sum forwarding charges, monthly retainer fees, or similar financial arrangements that may exist between a principal and a licensee.

(k) The term "Act" means the Shipping Act, 1916 (46 U.S.C. 801 et seq.).

(l) The term "Beneficial interest" for the purpose of these rules includes, but is not limited to, any lien interest in; right to use, enjoy, profit, benefit, or receive any advantage, either proprietary or financial, from; the whole or any part of a shipment or cargo, arising by financing of the shipment or by operation of law or by agreement, express or implied, provided, however, that any obligation arising in favor of a licensee by reason of advances of out-of-pocket expenses incurred in dispatching of shipments shall not be deemed a beneficial interest.

(m) The term "reduced forwarding fees" as used herein means charges to a principal for forwarding services that are below the licensee's usual charges.

**§ 510.22 Oceangoing common carriers and persons shipping for own account.**

(a) An oceangoing common carrier, or agent thereof meeting the requirements of section 44 and these rules, may be licensed. An oceangoing common carrier may perform freight forwarding services without a license only with respect to

cargo carried under its own bill of lading, in which case charges for such forwarding services shall be assessed in accordance with published tariffs on file with the Commission. No licensee can charge or collect compensation in the event that he requests the carrier or its agent to perform any of the forwarding services set forth in § 510.2(c) unless no other licensee is willing and able to perform such services; or unless the Commission has granted a portwide exemption from this rule to licensee/agents in the port of loading. Such exemptions may be granted by the Commission upon (1) application of any licensed forwarder/agent serving the port of loading, (2) publication in the FEDERAL REGISTER of notice of application and an opportunity for interested parties to comment and request a hearing, and (3) a finding by the Commission that an adequate supply of forwarding services is not being held out by nonagent licensees domiciled at the port of loading. Exemptions shall remain in effect until otherwise ordered by the Commission.

(b) Nothing in the rules in this subpart shall be interpreted to prohibit a person whose primary business is the sale of merchandise from performing freight forwarding services on his own shipments or the shipments of a parent, subsidiary, affiliated, or associated company or on consolidated shipments to the same consignee of merchandise sold to such consignee by a parent, subsidiary, affiliated or associated company of such person: *Provided, however,* That such person may not be paid by the carrier for any service which he performs in connection with any such shipment.

(c) A nonvessel operating common carrier by water or person related thereto, otherwise qualified, may be licensed as an independent ocean freight forwarder to dispatch export shipments moving on other than its through export bill of lading. Such carrier or person related thereto may collect compensation under section 44(e) when, and only when, the following certification is made on the "line copy" of the ocean carrier's bill of lading, in addition to all other certifications required by section 44 of the Shipping Act, 1916, and this part: "The undersigned certifies that neither it, nor any related person, has issued a bill of lading covering ocean transportation or otherwise undertaken common carrier responsibility for the ocean transportation of the shipment covered by this bill of lading." Whenever a person acts in the capacity of a nonvessel operating common carrier by water as to any shipment he shall not be entitled to collect compensation under section 44(e) nor shall a common carrier by water pay such compensation to a nonvessel operating common carrier for such shipment.

**§ 510.23 Duties and obligations of licensees.**

(a) No licensee shall permit his license or name to be used by any person not employed by him for the performance of any freight forwarding service. No li-

cencee may provide freight forwarding services through an unlicensed branch office or other separate establishment without written approval of the Federal Maritime Commission. Such approval may be granted only when it is found that qualified personnel competent to perform complete ocean freight forwarding services are employed in the branch office or other separate establishment. Applications for approval of branch offices or other separate establishment in existence on the date of adoption of this rule must be submitted within 3 months of such date.

(b) No licensee shall, directly or indirectly, (1) accept employment to perform forwarding services on export shipments as an associate, correspondent, officer, employee, agent, or subagent from any person whose license as an independent ocean freight forwarder shall have been revoked or whose license is under suspension; (2) assist the furtherance of any forwarding business of such person; (3) share forwarding fees or freight compensation with any such person; or (4) permit any such person directly or indirectly to participate, whether through ownership or otherwise, in the control or direction of the freight forwarding business of the licensee.

(c) A licensee who has reason to believe that a principal has not, with respect to a shipment to be handled by such licensee, complied with the law of the United States or any State, commonwealth or territory thereof, or has made any error or misrepresentation in, or omission from, any export declaration, bill of lading, affidavit, or other paper which the principal executes in connection with such shipment, shall advise his principal promptly of the suspected noncompliance, error, misrepresentation or omission, and shall decline to participate in such transaction involving such document until the matter is clarified.

(d) Every licensee shall exercise due diligence to ascertain the correctness of any information which he imparts to a principal with reference to any forwarding transaction; and no licensee shall knowingly impart to a principal or oceangoing common carrier false information relative to any such transaction.

(e) No licensee shall withhold information relative to a forwarding transaction from his principal.

(f) Each licensee shall promptly pay over to the oceangoing common carrier or its agent within seven (7) days after the receipt thereof, excluding Saturdays, Sundays, and legal holidays, or within five (5) days after the departure of the vessel from each port of loading, excluding Saturdays, Sundays, and legal holidays, whichever is later, all sums advanced the licensee by its principal for freight and transportation charges, and shall disburse to other person(s) when due all sums advanced by its principal for the payment of any charges, debts or obligations in connection with the forwarding transaction, and shall promptly account to its principal for overpayments, adjustments of charges, reductions in rates, insurance refunds, insurance money paid to the forwarder as the

result of claims, proceeds of c.o.d. shipments, drafts, letters of credit, and any other sums due such principal.

(g) No licensee shall endorse or negotiate without the expressed authority of his principal any draft, check, or warrant drawn to the order of such principal.

(h) No licensee shall file or assist in the filing of any claim, affidavit, letter of indemnity, or other paper or document, with respect to a shipment handled, or to be handled, by such licensee, which he has reason to believe is false or fraudulent.

(i) Any receipt issued for cargo by a licensee shall be clearly identified as a "Receipt for Cargo", and shall be in a form readily distinguishable from a bill of lading.

(j) Every licensee shall use invoices or other forms of billing which state separately as to each shipment: (1) The actual amount of ocean freight assessed by the oceangoing common carrier; (2) the actual amount of consular fees paid; (3) the insured value, insurance rate, and premium cost of insurance arranged; (4) the charge for each accessorial service performed in connection with the shipment. All other charges or fees assessed by the licensee for arranging the services enumerated in subparagraphs (1), (2), (3), and (4) of this paragraph shall be itemized. Licensees shall not be required to itemize the components of charges with respect to transactions made pursuant to § 510.25: *Provided, however*, That licensees who offer to the public at large to forward small shipments for uniform charges available to all and duly filed with the Federal Maritime Commission shall not be required to itemize the components of such uniform charges on shipments as to which the charges shall have been stated to the shipper at time of shipment, and accepted by the shipper by payment; but if such licensees procure Marine Insurance to cover such shipments, they must state their total charge for such insurance, inclusive of premiums and placing fees, separately from the aforementioned uniform charge: *Provided further*, That a licensee who maintains and adheres to a uniform schedule of fees to be charged for arranging insurance and for performing other accessorial services (stated by dollar amount and/or percentage of markup) need not state separately the components of the charges for such insurance and for such other accessorial services. A licensee who elects to maintain such schedules must make the current schedule and every superseded schedule available upon request. A licensee shall not assess different fees than those specified in the effective schedules. Such schedules shall be filed with the Federal Maritime Commission and posted in a conspicuous place in the forwarder's office, and shall be mailed upon request.

(k) Each licensee shall maintain in an orderly, systematic, and convenient manner, and keep current and correct, all records and books of account in con-

nection with carrying on the business of forwarding. These records must be kept in such manner as to permit authorized Commission personnel to determine readily the licensee's cash position, accounts receivable, and accounts payable. As a minimum requirement, the licensee must maintain the following records for a period of 5 years:

(1) A current running account of overall cash receipts, disbursements, and daily balance. This account may be maintained on check book stubs. The account must be supported by bank deposit slips, paid checks, and a monthly reconciliation of the bank statement.

(2) A separate file for each shipment, to include a copy or notation of each document prepared, processed, or obtained by the licensee with respect to each individual shipment or files which will make readily available such copies or notations with respect to each individual shipment. Records must be maintained which show the date and amount for payments received and disbursed by the licensee for the performance of services rendered or reimbursement for advance of out-of-pocket expenses.

(1) Each licensee shall make available promptly all records and books of account in connection with carrying on the business of forwarding, for inspection or reproducing or other official use upon the request of any authorized representative of the Commission.

#### § 510.24 Compensation and freight forwarder certifications.

(a) No oceangoing common carrier shall pay to a licensee, and no licensee shall charge or receive from any such carrier, either directly or indirectly, any compensation or payment of any kind whatsoever, whether called "brokerage", "commission", "fee", or by any other name, in connection with any cargo or shipment unless the name of the actual shipper is disclosed on the shipper identification line appearing above the cargo description data of the ocean bill of lading, and, if the forwarder's name also appears on said shipper identification line, it appears after the name of the actual shipper.

(b) No licensee shall render, or offer to render, any forwarding service free of charge or at a reduced freight forwarding fee in consideration of the licensee receiving compensation from oceangoing common carriers on the shipment: *Provided, however*, That a licensee may perform freight forwarding services for recognized relief agencies or charitable organizations, designated as such in the tariff of the oceangoing common carrier, free of charge, or at reduced fees.

(c) No licensee shall share, directly or indirectly, any compensation or freight forwarding fee with a shipper, consignee, seller, purchaser, or their agents, affiliates or employees; nor with any person or persons advancing the purchase price of the merchandise or guaranteeing payment therefor; nor with any person or persons having beneficial interest in the shipment.

(d) No oceangoing common carrier shall compensate a licensee when such carrier has reason to believe that receipt of such compensation by the licensee is prohibited by these rules, or by the Act.

(e) Before any compensation is paid by an oceangoing common carrier to a licensee, or before a licensee may accept any such compensation, the licensee shall incorporate the certification set forth below on one copy of the ocean bill of lading, parcel receipt, or forwarder's invoice covering such shipment and endorse the certification. Where certification is made on a copy of a bill of lading such copy shall be referred to as the "Line Copy" and shall be retained in the possession of the carrier. The oceangoing carrier shall be entitled to rely on such certification unless it knows that the certification is incorrect. The form of certification follows:

The undersigned hereby certifies that it is operating under license No. ----- issued by the Federal Maritime Commission, and has performed in addition to the solicitation and securing of the cargo for the ship or the booking of, or otherwise arranging for space for such cargo, two or more of the following services: (Check services performed.)

- (1) The coordination of the movement of the cargo to shipside;
- (2) The preparation and processing of the ocean bill of lading;
- (3) The preparation and processing of dock receipts or delivery orders;
- (4) The preparation and processing of consular documents or export declarations;
- (5) The payment of the ocean freight charges on the cargo.

(f) An oceangoing common carrier may compensate a licensee to the extent of the value rendered such carrier in connection with any shipment forwarded on behalf of others when, and only when, such carrier is in possession of a certification in the form prescribed in paragraph (e) of this section. Every tariff filed pursuant to section 18(b)(1), Shipping Act, 1916, shall specify the rate or rates of compensation to be paid licensed forwarders certifying in accordance with paragraph (e) of this section and the conditions of payment.

(g) No licensee, and no person, firm or corporation directly or indirectly controlled by a licensee or in whom a licensee has a beneficial interest, nor any person, firm or corporation directly or indirectly controlling or having a beneficial interest in a licensee, shall demand, charge or collect any compensation or brokerage from a common carrier by water unless there shall be first filed with such carrier a certificate in the form prescribed in paragraph (e) of this section and in compliance with section 44(e) of the Shipping Act: *Provided, however*, That the provisions of this paragraph shall not be applicable to brokerage paid on cargoes exempted from the tariff filing requirements of section 18(b)(1) of the Shipping Act, 1916 (46 U.S.C. 817(b)(1)).

(h) Where an oceangoing common carrier has paid, or has incurred an obligation to pay brokerage to an ocean freight broker, or compensation to a licensee, then such carrier shall not pay

additional compensation for any other forwarding services rendered on the same cargo.

§ 510.25 Special contracts.

(a) Every licensee shall retain in its files a true copy, or, if oral, a true and complete memorandum of every special arrangement or contract with its principal, or modification or cancellation thereof, to which it may be a party or conform in whole or in part. Authorized Commission personnel and bona fide shippers shall have access to such contracts upon reasonable request.

(b) To the extent that special arrangements or contracts are entered into by a licensee, such licensee shall not deny equal terms to others similarly situated.

§ 510.26 Section 15 agreements.

(a) Copies of written agreements and true and complete memoranda of oral agreements between a licensee and other licensee or common carrier or other person subject to the Act, or modifications or cancellations thereof, which are subject to section 15 of the Act, must be filed with the Commission for approval. Copies of memoranda or agreements, modifications or cancellations thereof submitted for the Commission's approval under section 15 shall clearly show their nature, the parties, ports, and subject matter in detail and shall refer to any previously filed agreements to which they may relate.

(b) All such agreements, or modifications or cancellations thereof, shall not be carried out until approved by the Commission: *Provided, however,* That nonexclusive cooperative working agreements in the form prescribed herein between licensed independent ocean freight forwarders providing for the completion of documentation and performance of other forwarder services on export shipments on behalf of the parties to the agreements, are exempt from the provisions of section 15, of the Shipping Act, 1916, and need neither be filed with the Commission for approval nor reduced to writing.

(1) The typical form of agreement to which the exemption applies is as follows:

NONEXCLUSIVE COOPERATIVE WORKING AGREEMENT

Parties to the agreement are:

- (a) A.B.C. Co. (Street address) (City and State) F.M.C. No. \_\_\_\_\_
- (b) X.Y.Z. Co. (Street address) (City and State) F.M.C. No. \_\_\_\_\_

(2) Terms of the agreement are:

1. This is a cooperative working arrangement whereunder either of the parties may complete documentation and perform other freight forwarder functions on export shipments on behalf of the other party. It is not an exclusive agreement and either of the above parties may engage or be engaged by other forwarders under another agreement approved by the Federal Maritime Commission, or exempt from the provisions of section 15 of the Shipping Act, 1916, as amended, by reason of 46 CFR 510.26(b).

2. Forwarding and service fees are (the agreed division of freight forwarder fees, or

schedule of fees, or that fees are subject to negotiation and agreement on each transaction).

3. Ocean freight compensation is (the agreed division of compensation or that compensation is to be divided between the parties as agreed). This division of brokerage will be restricted to those shipments handled on behalf of each other.

4. The terms of the agreement shall continue unless one party shall notify the other of the desire to terminate the agreement.

§ 510.27 Separability.

The provisions of these rules are not interdependent. If any portion hereof shall be enjoined, set aside, suspended, or held invalid, the validity and enforceability of all other rules shall be unaffected thereby, and shall to the full extent practicable, remain in full force and effect unless and until it is otherwise provided by the Commission or a court of competent jurisdiction.

THOMAS LISI,  
Secretary.

[F.R. Doc. 68-10817; Filed, Sept. 5, 1968; 8:52 a.m.]

Title 49—TRANSPORTATION

Subtitle A—Office of the Secretary of Transportation

[OST Docket No. 1; Amdt. 1-20]

PART 1—FUNCTIONS, POWERS, AND DUTIES IN THE DEPARTMENT OF TRANSPORTATION

Subpart A—Delegations by Secretary of Transportation

ORGANIZATION

Section 1.3(c) of Part 1 of the Regulations of the Office of the Secretary of Transportation describes the Bureaus that compose the Federal Highway Administration.

The purpose of this amendment is to add the Bureau of Motor Carrier Safety to the list of Bureaus within the Administration. The Bureau was inadvertently omitted from prior listings.

Since this amendment relates to Departmental management, procedures, and practices, notice and public procedure thereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, effective September 5, 1968, the first sentence of § 1.3(c) of Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.3(c)) is amended to read as follows:

§ 1.3 Organization.

(c) Pursuant to the authority vested in the Secretary by the Act, there are hereby established and created in the Federal Highway Administration, the Bureau of Public Roads, the Bureau of Motor Carrier Safety, and the National Highway Safety Bureau. \* \* \*

(Sec. 9, Department of Transportation Act; 49 U.S.C. 1657)

Issued in Washington, D.C., on August 27, 1968.

JOHN E. ROBSON,  
Acting Secretary of Transportation.

[F.R. Doc. 68-10802; Filed, Sept. 5, 1968; 8:50 a.m.]

[OST Docket No. 1, Amdt. No. 1-19]

PART 1—FUNCTIONS, POWERS, AND DUTIES IN THE DEPARTMENT OF TRANSPORTATION

Subpart B—Organization, Office of the Secretary

DELEGATION OF AUTHORITY WITH RESPECT TO NATURAL GAS PIPELINE SAFETY

Subpart B—Organization, Office of the Secretary, of Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1), describes the functions and structure of the various components of the Office of the Secretary.

The purpose of this amendment is to delegate the Secretary's functions, and assign responsibility, under the Natural Gas Pipeline Safety Act of 1968 (Public Law 90-481), to the Assistant Secretary for Research and Technology, and to reflect the creation of the Office of Pipeline Safety.

Since this amendment relates to Departmental management, procedures, and practices, notice and public procedure thereon is unnecessary and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, effective September 5, 1968, Subpart B of Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1) is amended as follows:

1. Section 1.25 is amended by adding the following new paragraph at the end thereof:

§ 1.25 Functions performed by the Office of the Secretary.

(j) The authority to provide for and prescribe safety standards under the Natural Gas Pipeline Safety Act of 1968, Public Law 90-481, 82 Stat. 720.

2. Section 1.27(e) is amended to read as follows:

§ 1.27 Structure.

(e) Office of the Assistant Secretary for Research and Technology. This office is composed of the Offices of Systems Engineering, Physical Sciences, Life/Medical Sciences, Transportation Research Data, Noise Abatement, Hazardous Materials, and Pipeline Safety.

(Sec. 9, Department of Transportation Act; 49 U.S.C. 1657)

Issued in Washington, D.C., on August 27, 1968.

JOHN E. ROBSON,  
Acting Secretary of Transportation.

[F.R. Doc. 68-10803; Filed, Sept. 5, 1968; 8:50 a.m.]

**Chapter X—Interstate Commerce Commission**

**SUBCHAPTER A—GENERAL RULES AND REGULATIONS**

[Service Order 1004]

**PART 1033—CAR SERVICE**

**Harriman & Northeastern Railroad Co. Authorized To Operate Over Certain Trackage Abandoned by Tennessee Central Railway Co.**

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 29th day of August 1968.

It appearing, that the Tennessee Central Railway Co., in Finance Docket No. 24964, was authorized by the Commission to abandon its entire line of railroad; that it will cease all operations on August 31, 1968; that the Harriman & Northeastern Railroad Co. has filed an application with the Commission for authority to acquire and operate that portion of the trackage abandoned by the Tennessee Central Railway Co. between the connection of such trackage with the Harriman & Northeastern Railroad Co. at Harriman, Tenn., and Tennessee Central Railway Co. milepost 129.0 in the vicinity of Crossville, Tenn., including all interchange, industrial, and other auxiliary tracks connected thereto; that the Commission is of the opinion that there is need for railroad service to industries located on this trackage; that operations by the Harriman & Northeastern Railroad Co. over this trackage is necessary to provide railroad services to these industries in the interest of the public and the commerce of the people pending final disposition by the Commission of the application of the Harriman & Northeastern Railroad Co.; that notice and public procedure herein are impractical and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days' notice:

*It is ordered, That:*

**§ 1033.1004 Service Order No. 1004.**

(a) *Harriman & Northeastern Railroad Co. authorized to operate over certain trackage abandoned by the Tennessee Central Railway Co.* The Harriman & Northeastern Railroad Co. be, and it is hereby, authorized to operate over that portion of the trackage abandoned by the Tennessee Central Railway Co. between the connection of such trackage with the company at Harriman, Tenn., and Tennessee Central Railway milepost 129.0 in the vicinity of Crossville, Tenn., including all interchange, industrial, and other auxiliary tracks connected thereto.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic, as well as to interstate traffic.

(c) *Rules and regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a.m. September 4, 1968.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15 and 17(2). Interprets or applies secs. 1 (10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

*It is further ordered,* That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10785; Filed, Sept. 5, 1968; 8:49 a.m.]

[Service Order 1005]

**PART 1033—CAR SERVICE**

**Louisville and Nashville Railroad Co. Authorized To Operate Over Certain Trackage Abandoned by Tennessee Central Railway Co.**

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 3d day of September 1968.

It appearing, that the Tennessee Central Railway Co., in Finance Docket No. 24964, was authorized by the Commission to abandon its entire line of railroad; that it ceased all operations on August 31, 1968; that the Louisville & Nashville Railroad Co. has filed an application with the Commission for authority to acquire and operate a portion of the trackage abandoned by the Tennessee Central Railway Co. between Nashville, Tenn., and Crossville, Tenn., including all interchange, industrial and other auxiliary tracks connected thereto, and also including trackage of the Old Hickory and Carthage branches; that the Commission is of the opinion that there is need for railroad service to industries located on this trackage; that operation by the Louisville & Nashville Railroad Co. over this trackage is necessary to provide railroad service to these industries in the interest of the public and the commerce of the people pending final disposition by the Commission of the application of the Louisville & Nashville Railroad Co.; that notice and public procedure herein are impractical and contrary to the public interest; and that

good cause exists for making this order effective upon less than 30 days' notice:

*It is ordered, That:*

**§ 1033.1005 Service Order No. 1005.**

(a) *Louisville & Nashville Railroad Co. authorized to operate over certain trackage abandoned by the Tennessee Central Railway Co.* The Louisville & Nashville Railroad Co. be, and it is hereby authorized to operate over a portion of the trackage abandoned by the Tennessee Central Railway Co. between Nashville, Tenn., and Crossville, Tenn., including all interchange, industrial, and other auxiliary tracks connected thereto, and also including trackage of the Old Hickory and Carthage branches.

(b) *Application.* The provisions of this order shall apply to intrastate and foreign traffic, as well as to interstate traffic.

(c) *Rules and regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Effective date.* This order shall become effective at 12:01 a.m., September 4, 1968.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2))

*It is further ordered,* That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10786; Filed, Sept. 5, 1968; 8:49 a.m.]

**Title 50—WILDLIFE AND FISHERIES**

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

**PART 10—MIGRATORY BIRDS**

**Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds**

The Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16

U.S.C. 703 et seq.), authorizes and directs the Secretary of the Interior, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds to determine when, to what extent, and by what means, such birds or any part, nest, or egg thereof may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

By notice of proposed rule making published in the FEDERAL REGISTER of April 25, 1968 (33 F.R. 6298), notification was given that the Secretary of the Interior proposed to amend Part 10, Title 50, Code of Federal Regulations. These amendments would specify open seasons, certain closed seasons, shooting hours, and bag and possession limits for migratory game birds for the 1968-69 hunting seasons.

Interested persons were invited to submit their views, data, or arguments regarding such matters in writing to the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240, within 30 days following the date of publication of the notice.

Subsequently, after due consideration of migratory game bird survey data obtained through investigations conducted by the Bureau of Sport Fisheries and Wildlife and State game departments, and from other sources, the several State game departments were informed concerning the shooting hours, season lengths, and daily bag and possession limits proposed to be prescribed for the 1968-69 seasons on waterfowl, coots, cranes, gallinules, and snipe. The State game departments were invited to submit recommendations for hunting seasons to conform to the shooting hours, daily bag, and possession limits, and season lengths within frameworks of opening and closing dates, as established by this Department.

Accordingly, each State game department having had an opportunity to participate in selecting the hunting seasons desired for its State on those species of migratory game birds for which open seasons are now to be prescribed, and consideration having been given to all other relevant matters presented, it is determined that certain sections of Part 10 shall be amended as set forth below.

The taking of the designated species of migratory game birds is presently prohibited. These amendments will permit taking of these species within specified periods of time, as has been the case in past years. Since these amendments benefit the public by relieving existing restrictions, they shall become effective upon publication in the FEDERAL REGISTER.

Section 10.53 is amended by revising paragraphs (d), (e), (f), (g), and (h) to read as follows:

§ 10.53 Seasons and limits on waterfowl, coots, gallinules, and Wilson's snipe.

(d) Atlantic Flyway States:

	Ducks (except mergansers)	Mergansers	Coots	Gallinules	Geese (except snow geese)	Brant
Daily bag limit.....	(1)	2 5	10	15	(1)	6
Possession limit.....	(1)	2 10	20	30	(1)	6
Shooting hours.....	One-half hour before sunrise until sunset daily.					
Seasons in:						
Connecticut <sup>1</sup> .....	(Oct. 19-Nov. 2 Dec. 13-Jan. 11)			Sept. 1-Nov. 9	(Oct. 19-Nov. 12 Nov. 28-Jan. 11)	
Delaware <sup>2</sup> .....	Nov. 8-Dec. 27			Sept. 2-Nov. 9	(Nov. 16-Dec. 28 <sup>3</sup> Dec. 30-Jan. 25)	
District of Columbia.....	Closed season			Closed season	Closed season	
Florida.....	(Nov. 28-Dec. 1 Dec. 14-Jan. 14)			Sept. 7-Nov. 15	(Nov. 28-Dec. 1 Dec. 14-Jan. 14)	
Georgia <sup>4</sup> .....	Dec. 7-Jan. 15			Nov. 7-Jan. 15	Dec. 7-Jan. 25	
Maine <sup>1</sup> .....	(Oct. 5-Oct. 26 Nov. 15-Dec. 7)			Sept. 1-Nov. 9	Oct. 5-Dec. 13	
Maryland.....	Nov. 27-Jan. 15			Nov. 27-Jan. 15	Nov. 16-Jan. 24	
Massachusetts <sup>1,2</sup> .....	(Oct. 12-Oct. 19 Nov. 22-Dec. 28)			Sept. 7-Nov. 15	(Oct. 12-Nov. 6 Nov. 22-Jan. 4)	
New Hampshire <sup>1</sup> .....	Oct. 12-Nov. 30			Closed season	Oct. 12-Dec. 20	
New Jersey.....	(Oct. 19-Oct. 26 Nov. 22-Dec. 28)			Sept. 2-Nov. 9	Oct. 19-Dec. 27	
New York: <sup>3,7</sup>						
Long Island area.....	Nov. 18-Jan. 6			Sept. 9-Nov. 9	Nov. 18-Jan. 26	
Lake Champlain area.....	Oct. 12-Nov. 30			Sept. 28-Dec. 6	Oct. 5-Dec. 13	
Remainder of State.....	Oct. 12-Nov. 30			Sept. 1-Nov. 9	Oct. 12-Dec. 20	
North Carolina.....	Nov. 27-Jan. 15			Nov. 27-Jan. 15	Nov. 27-Jan. 15	
Pennsylvania <sup>1,2</sup> .....	Oct. 12-Nov. 30			Sept. 2-Nov. 9	Oct. 5-Dec. 13	
Rhode Island <sup>1</sup> .....	Nov. 27-Jan. 15			Oct. 26-Dec. 13	Nov. 16-Jan. 26	
South Carolina.....	Nov. 27-Jan. 15			Oct. 19-Dec. 27	Dec. 7-Jan. 25	
Vermont.....	Oct. 12-Nov. 30			Sept. 28-Dec. 6	Oct. 5-Dec. 13	
Virginia:						
Back Bay area.....	Nov. 27-Jan. 15			Nov. 27-Jan. 15	Nov. 27-Jan. 15	
Remainder of State.....	Nov. 27-Jan. 15			Nov. 27-Jan. 15	Nov. 16-Jan. 24	
West Virginia <sup>8</sup> .....	(Oct. 12-Oct. 19 Dec. 10-Jan. 15)			Oct. 12-Dec. 20	Oct. 12-Dec. 20	

<sup>1</sup> Ducks other than mergansers: In all States, the daily bag limit may not include more of the following species than: (a) 2 wood ducks; (b) 1 canvasback or 1 redhead; (c) 2 black ducks; and (d) 2 mallards. The possession limit on ducks may not include more than (a) 4 wood ducks; (b) 1 canvasback or 1 redhead; (c) 4 black ducks; and (d) 4 mallards. In the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, the basic daily bag limit on ducks other than mergansers is 3 and the possession limit is 6. In the States of Florida and Georgia, the basic daily bag limit on ducks other than mergansers is 4 and the possession limit is 8.

<sup>2</sup> Mergansers: In all States the daily bag limit may not include more than 1 hooded merganser and the possession limit may not include more than 2 hooded mergansers.

<sup>3</sup> Geese other than snow geese: In the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, excluding the Back Bay area, and West Virginia, the daily bag limit is 2 and the possession limit is 4.

In the States of Florida, Georgia, North Carolina, South Carolina, and in the Back Bay area of Virginia, the daily bag limit is 1 and the possession limit is 2.

The Back Bay area of Virginia, includes the Back Bay and its tributaries and the marshes adjacent thereto, and on and along the shores of North Landing River and marshes adjacent thereto, and on and along the shores of Lake Tecumseh and Red Wing Lake and the marshes adjacent thereto.

<sup>4</sup> Georgia: No open season for the taking of geese and brant is prescribed in Liberty, McIntosh, Stewart, and Quitman Counties.

<sup>5</sup> New York: The Long Island area consists of all of Nassau and Suffolk Counties and that part of Westchester County south of the Hutchinson River Parkway.

The Lake Champlain area consists of that part of New York lying east of the mainline tracks of the Delaware & Hudson Railroad running south from the New York-Canada border to Whitehall, N.Y., and north of the branch-line tracks of the Delaware & Hudson Railroad running east from Whitehall, N.Y. to the New York-Vermont State line.

<sup>6</sup> Pennsylvania: In Crawford and Erie Counties, the open season for taking geese is Oct. 12-Dec. 13 and in Crawford County the daily bag limit may not include more than 1 Canada goose.

<sup>7</sup> Notwithstanding the provisions of 50 CFR 10.3(b) (4), the shooting of crippled waterfowl from a motorboat under power is permitted during regular and special seasons in those coastal waters and in rivers and streams lying seaward from the first upstream bridge in the States of Connecticut, Maine, Massachusetts, New Hampshire, and Rhode Island; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and associated bays eastward from a line running between Miamogue Point in the town of Riverhead to Red Cedar Point in the town of Southampton, including any ocean waters of New York lying south of Long Island.

<sup>8</sup> In Delaware the brant season is Nov. 16-Jan. 24.

<sup>9</sup> Check State regulations for additional restrictions.

(e) Mississippi Flyway States:

	Ducks (except mergansers)	Mergansers	Coots	Gallinules	Geese
Daily bag limit.....	13	2 5	10	15	4 5
Possession limit.....	1 6	2 10	20	30	4 5
Shooting hours.....	One-half hour before sunrise until sunset daily.				
Seasons in:					
Alabama.....	Dec. 17-Jan. 15			Nov. 7-Jan. 15	Nov. 4-Jan. 12
Arkansas <sup>9</sup> .....	Dec. 6-Dec. 25			Oct. 22-Dec. 30	Oct. 17-Dec. 25
Illinois <sup>9,11</sup> .....	Nov. 2-Dec. 1			Closed season	Oct. 14-Dec. 1 <sup>6</sup>
Indiana.....	(Nov. 2-Nov. 20 Dec. 21-Dec. 28)			Sept. 1-Nov. 9	(Oct. 19-Dec. 7 Dec. 21-Jan. 9)
Iowa <sup>14</sup> .....	Oct. 26-Nov. 24			Closed season	Sept. 28-Dec. 6
Kentucky.....	Dec. 3-Jan. 1			Nov. 21-Jan. 15	Nov. 4-Jan. 12
Louisiana <sup>9,7</sup> .....	Dec. 14-Jan. 12			Sept. 1-Nov. 9	Nov. 4-Jan. 12
Michigan <sup>15</sup> .....	Oct. 10-Nov. 8			Oct. 10-Nov. 8	Oct. 1-Nov. 30
Minnesota.....	(Oct. 5-Oct. 13 Oct. 26-Nov. 12)			Oct. 5-Oct. 13	Sept. 28-Dec. 6
Mississippi <sup>9,8</sup> .....	Dec. 17-Jan. 15			Nov. 2-Jan. 10	(Oct. 19-Nov. 30 Dec. 17-Jan. 12)
Missouri: <sup>9,10,11</sup>					
Swan Lake area.....	Nov. 1-Nov. 30			Nov. 1-Nov. 30	Oct. 20-Dec. 28
Squaw Creek area.....	Nov. 1-Nov. 30			Nov. 1-Nov. 30	Oct. 20-Dec. 28
Remainder of State.....	Nov. 1-Nov. 30			Nov. 1-Nov. 30	(Oct. 20-Dec. 3 Dec. 19-Jan. 12)

See footnotes at end of table.

(f) Central Flyway States:

Ducks (except mergansers)	Mergansers	Coots	Gallinules	Geese
Daily bag limit.....	2 5	10	15	5 5
Possession limit.....	3 10	20	30	5 5
Shooting hours.....	One-half hour before sunrise until sunset.			
Seasoning limit.....	Closed season..... Nov. 11-Jan. 15.			
Colorado (east of Continental Divide). <sup>1,4</sup>	Nov. 2-Dec. 1.....			
Kansas. <sup>5</sup>	Oct. 12-Nov. 13.....			
Montana (see footnote 9 for area description). <sup>4,5</sup>	Oct. 12-Oct. 20.....			
Nebraska. <sup>6</sup>	Nov. 16-Dec. 12.....			
New Mexico (see footnote 10 for area description). <sup>6</sup>	Nov. 23-Jan. 1.....			
North Dakota. <sup>6</sup>	Oct. 5-Nov. 3.....			
Oklahoma. <sup>7</sup>	Nov. 15-Nov. 30.....			
South Dakota. <sup>8</sup>	Oct. 5-Oct. 22.....			
Texas. <sup>8</sup>	Dec. 14-Jan. 12.....			
Wyoming (east of Continental Divide). <sup>4,5</sup>	Oct. 19-Nov. 20.....			

<sup>1</sup> Ducks other than mergansers: In all States, the daily bag limit may not include more of the following species than: (a) 2 wood ducks; (b) 1 canvasback or 1 redhead; and (c) 2 mallards. The possession limit may not include more than: (a) 4 wood ducks; (b) 1 canvasback or 1 redhead; and (c) 4 mallards. In the States of Colorado (east of the Continental Divide), Montana (see footnote 9), Nebraska, New Mexico (east of the Continental Divide), Oklahoma, South Dakota, and Wyoming (east of the Continental Divide), the basic daily bag limit on ducks other than mergansers is 3 and the possession limit is 6. In the States of Kansas, North Dakota, and Texas, the basic bag limit on ducks other than mergansers is 4 and the possession limit is 8.

<sup>2</sup> Mergansers: In all States, the daily bag limit may not include more than 1 hooded merganser and the possession limit may not include more than 2 hooded mergansers.

<sup>3</sup> Colorado: In the Colorado counties of Alamosa, Conejos, Costilla, and Rio Grande, and those portions of Saguache, Hinsdale, and Mineral Counties lying east of the Continental Divide, an experimental open season on ducks and coots under a special permit is prescribed from October 1 through October 15, 1968, with a daily bag limit of 70 points. Daily shooting hours are from sunrise until sunset. A daily bag limit of from 2 to 7 ducks and coots in the aggregate and the specific daily limit depending upon the sexes and species taken as determined by the following point system. Mallard drakes each have a value of 10 points, mallard hens a value of 40 points, and all other ducks and coots a value of 30 points. The sum of the point values for ducks or mallard drakes taken during the day may not exceed 70 points. The possession limit shall consist of two legal daily bag limits. Each person must have been issued and carry on his person while hunting, a properly validated special permit issued by the Colorado Game, Fish and Parks Department.

No open season is prescribed for the taking of geese in those portions of Conejos, Alamosa, Rio Grande, and Mineral Counties of Colorado bounded by a line beginning at the intersection of U.S. Highway 285 with the Colorado-New Mexico State line; thence north following U.S. Highway 285 to its junction with State Highway 17 in Alamosa; thence north following State Highway 17 to its junction with State Highway 112; thence west and southwest following North Highway 112 to its junction with U.S. Highway 160 in Del Norte; thence west and south following U.S. Highway 160 to its intersection with the Continental Divide; thence south following the Continental Divide to its intersection with the Colorado-New Mexico State line; thence east following the State line to the point of beginning.

<sup>4</sup> Special drake season: A special open season for mallard drakes only is prescribed for: Colorado (east of the Continental Divide), Dec. 14-Jan. 5; Montana (see footnote 9), Dec. 14-Jan. 5; and Wyoming (east of the Continental Divide), Dec. 21-Jan. 12. The daily bag limit is 4 and the possession limit is 8. Shooting hours are from sunrise until sunset daily.

<sup>5</sup> In the States of Montana, Wyoming, Colorado, and New Mexico, the daily bag and possession limit is 2 geese. In Nebraska, Kansas, and in that portion of South Dakota lying west of U.S. Highway 281 and south of U.S. Highway 34; that portion of Texas lying west of U.S. Highway 81; and all of Oklahoma except Alfalfa, Bryan, Johnston, and Marshall Counties, the daily bag and possession limit shall not include more of the following species than: (a) 1 Ross' goose and (b) in the alternative, 1 white-fronted goose; or 1 Canada goose; or 2 Canada geese.

<sup>6</sup> In that portion of North Dakota lying west of State Highway 3, the daily bag limit shall not include more than (a) 1 Ross' goose and (b) in the alternative, not more than 2 white-fronted geese; or 2 Canada geese; or 1 of each. In that portion of North Dakota lying east of State Highway 3, the daily bag limit may not include more than (a) 1 Ross' goose and (b) in the alternative, not more than 1 Canada goose; or 1 Canada goose and 1 white-fronted goose; or 2 white-fronted geese. The possession limit shall not include more than: (a) 1 Ross' goose, and (b) 2 Canada and white-fronted geese in the aggregate of these species.

(e) Mississippi Flyway States—Continued

Ducks (except mergansers)	Mergansers	Coots	Gallinules	Geese
Daily bag limit.....	2 5	10	15	5 5
Possession limit.....	3 10	20	30	5 5
Shooting hours.....	One-half hour before sunrise until sunset.			
Seasoning limit.....	Closed season..... Nov. 11-Jan. 15.			
Ohio. <sup>12</sup>	Oct. 14-Oct. 26.....			
Tennessee. <sup>13</sup>	Nov. 18-Nov. 30.....			
Wisconsin. <sup>14</sup>	Dec. 1-Jan. 5.....			

<sup>1</sup> Ducks other than mergansers: In all States except Arkansas, the daily bag limit of ducks may not include more than: (a) 1 canvasback or 1 redhead; (b) 1 mallard; (c) 2 wood ducks; and (d) 2 black ducks. The possession limit shall not include more than: (a) 1 canvasback or 1 redhead; (b) 2 mallards; (c) 4 wood ducks; and (d) 4 black ducks. In Arkansas, the daily bag limit of ducks may not include more than: (a) 1 canvasback or 1 redhead; (b) 2 mallards; (c) 2 wood ducks; and (d) 2 black ducks. The possession limit shall not include more than: (a) 1 canvasback or 1 redhead; (b) 4 mallards; (c) 4 wood ducks; and (d) 4 black ducks.

<sup>2</sup> Mergansers: In all States, the daily bag limit may not include more than 1 hooded merganser and the possession limit may not include more than 2 hooded mergansers.

<sup>3</sup> Geese: There is no open season for taking Canada geese in Issaquena, Sharkey, and Washington Counties of Mississippi; nor in the States of Arkansas and Louisiana.

<sup>4</sup> Geese: In all other States except Wisconsin, Illinois, and Missouri, the daily bag and possession limits may not include, in the alternative, more than: (a) 2 Canada geese; or (b) 2 white-fronted geese; or (c) 1 Canada goose and 1 white-fronted goose.

