

FEDERAL REGISTER

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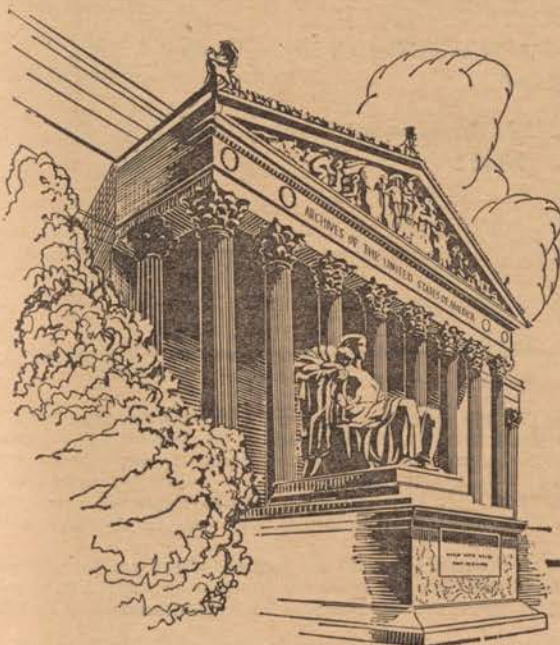
Wednesday, October 30, 1968 • Washington, D.C.

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Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Coast Guard
Customs Bureau
Federal Communications Commission
Federal Power Commission
Food and Drug Administration
Health, Education, and Welfare
Department
Interior Department
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Packers and Stockyards
Administration
Post Office Department
Public Health Service
Securities and Exchange Commission

Detailed list of Contents appears inside.



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Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[11th Gen. Rev. of Export Regs., Amdt. 11]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 378—DISTRIBUTION LICENSE

Miscellaneous Amendments

Parts 373 and 378 of the Code of Federal Regulations are revised to read as follows:

(Secs. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

Effective date: October 24, 1968.

RAUER H. MEYER,

Director,

Office of Export Control.

1. In Part 373—Licensing Policies and Related Special Provisions, Supplement 4—Countries Adhering to the Limited Nuclear Test Ban Treaty is amended by adding "Singapore, Republic of" to the list of countries.

2. In Part 378—Distribution License, Supplement 1—Commodities Excluded From Distribution Licensing Procedure is revised to read as follows:

COMMODITIES EXCLUDED FROM DISTRIBUTION LICENSING PROCEDURE

Export Control Commodity Number and Commodity Description

- 23120 Carboxyl terminated polybutadiene; hydroxyl terminated polybutadiene; and cyclized 1,2-polybutadiene.
- 28311 Copper ores and concentrates.
- 28312 Copper matte.
- 28398 Beryllium ores and concentrates.
- 28398 Rhenium concentrates (salts).
- 28401 Copper bearing ash and residues.
- 28402 Copper or copper-base alloy waste and scrap.
- 33250 Lubricating oils wholly made of fluorocarbon polymers or copolymers.
- 51209 Dibromotetrafluoroethane; polybromotetrafluoroethane; bis (2, 2' dinitropropyl) formal and acetal; and 2, 2' dinitropropanol.
- 51209 Tetrazene; and lead styphnate.
- 51209 Dibromotetrafluoroethane; polybromotrifluoroethylene; and trifluoromonochloroethylene.
- 51209 2 Cyanacetamide; diethyl-methyl phosphonite; di-isopropyl amino ethyl chloride hydrochloride; di-isopropyl carbodiimide; 2-di-isopropyl aminoethanol; and di-methyl hydrogen phosphite.

51209 Lysergic acid di ethyl amine; malononitrile; methyl dichlor phosphine; methyl isonicotenate; and methyl phosphonyl dichloride.

51209 N, N-diethyl ethylene diamine.

51209 Trichlorotrifluoroethane; and dichlorotetrafluoroethane.

51329 Lithium metal.

51329 Boron metal.

51329 Calcium metal containing less than one hundredth (0.01) percent by weight of impurities other than magnesium and less than 10 parts per million of boron.

51340 Chlorine trifluoride.

51369 Beryllium oxides, hydroxides, peroxides, and compounds.

51369 Monocrystalline gallium compounds.

51369 Hafnium oxides.

51369 Zirconium oxide containing less than one part hafnium to 500 parts zirconium.

51369 Other zirconium oxide, purity 97 percent or higher, or stabilized with lime and/or magnesia.

51470 Beryllium compounds, including, but not limited to, beryllium nitrate, beryllium sulfate, beryllium carbonate, zinc beryllium silicate.

51470 Hafnium compounds.

51470 Master alloys of copper containing 8 percent or more phosphor.

51470 Hydrides in which lithium is compounded with hydrogen or complexed with other metals or aluminum hydride.

51470 Zirconium compounds containing less than one part hafnium to 500 parts zirconium.

51500 Radioisotopes, cyclotron-produced or naturally occurring, and compounds and preparations thereof; and radium, radium salts and compounds.

51500 Deuterium and compounds, mixtures, and solutions containing deuterium, including heavy water and heavy paraffin.

51500 Polonium metal.

51500 Polonium-bearing salts and compounds.

51500 Lithium as follows: (a) Lithium 6 and 7 isotopes, (b) hydrides in which lithium enriched in the 6 isotope is compounded with hydrogen or its isotopes, or complexed with other metals or aluminum hydride, (c) alloys containing any quantity of lithium enriched in the 6 isotope, or (d) any other material containing lithium enriched in the 6 isotope, including compounds, mixtures and concentrates.

51500 Compounds enriched in lithium 7 isotopes.

58110 Resin (plastic) composites, unfinished or semifinished (including molding compounds, laminates and molded shapes), containing silica, quartz, carbon or graphite fibers in any form.

59972 Artificial graphite, whether or not containing other materials to give improved performance at high temperatures, having an apparent relative density of 1.90 or greater, except nonpyrolytic graphite of density between 1.90 and 1.95 when compared to water at 60° F. (15.5° C.).

59972 Artificial graphite in block, brick, plate, or rod form, smallest dimension 2 inches or over and having a boron content of one part per million or less, the total thermal neutron absorption cross section being less than, or equal to, 5 millibarns per atom.

59972 Carbon or graphite fibers in any form (including chopped or macerated) whether or not coated or impregnated; and products thereof.

65180 Continuous yarns and rovings suitable for use in filament wound structures, having all of the following characteristics: (a) Consisting of monofilaments 12 microns (0.00047 inch) or less in diameter, (b) modulus of elasticity greater than 11 times 10⁶ p.s.i., and (c) tensile strength to density ratio (figure of merit) greater than 350,000 p.s.i.

65180 Continuous yarns and rovings made of glass fibers, having a modulus of elasticity of 10.5 times 10⁶ p.s.i. or greater, or having a tensile strength to density ratio (figure of merit) of 300,000 p.s.i. or greater.

65180 Yarn, roving, and strand made from silica or quartz fibers, regardless of filament length, diameter, or strength, whether or not coated or impregnated.

66230 High temperature refractory cements or bonding mortars, brick and similar shapes, and other refractory construction materials, n.e.c., containing 97 percent or more by weight of magnesium oxide, beryllium oxide, or zirconium oxide, or containing zirconium oxide stabilized with lime and/or magnesium oxide.

66363 Artificial graphite products, n.e.c., in block, brick, plate, or rod form, smallest dimension 2 inches or over and having a boron content of one part per million or less, the total thermal neutron absorption cross section being less than, or equal to, 5 millibarns per atom.

66363 Carbon or graphite fibers in any form (including chopped or macerated) whether or not coated or impregnated; and products thereof.

66363 Artificial graphite products, n.e.c., whether or not containing other materials to give improved performance at high temperatures, having an apparent relative density of 1.90 or greater, except nonpyrolytic graphite of density between 1.90 and 1.95 when compared to water at 60° F. (15.5° C.).

66370 Refractory products wholly made of boron carbide or boron nitride.

66370 Crucibles containing 97 percent or more by weight of magnesium oxide, beryllium oxide, or zirconium oxide, or containing zirconium oxide stabilized with lime and/or magnesium oxide.

66370 Refractory products other than refractory construction materials, n.e.c., containing 97 percent or more by weight of magnesium oxide, beryllium oxide, or zirconium oxide, or containing zirconium oxide stabilized with lime and/or magnesium oxide.

- 66370 Crucibles and other refractories made of artificial graphite, whether or not containing other materials to give improved performance at high temperatures, having an apparent relative density of 1.90 or greater, except nonpyrolytic graphite of density between 1.90 and 1.95 when compared to water at 60° F. (15.5° C.).
- 66370 Artificial graphite refractory products, n.e.c., in block, brick, plate, or rod form, smallest dimension 2 inches or over and having a boron content of one part per million or less, the total thermal neutron absorption cross section being less than, or equal to, 5 millibarns per atom.
- 67160 Ferrozirconium containing more than 50 percent zirconium in which the ratio of hafnium content to zirconium content is less than 1 part to 500 parts by weight.
- 67850 Pressure tube and pipe fittings having a tube or pipe size connection of 8 inches or more inside diameter, for tube or pipe having a wall thickness of 8 percent or more of the inside diameter and made of (a) stainless steel, or (b) other alloy steel containing 10 percent or more nickel and/or chromium.
- 67860 Seamless pressure tube and pipe of 8 inches or more inside diameter, having a wall thickness of 8 percent or more of the inside diameter and made of (a) stainless steel, or (b) other alloy steel containing 10 percent or more nickel and/or chromium.
- 68211 Blister copper and other unrefined copper.
- 68212 Refined copper, including remelted, in cathodes, billets, ingots, except copper-base alloy ingots, wire bars, and other crude forms.
- 68212 Copper-base alloy ingots.
- 68213 Master alloys of copper.
- 68221 Bars, rods, angles, shapes, sections, and wire of copper or copper-base alloy.
- 68222 Plates, sheets, and strips (including perforated) of copper or copper-base alloy.
- 68223 Copper or copper alloy foil, including paper-backed.
- 68224 Copper or copper alloy powders and flakes.
- 68225 Pressure tube and pipe, copper-nickel alloy, of 8 inches or more inside diameter and having a wall thickness of 8 percent or more of the inside diameter.
- 68225 Other tubes, pipes, and blanks therefor, and hollow bars of copper or copper-base alloy.
- 68226 Pressure tube fittings and pipe fittings, copper-nickel alloy, having a tube or pipe size connection of 8 inches or more inside diameter, for tube or pipe having a wall thickness of 8 percent or more of the inside diameter.
- 68321 Bars, rods, angles, shapes, and sections of porous nickel having a purity of 99 percent or more.
- 68321 Other bars, rods, angles, shapes, sections, and wire of nickel alloy containing 32 percent or more nickel, except nickel-copper alloys containing not more than 6 percent of other alloying elements.
- 68322 Nickel powders with a particle size less than 200 microns.
- 68322 Plates, sheets, strips, and foil of porous nickel having a purity of 99 percent or more.
- 68323 Tubes, pipes, blanks and fittings therefor, and hollow bars of porous nickel having a purity of 99 percent or more.
- 68323 Pressure tube and pipe fittings containing 32 percent or more nickel, having a tube or pipe size connection of 8 inches or more inside diameter, for tube or pipe having a wall thickness of 8 percent or more of the inside diameter.
- 68933 Beryllium metal or beryllium alloys containing more than 50 percent beryllium, wrought and unwrought, and waste and scrap.
- 68950 Hafnium metal and alloys containing more than 15 percent hafnium by weight.
- 68950 Rhenium metal and rhenium metal alloys, wrought or unwrought.
- 68950 Zirconium metal and zirconium alloys containing more than 50 percent zirconium in which the ratio of hafnium content to zirconium content is less than one part to 500 parts by weight, wrought and unwrought, and waste and scrap.
- 69892 Copper or copper-base alloy castings and forgings.
- 69899 Beryllium or beryllium alloy castings and forgings containing more than 50 percent beryllium; and articles wholly made of beryllium.
- 69899 Hafnium metal and hafnium alloy castings and forgings containing more than 15 percent hafnium by weight.
- 69899 Polonium metal castings and forgings.
- 69899 Rhenium or rhenium alloy castings and forgings.
- 69899 Zirconium or zirconium alloy castings, forgings, and other articles, n.e.c., containing more than 50 percent zirconium in which the ratio of hafnium content to zirconium content is less than one part to 500 parts by weight.
- 69899 Other articles wholly made of zirconium or zirconium alloys.
- 69899 Articles wholly made of beryllium.
- 69899 Wire mesh, all types, including electroformed, containing 95 percent or more nickel, with 60 or more wires per linear centimeter or the equivalent thereof.
- 71120 Heat exchangers and heat exchanger type condensers specially designed for nuclear reactors; and specially designed parts and accessories, n.e.c.
- 71120 Tubular type heat exchangers designed to operate at pressures of 1,500 p.s.i. and above and with all flow contact surfaces made of or lined with 10 percent or more nickel and/or chromium; and specially designed parts and accessories, n.e.c.
- 71120 Heat exchangers and heat exchanger type condensers, tubular, designed for use in steam power generation and to operate at pressures of 300 p.s.i. and over and with all flow contact surfaces made of any of the following materials: aluminum, nickel, titanium, zirconium, or alloys containing 60 percent or more nickel, either separately or combined, and specially designed parts and accessories, n.e.c.
- 71130 Steam turbines designed for use of saturated steam for an output of 2,000 horsepower (1,500 kilowatts) up to and including 100,000 horsepower (75,000 kilowatts); and parts and accessories, n.e.c.
- 71170 Parts and accessories, n.e.c., specially fabricated for nuclear reactors, including mechanical devices designed to control or shutdown a nuclear reactor.
- 71420 Advanced electronic computers, i.e., those with a bus rate of 50 million bits per second or more.
- 71911 Electrolytic cells, and specially designed parts.
- 71919 Equipment specially designed for the production and/or concentration of deuterium oxide; and specially designed parts.
- 71921 Industrial pumps having all flow-contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined, (b) 50 percent or more cobalt or molybdenum, either separately or combined, (c) polytetrafluoroethylene, or (d) polychlorotrifluoroethylene; and parts and attachment, n.e.c.
- 71921 Vertically shafted centrifugal pumps, glandless, hermetically-sealed (canned) type or mechanical pressurized sealed type, having all flow-contact surfaces made of or lined with 10 percent or more nickel and/or chromium and rated at 50 kilowatts or more; and parts and attachments, n.e.c.
- 71921 Other centrifugal pumps, glandless, hermetically-sealed (canned) type, having all flow-contact surfaces made of 10 percent or more chromium or nickel, either separately or combined; and parts and attachments, n.e.c.
- 71921 Pumps designed to move molten metals by electro-magnetic forces; and parts and attachments, n.e.c.
- 71922 Compressors and blowers (turbo, centrifugal, and axial flow types) having a designed capacity of 60 c.f.m. or more and all flow-contact surfaces made of aluminum, nickel, or alloy containing 60 percent or more nickel; and specially designed parts and attachments.
- 71923 Countercurrent solvent extractors specially designed for the extraction of radioactive substances (for example, pulsed columns and mixer-settlers made of stainless steel); and specially designed parts.
- 71923 Equipment for filtering, purifying, separating or treating radioactive impurities from nuclear reactor coolant; and specially designed parts.
- 71923 Gas centrifuges capable of the enrichment or separation of isotopes; and specially designed parts.
- 71923 Other centrifuges, power-driven, bowl type, with all product contact surfaces of aluminum, nickel, or alloy containing 60 percent or more nickel; and parts.
- 71923 Centrifuge bowls, wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel; and parts.
- 71980 Nuclear reactor fuel chopping, disassembling, or de jacketing machines; and specially designed parts and accessories, n.e.c.