<sup>5</sup> In the States of Illinois and Missouri, the daily bag limit may not include, in the alternative, more than 2 Canada geese or 2 white-fronted geese, or 1 of each; the possession limit may not include more than 4 Canada and white-fronted geese in the aggregate of which not more than 2 may be white-fronted geese.

<sup>6</sup> In Wisconsin (excluding the Horizon Zone), the daily bag limit may not include more than 1 Canada goose and the possession limit may not include more than 2 Canada geese.

<sup>7</sup> In the States of Illinois and Wisconsin, the kill of Canada geese will be limited to 20,000 birds in each State. When the Director, Bureau of Sport Fisheries and Wildlife, has determined the date upon which 20,000 Canada geese will have been killed, the season will be closed by the Director upon having given public notice thereof through public information media no less than 48 hours in advance of the time and date of closing.

<sup>8</sup> Illinois: In the Illinois counties of Alexander, Jackson, Union, and Williamson, the season for geese is Nov. 11-Dec. 22. In these counties, shooting hours are from sunrise to 3 p.m. daily. In the rest of the State, shooting hours are from sunrise to sunset daily.

<sup>9</sup> Louisiana: For the lands and waters of the State of Louisiana lying easterly of the center line of the main navigable channel of the Mississippi River between the north boundary of Louisiana to latitude 31° N., the season for taking geese is Oct. 19-Nov. 30; and Dec. 17-Jan. 12. Canada geese may be taken in this area.

<sup>10</sup> Mississippi: For the lands and waters of the State of Mississippi lying westerly of the center line of the main navigable channel of the Mississippi River between the north boundary of Louisiana to latitude 31° N., the season for taking geese is Oct. 19-Nov. 30; and Dec. 17-Jan. 12. Canada geese may not be taken in this area.

<sup>11</sup> Missouri: In the Swan Lake area consisting of those portions of the Missouri counties of Livingston, Carroll, Dakeyette, St. Louis, Howard, Chariton, and Linn, bounded by a line beginning at the junction of State Highways 36 and 66 at Chillicothe in Livingston County; thence north along U.S. Highway 36 to the junction of State Highway 36 and 246; thence north along State Highway 246 to the junction with State Highway 36 near Glasgow in Howard County; thence east along State Highway 36 to the point of beginning with U.S. Highway 36 north of Marceline in Linn County; thence east along U.S. Highway 36 to the point of beginning, the combined kill of Canada geese will be limited to a total of 25,000 birds; and when the Director, Bureau of Sport Fisheries and Wildlife, has determined the date upon which 25,000 Canada geese will have been killed in this area, the season will be closed therein by the Director upon having given public notice thereof through local information media no less than 48 hours in advance of the time and date of closing.

<sup>12</sup> In the Squaw Creek area, consisting of Atchison and Holt Counties and those portions of Andrew and Nodaway Counties lying west of U.S. Highway 71, Canada geese may be taken only during the period from Oct. 20-Nov. 15 and in this area the daily bag limit is 1 Canada goose and the possession limit is 2 Canada geese.

<sup>13</sup> Notwithstanding the provisions of section 10.10 of this part, geese taken in the States of Illinois and Missouri may not be transported, shipped, or delivered for transportation or shipment by common carrier, the postal service, or by air except as the personal baggage of the hunter taking the birds.

<sup>14</sup> At Pymatuning Reservoir in Ashabula County, Ohio, and that area bounded on the south by State Route 322, on the west by Pymatuning Lake Road, and on the north by County Road 306 known as Woodward Road, the open season for taking ducks, coots, and mergansers is Oct. 12-Nov. 30 and the open season for taking geese and brant is Oct. 12-Dec. 13. In this area, the daily basic limit for ducks other than mergansers is 3 and may not include more of the following than: (a) 2 wood ducks; (b) 2 mallards; and (c) 1 canvasback or 1 redhead. The basic possession limit is 6 and may not include more of the following than: (a) 2 wood ducks; (b) 4 black ducks; (c) 4 mallards; and (d) 1 canvasback or 1 redhead. The season is closed on snow geese in this area. The limit on other geese is 2 daily and 4 in possession, of which not more than 1 daily and 4 in possession may be Canada geese. The daily bag and possession limit on brant in this area is 6. The daily limit on mergansers is 5 and the possession limit is 10. The daily limit for coots is 10 and the possession limit is 20.

<sup>15</sup> Wisconsin Canada geese: See Horizon Zone, section 10.53(c).

<sup>16</sup> Shippe season in Iowa is from Oct. 5-Nov. 23; the daily bag limit is 8 and the possession limit is 16.

<sup>17</sup> Check State regulations for additional restrictions.

<sup>1</sup>In that portion of South Dakota lying east of U.S. Highway 281, north of State Highway 34, except those portions of Roberts County east of U.S. Highway 81 and Grant County, north of U.S. Highway 12; and in the Oklahoma counties of Alfalfa, Bryan, Johnston, and Marshall, the daily bag limit shall not include more than: (a) 1 Ross' goose, (b) 1 Canada goose, and (c) 1 white-fronted goose; and the possession limit shall not be more than: (a) 1 Ross' goose and (b) in the alternative, not more than 2 Canada geese or 1 Canada and 1 white-fronted goose, or 1 white-fronted goose.

<sup>2</sup>In that portion of Texas lying east of U.S. Highway 81, the daily bag limit shall not include more than: (a) 1 Ross' goose and (b) in the alternative, not more than 1 Canada goose or 1 white-fronted goose; and the possession limit not more than: (a) 1 Ross' goose and (b) in the alternative, not more than 2 Canada geese or 1 Canada and 1 white-fronted goose.

<sup>3</sup>Montana Central Flyway area: Consists of the Montana counties of Blaine, Fergus, Judith Basin, Wheatland, Sweet Grass, Stillwater, Carbon, and all counties east thereof.

<sup>4</sup>New Mexico Central Flyway area: Consists of all that portion of New Mexico lying east of the Continental Divide and outside the boundaries of the Jicarilla Apache Indian Reservation.

<sup>5</sup>Check State regulations for additional restrictions.

(g) Pacific Flyway States:

	Ducks (except mergansers)	Mergansers	Coots & gallinules	Geese	Wilson's Snipe
Daily bag limit.....	(1)	2 5	25	6	8
Possession limit.....	(1)	10	25	6	16
Shooting hours.....	One-half hour before sunrise until sunset daily.				
Seasons in:					
Arizona.....	Oct. 19-Jan. 12.....			Oct. 19-Jan. 12.....	Nov. 24-Jan. 12.
California.....	Oct. 19-Jan. 12.....			Oct. 19-Jan. 12.....	Nov. 24-Jan. 12.
Colorado (west of conti- nental Divide).....	Oct. 12-Jan. 5.....			Oct. 12-Jan. 12.....	Oct. 12-Nov. 30.
Idaho.....	Oct. 12-Jan. 5.....			Oct. 12-Jan. 12.....	Oct. 12-Nov. 30.
Montana (see footnote 5 for area description).....	Oct. 5-Dec. 29.....			Oct. 5-Dec. 29.....	Oct. 5-Nov. 23.
Nevada.....	Oct. 19-Jan. 12.....			Oct. 19-Jan. 12.....	Nov. 24-Jan. 12.
New Mexico (see footnote 6 for area description).....	Oct. 5-Dec. 29.....			Oct. 5-Dec. 29.....	Oct. 5-Nov. 23.
Oregon.....	Oct. 19-Jan. 12.....			Oct. 19-Jan. 12.....	Oct. 19-Dec. 7.
Utah.....	Oct. 12-Jan. 5.....			Oct. 12-Jan. 5.....	Oct. 12-Nov. 30.
Washington.....	Oct. 12-Jan. 5.....			Oct. 12-Jan. 12.....	Oct. 12-Nov. 30.
Wyoming (west of the Continental Divide).....	Oct. 5-Dec. 29.....			Oct. 5-Jan. 5.....	Oct. 5-Nov. 23.

<sup>1</sup>Ducks other than mergansers: In the States of Arizona, Colorado (west of the Continental Divide), Montana (see footnote 5), Nevada, New Mexico (west of the Continental Divide), Oregon (except the Columbia Basin area), Utah, and Washington (except the Columbia Basin area), the basic daily bag limit on ducks other than mergansers is 5, and the possession limit is 10, of which not more than 3 per day and 6 in possession may be mallards. In the States of California, Idaho (except the Columbia Basin area), and Wyoming (west of the Continental Divide), the basic daily limit and possession limit on ducks other than mergansers is 6, of which not more than 3 per day and in possession may be mallards. In all States, the daily bag limit may not include more than 2 Canvasbacks.

<sup>2</sup>Mergansers: In all States, the daily bag limit may not include more than 1 hooded merganser and the possession limit may not include more than 2 hooded mergansers.

<sup>3</sup>Geese: In all States in the Flyway, the daily bag and possession limit may not include more than 3 geese of the dark species; and not more than 1 Ross' goose.

<sup>4</sup>In the States of Arizona and Utah; in Clark County, Nev.; the Idaho counties of Bear Lake, Bonneville, Caribou, Clark, Fremont, Jefferson, Madison, Teton, Bingham, Power, Bannock, Oneida, and Franklin; the Oregon counties of Benton, Lane, Linn, Marion, Polk, and Yamhill; and in those portions of the States of Montana, Wyoming, Colorado, and New Mexico, placed in the Pacific Flyway, the daily bag and possession limit shall not include more than 2 Canada geese.

<sup>5</sup>In the States of Washington and Idaho, the daily bag limit is 3 geese and the possession limit is 6. No open season is prescribed for the taking of snow, blue, and Ross' geese in the Idaho counties of Clark, Madison, Fremont, and Teton; nor the Montana counties of Beaverhead, Gallatin, and Madison.

<sup>6</sup>In the Columbia Basin area of Idaho (counties of Ada, Benewah, Blaine, Bonner, Boundary, Camas, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Kootenai, Latah, Lewis, Lincoln, Minidoka, Nez Perce, Owyhee, Fayette, Shoshone, Twin Falls, and Washington), the season for taking ducks, coots, and gallinules is Oct. 12-Jan. 19. In the Columbia Basin area of Oregon (counties of Baker, Gilliam, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Columbia Basin area of Washington (counties of Baker, Gilliam, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Columbia Basin area of Washington), the season for taking ducks, coots, and gallinules is Oct. 19-Jan. 19. In the Columbia Basin area of Washington (all that portion of the State lying east of the summit of the Cascade Mountains), the open season for taking ducks, coots, and gallinules is Oct. 12-Jan. 19. In these areas, the basic limit on ducks is 6 daily and 12 in possession, of which not more than 4 daily and 8 in possession may be mallard ducks. The shooting hours are from 1/2 hour before sunrise until sunset.

<sup>7</sup>In the Washington counties of Adams, Franklin, Grant, Walla Walla, Lincoln, Douglas, Yakima, Benton, and Klickitat, the goose season is Oct. 12-Jan. 19.

<sup>8</sup>Montana Pacific Flyway area: Consists of the Montana counties of Hill, Chouteau, Cascade, Meagher, Parks, and all counties west thereof.

<sup>9</sup>New Mexico Pacific Flyway area: Consists of all that portion of New Mexico lying west of the Continental Divide and the entire area of the Jicarilla Apache Indian Reservation.

<sup>10</sup>Brant: In the States of California, Oregon, and Washington, the open season on brant is Nov. 23-Feb. 23. The daily bag limit is 4 and the possession limit is 8.

<sup>11</sup>California: In the Tule Lake area (northeast California) and the Colorado River area, as described in Title M, § 602, of the California Administrative Code, the basic daily bag limit on ducks other than mergansers is 5 and the possession limit is 10, of which not more than 3 per day and 6 in possession may be mallards. In the remainder of the State, the basic daily bag and possession limit is 6 ducks, of which not more than 3 may be mallards: Provided, further, that in the Colorado River area the daily bag and possession limit on geese may not include more than 2 Canada geese; and in the remaining portion of California Fish and Game District 22, not included in the Colorado River area, the daily bag and possession limit on geese may not include more than 1 Canada goose.

<sup>12</sup>Check State regulations for additional restrictions.

(h) Special scaup season: A special open hunting season for scaup is prescribed according to the following table in those designated and delineated restricted areas, described in the hunting regulations of the following States:

Daily bag limit.....	5
Possession limit.....	10
Shooting hours: One-half hour before sunrise to sunset.	

Seasons in:

Atlantic Flyway:	
Connecticut.....	Jan. 13-Jan. 28.
Delaware.....	Dec. 28-Jan. 11.
Florida.....	Jan. 16-Jan. 31.

Seasons in—Continued

Atlantic Flyway—Continued	
Georgia.....	Jan. 16-Jan. 31.
Maryland.....	Nov. 8-Nov. 23.
Massachusetts.....	Nov. 6-Nov. 21.
New Hampshire.....	Dec. 1-Dec. 16.
New Jersey.....	Nov. 1-Nov. 16.
New York:	
Long Island area.....	Jan. 11-Jan. 26.
Lake Champlain area.....	Dec. 1-Dec. 16.
Remainder of State <sup>1</sup> .....	Dec. 14-Dec. 29.
North Carolina.....	Jan. 16-Jan. 31.
Pennsylvania.....	Dec. 2-Dec. 17.
Rhode Island.....	Jan. 16-Jan. 31.
Vermont.....	Dec. 1-Dec. 16.

Seasons in—Continued

Mississippi Flyway:	
Illinois <sup>1</sup> .....	Oct. 19-Nov. 1.
Louisiana.....	Jan. 16-Jan. 31.
Michigan <sup>2</sup> .....	Nov. 9-Nov. 24.
Ohio <sup>1</sup> .....	Dec. 2-Dec. 17.
Wisconsin.....	Nov. 11-Nov. 26.
Central Flyway:	
South Dakota.....	Nov. 1-Nov. 10.

<sup>1</sup>Shooting hours in Illinois, Ohio, and New York, except in the Long Island and Lake Champlain areas, are from sunrise to sunset daily.

<sup>2</sup>Check State regulations for additional restrictions.

Section 10.54 is amended to read as follows:

§ 10.54 Seasons and limits on little brown cranes and whistling swans.

Subject to the applicable provisions of the preceding sections of this part, the open seasons prescribed for taking little brown cranes with a daily bag limit of 2 and a possession limit of 4; and with shooting hours from 1/2 hour before sunrise until sunset in the following described areas:

(a) In the Central Flyway portion of Colorado excluding the San Luis Valley area, 30 consecutive days from October 1 through October 30, 1968.

(b) In New Mexico counties of Chaves, Curry, De Baca, Eddy, Lea, Quay, and Roosevelt; and in that portion of the State of Texas lying west of a line from the International Toll Bridge in Del Rio, Val Verde County; thence northward following U.S. Highway 277 to the junction with U.S. Highway 87 at San Angelo, Tom Green County; thence northwesterly following U.S. Highway 87 to the junction with U.S. Highway 287 at Dumas, Moore County; thence northwesterly following U.S. Highway 287 to the point of intersection with the Texas-Oklahoma State line in Dallam County, 57 consecutive days between November 2 and December 28, 1968.

(c) In the North Dakota counties of Kidder and Stutsman and in those portions of the South Dakota counties of Campbell, Walworth, Potter, Dewey, and Corson lying west of U.S. Highway 83, north of U.S. Highway 212, and east of the Promise Road, State Highway 20, U.S. Highway 12, and State Highway 63, 30 consecutive days between November 9-December 8, 1968.

(d) In that portion of Texas lying west of a line from San Angelo along U.S. Highway 277 to Abilene, then State Highway 351 from Abilene to Albany and U.S. Highway 283 from Albany to Vernon, then east along U.S. Highway 183 to the point of intersection with the Texas-Oklahoma State line in Wilbarger County; and east of a line from San Angelo along U.S. Highway 87 to the junction of Highways 87 and 287 at Dumas, Moore County, and then along U.S. Highway 287 from Dumas, to the point of intersection with the Texas-Oklahoma State line in Dallam County; and in that portion of Oklahoma lying west of U.S. Highway 183 and south of U.S. Highway 66 (Interstate 40), 30 consecutive days between December 14, 1968, and January 12, 1969.

(e) A limited open season for the taking of whistling swans under special permit is prescribed for the State of Utah subject to the following conditions: (1) The open season dates are Oct. 12-Jan. 5 and the shooting hours are ½ hour before sunrise until sunset; (2) not more than 1,000 special permits may be issued authorizing the permittee to take 1 whistling swan; and (3) the special permit forms and correspondingly numbered metal locking seals furnished by the Bureau of Sport Fisheries and Wildlife will be issued by the Utah State Department of Fish and Game, to persons making written application for such permit: *Provided*, That if more than 1,000 applications are received, a drawing will be held to determine which applicants shall be issued permits. Each person must have been issued and carry on his person while hunting a properly validated 1968 whistling swan permit. When a whistling swan has been killed by a hunter he must immediately attach and lock the metal seal and the proper portion of his numbered permit around the upper right wing of the swan.

ABRAM V. TUNISON,  
Acting Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 30, 1968.

[F.R. Doc. 68-10723; Filed, Sept. 5, 1968;  
8:45 a.m.]

#### PART 32—HUNTING

##### Chautauqua National Wildlife Refuge, Ill.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

#### ILLINOIS

##### CHAUTAUQUA NATIONAL WILDLIFE REFUGE

Public hunting of geese on the Chautauqua National Wildlife Refuge, Ill., is permitted from October 14 through December 1, 1968, and the hunting of ducks and coots is permitted from November 2 through December 1, 1968, but only on the area designated by signs as open to hunting. This open area comprising 745 acres is delineated on a map available at refuge headquarters, Havana, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special condition:

(1) Blinds—temporary blinds of approved material may be constructed. Blinds do not become the property of those constructing them and will be available on a daily basis.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally which are set forth in Title 50, Code of Federal Regulations, Part 32,

and are effective through December 1, 1968.

S. E. JORGENSEN,  
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 30, 1968.

[F.R. Doc. 68-10748; Filed, Sept. 5, 1968;  
8:46 a.m.]

#### PART 32—HUNTING

##### Crab Orchard National Wildlife Refuge, Ill.

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

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

#### ILLINOIS

##### CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Public hunting of ducks and coots on the Crab Orchard National Wildlife Refuge, Ill., is permitted from November 2 through December 1, 1968, and the hunting of geese is permitted from November 11 through December 22, 1968, but only on the area designated by signs as open to hunting. This open area comprising 12,380 acres is delineated on a map available at the refuge headquarters, Carterville, Ill., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Season for hunting geese will be closed when a kill quota of 20,000 Canada geese is reached in the State of Illinois. Hunting will be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Blinds—temporary blinds may be constructed. Blinds do not become the property of those constructing them.

(2) It is unlawful for any person to establish or use any blind for the taking of migratory waterfowl within 50 yards of any other blind on the refuge public hunting area.

(3) All persons taking geese must register their geese at locations designated by the Project Manager.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 22, 1968.

S. E. JORGENSEN,  
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 29, 1968.

[F.R. Doc. 68-10749; Filed, Sept. 5, 1968;  
8:46 a.m.]

#### PART 32—HUNTING

##### Mark Twain National Wildlife Refuge, Ill.

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

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

#### ILLINOIS

##### MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of black, gray and fox squirrels on the Mark Twain National Wildlife Refuge, Ill., is permitted only on the area of the Calhoun Division designated by signs as open to hunting. This open area, comprising 5,050 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations concerning the hunting of squirrels subject to the following conditions:

(1) The open season for hunting squirrels on the refuge is from September 14 through October 15, 1968, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 15, 1968.

JAMES F. GILLET,  
Refuge Manager, Mark Twain  
National Wildlife Refuge,  
Quincy, Ill.

AUGUST 30, 1968.

[F.R. Doc. 68-10750; Filed, Sept. 5, 1968;  
8:46 a.m.]

#### PART 32—HUNTING

##### Mark Twain National Wildlife Refuge, Ill.

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

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

#### ILLINOIS

##### MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of black, gray and fox squirrels on the Mark Twain National Wildlife Refuge, Ill., is permitted only on the area of the Batchtown Division designated by signs as open to hunting. This open area, comprising 2,249 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations concerning the hunting of squirrels subject to the following conditions:

(1) The open season for hunting squirrels on the refuge is from September 14 through October 15, 1968, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally, which are set forth in Title 50, Code of Federal Regulations, Part 32,

and are effective through October 15, 1968.

JAMES F. GILLETT,  
Refuge Manager, Mark Twain  
National Wildlife Refuge,  
Quincy, Ill.

AUGUST 30, 1968.

[F.R. Doc. 68-10751; Filed, Sept. 5, 1968;  
8:46 a.m.]

**PART 32—HUNTING**

**Mark Twain National Wildlife  
Refuge, Ill.**

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

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

**ILLINOIS**

**MARK TWAIN NATIONAL WILDLIFE REFUGE**

Public hunting of black, gray and fox squirrels on the Mark Twain National Wildlife Refuge, Ill., is permitted only on the area of the Keithsburg Division designated by signs as open to hunting. This open area, comprising 1,296 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations concerning the hunting of squirrels subject to the following conditions:

(1) The open season for hunting squirrels on the refuge is from September 14 through October 15, 1968, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 15, 1968.

JAMES F. GILLETT,  
Refuge Manager, Mark Twain  
National Wildlife Refuge,  
Quincy, Ill.

AUGUST 30, 1968.

[F.R. Doc. 68-10752; Filed, Sept. 5, 1968;  
8:46 a.m.]

**PART 32—HUNTING**

**Kirwin National Wildlife Refuge, Kans.**

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

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

**KANSAS**

**KIRWIN NATIONAL WILDLIFE REFUGE**

Public hunting of crows on the Kirwin National Wildlife Refuge, Kans., is permitted from September 30 through December 15, 1968, inclusive, but only on the area designated by signs as open to

hunting. This open area, comprising 3,300 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kans., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of crows subject to the following special conditions:

(1) Shooting hours will be from one-half hour before sunrise until sunset.

(2) Crows may be hunted with shotguns or bow and arrows only. Rifles or handguns will not be permitted.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 15, 1968.

KEITH S. HANSEN,  
Refuge Manager, Kirwin Na-  
tional Wildlife Refuge, Kir-  
win, Kans.

AUGUST 27, 1968.

[F.R. Doc. 68-10753; Filed, Sept. 5, 1968;  
8:46 a.m.]

**PART 32—HUNTING**

**Cabeza Prieta Game Range, Ariz.**

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

**ARIZONA**

**CABEZA PRIETA GAME RANGE**

Public hunting of bighorn sheep on the Cabeza Prieta Game Range, Ariz., is permitted only on the area designated by signs as open to hunting. The bighorn sheep season is from December 7 through December 22, 1968, inclusive. The open bighorn sheep area, comprising 685,000 acres, is delineated on a map available at the game range headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of bighorn sheep subject to the following special condition:

(1) Bighorn sheep limited to four permits issued by the Arizona Game and Fish Department.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 22, 1968.

CLAUDE F. LARD,  
Refuge Manager, Cabeza Prieta  
Game Range, Yuma, Ariz.

AUGUST 28, 1968.

[F.R. Doc. 68-10747; Filed, Sept. 5, 1968;  
8:45 a.m.]

**Title 7—AGRICULTURE**

**Chapter IV—Federal Crop Insurance  
Corporation, Department of Agri-  
culture**

[Amdt. 13]

**PART 401—FEDERAL CROP  
INSURANCE**

**Subpart—Regulations for the 1969  
and Succeeding Crop Years**

**CANNING AND PROCESSING TOMATO  
ENDORSEMENT**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respects:

§ 401.103 [Amended]

1. The portion of the table following paragraph (a) of § 401.103 of this chapter under the heading "Canning and Processing Tomatoes" is amended effective beginning with the 1969 crop year to read as follows:

(CLOSING DATES)

**CANNING AND PROCESSING TOMATOES**

Ohio.....	May 10
Utah.....	Apr. 30

2. The following section is added:

§ 401.137 The canning and processing tomato endorsement.

The provisions of the canning and processing tomato endorsement for the 1969 and succeeding crop years are as follows:

1. *Causes of loss.* In addition to the insured causes of loss enumerated in section 1 of the policy, the contract shall cover any unavoidable loss of production caused by heat. Failure to market any insured tomatoes when such failure is not due to an insurable cause shall not be a cause of loss insured against.

2. *Insured crop.* The insured crop shall be tomatoes for canning or processing grown under a contract with a canner or processor executed by the time the acreage to be insured is reported. Insurance shall not attach on any acreage of tomatoes which is not grown under such contract nor on any acreage excluded from such contract for the crop year pursuant to the terms thereof.

3. *Production guarantee.* (a) The production guarantees per acre are progressive by periods as shown on the county actuarial table (hereinafter called actuarial table) with such production guarantees increasing on specified dates up to the maximum production guarantee which applies where tomatoes are harvested.

(b) Notwithstanding the provisions of section 9 of the policy or any other provisions of the contract, any acreage on which the tomato crop is damaged, as determined by the Corporation, to the extent that growers generally in the area would not further care for the crop shall be deemed to have been destroyed at the time of such damage even though the tomato crop is further cared for by the insured. Subject to section 6(d) of this endorsement, the production guarantee applicable to any acreage shall be that established for the period in which such destruction occurs, as determined by the Corporation, and the production guarantee for the final period shall apply only to harvested acreage.

[Amdt. 14]

## PART 401—FEDERAL CROP INSURANCE

## Subpart—Regulations for the 1969 and Succeeding Crop Years

## PEANUT ENDORSEMENT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respects:

The following section is added:

## § 401.138 The peanut endorsement.

The provisions of the peanut endorsement for the 1969 and succeeding crop years are as follows:

1. *Insured crop.* The crop insured shall be peanuts planted for the purpose of digging, maturing and marketing as farmers' stock peanuts, as determined by the Corporation. Insurance shall not attach on acreage on which it is determined by the Corporation that the peanuts were (a) not planted to a type shown on the county actuarial table (hereinafter called actuarial table) as insurable, (b) planted on a farm for which an allotment for peanuts was not established, or (c) destroyed for the purpose of conforming with any other program administered by the Secretary of Agriculture.

2. *Amount of insurance per acre.* The amount of insurance per acre for each crop year shall be the applicable pounds per acre of peanuts established by the Corporation by area, classification, group, or other designation for the insured acreage and shown on the actuarial table multiplied by the minimum average support price per pound (rounded to the nearest whole dollar) for the insured type of peanuts for the crop year as announced by the U.S. Department of Agriculture under the peanut price support program.

3. *Insurance period.* Insurance on any insured acreage shall attach at the time the peanuts are planted and shall cease upon threshing or removal from the field, whichever occurs first, but in no event shall insurance remain in effect later than January 15 immediately following the calendar year in which the peanuts are normally harvested.

4. *Notice of loss or substantial damage.* (a) In lieu of that portion of the first sentence preceding the second comma in section 8(a) of the policy the following shall apply: "The insured shall promptly give written notice of damage to the Corporation at the office for the county, if during the growing season, or after harvest but before threshing."

(b) In lieu of the provisions of section 8(b) of the policy, if a loss is to be claimed on any unit, the insured shall give written notice thereof to the Corporation at the office for the county within 15 days after completion of selling, or otherwise disposing of the insured crop on the insurance unit (hereinafter called unit), or by January 15, whichever is earlier.

5. *Claims for loss.* (a) Any claim for loss on a unit shall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the time of loss. The Corporation reserves the right to provide additional time if it determines that circumstances beyond the control of either party prevent compliance with this provision.

(b) It shall be a condition precedent to the payment of any loss that the insured

4. *Insurance period.* Insurance on any insured acreage shall attach at the time the tomatoes are planted. Insurance shall cease upon removal of the insured crop from the field, harvest, final adjustment of loss, or when the crop is deemed destroyed and it is not practical to replant by the date shown on the actuarial table, whichever occurs first, but in no event shall insurance remain in effect later than October 10 of the calendar year in which the insured crop is normally harvested.

5. *Notice of loss or substantial damage.* (a) In lieu of subsection 8(b) of the policy the following shall apply: "In addition to the notices required in paragraph (a) of this section, if a loss is to be claimed on any unit, the insured shall give immediate written notice thereof to the Corporation at the office for the county after harvesting is completed on the unit."

(b) In addition to the notices required in section 8(a) of the policy and subsection (a) of this section the following shall apply: For any unit on which a loss is probable, written notice shall be given to the Corporation at the office for the county immediately if harvesting is discontinued on any acreage before the entire crop production on any unit is harvested or at any time harvest should be in progress on any unit if the insured does not expect to harvest or is unable to deliver production to the canner or processor.

6. *Claims for loss.* (a) Any claim for loss on an insurance unit (hereinafter called unit) shall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the time of loss. The Corporation reserves the right to provide additional time if it determines that circumstances beyond the control of either party prevent compliance with this provision.

(b) It shall be a condition precedent to the payment of any loss that the insured establish the production of the insured crop on the unit and that such loss has been directly caused by one or more hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) The tomato vines on any insured acreage with respect to which a loss is claimed shall not be destroyed until the Corporation makes an inspection. The Corporation reserves the right to reject a claim for loss if the insured disregards this provision as to any acreage involved thereunder.

(d) Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of tomatoes on the unit by the applicable production guarantee per acre, which product shall be the production guarantee for the unit, (2) subtracting therefrom the total production to be counted for the unit, (3) multiplying the remainder by the applicable price for computing indemnities, and (4) multiplying the result obtained in (3) by the insured interest: *Provided*, That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when de-

termined by the Corporation under section 3 of the policy, the amount of loss shall be reduced proportionately.

The total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions herein-after, shall include all production marketed and any appraisals made by the Corporation for potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation or for production which would meet the quality requirements of the processor contract referred to in section 2 of this endorsement if such tomatoes had been timely marketed: *Provided*, That the production to be counted for any acreage of tomatoes (1) which comprises a unit or any portion thereof and is not eligible for the production guarantee for the final period shall be the amount by which the total of any appraised production to be counted exceeds the difference between the production guarantee applicable for such acreage and the production guarantee applicable for the final period, except as to the acreage referred to in the following items (2) and (3); (2) which is abandoned or put to another use without prior written consent of the Corporation shall be the production guarantee provided for such acreage; or (3) which is damaged solely by an uninsured cause shall be not less than the production guarantee provided for such acreage.

7. *Meaning of terms.* For the purpose of insurance on canning and processing tomatoes the term:

(a) "Harvest" or "harvested" as to any insured acreage not deemed to have been destroyed earlier, means severance of tomatoes from the vines and delivery of such tomatoes under the insured's contract with a canner or processor. However, for the purpose of determining the applicable production guarantee per acre, acreage from which no tomatoes are accepted by the canner or processor shall not be deemed to have been harvested.

8. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date and termination date for indebtedness are the following applicable dates immediately preceding the beginning of the crop year for which the cancellation or the termination is to become effective:

State	Cancellation date	Termination date for indebtedness
Ohio	Dec. 31	May 10
Utah	Dec. 31	Apr. 30

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL]

EARL H. NIKKEL,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: August 30, 1968.

JOHN A. SCHNITTKER,  
Acting Secretary.

[F.R. Doc. 68-10804; Filed, Sept. 5, 1968;  
8:51 a.m.]

establish the production of the insured crop on the unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of peanuts on the unit by the applicable amount of insurance per acre, which product shall be the amount of insurance for the unit, (2) subtracting therefrom the value (determined in accordance with subsection (d) of this section) of the total production to be counted for the unit, and (3) multiplying the remainder by the insured interest: *Provided*, That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 3 of the policy, the amount of loss shall be reduced proportionately.

The value of the total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include the value of all threshed production and the value of any appraisals made by the Corporation for unthreshed, unharvested, or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided*, That the value of the total production to be counted on any acreage of peanuts (1) not harvested nor considered as harvested within the meaning of the term "harvested" shall be not less than 20 percent of the amount of insurance for such acreage, except as to the acreage referred to in the following items (2) and (3); (2) which is abandoned or put to another use without prior written consent of the Corporation shall be the amount of insurance provided for such acreage; and (3) which is damaged solely by an uninsured cause shall be not less than the amount of insurance provided for such acreage.

(d) In determining any loss under the contract, production shall be valued as follows: (1) The gross receipts, or the fair market value as determined by the Corporation taking into consideration the support price, whichever is the higher, of any peanuts sold, (2) the fair market value, as determined by the Corporation, taking into consideration the support price, of peanuts harvested and threshed but not sold, and (3) the fair market value of any unharvested or unthreshed peanuts determined by the Corporation as if such peanuts had been harvested and threshed. Any appraisals of production made for poor farming practices or uninsured causes of loss shall be valued at the minimum average support price per pound for peanuts for the crop year as announced by the United States Department of Agriculture under the peanut price support program for the insured type.

(e) To enable the Corporation to determine the fair market value of any peanuts for which a U.S. Department of Agriculture "Inspection Certificate and Sales Memorandum" has not been issued, the Corporation shall be given the opportunity to have such peanuts inspected and graded before they are disposed of by the insured. If the insured disposes of any production without giving the Corporation the opportunity to have the peanuts inspected and graded, such produc-

tion shall be valued at the final average support price per pound for the crop year under the peanut price support program for the insured type.

6. *Meaning of terms.* For the purposes of insurance on peanuts the terms:

(a) "Harvest" or "harvested" as to any acreage means the digging for threshing of at least 20 percent of the applicable pounds per acre of peanuts established by the Corporation by area, classification, group, or other designation for the insured acreage and shown on the actuarial table.

(b) "Insurance unit" notwithstanding that portion of the first sentence preceding item (1) of section 19(e) of the policy, means the insurable acreage of a crop of peanuts in the county planted on a farm for which a single farm acreage allotment for peanuts is established. Otherwise the provisions of section 19(e) of the policy apply to peanut crop insurance.

(c) "Owner-operator" means a person who owns land and is responsible for farm management with respect to the production of peanuts on such acreage whether produced by his own or other person's labor. Land rented for cash or for a fixed commodity payment shall be considered owned by the lessee.

(d) "Tenant-operator" means a person who rents land from another person for a share of the peanut crop, or proceeds therefrom, produced on such land and is responsible for farm management with respect to the production of peanuts on such acreage whether produced by his own or other person's labor.

(e) "Sharecropper" or "share tenant" means a person other than an owner-operator or tenant-operator who works peanuts under supervision of a farm operator and is entitled to receive a share of the crop or proceeds therefrom and includes a person employed on the farm of an owner-operator or tenant-operator who receives for his labor the entire interest of such owner-operator or tenant-operator in the peanut crop, or proceeds therefrom, produced on a specified acreage of such farm (for the purpose of the contract the owner-operator or tenant-operator of the farm shall be considered to have an interest in such acreage).

7. *Cancellation and termination for indebtedness dates.* For each crop year of the contract the cancellation date shall be the December 31, and the termination date for indebtedness shall be the April 30, immediately preceding the beginning of the crop year for which the cancellation or the termination is to become effective.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL] EARL H. NIKKEL,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: August 30, 1968.

JOHN A. SCHNITTKER,  
Acting Secretary.

[F.R. Doc. 68-10805; Filed, Sept. 5, 1968;  
8:51 a.m.]

[Amtd. 15]

**PART 401—FEDERAL CROP  
INSURANCE**

**Subpart—Regulations for the 1969  
and Succeeding Crop Years**

**POTATO ENDORSEMENT**

Pursuant to the authority contained  
in the Federal Crop Insurance Act, as

amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respects:

The following section is added:

**§ 401.139 The potato endorsement.**

The provisions of the potato endorsement for the 1969 and succeeding crop years are as follows:

1. *Insured crop.* The crop insured shall be all varieties of potatoes except any variety shown as noninsurable on the county actuarial table (hereinafter called actuarial table). Insurance shall not attach on any acreage on which it is determined by the Corporation that such acreage (1) was planted to potatoes for the 2 preceding crop years, or (2) on any insurance unit (hereinafter called unit) was less than two acres. If within 15 days after the insured files his acreage report, it is determined by the Corporation that the insured did not follow recognized good farming practices the Corporation may elect to determine the insured acreage of potatoes involved to be "zero."

2. *Insurance period.* Insurance on any insured acreage shall attach at the time the potatoes are planted and shall cease upon harvest, but in no event shall insurance remain in effect later than October 20 of the calendar year in which the potato crop is normally harvested.

3. *Notice of loss or substantial damage.* In addition to the provisions of subsection 8(b) of the policy, the following shall apply: If any production from any unit is to be placed in storage, notice of the time of intended harvest on such unit shall be given to the office for the county at least 15 days before the beginning of harvest on such unit if a loss is to be claimed: *Provided*, That if in such cases damage occurs within the 15 day period or during harvest, notice shall be given immediately.

4. *Claims for loss.* (a) Any claim for loss on a unit shall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the time of loss. The Corporation reserves the right to provide additional time if it determines that circumstances beyond the control of either party prevent compliance with this provision.

(b) It shall be a condition precedent to the payment of any loss that the insured establish the production of the insured crop on the unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of potatoes on the unit by the applicable production guarantee per acre, which product shall be the production guarantee for the unit, (2) subtracting therefrom the total production to be counted for the unit, (3) multiplying the remainder by the applicable price for computing indemnities, and (4) multiplying the result obtained in (3) by the insured interest: *Provided*, That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 3 of the policy, the amount of loss shall be reduced proportionately.

The total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include all harvested production and any appraisals made by the Corporation for unharvested or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided*, That the total production to be counted on any acreage of potatoes (1) shall be determined separately for acreage harvested on the unit and for acreage not harvested on the unit and in either case shall not be less than 25 percent of the production guarantee of the quality guaranteed and provided on the actuarial table for such acreage, except as to the acreage referred to in the following items (2) and (3); (2) which is abandoned or put to another use without prior written consent of the Corporation shall be the production guarantee provided for such acreage; or (3) which is damaged solely by an uninsured cause shall be not less than the production guarantee provided for such acreage.

(d) Notwithstanding the provisions of paragraph (c) of this section, if the production to be counted, as determined by the Corporation, does not meet the quality specifications shown on the actuarial table due to insurable causes occurring within the insurance period it shall be reduced by the factor for that purpose shown on such actuarial table.

(e) The Corporation reserves the right to adjust any loss prior to the time the potatoes are placed in storage or prior to delivery of the potatoes from the field directly to a processor, and any determination of production, and the quality thereof, shall be binding upon the insured and shall not be subject to change by the insured: *Provided*, That in no event shall any adjustment of quality be made on potatoes after they have been stored, except for size and weight.

5. *Meaning of terms.* For the purpose of insurance on potatoes the term:

(a) "Harvest" or "harvested" means the digging of potatoes.

6. *Cancellation and termination for indebtedness dates.* For each crop year of the contract the cancellation date shall be the December 31 and the termination date for indebtedness shall be the May 15 immediately preceding the beginning of the crop year for which the cancellation or the termination is to become effective.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL] EARL H. NIKKEL,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: August 30, 1968.

JOHN A. SCHNITTKER,  
Acting Secretary.

[F.R. Doc. 68-10806; Filed, Sept. 5, 1968;  
8:51 a.m.]

[Amdt. 16]

## PART 401—FEDERAL CROP INSURANCE

### Subpart—Regulations for the 1969 and Succeeding Crop Years

#### SUGAR BEET ENDORSEMENT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regula-

tions are amended effective beginning with the 1969 crop year in the following respects:

The following section is added:

#### § 401.140 The sugar beet endorsement.

The provisions of the sugar beet endorsement for the 1969 and succeeding crop years are as follows:

1. *Causes of loss.* Notwithstanding the provisions of section 1 of the policy, the contract shall not cover any loss caused by drought where insurance is provided on irrigated acreage under section 4 of the policy.

2. *Insured crop.* The crop insured shall be sugar beets grown under a contract with a processor for processing as sugar. Insurance shall not attach on any acreage of sugar beets excluded from such contract for, or during, the crop year. In addition, unless otherwise provided on the county actuarial table (hereinafter called actuarial table), insurance shall not attach on any acreage which was planted to sugar beets (1) for the 2 preceding years in all States except Michigan and Ohio, and (2) in Michigan and Ohio on which sugar beets were planted the preceding crop year.

3. *Production guarantee.* (a) The production guarantees per acre are progressive as follows: (1) First Stage—any acreage not thinned, (2) Second Stage—after acreage is thinned and through July 1 (December 31 in California), (3) Third Stage—after July 1 (December 31 in California) until harvested, or (4) Fourth Stage—acreage harvested. For any insured acreage for a crop year the production guarantee for each of the four stages shall be the applicable percent as shown on the actuarial table of the normal yield (cwt. of commercially recoverable sugar) established for such acreage for such crop year in accordance with the regulations issued by the U.S. Department of Agriculture pursuant to the Sugar Act of 1948, as amended.

(b) Notwithstanding the provisions of section 9 of the policy, any acreage on which the sugar beet crop is damaged, as determined by the Corporation, to the extent that the acreage is considered as bona fide abandoned acreage under the Sugar Act of 1948, as amended, and under the regulations issued by the U.S. Department of Agriculture pursuant thereto, or to the extent that growers generally in the area would not further care for the crop shall be deemed to have been destroyed at the time of such damage even though the sugar beet crop is further cared for by the insured. The production guarantee applicable on such acreage shall be that established for the stage at the time of such damage, as determined by the Corporation.

4. *Insurance period.* Insurance on any insured acreage shall attach at the time the sugar beets are planted and shall cease upon harvesting, but in no event shall insurance remain in effect later than the applicable date set forth below of the calendar year in which the sugar beets are normally harvested.

California	July 15
Michigan, Minnesota, Montana, and North Dakota	Nov. 10
Ohio	Nov. 25
All other States	Nov. 15

5. *Claims for loss.* (a) Any claim for loss on an insurance unit (hereinafter called unit) shall be submitted to the Corporation, on a form prescribed by the Corporation, within 30 days after the amount of loss has been determined by the Corporation.

(b) It shall be a condition precedent to the payment of any loss that the insured establish the production of the insured crop on the unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is

claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of sugar beets on the unit by the applicable production guarantee per acre, which product shall be the production guarantee for the unit, (2) subtracting therefrom the total production to be counted for the unit, (3) multiplying the remainder by the applicable price for computing indemnities, and (4) multiplying the result obtained in (3) by the insured interest: *Provided*, That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 3 of the policy, the amount of loss shall be reduced proportionately.

The Corporation shall determine the hundredweight of commercially recoverable sugar by multiplying the net weight of sugar beets in tons at the time of delivery to a processor by the applicable rate of commercially recoverable sugar prescribed for the crop year under regulations issued by the U.S. Department of Agriculture pursuant to the Sugar Act of 1948, as amended. The commercially recoverable sugar to be counted for any appraised production shall be 3 hundredweight of commercially recoverable sugar for each ton of sugar beets, as determined by the Corporation.

The total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include all harvested production and any appraisals made by the Corporation for unharvested, or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided*, That on any acreage of sugar beets (1) which is not eligible for the production guarantee for the fourth stage and which is considered as bona fide abandoned acreage for proportionate share history purposes under regulations issued by the U.S. Department of Agriculture pursuant to the Sugar Act of 1948, as amended, no production shall be counted; (2) which comprises a unit or any portion thereof and is not eligible for the production guarantee for the fourth stage and which is not considered as bona fide abandoned acreage under Item (1) above, the total production to be counted shall be the appraised production in excess of the difference between the production guarantee applicable for such acreage and the production guarantee applicable to fourth stage, except as to acreage referred to in the following items (3) and (4); (3) which is abandoned or put to another use without prior written consent of the Corporation the total production to be counted shall be the production guarantee provided for such acreage, except that consent of the Corporation shall be deemed to have been given if the abandoned acreage is bona fide abandoned acreage under the Sugar Act of 1948, as amended, and under regulations issued pursuant thereto; or (4) which is damaged solely by an uninsured cause the total production to be counted shall be not less than the production guarantee provided for such acreage.

6. *Meaning of terms.* For the purpose of insurance on sugar beets the terms:

(a) "Harvest" means the lifting and topping of the sugar beets.

(b) "Crop year," notwithstanding section 19(c) of the policy, means the period within which the insured sugar beet crop is normally planted and normally harvested, and shall be designated by reference to the calendar year in which the crop is normally harvested: *Provided, however,* That in all counties in California where sugar beet crop insurance is offered, the crop year shall be designated by reference to the calendar year in which the crop is normally planted.

7. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date and termination date for indebtedness are the following applicable dates immediately preceding the beginning of the crop year for which the cancellation or termination is to become effective: *Provided, however,* That the portion of item (1) in section 13(b) of the policy which reads "other than the premium due on a crop normally harvested in the calendar year in which the termination date for indebtedness for that crop occurs", shall not be applicable with respect to sugar beet crop insurance in any county in California.

State	Cancellation date	Termination date for indebtedness
California	June 30	Aug. 31
All other States	Dec. 31	Apr. 15

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL] EARLL H. NIKKEL,  
Secretary, Federal Crop Insurance Corporation.

Approved: August 30, 1968.

JOHN A. SCHNITTKER,  
Acting Secretary.

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[Amdt. 17]

**PART 401—FEDERAL CROP INSURANCE**

**Subpart—Regulations for the 1969 and Succeeding Crop Years**

**TOBACCO ENDORSEMENT WITH PROVISION FOR INDEMNITY BASED UPON DOLLAR AMOUNT OF INSURANCE PER ACRE LESS VALUE OF PRODUCTION TO BE COUNTED**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respects:

The following section is added:

§ 401.141 The tobacco endorsement with provision for indemnity based upon dollar amount of insurance per acre less value of production to be counted.

The provisions of the tobacco endorsement (applicable only in those counties where a pound guarantee is not shown on the county actuarial table) for the 1969 and succeeding crop years are as follows:

1. *Insured crop.* The crop insured shall be the type of tobacco shown as insurable on the county actuarial table (hereinafter called actuarial table). Insurance shall not be considered to have attached on (a) any acreage on which it is determined by the Corporation that the tobacco was destroyed for the purpose of conforming with any other program administered by the Secretary of Agriculture, (b) any acreage planted to tobacco of a discount variety under the provisions of the tobacco price support program, or (c) an irrigated basis on acreage otherwise insurable on such basis unless it is so reported and designated by such practice at the time the acreage is reported.

2. *Amounts of insurance per acre.* (a) The provisions of section 5 of the policy shall not be applicable with respect to prices at which indemnities shall be computed.

(b) In addition to the provisions contained in section 7 of the policy, if for any crop year the support price per pound is reduced 10 percent or more below the support price per pound for the previous crop year the dollar amounts of insurance per acre for the current crop year shall be adjusted by multiplying the support price per pound (less warehouse charges as determined by the Corporation) for the current crop year by the amount in pounds per acre shown on the actuarial table for this purpose: *Provided, however,* That where a tobacco price support program is not in effect for the kind of tobacco which includes the insured type for any crop year, the amounts in pounds per acre shown on the actuarial table will be multiplied by the market price for that crop year to determine the amounts of insurance per acre for such crop year. The premium shall be based on the premium rates shown on the actuarial table and the applicable amount of insurance per acre.

3. *Insurance period.* Insurance on any insured acreage shall attach at the time the tobacco is planted and, with respect to any portion of the crop, shall cease upon weighing-in at the tobacco warehouse, transfer of interest in the tobacco after harvest, or removal of the tobacco from the insurance unit (hereinafter called unit) (except for curing, grading, packing, or immediate delivery to the tobacco warehouse), whichever occurs first, but in no event shall insurance remain in effect (a) for the following types later than the applicable date set forth below immediately following the normal harvest period:

Type of tobacco	Date
11	Jan. 31
12	Dec. 31
13	Nov. 30
14	Sept. 30
21, 22, 23, 41, 54, and 55	Mar. 31
31, 35, and 36	Feb. 28

and (b) for type 32 tobacco, the August 31 of the next succeeding calendar year following the calendar year in which the crop was planted.

4. *Notice of loss or substantial damage.* (a) Where tobacco is not sold through auction warehouses, if after curing the tobacco it appears probable that a loss on any unit under the contract will be sustained, notice in writing shall be given to the Corporation at the office for the county to allow the Corporation time to make an inspection before the crop is sold, contracted to be sold, or otherwise disposed of.

(b) In lieu of the provisions of section 8(b) of the policy the following shall apply: "If at the completion of selling or otherwise disposing of the insured tobacco, a loss on a unit under the contract is probable, the insured shall give within 15 days written notice thereof to the Corporation at the office for the county but in no event shall such notice be given later than the final

calendar date for the end of the insurance period: *Provided, however,* That if the tobacco is destroyed or damaged by fire while in the curing barn, such notice shall be given immediately."

5. *Claims for loss.* (a) Any claim for loss on a unit shall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the amount of loss can be determined, but in no event shall such form be submitted later than (1) the last day of the next succeeding month following the final date shown in section 3 of this endorsement for the end of the insurance period except for types 41, 54, and 55 tobacco, and (2) the last day of the second succeeding month following the final date shown in section 3 of this endorsement for the end of the insurance period for types 41, 54, and 55 tobacco.

(b) It shall be a condition precedent to the payment of any loss that the insured establish the production of the insured crop on the unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of tobacco on the unit by the applicable amount of insurance per acre, which product shall be the amount of insurance for the unit, (2) subtracting therefrom the value (determined in accordance with subsection (d) of this section) of the total production to be counted for the unit, and (3) multiplying the remainder by the insured interest: *Provided,* That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 3 of the policy, the amount of loss shall be reduced proportionately.

The value of the total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include the value of all harvested production and the value of any appraisals made by the Corporation for unharvested, or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided,* That the value of the total production to be counted on any acreage of tobacco (1) not harvested nor considered as harvested within the meaning of the term "harvested" shall be not less than 20 percent of the amount of insurance for such acreage, except as to the acreage referred to in the following items (2) and (3); (2) which is abandoned or put to another use without prior written consent of the Corporation shall be the amount of insurance provided for such acreage; and (3) which is damaged solely by an uninsured cause shall be not less than the amount of insurance provided for such acreage.

(d) In determining any loss under the contract, production shall be valued as follows: (1) The gross returns (less warehouse charges) from the tobacco sold on the warehouse floor, (2) The fair market value, as determined by the Corporation, of the tobacco sold other than on the warehouse floor, (3) The fair market value, as determined by the Corporation, of the tobacco harvested and not sold, and (4) The fair market value of

any unharvested tobacco determined by the Corporation as if such tobacco were harvested and cured. Any appraisals of production for any crop year made for poor farming practices or uninsured causes of loss, shall be valued at the support price per pound (less warehouse charges as determined by the Corporation) for the current crop year: *Provided, however, That if a price support program is not in effect, such appraised production shall be valued at the market price for the current crop year.*

(e) To enable the Corporation to determine the fair market value of tobacco not sold through auction warehouses, the Corporation shall be given the opportunity to inspect such tobacco before it is sold, contracted to be sold, or otherwise disposed of by the insured and, if the best offer received by the insured for any such tobacco is considered by the Corporation to be inadequate, to obtain additional offers therefor on behalf of the insured.

6. *Life of contract, cancellation, or termination thereof.* Notwithstanding section 13 (b) of the policy, the contract shall not terminate because a premium due on type 32 tobacco planted in the preceding calendar year remains unpaid.

7. *Meaning of terms.* For purposes of insurance on tobacco the terms:

(a) "Harvest" or "harvested" as to any acreage means cutting or priming of at least 20 percent of the amount of tobacco in pounds per acre shown on the actuarial table for such purpose.

(b) "Insurance unit", notwithstanding the first sentence of section 19(e) of the policy, means all the insurable acreage in the county of an insurable type of tobacco planted on a farm for which a single farm acreage allotment for the insurable type of tobacco is established and at the time of planting (1) in which the insured has 100 percent interest, (2) which is owned by one person and operated by the insured as a tenant, or (3) which is owned by the insured and rented to one tenant: *Provided, however, That where a tobacco price support program is not in effect for the insurable type of tobacco for any crop year, the above words "planted on a farm for which a single farm acreage allotment for the insurable type of tobacco is established" shall be disregarded. Otherwise the provisions of section 19(e) of the policy apply to tobacco crop insurance, except that no other agreement shall be made which divides the insurable acreage into two or more units.*

(c) "Market price" for a crop year in the case of tobacco (1) types 11, 12, 13, 14, 21, 22, 23, 31, 32, 35, and 36 means the average auction price for the applicable type (less warehouse charges) in the belt or area as determined by the Corporation, and (2) types 41, 54, and 55 means the average price for the applicable type in the belt or area as determined by the Corporation. The market price when determined by the Corporation shall be filed in the office for the county with the actuarial table.

(d) "Owner-operator" means a person who owns land and is responsible for farm management with respect to the production of tobacco on such acreage whether produced by his own or other person's labor. Land rented for cash or for a fixed commodity payment shall be considered owned by the lessee.

(e) "Planting" means transplanting the tobacco plant from the bed to the field.

(f) "Tenant-operator" means a person who rents land from another person for a share of the tobacco crop, or proceeds therefrom, produced on such land and is responsible for farm management with respect to the production of tobacco on such acreage whether produced by his own or other person's labor.

(g) "Sharecropper" or "share tenant" means a person other than an owner-operator or tenant-operator who works tobacco

under supervision of a farm operator and is entitled to receive a share of the crop or proceeds therefrom and includes a person employed on the farm of an owner-operator or tenant-operator who receives for his labor the entire interest of such owner-operator or tenant-operator in the tobacco crop, or proceeds therefrom, produced on a specified acreage of such farm (for the purpose of the contract the owner-operator or tenant-operator of the farm shall be considered to have an interest in such acreage).

(h) "Support price per pound" means the average price support level per pound for the applicable type of tobacco as announced by the United States Department of Agriculture under the tobacco price support program.

8. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date shall be the following applicable date immediately preceding the beginning of the crop year for which the cancellation is to become effective: February 28 for counties in Maryland, Pennsylvania, and Virginia; and January 31 for all other counties. The termination date for indebtedness for each crop year of the contract shall be the applicable date listed below immediately preceding the beginning of the crop year for which the termination is to become effective.

Types of tobacco	Termination date <sup>1</sup>
14	Mar. 31
13	Apr. 15
12	Apr. 30
11b	May 15
11a, 21, 22, 23, 31, 32, 35, 36, 41, 54, and 55	May 31

<sup>1</sup>In case 2 or more types of tobacco are insured under the contract, the latest date for any type of tobacco insured shall apply to the entire tobacco premium for the contract.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL] EARL H. NIKKEL,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: August 30, 1968.

JOHN A. SCHNITKER,  
Acting Secretary.

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8:51 a.m.]

[Amdt. 19]

## PART 401—FEDERAL CROP INSURANCE

### Subpart—Regulations for the 1969 and Succeeding Crop Years

#### CORN-SILAGE ENDORSEMENT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respects:

The following section is added:

§ 401.143 *The corn-silage endorsement.* (Provides insurance on corn normally regarded as silage or field corn and is applicable only in those counties where a production guarantee in tons of silage per acre is shown on the county actuarial table.)

The provisions of the corn-silage endorsement which shall be applicable in

all counties where a production guarantee in tons of silage per acre is shown on the county actuarial table are as follows:

1. *Insured crop.* The crop insured shall be all corn normally regarded as silage or field corn. Insurance shall not attach on any acreage on which it is determined by the Corporation that the corn was planted for the development or production of hybrid seed.

2. *Production guarantee.* The production guarantee per acre shown on the county actuarial table (hereinafter called actuarial table) shall be increased by 1 ton for any acreage harvested for silage by September 30 on which the amount of silage harvested is 1 or more tons per acre.

3. *Insurance period.* Insurance on any insured acreage shall attach at the time the corn is planted and shall cease on final adjustment of a loss or upon harvest, whichever occurs first, but in no event shall insurance remain in effect later than September 30 of the calendar year in which the corn is normally harvested.

4. *Claims for loss.* (a) Any claim for loss on an insurance unit (hereinafter called unit) shall be submitted to the Corporation, on a form prescribed by the Corporation, not later than 60 days after the time of loss. The Corporation reserves the right to provide additional time if it determines that circumstances beyond the control of either party prevent compliance with this provision.

(b) It shall be a condition precedent to the payment of any loss that the insured establish the production of the insured crop on the unit and that such loss has been directly caused by one or more of the hazards insured against during the insurance period for the crop year for which the loss is claimed, and furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(c) Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of corn on the unit by the applicable production guarantee per acre, which product shall be the production guarantee for the unit, (2) subtracting therefrom the total production to be counted for the unit, (3) multiplying the remainder by the applicable price for computing indemnities, and (4) multiplying the result obtained in (3) by the insured interest: *Provided, That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 3 of the policy, the amount of loss shall be reduced proportionately.*

The total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include all production harvested as silage and any appraisals made by the Corporation for unharvested or potential production, acreage harvested for grain, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided, That the total production to be counted on any acreage of corn (1) which, with the consent of the Corporation, is planted in the current crop year, before harvest becomes general, to any other crop (excluding small grain crops normally maturing for the harvest in the following calendar year) insurable in the county for the current crop year under the regulations of the Corporation, shall be 50 percent of the*

production guarantee for such acreage or the appraised production whichever is greater; (2) which is unharvested or from which the production harvested as silage is less than 1 ton per acre shall be the appraised production and the harvested production in excess of 1 ton per acre, except as to the acreage referred to in the following items (3) and (4); (3) which is abandoned or put to another use without prior written consent of the Corporation shall be the production guarantee provided for such acreage; or (4) which is damaged solely by an uninsured cause shall be not less than the production guarantee provided for such acreage. The production on any insured acreage which is not harvested for silage by September 30 shall be appraised by the Corporation on the basis of the tons of silage per acre the Corporation determines would have been produced had the acreage been harvested for silage by September 30: *Provided*, That in lieu of such appraisal the Corporation may use the average tons of silage per acre obtained from acreage harvested for silage on the unit.

5. *Meaning of terms.* For the purposes of the corn-silage insurance program the term: (a) "Harvest" means cutting the corn for silage by September 30.

6. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date shall be the December 31 and the termination date for indebtedness shall be the May 10 immediately preceding the beginning of the crop year for which the cancellation or the termination is to become effective.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL] EARLL H. NIKKEL,  
Secretary, Federal Crop  
Insurance Corporation.

Approved: August 30, 1968.

JOHN A. SCHNITTKER,  
Acting Secretary.

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[Amdt. 20]

**PART 401—FEDERAL CROP  
INSURANCE**

**Subpart—Regulations for the 1969  
and Succeeding Crop Years**

**COMBINED CROP ENDORSEMENT**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1969 crop year in the following respects:

The following section is added:

§ 401.144 The combined crop endorsement.

The provisions of the combined crop endorsement for the 1969 and succeeding crop years are as follows:

1. *General.* As to each insured crop, the provisions for that crop contained in the individual endorsement for such crop on file in the office for the county shall apply except as provided otherwise herein. In addition, for the purpose of combined crop insurance, those parts of the policy which refer to individual crops shall be considered to mean all crops insured under this endorsement.

2. *Crops Insured.* (a) In lieu of subsection 2(a) of the policy, the following shall apply: "The crops insured are all of the crops for which production guarantees and premium rates are shown on the county actuarial table for combined crop insurance, and which are grown on insured acreage."

(b) In counties in the States of North Dakota and South Dakota, insurance shall not attach or be considered to have attached to any acreage of rye for the first crop year of a combined crop insurance contract or for any subsequent crop year when the contract is canceled or terminated for indebtedness for that crop year pursuant to the provisions of section 13 of the policy.

3. *Annual premium.* Section 2 of the individual crop endorsement for wheat shall not be applicable under combined crop insurance.

4. *Claims for loss.* In lieu of those portions which precede the first colon in subsection 4(c) of the individual crop endorsements for barley, corn grain-silage, flax, oats, rye, and soybeans, and in subsection 5(c) of the individual endorsement for wheat, the following shall apply: "Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined in the following manner: (a) For each insured crop on the unit multiply the insured acreage by the product of the applicable commodity production guarantee per acre, and the insured interest and the applicable price for computing indemnities, (b) for each insured crop on the unit multiply the product of the total production to be counted and the insured interest by the applicable price for computing indemnities, (c) add the dollar amounts obtained for each of the respective insured crops in (a) above, and (d) add the dollar amounts obtained for each of the respective insured crops in (b) above, and subtract this sum from the sum obtained in (c) above".

5. *Meaning of terms.* For the purpose of combined crop insurance the term:

(a) "Insurance unit", notwithstanding that portion of the first sentence preceding item (1) of section 19(e) of the policy, means all insurable acreage of all insured crops in the county at the time of planting. Otherwise the provisions of section 19(e) of the policy apply to combined crop insurance.

6. *Cancellation and termination for indebtedness dates.* For each crop year of the contract in any county, the cancellation date and the termination date for indebtedness for a contract shall be respectively the earliest applicable cancellation date and termination date for that county shown in the individual crop endorsements for any crop for which a commodity unit guarantee and premium rates are shown on the actuarial table for that county for combined crop insurance: *Provided, however,* That in counties in North Dakota and South Dakota, where rye is an insurable crop under combined crop insurance, the cancellation date and the termination date for indebtedness for rye shall be disregarded in determining the cancellation date and the termination date for indebtedness for combined crop insurance.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on August 29, 1968.

[SEAL] EARLL H. NIKKEL,  
Secretary, Federal Crop  
Insurance Corporation.

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JOHN A. SCHNITTKER,  
Acting Secretary.

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

**SUBCHAPTER B—FARM MARKETING QUOTAS  
AND ACREAGE ALLOTMENTS**

**PART 729—PEANUTS**

**Subpart—1968 Crop of Peanuts;  
Acreage Allotments and Market-  
ing Quotas**

**NORMAL YIELD**

*Basis and purpose.* The regulations contained in § 729.1815, below, are issued pursuant to and in conformity with the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, hereinafter referred to as the Act, and the Allotment and Marketing Quota Regulations for Peanuts of the 1963 and Subsequent Crops (27 F.R. 11920, as amended).

Subsections 301(b) (13) (B) and (C) of the Act define normal yield for any county as follows:

(B) "Normal yield" for any county, in the case of peanuts, shall be the average yield per acre of peanuts for the county, adjusted for abnormal weather conditions, during the 5 calendar years immediately preceding the year in which such normal yield is determined. (C) In applying \* \* \* [(B) *supra*] \* \* \* if for any such year the data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, shall be used as the actual yield for such year. In applying such subparagraphs, if, on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield in any year of such \* \* \* 5-year period, \* \* \* is less than 75 per centum of the average (computed without regard to such year) such year shall be eliminated in calculating the normal yield per acre.

Producers are now marketing their 1968 crop of peanuts and since county normal yields are used in the determination of the amount of penalty on excess peanuts marketed from a farm, it is essential that county normal yields be determined and announced as soon as possible. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and effective date provisions of 5 U.S.C. 553 is impractical and contrary to the public interest. Therefore, the county normal yields specified below shall become effective upon publication in the FEDERAL REGISTER.

§ 729.1815 Determination of the county normal yields for 1968 crop of peanuts.

County normal yields for the 1968 crop of peanuts, determined in accordance with the Act and § 729.1455(a) (27 F.R. 11920), are as follows:

ALABAMA			
County	Normal yield (pounds)	County	Normal yield (pounds)
Autauga	947	Chambers	705
Barbour	1,213	Chilton	820
Blount	876	Clay	750
Bullock	665	Coffee	1,228
Butler	864	Conecuh	979
Calhoun	850	Coosa	510

RULES AND REGULATIONS

ALABAMA—Continued

County	Normal yield (pounds)	County	Normal yield (pounds)
Covington	1,292	Macon	560
Crenshaw	1,075	Marengo	490
Cullman	875	Mobile	740
Dale	1,289	Monroe	1,110
Dallas	616	Montgomery	721
Elmore	860	Perry	884
Escambia	1,302	Pike	1,000
Geneva	1,470	Russell	895
Henry	1,338	Tuscaloosa	680
Houston	1,524	Wilcox	550
Lee	590		

ARIZONA

Cochise	2,370	Yuma	2,248
Pima	2,562		

ARKANSAS

Calhoun	712	Johnson	700
Crawford	760	Lawrence	748
Dallas	712	Lincoln	1,867
Faulkner	712	Little River	712
Franklin	856	Logan	755
Hempstead	639	Randolph	690
Howard	537	Yell	712

CALIFORNIA

Fresno	2,724	Shasta	1,399
Kern	1,674	Tulare	1,011

FLORIDA

Alachua	1,769	Lafayette	1,462
Bay	865	Leon	1,906
Calhoun	1,785	Levy	1,611
Columbia	1,590	Madison	899
Dixie	1,633	Marion	1,529
Escambia	1,506	Okaloosa	1,583
Gadsden	1,170	Santa Rosa	1,885
Gilchrist	1,205	Suwannee	1,656
Hamilton	1,543	Wakulla	1,169
Holmes	1,333	Walton	1,270
Jackson	1,477	Washington	1,495
Jefferson	1,349		

GEORGIA

Appling	1,324	Laurens	1,527
Atkinson	1,818	Lee	1,828
Bacon	1,291	Lowndes	1,390
Baker	1,752	Macon	1,652
Baldwin	1,040	Marion	1,239
Ben Hill	2,031	Miller	1,882
Berrien	1,862	Mitchell	1,781
Bleckley	1,821	Montgomery	1,398
Brooks	1,808	Muscogee	629
Bryan	1,427	Newton	1,280
Bulloch	1,764	Peach	1,502
Burke	1,495	Pierce	1,317
Calhoun	1,969	Pulaski	1,864
Candler	1,726	Quitman	1,191
Chattahoochee	673	Randolph	1,593
Clay	1,524	Richmond	1,288
Coffee	1,766	Schley	1,564
Colquitt	1,936	Screven	1,851
Cook	2,066	Seminole	1,825
Crawford	1,252	Stewart	1,271
Crisp	2,038	Sumter	1,787
Decatur	1,714	Talbot	1,047
Dodge	1,529	Tattnall	1,793
Dooly	1,914	Taylor	1,521
Dougherty	1,729	Telfair	1,451
Early	1,675	Terrell	1,655
Effingham	1,396	Thomas	1,715
Emanuel	1,441	Tift	2,017
Evans	1,739	Toombs	1,553
Glascock	783	Treutlen	1,474
Gordon	1,017	Turner	1,965
Grady	1,748	Twiggs	1,654
Hancock	295	Upson	997
Houston	1,680	Warren	880
Irwin	2,173	Washington	1,641
Jeff Davis	1,887	Wayne	1,155
Jefferson	1,450	Webster	1,389
Jenkins	1,472	Wheeler	1,851
Johnson	1,372	Wilcox	1,910
Lanier	2,343	Wilkinson	1,526
		Worth	1,842

LOUISIANA

Parish	Normal yield (pounds)	Parish	Normal yield (pounds)
Beauregard	512	Lincoln	900
Bienville	910	Morehouse	941
La Salle	455	Union	380
Alcorn	705	Lowndes	201
Attala	440	Neshoba	1,080
Calhoun	799	Noxubee	217
Clay	1,050	Pontotoc	586
Copiah	536	Prentiss	453
DeSoto	620	Sunflower	651
Forrest	1,300	Tate	728
Greene	689	Tishomingo	308
Holmes	480	Tunica	600
Itawamba	557	Webster	824
Kemper	390	Yalobusha	372
Lauderdale	381		

MISSISSIPPI

Curry	2,033	Quay	1,268
Lea	1,197	Roosevelt	2,293

NEW MEXICO

Curry	2,033	Quay	1,268
Lea	1,197	Roosevelt	2,293

NORTH CAROLINA

Beaufort	1,697	Martin	2,311
Bertie	2,019	Moore	2,174
Bladen	1,520	Nash	1,900
Brunswick	757	New Hanover	1,291
Camden	1,887	Northampton	2,395
Catawba	872	Onslow	1,266
Chatham	867	Pasquotank	2,308
Chowan	2,467	Pender	1,415
Columbus	1,329	Perquimans	2,473
Craven	1,256	Pitt	2,015
Cumberland	1,544	Richmond	1,463
Currituck	1,948	Robeson	1,171
Duplin	1,069	Rowan	1,303
Edgecombe	2,002	Sampson	1,373
Gates	2,272	Scotland	1,503
Greene	1,919	Tyrrell	1,585
Halifax	2,167	Wake	1,450
Hertford	2,139	Warren	1,057
Iredell	505	Washington	2,045
Johnston	1,717	Wayne	1,351
Jones	1,484	Wilson	1,619
Lenoir	1,805		

OKLAHOMA

Adair	1,156	LeFlore	926
Atoka	1,273	Lincoln	1,363
Beckham	2,258	Logan	1,765
Blaine	2,887	Love	1,210
Bryan	1,009	McClain	1,456
Caddo	2,829	McCurtain	897
Canadian	1,874	McIntosh	1,157
Carter	1,110	Marshall	1,397
Choctaw	851	Murray	1,508
Cleveland	1,382	Muskogee	1,009
Coal	845	Oklfuskee	1,168
Comanche	1,433	Oklahoma	1,315
Creek	862	Oklmulgee	1,163
Custer	2,461	Pawnee	903
Dewey	710	Payne	1,165
Garvin	1,997	Pittsburg	1,192
Grady	1,867	Pontotoc	1,139
Greer	1,971	Pottawatomie	1,550
Harmon	1,141	Pushmataha	930
Haskell	1,011	Seminole	1,082
Hughes	1,340	Stephens	1,358
Jackson	1,186	Tulsa	650
Jefferson	888	Wagoner	823
Johnston	1,351	Washita	3,070
Kingfisher	1,780		
Kiowa	2,749		

SOUTH CAROLINA

Aiken	1,248	Dorchester	659
Allendale	1,554	Florence	1,660
Bamberg	1,656	Greenville	1,200
Barnwell	1,690	Hampton	1,412
Cherokee	565	Horry	1,238
Clarendon	1,269	Kershaw	1,780
Colleton	648	Lee	1,844
Darlington	1,281	Marion	1,007
Dillon	1,050	Marlboro	671

SOUTH CAROLINA—Continued

County	Normal yield (pounds)	County	Normal yield (pounds)
Orangeburg	574	Williamsburg	680
Spartanburg	539		
Sumter	1,865		

TENNESSEE

Benton	672	Hickman	596
Bradley	1,202	Humphreys	578
Carroll	551	Lawrence	666
Decatur	839	Lewis	797
Dickson	647	Obion	694
Gibson	1,030	Perry	1,642
Hardeman	698	Polk	802
Hardin	464	Wayne	727
Henderson	668	Weakley	1,041

TEXAS

Anderson	879	Jim Wells	1,544
Andrews	2,028	Johnson	731
Atascosa	1,531	Jones	786
Austin	1,208	Karnes	960
Bailey	2,340	Kent	511
Bastrop	776	King	2,276
Baylor	1,219	Lamar	1,106
Bee	728	Lamb	1,445
Bexar	911	Lampasas	674
Bosque	1,080	LaSalle	2,230
Bowie	391	Lavaca	752
Briscoe	1,635	Lee	780
Brown	782	Leon	695
Burleson	541	Limestone	915
Burnet	560	Live Oak	694
Caldwell	897	Llano	1,332
Callahan	602	Lubbock	1,233
Cass	400	McClulloch	1,625
Cherokee	894	McLennan	1,105
Clay	564	Madison	530
Cochran	1,738	Mason	1,658
Coleman	480	Medina	1,717
Collingsworth	1,274	Menard	1,043
Colorado	1,131	Milam	820
Comanche	1,021	Mills	802
Cooke	651	Montague	1,176
Coryell	1,818	Morris	1,410
Crosby	1,282	Motley	1,930
Denton	861	Nacogdoches	612
De Witt	705	Palo Pinto	835
Dimmit	2,250	Parker	1,004
Duval	1,695	Parmer	3,201
Eastland	984	Panola	612
Erath	1,075	Folk	553
Falls	797	Red River	1,210
Fannin	1,173	Robertson	952
Fayette	792	Runnels	467
Fisher	557	Rusk	633
Floyd	995	Smith	610
Fort Bend	485	San Saba	911
Franklin	905	Somervell	792
Freestone	758	Stephens	687
Frio	2,358	Stonewall	655
Gaines	1,825	Tarrant	1,012
Garza	644	Terry	2,183
Gillespie	796	Titus	1,407
Gonzales	1,103	Travis	545
Grayson	933	Upshur	664
Grimes	530	Van Zandt	947
Guadalupe	715	Victoria	689
Hale	2,391	Walker	938
Hall	1,850	Waller	1,190
Hamilton	828	Washington	841
Harris	1,370	Webb	1,024
Henderson	1,008	Williamson	895
Hill	867	Wilson	999
Hood	1,010	Wise	949
Hopkins	1,053	Wood	534
Houston	1,094	Yoakum	1,589
Jack	917	Young	633
		Zavala	3,096

VIRGINIA

Brunswick	1,324	Isle of Wight	2,381
Chesapeake	1,884	James City	1,569
Chesterfield	1,304	Mathews	1,740
Dinwiddie	2,031	Mecklenburg	636
Greensville	2,238	Nansemond	2,459

VIRGINIA—Continued

County	Normal yield (pounds)	County	Normal yield (pounds)
New Kent	1,637	Southampton	2,463
Northampton	1,537	Surry	2,443
Prince George	2,124	Sussex	2,366

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

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 30, 1968.

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

[F.R. Doc. 68-10811; Filed, Sept. 5, 1968; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS  
[Amdt. 4]

PART 1425—COOPERATIVE MARKETING ASSOCIATIONS

Subpart—Eligibility Requirements for Price Support

NOMINATIONS

The regulations issued by the Commodity Credit Corporation, published in 33 F.R. 4914, 5865, 7071, and 10639 and containing eligibility requirements for cooperative marketing associations to obtain price support are hereby amended as follows:

Section 1425.5(d) is amended so as not to require that nomination of directors, delegates, or officers from the floor be permitted if their nomination was made by secret ballot, and to authorize the Executive Vice President, CCC, to approve a method of nomination differing from those listed in the regulations which in his opinion will adequately protect the interest of members of the association. Section 1425.5(d), as amended, reads as follows:

§ 1425.5 Charter or bylaw provisions.

(d) *Nominations.* Nominations shall be made as follows:

(1) Nominations for election of delegates and directors shall be made by secret balloting, nominating committee, or petition of members; and,

(2) Nominations for election of officers shall be made by secret balloting or by a nominating committee.

If directors are nominated by a nominating committee or by petition, members of the association shall be permitted to nominate directors from the floor at the membership meeting for the election of directors. If delegates are nominated by a nominating committee or by petition, members of the association shall be permitted to nominate delegates from the

floor at the membership meeting for the election of delegates. If officers of the association are nominated by nominating committee, any member of the Board of Directors shall be permitted to make nominations from the floor at the meeting for election of officers. Notwithstanding the foregoing provisions of this paragraph (d), the Executive Vice President, CCC, may, in his discretion, approve some other method of nomination which in his opinion will adequately protect the interest of members of the association.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 30, 1968.

E. A. JAENKE,  
Acting Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 68-10812; Filed, Sept. 5, 1968; 8:51 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 224—DISCOUNT RATES

Changes in Rates

Pursuant to section 14(d) of the Federal Reserve Act (12 U.S.C. 357), and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, Part 224 is amended as set forth below:

1. Section 224.2 is amended to read as follows:

§ 224.2 Advances and discounts for member banks under sections 13 and 13a.

The rates for all advances and discounts under sections 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships, or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston	5½	Aug. 27, 1968
New York	5½	Aug. 30, 1968
Philadelphia	5½	Aug. 23, 1968
Cleveland	5½	Do.
Richmond	5½	Aug. 19, 1968
Atlanta	5½	Aug. 30, 1968
Chicago	5½	Aug. 23, 1968
St. Louis	5½	Aug. 30, 1968
Minneapolis	5½	Aug. 16, 1968
Kansas City	5½	Aug. 23, 1968
Dallas	5½	Aug. 28, 1968
San Francisco	5½	Aug. 30, 1968

2. Section 224.3 is amended to read as follows:

§ 224.3 Advances to member banks under section 10(b).

The rates for advances to member banks under section 10(b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston	5½	Aug. 27, 1968
New York	5½	Aug. 30, 1968
Philadelphia	5½	Aug. 23, 1968
Cleveland	5½	Do.
Richmond	5½	Aug. 19, 1968
Atlanta	5½	Aug. 30, 1968
Chicago	5½	Aug. 23, 1968
St. Louis	5½	Aug. 30, 1968
Minneapolis	5½	Aug. 16, 1968
Kansas City	5½	Aug. 23, 1968
Dallas	5½	Aug. 28, 1968
San Francisco	5½	Aug. 30, 1968

3. Section 224.4 is amended to read as follows:

§ 224.4 Advances to persons other than member banks.

The rates for advances to individuals, partnerships, or corporations other than member banks secured by direct obligations of the United States under the last paragraph of section 13 of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston	6½	Aug. 27, 1968
New York	6½	Aug. 30, 1968
Philadelphia	6½	Aug. 23, 1968
Cleveland	6½	Do.
Richmond	6½	Aug. 19, 1968
Atlanta	6½	Aug. 30, 1968
Chicago	6½	Aug. 23, 1968
St. Louis	6½	Aug. 30, 1968
Minneapolis	6½	Aug. 16, 1968
Kansas City	6½	Aug. 23, 1968
Dallas	6½	Aug. 28, 1968
San Francisco	6½	Aug. 30, 1968

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action.

(12 U.S.C. 248(f). Interprets or applies 12 U.S.C. 357)

Dated at Washington, D.C., the 29th day of August 1968.

By order of the Board of Governors.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary.

[F.R. Doc. 68-10745; Filed, Sept. 5, 1968; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 17295]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 81—STATIONS ON LAND IN MARITIME SERVICES

PART 83—STATIONS ON SHIPBOARD IN MARITIME SERVICES

Miscellaneous Amendments; Correction

In the matter of amendment of Parts 2, 81, and 83: Reduction of channel spacing to 25 kc/s, allotment of channels,

establishment of revised technical criteria and categories of communication in the maritime mobile service band 156-162 Mc/s for VHF radiotelephony; Docket No. 17295.

1. In the appendix to the report and order in the above entitled matter released July 25, 1968, FCC 68-740 (33 F.R. 10849) corrections are necessary to conform to the report and order. For example, in regard to §§ 81.191(d), 81.356(a), 83.351(a) (5), and 83.359, it was intended that:

(a) Availability of the frequency 156.450 Mc/s be not withdrawn at this time from commercial vessels, and coast stations serving those vessels, which now operate on 156.450 Mc/s; and

(b) In regard to maintaining an efficient watch on 156.800 Mc/s, the granting of exemptions to this requirement be applied equally to public coast and to limited coast stations, where deemed unreasonable or unnecessary by the Commission.

In addition, certain editorial corrections are required.

2. In view of the foregoing, Parts 81 and 83 are amended as set forth below.

Released: September 3, 1968.

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

A. In Part 2, Frequency Allocations and Radio Treaty Matters:

§ 2.106 [Amended]

1. In § 2.106, under Geneva footnotes, the first paragraph of footnote (287) is amended to read as follows:

(287) The frequency 156.8 Mc/s is the international safety and calling frequency for the maritime mobile VHF radiotelephone service. Administrations shall ensure that a guard-band on each side of the frequency 156.8 Mc/s is provided. The conditions for the use of this frequency are contained in Article 35.