- 71980 Hot or cold isostatic presses as follows: (a) capable of achieving a maximum working pressure of 20,000 p.s.i. or greater and possessing a chamber cavity with an inside diameter in excess of 16 inches, or (b) capable of achieving a maximum working pressure of 5,000 p.s.i. or greater and having a controlled thermal environment within the closed cavity, except those possessing a chamber cavity with an inside diameter of less than 5 inches and which are also capable of achieving and maintaining a controlled thermal environment only between plus 176° F. (plus 80° C.) and minus 30° F. (minus 35° C.); and specially designed parts and accessories, n.e.c.
- 71992 Pipe valves having all of the following characteristics: a pipe size connection of 8 inches or more inside diameter, all flow contact surfaces made of or lined with alloys of 10 percent or more nickel and/or chromium and rated at 1,500 p.s.i. or more; and specially designed parts, n.e.c.
- 71992 Valves, 1 inch or more in diameter, fitted with bellows seal, and wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel, except those having metal to metal seats; and specially designed parts.
- 71992 Valves, cocks, or pressure regulators with all flow contact surfaces made of or lined with polytetrafluoroethylene or polychlorotrifluoroethylene; and specially designed parts.
- 71992 Other valves fitted with bellows seal, and wholly made of or lined with aluminum, nickel, or alloys containing 60 percent or more nickel; and specially designed parts.
- 72310 Generators and turbine-generator sets specially designed for use with nuclear reactors; and specially designed parts and accessories, n.e.c.
- 72310 Other turbine-generator sets specially designed for use of saturated steam; and parts and accessories, n.e.c.
- 72310 Wire and cable coated with or insulated with polyvinyl fluoride.
- 72310 Wire and cable coated with or insulated with other fluorocarbon polymers or copolymers.
- 72310 Coaxial-type communications cable as follows: (a) Containing fluorocarbon polymers or copolymers, (b) using a mineral insulator dielectric, (c) using a dielectric aired by discs, beads, spiral, screw, or any other means, (d) designed for gas pressurization for the purpose of withstanding external overpressure or for raising the maximum voltage rating of the cable, or (e) intended for submarine laying.
- 72310 Other coaxial cable.
- 72310 Communications cable containing more than one pair of conductors as follows: (a) Submarine cable, or (b) cable containing fluorocarbon polymers or copolymers.
- 72310 Other communications cable containing more than one pair of conductors and containing any conductor, single or stranded, exceeding 0.9 mm. in diameter.
- 72310 Insulated nickel or nickel alloy wire as follows: (a) Insulated thermocouple nickel chrome wire containing less than 95 percent nickel and within a diameter range of 0.2 mm. to 5 mm. both inclusive, or (b) other insulated nickel or nickel alloy wire containing 32 percent or more nickel, except nickel copper alloy wire containing not more than 6 percent of other alloying elements.
- 72310 Other copper or copper-base alloy insulated wire and cable.
- 72620 Flash discharge type X-ray tubes; and specially designed parts and accessories, n.e.c.
- 72620 X-ray machines having any of the following characteristics: (a) Peak power exceeding 500 megawatts, (b) output voltage exceeding 500 kilovolts, or (c) output current exceeding 2,000 amperes with pulse width of 0.2 microseconds or less; and specially designed parts and accessories, n.e.c.
- 72911 Electro-chemical and radioactive devices for the conversion of chemical energy to electrical energy, having any of the following characteristics: (a) Fuel cells, including regenerative cells (i.e., cells for generating electric power, to which all the consumable components are supplied from outside the cells), (b) primary cells possessing a means of activation and having an open circuit storage life in the unactivated condition, at a temperature of 70° F. (21° C.), of 10 years or more, (c) primary cells capable of operating at temperatures from below minus 13° F. (minus 25° C.) to above plus 131° F. (plus 55° C.), including cells and cell assemblies (other than dry cells) possessing self-contained heaters, or (d) power sources other than nuclear reactors based on radioactive materials systems, except those having a power output of less than 0.5 watts in which the ratio of output (in watts) to weight (in pounds) is less than 1 to 2; and specialized parts, components, and subassemblies therefor.
- 72930 Image converter tubes specially designed for light shutter applications and having shutter speeds of less than 100 nanoseconds.
- 72930 Cold cathode tubes and switches, as follows: (a) Triggered spark-gaps, having an anode delay time of 15 microseconds or less and rated for a peak current of 3,000 amperes or more; or (b) cold cathode tubes, whether gas filled or not, operating in a manner similar to a spark gap, containing three or more electrodes and having all of the following characteristics: (i) rated for an anode peak voltage of 2,500 volts or more, (ii) rated for peak currents of 300 amperes or more, (iii) an anode delay time of 10 microseconds or less, and (iv) an envelope diameter of less than 1 inch (25.4 mm.).
- 72930 Other cold cathode tubes operating in a manner similar to a spark gap, containing three or more electrodes and rated for a peak anode current of 30 amperes or more.
- 72952 Nuclear radiation detection and measuring instruments designed to measure neutron flux in connection with the determination of the power level of an operating nuclear reactor.
- 72952 Other nuclear radiation dosimeters capable of measuring dosages above 5 roentgens in one exposure.
- 72952 Vibration testing equipment.
- 72952 Control equipment specially designed for hot or cold isostatic presses (No. 71980) requiring a validated license to all Country Groups.
- 72952 Mass spectrographs and mass spectrometers, except mass spectrometer type leak detectors.
- 72970 Neutron generators employing the electrostatic acceleration of ions; and specially designed parts.
- 72970 Accelerators, as follows: (a) Betatrons, synchrotrons, cyclotrons, synchrocyclotrons and linear accelerators, (b) electron accelerators capable of imparting energies in excess of 500,000 electron volts, and (c) other electronuclear machines capable of imparting energies in excess of 1 million electron volts to a nuclear particle or ion; and specially designed parts.
- 72970 Neutron generator tubes designed for operation without external vacuum system, and utilizing electrostatic acceleration to induce a tritium deuterium nuclear reaction; and specially designed parts.
- 72991 Magnets specially designed for electronuclear machines capable of imparting energies in excess of 1 million electron volts to a nuclear particle or ion.
- 72992 Electric cold crucible vacuum induction furnaces designed to operate at pressures lower than 0.1 millimeter of mercury and at temperatures higher than 2,012°F. (1,100°C.).
- 72996 Electrical carbons, except carbon brushes, artificial graphite, whether or not containing other materials to give improved performance at high temperatures, having an apparent relative density of 1.90 and greater, except nonpyrolytic graphite of density between 1.90 and 1.95 when compared to water at 60° F. (15.5° C.).
- 72996 Electrical carbons, except carbon brushes, artificial graphite, smallest dimension 2 inches or over and having a boron content of one part per million or less, the total thermal neutron absorption cross section being less than, or equal to, 5 millibarns per atom.
- 72996 Other electrical carbons, except carbon brushes, artificial graphite, smallest dimension 2 inches or over.
- 73410 Nonmilitary helicopters, aircraft, and ground effects machines (GEMS), including surface effect machines and other air cushion vehicles.
- 73410 Military aircraft, demilitarized (not specifically equipped or modified for military operations), the following only: (i) Cargo, "C-45 through C-118," and "C-121;" (ii) trainers, bearing a "T" designation and using piston engines; (iii) utility, bearing a "U" designation and using piston engines; and (iv) liaison, bearing an "L" designation.

- 86140 Streak cameras capable of recording events which are not initiated by the camera mechanism; and specially designed parts and accessories, n.e.c.
- 86140-86150 High-speed cameras having any of the following characteristics: (a) using film widths 35 mm. or narrower and capable of recording at rates in excess of 3,000 frames per second when using a steady light flow as the lighting source, and 10,000 frames per second when using flash equipment connected to the unwinding system as the light source, (b) using film width greater than 35 mm. and capable of recording in excess of 64 frames per second, or (c) capable of recording in excess of 250,000 frames per second; and specially designed parts and accessories, n.e.c.
- 86198 Mass spectrographs and mass spectrometers, except mass spectrometer type leak detectors; and specially parts, n.e.c.
- 86199 Parts (including positive ion sources), assemblies, components, and accessories, n.e.c., for mass spectrographs and mass spectrometers under No. 72952 which require a license to all Country Groups.
- 86199 Parts and accessories, n.e.c., for nuclear radiation dosimeters.
- 89927 Wire cloth sieves, all types, including electroformed, containing 95 percent or more nickel, with 60 or more sieves per linear centimeter or the equivalent thereof.

[F.R. Doc. 68-13125; Filed, Oct. 29, 1968; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 68-268]

PART 1—GENERAL PROVISIONS

Organizational Changes; Customs Agency Service

The purpose of the following amendment of the Customs Regulations is to effect these changes in the organization of the Customs Agency Service:

In Customs Agency Service Region No. 1, authority over investigations in the so-called "Panhandle" region of West Virginia is transferred from the office of the Customs Agent in Charge, Washington, D.C., to the Philadelphia office.

In Region No. 2 the suboffice at Key West, Fla., is closed. Jurisdiction of investigations in the Florida Keys is assumed by the Customs Agent in Charge, Miami, Fla.

In Region No. 5 a new Customs Agency Service Suboffice is established at San Luis, Ariz., with a jurisdictional area covering Yuma and Mohave Counties, Ariz.

To reflect these changes and for other purposes, the table in § 1.5 of the Customs Regulations is amended as follows:

In Customs Agency Service Region No. 1:

Under "Customs Agency Service Regions," in the column headed "Area of jurisdiction (Customs districts and foreign countries)" the area of jurisdiction

of the Supervising Customs Agent, New York, is revised to read:

Portland Maine, St. Albans, Vt., Boston, Mass., Providence, R.I., Bridgeport, Conn., Ogdensburg, N.Y., Buffalo, N.Y., New York City, N.Y., Philadelphia, Pa., Baltimore, Md., Norfolk, Va., Washington, D.C., and that part of the Dominion of Canada east of 81° west longitude.

Under "Customs Agency Service Sub-offices," in the column headed "Geographical jurisdiction":

1. The geographical jurisdiction of the Customs Agent in Charge, Philadelphia, is revised to read:

The State of Pennsylvania (excluding Erie County); the State of Delaware; that part of New Jersey south of but including the counties of Hunterdon, Mercer, and Monmouth; and the State of West Virginia, except the area east of U.S. Highway 219 and north of U.S. Highway 250.

2. The geographical jurisdiction of the Customs Agent in Charge, Washington, D.C., is revised to read:

Metropolitan Washington, D.C., bounded on the north by Interstate Highway 495; that part of the State of Maryland south of State Highway 4 to the Chesapeake Bay; that part of the State of Virginia north of a line drawn from the Potomac River due west through Fredericksburg to the West Virginia boundary; and that part of the State of West Virginia east of U.S. Highway 219 and north of U.S. Highway 250.

In Customs Agency Service Region No. 2:

Under "Customs Agency Service Sub-offices," in the column headed "Headquarters" delete the words "Customs Agent in Charge, Key West."

In the column headed "Geographical jurisdiction":

1. The geographical jurisdiction of the Customs Agent in Charge, Miami, is revised to read:

That part of the State of Florida south of a line from Naples to Sebring to Melbourne, including the Florida Keys.

2. The geographical jurisdiction of the Customs Agent in Charge, Key West, reading "All the area covered by the Florida Keys" is deleted.

3. The geographical jurisdiction of the Customs Agent in Charge, San Juan, is revised to read:

The Commonwealth of Puerto Rico.

In Customs Agency Service Region No. 3:

Under "Customs Agency Service Regions," in the column headed "Area of jurisdiction (Customs districts and foreign countries)" the area of jurisdiction of the Supervising Customs Agent, Houston, Tex., is revised to read:

Port Arthur, Tex., Galveston, Tex., Houston, Tex., Laredo, Tex., El Paso, Tex., Republic of Mexico, Mobile, Ala., New Orleans, La.

In Customs Agency Service Region No. 5:

Under "Customs Agency Service Sub-offices" in the column headed "Headquarters" insert "Customs Agent in Charge, San Luis" below "Customs Agent in Charge, Nogales."

In the column headed "Geographical jurisdiction":

1. The geographical jurisdiction of the Customs Agent in Charge, Calexico, is revised to read:

Imperial County, Calif.

2. The geographical jurisdiction of the Customs Agent in Charge, Nogales, is revised to read:

The State of Arizona, except Yuma and Mohave Counties.

3. Below the description of the geographical jurisdiction of the Customs Agent in Charge, Nogales, a description of the jurisdiction of the Customs Agent in Charge, San Luis, is inserted reading:

Yuma and Mohave Counties, Ariz.

(R.S. 251, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 66, 1624)

These amendments shall become effective upon publication in the FEDERAL REGISTER.

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

Approved: October 22, 1968.

JOSEPH M. BOWMAN,
Assistant Secretary
of the Treasury.

[F.R. Doc. 68-13161; Filed, Oct. 29, 1968; 8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 148z—DOXYCYCLINE

Doxycycline Hyclate Capsules

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), § 148z.3(a) (1) is revised to read as follows to provide for certification of 100-milligram doxycycline hyclate capsules:

§ 148z.3 Doxycycline hyclate capsules.

(a) *Requirements for certification—*
(1) *Standards of identity, strength, quality, and purity.* Doxycycline hyclate capsules are composed of doxycycline hyclate and one or more suitable and harmless lubricants and diluents enclosed in a gelatin capsule. Each capsule contains doxycycline hyclate equivalent to either 50 or 100 milligrams of doxycycline. The moisture content is not more than 5.0 percent. It passes the identity test for the presence of the doxycycline moiety. The doxycycline hyclate used conforms to the standards prescribed by § 148z.1. 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.

This order provides for the certification of a new dosage size of an antibiotic

drug already being marketed. Since adequate data establishing the safety and efficacy of the new dosage size have been presented and since it is in the public interest not to delay in providing for certification of this drug, 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: October 21, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13156; Filed, Oct. 29, 1968; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6978]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DE- CEMBER 31, 1953

Self-employment Coverage of Minis- ters, Members of Religious Orders, Christian Science Practitioners, and Doctors of Medicine

In order to (1) conform the Income Tax Regulations (26 CFR Part 1) under section 1402 of the Internal Revenue Code of 1954 to section 2 of the Act of October 13, 1964 (Public Law 88-650, 78 Stat. 1076), sections 311(b) (1), (2), and (3), 331, and 341 of the Social Security Amendments of 1965 (79 Stat. 381, 401, 411), and section 115(b) (1) of the Social Security Amendments of 1967 (81 Stat. 839), and (2) set forth in such Regulations section 1402(e) of such Code as amended by section 115(b) (2) of the Social Security Amendments of 1967 (81 Stat. 839), such regulations are amended as follows:

PARAGRAPH 1. Section 1.1402(c) is amended by revising paragraphs (4) and (5), and the flush material following paragraph (5), of section 1402(c), by adding a new paragraph (6) immediately after paragraph (5) of section 1402(c), and by revising the historical note. These amended and added provisions read as follows:

§ 1.1402(c) Statutory provisions; defini- tions; trade or business.

- Sec. 1402. Definitions. * * *
- (c) Trade or business. * * *
- (4) The performance of service by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order;
- (5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner; or

(6) The performance of service by an individual during the period for which an exemption under subsection (h) is effective with respect to him.

The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual unless an exemption under subsection (e) is effective with respect to him.

[Sec. 1402(c) as amended by sec. 201(c) (1), (2), and (5), and 205(e), Social Security Amendments 1954 (68 Stat. 1088, 1089, 1092); sec. 201 (e) (3) and (f), Social Security Amendments 1956 (70 Stat. 841); sec. 106(b), Social Security Amendments 1960 (74 Stat. 954); secs. 311(b) (1) and (2) and 319(a), Social Security Amendments 1965 (79 Stat. 381, 390); sec. 115(b) (1), Social Security Amendments 1967 (81 Stat. 839)]

PAR. 2. Section 1.1402(c)-1 is amended to read as follows:

§ 1.1402(c)-1 Trade or business.

In order for an individual to have net earnings from self-employment, he must carry on a trade or business, either as an individual or as a member of a partnership. Except for the exclusions discussed in §§ 1.1402(c)-2 to 1.1402(c)-7, inclusive, the term "trade or business", for the purpose of the tax on self-employment income, shall have the same meaning as when used in section 162. An individual engaged in one of the excluded activities specified in such sections of the regulations may also be engaged in carrying on activities which constitute a trade or business for purposes of the tax on self-employment income. Whether or not he is also engaged in carrying on a trade or business will be dependent upon all of the facts and circumstances in the particular case. An individual who is a crew leader, as defined in section 3121(o) (see such section and the regulations thereunder in Part 31 of this chapter (Employment Tax Regulations)), is considered to be engaged in carrying on a trade or business with respect to services performed by him after 1956 in furnishing individuals to perform agricultural labor for another person or services performed by him after 1956 as a member of the crew.

PAR. 3. Paragraph (e) of § 1.1402(c)-3 is amended to read as follows:

§ 1.1402(c)-3 Employees.

(e) Ministers and members of religious orders—(1) Taxable years ending before 1968. Service described in section 1402(c) (4) performed by an individual during taxable years ending before 1968 for which a certificate filed pursuant to section 1402(e) is in effect constitutes a trade or business within the meaning of section 1402(c) and § 1.1402(c)-1. See also § 1.1402(c)-5.

(2) Taxable years ending after 1967. Service described in section 1402(c) (4) performed by an individual during taxable years ending after 1967 constitutes a trade or business within the meaning of section 1402(c) and § 1.1402(c)-1 unless an exemption under section 1402(e) (see §§ 1.1402(e)-1A through 1.1402(e)-4A) is effective with respect to such in-

dividual for the taxable year during which the service is performed. See also § 1.1402(c)-5.

PAR. 4. Paragraphs (a), (b) (1), (c) (1), and (d) of § 1.1402(c)-5 are amended to read as follows:

§ 1.1402(c)-5 Ministers and members of religious orders.

(a) In general—(1) Taxable years ending before 1968. For taxable years ending before 1955, a duly ordained, commissioned, or licensed minister of a church or a member of a religious order is not engaged in carrying on a trade or business with respect to service performed by him in the exercise of his ministry or in the exercise of duties required by such order. However, for taxable years ending after 1954 and before 1968, any individual who is a duly ordained, commissioned, or licensed minister of a church or a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) may elect, as provided in § 1.1402(e) (1)-1, to have the Federal old-age, survivors, and disability insurance system established by title II of the Social Security Act extended to service performed by him in his capacity as such a minister or member. If such a minister or a member of a religious order makes an election pursuant to § 1.1402(e) (1)-1 he is, with respect to service performed by him in such capacity, engaged in carrying on a trade or business for each taxable year to which the election is effective. An election by a minister or member of a religious order has no application to service performed by such minister or member which is not in the exercise of his ministry or in the exercise of duties required by such order.

(2) Taxable years ending after 1967. For any taxable year ending after 1967, a duly ordained, commissioned, or licensed minister of a church or a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) is engaged in carrying on a trade or business with respect to service performed by him in the exercise of his ministry or in the exercise of duties required by such order unless an exemption under section 1402(e) (see §§ 1.1402(e)-1A through 1.1402(e)-4A) is effective with respect to such individual for the taxable year during which the service is performed. An exemption which is effective with respect to a minister or a member of a religious order has no application to service performed by such minister or member which is not in the exercise of his ministry or in the exercise of duties required by such order.

(b) Service by a minister in the exercise of his ministry. (1) (i) A certificate of election filed by a duly ordained, commissioned, or licensed minister of a church under the provisions of § 1.1402(e) (1)-1 has application only to service performed by him in the exercise of his ministry.

(ii) An exemption under section 1402(e) (see §§ 1.1402(e)-1A through 1.1402(e)-4A) which is effective with

respect to a duly ordained, commissioned, or licensed minister of a church has application only to service performed by him in the exercise of his ministry.

(c) *Service by a minister not in the exercise of his ministry.* (1) (i) A certificate filed by a duly ordained, commissioned, or licensed minister of a church under the provisions of § 1.1402(e)(1)-1 has no application to service performed by him which is not in the exercise of his ministry.

(ii) An exemption under section 1402(e) (see §§ 1.1402(e)-1A through 1.1402(e)-4A) which is effective with respect to a duly ordained, commissioned, or licensed minister of a church has no application to service performed by him which is not in the exercise of his ministry.

(d) *Service in the exercise of duties required by a religious order.* (1) *Certificate of election.* A certificate of election filed by a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) under the provisions of § 1.1402(e)(1)-1 has application to all duties required of him by such order.

(2) *Exemption.* An exemption under section 1402(e) (see §§ 1.1402(e)-1A through 1.1402(e)-4A) which is effective with respect to a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) has application only to the duties required of him by such order.

(3) *Service.* For purposes of subparagraphs (1) and (2) of this paragraph, the nature or extent of the duties required of the member by the order is immaterial so long as it is a service which he is directed or required to perform by his ecclesiastical superiors.

PAR. 5. Paragraphs (a)(3) and (b) of § 1.1402(c)-6 are amended to read as follows:

§ 1.1402(c)-6 *Members of certain professions.*

(a) *Periods of exclusions.* * * *

(3) *Taxable years ending after 1955.* (i) *Doctors of medicine.* For taxable years ending after 1955 and before December 31, 1965, an individual is not engaged in carrying on a trade or business with respect to the performance of service in the exercise of his profession as a doctor of medicine. For taxable years ending after December 30, 1965, an individual is engaged in carrying on a trade or business with respect to the performance of service in the exercise of his profession as a doctor of medicine.

(ii) *Christian Science practitioners.* Except as provided in paragraph (b)(1) of this section, for taxable years ending after 1955 and before 1968, an individual is not engaged in carrying on a trade or business with respect to the performance of service in the exercise of his profession as a Christian Science practitioner. For provisions relating to the performance of service in taxable years ending after 1967 by an individual in the exercise of his profession as a Christian Science

practitioner, see paragraph (b)(2) of this section.

(b) *Christian Science practitioner.* (1) *Certain taxable years ending before 1968; election.* For taxable years ending after 1954 and before 1968, a Christian Science practitioner may elect, as provided in § 1.1402(e)(1)-1, to have the Federal old-age, survivors, and disability insurance system established by title II of the Social Security Act extended to service performed by him in the exercise of his profession as a Christian Science practitioner. If an election is made pursuant to § 1.1402(e)(1)-1, the Christian Science practitioner is, with respect to the performance of service in the exercise of such profession, engaged in carrying on a trade or business for each taxable year for which the election is effective. An election by a Christian Science practitioner has no application to service performed by him which is not in the exercise of his profession as a Christian Science practitioner.