2. In § 2.106, under U.S. Footnotes, Footnote US77 is amended to read as follows:

US77 Government stations may also be authorized:

(a) Port operations use on a simplex basis by coast and ship stations of the frequencies 156.6 and 156.7 Mc/s;

(b) Duplex port operations use of the frequency 157.0 Mc/s for ship stations and 161.6 Mc/s for coast stations;

(c) Intership use of 156.3 Mc/s on a simplex basis.

B. In Part 81, Stations on Land in the Maritime Services:

1. In § 81.191, paragraph (d) is amended to read as follows:

§ 81.191 Radiotelephone watch by coast stations.

(d) Each limited coast station licensed to transmit by telephony on one or more working frequencies in the band 156-162 Mc/s shall, during its hours of service, maintain an efficient watch for Class F3 emission on 156.800 Mc/s, whenever such station is not being used for transmission on that frequency: *Provided*, That the Commission may exempt any coast station from compliance with this requirement if it considers that circumstances relative to the operation or location of the involved coast station are such as to render this requirement unreasonable or unnecessary for the purpose of this paragraph. In the event 156.800 Mc/s is being used for distress, urgency, or safety, such station shall keep an additional watch on each assigned working frequency except in the case of duplex operation, where watch shall be kept on the associated ship frequency.

§ 81.356 [Amended]

2. In § 81.356, the table following paragraph (a), relative to "Commercial," is amended to read as follows:

COMMERCIAL				
Channel designator	Coast	Ship	Points of communication	Conditions of use
07	156.350	156.350	Coast to Ship.....	2
09	156.450	156.450	.....do.....	2
10	156.500	156.500	.....do.....	2
11	156.550	156.550	.....do.....	2
18	156.900	156.900	.....do.....	2
19	156.950	156.950	.....do.....	2
79	156.975	156.975	.....do.....	1,3
80	157.025	157.025	.....do.....	1,3

C. In Part 83, Stations on Shipboard in the Maritime Services:

§ 83.351 [Amended]

1. In § 83.351, paragraph (a) (5), the conditions of use for the frequency 156.450 Mc/s are amended to read as follows:

Carrier frequency (Mc/s)	Conditions of use
156.450	34, 41, 50, 49.

§ 83.359 [Amended]

2. In § 83.359, the table in this section, relative to "Commercial," is amended to read as follows:

COMMERCIAL				
Channel designator	Frequency (Mc/s)		Points of communication	
	Coast	Ship		
07	156.350	156.350	Intership and Ship to Coast	
67	156.375	.....	Intership.	
08	156.400	.....	Do.	
09	156.450	156.450	Intership and Ship to Coast.	
10	156.500	156.500	Do.	
11	156.550	156.550	Do.	
77	156.875	.....	Intership.	
18	156.900	156.900	Intership and Ship to Coast.	
19	156.950	156.950	Do.	
79	156.975	156.975	Do.	
80	157.025	157.025	Do.	
88	157.425	.....	Intership.	

[F.R. Doc. 68-10794; Filed, Sept. 5, 1968; 8:50 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1064]

[Docket No. AO-23-A36]

### MILK IN GREATER KANSAS CITY MARKETING AREA

#### Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Kansas City, Mo., on August 1, 1968, pursuant to notice thereof issued on July 24, 1968 (33 F.R. 10748).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator on August 20, 1968 (33 F.R. 12006; F.R. Doc. 68-10187) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (33 F.R. 12006; F.R. Doc. 68-1087) are hereby approved and adopted and are set forth in full herein:

The material issue on the record of the hearing related to a proposed increase in the Class I price of 24 cents per hundredweight.

#### FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

The Class I price as provided in § 1064.51 should be increased by an additional 24 cents.

A new Chicago Regional order which became effective July 1, 1968, established a new Class I price level for the 3-State area covered by such regulation. For the five areas merged with Chicago, which were previously identified as the Milwaukee, Madison, Northeastern Wisconsin, Rock River Valley, and Northwestern Indiana areas, this new price represented an increase of about 24 cents per hundredweight.

Following the announcement of the higher price level in the Chicago Regional area, hearings were held to consider Class I prices in surrounding markets so as to reestablish the historical price relationships with Chicago. Class I prices in these markets were raised by suspension action for July 1968, and

amendments increasing Class I prices in these markets by 24 cents were made effective August 1, 1968.

Among the markets where the 24-cent increase has been granted are four Iowa markets northeast of the Kansas City area and four Illinois and Missouri markets east and south of Kansas City. The Class I sales in these eight markets are three and one-half times the Class I sales of Kansas City handlers. Producer milk deliveries to these markets are more than three and one-half times producer deliveries to the Kansas City market. Hence, an upward adjustment in the Class I price level in these markets has an important bearing on the Class I price level needed to maintain adequate milk supplies for the Kansas City area.

In recent months the supply of milk relative to Class I sales in the Kansas City market has been about the same as in these eight markets. During the first 5 months this year, 69 percent of producer deliveries in the Kansas City market were used in Class I, whereas 67 percent of deliveries were used in Class I in these other eight markets. Thus, the historical price relationship has tended to promote a slightly smaller margin of reserve in Kansas City than in these other markets. A lower Class I price in Kansas City relative to these other markets would tend to further diminish the Kansas City milk supply.

Milk production in Kansas and Missouri, States from which the Kansas City market draws most of its supply, has declined recently as much, or more than, the drop in total U.S. milk production. In June this year milk production in Kansas was down 3 percent from a year earlier. In Missouri production was down 2 percent and U.S. production was down 1.3 percent.

Also compared to the average for the previous five Junes, production in June 1968 was down 6 percent in Kansas, 11 percent in Missouri and 6 percent in the United States.

In order to maintain a milk supply in the Kansas City market which is adequate in relation to Class I sales, the Class I price level should be maintained at its historic level in relation to these markets where prices have been increased.

Two handlers who operate distributing plants in the Kansas City area opposed action to increase the Class I price in Kansas City prior to increasing Class I prices in certain other markets where such handlers sell Class I milk.

Nearly 20 percent of Kansas City Class I sales are made outside the Kansas City marketing area. About 8 percent of total Class I sales are disposed of on routes in other marketing areas. Handlers contend that if the Kansas City Class I price is raised without a corresponding increase in the Class I prices in these other

markets, they will suffer a competitive price disadvantage.

Markets where Kansas City handlers make route sales (other than those where the 24-cent increase has been granted), are Central Arkansas, Eastern Colorado, Nebraska-Western Iowa, Neosho Valley, Oklahoma Metropolitan, and Wichita. Even with the 24-cent increase in the Kansas City Class I price, the Class I prices in all but two of these markets would exceed the Kansas City Class I price. Hence, some incentive will remain to move milk to these areas, although the order price differences would not be as great as heretofore.

The Kansas City Class I price based on the proposed \$1.74 differential over the manufacturing milk price would exceed the present Class I price differentials of \$1.60 in Nebraska-Western Iowa, and \$1.54 in Neosho Valley. One handler distributes some milk in each of these areas but he also has extensive distribution in the Missouri counties lying between Kansas City and St. Louis. The 24-cent increase would maintain price alignment with St. Louis.

Our principal concern is to maintain an order price structure for each market which will secure an adequate supply for that market. In determining the price needed for a given market it is not necessary to consider holding such price at a level which will promote exports to other markets.

The handlers also proposed that the location price differential provisions be modified so as to raise the Class I price at plants in Doniphan County, Kans., and Buchanan County, Mo. Although this proposal was not listed in the hearing notice, the handlers contended that the Class I price issue encompassed this change. Handlers whose plants are located in these counties opposed the proposal and maintained that they were not informed by the hearing notice that such a proposal would be considered.

A substantial question is raised as to whether adequate notice was given and as to whether the record is complete on this issue. The handlers who proposed the higher price in these two counties requested that if it were found that notice was insufficient on which to consider the matter, the whole question of Class I price levels be deferred until a new notice could be issued and this hearing reopened on their proposal. For the reasons hereinafter set forth this request is denied.

Amendment action is needed as soon as possible on the issue of the Class I price level which was clearly set forth for consideration at the hearing. Therefore, the proposed amendment set forth herein should not be deferred.

Furthermore, the evidence supplied by proponents does not make out even a prima facie case for the proposal. The

record fails to demonstrate any new basis for establishing a location differential other than the present one which was found appropriate in 1966 (see final decision issued Aug. 10, 1966, 31 F.R. 10800). The St. Joseph area which has a 10-cent lower Class I price is located 50 miles nearer to the surplus milk supply area of Northern Iowa, Minnesota, and Wisconsin than is Kansas City. No new evidence was offered to show that the 10-cent lower price is not appropriate under existing conditions of supply in relation to sales.

#### RULINGS ON PROPOSED FINDINGS AND CONCLUSIONS

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

#### GENERAL FINDINGS

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

#### RULINGS ON EXCEPTIONS

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

#### MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Greater Kansas City Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Greater Kansas City Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

#### DETERMINATION OF REPRESENTATIVE PERIOD

The month of July 1968 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Greater Kansas City marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on September 3, 1968.

JOHN A. SCHNITTKER,  
Under Secretary.

#### Order Amending the Order Regulating the Handling of Milk in the Greater Kansas City Marketing Area

##### § 1064.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

*Order relative to handling.* It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, on August 20, 1968, and published in the FEDERAL REGISTER on August 23, 1968 (33 F.R. 12006; F.R. Doc. 68-10187), shall be and are the terms and provisions of this order, and are set forth in full herein:

Section 1064.51(a) is revised to read as follows:

##### § 1064.51 Class prices.

(a) *Class I milk.* The Class I price shall be the basic formula price for the preceding month plus \$1.54 and plus 20 cents through April 1969;

[F.R. Doc. 68-10815; Filed, Sept. 5, 1968; 8:52 a.m.]

**DEPARTMENT OF  
TRANSPORTATION**

Federal Aviation Administration

[ 14 CFR Part 159 ]

[ Docket No. 9106; Notice 68-19 ]

**WASHINGTON NATIONAL AND  
DULLES INTERNATIONAL AIRPORTS**

**Clarification of Authority and Other  
Requirements, Limitation of Certain  
Activities, and Increase in Number  
of Persons Carried by Mobile  
Lounges**

The Federal Aviation Administration is considering amending Part 159 of the Federal Aviation Regulations, that prescribes the rules governing the use and occupancy of Washington National Airport and Dulles International Airport, to reflect the delegations of authority to the Airport Manager at each of these airports presently in force; to clarify certain requirements concerning activities on these airports; to limit fishing, horseback riding, bicycle riding, and certain other activities on these airports; and to increase to 102 the number of persons that may be carried by a mobile lounge at Dulles.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket or notice number and the be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before October 7, 1968, will be considered by the Administrator before taking action on the proposed rule. The proposal may be changed after consideration of the comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested parties.

The proposed amendments are as follows:

(1) Consistent with the delegations presently in force, § 159.1(b) would be amended to give the airport manager at each airport the authority to issue orders and instructions. The current language of the provision does not properly reflect the organizational structure existing now. The reference to the Assistant Director for Operations would be stricken out, also consistent with the delegations in force.

(2) Section 159.13(a) would be amended to require persons operating motor vehicles on the landing area, ramp, or trucking concourse in the terminal building at the airports without current operator's permits issued by the airport manager to have airport vehicle escorts. This change would assure that drivers of motor vehicles who are un-

familiar with these airport areas are properly escorted to and from their destinations. Also, a new paragraph (d) would be added to § 159.13 to prohibit bicycle riding, and a new paragraph (c) would be added to § 159.99 to prohibit horseback riding on the airports, in each case without the permission of the airport manager. These changes would implement the FAA's desire to assure greater safety and control of movement of persons and vehicles, in the airport areas where fast-moving aircraft and motor vehicles operate.

(3) Since the proper designation of the driver's license required by § 159.15 (b) is the U.S. Government Motor Vehicle Operator's Identification Card, the provision would be amended to reflect that designation.

(4) Section 159.21 now provides that upon the approach of an emergency vehicle giving an audible signal that it is on an emergency call, each person operating another vehicle shall observe certain rules while driving his vehicle until the emergency vehicle has stopped or passed. Audible signals may be drowned out by other noises. This section would be amended to provide for the same action in obedience to visual signals.

(5) Section 159.25 now requires "each person" involved in a specified motor vehicle accident on the airport to report the accident to the "nearest Airport police office". It is considered sufficient that only the operator of the vehicle, and not each occupant, should make the report. Besides, since each airport has only one police office, the word "nearest" is superfluous and would be eliminated. The proposed amendments to this section would reflect these changes.

(6) Section 159.71 would be amended by adding "drunkenness" as one of the conditions on the airport to which the criminal laws of Virginia would relate. This change is considered necessary to cope with public disorderliness caused by drunkenness.

(7) Section 159.99(b) would be amended to include fishing with like prohibited conduct (such as hunting) on the airports without authorization of the airport manager.

(8) Section 157.127(d) would be amended to require sublessees under lessees of hangers on the airport, in addition to the lessees themselves, to provide receptacles for, and remove rubbish from, the premises.

(9) Section 159.137 would be amended to clearly require all motor vehicles operated in a hanger on the airport to have their exhausts protected by screens or baffles.

(10) In line with national policy, § 159.161 would be amended to prohibit discrimination or segregation as to sex, as well as race, creed, color, or national origin, with respect to all services performed in operating a facility at the airport.

(11) Finally, § 159.175(a) would be amended to increase to 102 persons (from 90) the number of persons that may be carried by a mobile lounge at Dulles In-

ternational Airport. This increase has been made possible by recent modifications of the mobile lounge interiors.

In consideration of the foregoing, it is proposed to amend Part 159 of the Federal Aviation Regulations as follows:

**§ 159.1 [Amended]**

1. By striking out the words "and the Assistant Director for Operations" in the first sentence of paragraph (b) of § 159.1, and inserting the words "and, with respect to each Airport, the Airport Manager," after the words "Bureau of National Capital Airports", in that sentence.

2. By amending paragraph (a) (2), and adding a new paragraph (d), in § 159.13, to read as follows:

**§ 159.13 Special operating rules.**

(a) \* \* \*

(2) That person holds a current operator's permit issued by the airport manager or is properly escorted by an airport vehicle.

\* \* \* \* \*

(d) No person may ride a bicycle on the airport without permission of the airport manager.

3. By amending paragraph (b) of § 159.15 to read as follows:

**§ 159.15 Operator's license.**

\* \* \* \* \*

(b) No person may operate any U.S. Government motor vehicle on the airport unless he holds a current U.S. Government Motor Vehicle Operator's Identification Card.

**§ 159.21 [Amended]**

4. By inserting the words "or visual" after the word "audible" in § 159.21.

5. By amending § 159.25 to read as follows:

**§ 159.25 Accident reports.**

Each operator of a motor vehicle involved in an accident between that vehicle and an aircraft, or in any other motor vehicle accident, on the airport, that results in personal injury or in total property damages of more than \$50, shall report it fully to the airport police office as soon as possible after the accident. The report must include the name and address of the person reporting.

6. By adding a new paragraph (d) in § 159.71 to read as follows:

**§ 159.71 Applicable laws.**

\* \* \* \* \*

(d) Drunkenness.

7. By amending paragraph (b), and adding a new paragraph (c) in § 159.99, to read as follows:

**§ 159.99 Animals.**

\* \* \* \* \*

(b) No person may hunt, fish, pursue, trap, catch, injure, or kill any bird, fish, or animal on the airport, except when specifically authorized by the airport manager.

(c) No person may ride horseback on the airport without permission of the airport manager.

§ 159.127 [Amended]

8. By inserting the words "(or its sublessee)" after the word "hangar" in paragraph (d) of § 159.127.

9. By amending § 159.137 to read as follows:

§ 159.137 Operating motor vehicles in hangar.

No person may operate a motor vehicle in any hangar on the airport unless its exhaust is protected by screens or baffles.

10. By amending § 159.161 to read as follows:

§ 159.161 Discrimination or segregation.

All services performed in operating a facility at the airport must be without discrimination or segregation as to race, creed, color, sex, or national origin.

§ 159.175 [Amended]

11. By striking out the figure "90" in paragraph (a) of § 159.175, and inserting the figure "102" in place thereof.

These amendments are proposed under the authority of section 1302 of Title 7, District of Columbia Code, section 2 of the Act of June 29, 1940 (54 Stat. 658), as amended, and sections 4 and 8 of the Act of September 7, 1950 (64 Stat. 770), as amended.

Issued in Falls Church, Va., on August 29, 1968.

ARVEN H. SAUNDERS,  
Director, Bureau of  
National Capital Airports.

[F.R. Doc. 68-10772; Filed, Sept. 5, 1968;  
8:48 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 18305; FCC 68-889]

### BROADCAST STATIONS

#### Assignment and Transfer of Construction Permits

1. Under long established policy, the Commission has permitted the holders of construction permits for broadcast stations not yet in operation to recover from assignees or transferees no more than the actual out-of-pocket expenses shown to have been incurred by the assignor or transferor. Underlying this practice is the principle that construction permits are granted only to qualified applicants in reliance upon their bona fide intention to place the proposed stations on the air and thus to render the broadcast service they propose. We therefore seek to preclude the use of broadcast authorizations as a means of obtaining financial gain without rendering the broadcast service which, alone, justifies the grant of permits for the construction of AM, FM, or TV broadcast stations.

2. When unforeseen circumstances prevent a permittee from putting the proposed station on the air, the Commission, while permitting the assignment of

the CP (or a transfer of control of the CP holder) to others able to complete and operate the station, does not give its requisite consent if the pertinent agreements provide for payments to the assignor or transferor over and above the proved out-of-pocket expenses incurred for the preparation, filing and prosecution of the broadcast station application and for development of the proposed facility. Claimed expenses are reviewed to determine their reasonableness and legitimacy.

3. The sums recoverable by an applicant withdrawing a mutually exclusive station application are limited to "the aggregate amount determined by the Commission to have been legitimately and prudently expended and to be expended by such applicant in connection with preparing, filing, and advocating the granting of his application." This same standard is considered appropriate for determining the amount of pre-grant outlays which assignors or transferors of construction permits for unbuilt stations may be permitted to recover from assignees or transferees, along with any legitimate and prudent expenses incurred after the grant for construction and other steps preliminary to commencement of station operations.

4. In addition to examining the reasonableness and legitimacy of claimed expenses, we are sometimes confronted with the question of whether interests retained by assignors or transferors of stations not yet in operation amount in essence to a disguised or potential source of future profit contrary to the purposes of this policy. This could occur, for example, where the assignor, transferor or any of its principals retains an interest or holds an option to acquire an interest in the proposed station. Such arrangements raise the question of whether, in essence, the total yield to the assignor or transferor in fact includes, in addition to acceptable out-of-pocket expenses, a return which for our purposes is tantamount to a prohibited profit.

5. Without dwelling in detail on the numerous possible variants of negotiated arrangements under which this situation could arise, we think it desirable to provide for the most searching scrutiny of all such proposals, and to that end, propose the adoption of the appended rule. It recognizes that whenever actual or contingent future interests are retained in such cases, a hearing would normally be appropriate for the thorough testing of the true significance and character of the retained interests, or of any other kind of benefit flowing to the assignor or transferor by virtue of the proposed assignment or transfer. We accordingly propose to provide, by rule, for the conduct of hearings on all applications involving arrangements of this kind.

6. Depending upon the circumstances, the purposes of our policy may not be violated in cases where assignors, transferors or any of their principals retain an interest in the station but are required to make a capital contribution commensurate with that made by those who acquire an interest in the station by virtue of the assignment of the construction permit or the transfer of control of

the CP holder. This factor will, therefore, be taken into account in reaching our decision in cases involving retained interests.

7. Authority for the adoption of the proposed amendments is contained in sections 4 (i) and (j), 303(r), and 310 (b) of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before October 10, 1968, and reply comments on or before October 21, 1968. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it in addition to the specific comments invited by this notice.

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

Adopted: August 28, 1968.

Released: September 4, 1968.

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

[SEAL] BEN F. WAPLE,  
Secretary.

Section 1.597 is amended to add new paragraphs (e) and (f) to read as follows:

§ 1.597 Procedures on transfer and assignment applications.

(e) This paragraph codifies preexisting Commission policy. Construction permits for new AM, FM, TV broadcast stations are granted only to qualified applicants who have the capacity and bona fide intention to place the proposed stations on the air and to render the proposed broadcast service. In making such grants, the Commission relies, among other things, upon the applicants' showings of such capacity and intention. If unforeseen circumstances later prevent the holder of a construction permit from putting the proposed station on the air, the Commission, if it finds that the public interest would be served thereby, may consent to the assignment of the construction permit or transfer of control of the permit holder to a new applicant which is prepared to build and operate the proposed station. In order, however, to preclude trafficking in construction permits for stations for which Program Test Authority has not been granted, the Commission will not consent to such assignments or transfers of control in any case where the arrangements between the parties provide for gain to the assignor or transferor or any of its principals in excess of the legitimate and prudent out-of-pocket expenses shown to have been incurred for the preparation, filing, and prosecution of the CP application and in furtherance of the

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

construction and prospective operation of the station.

(f) If, in the case of a proposed new station which has not received Program Test Authority, an agreement, arrangement, or understanding for an assignment or transfer provides for the retention of any interest in the station by the assignor or transferor or by any of its principals, or for options under which any such party may acquire an interest in the station, or for any other actual or potential benefit to such party in the form of loans, options for the subsequent purchase of the retained interest or otherwise, the question is raised as to whether, in essence, the transaction involves actual or potential gain to such party over and above legitimate and prudent out-of-pocket expenses allowable under paragraph (e) of this section. In such cases, the Commission will designate the assignment or transfer applications for evidentiary hearing. It is not intended to preclude the retention or acquisition of interests in the station by an assignor, transferor or any of its principals who make a capital contribution commensurate with that made by the assignee or transferee.

[F.R. Doc. 68-10795; Filed, Sept. 5, 1968; 8:50 a.m.]

## INTERSTATE COMMERCE COMMISSION

[ 49 CFR Ch. X ]

[Ex Parte No. MC-73]

### UNITED STATES-CANADIAN AND UNITED STATES-MEXICAN INTER- NATIONAL BOUNDARY LINES

#### Transfer of Equipment or Traffic at or Near Ports of Entry

AUGUST 27, 1968.

On August 23, 1968 (33 F.R. 1119), time for filing statement of intention to participate in the above-entitled rule-making proceeding was extended to September 26, 1968, at the request of Mr. S. Harrison Kahn, attorney for a number of interested parties.

The basis for the request for extension was, in large part, problems of communication resulting from the postal strike in Canada.

[SEAL]

H. NEIL GARSON,  
*Secretary.*

[F.R. Doc. 68-10787; Filed, Sept. 5, 1968; 8:49 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

Bureau of Customs

(T.D. 68-225)

### FURAZOLIDONE

#### Restriction on Importation

SEPTEMBER 5, 1968.

Pursuant to the direction of the President, dated August 28, 1968, the Bureau of Customs has notified all appropriate customs officers that pursuant to section 337(f), Tariff Act of 1930, as amended (19 U.S.C. 1337(f)), furazolidone or products containing furazolidone may not be entered or released from customs custody except pursuant to a special bond in an amount equal to the domestic value of the merchandise. The filing of this special bond is in addition to all other entry requirements including the filing of an appropriate entry bond. The format and conditions of the special bond are set forth in T.D. 45474. For background concerning this action see Tariff Commission notice 337-21.

(133.22)

[SEAL]

LESTER D. JOHNSON,  
Commissioner of Customs.

[F.R. Doc. 68-10889; Filed, Sept. 5, 1968;  
10:47 a.m.]

#### Fiscal Service

[Dept. Circ. 570, 1968 Rev., Supp. No. 2]

### SECURITY MUTUAL CASUALTY CO.

#### Surety Company Acceptable on Federal Bonds

A certificate of authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$413,000 has been established for the company.

Name of company, location of principal executive office, and state in which incorporated

Security Mutual Casualty Co.  
Chicago, Ill.  
Illinois

Certificates of authority expire on June 30 each year, unless sooner revoked, and new certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the circular, when issued, may be obtained from the Treas-

ury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

Dated: August 30, 1968.

H. A. RABON,  
Deputy Fiscal  
Assistant Secretary.

[F.R. Doc. 68-10784; Filed, Sept. 5, 1968;  
8:49 a.m.]

## DEPARTMENT OF DEFENSE

Department of the Army

### INTERAGENCY CIVIL DEFENSE COMMITTEE

#### Continuance

Notice is hereby given of the continuance of the Interagency Civil Defense Committee (32 F.R. 10671) until June 30, 1970, or whenever the mission is completed, whichever is earlier.

JOSEPH ROMM,  
Director of Civil Defense.

[F.R. Doc. 68-10735; Filed, Sept. 5, 1968;  
8:45 a.m.]

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S 1781]

### CALIFORNIA

#### Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 29, 1968.

Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, Portland, Oreg., has filed an application, Serial No. S 1781 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining laws (30 U.S.C. Ch. 2) but not the mineral leasing laws, subject to existing valid rights.

The applicant desires the land for an addition to the Farallon National Wildlife Refuge as a habitat and nesting of many sea birds including gullmots, common murre, puffins, gulls, cormorants and other species.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Mall, Sacramento, Calif. 95814.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized

officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

#### CALIFORNIA

The unsurveyed island and the other rocks and reefs which lie southeast of the Middle Farallon Island, known as the Southeast Farallon Island in California situated between latitude 37°41'00" and 37°42'30" north and longitude 122°59'20" and 123°01'10" west from Greenwich and embracing an estimated area of 120 acres more or less.

JESE H. JOHNSON,  
Acting Chief, Lands  
Adjudication Section.

[F.R. Doc. 68-10755; Filed, Sept. 5, 1968;  
8:46 a.m.]

[R 1665]

#### CALIFORNIA

#### Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 29, 1968.

The Forest Service, U.S. Department of Agriculture has filed an application, Serial No. R 1665, for the withdrawal of lands described below from prospecting, location, entry, and purchase under the mining laws, subject to valid existing withdrawals.

The lands have previously been withdrawn for the Sierra Forest Reserve by Presidential Proclamation No. 43 of February 14, 1893, now the Inyo National Forest, and as such have been open to entry under the general mining laws.

The applicant desires the exclusion of mining activity to permit use of such lands for recreation areas, which use is incompatible with mineral development.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's need, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

**MOUNT DIABLO MERIDIAN, CALIFORNIA**

**INYO NATIONAL FOREST**

**Big Pine Recreation Area**

- T. 9 S., R. 32 E.,  
 Sec. 26, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$  SE $\frac{1}{4}$ ;  
 Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Sec. 36, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

**Oak Creek Campgrounds**

- T. 13 S., R. 34 E.,  
 Sec. 3, lots 13, 14, 15 and 16.

The areas described aggregate 210.00 acres in Inyo County, Calif.

**WALTER F. HOLMES,**  
*Assistant Land Office Manager.*

[F.R. Doc. 68-10756; Filed, Sept. 5, 1968;  
 8:46 a.m.]

[C-2903]

**COLORADO**

**Notice of Classification**

**AUGUST 29, 1968.**

1. Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412) the public lands within the areas described below are hereby classified for disposal through public sale under section 2455 of the Revised Statutes, as amended (43 U.S.C. 1171). The notice of proposed classification was published in 33 F.R. 7729 of May 25, 1968. No protests were received and there has been no change in the classification.

2. The lands affected by this classification are described as follows:

**SIXTH PRINCIPAL MERIDIAN**

**WELD COUNTY**

- T. 7 N., R. 57 W.,  
 Sec. 26, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
 T. 11 N., R. 61 W.,  
 Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
 T. 12 N., R. 61 W.,  
 Sec. 14, Lots 1, 2 and 3.  
 T. 9 N., R. 62 W.,  
 Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 5 N., R. 63 W.,  
 Sec. 12, SE $\frac{1}{4}$ .  
 T. 12 N., R. 63 W.,  
 Sec. 18, lots 1, 2, 3, and 4.  
 T. 7 N., R. 64 W.,  
 Sec. 2, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ .  
 T. 11 N., R. 64 W.,  
 Sec. 4, lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 12 N., R. 64 W.,  
 Sec. 14, lots 1, 2, 3, 4;  
 Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
 T. 12 N., R. 66 W.,  
 Sec. 14, lots 1, 2, 3, 4.  
 T. 11 N., R. 67 W.,  
 Sec. 6, lot 2.

The total area involved aggregates approximately 959.94 acres of public land.

3. For a period of 30 days interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240.

**E. I. ROWLAND,**  
*State Director.*

[F.R. Doc. 68-10757; Filed, Sept. 5, 1968;  
 8:46 a.m.]

[Montana 7]

**MONTANA**

**Notice of Proposed Classification**

**AUGUST 30, 1968.**

Notice is hereby given of a proposal to classify the lands described below for disposal through exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315), as amended, for land ten miles east of Harlem, Mont., all within Blaine County. This publication is made pursuant to the Act of September 19, 1964 (43 U.S.C. 1412).

The District Advisory Board, local governmental officials and other interested parties have been notified of this application. Information derived from discussions and other sources indicate these lands meet the criteria of 43 CFR Part 2410.1-3(c) (4), which authorizes classification of lands "for exchange under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values arising from the interest of exchange proponents, for exchange for other lands which are needed for the support of a Federal program."

Information concerning the lands, including the record of public discussions, is available for study at the Bureau of Land Management District Office located in Malta, Mont.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager at Malta District, Post Office Box B, Malta, Mont. 59538.

The lands affected by this proposal are located in north Blaine County and are described as follows:

**PRINCIPAL MERIDIAN, MONTANA**

- T. 33 N., R. 23 E.,  
 Sec. 10, W $\frac{1}{2}$ ;  
 Sec. 21, W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$  SE $\frac{1}{4}$ .  
 T. 35 N., R. 23 E.,  
 Sec. 13, All;  
 Sec. 14, N $\frac{1}{2}$ ;  
 Sec. 15, S $\frac{1}{2}$ .  
 T. 34 N., R. 24 E.,  
 Sec. 5, Lots 2 and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 8, E $\frac{1}{2}$ .  
 T. 35 N., R. 24 E.,  
 Sec. 18, E $\frac{1}{2}$ ;  
 Sec. 19, Lots 1 and 2, NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 20, E $\frac{1}{2}$ ;  
 Sec. 34, S $\frac{1}{2}$ .  
 T. 36 N., R. 24 E.,  
 Sec. 17, N $\frac{1}{2}$ ;  
 Sec. 35, NE $\frac{1}{4}$ .

The areas described aggregate 4,184.68 acres.

**EUGENE H. NEWELL,**  
*Acting State Director.*

[F.R. Doc. 68-10758; Filed, Sept. 5, 1968;  
 8:46 a.m.]

[OR 3621]

**OREGON**

**Notice of Proposed Withdrawal and Reservation of Land**

**AUGUST 28, 1968.**

The Department of Agriculture, on behalf of the Forest Service, has filed application, OR 3621, for the withdrawal of the public land described below, from all forms of appropriation under the public land laws including the mining laws, but not the mineral leasing laws.

The applicant desires the land as a part of the Forest Development Road System in connection with the administration of the Umpqua National Forest.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 729 Northeast Oregon Street, Post Office Box 2965, Portland, Ore. 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the land for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the land and its resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not

the land will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The land involved in the application is:

WILLAMETTE MERIDIAN

PICKETT BUTTE ROAD NO. 3013

T. 30 S., R. 2 W.,

Sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

A strip of land 50 feet in width on the north side of the centerline, and coinciding with south and west sides of the above subdivision lines located south of the centerline, of the Pickett Butte Road No. 3013 in and through the above subdivision.

Containing approximately 1.3 acres.

VIRGIL O. SEISER,  
Chief, Branch of Lands.

[F.R. Doc. 68-10759; Filed, Sept. 5, 1968;  
8:47 a.m.]

[Utah 5122]

UTAH

Notice of Proposed Extension of Public  
Land Orders 2199 and 2379

AUGUST 28, 1968.

To insure that development and mining of the potash reserves in the Cane Creek and Seven Mile Areas in Grand County, Utah, are continued under maximum safety precautions the Department of the Interior has under consideration a proposal that Public Land Orders 2199 dated August 29, 1960, and 2379 dated May 13, 1961, which withdrew certain public lands from oil and gas leasing for preservation and development of potash deposits belonging to the United States, be extended to and including September 2, 1980.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed extension may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 11505, Salt Lake City, Utah 84111.

The Department's regulations, 43 CFR 2311.1-3(c), provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the extension of these withdrawals is justified.

The determination of the Secretary on the proposal will be published in the FEDERAL REGISTER, and each interested party will be informed thereof.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

Title to all the public land described in Public Land Order 2199, except 160

acres, has passed to the State of Utah. Therefore, only the following public lands would be affected by this proposal:

SALT LAKE MERIDIAN

PUBLIC LAND ORDER 2199

T. 26 S., R. 20 E.,

Sec. 27, S $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ .

PUBLIC LAND ORDER 2379

T. 24 S., R. 20 E.,

Sec. 27, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ .

T. 25 S., R. 20 E.,

Sec. 1, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 3, lots 1-16, incl., N $\frac{1}{2}$ S $\frac{1}{2}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 10, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 11, all;

Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ ;

Sec. 13, all;

Sec. 14, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 24, NE $\frac{1}{4}$ .

T. 25 S., R. 21 E.,

Sec. 7, lot 4;

Sec. 18, lots 1-4, incl., SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 19, lots 1-3, incl., NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ .

The areas described aggregate 5,078.21 acres.

R. D. NIELSON,  
State Director.

[F.R. Doc. 68-10760; Filed, Sept. 5, 1968;  
8:47 a.m.]

National Park Service  
BLUE RIDGE PARKWAY

Notice of Intention To Issue  
Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that 30 days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Blue Ridge Parkway, proposes to issue a concession permit to Blue Ridge Crafts, Inc., authorizing it to provide Native Handicraft Exhibits, Sales, and Services for the public at Moses Cone Park, Milepost 295, for a period of 5 years from January 1, 1969, through December 31, 1973.

The foregoing concessioner has performed its obligations under an existing permit to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the issuance of a new permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within 30 days after the date of publication of this notice.

Interested parties should contact the Superintendent, Blue Ridge Parkway, 625 First Street SW., Roanoke, Va., for information as to the requirements of the proposed permit.

Dated: August 14, 1968.

GRANVILLE B. LILES,  
Superintendent.

[F.R. Doc. 68-10761; Filed, Sept. 5, 1968;  
8:47 a.m.]

HOT SPRINGS NATIONAL PARK, ARK.

Notice of Intention To Negotiate  
Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that 30 days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with De Soto Hotel and Baths, Inc., authorizing it to continue to provide bathing facilities and services for the public at Hot Springs National Park, Ark., for a period of 5 years from January 1, 1969, through December 31, 1973.

The foregoing concessioner has performed its obligations under the present contract to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within 30 days after the publication date of this notice.

Interested parties should contact the Chief of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: August 29, 1968.

R. W. ALLIN,  
Deputy Assistant Director,  
National Park Service.

[F.R. Doc. 68-10762; Filed, Sept. 5, 1968;  
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation  
SALES OF CERTAIN COMMODITIES  
September Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The U.S. Department of Agriculture announced the prices at which CCC commodity holdings are available for sale beginning at 3 p.m., e.d.t., on August 30, 1968, and, subject to amendment, continuing until superseded by the October Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, flaxseed, rye, rice, grain sorghum, peanuts, tung oil, butter, cheese, and nonfat dry milk.

Flaxseed is added to the commodities listed for September and includes for-

mula minimum pricing based on 1968 price-support loan rates.

Information on the availability of commodities stored in Commodity Credit Corporation bin sites may be obtained from ASCS State offices shown at the end of the sales list, and for commodities stored at other locations from ASCS commodity and grain offices also shown at the end of the list.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sale prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3 or 4) for September 1968 are 6 percent for U.S. bank obligations and 7 percent for foreign bank obligations. Commodities now eligible for financing under the CCC Export Credit Sales Program include oats, wheat, wheat flour, barley, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, milled and brown rice, tobacco, cottonseed oil, soybean oil, dairy products, tallow, lard, breeding cattle, and rye. Commodities purchased from CCC may be financed for export as private stocks under Announcement GSM-4.

Information on the CCC Export Credit Sales Program and on commodities available under Title I, Public Law 480, private trade agreements, and current information on interest rates and other phases of these programs may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250.

The following commodities are currently available for new and existing barter contracts: Oats, cotton (upland),

and tobacco. Wheat and grain sorghum are also available under conditions noted in the individual commodity listings. In addition, free market stocks of corn, grain sorghum, barley, oats, wheat, and wheat flour, under Announcement PS-1; tobacco under Announcement PS-3; cottonseed oil and soybean oil under Announcement PS-2; and upland and extra long staple cotton under Announcement PS-4; are eligible for programming in connection with barter contracts covering procurement for Federal agencies that will reimburse CCC. (However, Hard Red Winter 13 percent protein or higher, Hard Red Spring 14 percent protein or higher, Durum wheats, and flour produced from these wheats may not be exported under Barter through west coast ports. Hard Red Winter 12.99 percent protein or less may be exported under barter from the West Coast and will be eligible for or subject to the applicable announced payment rate or certificate cost depending on the protein content of the wheat exported. Hard Red Winter 13 percent protein and higher exported under barter from the Gulf Coast will be subject to the Gulf Coast export payment rate or certificate cost which applies to Hard Red Winter "all proteins".) Further information on private-stock commodities may be obtained from the Office of Barter and Stockpiling, Foreign Agricultural Service, USDA, Washington, D.C. 20250.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchase from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C. 20250, with respect to all commodities or—for specified commodities—with the designated ASCS commodity office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have

adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet Bloc, or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Viet Nam except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations

for more detailed information if desired and for any changes that may be made therein.

## SALES PRICE OR METHOD OF SALE

## WHEAT, BULK

## Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 115 percent of the 1968 price-support loan rate for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel in-store).*<sup>1</sup>

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.07	\$0.04½	Minneapolis—No. 1 DNS (\$1.56) 115 percent +\$0.04½; \$1.84½. Portland—No. 1 SW (\$1.44) 115 percent +\$0.04½; \$1.70½. Kansas City—No. 1 HRW (\$1.44) 115 percent +\$0.04½; \$1.70½. Chicago—No. 1 RW (\$1.46) 115 percent +\$0.04½; \$1.72½.

## Export.

A. CCC will sell limited quantities of Hard Red Winter and Hard Red Spring wheat at west coast ports at domestic market price levels for export under Announcement GR-345 (Revision IV, Oct. 30, 1967, as amended) as follows:

(1) Offers will be accepted subject to the purchasers' furnishing the Portland ASCS Branch Office with a Notice of Sale containing the same information (excluding the subsidy acceptance number) as required by exporters who wish to receive an export payment under GR-345. The Notice of Sale must be furnished to the Commodity Office within 5 calendar days after the date of purchase.

(2) Sales will be made only to fill dollar market sales abroad and exporter must show export from the west coast to a destination west of the 170th meridian, west longitude, and east of the 60th meridian, east longitude, and to countries on the west coast of Central and South America.

B. CCC will sell wheat for export under Announcement GR-261 (Revision II, Jan. 9, 1961, as amended and supplemented) subject to the following:

(1) All classes will be sold subject to offers which include the price at which the buyer proposes to purchase the wheat.

(2) All classes will be sold to fill dollar market sales abroad and exporter must show export from the west coast to a destination within the geographical limitation shown in A(2) above.

(3) All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to August 26, 1966. However, CCC-owned wheat will not be sold for barter at west coast ports.

C. Announcement GR-262 (Revision II, Jan. 9, 1961, as amended) for export as flour as follows: All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to August 26, 1966. However, sales for barter will not be made at west coast ports.