(2) *Taxable years ending after 1967; exemption.* For a taxable year ending after 1967, a Christian Science practitioner is, with respect to the performance of service in the exercise of his profession as a Christian Science practitioner, engaged in carrying on a trade or business unless an exemption under section 1402(e) (see §§ 1.1402(e)-1A through 1.1402(e)-4A) is effective with respect to him for the taxable year during which the service is performed. An exemption which is effective with respect to a Christian Science practitioner has no application to service performed by him which is not in the exercise of his profession as a Christian Science practitioner.

PAR. 6. There is inserted immediately after § 1.1402(c)-6 the following new section:

§ 1.1402(c)-7 *Members of religious groups opposed to insurance.* [Reserved]

§§ 1.1402(e)(1), 1.1402(e)(2), 1.1402(e)(3), 1.1402(e)(4), 1.1402(e)(5), 1.1402(e)(6) [Deleted]

PAR. 7. Sections 1.1402(e)(1), 1.1402(e)(2), 1.1402(e)(3), 1.1402(e)(4), 1.1402(e)(5), and 1.1402(e)(6) are deleted.

PAR. 8. The following sections are inserted immediately after § 1.1402(d)-1:

§ 1.1402(e) *Statutory provisions; definitions, ministers, members of religious orders, and Christian Science practitioners; exemption.*

SEC. 1402. *Definitions.* * * *
(e) *Ministers, members of religious orders, and Christian Science practitioners.* (1) *Exemption.* Any individual who is (A) a duly ordained, commissioned, or licensed minister of a church or a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order) or (B) a Christian Science practitioner, upon filing an application (in such form and manner, and with such official, as may be prescribed by regulations made under this chapter) together with a statement that either he is conscientiously opposed to, or because of religious principles he is opposed to, the acceptance (with respect to services performed by him as such minister, member, or practitioner) of any

public insurance which makes payments in the event of death, disability, old age, or retirement or makes payments toward the cost of, or provides services for, medical care (including the benefits of any insurance system established by the Social Security Act), shall receive an exemption from the tax imposed by this chapter with respect to services performed by him as such minister, member, or practitioner. Notwithstanding the preceding sentence, an exemption may not be granted to an individual under this subsection if he had filed an effective waiver certificate under this section as it was in effect before its amendment in 1967.

(2) *Time for filing application.* Any individual who desires to file an application pursuant to paragraph (1) must file such application on or before whichever of the following dates is later: (A) the due date of the return (including any extension thereof) for the second taxable year for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of \$400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or (B) the due date of the return (including any extension thereof) for his second taxable year ending after 1967.

(3) *Effective date of exemption.* An exemption received by an individual pursuant to this subsection shall be effective for the first taxable year for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of \$400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5), and for all succeeding taxable years. An exemption received pursuant to this subsection shall be irrevocable.

[Sec. 1402(e) as added by sec. 201(c)(3), Social Security Amendments 1954 (68 Stat. 1088); as amended by secs. 1 and 2, Act of Aug. 30, 1957 (Public Law 85-239, 71 Stat. 521, 522); sec. 101, Social Security Amendments 1960 (74 Stat. 926); sec. 202(a), Social Security Amendments 1961 (75 Stat. 141); sec. 2, Act of Oct. 13, 1964 (Public Law 88-650, 78 Stat. 1076); secs. 311(b)(3), 331, and 341, Social Security Amendments 1965 (79 Stat. 381, 401, 411); sec. 102(c), Tax Adjustment Act 1966 (80 Stat. 64); sec. 115(b)(2), Social Security Amendments 1967 (81 Stat. 839)]

§ 1.1402(e)-1A *Application of regulations under section 1402(e).*

The regulations in §§ 1.1402(e)-2A through 1.1402(e)-4A relate to section 1402(e) as amended by section 115(b)(2) of the Social Security Amendments of 1967 (81 Stat. 839) and apply to taxable years ending after 1967. For regulations under section 1402(e) (as in effect prior to amendment by the Social Security Amendments of 1967) applicable to taxable years ending before 1968, see §§ 1.1402(e)(1)-1 through 1.1402(e)(6)-1.

§§ 1.1402(e)-2A—1.1402(e)-4A [Reserved]

PAR. 9. Section 1.1402(e)(2)-1 is amended by revising paragraphs (a)(1)(i) and (3) and (b) to read as follows:

§ 1.1402(e)(2)-1 *Time limitation for filing waiver certificate.*

(a) *General rule.* (1) * * *
(i) The due date of the income tax return (see section 6072), including any extension thereof (see section 6081), for his second taxable year ending after 1963; or

(3) The application of the rules set forth in subparagraphs (1) and (2) of this paragraph may be illustrated by the following examples:

Example (1). M was ordained as a minister in May 1963. During each of the taxable years 1963 and 1966, M, who makes his income tax returns on a calendar year basis, derives net earnings in excess of \$400 from his activities as a minister. M has net earnings of \$350 for each of the taxable years 1964 and 1965, \$200 of which is derived from service performed by him as a minister. If M wishes to have the Federal old-age, survivors, and disability insurance system established by title II of the Social Security Act extended to his service as a minister, he must file the waiver certificate on or before the due date of his income tax return for 1966, or any extension thereof.

Example (2). M, who was ordained a minister in January 1965, is employed as a toolmaker by the XYZ Corporation for the taxable years 1965 and 1966 and also engages in activities as a minister on weekends. M makes his income tax return on the basis of a calendar year. During each of the taxable years 1965 and 1966, M receives wages of \$4,800 from the XYZ Corporation and derives \$400 (all of which constitutes net earnings from self-employment computed as prescribed in paragraph (c) of this section) from his activities as a minister. In such case if M wishes to have the Federal old-age, survivors, and disability insurance system established by title II of the Social Security Act extended to his services as a minister, he must file the waiver certificate on or before the due date of his income tax return for 1966, or any extension thereof. A waiver certificate filed after such date will be invalid. It should be noted that although by reason of section 1402(b)(1)(C) no part of the \$400 for the taxable year 1965 represents "self-employment income", nevertheless the entire \$400 constitutes "net earnings from self-employment" for purposes of fulfilling the requirements of section 1402(e)(2).

Example (3). M, who files his income tax returns on a calendar year basis, was ordained as a minister in June 1964. During 1964 he receives \$410 for services performed in the exercise of his ministry. In addition to his ministerial services, M is engaged during the year 1964 in a mercantile venture from which he derives net earnings from self-employment in the amount of \$1,000. The expenses incurred by him in connection with his ministerial services during 1964 and which are allowable deductions under chapter 1 of the Internal Revenue Code amount to \$410. During 1965 and 1966, M has net earnings from self-employment in amounts of \$1,200 and \$1,500, respectively, and some part of each of these amounts is from the exercise of his ministry. The deductions allowed in each of the years 1965 and 1966 by chapter 1 which are attributable to the gross income derived by M from the exercise of his ministry in each of such years, respectively, do not equal or exceed such gross income in such year. If M wishes to have the Federal old-age, survivors, and disability insurance system established by title II of the Social Security Act extended to his service as a minister, he must file a waiver certificate on or before the due date of his income tax return (including any extension thereof) for 1966.

Example (4). M, a licensed minister who makes his income tax returns on the basis of a calendar year, derived net earnings of \$400 or more from the exercise of his ministry for two or more of the taxable years 1955 to 1965, inclusive. In such case, if M wishes to have the Federal old-age, survivors, and disability insurance system established by title II of the Social Security Act extended to his services as a minister, he must file

the waiver certificate on or before the due date (Apr. 15, 1966) prescribed for filing his income tax return for 1965, or any extension thereof. A waiver certificate filed after such date will be invalid.

(b) *Effect of death.* Except as provided in §§ 1.1402(e)(5)-1, 1.1402(e)(5)-2, and 1.1402(e)(6)-1, the right of an individual to file a waiver certificate shall cease from his death. Thus, except as provided in such sections, the surviving spouse, administrator, or executor of a decedent shall not be permitted to file a waiver certificate for such decedent.

PAR. 10. Section 1.1402(e)(3)-1 is amended by revising paragraph (c) to read as follows:

§ 1.1402(e)(3)-1 Effective date of waiver certificate.

(c) *Filed after due date of 1958 return—(1) In general.* Except as otherwise provided in § 1.1402(e)(5)-1 (applicable to certificates filed within the period Sept. 14, 1960, to Apr. 16, 1962, inclusive) and in subparagraphs (2) and (3) of this paragraph, a certificate on Form 2031 filed by an individual in accordance with the provisions of §§ 1.1402(e)(1)-1 and 1.1402(e)(2)-1, inclusive, after the due date of the return (including any extension thereof) for his second taxable year ending after 1956 shall be effective for the taxable year immediately preceding the earliest taxable year for which, at the time the certificate is filed, the period for filing a return (including any extension thereof) has not expired, and for all succeeding taxable years.

Example. M, a duly ordained minister of a church, makes his income tax returns on the basis of a calendar year. M has not been granted an extension of time for filing any return. On April 15, 1963, the due date of his income tax return for 1962, M files a waiver certificate pursuant to § 1.1402(e)(1)-1 and within the time limitation set forth in § 1.1402(e)(2)-1. On April 15, 1963, the year 1962 is the earliest taxable year for which the period for filing a return has not expired. Consequently, M's certificate is effective for 1961 and all succeeding taxable years. M must report and pay any self-employment tax due for 1961 and 1962. (The tax, if any, for 1962 is due on Apr. 15, 1963.) Inasmuch as the due date of the tax for 1961 is April 16, 1962, M must pay interest on any tax due for 1961. For provisions relating to such interest, see § 301.6601-1 of Part 301 of this chapter (Regulations on Procedure and Administration).

(2) *Filed after October 13, 1964, and on or before the due date of return for second taxable year ending after 1962.* A certificate on Form 2031 filed by an individual in accordance with the provisions of §§ 1.1402(e)(1)-1 and 1.1402(e)(2)-1, inclusive, after October 13, 1964, and on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1962 (Apr. 15, 1965, in the case of a calendar year taxpayer who has not been granted an extension of time for filing his income tax return for 1964) shall be effective for his first taxable year ending after 1961 and all succeeding taxable years.

Example. M, a duly ordained minister of a church, makes his income tax returns on the basis of a calendar year. M has not been granted an extension of time for filing any return. On April 15, 1965, the due date of his income tax return for 1964, M files a waiver certificate pursuant to § 1.1402(e)(1)-1 and within the time limitation set forth in § 1.1402(e)(2)-1. M's certificate is effective for 1962 and all succeeding taxable years, and he must report and pay any self-employment tax due for 1962, 1963, and 1964. (The tax, if any, for 1964 is due on Apr. 15, 1965.) Inasmuch as the due dates of the tax for 1962 and 1963 are April 15, 1963, and April 15, 1964, respectively, M must pay interest on any tax due for 1962 or 1963. For provisions relating to such interest, see § 301.6601-1 of Part 301 of this chapter (Regulations on Procedure and Administration).

(3) *Filed after July 30, 1965, and on or before the due date of return for second taxable year ending after 1963.* A certificate on Form 2031 filed by an individual in accordance with the provisions of §§ 1.1402(e)(1)-1 and 1.1402(e)(2)-1, inclusive, after July 30, 1965, and on or before the due date of the return (including any extension thereof) for his second taxable year ending after 1963 (Apr. 15, 1966, in the case of a calendar year taxpayer who has not been granted an extension of time for filing his income tax return for 1965) shall be effective for his first taxable year ending after 1962 and all succeeding taxable years.

Example. M, a duly ordained minister of a church, makes his income tax returns on the basis of a calendar year. M has not been granted an extension of time for filing any return. On April 15, 1966, the due date of his income tax return for 1965, M files a waiver certificate pursuant to § 1.1402(e)(1)-1 and within the time limitation set forth in § 1.1402(e)(2)-1. M's certificate is effective for 1963 and all succeeding taxable years, and he must report and pay any self-employment tax due for 1963, 1964, and 1965. (The tax, if any, for 1965 is due on Apr. 15, 1966.) Inasmuch as the due dates of the tax for 1963 and 1964 are April 15, 1964, and April 15, 1965, respectively, M must pay interest on any tax due for 1963 or 1964. For provisions relating to such interest, see § 301.6601-1 of Part 301 of this chapter (Regulations on Procedure and Administration).

PAR. 11. A new § 1.1402(e)(5)-2 is added immediately after § 1.1402(e)(5)-1 to read as follows:

§ 1.1402(e)(5)-2 Optional provisions for certain certificates filed on or before April 17, 1967.

(a) *In general—(1) General rule.* Section 1402(e)(5), as amended by the Social Security Amendments of 1965, applies only in the case of a duly ordained, commissioned, or licensed minister of a church, a member of a religious order (other than a member of a religious order who has taken a vow of poverty as a member of such order), or a Christian Science practitioner, who has derived net earnings in any taxable year ending after 1954 from the performance of service in the exercise of his ministry, in the exercise of duties required by his religious order, or in the exercise of his profession as a Christian Science practitioner, respectively, and

who has reported such earnings as self-employment income on a return filed on or before the date prescribed for filing such return (including any extension thereof).

(2) *Supplemental certificate.* Subject to the conditions stated in subparagraph (4) of this paragraph, a certificate on Form 2031 filed on or before April 15, 1966, by a minister, member of a religious order, or a Christian Science practitioner described in subparagraph (1) of this paragraph and which (but for section 1402(e)(5)(A)) is ineffective for the first taxable year ending after 1954 for which a return described in subparagraph (1) of this paragraph was filed by such individual, shall be effective for such first taxable year and for all succeeding taxable years, provided a supplemental certificate is filed by such individual or by a fiduciary acting for him or his estate, or by his survivor (within the meaning of section 205(c)(1)(C) of the Social Security Act), after July 30, 1965 (the date of enactment of the Social Security Amendments of 1965), and on or before April 17, 1967.

(3) *Certificate filed by survivor.* A survivor (within the meaning of section 205(c)(1)(C) of the Social Security Act) of an individual who—

- (i) Died on or before April 15, 1966,
- (ii) Was a minister, member of a religious order, or a Christian Science practitioner described in subparagraph (1) of this paragraph,
- (iii) Has filed a return as described in subparagraph (1) of this paragraph for a taxable year ending after 1954, and
- (iv) Had not filed a valid waiver certificate on Form 2031,

may file a certificate on Form 2031 on behalf of such individual. The certificate must be filed after July 30, 1965 (the date of enactment of the Social Security Amendments of 1965), and on or before April 17, 1967. Subject to the conditions stated in subparagraph (4) of this paragraph, such certificate shall be effective for the first taxable year ending after 1954 for which a return, as described in subparagraph (1) of this paragraph, was filed by such individual and for all succeeding taxable years.

(4) *Applicable conditions.* A supplemental certificate referred to in subparagraph (2) of this paragraph and a certificate referred to in subparagraph (3) of this paragraph shall be effective only if the following conditions are met:

(i) The tax under section 1401 is paid on or before April 17, 1967, in respect of all self-employment income (whether or not attributable to earnings as a minister, member of a religious order, or Christian Science practitioner) for the first taxable year ending after 1954 for which the individual (by or in respect of whom the supplemental certificate or certificate is filed) has filed a return, as described in paragraph (1) of this paragraph, and for each succeeding taxable year ending before January 1, 1966; and

(ii) In any case where refund has been made of any such tax which (but for section 1402(e)(5)) is an overpayment, the amount refunded (including any interest paid under section 6611) is repaid

on or before April 17, 1967. For regulations under section 6611 (relating to interest on overpayments), see § 301.6611-1 of Part 301 of this chapter (Regulations on Procedure and Administration).

(b) *Underpayment of tax.* For purposes of this section, any underpayment of the tax which is attributable to an error made in good faith will not invalidate an election which is otherwise valid.

(c) *Nonapplicability of section 6401.* Any payment or repayment described in paragraph (a)(4) of this section shall not constitute an overpayment within the meaning of section 6401 which relates to amounts treated as overpayments. For the provisions of section 6401 and the regulations thereunder, see §§ 301.6401 and 301.6401-1 of Part 301 of this chapter (Regulations on Procedure and Administration).

(d) *Applicability of §§ 1.1402(e)(5)-1 and 1.1402(e)(6)-1.* The provisions of section 1402(e)(5) and (6) (in effect prior to July 30, 1965, the date of enactment of the Social Security Amendments of 1965) and §§ 1.1402(e)(5)-1 and 1.1402(e)(6)-1 shall apply with respect to any certificate filed pursuant to such sections if a supplemental certificate is not filed with respect to such certificate as provided in this section.

Because this Treasury decision amends existing regulations merely (1) to reflect the extension of coverage under title II of the Social Security Act to services performed by a self-employed person in the exercise of his profession as a doctor of medicine, (2) to reflect certain statutory amendments made by the Social Security Amendments of 1965 (similar in many respects to prior legislative enactments) which authorized the filing, under certain specified circumstances and within prescribed periods of time which periods have now expired, of certain doc-

uments relating to coverage under title II of the Social Security Act of ministers, certain members of religious orders, and Christian Science practitioners, and (3) to incorporate therein statutory provisions (without prescribing regulations thereunder) applicable for taxable years ending after 1967 in the case of ministers, certain members of religious orders, and Christian Science practitioners, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 553(b) of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Sec. 7805, Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

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

Approved: October 24, 1968.

STANLEY S. SURREY,
Assistant Secretary
of the Treasury.

[F.R. Doc. 68-13162; Filed, Oct. 29, 1968; 8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 141—STAMPS, ENVELOPES, AND POSTAL CARDS

Miscellaneous Amendments

The regulations of the Department in Part 141 are amended as follows:

I. In § 141.1 *Stamps (adhesive)*, paragraph (a) is revised to show the postage stamps available to the public.

§ 141.1 Stamps (adhesive).

(a) *Adhesive stamps available.*

Purpose	Form	Denomination and prices
Ordinary postage	Single or sheet	1, 2, 3, 4, 5, 6, 8, 10, 12, 13, 15, 20, 25, 30, 40, and 50 cents; \$1 and \$5.
	Books	20 5-cent (\$1), 32 6-cent and 8 1-cent (\$2).
	Coil of 100	5, 6, and 25 cents: (Dispenser to hold coils of 100 stamps may be purchased for 5 cents additional.)
	Coils of 500 and 3,000	1, 2, 3, 4, 5 and 6 cents.
	Coils of 3,000	25 cent.
Commemorative stamps	Single or sheet	Various denominations as announced.
Airmail postage (for use on airmail only. See par. (b) of this section).	Single or sheet	8, 10, 15, 20, and 25 cents.
	Books	25 8-cent (\$2), 14 10-cent (\$4).
	Coils of 100, 500 and 3,000	8 and 10 cents.
Precanceled postage	Single or sheet, coils of 500 and 3,000.	Available to permit holders only. (See part 142).
Postage-due (for post office use only).	Single or sheet	1, 2, 3, 4, 5, 6, 7, 8, 10, 30, and 50 cents; \$1 and \$5.
Special delivery (See part 166)	Single or sheet	30 cents. Good only for special delivery fee.

1 Will be discontinued when stock is exhausted.

NOTE: The corresponding Postal Manual section is 141.11.

II. Section 141.2 Plain envelopes, postal cards, and aerogrammes, is re-

vised to show the availability of these items to the public.

§ 141.2 Plain envelopes, postal cards, and aerogrammes.

(a) *Plain stamped envelopes—(1) Envelopes available.*

Kind	Size	Denomination	Item No.	Less than 500	500	1,000
Regular	6 3/4	Cent	661	Each \$0.08	\$33.55	\$67.10
			161	.08	34.20	68.40
Window	6 3/4	6	662	-----	34.00	68.00
			162	-----	34.85	69.70
Precanceled	6 3/4	1.4	623	-----	10.55	21.10
			123	-----	11.20	22.40
Airmail	6 3/4	10	604	.12	53.75	107.50
			104	.12	54.40	108.80

(b) How to order printed stamped envelopes. Prepare Form 3203, Order for Printed Stamped Envelopes, as illustrated below. Submit the order through the post office named in the return address. However, if undeliverable letters are to be returned to the main office of a firm in another city, envelopes may be ordered at the post office where they will be mailed.

- 1 OBTAIN BLANK FORM 3203 FROM POST OFFICE WINDOW CLERK
- 2 FILL IN QUANTITY (in multiples of 500)
- 3 INSERT ITEM NUMBER (PRICE LIST Column No. 4)
- 4 INSERT COST for the quantity ordered of that item number (PRICE LIST Columns No. 5, 6, and 7)

- 5 TYPE OR LEGIBLY PRINT RETURN ADDRESS DO NOT ATTACH any return address label, letterhead, or other material to the order form. (See suggested styles for return addresses on back of this form)
- 6 CHECK COMPLETED ORDER FORM and SIGN IT
 - Is quantity correct?
 - Is item number correct?
 - Is price correct?
 - Is address correct and completely LEGIBLE?
 - Is order signed?
- 7 SPEED YOUR MAIL USE ZIP CODE
- 8 TAKE THE COMPLETED ORDER FORM TO THE WINDOW CLERK
- 9 PAY ENTIRE COST AND OBTAIN YOUR PURCHASER'S RECEIPT STUB

IF YOU ARE UNABLE TO COMPLETE THE ORDER FORM, THE WINDOW CLERK WILL BE GLAD TO ASSIST YOU.

CAUTION: ILLEGIBLE OR INCORRECT ORDERS DELAY RECEIPT OF ENVELOPES

Denomination	Description
13 cent-----	Foreign air mail single.
10 cent-----	Domestic reply-paid cards: (5 cents each half).
8 cent ¹ -----	Foreign regular reply (4 cents each half—for use to Canada and Mexico).
16 cents-----	Foreign regular reply (8 cents each half).

¹ Revalued to 10¢ by affixing 1-cent adhesive postage stamps to each half at time of sale.

All domestic (regular and airmail) postal cards are precanceled. Postal cards in sheets for use in printing must be cut to regulation size, 3 1/4 x 5 1/2 inches so that the stamp appears in the upper right corner. However, domestic regular and domestic airmail cards may be cut to 3 x 5 inches. Cases of sheet postal cards may be broken for sale. Return addresses are not printed on postal cards by the Post Office Department.

(c) *Aerogrammes*. 13 cents each. (See § 241.5 of this chapter.)
NOTE: The corresponding Postal Manual section is 141.2.

III. Section 141.3 *Printed stamped envelopes (special request)* is revised to show the new printed stamped envelopes available, and the current return address requirements for printed stamped envelopes.

§ 141.3 Printed stamped envelopes (special request).
(a) *Printed stamped envelopes* available.

(2) *Sales at post offices*. Only sizes 6 3/4 and 10 regular and airmail will be sold in less than full box lots. Boxes contain 500 envelopes.

(3) *Precanceled envelopes*. Only non-profit organizations or associations covered in § 134.5 of this chapter may purchase 1.4 cent precanceled envelopes. Sales are made in full box lots only.

(4) *Window envelopes*. Window envelopes are sold in full box lots only. All windows are 1 1/8 inches wide and 4 3/4 inches long and are located one-half inch from the bottom of the envelope. In size 6 3/4, the window is located seven-eighths inch from the left edge, in size 10 it is three-fourth inch from the left edge.

(5) *Dimensions of envelopes*.
Size 6 3/4----- 3 3/8 by 6 1/2 inches.
Size 10----- 4 1/8 by 9 1/2 inches.
(Dimensions may vary 1/16"')

(6) *Private printing of return addresses*. Stamped envelopes may be privately printed in any style, provided at least 3 1/2 inches of clear space is left at the right end of the address side of the envelope.

Denomination	Description
5 cent-----	Cut single cards: Domestic regular single (available also in sheets of 40).
5 cent-----	Domestic commemorative single.
8 cent-----	Domestic air mail single.
8 cent-----	Foreign regular single.

Kind	Size	Denomination	Item No.	Prices	
				500 only ¹	Each additional 500
Regular-----	6 3/4	6	661	\$35.80	\$71.10
Window-----	10	6	161	36.45	36.20
Precanceled-----	10	6	662	36.25	72.00
Airmail-----	10	1.4	623	37.10	73.70
	10	1.4	123	12.80	25.10
	6 3/4	10	604	13.45	26.40
	10	10	104	56.00	111.50
	10	10		56.65	112.80
					58.40

¹ Minimum order.—Please note that the price for 500 only is more than one-half of the per-thousand price.

(c) *Style of printing return addresses.*
 (1) The line with the name of sender and the line with the city, State, and ZIP code are printed in capital letters. The local address (street address, post office box number, etc.) and any lines of postal instruction are printed in capitals and lower-case letters.

(2) Sample style of printing:

JOHN DOE,
 1234 Fifth Avenue,
 New York, N.Y. 00000.

(d) *Required printing—(1) Local address.* The printed address must include the local address. The adequacy of the address, to insure return of undeliverable mail, will be determined by the postmaster. Only one of the following may be used:

- (i) Street address.
- (ii) Post office box number.
- (iii) Rural route number and box number.
- (iv) Name of building and room number, including street address.

(2) *Name of post office.* The printed return address must include the name of the post office or branch post office, State and ZIP code.