D. CCC will not sell wheat under Announcement GR-346 until further notice.

Available, Chicago, Kansas City, Minneapolis, and Portland ASCS offices.

See footnotes at end of document.

## CORN, BULK

## Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than 115 percent of the applicable 1967 price-support loan rate<sup>2</sup> for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

## B. General sales.

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1967 price-support rate<sup>2</sup> (published loan rate plus 19 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store<sup>1</sup> basis No. 2 yellow corn 14 percent M.T. 2 percent F.M.).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.17½		Feed grain program domestic PIK certificate minimums: McLean County, Ill. (\$1.08+\$0.02½) 115 percent +\$0.17½; \$1.45½. Agricultural Act of 1949; stat. minimums: McLean County, Ill. (\$1.08+\$0.02½) +\$0.19; 105 percent +\$0.17½; \$1.53½.

Available, Chicago, Kansas City, Minneapolis, and Portland ASCS grain offices.

Export. Limited quantities of corn at East Coast and eastern gulf ports for cash at the market price, as determined by CCC, for export under Announcement GR-212 (Revision 2, Jan. 9, 1961). The statutory minimum price referred to in GR-212 is computed in accordance with B1 of the unrestricted use section for corn.

Available, Kansas City ASCS Commodity Office.

## GRAIN SORGHUM, BULK

## Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than 115 percent of the applicable 1967 price-support loan rate<sup>2</sup> for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

## B. General sales.

1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1967 price-support rate<sup>2</sup> (published loan rate plus 34 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted

use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store<sup>1</sup> No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.20¾	\$0.25¾	Feed grain program domestic PIK certificate minimums: Hale County, Tex. (\$1.69) 115 percent +\$0.20¾; \$2.12¾. Kansas City, Mo. (ex-rail) (\$1.85) 115 percent +\$0.25¾; \$2.38¾. Agricultural Act of 1949; stat. minimums: Hale County, Tex. (\$1.69+\$0.24) 105 percent +\$0.29¾; \$2.32¾. Kansas City, Mo. (ex-rail) (\$1.85) +\$0.34; 105 percent +\$0.29¾; \$2.55¾.

## Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1967 price-support loan rate plus carrying charges in section C. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961) for application to barter contracts entered into pursuant to invitations for barter offers dated prior to August 26, 1966, and for cash or other designated sales. Available, Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

## BARLEY, BULK

## Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support rate<sup>2</sup> for the class, grade, and quality of the barley plus the applicable markup.

B. *Markups and examples (dollars per bushel in-store<sup>1</sup> No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
\$0.07	\$0.04½	Cass County, N. Dak. (\$0.87); 115 percent +\$0.07; \$1.06. Minneapolis, Minn. (ex-rail) (\$1.10); 115 percent +\$0.04½; \$1.31½.

C. *Nonstorable.* At not less than market price as determined by CCC.

## Export.

Sales are made at the higher of the domestic market price, as determined by CCC or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for barley. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961) for cash or other designated sales.

Available, Chicago, Kansas City, Minneapolis, and Portland grain offices.

## OATS, BULK

## Unrestricted use.

A. Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support rates<sup>2</sup> for the class, grade, and quality of the oats plus the markup shown in B below.

B. Markups and examples (dollars per bushel in-store<sup>1</sup> Basis No. 2 XHWO).

Markup in-store received by—	Examples—Agricultural Act of 1949; Stat. minimum
Truck	
\$0.07	Redwood County, Minn. (\$0.60+\$0.03 quality differential); 115 percent +\$0.07; \$0.80.

C. Nonstorable. At not less than the market price as determined by CCC.

Export. Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to barter contracts and for cash or other designated sales.

Available. Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

## RYE, BULK

## Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 115 percent<sup>2</sup> of the applicable 1968 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. Markups and examples (dollars per bushel in-store<sup>1</sup> No. 2 or better).

Markup in-store received by—	Examples—Agricultural Act of 1949; Stat. minimum
Truck	
\$0.07	Rolette County, N. Dak. (\$0.80); 115 percent +\$0.07; \$1.10. Minneapolis, Minn. (ex-rail) (\$1.23); 115 percent +\$0.04; \$1.46.

C. Nonstorable. At not less than market price as determined by CCC.

## Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961) for cash or other designated sales.

See footnotes at end of document.

Available. Chicago, Kansas City, Portland, and Minneapolis ASCS grain offices.

## RICE, ROUGH

## Unrestricted use.

Market price but not less than 1968 loan rate plus 5 percent plus 16 cents per hundredweight, basis in store.

## Export.

As milled or brown under Announcement GR-369, Revision III, as amended, Rice Export Program.

Available. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

## COTTON, UPLAND

## Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO-C-32 (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the 1968 loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall," and Under Barter Transactions), as amended. Cotton may be acquired at its current market price, as determined by CCC, but not less than a minimum price determined by CCC, which will in no event be less than 120 points (1.2 cents) per pound above the 1968 loan rate for such cotton.

## Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcements CN-EX-28 (Acquisition of Upland Cotton for Export Under the Barter Program), and NO-C-31 (described above), as amended.

## COTTON, EXTRA LONG STAPLE

## Unrestricted use.

Competitive offers under the terms and conditions of Announcements NO-C-6 (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC. Notwithstanding the foregoing, until otherwise announced by CCC, cotton will be available under NO-C-6 and NO-C-10 in an amount not to exceed the shortfall at the market price, as determined by CCC.

BARTER: Extra long staple cotton will also be available under terms and conditions to be issued in the near future.

## COTTON, UPLAND OR EXTRA LONG STAPLE

## Unrestricted use.

Competitive offers under the terms and conditions of Announcement NO-C-20 (Sale of Special Condition Cotton). Any such cotton (Below Grade, Sample Loose, Damaged Pickings, etc.) owned by CCC will be offered for sale periodically on the basis of samples representing the cotton according to schedules issued from time to time by CCC.

## Availability information.

Sale of cotton will be made by the New Orleans ASCS Commodity Office. Sales announcements, related forms and catalogs for upland cotton and extra long staple cotton

showing quantities, qualities, and location may be obtained for a nominal fee from that office.

## PEANUTS, SHELLLED

When stocks are available in their area of responsibility, the quantity, type, and grade offered and whether for restricted or unrestricted use are announced in weekly lot lists are invitations to bid issued by the following:

GFA Peanut Association, Camilla, Ga.

Peanut Growers Cooperative Marketing Association, Franklin, Va.

Southwestern Peanut Growers' Association, Gorman, Tex.

A. Restricted use sales. Announcement PR-1 as amended, and the lot list contain terms and conditions of sales restricted to domestic crushing or export.

1. Shelled peanuts of less than U.S. No. 1 grade may be purchased for foreign or domestic crushing.

2. Farmers stock peanuts may be purchased for domestic crushing or for export of U.S. No. 1 or better shelled peanuts. All peanuts of less than U.S. No. 1 quality must be crushed domestically.

All sales are made on the basis of competitive bids each Wednesday, by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250, to which all bids are submitted.

## TUNG OIL

## Unrestricted use.

Sales are made periodically on a competitive bid basis. Bids are submitted to the Producer Association Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250.

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitation to Bid, issued by the National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4 of April 6, 1967, as amended, and the applicable Invitation to Bid.

Bids will include, and be evaluated on the basis of, price offered per pound f.o.b. storage location. For certain destinations, CCC will as provided in the Announcement, as amended, refund to the buyer a "freight equalization" allowance.

Copies of the Announcement or the Invitation may be obtained from the Cooperative or Producer Associations Division, ASCS, Telephone Washington, D.C., area code 202, DU 8-3901.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4 of April 6, 1967, as amended, and the applicable Invitation to Bid.

Bids will include, and be evaluated on the basis of, price offered per pound f.o.b. storage location. For certain destinations, CCC will be provided in the Announcement, as amended, refund to the buyer a "freight equalization" allowance.

Copies of the Announcement or the Invitation may be obtained from the Cooperative or Producer Associations Division, ASCS, Telephone Washington, D.C. Area Code 202, DU 8-3901.

## FLAXSEED, BULK

## Unrestricted use.

A. Storable. Market price, as determined by CCC, but not less than 105 percent of the applicable 1968 price-support rate<sup>2</sup> for the grade and quality of the flaxseed plus the applicable markup.

B. Markups and example (dollars per bushel in-store No. 1, 9.1—9.5 percent moisture).

## NOTICES

Markup per bushel received by—		Example of minimum prices— terminal and prices
Truck	Rail or barge	
\$0.06	\$0.01 $\frac{3}{4}$	Minneapolis, Minn. (\$3.16) 105 percent + \$0.01 $\frac{3}{4}$ ; \$3.33 $\frac{3}{4}$ .

## DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

*Submission of offers.*

Submit offers to the Minneapolis ASCS Commodity Office.

## NONFAT DRY MILK

*Unrestricted use.*

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 25.40 cents per pound packed in 100-pound bags and 25.65 cents per pound packed in 50-pound bags.

*Export.*

Announced prices, under MP-23, pursuant to invitations issued by Minneapolis ASCS Commodity Office. Invitations will indicate the type of export sales authorized, the announced price and the period of time such price will be in effect.

## BUTTER

*Unrestricted use.*

Announced prices, under MP-14: 74 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 73.25 cents per pound—Washington, Oregon and California. All other States 73 cents per pound.

## CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

*Unrestricted use.*

Announced prices, under MP-14: 52.750 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 51.750 cents per pound.

## FOOTNOTES

<sup>1</sup> The formula price delivery basis for bin-site sales will be f.o.b.

<sup>2</sup> Round product up to the nearest cent.

## USDA AGRICULTURE STABILIZATION AND CONSERVATION SERVICE OFFICES

## GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (Post Office Box 205), Kansas City, Mo. 64141. Telephone: Area Code 816, Emerson 1-0860.

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming (domestic and export). California (domestic only), Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (export only).

Branch Office—Chicago ASCS Branch Office, 226 West Jackson Boulevard, Chicago, Ill. 60606. Telephone: Area Code 312, 353-6581.

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (domestic only).

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: Area Code 612, 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin (domestic and export).

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg. 97205. Telephone: Area Code 503, 226-3361.

Idaho, Oregon, Utah, and Washington (domestic and export sales), California (export sales only).

## PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: Area Code 612, 334-3200.

## COTTON OFFICE (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: Area Code 504, 527-7766.

## GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, Federal Building, Room 1759, 26 Federal Plaza, New York, N.Y. 10007. Telephone: Area Code 212, 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: Area Code 415, 556-6185.

## ASC'S STATE OFFICES

Illinois, Room 232, U.S. Post Office and Courthouse, Springfield, Ill. 62701. Telephone: Area Code 217, 525-4180.

Indiana, Room 110, 311 West Washington Street, Indianapolis, Ind. 46204. Telephone: Area Code 317, 633-8521.

Iowa, Room 937, Federal Building, 210 Walnut Street, Des Moines, Iowa 50309. Telephone: Area Code 515, 284-4213.

Kansas, 2601 Anderson Avenue, Manhattan, Kans. 66502. Telephone: Area Code 913, JE 9-3531.

Michigan, 1405 South Harrison Road, East Lansing, Mich. 48823. Telephone: Area Code 517, 372-1910.

Missouri, I.O.O.F. Building, 10th and Walnut Streets, Columbia, Mo. 65201. Telephone: Area Code 314, 442-3111.

Minnesota, Room 230, Federal Building and U.S. Courthouse, 316 Robert Street, St. Paul, Minn. 55101. Telephone: Area Code 612, 228-7651.

Montana, Post Office Box 670, U.S.P.O. and Federal Office Building, Bozeman, Mont. 59715. Telephone: Area Code 406, 587-4511, Ext. 3271.

Nebraska, Post Office Box 793, 5801 O Street, Lincoln, Nebr. 68501. Telephone: Area Code 402, 475-3661.

North Dakota, Post Office Box 2017, 15 South 21st Street, Fargo, N. Dak. 58103. Telephone: Area Code 701, 237-5205.

Ohio, Room 202, Old Federal Building, Columbus, Ohio 43215. Telephone: Area Code 614, 469-5644.

South Dakota, Post Office Box 843, 239 Wisconsin Street SW., Huron, S. Dak. 57350. Telephone: Area Code 605, 352-8651, Ext. 321 or 310.

Wisconsin, Post Office Box 4248, 4601 Hammersley Road, Madison, Wis. 53711. Telephone: Area Code 608, 254-4441, Ext. 7535.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, 307, 76 Stat. 614-617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on August 30, 1968.

E. A. JAENKE,

Acting Executive Vice President,  
Commodity Credit Corporation.

[F.R. Doc. 68-10814; Filed, Sept. 5, 1968; 8:51 a.m.]

## Packers and Stockyards Administration

## 98 LIVESTOCK MARKET ET AL.

## Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

## FLORIDA

<i>Original name of stockyard, location, and date of posting</i>	<i>Current name of stockyard and date of change in name</i>
98 Livestock Market, Lakeland, July 31, 1968.	Hooten Livestock Auction Co., July 31, 1968.

## IDAHO

Boise Valley Livestock Commission Co., Inc., Caldwell, Dec. 30, 1937.	OK Livestock Markets and Feed Yards, July 17, 1968.
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## IOWA

Iowa Falls Sale Pavilion, Iowa Falls, June 9, 1959.	Iowa Falls Livestock, Mar. 21, 1968.
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## MISSOURI

Nevada Livestock Auction, Nevada, May 18, 1959.	Nevada Sales Company, Inc., July 1, 1968.
Seneca Community Sale, Inc., Seneca, May 22, 1959.	Seneca Sale Barn, June 1, 1968.

## MONTANA

Billings, Public Stockyards, Billings, Dec. 18, 1940.	Public Auction Yards of Billings, July 1, 1968.
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## NEBRASKA

Ericson Livestock Commission Company, Ericson, July 3, 1967.	Ericson Livestock Commission Co., Inc., May 15, 1968.
Wayne Sales Company, Inc., Wayne, June 10, 1959.	Wayne Livestock Auction, Inc., Aug. 1, 1968.

Done at Washington, D.C., this 28th day of August 1968.

G. H. HOPPER,  
Acting Chief, Registrations, Bonds, and Reports Branch,  
Livestock Marketing Division.

[F.R. Doc. 68-10813; Filed, Sept. 5, 1968; 8:51 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

#### COMBINATION DRUG CONTAINING SULFADIAZINE, ALLANTOIN, AND GAMMA (DIETHYLAMINO) PROPYL-p-n-BUTOXYBENZOATE

#### Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Sulfonamets with Topicaline lozenges, containing per lozenge: Sulfadiazine (0.15 gram), allantoin (7.5 milligrams), and gamma (diethylamino) propyl-p-n-butoxybenzoate (1.5 milligrams); National Drug Co., Division of Richardson-Merrell, Inc., 4663 Stenton Avenue, Philadelphia, Pa. 19144.

The Academy report states that this preparation is ineffective for the conditions for which it is recommended; that is, the treatment of mild tonsillitis and sore throat, for use after dental extractions, and for susceptible oral and pharyngeal mucosal infections. The Academy commented that there is no documentation of the efficacy of the drug for these conditions. Further, no evidence is presented to show any therapeutic reduction in the bacteria causing the oral or pharyngeal infectious lesion, and no evidence is presented to show the therapeutic efficacy or usefulness of Topicaline. It is the Academy's opinion that the combination of these therapeutically unsubstantiated compounds is not justified.

The Food and Drug Administration concurs in the opinions expressed by the Academy and concludes that there is a lack of substantial evidence that this drug will have the effect it purports or it represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the new-drug application for Sulfonamets with Topicaline. Prior to initiating such action, the Commissioner of Food and Drugs invites the holder of the new-drug application and any interested person who may be adversely affected by removal of this drug from the market to submit data relevant to the proposal within 30 days from the date of publication of this announcement in the FEDERAL REGISTER. Such data should be addressed to the Special Assistant for Drug Efficacy Study Implementation, Bureau of Medicine,

Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

This announcement is made to give persons who might be adversely affected by withdrawal of this drug from the market notice of the proposed action and implementation of the NAS-NRC report for Sulfonamets with Topicaline.

A copy of the NAS-NRC report has been mailed to the holder of the new-drug application for this drug. Any other interested person may obtain a copy of that report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and delegated to the Commissioner (21 CFR 2.120).

Dated: August 29, 1968.

HERBERT L. LEY, JR.,  
Commissioner of Food and Drugs.

[F.R. Doc. 68-10780; Filed, Sept. 5, 1968; 8:49 a.m.]

### Social and Rehabilitation Service

[Interim Policy Statement No. 21]

#### COORDINATION OF TITLE XIX WITH PART B OF TITLE XVIII

#### Notice of Interim Policies and Requirements

Notice is hereby given that the regulations set forth below (made pursuant to section 1102 of the Social Security Act, 42 U.S.C. 1302) prescribe certain interim policies and requirements for Social and Rehabilitation Service programs which were approved, with binding effect on States, on August 15, 1968, by the Administrator, Social and Rehabilitation Service. Interested persons who wish to submit comments, suggestions, or objections pertaining thereto may present their views in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201, within a period of 30 days from the date of publication of these interim policies and requirements in the FEDERAL REGISTER. The final regulations will be codified in Title 45 of the Code of Federal Regulations.

Dated: August 15, 1968.

[SEAL] MARY E. SWITZER,  
Administrator, Social  
and Rehabilitation Service.

Approved: August 29, 1968.

WILBUR J. COHEN,  
Secretary.

1. *Subject.*—Coordination of title XIX with part B of title XVIII.

2. *Purpose.*—To implement sections 1843, 1902(a)(10)(II), 1903(a)(1), and 1903(b)(2) of the Social Security Act as amended (including the amendment made by section 303 of P.L. 90-364, "Revenue and Expenditure Control Act of 1968").

3. *Regulations.*—A. *Coordination of title XIX with part B of title XVIII.* States have through December 31, 1969, to request a "buy-in" agreement for the following two groups: (1) Individuals receiving money payments under the plan of the State approved under titles I, X, XIV, and XVI, and part A of title IV (under the prior law, States had only through December 31, 1967, to request an agreement for such individuals) and (2) all individuals who are eligible to receive medical assistance under the State's title XIX plan.

Payment by a State of premiums under title XVIII, part B, whether through a "buy-in" agreement or otherwise, or provision for meeting part or all of the cost of the deductibles, cost sharing, or similar charges under part B, does not impose an obligation on the State to make comparable services available to other recipients (below age 65) after June 30, 1967. This provision permits the States to enter into agreements to pay the premium charges under part B or to pay the deductibles and other charges under that program without obligating themselves to provide the range of part B benefits to other individuals who are under title XIX. Any State implementing this provision must amend its plan accordingly.

B. *Federal financial participation.* There will be no Federal financial participation in the monthly insurance premium which the title XIX State pays on behalf of nonmoney payment individuals eligible to receive medical assistance under title XIX.

There will also be no Federal financial participation for State expenditures for medical assistance after December 31, 1969 which would not have been so expended if the individuals involved had been enrolled in the insurance program established by part B of title XVIII. This applies to all persons who could have been covered under part B of title XVIII, whether on an individual basis or through the "buy-in."

[F.R. Doc. 68-10783; Filed, Sept. 5, 1968; 8:49 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 17828; Order 68-8-95]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Regarding Delayed Inaugural Flights

Issued under delegated authority August 22, 1968.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic

Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2 and 3-1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB agreement number.

The agreement permits Pan American World Airways to postpone to a date not later than November 30, 1968, the performance of its inaugural flights in celebration of its new Rome-New York-Los Angeles and New York-Sydney services and to a date not later than October 30, 1968, the operation of inaugural flights in connection with its new service between New York and Tokyo.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, which are incorporated in the above-designated agreement, are adverse to the public interest or in violation of the Act:

## IATA RESOLUTIONS

JT12 (Mail 549) 200h.  
JT31 (Mail 151) 200h.

Accordingly, it is ordered, That Agreement CAB 20487 is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof is filed, or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL]

MABEL McCART,  
Acting Secretary.

[F.R. Doc. 68-10792; Filed, Sept. 5, 1968;  
8:50 a.m.]

## MOHAWK AIRLINES, INC.

### Notice of Application for Amendment of Certificate of Public Convenience and Necessity

SEPTEMBER 3, 1968.

Notice is hereby given that the Civil Aeronautics Board on August 30, 1968, received an application, Docket 20159, from Mohawk Airlines, Inc., for amendment of its certificate of public convenience and necessity for route 94 to authorize it to engage in nonstop service between Rochester, N.Y. and Washington, D.C. 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. 68-10793; Filed, Sept. 5, 1968;  
8:50 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18128; FCC 68-872]

### AMERICAN TELEPHONE AND TELEGRAPH CO.

#### Tariff Investigation

In the matter of American Telephone and Telegraph Co., Long Lines Department, Revisions of Tariff FCC No. 260, Private Line Services, Series 5000 (TELPAC).

1. The Commission has before it:

(a) The "Petition to Reset Order Adopted April 10, 1968, and to Reschedule Increases in TELPAK Rates," filed May 10, 1968, on behalf of Bethlehem Steel Corp., et al.;

(b) The "Petition of Penn Central Company for Reconsideration and Suspension or Modification of the Commission's Order (F.C.C. 68-388) Released April 12, 1968, and for Other Relief," filed May 13, 1968, by Penn Central Co.;

(c) An "Opposition" to the Petitions of Bethlehem Steel Corp. et al., and Penn Central Co., filed on May 21, 1968, by The Western Union Telegraph Co.;

(d) An "Opposition" to the above-indicated petitions, filed May 23, 1968, by American Telephone and Telegraph Co.;

(e) A "Reply to Oppositions of American Telephone and Telegraph and Western Union Telegraph Company," filed June 4, 1968 by Bethlehem Steel Corp. et al.;

(f) The "Petition for Reconsideration of Memorandum Opinion and Order (FCC 68-711)," filed August 5, 1968, on behalf of Bethlehem Steel Corp. et al.;

(g) The "Petition for Interim Relief," filed August 6, 1968, on behalf of Aerospace Industries Association of America, Inc.;

(h) A "Statement in Support of Petition for Interim Relief," filed August 13, 1968, on behalf of Bethlehem Steel Corp. et al.;

(i) A "Statement in Support of Petitions," filed August 13, 1968, on behalf of the American Trucking Associations, Inc.;

(j) An "Opposition to Petitions for Reconsideration of Memorandum Opinion and Order (F.C.C. 68-711)," filed August 19, 1968, by The Western Union Telegraph Co.;

(k) An "Opposition to Petition for Reconsideration," filed August 20, 1968, by American Telephone & Telegraph Co.;

(l) An "Opposition" to the "Petition for Interim Relief," filed August 21, 1968, by American Telephone & Telegraph Co.; and

<sup>1</sup> Bethlehem Steel Corp., Ford Motor Co., Monsanto Co., Northrop Corp., Olin Mathieson Chemical Corp., Republic Steel Corp., Union Carbide Corp., United States Steel Corp., and Westinghouse Electric Co.

<sup>2</sup> E. I. du Pont de Nemours & Co., Inc., joins Bethlehem Steel Corp. et al., in this petition and statement.

(m) A "Reply of Aerospace Industries Association of America, Inc., to Oppositions to Petition for Interim Relief," filed August 23, 1968, on behalf of Aerospace Industries Association of America, Inc.

2. In their Petition of May 10, 1968, Petitioners Bethlehem Steel Corp. et al., each being a large user of TELPAK services, request that the Commission order that the effective date of the TELPAK tariff revisions be rescheduled, subject to the outcome of the present investigation (instituted by Commission order adopted April 10, 1968—F.C.C. 68-388) and that any rate increases that may be ordered as a result of this proceeding be scheduled to become effective in three annual increments.

3. In its petition, Penn Central Co., a TELPAK user, requests that the Commission vacate its order of suspension and investigation herein, reject the revised TELPAK tariff revisions or postpone indefinitely the effective date of such revised tariff schedules, pending a determination of Phase 1-B of Docket No. 16258 and the conclusion of Docket No. 17457 (TELPAC Sharing).

4. In opposing the Petition of May 10, 1968, filed by Bethlehem Steel Corp. et al. and the petition of Penn Central Co., The Western Union Telegraph Co. argues that the Commission is without statutory authority to suspend the proposed rate revisions beyond the suspension period expiring September 1, 1968, which was ordered by the Commission in its order released April 12, 1968; it is further argued that a common carrier has a basic right to change its rates subject to provisions of the Communications Act of 1934.

5. In its opposition to the petition filed by Bethlehem Steel Corp. et al., on May 10, 1968, and the petition of Penn Central Co., American Telephone & Telegraph Co. also contends that the Commission does not have the statutory power to comply with Petitioners' request.

6. In replying to the oppositions filed by American Telephone & Telegraph Co. and The Western Union Telegraph Co., Petitioners Bethlehem Steel Corp. et al., contend that the scope of their request is limited to the rescheduling of the rate increases over a period of 3 years instead of the entire increase becoming effective at once; it is thus argued that the Commission is not without the necessary statutory authority.

7. In their petition for reconsideration, filed August 5, 1968, Bethlehem Steel Corp. et al., indicate that their original petition, filed May 10, 1968, was not accorded any consideration in the memorandum opinion and order adopted July 11, 1968, and released July 16, 1968, in which the Commission instituted an investigation and hearing into the lawfulness of charges by American Telephone and Telegraph Co. for private line services in general. However, as the Commission is herein presently considering Petitioners' May 10, 1968, petition and had contemplated such separate treatment at the time of its July 16, 1968,

memorandum opinion and order, full consideration is being accorded to the petition for reconsideration.

8. Aerospace Industries Association of America, Inc., in its petition, seeks an "Order for Interim Relief" staying the increases in charges for private line services by American Telephone and Telegraph Co. and The Western Union Telegraph Co. until the Commission has held a hearing and issues a final decision on the questions raised by such increases.

9. The Commission has considered the points raised in the above-referenced pleadings and in light of the Commission's order, released April 21, 1968, and the applicable statutory provisions, is of the view that the petitions herein must be denied.

10. While the Commission gave careful consideration to the position of petitioners as large volume users of TELPAK services in its order of investigation in this proceeding, we are without statutory authority to grant the relief requested. Section 204 of the Act clearly provides in pertinent part that:

Whenever there is filed with [the] Commission any new charge \* \* \* The Commission may \* \* \* enter upon a hearing concerning the lawfulness thereof; and pending such hearing and the decision thereon the Commission \* \* \* may suspend the operation of such charge \* \* \* but not for a longer period than three months beyond the time when it would otherwise go into effect \* \* \*.

The Commission did suspend the operation of such charges from June 1, 1968, to September 1, 1968—the full 3-month period allowed by section 204. In the order released April 12, 1968 (FCC 68-388), we noted that " \* \* \* users have been on notice since 1961 that TELPAK rates presented substantial questions of lawfulness \* \* \* and that significant increases in these rates could result."

11. Furthermore, the Commission cannot reschedule the effectiveness of the September 1, 1968, increase in rates prior to completion of the hearing process, even if the Commission determines in due course that the increase itself is unlawful. Under section 205 of the Act the Commission is authorized to prescribe "just and reasonable charges" but only " \* \* \* after full opportunity for hearing \* \* \* the Commission shall be of opinion that any charge is or will be in violation of any of the provisions of this Act \* \* \*." Thus, it is clear that we would contravene the express statutory language of section 205 if we were to attempt to modify as requested the schedule of charges timely filed by the carrier pursuant to section 203 of the Act.<sup>3</sup>

12. Petitioners cite the decision of the U.S. Supreme Court in *U.S. v. Southwestern Cable Co.*, U.S., 88 S. Ct. 1994 (1968)

<sup>3</sup>Certain of the petitioners have suggested that the Commission request the carriers to voluntarily postpone the effective date of the scheduled increases. After noting that we were suspending the schedules to the full extent of our statutory authority, on our order of April 12, 1968, supra, we stated: "This means that the schedules will become effective September 1, 1968." Nothing has occurred in the meantime to cause us to retreat from that statement.

as authority for the Commission's power to grant the relief requested under the general powers contained in sections 4 (i) and 303(r) of the Act, and quote extensively from the brief on behalf of the U.S. and FCC in that case. Suffice it to say that the specific and limited authority set forth in the Act with respect to tariff filings delimits the Commission's power in this respect as opposed to the more general powers which were controlling in the *Southwestern Cable* case.

13. Aerospace Industries appears to be under the misapprehension that our deferral of proceedings in this docket amounts to a deferral of hearings on the proposed increases in TELPAK rates. As we have stated on numerous occasions, the overall level of TELPAK rates, including the increased rates effective September 1, 1968, is directly at issue in Docket No. 16258 and may be affected by our action in Docket No. 17457, both of which we have ordered expedited. At issue in Docket No. 18128 are the internal rate structure components of which we do not understand Aerospace Industries to complain.

Accordingly, it is ordered, That the above-referenced petitions of Bethlehem Steel Corp. et al., Penn Central Co., and Aerospace Industries Association of America, Inc., are hereby denied.

Adopted: August 28, 1968.

Released: September 3, 1968.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>4</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 68-10798; Filed, Sept. 5, 1968;  
8:50 a.m.]

[Docket Nos. 17086, 17087; FCC 68-884]

### CHEROKEE BROADCASTING CO. AND FANNIN COUNTY BROADCASTING CO.

#### Order Scheduling Oral Argument

In re applications of Max M. Blakemore, trading as Cherokee Broadcasting Co., Murphy, N.C., Docket No. 17086, File No. BPH-5246; Robert P. Schwab, trading as Fannin County Broadcasting Co., Blue Ridge, Ga., Docket No. 17087, File No. BPH-5309; for construction permits.

1. The Commission has before it for consideration: (a) An application for review of the Review Board's Decision (11 FCC 2d 857, 12 RR 2d 1249, released Mar. 1, 1968), which was filed on April 1, 1968, by Max M. Blakemore, trading as Cherokee Broadcasting Co.; (b) a motion to dismiss and opposition to application for review, which was filed on April 16, 1968, by Robert P. Schwab, trading as Fannin County Broadcasting Co.; (c) an opposition, filed on April 16, 1968, by the Chief, Broadcast Bureau; and (d) a reply to oppositions, filed on April 19, 1968, by Max M. Blakemore, trading as Cherokee Broadcasting Co.

<sup>4</sup>Commissioner Wadsworth absent. Commissioner Johnson concurring in the result.

#### 2. Accordingly, it is ordered:

(a) That the application for review, filed by Max M. Blakemore, trading as Cherokee Broadcasting Co., on April 1, 1968, is granted;<sup>1</sup> and

(b) That oral argument will be held before the Commission, en banc, on October 14, 1968, beginning at 10 a.m. The parties herein, who within 5 days after the release of this order file written notice of intention to appear and participate, shall each be allowed 20 minutes for oral argument.

Adopted: August 28, 1968.

Released: September 3, 1968.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 68-10799; Filed, Sept. 5, 1968;  
8:50 a.m.]

[Docket No. 18101; FCC 68-891]

### WBBM-TV

#### Order Modifying Inquiry

In the matter of inquiry into WBBM-TV's broadcast on November 1 and 2, 1967, of a report on a marijuana party.

The Commission has before it for consideration: (1) Its Order (FCC 68-316) released March 22, 1968, instituting an investigatory proceeding; (2) a letter from Columbia Broadcasting System, Inc., licensee of Station WBBM-TV, Chicago, Ill., dated April 26, 1968, requesting that, as of right, it be permitted to participate fully in this proceeding; (3) the Order of Chief Hearing Examiner Cunningham (FCC 68M-1170) denying the Columbia Broadcasting System request of April 26, 1968, and (4) the Petition for Reconsideration and Modification of Ruling filed by Columbia Broadcasting System on August 26, 1968.

In our order released March 22, 1968, instituting this investigatory proceeding, it was provided that, upon conclusion of the inquiry, the Chief Hearing Examiner would certify the record to the Commission for appropriate action. However, it now appears that in view of possible conflicts in testimony which might develop, it would be appropriate for the presiding officer, who will have the opportunity to observe the demeanor of the witnesses, to resolve any such credibility questions. For this reason, the order instituting this inquiry is modified to provide that upon the conclusion of the inquiry the Chief Hearing Examiner shall issue a report setting forth the findings of fact relative to the subject matter of this inquiry.

The Commission believes that in view of the nature of the inquiry, the pleadings filed by Columbia Broadcasting System, and to assure that a full and complete record is developed on the serious questions and possible conflicts pre-

<sup>1</sup>Fannin's motion to dismiss is without merit and is denied.

<sup>2</sup>Commissioner Wadsworth absent.

sented, it is appropriate that Columbia Broadcasting System be given the opportunity to appear and cross-examine witnesses, tender objections, produce witnesses and documents, and comment upon the testimony. Columbia Broadcasting System is, therefore, named a party to this proceeding.

Columbia Broadcasting System, in addition to requesting full participation in this proceeding, has made various requests which are in the nature of discovery in addition to requesting a prehearing conference before the Chief Hearing Examiner, wherein it and the Bureau might discuss the conduct of the proceeding in order to insure a complete understanding of the procedures to be followed during the inquiry. It is the view of the Commission that the discovery requests should appropriately be considered and ruled upon by the Chief Hearing Examiner at such a prehearing conference. For this reason the hearing presently scheduled to commence on September 12, 1968, is converted to a prehearing conference to be held in the offices of the Commission, Washington, D.C. At such conference the Chief Hearing Examiner shall specify the date for commencement of the inquiry.

Accordingly, it is ordered, That the Commission's March 22, 1968, order is modified to provide that upon conclusion of the inquiry, the Chief Hearing Examiner shall issue a report setting forth the findings of fact relative to the subject matter of this inquiry;

It is further ordered, That Columbia Broadcasting System, Inc., is made a party to this inquiry; and

It is further ordered, That the inquiry presently scheduled to commence on September 12, 1968, is converted to a prehearing conference.

Adopted: August 28, 1968.

Released: August 30, 1968.

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

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 68-10800; Filed, Sept. 5, 1968;  
8:50 a.m.]

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

[Report 403]

## COMMON CARRIER SERVICES INFORMATION<sup>1</sup>

### Domestic Public Radio Services Applications Accepted for Filing<sup>2</sup>

SEPTEMBER 3, 1968.

Pursuant to §§ 1.227(b)(3) and 21.26(b) of the Commission's rules, an application,

<sup>1</sup> All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

<sup>2</sup> The above alternative cut-off rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the Rules).

in order to be considered with any domestic public radio services application appearing on the list set forth below, must be substantially completed and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only

if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

#### APPENDIX

#### APPLICATIONS ACCEPTED FOR FILING

#### DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 1020-C2-MP-69—DeKalb Telephone Coop., Inc.; (KIY411); Modification of C.P. to change the antenna system operating on base frequency 152.72 MHz located at 6 miles east-northeast of Woodbury, Tenn.
- 1022-C2-P-69—Five Area Telephone Coop., Inc.; (KLB765); C.P. to add a second base channel to operate on frequency 152.72 MHz located at 4 miles east-northeast of Muleshoe, Tex.
- 1026-C2-P-69—The United Telephone Co. of Pennsylvania; (New); C.P. for a new two-way station to be located at 2.35 miles north-northeast of Hanover, Pa., to operate on base frequency 152.60 MHz.
- 1027-C2-P-69—Orange County Radiotelephone Service; (KMB304); C.P. to establish two-way facilities at a new location to be described as location No. 3; Signal peak, 2.5 miles west of Newport Beach, Calif., to operate on base frequency 454.325 MHz.
- 1028-C2-MP-69—Carolina Telephone & Telegraph Co.; (KIY788); Modification of C.P. to change the base frequency from 152.75 MHz to 152.69 MHz and decrease output power on 152.63 MHz also change the antenna system located at 503 North Queen Street, Kinston, N.C.
- 1034-C2-TC-69—Lett Electronics, Inc., Hutchinson, Kans.; (KEK275); Consent to transfer of control from Clinton J. Lett, Sr., transferor, to: Clinton J. Lett, Jr., Donald F. Lett, and Royce Garand Lett, transferees.
- 1068-C2-P-69—General Telephone Co. of Upstate New York, Inc.; (New); C.P. for a new two-way station to be located at Mount Hope, on Graham Mountain, 1 mile north-northeast of Finchville, N.Y., to operate on base frequencies 454.400 and 454.600 MHz.
- 1069-C2-P-69—Mobilfone Communications; (New); C.P. for a new two-way station to be at location No. 1: 1 mile southwest of Sulphur Springs, Ark., to operate on base frequency 152.15 MHz and repeater frequency 459.25 MHz location No. 2: 200 West Second Street, Pine Bluff, Ark., to operate on control frequency 454.25 MHz and location No. 3: 30th and Maple Streets, Little Rock, Ark., to operate on control frequency 454.25 MHz.
- 1070-C2-P-69—Southwestern Bell Telephone Co.; (KKA819); C.P. for four additional channels on base frequencies 454.400, 454.450, 454.500, and 454.550 MHz and test frequencies 459.400, 459.450, 459.500, and 459.550 MHz at station located at the corner of Lockwood Drive and Crites Street, Houston, Tex.
- 1071-C2-P-69—Southern Message Service, Inc.; (KLB319); C.P. to change frequency for a one-way base station to 152.24 MHz at station located at the Beck Building, at Travis and Edwards Streets, Shreveport, La., also change the antenna system.
- 1072-C2-ML-69—General Telephone Co. of California; (KMM632); Modification of license to change base frequency to 152.78 MHz and change test frequency to 158.04 MHz to change base frequency to 152.78 MHz and change test frequency to 158.04 MHz. All other terms of the existing license to remain the same.
- 1073-C2-P-69—North Shore Communications, Inc.; (New); C.P. for a new two-way station to be located at location No. 1: 3 Sidney Street, Wakefield, Mass., to operate on base frequency 152.24 MHz and location No. 2: Monterey Hill, West Roxbury, Mass.
- 1076-C2-P-69—The Pacific Telephone & Telegraph Co.; (KMA744); C.P. to modify the base transmitter operating on frequency 454.40 MHz at location No. 2: 1587 Franklin Street, Oakland, Calif., and establish a new base station to be described as location No. 3: Near Palisades Drive and Westmoor Drive, Daly City, Calif.
- 1077-C2-P-69—The Mountain States Telephone & Telegraph Co.; (KOA607); C.P. for an additional base channel on 152.60 MHz at location No. 1: 7.5 miles south of Phoenix, Ariz., and location No. 2: 12403 North 15th Avenue, Phoenix, Ariz., and add auxiliary test frequency 157.86 MHz.
- 1296-C2-P-69—Central Telephone Co. of Illinois; (KPF929); C.P. to replace transmitter operating on 152.78 MHz; change antenna system and add base frequency 152.69 MHz at its station 416 Margaret Street, Pekin, Ill.
- Applications for renewal of Developmental radio (Air-To-Ground) ground stations licenses expiring Sept. 10, 1968. Term: Sept. 10, 1968 to Sept. 10, 1969.
- New York Telephone Co.; KEC932.
- New York Telephone Co.; KED350.

533-C1-P-69—Pacific Power & Light Co.; (New); C.P. for a new fixed station to be located at 3.3 miles south-southwest of La Salle, Mont., to operate on frequencies 6271.3 and 6400.0 MHz toward KallsPELL, Mont., via passive reflector.

1064-C1-P-69—Pacific Power & Light Co.; (KPE25); C.P. to add 5989.6 and 6108.3 MHz toward La Salle, Mont., via passive reflector, at station located at 111 First Avenue East, KallsPELL, Mont.

1023-C1-P-69—Liberty Telephone & Communications, Inc.; (New); C.P. for a new fixed station to be located at Pleasant Ridge, approximately 2 miles south of Oxford, Ark., to operate on frequencies 6241.7 and 6360.3 MHz toward Salem, Ark.

1024-C1-P-69—Liberty Telephone & Communications, Inc.; (New); C.P. for a new fixed station to be located approximately 0.5 mile southwest of Hardy, Ark., to operate on frequencies 6301.0 and 6419.6 MHz toward Salem, Ark.

1025-C1-P-69—Liberty Telephone & Communications, Inc.; (New); C.P. for a new fixed station to be located approximately 0.5 mile north of Salem, Ark., to operate on frequencies 6049.0 and 6167.6 MHz toward Pleasant Ridge, Ark., and 5989.7 and 6108.3 MHz toward Hardy, Ark.

1030-C1-P-69—South Central Bell Telephone Co.; (KJA21); C.P. to add 3850 MHz toward Tallahassee, Ala., at station located at 1316 Adams Avenue, Houston Hills, Ala.

1031-C1-P-69—South Central Bell Telephone Co.; (KJG77); C.P. to add 3810 MHz toward Houston Hills and Tuskegee, Ala., at station located approximately 4.8 miles west of Tallahassee, Ala.

1032-C1-P-69—South Central Bell Telephone Co.; (KJG78); C.P. to add 3850 MHz toward Tallahassee and Opelika, Ala., at station located at 210 Northside Street, Tuskegee, Ala.

1033-C1-P-69—South Central Bell Telephone Co.; (KJG79); C.P. to add 3810 MHz toward Tuskegee, Ala., at station located at Cherry Avenue, Opelika, Ala.

American Telephone & Telegraph Co.; 43 C.P.'s to construct Type TD-2 and Type TD-3 channels in certain sections on a radio relay route between Houston, Tex., and Los Angeles, Calif., and Type TD-2 channels on a radio relay route between Adams and Amarillo Junction, Tex., via McCauley and Pylon, Tex., as follows:

1083-C1-P-69—American Telephone & Telegraph Co.; (KKN23); Add 3730 and 4130 MHz toward Katy, Tex. Station location: 1407 Jefferson Street, Houston, Tex.

1084-C1-P-69—American Telephone & Telegraph Co.; (KLC43); Add 3770 MHz toward Houston, Tex., and 3850 MHz toward Cat Spring, Tex. Station location: 2 miles north-northeast of Katy, Tex.

1085-C1-P-69—American Telephone & Telegraph Co.; (KLC42); Add 3970 MHz toward Katy, Tex., and 3810 MHz toward Welmar, Tex. Station location: 1.75 miles northwest of Cat Spring, Tex.

1086-C1-P-69—American Telephone & Telegraph Co.; (KCL40); Add 4010 MHz toward Cat Spring, Tex., and 3850 MHz toward Shiner, Tex. Station location: 1/2 mile south of Welmar, Tex.

1087-C1-P-69—American Telephone & Telegraph Co.; (KCL41); Add 3970 MHz toward Weimar, Tex., and 3810 MHz toward Seguin, Tex. Station location: 5 miles west-northwest of Shiner, Tex.

1088-C1-P-69—American Telephone & Telegraph Co.; (KKZ89); Add 4010 MHz toward Shiner, Tex., and 3770 and 4170 MHz toward Bulverde, Tex. Station location: 8 miles southeast of Seguin, Tex.

1089-C1-P-69—American Telephone & Telegraph Co.; (KKC92); Add 3810 and 4130 MHz toward Seguin, Tex., and 3890 MHz toward Beckmann, Tex. Station location: 2.5 miles southwest of Bulverde, Tex.

1090-C1-P-69—American Telephone & Telegraph Co.; (KYC85); Add 3930 MHz toward Bulverde and Riomedina, Tex. Station location: 1.5 miles south-southeast of Beckmann, Tex.

1091-C1-P-69—American Telephone & Telegraph Co.; (KYC86); Add 3890 MHz toward Beckmann and Camp Verde, Tex. Station location: 3 miles east of Riomedina, Tex.

1092-C1-P-69—American Telephone & Telegraph Co.; (KYC88); Add 3930 MHz toward Riomedina and Harper, Tex. Station location: 3 miles southeast of Camp Verde, Tex.

1093-C1-P-69—American Telephone & Telegraph Co.; (KYC89); Add 3890 MHz toward Segovia and Camp Verde, Tex. Station location: 5 miles southwest of Harper, Tex.

1094-C1-P-69—American Telephone & Telegraph Co.; (KYC90); Add 3930 MHz toward Cleo and Harper, Tex. Station location: 4.6 miles east of Segovia, Tex.

1095-C1-P-69—American Telephone & Telegraph Co.; (KYC91); Add 3890 MHz toward Eden and Segovia, Tex. Station location: 8.5 miles north of Cleo, Tex.

1096-C1-P-69—American Telephone & Telegraph Co.; (KYC92); Add 3930 MHz toward Cleo and Mereta, Tex. Station location: 15.8 miles west-southwest of Eden, Tex.

1097-C1-P-69—American Telephone & Telegraph Co.; (KYC93); Add 3890 MHz toward Eden and Bronte, Tex. Station location: 3.2 miles northwest of Mereta, Tex.

1098-C1-P-69—American Telephone & Telegraph Co.; (KYC94); Add 3930 MHz toward Mereta and Maryneal, Tex. Station location: 5.1 miles east-northeast of Bronte, Tex.

1099-C1-P-69—American Telephone & Telegraph Co.; (KYC95); Add 3890 MHz toward Bronte and Pylon, Tex. Station location: 3.4 miles west-northwest of Maryneal, Tex.

1100-C1-P-69—American Telephone & Telegraph Co.; (KITF91); Add 3890 MHz toward Maryneal, 4090 MHz toward McCauley and 3750 and 4150 MHz toward Dermott, Tex. Station location: Pylon, 5.2 miles northeast of Inadale, Tex.

1101-C1-P-69—American Telephone & Telegraph Co.; (KLS99); Add 3710, 3790, and 4110 MHz toward Pylon, Tex. Station location: 2.2 miles south of McCauley, Tex.

1102-C1-P-69—American Telephone & Telegraph Co.; (KITF90); Add 3710 and 4110 MHz toward Post, Tex. Station location: 10.1 miles northeast of Dermott, Tex.

1103-C1-P-69—American Telephone & Telegraph Co.; (KITF89); Add 3750 and 4150 MHz toward Slaton, Tex. Station location: 4.5 miles east of Post, Tex.

1104-C1-P-69—American Telephone & Telegraph Co.; (KITF88); Add 3710 and 4110 MHz toward Petersburg, Tex. Station location: 5.4 miles northeast of Slaton, Tex.

1105-C1-P-69—American Telephone & Telegraph Co.; (KITF87); Add 3750 and 4150 MHz toward Lockney, Tex. Station location: 2 miles south of Petersburg, Tex.

1106-C1-P-69—American Telephone & Telegraph Co.; (KLN83); Add 3710 and 4110 MHz toward Silverton, Tex. Station location: 4 miles north of Lockney, Tex.

1107-C1-P-69—American Telephone & Telegraph Co.; (KLN82); Add 3750 and 4150 MHz toward Wayside, Tex. Station location: 11 miles northwest of Silverton, Tex.

1108-C1-P-69—American Telephone & Telegraph Co.; (KLN81); Add 4030 MHz toward Amarillo Junction, Tex. Station location: 2 miles north-northwest of Wayside, Tex.

1109-C1-P-69—American Telephone & Telegraph Co.; (KLT25); Add 4030 MHz toward Odessa, Tex. Station location: 2 miles west of Notrees, Tex.

1110-C1-P-69—American Telephone & Telegraph Co.; (KLT26); Add 4070 MHz toward Notrees, Tex. Station location: 14 miles west of Wink, Tex.

1111-C1-P-69—American Telephone & Telegraph Co.; (KLT27); Add 4030 MHz toward Wink, Tex. Station location: 2.4 miles west of Orla, Tex.

1112-C1-P-69—American Telephone & Telegraph Co.; (KLT28); Add 4070 MHz toward Orla, Tex. Station location: Delaware Springs, 28.8 miles east-northeast of Pine Springs, Tex.

1113-C1-P-69—American Telephone & Telegraph Co.; (KLT29); Add 4030 MHz toward Delaware Springs, Tex. Station location: 3.7 miles south-southeast of Pine Springs, Tex.

1114-C1-P-69—American Telephone & Telegraph Co.; (KLT30); Add 4070 MHz toward Pine Springs, Tex. Station location: 18.4 miles west-southwest of Salt Flat, Tex.

1115-C1-P-69—American Telephone & Telegraph Co.; (KLT31); Add 4030 MHz toward Salt Flat, Tex. Station location: Rim Rock Mountain, 9.5 miles southwest of Cornudas, Tex.

1116-C1-P-69—American Telephone & Telegraph Co.; (KPV21); Add 3890 MHz toward Cavecreek, Ariz. Station location: Apache Junction, 7.5 miles northwest of Apache, Ariz.

1117-C1-P-69—American Telephone & Telegraph Co.; (KPW98); Add 3790 MHz toward Morristown, Ariz. Station location: 6.2 miles east of Cavecreek, Ariz.

1118-C1-P-69—American Telephone & Telegraph Co.; (KPW97); Add 3830 MHz toward Agula, Ariz. Station location: 11 miles northeast of Morristown, Ariz.

1119-C1-P-69—American Telephone & Telegraph Co.; (KPW96); Add 3790 MHz toward Salome, Ariz. Station location: 18 miles south-southeast of Agula, Ariz.

1120-C1-P-69—American Telephone & Telegraph Co.; (KPW95); Add 3830 MHz toward Quartzsite, Ariz. 17 miles south-southeast of Salome, Ariz.

1121-C1-P-69—American Telephone & Telegraph Co.; (KPW94); Add 3790 MHz toward Castle Dome Mountain, Ariz. Station location: 15.2 miles southeast of Quartzsite, Ariz.

1122-C1-P-69—American Telephone & Telegraph Co.; (KPW93); Add 3830 MHz toward Glamis, Calif. Station location: Castle Dome Mountain, 29 miles south of Quartzsite, Ariz.

1123-C1-P-69—American Telephone & Telegraph Co.; (KLN130); Add 3790 MHz toward Brawley, Calif. Station location: 14.8 miles east-northeast of Glamis, Calif.

## POINT TO POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

- 1124-C1-P-69—American Telephone & Telegraph Co.; (KNL29); Add 3830 MHz toward Salton, Calif. Station location: 1.4 miles west-southwest of Brawley, Calif.
- 1125-C1-P-69—American Telephone & Telegraph Co.; (KNL28); Add 3790 MHz toward Julian, Calif. Station location: Salton, 9.5 miles north-northeast of Ocotillo, Calif.
- 1078-C1-P-69—American Telephone & Telegraph Co.; (KTQ67); C.P. to add 3750 and 3830 MHz toward South Salem, N.Y. Station location: Putnam Valley, 3.9 miles east of Cold Spring, N.Y.
- 1079-C1-P-69—American Telephone & Telegraph Co.; (KYS87); C.P. to add 3710 and 3790 MHz toward Putnam Valley, N.Y., and 3710 and 3790 MHz toward Stamford, Conn.
- 1080-C1-P-69—American Telephone & Telegraph Co.; (KYS88); C.P. to add 3750 and 3830 MHz toward South Salem, N.Y. Station location: Intersection of Catoona and Mayno Lane, Stamford, Conn.
- 1081-C1-P-69—The Mountain States Telephone & Telegraph Co.; (KOV63); C.P. to add 11115 MHz toward Tempe, Ariz., and change the antenna system. Station location: 228 West Adams Street, Phoenix, Ariz.
- 1082-C1-P-69—The Mountain States Telephone & Telegraph Co.; (New); C.P. for a new fixed station to be located at the Mathematics Building, Arizona State University Campus, Tempe, Ariz., to operate on frequency 11565 MHz toward Phoenix, Ariz.
- 1127-C1-MP-69—American Telephone & Telegraph Co.; (KQE91); Modification of C.P. to change frequencies to 3730 and 3810 MHz toward Plymouth Junction, Mich. Station location: 4.5 miles southeast of Milford, Mich.
- 1128-C1-P-69—American Telephone & Telegraph Co.; (KEA23); C.P. to add 4130 MHz toward New Brunswick, N.J. Station location: 0.3 mile north of Martinsville, N.J.
- 1129-C1-P-69—American Telephone & Telegraph Co.; (KEM53); C.P. to add 4170 MHz toward Martinsville, N.J. Station location: 18 Paterson Street, New Brunswick, N.J.

## POINT TO POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

- 1019-C1-P-69—West Texas Microwave Co.; (KTR34); C.P. to add a new point of communication on frequencies 5960.0 and 6078.6 MHz toward Post, Tex., on azimuth 317°06'. (Informative: Applicant proposes to provide the TV signals of KTVT-TV and WFAA-TV of Dallas-Fort Worth, Tex., to Clearview Co. of Post in Post, Tex.)

## CORRECTION

- 993-C1-P-69—Microwave Service Co.; (KNK45); Change Informative to include: Applicant requests Special Temporary Authority (STA) to commence service to Desert Empire Broadcasting Co., Palm Springs, Calif. All other particulars same as reported in public notice dated Aug. 26, 1968, pages 10 and 11.
- 994-C1-P-69—American Television Relay, Inc.; (KNK67); Change Informative to include: Applicant requests Special Temporary Authority (STA) to commence service to Desert Empire Broadcasting Co., Palm Springs, Calif. All other particulars same as reported in public notice dated Aug. 26, 1968, pages 10 and 11.

[F.R. Doc. 68-10801; Filed, Sept. 5, 1968; 8:50 a.m.]

## FEDERAL MARITIME COMMISSION

### COLUMBUS LINE ET AL.

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Columbus Line, Brodin Line, and Jade Co., Inc.

Notice of agreement filed for approval by:

Mr. Sanford C. Miller, Haight, Gardner, Poor & Havens, 80 Broad Street, New York, N.Y. 10004.

Agreement No. 9633-1, between Rederiaktiebolaget Disa, Rederiaktiebolaget Poseidon and Jade Co., Inc., parties to the Brodin Line Joint Service, Hamburg Sudamerikanische Dampfschiffahrts-Gesellschaft (Columbus Line), and Jade Co., Inc., modifies the basic agreement which provides for the spacing of sailings and the establishment of rates by the parties in the trade between U.S. Great Lakes, Atlantic, and Gulf ports and ports in Argentina, Brazil, Paraguay, and Uruguay, by substituting the participation therein of Jade Co., Inc., operating under the trade name "Brodin Line" for the aforementioned joint service.

Dated: September 3, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 68-10818; Filed, Sept. 5, 1968; 8:52 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. G-6178, etc.]

### SUPERIOR OIL CO. ET AL.

#### Findings and Order

AUGUST 27, 1968.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, substituting respondent, redesignating proceeding, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sales from the Permian Basin area of Texas are authorized to be made at the applicable area base rates and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Elcor Chemical Corp., Applicant in Docket No. CI63-815, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to National Fuels Corp. FPC Gas Rate Schedule No. 1. Said rate schedule will be redesignated as that of Applicant, National Fuels Corp. has filed an increase in rate under said rate schedule which increase is suspended in Docket No. RI68-543. Therefore, Applicant will be substituted in lieu of National Fuels Corp. as respondent in said proceeding and the proceeding will be redesignated accordingly.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on August 21, 1968, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments, and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record:

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and, will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorizations granted hereinafter.

(2) The sales of natural gas hereinbefore described, as more fully described in the respective applications, amendments, and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales of natural gas by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-6178, G-11122, G-16218, G-18726, CI60-86, CI62-673, CI63-150, CI63-815, CI64-670, CI65-603, CI65-620, CI65-649, CI65-736, CI67-878, CI67-1647, and CI68-1026 should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity hereto-

fore issued to the respective Applicants relating to the abandonments herein-after permitted and approved should be terminated.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Elcor Chemical Corp. should be substituted in lieu of National Fuels Corp. as respondent in the proceeding pending in Docket No. RI68-543 and that said proceeding should be redesignated accordingly.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after July 1, 1967, is upon the condition that no increase in rate which would exceed the ceiling prescribed for the given area by paragraph (d) (3) of the Com-

mission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable date as indicated by footnote 6 in the attached tabulation.

(E) A certificate is issued herein in Docket No. CI67-175 authorizing Applicant to continue the service being rendered without prior Commission authorization by the predecessor.

(F) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The initial rates for sales authorized in Docket Nos. CI67-680, CI67-850, CI67-930, CI67-1006, CI67-1154, CI67-1459, CI67-1501, CI67-1856, CI69-9, and CI69-17 shall be the applicable base area rates prescribed in Opinion No. 468, as modified by Opinion No. 468-A, as adjusted for quality, or the contract rates, whichever are lower.

(b) If the quality of the gas delivered by Applicants in Docket Nos. CI67-680, CI67-850, CI67-930, CI67-1006, CI67-1154, CI67-1459, CI67-1501, CI67-1856, CI69-9, and CI69-17 deviates at any time from the quality standards set forth in Opinion No. 468, as modified by Opinion No. 468-A, so as to require a downward adjustment of the existing rate, a notice of change in rate shall be filed pursuant to the provisions of section 4 of the Natural Gas Act: *Provided, however,* That adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of changes in rate.

(c) Within 90 days from the date of initial delivery Applicants in Docket Nos. CI67-680, CI67-850, CI67-930, CI67-1006, CI67-1154, CI67-1459, CI67-1501, and CI67-1856 shall file rate schedule quality statements in the form prescribed in Opinion No. 468-A. Applicant in Docket No. CI69-9 shall file a rate schedule quality statement within 90 days from the date of this order and Applicant in Docket No. CI69-17 shall file a rate schedule quality statement within 45 days from the date of this order.

(d) Applicant in Docket No. CI67-680 shall file an FPC gas rate schedule as required by the regulations under the Natural Gas Act prior to the commencement of service.

(e) The initial rate for sales authorized in Docket Nos. CI64-670, CI67-1647, CI68-1059, and CI68-1060 shall be 15 cents per Mcf at 14.65 p.s.i.a., including tax reimbursement, subject to B.t.u. adjustment; however,

(f) In the event that the Commission amends its policy statement No. 61-1, by adjusting the boundary between the Panhandle area and the Oklahoma "Other" area so as to increase the initial wellhead price for new gas in the areas involved herein, Applicants in Docket Nos. CI67-1647, CI68-1059, and CI68-1060 thereupon may substitute the new rates reflecting the amounts of such increases, and thereafter collect such new rates prospectively in lieu of the initial rate herein required.

(g) The initial rate for sales authorized in Docket Nos. CI67-878 and CI68-912 shall be 17 cents per Mcf at 14.65 p.s.i.a., subject to B.t.u. adjustment.

## NOTICES

(h) The certificates issued herein in Dockets Nos. CI67-878, CI68-912, CI68-1059, and CI68-1060 are conditioned upon any determination which may be made in the proceeding pending in Docket No. R-338 with respect to the transportation of liquefiable hydrocarbons.

(i) Applicant in Docket No. CI68-1408 shall not require buyer to take-or-pay for an annual quantity of gas well gas which is in excess of an average of 1,000 Mcf per day for each 7,300,000 Mcf of determined gas well gas reserves, or the specified contract quantity, whichever is the lesser amount. This condition shall remain in effect pending further Commission order in the subject docket or in other matters relating to the buyer's take-or-pay obligation under the subject contract.

(G) The certificates heretofore issued in Docket Nos. G-6178, G-16218, G-18726, CI62-673, CI63-150, CI64-670, CI65-603, CI65-736, CI67-878, and CI67-1647 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations pursuant to the rate schedule supplements as indicated in the tabulation herein.

(H) The authorization granted in Docket No. G-6178 in paragraph (G) above shall not be construed to relieve Applicant of refund obligation which may be ordered in the related rate suspension proceeding pending in Docket No. G-17294 insofar as it pertains to the acreage being released.

(I) The certificates heretofore issued in Docket Nos. G-11122, CI65-620, CI65-649, and CI68-1026 are amended by deleting therefrom authorization to sell natural gas from acreage assigned to Applicants in Docket Nos. CI68-1234, CI69-11, CI68-1433, and CI69-9, respectively.

(J) The certificates heretofore issued in Docket Nos. CI60-86 and CI63-815 are amended by substituting the respective successors in interest as certificate holders as indicated in the tabulation herein.

(K) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the respective applications and in the tabulation herein are granted.

(L) The certificates heretofore issued in Docket Nos. CI61-907 and CI64-819 are terminated.

(M) Elcor Chemical Corp. is substituted in lieu of National Fuels Corp. as respondent in the proceeding pending in Docket No. RI68-543 and said proceeding is redesignated accordingly.<sup>1</sup>

(N) The respective related rate schedules and supplements as indicated in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are redesignated and accepted, subject to the applicable Commission regulations under the Natural Gas Act to be effective on the dates as indicated in the tabulation herein.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

<sup>1</sup> Elcor Chemical Corp.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	
			Description and date of document	No. Supp.
G-6178 D 6-17-68	The Superior Oil Co. (partial abandonment)	Colorado Interstate Gas Co., Greenwood Field, Morton County, Kans.	Notice of partial cancellation (undated). <sup>1,2</sup>	25 15
G-16218 D 6-19-68	Gulf Oil Corp. (Operator) et al.	Transwestern Pipeline Co., acreage in Harper County, Okla.	Letter agreement 5-20-68. <sup>3,4</sup>	196 46
G-18726 D 6-21-68	Mobil Oil Corp. (Operator) et al.	Transwestern Pipeline Co., acreage in Ellis County, Okla.	Notice of partial cancellation 6-19-68. <sup>5,6</sup>	232 16
CI60-86 E 6-26-68	Harry W. Brennan, Jr. (successor to Alton Coats (Operator) et al.	United Gas Pipe Line Co., Bethany Field, Harrison County, Tex.	Alton Coats (Operator), et al., FPC GRS No. 2. Supplement Nos. 1-4. Notice of succession (undated). Assignment 6-1-68. Effective date: 6-1-68.	3 3 1-4
CI62-673 C 6-26-68 D 6-26-68	Skylark Gas Co.	Equitable Gas Co., Elk District, Harrison County, W. Va.	Letter agreement 6-5-68. <sup>7,8</sup>	1 10
CI63-150 D 7-1-68	Sunray DX Oil Co.	Northern Natural Gas Co., acreage in Beaver County, Okla.	Notice of partial cancellation (undated). <sup>1,2</sup>	224 7
CI63-815 E 6-24-68	Elcor Chemical Corp. (successor to National Fuels Corp.).	Lone Star Gas Co., acreage in Marshall and Bryan Counties, Okla.	National Fuels Corp., FPC GRS No. 1. Supplement Nos. 1-10. Notice of succession 6-21-68. Merger agreement 4-30-68. Effective date: 4-30-68.	1 1 1-10
CI64-670 C 5-13-68 <sup>9,10</sup>	Marathon Oil Co.	Arkansas Louisiana Gas Co., Wilburton Field, Haskell, Latimer, Le Flore, and Pittsburg Counties, Okla.	Amendment 3-4-68. <sup>11,12</sup>	88 6
CI65-603 D 6-12-67	Marathon Oil Co. (Operator) et al.	Natural Gas Pipeline Company of America, Indian Basin Area, Eddy County, N. Mex.	Assignment 5-23-66. <sup>13,14</sup>	95 11
CI65-736 D 6-17-68	The Superior Oil Co. (partial abandonment)	Colorado Interstate Gas Co., Sparks Field, Stanton County, Kans.	Notice of partial cancellation (undated). <sup>1,2</sup>	113 8
CI67-175 A 8-10-66 <sup>15,16</sup>	George Hix et al.	Carnegie Natural Gas Co., Liberty District, Marshall County, W. Va.	Contract 7-11-50. <sup>17</sup> Letter agreement 1-5-54. Assignment 7-17-57. Effective date: 7-17-57.	1 1 1 1 21
CI67-680 A 11-21-66	Sinclair Oil & Gas Co. <sup>18</sup>	Transwestern Pipeline Co., Halley Field, Winkler County, Tex.	Contract 9-22-66. <sup>19</sup> Letter agreement 5-13-68. <sup>17</sup>	(10) 493
CI67-850 A 1-12-67 7-17-68 <sup>18</sup>	Pan American Petroleum Corp. <sup>19</sup>	do.	Contract 11-8-66. Letter agreement 5-13-68. <sup>17</sup>	493 1
CI67-878 C 5-3-68 <sup>18</sup>	Mobil Oil Corp. (Operator) et al.	Panhandle Eastern Pipe Line Co., Bishop et al. Field, Ellis County, Okla.	Amendatory agreement 4-8-68. <sup>20</sup>	392 6
CI67-930 A 1-26-67 6-28-68 <sup>18</sup>	Cities Service Oil Co. <sup>19</sup>	Transwestern Pipeline Co., Halley Field, Winkler County, Tex.	Contract 12-14-66. Letter agreement 5-13-68. <sup>17</sup>	218 218 1
CI67-1006 A 2-9-67	Getty Oil Co. <sup>19</sup>	do.	Contract 12-2-66 <sup>1</sup>	148
CI67-1154 A 2-23-67	Gulf Oil Corp. <sup>19</sup>	do.	Contract 1-9-67 <sup>2</sup>	387
CI67-1459 A 4-17-67	Marathon Oil Co. <sup>21</sup>	do.	Contract 3-31-67 <sup>2</sup>	101
CI67-1501 A 4-25-67 7-18-68 <sup>18</sup>	Shell Oil Co. <sup>21</sup>	do.	Contract 2-2-67. Letter agreement 5-13-68. <sup>17</sup>	344 344 1
CI67-1647 C 6-27-68 <sup>6,22</sup>	Cleary Petroleum, Inc.	Panhandle Eastern Pipe Line Co., North Hope-ton Field, Woods County, Okla.	Amendment 6-7-68.	25 4
CI67-1856 A 6-30-67	Sunray DX Oil Co. <sup>21</sup>	Transwestern Pipeline Co., Halley Field, Winkler County, Tex.	Contract 4-24-67. Letter agreement 5-13-68. <sup>17</sup>	262 262 1
CI68-912 A 1-25-68 <sup>6</sup>	Texaco, Inc. <sup>22</sup>	Natural Gas Pipeline Company of America, West Lorena Field, Texas County, Okla.	Contract 12-1-67. Amendment 4-30-68. Amendment 7-10-68. <sup>23,24</sup>	411 411 1 411 2
CI68-1059 A 2-28-68 <sup>6</sup>	Foster Petroleum Corp.	Panhandle Eastern Pipe Line Co., South Peek Field, Roger Mills County, Okla.	Contract 1-24-68. Contract 2-10-67. Compliance 7-1-68. <sup>25</sup>	20 20 1 20 2
CI68-1060 A 2-28-68 <sup>6</sup>	do.	do.	Contract 1-24-68. Contract 2-10-67. Compliance 7-1-68. <sup>25</sup>	19 19 1 19 2
CI68-1234 (G-11122) F 4-8-68 7-16-68 <sup>26</sup>	Mesa Petroleum Co. (Operator), et al., (successor to Sunray DX Oil Co.).	Colorado Interstate Gas Co., Laverne Field, Harper County, Okla.	Contract 8-7-56. <sup>27</sup> Amendment 3-8-57. Amendment 5-31-57. Amendment 3-13-63. Partial assignment 7-28-67. <sup>28</sup> Effective date: 7-28-67.	35 35 1 35 2 35 3 35 4
CI68-1408 A 6-17-68 <sup>6,29</sup>	Union Producing Co.	Transcontinental Gas Pipe Line Corp., South-east Greenbranch Field, McMullen County, Tex.	Contract 5-28-68. <sup>30</sup>	267
CI68-1414 A 6-17-68 <sup>6</sup>	D. R. Lanck Oil Co., Inc.	Northern Natural Gas Co., acreage in Pawnee County, Kans.	Contract 3-29-68. <sup>31</sup> Letter agreement 4-10-68. <sup>32</sup>	6 6 1

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.  
F—Partial succession.

See footnotes at end of table.

15 Amends application to show the May 15, 1968, letter assessment as part of the Exhibit C167-1000, and C167-1184, respectively. Applicants agreed to accept permanent certificates containing conditions similar to those imposed by Opinion Nos. 468 and 468-A.

16 Applicants agreed to accept permanent authorization conditioned to the outcome of the proceedings in Docket No. R-338.

17 By letters filed July 14, 1967, May 23, 1967, and Aug. 28, 1967, in Docket Nos. C167-1459, C167-1501, and C167-1856, respectively, Applicants agreed to accept permanent certificates containing conditions similar to those imposed by Opinion Nos. 468 and 468-A.

18 Contract price is 17 cents; however, Applicant in its application stated willingness to accept permanent authorization at 15 cents.

19 Contract price is 18 cents; however, Applicant has agreed to accept a permanent certificate conditioned to an initial price of 17 cents subject to B.t.u. adjustment and subject to the outcome of the proceedings in Docket No. R-338.

20 Cancels amendment of Apr. 30, 1968.

21 Complies with temporary certificate issued June 24, 1968; Applicant agreed to accept a permanent certificate at the price of 15 cents subject to B.t.u. adjustment and subject to the outcome of the proceedings in Docket No. R-338.

22 Amends pending application to provide for initial price of 15 cents and to cover 40 acres of the NW 1/4 of sec. 11, T. 25 N., R. 25 W., Harper County, Okla., only. Acreage was erroneously dedicated to Michigan Wisconsin Pipe Line Co.; Mesa has filed in Docket No. C168-519 to release the acreage from Michigan Wisconsin Pipe Line Co.; Mesa has filed in Docket No. C168-519 to release the acreage from Michigan Wisconsin Pipe Line Co.; on file as Sunray DX Oil Co. FPC GR No. 158.

23 Conveys acreage from Sunray DX Oil Co. to Mess. Petroleum Co. (Operator) et al.

24 By letter dated July 1, 1968, Union agreed to accept a permanent certificate limiting buyer's take-or-pay obligation to a lesser of 2,000 Mcf per day or quantity equal to 1 to 7,800 reserve volumes per day.

25 I. Address committee as to applicants shallower than the base of the existing oil system.

26 I. Address committee as to applicants shallower than the base of the existing oil system.

27 Applicant and addressee agree to release the property to be conveyed.

28 Applicant and addressee agree to release the property to be conveyed.

29 Applicant and addressee agree to release the property to be conveyed.

30 Applicant and addressee agree to release the property to be conveyed.

31 Applicant and addressee agree to release the property to be conveyed.

32 Applicant and addressee agree to release the property to be conveyed.

33 Applicant and addressee agree to release the property to be conveyed.

34 Applicant and addressee agree to release the property to be conveyed.

35 Applicant and addressee agree to release the property to be conveyed.

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37 Applicant and addressee agree to release the property to be conveyed.

38 Applicant and addressee agree to release the property to be conveyed.

39 Applicant and addressee agree to release the property to be conveyed.

40 Applicant and addressee agree to release the property to be conveyed.

41 Applicant and addressee agree to release the property to be conveyed.

42 Applicant and addressee agree to release the property to be conveyed.

43 Applicant and addressee agree to release the property to be conveyed.

44 Applicant and addressee agree to release the property to be conveyed.

45 Applicant and addressee agree to release the property to be conveyed.

46 Applicant and addressee agree to release the property to be conveyed.

Under an agreement between the Applicant and the District, dated July 1, 1968, the Applicant will purchase the distribution facilities of the District and will thereafter receive from the District at the Gila Substation of the Bureau of Reclamation electric power which the District will acquire from others and will wheel such power to irrigation pumping customers of the District within the District's boundaries. The monetary consideration to the District consists of \$250,000 for the distribution system, \$46,000 for the District's material and supply inventory, plus an annual payment of 2 percent of gross revenues from residential and commercial customers within the District's boundaries. The facilities to be acquired by the Applicant from the District consists of all the operating electric facilities of the District and includes 33 circuit miles of

Arizona Public Service Co. (Applicant) filed an application seeking an order pursuant to section 203 of the Federal Power Act authorizing the purchase of certain electric facilities of Yuma Irrigation District (District). Applicant is incorporated under the laws of the State of Arizona with its principal business office at Phoenix, Ariz., and is engaged in the electric utility business in 10 counties in the State of Arizona. The District owns and operates an electrical distribution system located near Yuma, Ariz., in Yuma County.

Take notice that on August 27, 1968, Arizona Public Service Co. (Applicant) filed an application seeking an order pursuant to section 203 of the Federal Power Act authorizing the purchase of certain electric facilities of Yuma Irrigation District (District). Applicant is incorporated under the laws of the State of Arizona with its principal business office at Phoenix, Ariz., and is engaged in the electric utility business in 10 counties in the State of Arizona. The District owns and operates an electrical distribution system located near Yuma, Ariz., in Yuma County.

**ARIZONA PUBLIC SERVICE CO.**  
**Notice of Application**

AUGUST 28, 1968.

Take notice that on August 27, 1968, Arizona Public Service Co. (Applicant) filed an application seeking an order pursuant to section 203 of the Federal Power Act authorizing the purchase of certain electric facilities of Yuma Irrigation District (District). Applicant is incorporated under the laws of the State of Arizona with its principal business office at Phoenix, Ariz., and is engaged in the electric utility business in 10 counties in the State of Arizona. The District owns and operates an electrical distribution system located near Yuma, Ariz., in Yuma County.

Under an agreement between the Applicant and the District, dated July 1, 1968, the Applicant will purchase the distribution facilities of the District and will thereafter receive from the District at the Gila Substation of the Bureau of Reclamation electric power which the District will acquire from others and will wheel such power to irrigation pumping customers of the District within the District's boundaries. The monetary consideration to the District consists of \$250,000 for the distribution system, \$46,000 for the District's material and supply inventory, plus an annual payment of 2 percent of gross revenues from residential and commercial customers within the District's boundaries. The facilities to be acquired by the Applicant from the District consists of all the operating electric facilities of the District and includes 33 circuit miles of

[F.R. Doc. 68-10654; Filed, Sept. 5, 1968; 8:45 a.m.]

[Docket No. E-7439]

FEDERAL REGISTER, VOL. 33, NO. 174—FRIDAY, SEPTEMBER 6, 1968

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted	Description and date of document	No.	Supp.
C168-1415 A 6-15-68	Myron A. Smith et al.	Arkansas Louisiana Gas Co., Mansfield Field, Scott County, Ark.	1	Contract 3-27-68 81	1	
C168-1433 (C165-646) F 6-14-68 7-9-68	Pan American Petroleum Corp. (successor to Ralph Lowe et al.)	Natural Gas Pipeline Company of America, Indian Basin Field, Eddy County, N. Mex.	513 513 513 513	Contract 9-10-64 84 Amendment 8-25-65 Quality statement 4-18-66 Conveyance 6-5-68 83 Conveyance 6-15-68 83	1 2 3 4	
C168-1435 A 6-24-68	Diamond Shamrock Corp.	Arkansas Louisiana Gas Co., acreage in Pilsburg County, Okla.	51	Contract 1-22-68 8		
C168-1439 A 6-27-68	John H. Hill (Operator) et al.	Northern Natural Gas Co., Moccasin Field, Beaver County, Okla.	7	Contract 4-29-68		
C168-1441 (C164-810) B 6-26-68	J. M. Huber Corp.	Natural Gas Pipeline Company of America, Carrick Field, Beaver County, Okla.	61	Notice of cancellation 6-24-68 12		
C168-1450 A 6-28-68	Fennozil United, Inc.	United Fuel Gas Co., Union and Peca Districts, Kanawha County, W. Va.	20	Contract 3-4-68 87		
C169-1 (C161-407) B 7-1-68	Petroleum, Inc.	Kansas-Nebraska Natural Gas Co., Inc., acreage in Seward County, Kans.	24	Notice of cancellation 6-26-68, 12		
C169-2 A 7-1-68	Diamond Shamrock Corp.	Colorado Interstate Gas Co., Wamsutter Field, Sweetwater County, Wyo.	53	Contract 5-23-68 8		
C169-5 A 7-1-68	Sunray DX Oil Co.	Northern Natural Gas Co., Orth Field, Rice County, Kans.	237	Contract 5-10-68 8		
C169-6 A 7-1-68	Sunray DX Oil Co.	Colorado Interstate Gas Co., Moccasin Field, Beaver County, Okla.	238	Contract 5-24-68 8		
C169-9 (C168-1026) F 6-27-68	Tom Brown Drilling Co., Inc. (Operator) et al. (successor to Shell Oil Co.)	Northern Natural Gas Co., Ozona Northeast Field, Crockett and Scheiicher Counties, Tex.	2 2	Contract 1-30-68 88 Assignment 3-12-68 89 Effective date: 3-12-68 Assignment 6-7-68 40 Effective date: 6-7-68	1 2	
C169-11 (C166-620) F 6-24-68	Micoa, Inc. (successor to Hydrocarbon Chemical, Inc.)	Cumberland and Allegheny Gas Co., Washington District, Upsur County, W. Va.	5 5 5 5	Contract 12-19-60 4 Court order 7-12-67 4 Assignment 11-22-67 4 Assignment 1-18-68 4 Effective date: 1-18-68	1 1 2 3	
C169-17 (C166-40) F 7-1-68	Pan American Petroleum Corp. (successor to Thornton Oil Co.)	Northern Natural Gas Co., Ozona (Champion Sand) Field, Crockett County, Tex.	512 512	Contract 8-27-68 4 Assignment 2-27-68 4 Effective date: 2-21-67	1 1	

1 Source of gas depleted.  
2 Effective date: Date of this order.  
3 Rate of 16 cents effective subject to refund in Docket No. G-17294.  
4 Deletes certain unproductive acreage; buyer indicates that there are no recoverable reserves attributable to the subject acreage.  
5 May 7, 1968, agreement deletes 160 acre tract. Buyer states that it is not economically feasible to connect well. Estimating cost of \$423,400 for only 200,000 Mcf of reserves or \$2.12 per Mcf of reserves.  
6 Jan. 1, 1970, moratorium pursuant to the Commission's Statement of General Policy No. 61-1, as amended.  
7 Adds acreage and adds deletes one expired lease.  
8 Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).  
9 Application amended on June 24, 1968, to reflect a total initial price of 15 cents in lieu of 15.015 cents, revised billing statement also submitted.  
10 Adds Forsgren Brothers No. 1 Well, section 16-10N-27E, Le Flore County, Okla.  
11 Deletes acreage assigned to Emmett D. White (nonproductive acreage).  
12 Sale being rendered on June 7, 1954, by predecessor, and since July 17, 1957, without prior Commission authorization.  
13 Between Ralph Snyder and Carnegie Natural Gas Co.  
14 From Ralph Snyder to George Hix et al.  
15 Applicant stated in its application willingness to accept a permanent certificate containing conditions similar to those imposed by Opinion Nos. 468 and 468-A.  
16 No related rat filing, contract and May 13, 1968, letter agreement included as Exhibit to the application.  
17 Gives seller the option of changing the delivery point from the plant railgate to the wellhead in the event buyer purchases the gathering system.

34.5 kv distribution lines extending from the Bureau's Gila Substation to a junction with the District's main line and thence extending both easterly and westerly from said junction, together with all 34.5 kv taps and laterals therefrom.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 18, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 68-10738; Filed, Sept. 5, 1968;  
8:45 a.m.]

[Docket No. G-1972]

### CONSOLIDATED GAS SUPPLY CORP.

#### Notice of Petition To Amend

AUGUST 28, 1968.

Take notice that on August 20, 1968, Consolidated Gas Supply Corp., successor to New York Natural Gas Corp. (Petitioner), 445 West Main Street, Clarksburg, W. Va. 26301, filed in Docket No. G-1972 a petition to amend the order of the Commission issued in said docket July 10, 1953, as amended September 7, 1954, which order authorized Petitioner to construct and operate a sales metering station and interconnection, known as the DeRuyter Connection, to provide for the sale and delivery of natural gas by Petitioner to New York State Electric & Gas Corp. (New York Electric), under certain prescribed volumetric limitations, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said order by requesting that the volumetric limitations heretofore requested and contained in this docket be removed.