(e) *Optional printing—(1) Name.* (i) The name may be that of an individual, firm, corporation, institution, association, or society. It may include the name and title of an officer of the concern (as John Doe, Treasurer, Washington Educational Association) and such titles as M.D., D.D.S., Rev., and LL.D., when they are clearly for identification and not for advertising.

(ii) Where a name as part of the return address indicates or incidentally discloses the nature of a business or vocation, it may be printed if the name is a bona fide business name that is used in a corporate charter, copartnership agreement, or other articles of organization, or is the name under which business with the public is actually transacted.

(iii) The name of a branch or department of a business may be printed only when the other branches or departments are located at the same post office address, to insure return of undeliverable mail.

(2) *Postal instructions.* Only the postal instructions in this section may be included as part of the printed return address. The "request to return" endorsement below shall appear above the name and address. All other postal endorsements shall appear below the line with the city, State, and ZIP code. A combination of endorsement may be used.

(i) *Request to return.* A request to return undelivered mail after a specified number of days (not less than 3 and not more than 30) may be printed. If a return request is included on envelopes for third-class mail the words "Return Postage Guaranteed" must also be used. Sample printing:

After 5 days, return to

(ii) *Address correction.* A request for address correction service may be printed on mail of any class. The new address of addressee or the reason why the piece is undeliverable will be furnished. See

§ 158.2(d)(3) of this chapter for the charge. Sample printing:

Address Correction Requested

(iii) *Third-class mail.* On single piece rate third-class mail which is sealed (see also § 134.8 of this chapter), the following imprint must appear:

THIRD CLASS

(iv) *Return of undelivered third-class mail.* A request may be made to return undelivered third-class mail. See § 158.2(d)(1) of this chapter for the charge. Sample printing:

Return Postage Guaranteed

(v) *Forwarding third-class mail.* A request to forward third-class mail to a new address may be made. If addressee refuses to pay forwarding postage, the mail will be returned, and both forwarding and return postage will be collected from the sender. See § 158.2(d)(2) of this chapter for charges. Sample printing:

Forwarding and Return Postage Guaranteed

(f) *Prohibited printing.* No matter may be printed other than that permitted by paragraphs (d) and (e) of this section. Advertising is prohibited, as are phone numbers and Esq. Names like druggist, attorney at law and C.P.A., are not classed as titles but represent business or professional names and may not be used.

(g) *Rejection of envelopes.* Special-request envelopes may be rejected because of defective manufacture, or mistakes in printing, denomination, quality, size, etc. If the mistake was made by the purchaser, the value of the postage only will be returned. If the mistake was made by the post office or its contractor, the entire invoiced value of the envelopes will be returned.

NOTE: The corresponding Postal Manual section is 141.3.

(5 U.S.C. 301, 39 U.S.C. 501, 507, 2501-2510, 4106)

TIMOTHY J. MAY,
 General Counsel.

OCTOBER 24, 1968:

[F.R. Doc. 68-13102; Filed, Oct. 29, 1968;
 8:45 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 57—GRANTS FOR CONSTRUCTION OF HEALTH RESEARCH FACILITIES (INCLUDING MENTAL RETARDATION RESEARCH FACILITIES), TEACHING FACILITIES, STUDENT LOANS, EDUCATIONAL IMPROVEMENT AND SCHOLARSHIPS

Subpart C—Health Professions Student Loans

Notice of proposed rule making, public rule making procedures and postpone-

ment of effective date have been omitted in the issuance of the following revised Subpart C—Health Professions Student Loans, which relates solely to loans to students of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine. The purpose of this revision is to clarify the procedures with regard to the making of loans from a revolving fund to public and other nonprofit schools of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, and veterinary medicine to provide all or part of the capital needed for making loans to students of such schools, and to provide for further cancellation of a portion of the loan of a borrower who engages in the practice of medicine, dentistry, osteopathy or optometry in a "rural area characterized by low family income". A number of technical or clarifying changes are also included. This revised Subpart C shall become effective on the date of publication in the FEDERAL REGISTER.

Subpart C is revised to read as follows:

Sec.	Definitions.
57.201	Definitions.
57.202	Eligibility of schools.
57.203	Application by school.
57.204	Agreements for Federal Capital Contributions and Federal Capital Loans.
57.205	Allotment and payment of Federal Capital Contributions and Federal Capital Loans.
57.206	Federal Capital Loan Promissory Note.
57.207	Health Professions Student Loan Funds.
57.208	Nondiscrimination.
57.209	Eligibility and selection of student loan recipients.
57.210	Maximum amount of student loan.
57.211	Evidence of student indebtedness—promissory note; security.
57.212	Payment of student loans.
57.213	Repayment and collection of student loans.
57.214	Provisions for student loan cancellations.
57.215	Records, reports, inspection.
57.216	Noncompliance.

AUTHORITY: The provisions of this Subpart C issued under secs. 215, 741, Public Health Service Act as amended, 58 Stat. 690, 80 Stat. 1230; 42 U.S.C. 216, 294a.

§ 57.201 Definitions.

As used in this subpart, the following terms shall have the following meanings:

(a) *Act.* The Public Health Service Act, as amended.

(b) *Secretary.* The Secretary of Health, Education, and Welfare or any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved may be delegated.

(c) *School.* A public or other nonprofit school of medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, or veterinary medicine which provides a course of study, or a portion thereof, which leads respectively to a degree of Doctor of Medicine, Doctor of Dental Surgery or an equivalent degree, Doctor of Osteopathy, Doctor of Optometry or an equivalent degree, Doctor of Podiatry or an equivalent degree, Bachelor of Science in Pharmacy or Doctor of

Pharmacy, or Doctor of Veterinary Medicine or an equivalent degree, and which is accredited as provided in section 721 (b) (1) (B) of the Act.

(d) *State.* A State or the District of Columbia, Puerto Rico, or the Virgin Islands.

(e) *Health Professions Student Loan Fund or Funds.* A fund established at a school pursuant to Part C of Title VII of the Act, either with Federal Capital Contributions together with Institutional Capital Contributions, or with Federal Capital Loans. Where a school receives monies from both methods of payment, reference is made to Funds.

(f) *Federal Capital Contribution.* The capital portion allotted by the Secretary to a school for deposit in a Health Professions Student Loan Fund pursuant to section 742 of the Act.

(g) *Institutional Capital Contribution.* The money provided by a school, in an amount not less than one-ninth of the Federal Capital Contribution, and deposited in a Health Professions Student Loan Fund.

(h) *Federal Capital Loan.* A loan made by the Secretary to a school pursuant to section 744(a) of the Act, the proceeds of which are to be deposited by such school in a Health Professions Student Loan Fund.

(i) *Student Loan.* The amount of money advanced to a student by a school from a Health Professions Student Loan Fund under a single, properly executed promissory note.

(j) *Full-time student.* A student who is enrolled in a school and pursuing a course of study which constitutes a full-time academic workload, as determined by the school, leading to a degree specified in § 57.201(c). A student who pursues a course of study leading to such degree on a part-time basis (less than a full-time academic workload) is not eligible to receive a Health Professions Student Loan.

(k) *Ceases to be a full-time student.* A student shall be considered to have ceased to be a full-time student upon the first day of the month which is nearest to the date upon which he ceases to be a full-time student as defined herein.

(l) *Academic year.* The traditional, approximately 9-month September to June annual session. For the purpose of computing academic year equivalents for students who, during a 12-month period, attend for a longer period than the traditional academic year, the academic year will be considered to be of 9 months' duration.

(m) *Fiscal year.* The Federal fiscal year commencing on the first day of July and ending on the 30th day of June.

(n) *Permanently and totally disabled.* The inability to engage in any substantial gainful activity because of medically determinable impairment, which impairment is expected to continue for a long and indefinite period of time, or to result in death.

(o) *Uniformed service.* The Army, Navy, Air Force, Marine Corps, Coast

Guard, Coast and Geodetic Survey, and the Public Health Service.

(p) *National of the United States.* (1) A citizen of the United States or (2) a person who, though not a citizen of the United States, owes permanent allegiance to the United States (8 U.S.C. 1101(a) (22)).

§ 57.202 Eligibility of schools.

To be eligible for a Federal Capital Contribution or a Federal Capital Loan under this subpart, the applicant school shall:

(a) Meet the applicable requirements of sections 740(a) and 744(a) of the Act; and

(b) Submit an application as required by § 57.203.

§ 57.203 Application by school.

(a) Each school desiring a Federal Capital Contribution or a Federal Capital Loan under the Act shall submit an application in such form and at such time as the Secretary may require. The application shall be executed by an official authorized to act for the applicant school and to assume on behalf of the applicant school the obligations imposed by the terms and conditions of any Federal Capital Contribution or Federal Capital Loan, including the regulations of this subpart.

(b) Each application shall be reviewed to determine institutional eligibility and the reasonableness of the amount of Federal support requested. When necessary to these ends, the Secretary may require the submission of additional data.

§ 57.204 Agreements for Federal Capital Contributions and Federal Capital Loans.

(a) *Federal Capital Contribution Agreements.* No application for a Federal Capital Contribution shall be approved unless there is in effect an agreement between the Secretary and the applicant school for Federal Capital Contributions pursuant to section 740 of the Act.

(b) *Federal Capital Loan Agreements.* No application for a Federal Capital Loan shall be approved unless there is in effect an agreement between the Secretary and the applicant school for Federal Capital Loans containing the terms required by section 744(b) of the Act and such additional terms and conditions, consistent with the applicable provisions of section 740 of the Act, as the Secretary deems appropriate.

§ 57.205 Allotment and payment of Federal Capital Contributions and Federal Capital Loans.

(a) *Annual allotment.* At a time determined by him, the Secretary shall make allotments to each school with which he has entered into an agreement pursuant to § 57.204. If the total of the amounts requested for any fiscal year by all schools for Federal Capital Contributions and Federal Capital Loans exceeds the amount of Federal funds determined by the Secretary at the time of such allotment to be available for such

purposes for such fiscal year, the allotment to each such school, whether in the form of Federal Capital Contributions or Federal Capital Loans or a combination of both, shall be reduced to whichever of the following is the smaller: (1) The amount requested in the application or (2) an amount which bears the same ratio to the total amount of Federal funds determined by the Secretary at the time of such allotment to be available for such fiscal year for the Health Professions Student Loan Program as the number of full-time students estimated by the Secretary to be enrolled in such school bears to the estimated total number of full-time students in all such schools during such year. Amounts remaining after such allotment shall be reallocated in accordance with subparagraph (2) of this paragraph among schools whose applications requested more than the amounts so allotted to them, but with such adjustments as may be necessary to prevent the total allotted to any school from exceeding the total requested by it.

(b) *Supplementary allotment from revolving fund only.* From funds which become available during any fiscal year for payment to schools from the revolving fund established by section 744(a) of the Act after the allotments pursuant to paragraph (a) of this section for such fiscal year have been made, the Secretary may, in his discretion and at such time as he shall determine, make supplementary allotments to schools with which he has Federal Capital Loan Agreements and whose requests for funds for such fiscal year exceed the amounts allotted to them pursuant to paragraph (a) of this section. If the total need for supplementary funds exceeds the amounts determined by the Secretary to be available for supplementary allotments, the supplementary allotment to each school shall be reduced to whichever of the following is the smaller: (1) The supplementary amount requested or (2) an amount which bears the same ratio to the amount determined by the Secretary to be available for supplementary allotment as the number of full-time students estimated by the Secretary to be enrolled in such school bears to the estimated total number of full-time students enrolled for such year in all schools which request supplementary allotment may be allotted among schools in such manner as the Secretary determines will best carry out the purposes of the Act.

(c) *Payment.* The allotment of Federal Capital Contributions and/or Federal Capital Loans to a school shall be paid in such amounts, at such times, and in such installments as will not result in unnecessary accumulation of money in any Health Professions Student Loan Fund.

§ 57.206 Federal Capital Loan Promissory Note.

Each Federal Capital Loan shall be made subject to the terms of a promissory note which shall be executed by an

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authorized official on behalf of the borrowing school. Each such note shall include such terms with respect to the payment of interest and the repayment of principal as are consistent with the provisions of section 744 of the Act, and shall include such other terms as the Secretary finds reasonably necessary to protect the financial interests of the United States and to promote the purposes of the Act.

§ 57.207 Health Professions Student Loan Funds.

(a) *Funds established with Federal Capital Contributions.* Any fund established by a school with Federal Capital Contributions shall be deposited and carried in a special account of such school, and shall be used by such school only for (1) loans to students; (2) capital distributions as provided in section 743 of the Act or as agreed to by the school and the Secretary; and (3) costs of litigation arising in connection with the collection of any obligation to such fund and interest thereon. There shall be in such fund at all times monies representing the Institutional Capital Contribution equal to at least one-ninth of the amount of the balance of the Federal Capital Contributions in such fund.