The petition states that by 1962, the increased volumetric limitations contained in the 1954 amendment had become obsolete. Further, Petitioner states that on April 6, 1962, it entered into a new service agreement with New York Electric containing no limitations as to fixed maximum volumes of gas to be sold and delivered, which agreement superseded and combined all of the existing service agreements between the parties. Petitioner states that a fixed volumetric limitation upon deliveries to be made by it at one of 20 delivery points to one of its 13 requirements customers serves no purpose at the present time.

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 September 25, 1968.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 68-10739; Filed, Sept. 5, 1968;  
8:45 a.m.]

[Docket No. E-7160]

### DEPARTMENT OF THE INTERIOR SOUTHEASTERN POWER ADMINISTRATION

#### Notice of Application

AUGUST 28, 1968.

Notice is hereby given that the Secretary of the Interior, on behalf of the Southeastern Power Administration (SEPA), pursuant to the provisions of section 5 of the Flood Control Act of 1944 (58 Stat. 877), has filed with the Federal Power Commission a request for confirmation and approval of Wholesale Power Rate Schedules SC-1 (Revised) and SC-2 applicable to power and energy generated at the Federal Clark Hill project on the Savannah River in Georgia and South Carolina.

Wholesale Power Rate Schedule SC-1 (Revised) supersedes presently approved Wholesale Power Rate Schedule SC-1, and is available to the South Carolina Public Service Authority (Customer).

Electric capacity and energy supplied under this rate schedule will be a three-phase alternating current at a nominal frequency of 60 cycles per second and will be delivered at a normal voltage of 115,000 volts at the 115 kv bus of the Clark Hill powerplant.

The monthly rates provided in Rate Schedule SC-1 (Revised) are as follows:

**Demand charge.** \$0.90 per kilowatt per billing month for dependable capacity made available to the Customer for its own use.

\$0.25 per kilowatt per billing month for standby capacity made available, plus \$0.03 per kilowatt per calendar day (or fraction thereof) for such capacity as the Customer actually utilizes.

**Energy charge.** 2.65 mills per kilowatt-hour for energy declared for the peak period hours and for energy made available to meet streamflow requirements.

2 mills per kilowatt-hour for dump energy.

**Energy sold to the Customer.** The Customer shall purchase and pay for all dump energy made available by the Government and accepted by the Customer and for all energy, exclusive of dump energy, declared and made available from Clark Hill to Customer's system over and above such energy as is made available to other preference customers of the Government. The rate for all energy exclusive of dump energy is 2.65 mills per kilowatt-hour.

The charge for condenser operation will be \$5 per hour for each generating unit.

Proposed Wholesale Power Rate Schedule SC-2 contains the same rates and provisions as similar rate schedules now approved by the Commission. This rate schedule is available to preference customers receiving power and energy over the facilities of South Carolina Public Service Authority. The demand charge for capacity is \$0.90 per kilowatt-month of total contract demand; the energy charge is 3.25 mills per kilowatt-hour. Up to a total amount annually of 4,500 hours per kilowatt of contract demand will be provided under this rate schedule.

The above rate schedules are on file with the Commission for public inspection. Any person desiring to make comments or suggestions for the Commission's consideration with respect to the proposed rates should submit the same in writing on or before September 16, 1968, to the Federal Power Commission, Washington, D.C. 20426.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 68-10744; Filed, Sept. 5, 1968;  
8:45 a.m.]

[Docket No. E-7438]

### GULF STATES UTILITIES CO.

#### Notice of Application

AUGUST 28, 1968.

Take notice that on August 26, 1968, Gulf States Utilities Co. (Applicant), filed an application seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance of \$40 million principal amount of first mortgage bonds.

Applicant is incorporated under the laws of the State of Texas with its principal business office at Beaumont, Tex., and is engaged in the electric utility business in portions of the States of Louisiana and Texas.

The Applicant proposes to sell the new bonds at competitive bidding in accordance with the Commission's regulations under the Federal Power Act. The Applicant proposes to invite bids on or about October 1, 1968, for the purchase of the new bonds.

The proceeds from the sale of the new bonds will be used to pay in full all of the Applicant's short-term notes with commercial banks and unsecured promissory notes in the form of commercial paper, authorized by the Commission in its orders issued December 9, 1966, November 3, 1967 (Docket No. E-7315). It is expected that bank loans and commercial paper outstanding as of the date of issuance of the new bonds will total \$35,500,000. The balance will be used for the continuation of the Applicant's 1968, 1969 construction program. Among the principal items in this program are \$48.6 million for construction work on a 580 mw generating unit at the Nelson Station, Westlake, La.; \$27.7 million for construction work on a 580 mw generating unit at the Willow Glen station near Saint Gabriel, La.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 16, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,  
Secretary.

[P.R. Doc. 68-10740; Filed, Sept. 5, 1968;  
8:45 a.m.]

[Docket No. CP67-52]

**MISSISSIPPI RIVER TRANSMISSION CORP.****Notice of Petition To Amend**

AUGUST 29, 1968.

Take notice that on August 23, 1968, Mississippi River Transmission Corp. (Petitioner), 9900 Clayton Road, St. Louis, Mo. 63124, filed in Docket No. CP67-52, a petition to amend the order of the Commission issued in said docket on December 16, 1966, as amended November 15, 1967, which order authorized Petitioner to render priority interruptible service to its resale customers for the period ending October 31, 1968, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said order by requesting authorization to allow this service to be continued for the period November 1, 1968, through October 31, 1969.

Petitioner states that certain of its resale customers have requested that priority interruptible service, under its Rate Schedule PI-1, be continued so as to be available in the forthcoming 1968-69 heating season. Petitioner further states that deliveries of gas under this rate schedule ease the burden upon customer-owned underground gas storage facilities, permit more effective utilization of such storage and reduce customer use of propane and other more costly peak shaving supplies.

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 September 26, 1968.

GORDON M. GRANT,  
*Secretary.*[F.R. Doc. 68-10741; Filed, Sept. 5, 1968;  
8:45 a.m.]

[Docket No. CP69-40]

**OSAGE NATURAL GAS CO. AND TEXAS EASTERN TRANSMISSION CORP.****Notice of Application**

AUGUST 29, 1968.

Take notice that on August 23, 1968, Osage Natural Gas Co. (Applicant), 510 East Monroe, Springfield, Ill. 62701, filed in Docket No. CP69-40, an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Texas Eastern Transmission Corp. (Respondent), to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant, and to sell and deliver to Applicant the volumes of natural gas estimated to be required for sale and distribution in the community of Quin, Mo., and environs, all as more fully set forth in the application which

is on file with the Commission and open to public inspection.

Applicant proposes to construct a distribution system in Quin, approximately 4.2 miles of 2-inch lateral transmission line, tap lines to outlying consumers, and the necessary odorizing and regulating facilities. It is proposed to receive deliveries of the gas for the city at a point on Respondent's main transmission line in Missouri approximately 4.2 miles southeast of Quin.

The estimated third year peak day and annual requirements of Applicant are 390 Mcf and 36,500 Mcf, respectively.

Total estimated cost of the proposed construction is \$130,000, which cost will be financed by a loan of \$78,000 and cash of \$52,000.

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 September 26, 1968.

GORDON M. GRANT,  
*Secretary.*[F.R. Doc. 68-10742; Filed, Sept. 5, 1968;  
8:45 a.m.]

[Docket No. CP69-39]

**TRANSCONTINENTAL GAS PIPE LINE CORP.****Notice of Application**

AUGUST 29, 1968.

Take notice that on August 23, 1968, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-39, and application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction, installation, and operation of a sales meter station and appurtenant equipment in Campbell County, Va., to be utilized as an additional point of delivery for natural gas service to Virginia Pipe Line Co. (Virginia Pipe), an existing resale customer, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to construct and operate a meter station to be located at milepost 1,440.03 on Applicant's 30-inch Main Lines "A" and "B" near Gladys, Va. Applicant states that Virginia Pipe has requested the new delivery point in order that natural gas service can be provided to the community of Brookneal, Campbell County, Va. Further, Applicant states that the volumes of gas purchased by Virginia Pipe at this delivery point will initially be out of allocations previously authorized by the Commission.

Total estimated cost of the proposed facilities is \$25,500, which cost will be initially financed by Applicant and subsequently reimbursed by Virginia Pipe.

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 September 26, 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. 68-10743; Filed, Sept. 5, 1968;  
8:45 a.m.]**FEDERAL RESERVE SYSTEM**

B.N.Y. CO., INC.

**Notice of Application for Approval of Acquisition of Shares of Banks**

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by The B.N.Y. Co., Inc., New York, N.Y., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 100 percent of the voting shares of each of the following banks: The Bank of New York, New York, N.Y.; The County Trust Co., White Plains, N.Y.; Mechanics and Farmers Bank of Albany, Albany, N.Y.; Endicott Bank of New York, Endicott, N.Y. (to be the successor to the Endicott National Bank, Endicott, N.Y.); The Exchange Bank of Olean, Olean, N.Y. (to be the successor to The Exchange National Bank of Olean, Olean, N.Y.); Metropolitan Bank of Syracuse, Syracuse, N.Y. (to be the successor to Metropolitan National Bank of Syracuse, Syracuse, N.Y.); and Niagara Frontier Bank of New York, Buffalo, N.Y. (a proposed new bank).

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any

other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of New York.

Dated at Washington, D.C., this 29th day of August 1968.

By order of the Board of Governors.

[SEAL] ELIZABETH L. CARMICHAEL,  
Assistant Secretary.

[F.R. Doc. 68-10746; Filed, Sept. 5, 1968;  
8:45 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4672]

### CAMEO-PARKWAY RECORDS, INC.

#### Order Suspending Trading

AUGUST 30, 1968.

The common stock, 10-cent par value of Cameo-Parkway Records, Inc., Philadelphia, Pa., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Cameo-Parkway Records, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock

Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 31, 1968, through September 9, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 68-10767; Filed, Sept. 5, 1968;  
8:47 a.m.]

[File No. 1-2250]

### COMSTOCK-KEYSTONE MINING CO.

#### Order Suspending Trading

AUGUST 30, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Comstock-Keystone Mining Co., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 31, 1968, through September 9, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 68-10768; Filed, Sept. 5, 1968;  
8:47 a.m.]

### GOLDEN AGE MINES, LTD.

#### Order Suspending Trading

AUGUST 30, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Golden Age Mines, Ltd., 250 University Avenue, Toronto, Canada, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period September 3, 1968, through September 12, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 68-10769; Filed, Sept. 5, 1968;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 1215]

### MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FOR- WARDER APPLICATIONS

AUGUST 30, 1968.

The following applications are governed by Special Rule 1.247<sup>1</sup> of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon the applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247(d) (4) of the special rules, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or

<sup>1</sup> Copies of Special Rule 1.247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 2229 (Sub-No. 146), filed August 19, 1968. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Boulevard, Post Office Box 47407, Dallas, Tex. 75247. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, in bulk, household goods as defined by the Commission, and commodities requiring special equipment, between Fort Smith, Ark., and Shreveport, La., as an alternate route for operating convenience only, from Fort Smith, Ark., over U.S. Highway 71 to Shreveport, La., and return over the same route, serving no intermediate points, but serving Texarkana, Tex., for purpose of joinder only in connection with carrier's authorized regular route operations. Restriction: The alternate route sought herein to be restricted against use in transporting shipments between Fort Smith, Ark., and Dallas and Fort Worth, Tex. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 2368 (Sub-No. 14) (Amendment), filed March 28, 1968, published FEDERAL REGISTER issue of April 11, 1968, and republished as amended this issue. Applicant: BRALLEY-WILLET TANK LINES, INC., 200 Stockton Street, Post Office Box 495, Richmond, Va. 23204. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, and synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2900 (Sub-No. 162), filed August 12, 1968. Applicant: RYDER

TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned foodstuffs*, from St. Francisville and New Belledeau, La., to points in Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Rhode Island, Connecticut, Massachusetts, Tennessee, Kentucky, West Virginia, Ohio, Indiana, Michigan, Illinois, Wisconsin, Missouri, and Baton Rouge, La. NOTE: Applicant states it will tuck at Baton Rouge, La., with its presently held authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New Orleans, La.

No. MC 2900 (Sub-No. 163), filed August 19, 1968. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, Jacksonville, Fla. 32203. Applicant's representative: Larry D. Knox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe or conduit* from the plantsite of the Fibre Products Division of McGraw-Edison at or near Sherman, Tex., to points in Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., or Washington, D.C.

No. MC 2962 (Sub-No. 37) (Correction), filed July 17, 1968, published in the FEDERAL REGISTER issue of August 8, 1968, and republished as corrected this issue. Applicant: A & H TRUCK LINE, INC., 1111 East Louisiana Street, Evansville, Ind. 47717. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value and except dangerous explosives, household goods as defined in *Practices of Motor Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, serving the Ford Motor Co. plantsite at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with applicant's present regular-route authority. NOTE: The purpose of this republication is to show that applicant is serving the Ford Motor Co. plantsite, which was inadvertently omitted from previous publication. If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Indianapolis, Ind.

No. MC 26088 (Sub-No. 18), filed August 22, 1968. Applicant: THE SANDERS TRUCK TRANSPORTATION CO., INC., Post Office Box 68, Highway 301 North,

Allendale, S.C. 29810. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mortar mix and cement* in bags, when moving in mixed shipments of brick, tile, and concrete blocks, from Augusta, Ga., to points in South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Columbia, S.C.

No. MC 28961 (Sub-No. 21), filed August 19, 1968. Applicant: McDUFFEE MOTOR FREIGHT, INC., 332 Hood Avenue, Lebanon, Ky. 40033. Applicant's representative: Kirkwood Yockey, 501 Union Federal Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), serving the Ford Motor Co. plantsite at the Intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with applicant's regular route authority. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Louisville, Ky.

No. MC 30224 (Sub-No. 25), filed August 8, 1968. Applicant: TRANSPORT SERVICE, INC., 104 Capitol Street, Post Office Box 113, Yankton, S. Dak. 57078. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* in bulk, (1) from the Council Bluffs, Iowa-Omaha, Nebr., commercial zone to points in North Dakota and Minnesota; and, (2) from Phillipsburg, Kans., to points in South Dakota. NOTE: Applicant states it already has the authority by tacking, and now wishes to receive authority to handle such traffic direct. If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa, or Sioux Falls, S. Dak.

No. MC 30887 (Sub-No. 153) (Amendment), filed February 20, 1968, published FEDERAL REGISTER issue of March 7, 1968, and republished as amended this issue. Applicant: SHIPLEY TRANSFER, INC., 49 Main Street, Post Office Box 55, Reisterstown, Md. 21136. Applicant's representative: W. Wilson Corroum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 31600 (Sub-No. 629) (Amendment), filed February 15, 1968, published in FEDERAL REGISTER issue of March 7, determined that certain sections of Part 1968, amended August 27, 1968, and republished as amended, this issue. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. 02154. Applicant's representative: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to re-describe the commodity description. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 35396 (Sub-No. 35), filed August 20, 1968. Applicant: ARNOLD LIGON TRUCK LINE, INC., 332 Hood Avenue, Lebanon, Ky. 40033. Applicant's representative: Kirkwood Yockey, 501 Union Federal Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), serving the Ford Motor Co. plantsite at the intersection of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with applicant's existing regular route authority. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Louisville, Ky.

No. MC 35628 (Sub-No. 293), filed August 16, 1968. Applicant: INTER-STATE MOTOR FREIGHT SYSTEM, a corporation, 134 Grandville SW., Grand Rapids, Mich. 49502. Applicant's representative: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), serving Erie Industrial Park as an off-route point in connection with applicant's regular route operations between Toledo and Cleveland, Ohio, over Ohio Highway 2 and U.S. Highway 6, as authorized in its lead certificate MC-35628. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit or Lansing, Mich.

No. MC 45158 (Sub-No. 23), filed August 19, 1968. Applicant: KILLION MOTOR EXPRESS, INC., 2305 Ralph Avenue, Louisville, Ky. 40216. Applicant's representative: Robert H. Kinker, Box

464, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, dangerous explosives, commodities in bulk, and commodities requiring special equipment, serving the Ford Motor Co. plantsite at the junction of Westport Road and Murphy Lane, Jefferson County, near Louisville, Ky., as an off-route point in connection with applicant's present authority to and from Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 50002 (Sub-No. 64), filed August 19, 1968. Applicant: T. CLARENCE BRIDGE AND HENRY W. BRIDGE, a partnership, doing business as BRIDGE BROTHERS; Bridge and Anderson Streets, Post Office Box 929, Lamar, Colo. 81052. Applicant's representative: C. Zimmerman, 503 Schweiter Building, Wichita, Kans. 67202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers and fertilizer ingredients*, from points in Texas on and west of U.S. Highway 277 to points in Arizona, Arkansas, Colorado, Iowa, Kansas, Missouri, Nebraska, New Mexico, Oklahoma, South Dakota, and Wyoming. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Oklahoma City, Okla.

No. MC 61403 (Sub-No. 182), filed August 19, 1968. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. 37662. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk, from the plantsite of Freeport Chemical Co., Division of Freeport Sulphur Co., at or near Uncle Sam, St. James Parish, La., to points in Alabama, Arkansas, Florida, Georgia, Illinois; on and south of U.S. Highway 50 including East St. Louis, Kentucky, Louisiana, Mississippi, Missouri, on and south of the Missouri River; Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 82841 (Sub-No. 50), filed August 16, 1968. Applicant: R-D TRANSPORT, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, and household goods as defined by the Commission, between the plantsites of Continental Steel Corp., at Kokomo, Ind., on the one hand, and, on the other, points in Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri,

Arkansas, Louisiana, Wisconsin, Illinois, Mississippi, Michigan, Indiana, Kentucky, Tennessee, Alabama, Ohio, Georgia, Florida, North Carolina, South Carolina, Virginia, West Virginia, Pennsylvania, Maryland, New York, New Jersey, Delaware, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Indianapolis, Ind.

No. MC 87861 (Sub-No. 12), filed August 19, 1968. Applicant: BELL DIAMOND EXPRESS, INC., 6901 North Michigan Road, Indianapolis, Ind. 46208. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, classes A and B explosives, and household goods, as defined by the Commission), between the plantsites of Continental Steel Corp. at Kokomo, Ind., on the one hand, and, on the other, points in the United States, on and east of U.S. Highway 85; (2) *fertilizer, and fertilizer materials*, (a) from Cincinnati and Greenville, Ohio, and Chicago Heights, and points in Madison and St. Clair Counties, Ill., to points in Indiana, and (b) from Chicago Heights, Ill., to points in Ohio; and (3) *coal tar and coal tar products, creosote, phenol, coke, pitch, tar, roofing, wood preservative, paint, chemical compounds, coatings and preservatives, poles, ties, timbers, lumber, and pallets*, between Indianapolis, Ind., on the one hand, and, on the other, points in Illinois, Ohio, Michigan, Wisconsin, Minnesota, Tennessee, Iowa, Kentucky, West Virginia, and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 89369 (Sub-No. 16) (amendment) filed April 25, 1968, published in FEDERAL REGISTER issue of May 9, 1968, amended August 22, 1968 and republished as amended this issue. Applicant: JOART TRUCKING CO., a corporation, Post Office Box 332, New Brunswick, N.J. 08903. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, and synthetic liquid latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to re-describe the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 92068 (Sub-No. 4), filed August 19, 1968. Applicant: MUTUAL TRANSPORTATION, INCORPORATED,

President and Fleet Streets, Baltimore, Md. 21202. Applicant's representative: Walter T. Evans, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and commodities requiring special equipment from Washington, D.C., commercial zone to Baltimore, Md., restricted to shipments having an immediately subsequent movement by rail. NOTE: If a hearing is deemed necessary applicant requests it be held at Washington, D.C., or Baltimore, Md.

No. MC 102567 (Sub-No. 127), filed August 19, 1968. Applicant: EARL GIBBON TRANSPORT, INC., 235 Benton Road, Post Office Drawer 5357, Bossier City, La. 71010. Applicant's representative: Jo E. Shaw, 816 Houston First Savings Building, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk, from the plantsite of Freeport Chemical Co., Division of Freeport Sulphur Co., at or near Uncle Sam (St. James Parish), La., to points in Alabama, Arkansas, Florida, Georgia, those points in Illinois on and south of U.S. Highway 50, including East St. Louis, Kentucky, Louisiana, Mississippi, those points in Missouri on and south of the Missouri River, Oklahoma, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 102616 (Sub-No. 824) (Amendment), filed March 5, 1968, published in the FEDERAL REGISTER issue of March 21, 1968, and republished as amended, this issue. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. 17405. Applicant's representative: Harold G. Hernly, 711 Fourteenth Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and liquid synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to add "liquid synthetic latex" to the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Philadelphia, Pa.

No. MC 102682 (Sub-No. 254), filed August 19, 1968. Applicant: HUGHES TRANSPORTATION, INC., Post Office Box 851, Charleston, S.C. Applicant's representative: Frank B. Hand, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, explosive components, and explosive prod-*

*ucts*, from points in Taylor County, Fla., to points in Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin; and (2) *materials and supplies* used by the manufacturer for the commodities named in (1) above, on return. NOTE: Applicant states that joinder of authorities would be accomplished at points in Taylor County, Fla., such county being served in its presently held authority in MC 102682 Subs 1, 244 and 245, with service to and from the Blue Grass Ordnance Depot, near Richmond, Ky., Charlotte, N.C., and points in South Carolina on the one hand, and, on the other destination territory sought herein. Applicant has a pending contract carrier application in MC 89340 Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville or Tallahassee, Fla.

No. MC 105457 (Sub-No. 62), filed August 15, 1968. Applicant: THURSTON MOTOR LINES, INC., 601 Johnson Road, Charlotte, N.C. 28201. Applicant's representative: Roland Rice, Suite 618, Perpetual Building, 1111 E Street, NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment, (1) between Greenville, S.C., and Memphis, Tenn.: From Greenville over U.S. Highway 123 to Cornelia, Ga., thence over U.S. Highway 23 to Gainesville, Ga., thence over Georgia Highway 141 to junction Georgia Highway 306, thence over Georgia Highway 306 to junction U.S. Highway 19, thence over U.S. Highway 19 to junction Georgia Highway 20 at or near Comming, Ga., thence over Georgia Highway 20 to junction U.S. Highway 411, thence over U.S. Highway 411 to Rome, Ga., thence over Georgia Highway 20 to Alabama-Georgia State line, thence over Alabama Highway 9 to junction Alabama Highway 68 at or near Cedar Bluff, Ala., thence over Alabama Highway 68 to junction Alabama Highway 75, thence over Alabama Highway 75 to junction U.S. Highway 431 at or near Albertsville, Ala., thence over U.S. Highway 431 to Guntersville, Ala., thence over Alabama Highway 69 to junction U.S. Highway 278 near Cullman, Ala., thence over U.S. Highway 278 to junction U.S. Highway 31 at Cullman, Ala., thence over U.S. Highway 31 to junction Alternate U.S. Highway 72 at Decatur, Ala. (Also from Guntersville, Ala., over Alabama Highway 69 to junction Alabama Highway 67 at or near Baileyton, Ala., thence over Alabama Highway 67 to junction U.S. Highway 31, thence over U.S. Highway 31

to Decatur, Ala.), thence over Alternate U.S. Highway 72 to junction U.S. Highway 72 at or near Tusculumbia, Ala., thence over U.S. Highway 72 to Memphis, and return over the same route, serving all intermediate points and the off-route points of Huntsville, Ala., and Tupelo and Verona, Miss.

(2) Between Savannah, Tenn., and the intersection of U.S. Highway 43 and Alternate U.S. Highway 72 at or near Tusculumbia, Ala.: From Savannah, Tenn., over Tennessee Highway 69 to Tennessee-Alabama State line, thence over Alabama Highway 20 to junction U.S. Highway 43 at or near Florence, Ala., and thence over U.S. Highway 43 to junction Alternate U.S. Highway 72 at or near Tusculumbia, Ala., and return over the same route, serving all intermediate points. NOTE: Applicant proposes to use above authority in conjunction with all existing authority. Applicant now holds common carrier authority over the routes sought herein, serving all intermediate and off-route points in South Carolina and Tennessee, subject to the restriction on service at points in Tennessee to shipments moving to, from, or through a point in South Carolina. The purpose of this application is to secure authority at intermediate and off-route points in Georgia, Alabama, and Mississippi and to eliminate the gateway requirement. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Chattanooga, Tenn.

No. MC 105733 (Sub-No. 43) (Amendment), filed March 4, 1968, published in the FEDERAL REGISTER, issue of March 28, 1968, and republished as amended, this issue. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and liquid synthetic latex*, in bulk, from Perryville, Md., to points in Connecticut, Delaware, Florida, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 106051 (Sub-No. 39), filed August 19, 1968. Applicant: OLD COLONY TRANSPORTATION CO., INC., 876 Dartmouth Street, South Dartmouth, Mass. 02748. Applicant's representative: Francis E. Barrett, Jr., Investors Building, 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities, in bulk, and those requiring special equipment, between Fonda, and Frankfort, N.Y., serving all inter-

mediate points and off-route points in Herkimer and Montgomery Counties, N.Y.; from Fonda, over New York Highway 5 to Herkimer, N.Y., thence over New York Highway 28 to junction New York Highway 5S, thence over New York Highway 5S to Frankfort, and return over the same routes. NOTE: Applicant states that if this application is approved, applicant will request in writing cancellation of its irregular route authority to transport general commodities, with the exceptions stated above, between points in Albany County, on the one hand, and, on the other, points in Herkimer and Montgomery Counties, N.Y. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Albany, N.Y.

No. MC 106920 (Sub-No. 29), filed August 16, 1968. Applicant: RIGGS FOOD EXPRESS, INC., Post Office Box 26, West Monroe Street, New Bremen, Ohio 45869. Applicant's representative: Carroll V. Lewis, 122 East North Street, Sidney, Ohio 45365. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dairy products, as described in appendix I to the Report in Description in Motor Carrier Certificates, 61 M.C.C. 209, from Van Wert, Ohio, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite or storage facilities of Borden, Inc., Van Wert, Ohio. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 107295 (Sub-No. 126), filed August 14, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox, Post Office Box 146, Farmer City, Ill. 61842, and Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plumbers goods, bathroom or lavatory fixtures, and accessories, from Robinson, Ill., to points in Alabama, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Virginia, and West Virginia. NOTE: Applicant states it intends to tack at Robinson, Ill., with its presently held authority on traffic originating in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Springfield or Chicago, Ill.

No. MC 107295 (Sub-No. 128), filed August 16, 1968. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Post Office Box 146,

Farmer City, Ill. 61842. Applicant's representatives: Dale L. Cox (same address as applicant), also Mack Stephenson, 301 Building, 301 North Second Street, Springfield, Ill. 62702. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Composition boards and materials and accessories used in the installation thereof, from points in Henry County, Tenn., to points in Michigan, Illinois, Iowa, Indiana, Ohio, Arkansas, Kentucky, Missouri, Wisconsin, Louisiana, Nebraska, Kansas, North Dakota, South Dakota, Minnesota, Pennsylvania, Texas, Oklahoma, New York, and interstate traffic in Tennessee, and (2) materials, used in the manufacture and distribution of composition board, from points in Michigan, Illinois, Iowa, Indiana, Ohio, Arkansas, Kentucky, Missouri, Wisconsin, Louisiana, Nebraska, Kansas, North Dakota, South Dakota, Minnesota, Pennsylvania, Texas, Oklahoma, New York, and interstate traffic in Tennessee, to points in Henry County, Tenn. NOTE: Applicant states that tacking could take place at points in Henry County, Tenn., for service beyond on traffic originating in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla., or Atlanta, Ga.

No. MC 107403 (Sub-No. 741) (amendment), filed March 14, 1968, published in the FEDERAL REGISTER issue of April 4, 1968, and republished as amended this issue. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John E. Nelson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Plastic materials and latex, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 674), filed August 16, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid fertilizer and fertilizer ingredients, from Eldora, Iowa, to points in Minnesota, Iowa, South Dakota, and Nebraska. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Minneapolis, Minn.

No. MC 107496 (Sub-No. 675), filed August 16, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines,

Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum products, in bulk from Alexandria, Mo., to points in Illinois and Iowa. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or St. Louis, Mo.

No. MC 107496 (Sub-No. 676), filed August 16, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid fertilizer solutions, from Mount Pulaski, Ill., to points in Indiana, Iowa, Missouri, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 107496 (Sub-No. 677), filed August 16, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Hydrofluosilicic acid, in bulk, from Mason City, Iowa, to Kansas City, Kans., (2) fertilizer and fertilizer compounds, dry, except in bulk, from points in Des Moines County and Lee County, Iowa, to points in North Dakota, South Dakota, Nebraska, Kansas, Missouri, Minnesota, Wisconsin, Illinois, Indiana, Kentucky, Michigan, Ohio, and Iowa, and (3) insecticides and herbicides, in containers, and applicators for those commodities named in (2) above, from points in Des Moines County and Lee County, Iowa, to points in North Dakota, South Dakota, Nebraska, Kansas, Missouri, Minnesota, Wisconsin, Illinois, Indiana, Kentucky, Michigan, Ohio, and Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, Chicago, Ill., or St. Louis, Mo.

No. MC 107515 (Sub-No. 622), filed August 16, 1968. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representatives: B. L. Gundlach (same address as applicant), and Douglas C. Wynn, Post Office Box 1295, Greenville, Miss. 38701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned and frozen food, food preparations, and foodstuffs, and advertising, promotional, and display materials when moving therewith, from the plantsites and warehouses of Delta Food Processing Corp., Moorhead, Miss., to points in Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Kentucky, Georgia, Florida, and New Orleans, La. NOTE: Applicant states that it intends to tack with its present authority at Pike County, Ga., to Ohio (Sub

471); and at Atlanta, Ga., to points in Tennessee, east of U.S. 31 (Sub 270), transporting canned goods. If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss., or Memphis, Tenn.

No. MC 109324 (Sub-No. 18), filed August 15, 1968. Applicant: GARRISON MOTOR FREIGHT, INC., Garrison Place, Post Office Box 969, Harrison, Ark. 72601. Applicant's representative: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. 72201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and in tank vehicles, and those requiring special equipment, (1) between Springfield, Mo., and Kansas City, Kans.; from Springfield over Missouri Highway 13 to junction Missouri Highway 7, thence over Missouri Highway 7 to junction U.S. Highway 71, thence over U.S. Highway 71 to junction U.S. Highway 40 (Interstate 70) thence over U.S. Highway 40 (Interstate 70) to Kansas City, Kans., serving the intermediate point of Kansas City, Mo., and return over the same routes, (2) between Springfield, Mo., and East St. Louis, Ill.; from Springfield, Mo., over U.S. Highway 66 (Interstate Highway 44) to East St. Louis, Ill., serving the intermediate point of St. Louis, Mo., and return over same route, (3) between Mountain Home, Ark., and East St. Louis, Ill.; from Mountain Home over Arkansas Highway 5 to Arkansas-Missouri State line, thence over Missouri Highway 5 to junction U.S. Highway 160, thence over U.S. Highway 160 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 66 (Interstate Highway 44) thence over U.S. Highway 66 (Interstate Highway 44) to East St. Louis, Ill., serving the intermediate point of St. Louis, Mo., and return over the same routes.

Restrictions: Foregoing sought operations are restricted against the transportation of shipments: (1) From East St. Louis, Ill., and St. Louis, Mo., and the commercial zones thereof, to Springfield, Mo., and its commercial zone; (2) from Kansas City, Kans., and Kansas City, Mo., and the commercial zones thereof, to Springfield, Mo., and its commercial zone; (3) from East St. Louis, Ill., and St. Louis, Mo., and Kansas City, Kans., and Kansas City, Mo., and the commercial zones thereof, to Joplin, Mo., and its commercial zone; (4) from East St. Louis, Ill., St. Louis, Mo., Kansas City, Kans., and Kansas City, Mo., and the commercial zones thereof, to Little Rock, Ark., and its commercial zone; (5) from East St. Louis, Ill., St. Louis, Mo., Kansas City, Mo., and Kansas City, Kans., and the commercial zones thereof, to Memphis, Tenn., and its commercial zone, including shipments originating at or interchanged at the above-named points. Note: (1) Applicant states that except as restricted above, and as restricted in any existing certificate, applicant proposes to tack with present authority, (2) Appli-

cant further states it holds authority to serve Springfield, Mo., and Mountain Home, Ark., and other points in Arkansas shown in MC 109324 and that it seeks to inaugurate single-line service to Kansas City and St. Louis, presently being handled by interline at Springfield and Little Rock, and to all certificated points. If a hearing is deemed necessary, applicant requests it be held at Harrison or Little Rock, Ark.

No. MC 110525 (Sub-No. 860) (Amendment), filed February 23, 1968, published FEDERAL REGISTER issue March 7, 1968, and republished as amended this issue. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. Van Duesen, 520 East Lancaster Avenue, Downingtown, Pa. 19335, and Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. Note: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 873), filed August 19, 1968. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant), and Leonard A. Jaskiewicz, Madison Building, Sixth Floor, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid and phosphatic fertilizer solution*, in bulk, from the plantsite of Freeport Chemical Co., Division of Freeport Sulphur Co., at or near Uncle Sam (St. James Parish), La., to points in Alabama, Arkansas, Florida, Georgia, those points in Illinois on and south of U.S. Highway 50, including East St. Louis, Kentucky, Louisiana, Mississippi, those points in Missouri on and south of the Missouri River, Oklahoma, Tennessee, and Texas. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Houston, Tex.

No. MC 110525 (Sub-No. 874), filed August 19, 1968. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representatives: Edwin H. van Deusen (same address as applicant), and Leonard A. Jaskiewicz, Madison Building, Sixth Floor, 1155 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium tripoly-*

*phosphate*, in bulk, from Fernald, Ohio, to Jeffersonville, Ind. Note: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 111231 (Sub-No. 160), filed August 15, 1968. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. 72764. Applicant's representative: John E. Jandera, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer and dry fertilizer ingredients, pesticides, insecticides, fungicides, and herbicides*, between the plantsite of W. R. Grace & Co., at or near Atlas, Mo., to points in Arkansas, Oklahoma, and Kansas; (2) *concrete products*, from points in Pulaski and Lonoke Counties, Ark., to points in Missouri, Mississippi, Louisiana, Oklahoma, Arkansas, and Kansas; (3) *lumber and lumber products*, from points in Missouri, lying on and east of U.S. Highway 67 to points in Illinois, Indiana, Wisconsin, Iowa, Kansas, Michigan, Ohio, Oklahoma, Tennessee, and Kentucky; and (4) *foodstuffs*, from Garland and Dallas, Tex., to points in Arkansas, Kansas, Missouri, and Oklahoma. Note: Applicant states tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or St. Louis, Mo.

No. MC 111375 (Sub-No. 28), filed August 19, 1968. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., 3567 East Barnard Avenue, Cudahy, Wis. 53110. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Fredericksburg and Preston, Iowa, to points in Arizona, California, Colorado, Idaho, Wyoming, Montana, Nevada, New Mexico, Oregon, Utah, and Washington. Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Madison or Milwaukee, Wis.

No. MC 111375 (Sub-No. 29), filed August 19, 1968. Applicant: PIRKLE REFRIGERATED FREIGHT LINES, INC., 3567 East Barnard Avenue, Cudahy, Wis. 53110. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, between points in California. Note: Applicant states it intends to tack any authority sought herein with authority granted in MC 111375 Sub 1, and would tack or join this authority at Los Angeles, San Francisco, and San Diego, Calif., and this would permit applicant to serve the State of California from Madison, Wis. If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 111812 (Sub-No. 370), filed August 19, 1968. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233,

Sioux Falls, S. Dak. 57101. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Duluth, Minn., to points in Arizona, California, Colorado, Montana, Nevada, New Mexico, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., Chicago, Ill., or Omaha, Nebr.

No. MC 114301 (Sub-No. 52) (Amendment), filed January 16, 1968, published FEDERAL REGISTER issue January 25, 1968, amended and republished as amended, this issue. Applicant: DELAWARE EXPRESS CO., a corporation, Post Office Box 97, Elkton, Md. 21921. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, and liquid synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to broaden the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 188), filed August 16, 1968. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Post Office Box 1200, Tallahassee, Fla. 32302. Applicant's representative: Dan S. Schwartz, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from Le Moyne (Mobile County), Ala., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 113678 (Sub-No. 321) (Correction), filed July 19, 1968, published FEDERAL REGISTER issue of August 8, 1968, and republished as corrected, this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. 80216. Applicant's representatives: Duane W. Ackle and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen poultry and poultry products*, from Schaumburg, Ill., to points in Colorado, Arizona, Nebraska, Iowa, Oregon, and California. NOTE: The purpose of this republication is to show the correct spelling of origin point as Schaumburg, Ill., in lieu of Schamburg, Ill., as

previously published. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114897 (Sub-No. 78), filed August 15, 1968. Applicant: WHITFIELD TANK LINES, INC., 300-316 North Clark Road, Post Office Drawer 9897, El Paso, Tex. 79989. Applicant's representative: J. P. Rose (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sulphur and sulphur products*, in bulk, in tank vehicles, between points in Texas (on and west of U.S. Highway 277), New Mexico, Arizona, Colorado, Kansas, and Oklahoma; (2) *fertilizer, fertilizer ingredients, fertilizer solutions*, in bulk, in tank vehicles, from points in Texas on and west of U.S. Highway 277 to points in New Mexico, Arizona, Colorado, Nebraska, Kansas, Oklahoma, Arkansas, Missouri, Mississippi, Iowa, Louisiana, and South Dakota; and (3) *animal feed-stuffs and ingredients thereof*, in bulk, in tank vehicles, between points in Kansas, Nebraska, Iowa, Oklahoma, and Texas. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Lubbock, Tex.

No. MC 115841 (Sub-No. 336), filed August 19, 1968. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 West Bankhead Highway, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and food-stuffs* (except in bulk and/or tank vehicles), and *advertising, promotional, and display materials when moving therewith*, from points in Sunflower County, Miss., to points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, and points in Louisiana, Texas, Oklahoma, Arkansas, Kansas, Missouri, Iowa, Nebraska, New Mexico, Arizona, Oregon, California, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson or Greenville, Miss., or Birmingham, Ala.

No. MC 115924 (Sub-No. 16), filed August 12, 1968. Applicant: SUGAR TRANSPORT, INC., Post Office Box 4063, Port Wentworth, Ga. 31407. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Molasses, and mixtures of molasses and feed supplements*, in bulk, in tank vehicles, from Port Wentworth, Ga., to points in Alabama, Florida, North Carolina, South Carolina, and Tennessee under contract with Savannah Sugar Refining Corp. NOTE: Common control and dual opera-

tions may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 116459 (Sub-No. 40) (Amendment), filed May 27, 1968, published in FEDERAL REGISTER issue of June 13, 1968, amended August 16, 1968, and republished as amended, this issue. Applicant: RUSS TRANSPORT, INC., Post Office Box 4022, Chattanooga, Tenn. 37405. Applicant's representative: Clifford E. Sanders, 321 East Center Street, Post Office Box G, Kingsport, Tenn. 37662. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acetylene, argon, carbon dioxide, compressed air, helium, hydrogen, nitrogen, oxygen, propane, mapp, and materials incidental to the use of these commodities in containers or cylinders on shipper-owned trailers*; (1) from Chattanooga, Tenn., to Atlanta, Augusta, and Gainesville, Ga., Enka, N.C., and Greenville, S.C.; and (2) from Ringgold, Ga., to Nashville and Knoxville, Tenn., Enka, N.C., and Greenville, S.C. NOTE: Common control may be involved. The purpose of this republication is to show the commodities involved as restricted to "in containers or cylinders," and to add the city of Atlanta, Ga., as a destination point. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Atlanta, Ga.