(b) *Funds established with Federal Capital Loans.* Any fund established by a school with Federal Capital Loans shall be deposited and carried in a special account of such school, and shall be used by such school only for (1) loans to students; (2) repayments of principal and interest on Federal Capital Loans; and (3) costs of litigation arising in connection with the collection of any obligation to such fund and interest thereon.

§ 57.208 Nondiscrimination.

(a) No eligible applicant shall be denied a student loan on the ground of sex or creed.

(b) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d; 78 Stat. 252), which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which is applicable to Federal Capital Contributions and Federal Capital Loans made under Part C, Title VII of the Act, has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80).

§ 57.209 Eligibility and selection of student loan recipients.

(a) *Eligibility.* Student loans from any fund may be made only to students who are:

(1) Nationals of the United States or who are in a State for other than temporary purposes and intend to become permanent residents of the United States;

(2) Enrolled, or accepted for enrollment, in the school as full-time students; and

(3) In need of the amount of the loan to pursue a full-time course of study at the school.

(b) *Selection and determination of need.* All determinations of need shall be made by the school in accordance with the policies and procedures, consistent with these regulations, which are established by the school. In determining whether a student is in need of a loan to pursue a course of study at the school, the school shall take into consideration:

(1) The income, assets, and resources of the student and his spouse;

(2) The income, assets, and resources of the student's family; and

(3) The cost reasonably necessary for the student's attendance at the school, including any special needs and obligations which directly affect the student's ability to attend such school on a full-time basis.

(c) *Records of approval or disapproval.* The records of the school shall indicate the basis for approval or disapproval of all or any part of each student application for a loan.

§ 57.210 Maximum amount of student loan.

The total of the loans made from the fund or funds to any student for an academic year may not exceed \$2,500. The maximum amount loaned during a 12-month period to any student enrolled in a school which provides a course of study longer than the 9-month academic year may be proportionately increased.

§ 57.211 Evidence of student indebtedness—promissory note: security.

(a) *Evidence of indebtedness—promissory note.* Each loan to a student from any fund or funds shall be evidenced by a promissory note; executed by the student borrower, in such form as shall be approved by the Secretary.

(1) Any substantive deviations from the promissory note form so approved shall be made only pursuant to approval by the Secretary prior to the making of any loans evidenced thereby, except that a school which elects to require security or endorsement in cases permitted under paragraph (b) of this section may include a provision reflecting such election without prior approval.

(2) Each promissory note shall set forth the annual interest rate which is to be borne by the loan during the period the loan is repayable. Such interest rate shall be 3 percent per year, or the "going Federal rate" as defined in section 741(e) of the Act, whichever rate is the greater. The rate of interest thus determined for the first loan obtained by a student at a particular school shall also apply to any subsequent loan to such student from any fund or funds during his course of study at such school. Prior to the beginning of each fiscal year, the Secretary shall advise each participating school of the amount of the going Federal rate of interest for that fiscal year.

(3) Each promissory note shall contain a provision whereby the borrower agrees (i) that, for repayment purposes, all student loans made to him shall be combined into a total loan; and (ii) that

each payment made by him shall be applied to the principal sum of the total loan and accrued interest thereon.

(4) A copy of each executed note shall be supplied by the school to the student maker thereof.

(b) *Security.* Neither security nor endorsement shall be required except that if the borrower is a minor and if under the applicable State law the note executed by him would not create a binding obligation, then the school is permitted to require security or endorsement.

§ 57.212 Payment of student loans.

(a) Loans from any Fund or Funds shall be paid to student borrowers in such installments as are deemed appropriate by the school, except that no borrower may receive more during any given installment period (e.g., semester, term, or quarter) than he needs for such period.

(b) No payment shall be made from any Fund to any student borrower if at the time of such payment such borrower is not a full-time student as defined in § 57.201(j).

§ 57.213 Repayment and collection of student loans.

(a) *Repayment of student loans.* The total loan to a student borrower shall be repayable in equal or graduated periodic installments, together with interest on the unpaid balance thereof, over the 10-year period which begins 3 years after the student ceases to be a full-time student; *Provided, however,* That when a borrower, within such 3-year period, re-enters the same or another school as a full-time student, the date upon which interest accrual and the repayment period begins shall be related to and determined by the date on which he last ceases to be a full-time student at any school. All periods of up to a total of 3 years of active duty performed by the borrower as a member of a uniformed service and all periods of up to a total of 3 years of service as a volunteer under the Peace Corps Act shall be excluded from the 10-year repayment period. During any periods of deferment of the 10-year repayment period for these reasons, interest shall not accrue on the loan nor shall repayment of the loan be required. Each student borrower may choose the repayment schedule which he prefers from those in use by the school and approved by the Secretary, but a student borrower may, at his option and without penalty, prepay all or part of the principal and accrued interest at any time.

(b) *Collection of student loans.* Each school at which a fund is established shall exercise due diligence in the collection of all loans due the fund.

§ 57.214 Provisions for student loan cancellations.

(a) *Permanent and total disability.* Determinations as to whether or not a student borrower is entitled to a cancellation of indebtedness in accordance with section 741(d) of the Act on the basis of permanent and total disability shall be made by the Secretary on the recommendation of the school to whose

fund the borrower is indebted, supported by such medical certifications as the Secretary may require relating to the borrower's disability.

(b) *Death.* The determination as to whether or not a student borrower is entitled to a cancellation of indebtedness in accordance with section 741(d) of the Act because of the death of the borrower shall be made by the school to which the borrower is indebted on the basis of a certificate of death or such other official proof as is conclusive under State law.

(c) *Practicing in a shortage area.* (1) Subject to the provisions of section 741(f) of the Act and of this paragraph any person who obtained one or more loans from a fund or funds established under Part C of Title VII of the Act and who engages in the practice of medicine, dentistry, optometry, or osteopathy in an area having a shortage of and need for physicians, dentists, or optometrists, and whose practice is certified by the State health authority (as designated for purposes of section 314(d) of the Public Health Service Act) as helping to meet the shortage of and need for such professional services, shall be entitled, upon compliance with the statute, regulations, and instructions, to have a portion of such loans canceled as follows: 10 per centum of the total of such loans (plus accrued interest on such amount) which is unpaid as of the date that such person's professional services begin in such area, for each year of such practice thereafter, up to 50 per centum of the total of such unpaid amount, plus accrued interest thereon.

(2) For purposes of subparagraph (1) of this paragraph, the State health authority may designate as areas in the State in which there is a shortage of and need for physicians, dentists, or optometrists any county (or established comparable political subdivision in those States in which there are no counties) in which the ratio of practicing physicians, dentists, or optometrists, respectively, to the most recent available estimated population in the county is lower than the following ratios:

Physicians (M.D. and D.O.)	1:1,500
Dentists	1:3,000
Optometrists	1:15,000

Provided, That the State health authority may, with the approval of the Secretary, designate as shortage areas: (i) Geographical areas other than counties where he finds that the use of another classification of areas of the State will better reflect the health manpower needs of the State as related to particular administrative, geographical, or other factors, and (ii) those counties or other geographical areas in which the ratio of such professional personnel to population is equal to or greater than the ratios specified above in special circumstances such as (a) inaccessibility of medical services to the residents of the area, (b) age or incapacity of professionals rendering service, and (c) particular local health problems.

(3) For purposes of subparagraph (1) of this paragraph, in determining whether the practice of a physician,

dentist, or optometrist in a shortage area helps to meet the shortage of and need for such professional services in the area, the State health authority shall take into consideration the amount of time which the practitioner devotes to serving the health needs of persons living in the area; the extent to which his services are generally available to residents of the area; and such other factors as will permit the State health authority to determine that the physician, dentist, or optometrist is substantially helping to meet the shortage of and need for professional services for residents of the area.

(4) For purposes of subparagraph (1) of this paragraph, a year of practice in a shortage area means any 12-month period of continuous practice (i) after the date the person begins practice in such area if the area is at that time designated as an area in which there is a shortage of and need for physicians, dentists, or optometrists, or (ii) after the date the area is designated a shortage area if the area was so designated subsequent to the date that such person began practicing in such area: *Provided,* That, when an area's designation is changed, after a practitioner would otherwise be eligible for cancellation of a portion of his loan by practicing in such area, so that such area is no longer a shortage area, such change in designation shall not affect the eligibility of such practitioner to have a portion of his loan canceled for any year in which he continues to practice his profession in such area.

(5) For the purposes of subparagraph (1) of this paragraph, the State health authority shall certify to the Secretary in such form and at such times as the Secretary may prescribe: (i) The areas of his State which he has determined to be shortage areas and (ii) the names of loan recipients whose practice in such areas he has determined helps to meet the shortage of and need for physicians, dentists, or optometrists in the designated area in accordance with the criteria prescribed in this paragraph.

(d) *Practicing in a rural shortage area characterized by low family income.* (1) Subject to the provisions of section 741(f) of the Act and of this paragraph, any person who obtained one or more loans from a fund or funds established under Part C of Title VII of the Act and who engages in the practice of medicine, dentistry, optometry, or osteopathy in an area which has been determined by the Secretary pursuant to this paragraph to be a rural shortage area characterized by low family income, and whose practice is certified by the State health authority pursuant to paragraph (c) of this section as helping to meet the shortage of and need for such professional services, shall be entitled, upon compliance with the statute, regulations, and instructions, to have a portion of such loans canceled as follows: 15 per centum of the total of such loans (plus accrued interest on such amount) which is unpaid as of the date that such person's professional services begin in such area, for

each year of such practice thereafter, up to 100 per centum of the total of such unpaid amount (plus accrued interest thereon).

(2) For purposes of subparagraph (1) of this paragraph, the Secretary, after consultation with the appropriate State health authority, may determine an area to be a rural shortage area characterized by low family income if the area has been designated as a shortage area pursuant to paragraph (c) of this section and is an area in which (i) at least 50 per centum of the total population is rural (as determined in U.S. Census of Population: 1960, Volume I, Characteristics of the Population, Bureau of the Census), or there is no municipality of more than 10,000 population, and (ii) at least 35 per centum of the population has a family income of less than \$3,000 (as determined in U.S. Census of Population: 1960, Volume I, Characteristics of the Population, Bureau of the Census).

§ 57.215 Records, reports, inspection.

(a) *Records and reports.* Each Federal Capital Contribution or Federal Capital Loan shall be subject to the condition that the school shall maintain such records, and file with the Secretary such reports relating to its Health Professions Student Loan Fund or Funds, as the Secretary may find necessary to carry out the purposes of the Act and the regulations. Where any school has both a fund established with Federal Capital Contributions and a fund established with Federal Capital Loans, records shall be kept separately for each Fund.

(b) *Inspection and audit.* Any application for a Federal Capital Contribution or a Federal Capital Loan shall constitute the consent of the applicant school to inspection and fiscal audit, by persons designated by the Secretary, of the fiscal and other records of the applicant school which relate to such Contribution or Loan.

§ 57.216 Noncompliance.

Whenever the Secretary finds that a participating school has failed to comply with the Act or the regulations of this subpart, he may, on reasonable notice to the school, withhold further payments of Federal Capital Contributions or Federal Capital Loans, and take such other action, including the termination of any agreement, as he finds necessary to carry out the purposes of the Act and regulations. In such case no further expenditures shall be made from the Health Professions Student Loan Fund or Funds involved until the Secretary determines that there is no longer any such failure of compliance.

Dated: September 24, 1968.

[SEAL] ROBERT Q. MARSTON,
Director,
National Institutes of Health.

Approved: October 23, 1968.

WILBUR J. COHEN,
Secretary.

[P.R. Doc. 68-13159; Filed, Oct. 29, 1968; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

SUBCHAPTER C—MINERALS MANAGEMENT (3000)

[Circular 2250]

PART 3180—SULPHUR PERMITS AND LEASES

Subpart 3182—Sulphur Prospecting Permits

APPLICATION FOR PERMIT; PERMIT RENTAL

On page 7119 of the FEDERAL REGISTER of May 14, 1968, there was published a notice and text of proposed amendment of § 3182.1 of Title 43, Code of Federal Regulations. The purpose of the amendment is to establish a minimum rental rate for sulphur prospecting permits, to require the full payment of the first year's rental to accompany the application, and to require annual payment of rental to be made on or before the anniversary date of the permit. Interested persons were given 30 days within which to submit comments, suggestions or objections with respect to the proposed amendment.

During this 30-day period a number of comments were received objecting to the amendment on the ground that it was ex post facto, that many sulphur prospecting permits had been issued without a rental requirement, that no rental was required for prospecting permits for other leasable minerals, that the amendment would discourage the development of public lands and that the amendment was arbitrary, capricious, and unreasonable.