No. MC 116702 (Sub-No. 29) filed August 22, 1968. Applicant: THADDEUS A. GORSKI, doing business as GORSKI BULK TRANSPORT, 1570 Kildare Road, Windsor, Ontario, Canada. Applicant's representative: Clyde E. Herring, Suite 800, 1634 Eye Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium sulfide solution* on tank vehicles, from Phillipsburg, N.J., to the port of entry on the international boundary line between the United States and Canada, located at Detroit, Mich., under contract with Allied Chemical Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 118263 (Sub-No. 7), filed August 22, 1968. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47131. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or cold storage facilities utilized by Wilson & Co., Inc., at or near Logansport, Ind., to points in Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, restricted to the above-specified plantsite and/or cold storage facilities and destined to the above-specified destinations. NOTE: Applicant is authorized to

operate as a contract carrier under MC 111069, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 118831 (Sub-No. 56) (Amendment), filed April 26, 1968, published in FEDERAL REGISTER issue of May 16, 1968, amended August 27, 1968, and republished as amended, this issue. Applicant: CENTRAL TRANSPORT, INCORPORATED, Box 5044, High Point, N.C. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials and synthetic latex*, in bulk, from Perryville, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: The purpose of this republication is to redescribe the commodity description. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119794 (Sub-No. 3), filed August 12, 1968. Applicant: JOE WARREN AND MERRICK WARREN, a partnership, doing business as WARREN BROTHERS, Rural Delivery No. 2, Center Road Station, Linesville, Pa. Applicant's representative: Ambrose A. Such, 5275 Ridge Road, Cleveland, Ohio 44129. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Steel posts—fixed length; steel flag poles; steel clothes posts; steel lamp posts; steel mail box posts; steel picnic table legs; steel grip horse legs; steel area walls; steel farm gates kits; aluminum and glass lanterns; and steel anchor bolts*, from Linesville, Pa., and the plantsite of Tel-O-Post Co., Cleveland, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York (except points in Chautauqua, Catteraugus, Erie, Nassau, Suffolk, Queens, and Brooklyn Counties, N.Y.), North Carolina, North Dakota, Ohio, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) from the plantsite of Tel-O-Post Co., Cleveland, Ohio, to Linesville, Pa. NOTE: Applicant states that this is the same authority as presently held in MC 119794 (Sub 2), from Linesville, Pa. Proposed authority would only add additional commodities to that portion shown as "Adjustable steel posts". If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 119880 (Sub-No. 24), filed August 22, 1968. Applicant: DRUM TRANSPORT, INC., Post Office Box 2056, East Peoria, Ill. 61611. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr.

68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcohol, grain neutral spirits and alcoholic liquors*, in bulk, in tank vehicles, from Peoria, Ill., ports of entry on the United States-Canada boundary line at Detroit and Port Huron, Mich., and points in New York, New Jersey, Pennsylvania, and Maryland, to Burlingame, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 121561 (Sub-No. 2), filed July 31, 1968. Applicant: DONALD E. MILLER AND NORMA H. MILLER, a partnership, doing business as MILLER TRANSFER, Box 217, Ceresco, Nebr. 68107. Applicant's representatives: Con M. Keating and A. James McArthur, 303 Lincoln Building, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those requiring special equipment), between Omaha, Nebr., on the one hand, and, on the other, points in Saunders and Lancaster Counties, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 123389 (Sub-No. 8), filed August 19, 1968. Applicant: CROUSE CARTAGE COMPANY, a corporation, Post Office Box 151, Carroll, Iowa 51401. Applicant's representative: William S. Rosen, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaginghouse products, meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in sections A, B, and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Storm Lake, Iowa, to Kansas City, St. Joseph, St. Louis, and Trenton, Mo.; Topeka, Kans.; Austin and Indianapolis, Ind.; Bloomington and Chicago, Ill.; Detroit, Mich.; and Louisville, Ky. NOTE: Applicant states tacking possibilities with its existing authority in Docket No. MC 123389 and sub thereunder. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 123502 (Sub-No. 27), filed August 13, 1968. Applicant: FREE STATE TRUCK SERVICE, INC., 10 Vernon Avenue, Glen Burnie, Md. 21061. Applicant's representative: Donald E. Freeman, Post Office Box 806, Westminster, Md. 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Scrap glass*, in bulk, in dump vehicles, from Baltimore, Md., Philadelphia and Wellsboro, Pa., and Millville and Trenton, N.J., to Baltimore, Md., and New York, N.Y.; (2) *aluminum dross and smelter residues*, in dump vehicles, from points in Alabama, Georgia, Kentucky, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Tennessee, and Virginia, to Philadelphia,

Pa., and (3) *alloys and ores*, in dump vehicles, from Bridgeport, Conn., and Port Newark, N.J., to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, New York, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124692 (Sub-No. 54), filed August 19, 1968. Applicant: SAMMONS TRUCKING, a corporation, Post Office Box 933, Missoula, Mont. 59801. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, from Granite City, Ill., to points in Wyoming and Montana. NOTE: Applicant states that it could tack the authority sought herein with its presently held authority in MC 124692 Sub 41 at Big Horn County, Wyo., for service to points in Idaho, Oregon, and Washington. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124705 (Sub-No. 3), filed August 19, 1968. Applicant: JOSEPH SWAN, doing business as SWAN MESSENGER SERVICE, Post Office Box 3, East Brunswick, N.J. 08816. Applicant's representative: William J. Augello, Jr., 36 West 44th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in packages, not exceeding 250 pounds in shipments not exceeding 5,000 pounds, except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, cash, letters, or articles of unusual value, between points in Middlesex, Somerset, Mercer, and Union Counties, N.J., on the one hand, and, on the other, Philadelphia, Pa.; Wilmington, Del.; Baltimore, Md.; New York, N.Y.; and points in Nassau, Suffolk, and Westchester Counties, N.Y.; and Middlesex, Fairfield, New Haven, and Hartford Counties, Conn.; restricted to the transportation of shipments which are both picked up and delivered on the same day. NOTE: Applicant states that no duplicating authority is sought. The purpose of this instant application is (1) to broaden the commodity description in its present certificate to include general commodities with certain exceptions within the same territory presently authorized; and (2) to add Mercer and Union Counties to its present scope of operations since these counties are adjacent to Somerset and Middlesex Counties. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 125433 (Sub-No. 9), filed August 19, 1968. Applicant: F-B TRUCK LINE COMPANY, a corporation, 4255 South Second West, Salt Lake City, Utah 84107. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and machinery parts; mining materials, equipment, and supplies; construction materials, equipment, and supplies; building materials; floor coverings and supplies, materials, and equipment* used in the installation thereof; *wood products; pipe and conduit; and iron and steel and iron and steel articles*, between points in California and Utah, on the one hand, and, on the other, points in Nevada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or San Francisco, Calif.

No. MC 126058 (Sub-No. 3), filed August 19, 1968. Applicant: BRUCE E. BISHOP, doing business as BEST-WAY TRUCK LINE, 3930 Blake Street, Denver, Colo. Applicant's representative: Richard A. Peterson, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, and commodities requiring special equipment); (1) between Denver, Colo., and Beloit, Kans.; From Denver, Colo., over U.S. Highway 36 to junction Kansas Highway 14, thence over Kansas Highway 14 to Beloit, Kans., and return over the same route, serving all intermediate points between Last Chance, Colo., and Beloit, Kans., and the off-route point of Kirk, Colo.; (2) between Oberlin, and Beloit, Kans., from Oberlin over U.S. Highway 83 to junction Kansas Highway 9, thence over Kansas Highway 9 to Beloit, Kans., and return over the same route, serving all intermediate points; (3) between Edmond and Norton, Kans.: From Edmond over Kansas Highway 9 to junction U.S. Highway 283, thence over U.S. Highway 283 to Norton, Kans., and return over the same route; (4) between Phillipsburg and Downs, Kans.: From Phillipsburg over U.S. Highway 183 to junction U.S. Highway 24, thence over U.S. Highway 24 to Downs, Kans., and return over the same route, serving all intermediate points; and (5) between Smith Center and Harlan, Kans.: From over U.S. Highway 281 to Harlan, Kans., and return over the same route. NOTE: Applicant intends to tack the separate segments of the authority sought herein and with applicant's present regular-route authority in MC 126058 (Sub-No. 2) which authority authorizes the transportation of general commodities, with the usual exceptions, between Denver, and Kirk, Colo. If a hearing is deemed necessary, applicant requests it be held at Smith Center, Kans.

No. MC 126210 (Sub-No. 2), filed July 19, 1968. Applicant: KELLY & ADKINS TRUCK COMPANY, INC., Box 32, Jenkins, Ky. 41537. Applicant's representative: Fred F. Bradley, 213 St. Clair Street, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone,*

*limestone, gravel, aggregate, road base, and agricultural lime*, from points in Pike County, Ky., to points in Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington, and Wise Counties, Va., and Logan, Mingo, McDowell, and Wyoming Counties, W. Va.

No. MC 126420 (Sub-No. 13) (Correction), filed July 24, 1968, published FEDERAL REGISTER issue of August 22, 1968, corrected and republished as corrected, this issue. Applicant: ALASKA STEAMSHIP COMPANY, a corporation, Pier 42, Seattle, Wash. 98134. Applicant's representative: Edward G. Lowry III, Fourteenth Floor, Norton Building, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment), between Seattle, Wash., and points in Alaska located south and east of the United States-Canada international boundary line north of Haines, Alaska, over Washington Highways between Seattle and Puget Sound Terminal of Alaska Marine Highway System and over that system between such terminal and the Alaska points. NOTE: The purpose of this republication is to reflect the correct docket number as MC 126420 (Sub-No. 13) in lieu of MC 126240 (Sub-No. 13) as shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Juneau or Anchorage, Alaska.

No. MC 126838 (Sub-No. 3) (Correction), filed July 26, 1968, published in the FEDERAL REGISTER issue of August 15, 1968, corrected August 20, 1968, and republished as corrected this issue. Applicant: EARNEST J. RUSH, JR., doing business as CLARENCE F. GUTHRIE HAULING SERVICE, Rural Delivery No. 2, Box 341, Canonsburg, Pa. 15317. Applicant's representative: Ronald Leslie, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed limestone*, in bags, from Ashcom, Pa., to Triadelphia, Moundsville, and Short Creek, W. Va. NOTE: The purpose of this republication is to show the individual applicant's name as EARNEST J. RUSH, JR., in lieu of EARNEST J. RUGH, JR. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 127141 (Sub-No. 4), filed July 19, 1968. Applicant: ERNEST FALEN, Route 6, Caldwell, Idaho 83605. Applicant's representative: Kenneth G. Bergquist, Post Office Box 1775, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs, malt beverages, wine, bananas, agricultural commodities*, the transportation of which is partially exempt from regulation under section 203(b)(6) of the act when transporting in the same vehicle and at the same time with the foregoing commodities and frozen foods, from points in

California to Nyssa, Oreg. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 127204 (Sub-No. 7) (Clarification), filed July 24, 1968, published FEDERAL REGISTER issue August 8, 1968, and republished as clarified, this issue. Applicant: KINDSVATER, INC., Fort Dodge Road, Dodge City, Kans. 67801. Applicant's representative: Arthur L. Clausen, 303 New England Building, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, from points in Kansas on and west of U.S. Highway 281 on the one hand, to points in Arkansas, Colorado, Missouri, Nebraska, Oklahoma, and Texas, on the other. NOTE: The purpose of this republication is to clarify the authority sought. If a hearing is deemed necessary, applicant requests it be held at Topeka or Dodge City, Kans.

No. MC 127253 (Sub-No. 43), filed August 19, 1968. Applicant: R. A. CORBETT TRANSPORT, INC., 111 West Laurel Street, Lufkin, Tex. 75901. Applicant's representative: Ewell H. Muse, Jr., 415 Perry-Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Molasses*, from Keithville, La., and points within 10 miles thereof, to points in Texas, Arkansas, and Louisiana; (2) *liquid feedstuffs and molasses*, in bulk, in tank vehicles, from Houston, Tex., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Kansas, Louisiana, Mississippi, Oklahoma, and Tennessee; (3) *anhydrous ammonia*, in bulk, in tank vehicles, (a) from Sterlington, La., to points in Arkansas, Mississippi, Oklahoma, and Texas; and (b) from El Dorado, Ark., to points in Oklahoma. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 127535 (Sub-No. 5), filed August 19, 1968. Applicant: TROY NEWS COMPANY, INC., Post Office Box 696, Troy, N.Y. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter*, from Albany and Troy, N.Y., to Amsterdam, Schenectady, Gloversville, Glens Falls, Plattsburgh, Rochester, Saranac Lake, Saratoga Springs, Syracuse, Utica, Buffalo, Spring Valley, Beacon, Binghamton, Elmira, Niagara Falls, Batavia, Geneva, Peekskill, Little Falls, Ogdensburg, Watertown, Ithaca, Auburn, Hornell, Olean, Salamanca, Jamestown, Dunkirk, Hudson, Kingston, Monticello, Middletown, Newburgh, and Poughkeepsie, N.Y.; Brattleboro, Burlington, and Rutland, Vt.; West Lebanon and Keene, N.H.; and Erie, Pa., restricted to traffic having a prior movement by motor or rail carrier. NOTE: Applicant now holds authority to transport magazines and inserts, supplements, and parts of magazines, and newspapers and newspaper inserts, supplements, and parts of newspapers, from and to the points here involved. The purpose of the instant application is to permit applicant to provide a com-

plete service by the clarification and modification of its commodity authorization. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128246 (Sub-No. 5), filed August 23, 1968. Applicant: GARIBALDI NATIONAL TRANSPORTERS CO., INC., 3500 Fruitland Avenue, Post Office Box 488, Maywood, Calif. 90270. Applicant's representative: William H. Towle, 33 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, as described in sections A, B, and C of appendix I to the report in Descriptions in Motor Carrier Certificates*, from Tolleson, Ariz., to points in California under contract with Swift & Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 128247 (Sub-No. 9), filed August 19, 1968. Applicant: BURSAL TRANSPORT, INC., Rural Route 1, Bunker Hill, Ind. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured and processed clay*, from Paris, Tenn.; Olmstead, Ill.; Ripley, Miss.; Cairo, Ga.; and Quincy, Fla., to points in Kentucky, Ohio, Indiana, Illinois, Michigan, Missouri, Pennsylvania, Wisconsin, Iowa, Oklahoma, West Virginia, Virginia, Tennessee, Mississippi, Alabama, Georgia, North Carolina, South Carolina, Louisiana, Texas, Arkansas, Kansas, Minnesota, New York, New Jersey, Florida, Maryland, Delaware, and the District of Columbia, under contract with Oil-Dri Corp. of America and Southern Clay, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 128273 (Sub-No. 35), filed August 15, 1968. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products* (except commodities in bulk, in tank or hopper-type vehicles), from points in Brown, Outagamie, and Winnebago Counties, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; and (2) *mate-*

*rials and supplies* used in the manufacture and distribution of the above-described commodities (except commodities in bulk, in tank or hopper-type vehicles), and *returned and rejected shipments*, from the destination points in (1) above, to points in Brown, Outagamie, and Winnebago Counties, Wis. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128878 (Sub-No. 6), filed August 19, 1968. Applicant: SERVICE TRUCK LINE, INC., Post Office Box 961, Shreveport, La. 71102. Applicant's representatives: Ewell H. Muse, Jr., 415 Perry-Brooks Building, Austin, Tex. 78701, and C. Wade Shemwell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pallets*, from points in Harrison County, Tex., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, and Wisconsin; and (2) *glue*, from Winnfield, La., to points in Florida, Georgia, North Carolina, and South Carolina. NOTE: If a hearing is deemed necessary, applicant requests it be held at Shreveport or Baton Rouge or New Orleans, La.

No. MC 129522 (Sub-No. 3), filed August 19, 1968. Applicant: QUALITY CARRIERS OF INDIANA, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and/or prepared foodstuffs*, except in bulk, from Munster, Ind., to points in Illinois (except Chicago, Gurnee, and Kankakee), Iowa, and Ohio. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Milwaukee, Wis.

No. MC 129653 (Sub-No. 1), filed August 6, 1968. Applicant: SAM B. PAINE, doing business as PAINE BROTHERS TRUCKING COMPANY, 290 Strathmore Circle East, Memphis, Tenn. 38112. Applicant's representative: Sam B. Paine (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Light-weight aggregate*, from Lehi, Ark., to points in Shelby County, Tenn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or West Memphis, Ark.

No. MC 129701 (Sub-No. 1), filed August 8, 1968. Applicant: JASPER FURNITURE FORWARDING, INC., South River Road, Jasper, Ind. 47546. Applicant's representative: William T. Croft, 1815 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, crated, in containers, and shipping wrappers, from points in Dubois, Orange, Crawford, Perry, Pike, Spencer, and Vanderburgh Counties, Ind., and

Henderson, McLean, Fayette, Jefferson, Boyle, Green, Daviess, and Carroll Counties, Ky., to points in Minnesota, Wisconsin, Nebraska, Iowa, Kansas, Missouri, Illinois, Kentucky, Indiana, Tennessee, Ohio, Michigan, New York, Pennsylvania, Maryland, West Virginia, Virginia, and the District of Columbia; and (2) on return any item of *furniture* which after being transported outbound by applicant and delivered is *damaged*, or becomes *unsaleable* because *shop worn* or for any other reason. NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 129780 (Sub-No. 1), filed August 6, 1968. Applicant: LABERGE & FILS LTEE, Route 640, St. Eustache, Province of Quebec, Canada. Applicant's representative: Adrien Roger Paquette, 200 St. James Street West, Room 1010, Montreal, Province of Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural equipment* (implements), from ports of entry on the international boundary line between the United States and Canada located at points in Maine, New Hampshire, Vermont, New York, Michigan, and Minnesota, to points in the United States; and (2) *returned shipments and goods* (materials and supplies) used in the manufacture with equipment providing a mechanical unloading device (except commodities in bulk, in tank vehicles), from the ports of entry on the international boundary line between the United States and Canada located at points in Maine, New Hampshire, Vermont, and New York, to points in the United States on and east of the Mississippi River including all of Wisconsin, Minnesota, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt., or Albany or Plattsburg, N.Y.

No. MC 129834 (Sub-No. 2) (Correction), filed July 29, 1968, published in the FEDERAL REGISTER issue of August 15, 1968, corrected August 21, 1968, and republished as corrected this issue. Applicant: LOUIS L. OWENS, doing business as O. C. O. TRUCKING, Route 2, Box 5408 B, Anderson, Calif. 96007. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel corrugated culvert pipe*, from Redding, Calif., to points in Oregon, under contract with Pacific Corrugated Culvert Co. NOTE: The purpose of this republication is to show the origin point as Redding, Calif., in lieu of Reading, Calif. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 133084, filed August 6, 1968. Applicant: Owen F. Showalter, Route 1, Timberville, Va. 22853. Applicant's representative: Everette G. Allen, Jr., Ross Building, Richmond, Va. 23219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Copper products*, finished and unfinished, between New Market, Va., on the one hand, and, on the other,

Solon, Ohio, Mount Kisco, N.Y., Danville, Ill., and Jacksonville, Fla., under contract with Howell Metal Co., of New Market, Va. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Richmond or Roanoke, Va.

No. MC 133091, filed August 13, 1968. Applicant: ALLEN WAREHOUSES, INC., 1210 Davis Avenue, Laredo, Tex. 78040. Applicant's representative: Jerry Prestridge, Post Office Box 1148, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Brooks, Val Verde, La Salle, Kinney, Maverick, Duval, Zavala, Dimmit, Webb, Zapata, Jim Wells, and Jim Hogg Counties, Tex., on the one hand, and, on the other, points in Val Verde and Webb Counties, Tex., and the international boundary line between the United States and Mexico at Laredo and Del Rio, Tex. **NOTE:** The operations above-described will be restricted to shipments having a prior or subsequent movement beyond said points. If a hearing is deemed necessary, applicant requests it be held at San Antonio, Tex.

No. MC 133109, filed August 19, 1968. Applicant: RONALD HAGEMAN, doing business as HAGEMAN ENTERPRISES, Route 1, Keokuk, Iowa 52632. Applicant's representative: Robert H. Walker, 609 Blondeau Street, Keokuk, Iowa 52632. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between points in Illinois, Iowa, and Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Keokuk or Davenport, Iowa; Peoria or Springfield, Ill.; or Hannibal or Jefferson City, Mo.

No. MC 133113, filed August 22, 1968. Applicant: FRED B. MILLER, 2223 Herman Street, Burlington, Iowa 52601. Applicant's representative: John A. Dailey, Fourth Floor, First National Bank Building, Jefferson Street, Burlington, Iowa 52601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, crushed stone, and asphaltic concrete*, in bulk, in dump trucks, from points in Des Moines County, Iowa, to points in Henderson, Mercer, Knox, Warren, Hancock, and McDonough Counties, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Burlington or Des Moines, Iowa.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 107583 (Sub-No. 43), filed August 19, 1968. Applicant: SALEM TRANSPORTATION CO., INC., 1222 Jerome Avenue, Bronx, New York, N.Y. 10452. Applicant's representative: George H. Rosen, 265 Broadway, Monticello, N.Y. 12701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Parcels, packages, newspapers, and express* in the same vehicle with passengers, over irregular routes, between McGuire Air Force Base, Fort Dix, Wrightstown, and North Hanover Township, Burlington

County, N.J., on the one hand, and, on the other, Newark, N.J.; New York, N.Y., and Philadelphia, Pa.; and also between Philadelphia, Pa., and New York, N.Y.; (2) *Government papers relating to passenger travel* in the same vehicle with passengers, between McGuire Air Force Base, N.J., on the one hand, and, on the other, Newark Airport, Newark, N.J., LaGuardia Airport, and John F. Kennedy International Airport, New York, N.Y. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 109148 (Sub-No. 23), filed August 19, 1968. Applicant: LAS VEGAS-TONOPAH-RENO STAGE LINE, INC., 922 Stewart Street, Post Office Box 1600, Las Vegas, Nev. 89101. Applicant's representative: Richard R. Hanna, Plaza Building, Post Office Box 648, Carson City, Nev. 89701. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers, in the same vehicle with passengers*, between Incline, Nev., and South Lake Tahoe, Calif.; from Incline over Nevada Highway 28 to junction U.S. Highway 50 to South Lake Tahoe, and return over the same route, serving all intermediate points. **NOTE:** Applicant states there is a duplication of its present authority (Sub 12) with that sought herein between Incline, Nev., and junction of Nevada State Route 28 with U.S. Highway 50. If a hearing is deemed necessary, applicant requests it be held at Carson City, Nev.

No. MC 133079, filed August 12, 1968. Applicant: RACINE FLASH CAB COMPANY, INC., 1800 Kentucky Street, Racine, Wis. 53405. Applicant's representative: Dexter D. Black, 300 Sixth Street, Racine, Wis. 53403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage in special and charter operations*, beginning and ending at points in Kenosha, Racine, Walworth, and Waukesha Counties, Wis., and extending to points throughout Wisconsin and Illinois. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Racine or Milwaukee, Wis.

#### FREIGHT FORWARDER

No. FF-351, United Foreign Shipping Co. Freight Forwarder Application, filed August 14, 1968. Applicant: UNITED FOREIGN SHIPPING COMPANY, a corporation, No. 1 United Drive, Fenton, Mo. Applicant's representative: G. M. Reisman, Suite 1230, Boatmen's Bank Building, St. Louis, Mo. 63102. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder in interstate or foreign commerce, through the use of facilities of common carriers by railroad, express, water, air, and motor vehicles, in the transportation of *household goods*, as defined by the Interstate Commerce Commission in 17 M.C.C. 467, between points in the United States, including Alaska and Hawaii.

#### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

No. MC 116858 (Sub-No. 7), filed August 16, 1968. Applicant: J & M CARRIERS CORP., 43-06 54th Road, Masspeth, N.Y. 11378. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities*, as are manufactured, sold, or distributed by persons engaged in the manufacture of medical and pharmaceutical articles (including affiliates or divisions thereof), and *materials, supplies, and equipment* used by such persons in the conduct of its business, between Edison Township, N.J., on the one hand, and, on the other, points in Connecticut, on and west of the Connecticut River; points in Kent and New Castle Counties, Del.; points in Pennsylvania on and east of U.S. Highway 15; and points in Cumberland County, Pa.; Baltimore City, Md.; and points in Baltimore, Cecil, and Harford Counties, Md.; points in New Jersey; points in Broome, Columbia, Delaware, Dutchess, Greene, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester Counties, N.Y., and New York, N.Y. **NOTE:** Common control and dual operations may be involved.

No. MC 129562 (Sub-No. 1), filed August 19, 1968. Applicant: MARCEL AUDET, Rural Route No. 1, Chambly, Quebec, Canada. Applicant's representative: W. Norman Charles, 80 Bay Street, Glens Falls, N.Y. 12801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated woodboard and dressed wood*, from ports of entry on the international boundary line between the United States and Canada at or near Detroit, Mich.; Alexandria Bay, Champlain, Ogdensburg, and Rouses Point, N.Y.; and Highgate Springs, Newport, North Troy, and Norton, Vt.; to Hartford, Conn.; Wilmington and Dover, Del.; Washington, D.C.; Chicago, Ill.; Richmond, Salem, and Terre Haute, Ind.; Portland, Maine; Baltimore, Md.; Boston and Gardner, Mass.; Detroit, Mich.; Keene, N.H.; Cranbury, N.J.; Brooklyn, Buffalo, New York, Syracuse, and Rochester, N.Y.; Cleveland and Columbus, Ohio; Montrose, Philadelphia, Pittsburgh, and Scranton, Pa.; Cranston and Providence, R.I.; Burlington, Montpelier, and Barre, Vt.; Richmond, Va.; and Charleston, W. Va.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10716; Filed, Sept. 5, 1968; 8:45 a.m.]

#### FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 3, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of

practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

## LONG-AND-SHORT HAUL

FSA No. 41423—*Wheat or Grain Sorghums to Port Arthur, Tex.*, Filed by The Atchison, Topeka, and Santa Fe Railway Co. (No. 98-A), for and on behalf of itself and interested rail carriers. Rates on wheat or grain sorghums, in bulk, in carloads, from points in Kansas and Oklahoma, to Port Arthur, Tex., for export.

Grounds for relief—Motor-truck and barge competition.

Tariff—Supplement 44 to The Atchison, Topeka, and Santa Fe Railway Co. tariff ICC 15044.

FSA No. 41424—*Oil Country Tubular Goods to New Orleans, La.* Filed by Southwestern Freight Bureau, agent (No. B-9098), for interested rail carriers. Rates on wrought iron or steel oil country tubular goods and line pipe, in carloads, from Minnequa and Pueblo, Colo., to New Orleans, La.

Grounds for relief—Market competition.

Tariff—Supplement 104 to Southwestern Freight Bureau, agent, tariff ICC 4620.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10788; Filed, Sept. 5, 1968; 8:49 a.m.]

[Notice No. 683]

MOTOR CARRIER TEMPORARY  
AUTHORITY APPLICATIONS

SEPTEMBER 3, 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 5429 (Sub-No. 19 TA), filed August 28, 1968. Applicant: LYON VAN LINES, INC., 3416 South La Cienega Boulevard, Los Angeles, Calif. 90016. Applicant's representative: Warren N. Grossman, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Autogyros and component parts* partially knocked down, uncrated, and *blades and booms thereof*, crated and uncrated, between El Segundo, Calif., and Lake Havasu City, Ariz., on the one hand, and, on the other, points in the United States, except Alaska and Hawaii, for 180 days. Supporting shipper: McCulloch Aircraft Corp., 119 Standard Street, El Segundo, Calif. 90245. Send protests to: Robert G. Harrison, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 31389 (Sub-No. 102 TA), filed August 28, 1968. Applicant: McLEAN TRUCKING COMPANY, a corporation, Post Office Box 213, 617 Waightown Street, Winston-Salem, N.C. 27102. Applicant's representative: D. MacDonald, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of the Ford Motor Co., at the intersection of Westport Road and Murphy Lane, Jefferson County near Louisville, Ky., as an off-route point in connection with applicant's presently authorized operations to and from Louisville, Ky., for 180 days. Supporting shipper: Ford Motor Co., The American Road, Dearborn, Mich. 48127. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite 417, BSR Building, 316 East Morehead Street, Charlotte, N.C. 28202. NOTE: Applicant intends to serve the off-route points in connection with all existing authorities.

No. MC 45158 (Sub-No. 24 TA), filed August 28, 1968. Applicant: KILLION MOTOR EXPRESS, INC., 2305 Ralph Avenue, Louisville, Ky. 40216. Applicant's representative: Robert H. Kinker, 711 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, and except dangerous explosives, commodities in bulk, and commodities requiring special equipment, serving the plantsite of the Ford Motor Co., at the intersection of Westport Road and Murphy Lane in Jefferson County, Ky., as an off-route point in connection with existing author-

ity. NOTE: Applicant proposes to tack the temporary authority sought with its present permanent authority, at Louisville, Ky., for 180 days. Supporting shipper: C. F. Wilkins, Supervisor, Transportation and Traffic Analysis Section, Ford Motor Co., Dearborn, Mich. 48120. Send protests to: Wayne L. Merlatt, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 107496 (Sub-No. 679 TA), filed August 28, 1968. Applicant: RUAN TRANSPORT CORPORATION, Keousauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, in bulk, in tank vehicles, from Kansas City, Kans., to points in Missouri, for 150 days. Supporting shipper: Union Asphalts & Roadoils, Inc., 612 West 47th Street, Kansas City, Mo. 64112. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 110420 (Sub-No. 572 TA), filed August 28, 1968. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Post Office Box 339, Burlington, Wis. 53105. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and blends thereof*, in bulk, from Louisville, Ky., to points in Kansas, for 180 days. Supporting shipper: Glidden-Durkee, division of SCM Corp., 1303 South Shelby Street, Louisville, Ky. 40201 (Donald J. Day, Southern Region Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 123135 (Sub-No. 9 TA), filed August 28, 1968. Applicant: CHARLES BEL & SONS, INC., Millstadt, Ill. 62260. Applicant's representative: Delmar O. Koebel, 107 West St. Louis Street, Lebanon, Ill. 62254. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour and flour edible*, from Millstadt, Ill., to St. Louis, Mo., for 150 days. Supporting shipper: Golden Dipt Corp., 100 East Washington, Millstadt, Ill. 62260. Send protest to: Interstate Commerce Commission, Bureau of Operations, District Supervisor Harold C. Jolliff, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

## MOTOR CARRIER OF PASSENGERS

No. MC 133067 (Sub-No. 1 TA), filed August 28, 1968. Applicant: CANYON TOURS, INC., Post Office Box 1597, Page, Ariz. 86040. Applicant's representative: George F. Senner, 609 Luhrs Building, Phoenix, Ariz. 85003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Passengers and their baggage*, in the same vehicle with passengers, in special excursion service to scenic points, between Wahweap and Page, Ariz., on the one hand, and, on the other, points in Washington, Kane, San Juan, Iron, Garfield, Piute, Wayne, and Beaver Counties, Utah, for 180 days. Supporting shippers: Daniel R. Weed, 6234 13th Place, Phoenix, Ariz. 85014; Bob Bolin, Route 3, Box 600, Glendale, Ariz. 85301; Floyd Smith, c/o Salt River Project, 1521 Project Drive, Phoenix, Ariz. 85281. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, 3427 Federal Building, Phoenix, Ariz. 85025.

By the Commission.

[SEAL] H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10789; Filed, Sept. 5, 1968;  
8:49 a.m.]

[Notice 203]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 3, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70607. By order of August 23, 1968, the Transfer Board approved the transfer to Laurel Mountain Express, Inc., Pittsburgh, Pa., of the certificate of registration and the certificate in Nos. MC-120718 (Sub-No. 1) and MC-120718 (Sub-No. 2) issued January 29, 1965, and September 21, 1964, respectively, to Donald J. Hammel, doing

business as Laurel Mountain Express, Pittsburgh, Pa., the former evidencing a right to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in Docket No. 87039, Folders Nos. 1 and 2 issued March 21, 1960, by the Pennsylvania Public Utility Commission, and the latter authorizing the transportation of general commodities with exceptions, between the Borough of Somerset, Somerset County, Pa., and Pittsburgh, Pa., serving no intermediate points. Lisle A. Zehner, 1301 Grant Building, Pittsburgh, Pa. 15219, attorney for applicants.

No. MC-FC-70700. By order of August 23, 1968, the Transfer Board approved the transfer to Gary Guildvog, Prairie Farm, Wis. 54762, of certificate No. MC-105489, issued September 30, 1949, to Austin Murray, Prairie Farms, Wis. 54762, authorizing the transportation of: Livestock, feed, and flour between points and places in the towns of Dallas, Maple Grove, Prairie Farm, and Barron, Barron County, Wis., and those in the towns of Ridgeland, Sand Creek, Wilson, and Sheridan, Dunn County, Wis., on the one hand, and, on the other, Minneapolis, St. Paul, South St. Paul, and Stillwater, Minn.

No. MC-FC-70717. By order of August 23, 1968, the Transfer Board approved the transfer to Patricia Knisley, doing business as Knisley Truck Line, Independence, Kans., of the operating rights in certificate No. MC-29603 issued February 8, 1965, to Edith Powell, doing business as Powell Trucking Service, Chanute, Kans., authorizing the transportation of lubricating oil, in containers, feed, agricultural machinery, hardware and fertilizer, from Kansas City, Mo., to Elsmore, Kans., and points within 15 miles of Elsmore; and livestock, between Elsmore, Kans., and points within 15 miles of Elsmore, on the one hand, and, on the other, Kansas City, Mo. Roy Kirby, 806½ Walnut, Coffeyville, Kans. 67337, attorney for applicants.

No. MC-FC-70718. By order of August 23, 1968, the Transfer Board approved the transfer to Roger Sitterly & Son, Inc., Greenfield, Mass., of certificate No. MC-96163, issued January 17, 1968, to Harry Longwell, Worcester, Mass., authorizing the transportation of:

Household goods, between points in Worcester County, Mass., on the one hand, and, on the other, points in Connecticut, New Jersey, New York, New Hampshire, Michigan, Rhode Island, Vermont, Pennsylvania, and Ohio, Joseph A. Kline, 185 Devonshire Street, Boston, Mass. 02110, attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10790; Filed, Sept. 5, 1968;  
8:50 a.m.]

[Notice 203A]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 3, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), 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-70504. By order of August 27, 1968, Division 3, acting as an Appellate Division, approved the transfer to Fred E. Witzel, doing business as Witzel Truck Lines, Burlington, Colo., of the operating rights in certificate No. MC-93307 issued April 8, 1941, to M. K. McElfresh, Kanorado, Kans., authorizing the transportation of various commodities of a general commodity nature, between specified points in Colorado and Kansas. Dean Johnson, Burlington, Colo. 80807, attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 68-10791; Filed, Sept. 5, 1968;  
8:50 a.m.]

## CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

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 September.

3 CFR	Page	14 CFR—Continued	Page	36 CFR	Page
PROCLAMATION:		PROPOSED RULES:		212-----	12550
3864-----	12359	39-----	12579	213-----	12370
EXECUTIVE ORDERS:		73-----	12580	251-----	12550
5289 (revoked in part by PLO		93-----	12580	<b>39 CFR</b>	
4519)-----	12551	159-----	12677	132-----	12619
11007 (see EO 11425)-----	12363, 12551	<b>16 CFR</b>		143-----	12619
11143 (revoked by EO 11425)-----	12363	13-----	12367	<b>41 CFR</b>	
11156 (revoked by EO 11427)-----	12617	15-----	12646, 12647	5-1-----	12550
11157 (amended by EO 11424)-----	12361	<b>17 CFR</b>		5-5-----	12550
11159 (revoked by EO 11425)-----	12363	230-----	12647	8-3-----	12550
11424-----	12361	240-----	12647	<b>42 CFR</b>	
11425-----	12363	<b>18 CFR</b>		PROPOSED RULES:	
11426-----	12615	154-----	12619	208-----	12384
11427-----	12617	<b>20 CFR</b>		<b>43 CFR</b>	
<b>5 CFR</b>		404-----	12546	PUBLIC LAND ORDERS:	
Ch. I-----	12402	<b>21 CFR</b>		4518-----	12551
213-----	12531	121-----	12368, 12369	4519-----	12551
<b>7 CFR</b>		141a-----	12369	4520-----	12551
68-----	12531	148c-----	12369, 12619	<b>45 CFR</b>	
401-----	12665-12671	PROPOSED RULES:		112-----	12650
729-----	12671	19-----	12382	113-----	12652
811-----	12533	46-----	12383	635-----	12654
908-----	12534	<b>24 CFR</b>		<b>46 CFR</b>	
910-----	12535	81-----	12648	510-----	12654
981-----	12365, 12366	<b>25 CFR</b>		PROPOSED RULES:	
1421-----	12535, 12540	221-----	12649	284-----	12382
1425-----	12673	<b>26 CFR</b>		514-----	12386
PROPOSED RULES:		PROPOSED RULES:		536-----	12582
722-----	12380	1-----	12376, 12553	<b>47 CFR</b>	
931-----	12576	<b>28 CFR</b>		2-----	12673
1040-----	12576	0-----	12649	73-----	12370
1064-----	12675	<b>29 CFR</b>		81-----	12673
<b>9 CFR</b>		526-----	12546	83-----	12673
78-----	12366	1404-----	12547	PROPOSED RULES:	
<b>12 CFR</b>		<b>32 CFR</b>		1-----	12678
224-----	12673	92-----	12548	<b>49 CFR</b>	
526-----	12540	290-----	12650	1-----	12659
545-----	12541	<b>33 CFR</b>		1033-----	12372, 12660
569-----	12541	110-----	12549	PROPOSED RULES:	
584-----	12541	<b>36 CFR</b>		Ch. X-----	12679
<b>14 CFR</b>		<b>39 CFR</b>		<b>50 CFR</b>	
39-----	12542, 12620	132-----	12619	10-----	12660
71-----	12543, 12544, 12620	143-----	12619	32-----	12373, 12374, 12552, 12664, 12665
97-----	12621	<b>41 CFR</b>		33-----	12375
151-----	12544	5-1-----	12550		
171-----	12544	5-5-----	12550		
207-----	12546	8-3-----	12550		
400-----	12640	<b>42 CFR</b>			
405-----	12641	PROPOSED RULES:			

#### CONTENTS

- Messages to the Congress
- Public speeches and letters
- The President's news conferences
- Radio and television reports to the American people
- Remarks to informal groups

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Book I (January 1–June 30, 1966)

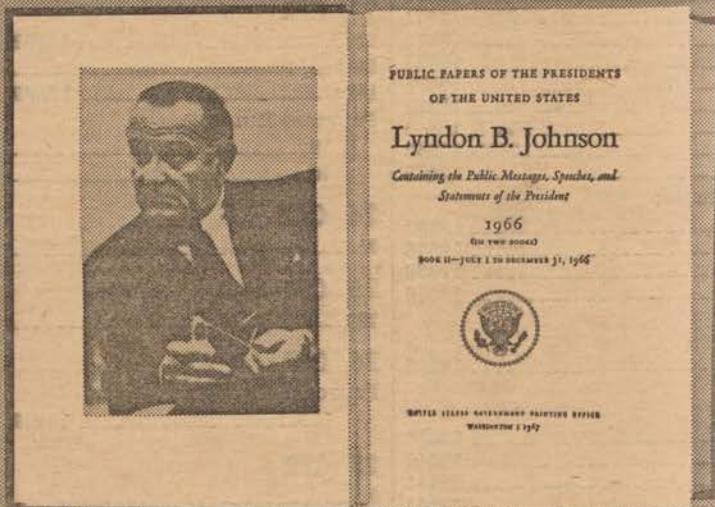
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