It is the policy of the Federal Government and the Department to require a fair return to the Government from the public lands and resources thereon, unless the law provides otherwise. After careful study and review, it has been concluded that this amendment is in line with this policy, and is in the public interest.

An annual rental is presently required for all mineral prospecting permits except sulphur. We know of no sound basis for this exception. Nor have our studies shown that the requirement of an annual rental has discouraged development of mineral resources.

As to whether the annual rental should be made applicable to pending applications, a determination has been made that the best interests of the public require that these amended regulations become effective immediately and apply to all permits issued after the effective date of this amendment.

For all these reasons, no changes are being made in the regulations as proposed except for one sentence which is being changed for the sake of clarity.

The proposed revision is hereby adopted as published with the exception of the fourth sentence which is amended to read:

"The application shall include the information and evidence called for in §§ 3181.2 and 3183.3-1(a)(2)." This revision shall become effective on the date of publication in the FEDERAL REGISTER.

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 24, 1968.

Section 3182.1 is amended to read as follows:

§ 3182.1 Application for permit; permit rental.

(a) An application for a permit shall be filed in quintuplicate in the appropriate land office on a form approved by the Director or on an exact reproduction thereof. The form or an exact reproduction will constitute the permit when signed by the authorized officer of the land office. The application should be filled in on a typewriter or printed plainly in ink and signed in ink by the applicant or the applicant's duly authorized attorney in fact. The application shall include the information and evidence called for in §§ 3181.2 and 3183.3-1(a)(2). Each application shall be accompanied by a filing fee of \$10 which is not returnable and by full payment of the first year's rental in the amount specified in paragraph (b) of this section. The rental payment shall be for the total acreage if known and if not known, for the total acreage computed on the basis of 40 acres for each smallest legal subdivision.

(b) A permittee shall pay an annual rental of 25 cents for each acre or fraction thereof covered by his permit but no less than \$20 per year. Such annual payments of rental shall be made on or before the anniversary date of the permit. Payment of rental will be required on all permits issued after the effective date of this section, as amended.

[F.R. Doc. 68-13137; Filed, Oct. 29, 1968; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18280, RM-1277; FCC 68-1060]

PART 73—RADIO BROADCAST SERVICES

Television Table of Assignments; Las Cruces, N. Mex.

Report and order. 1. The Commission here considers the rule making to amend the Television Table of Assignments (§ 73.606(b) of the Commission's rules and regulations) to reserve the existing Channel 22 assignment at Las Cruces, N. Mex., for educational noncommercial use, and allocate another channel for future commercial needs. See the notice

of proposed rule making, adopted July 31, 1968 (FCC 68-797). No comments were filed.

2. The Mexico State University which initiated this proceeding is committed to long-range use of audio and visual media for educational purposes,¹ intends to apply for Channel 22 as soon as the ETV reservation is made, and proposes programing which would be oriented toward Dona Ana County (population 59,984, 1960 Census) and the El Paso, Tex.-Juarez, Mexico, area (approximately 40 miles away). El Paso County's 1960 population was 314,700. The University has committed \$213,000 for remodeling the former Student Union for use by the proposed television station; 70 percent of the space would be for the ETV station, and the balance for the laboratory.

3. The petitioner also proposed the substitution of another channel for commercial use, if Channel 22 is reserved. Our notice of proposed rule making stated this would be appropriate on the basis of Las Cruces' population (29,367, 1960 Census), although there were reasons for proposing a channel other than any proposed by the petitioner's engineering consultant. Use of the Commission's computer showed that assignment of Channel 48 at Las Cruces would be feasible. There are sufficient channels available for assignment in the area to meet any foreseeable needs.

4. It appears that the public interest would be served by reserving Channel 22 at Las Cruces, N. Mex., for educational noncommercial use. Also, for the reasons stated, Channel 48 should be assigned to Las Cruces for future commercial use.

5. Authority for adoption of this amendment is contained in sections 4 (i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

6. *It is ordered*, That § 73.606(b) of the Commission's rules, Television Table of Assignments is amended, insofar as the community named is concerned, effective December 9, 1968, as follows:

City	Channel No.
Las Cruces, N. Mex.	*22, 48

7. *It is further ordered*, That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: October 23, 1968.

Released: October 25, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 68-13163; Filed, Oct. 29, 1968; 8:47 a.m.]

¹ It has been operating educational FM Station KRWG for over 4 years. This station's programing caters to the needs of the area's bilingual population.

² Commissioners Hyde, chairman; and Cox absent.

[Docket No. 18273; FCC 68-1056]

PART 95—CITIZENS RADIO SERVICE

Frequencies Available

Report and order. In the matter of amendment of § 95.41(a)(2)(i) of the Commission's rules to require licensees in the Citizens Radio Service to vacate the frequencies in the 465.000 to 465.500 Mc/s band by January 1, 1969, Docket No. 18273.

1. On August 2, 1968, we issued a notice of proposed rule making in the above-entitled proceeding, which was published in the FEDERAL REGISTER on August 7, 1968, 33 F.R. 11180. The time for filing comments and reply comments has expired.

2. In that notice we proposed to amend § 95.41(a)(2)(i) of our rules to require licensees of Class A Citizens Radio stations in the 465.000 to 465.500 Mc/s band to vacate those frequencies by January 1, 1969. In the second report and order in docket No. 13847, released on February 9, 1968, 11 FCC 2d 648, these frequencies were reallocated to the Police Radio Service and licensees authorized prior to March 18, 1968, were allowed until January 1, 1970, to vacate them. The notice was issued in response to requests from several police departments which have developed plans to expand and modernize their communications system in part on these frequencies in advance of January 1, 1970.

3. Comments in support of the proposed rule amendment have been filed by The Associated Public Safety Communications Officers, Inc.; and the city of Dallas, Tex. Reply comments also in support have been filed by the International Association of Chiefs of Police, Inc. No comments in opposition were filed. However, it has become evident from the applications that have been filed and other information that the need for the use of a substantial number of the frequencies in the 465.00-465.500 Mc/s band by police agencies during the next year exists in our larger metropolitan centers. On the other hand, many Class A Citizens radio stations operate outside those centers. Therefore, the rule amendment we adopt herein will require only Citizens licensees in the top twenty urban centers to vacate the frequencies in the 465.00-465.500 Mc/s band by January 1, 1969. All others, of course, will be required to vacate these and other frequencies that have been reallocated by January 1, 1970. See § 95.41(a) of the Commission's rules. The new rule will apply to Class A Citizens Radio stations located within 75 miles from the center of the 20 largest urbanized areas as listed in U.S. Census of Population, 1960, Volume 1, Table 23, page 50. A list of these urban centers is attached. The centers of urbanized areas are determined from the appendix page 226, of the U.S. Commerce publication, Air Line Distance Between Cities in the United States.

4. Burns Bros. Preferred, Inc. (Burns Bros.), which is licensed to operate a

Class A Citizens Radio station on one of the frequencies in question, filed a statement requesting that it be permitted to continue operating on its frequency until May 31, 1969, so as to avoid any interruption of its radio communication service during the winter season. Burns Bros. distributes fuel oil in the New York Metropolitan area and its peak season runs from November through April. In the notice, we recognized that situations such as this would arise and we stated that consideration will be given, on a case by case basis, to requests from Citizens Radio station licensees for extension of time to change frequencies up to January 1, 1970. We think this approach is proper and provisions therefor have been made in the rule. In order to expedite the handling of such requests, we hereby delegate authority to the Chief, Safety and Special Radio Services Bureau to act thereon. Procedurally, such requests, including that of Burns Bros., will be published in our weekly public notice for the Safety and Special Radio Services and may be granted 15 days thereafter unless interested police departments file an objection indicating that the requested extension would be inconsistent with police plans to use the particular frequency.

5. Accordingly, we find that the public interest would be served by adopting the proposed rule amendments as modified. *Therefore, it is ordered,* Pursuant to authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended, that, effective December 9, 1968, § 95.41(a)(2) of the Commission's rules is amended as shown below.

6. *It is further ordered,* That this proceeding is terminated.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: October 23, 1968.

Released: October 25, 1968.

FEDERAL COMMUNICATIONS COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

Section 95.41(a)(2) is amended by adding a subdivision (vi) to read:

§ 95.41 Frequencies available.

(a) * * *

(2) * * *

(vi) Notwithstanding the provisions of subdivisions (i) through (v) of this subparagraph, all stations authorized to operate on frequencies between 465.00 and 465.500 Mc/s and located within 75 miles of the center of the 20 largest urbanized areas of the United States, may continue to operate on these frequencies only until January 1, 1969. An extension to continue operation on such frequencies until January 1, 1970, may be granted to such station licensees on a case by case basis if the Commission finds

¹ Commissioners Hyde, Chairman; and Cox absent.

that continued operation would not be inconsistent with planned usage of the particular frequency for police purposes. The 20 largest urbanized areas can be found in the U.S. Census of Population, 1960, vol. 1, table 23, page 50. The centers of urbanized areas are determined from the appendix, page 226, of the U.S. Commerce publication, "Air Line Distance Between Cities in the United States."

20 LARGEST URBANIZED AREAS IN THE UNITED STATES

- New York-Northeastern New Jersey.
- Los Angeles-Long Beach, Calif.
- Chicago-Northwestern Indiana.
- Philadelphia, Pa.-New Jersey.
- Detroit, Mich.
- San Francisco-Oakland, Calif.
- Boston, Mass.
- Washington, D.C.-Maryland-Virginia.
- Pittsburgh, Pa.
- Cleveland, Ohio.
- St. Louis, Mo.-Illinois.
- Baltimore, Md.
- Minneapolis-St. Paul, Minn.
- Milwaukee, Wis.
- Houston, Tex.
- Buffalo, N.Y.
- Cincinnati, Ohio-Kentucky.
- Dallas, Tex.
- Kansas City, Mo.-Kans.
- Seattle, Wash.

[F.R. Doc. 68-3164; Filed, Oct. 23, 1968; 8:47 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55), AND MARYLAND TOBACCO

Subpart—Tobacco Allotment and Marketing Quota Regulations, 1968-69 and Subsequent Marketing Years

Correction

In F.R. Doc. 68-12772, published at page 15521 in the issue for Saturday, October 19, 1968, the following changes should be made:

1. In the table under § 724.51(j), the percentage for "Burley and Maryland" tobacco should read "0.24 (24 hundredths of 1 percent)."

2. In § 724.55(b), the last two lines of subparagraph (3) should read "county committee no later than September 1 of the crop year involved." and the last two lines of subparagraph (4) should read "was established shall not be credited with any tobacco history acreage."

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 815.9, Amdt. 3]

PART 815—ALLOTMENT OF THE DIRECT-CONSUMPTION PORTION OF MAINLAND SUGAR QUOTA FOR PUERTO RICO

Calendar Year 1968

Basis and purpose. This amendment is issued under section 205(a) of the Sugar Act of 1948, as amended (hereinafter called the "Act"), for the purpose of amending Sugar Regulation 815.9 (32 F.R. 21025; 33 F.R. 6706, 10935), which established allotments of the direct-consumption portion of the mainland quota for Puerto Rico for the calendar year 1968.

This amendment of Sugar Regulation 815.9 is necessary to: (1) Give effect to the amendment of Sugar Regulation 811, Amendment 11 (33 F.R. 15586) which established the direct-consumption portion of the 1968 mainland quota for Puerto Rico of 165,000 short tons, raw value, a quantity greater than the 163,500 short tons, raw value, previously allotted and to allot the larger quantity in accordance with findings heretofore made and (2) determine deficits in the allotments of three allottees and prorate such deficits to other allottees that are able to utilize additional allotments.

The data in the following table show in Column (1) the allotment of 165,000 short tons, raw value, which would result if each allottee had the ability to market its full allotment; in Column (2) the quantity reported to the Department pursuant to finding (11) of Sugar Regulation 815.9 (32 F.R. 21025) and in Column (3) the quantities of deficits determined and prorated:

Allottees	1968 allotments prior to determination of deficits	1968 marketing ability	Maximum Deficits(-) and prorations of deficits(+)
	(1)	(2)	(3)
(Short tons, raw value)			
Center Aguirre Sugar Co., a trust.....	6,852	6,790	-62
Central Roig Refining Co.....	22,852	22,644	-208
Central San Francisco.....	1,397	1,177	-220
Puerto Rican American Sugar Refinery Inc.....	108,475	115,000	+397
Western Sugar Refining Co.....	25,394	25,850	+93
Liquid sugar reserve for persons other than named above.....	30		0
Total.....	165,000	171,461	0

Findings heretofore made and the order issued by the Secretary in the course of this proceeding (32 F.R. 21025) provide that this order shall be revised without further notice or hearing by the Administrator, Agricultural Stabilization and Conservation Service for the purpose indicated above and such findings set forth the procedure for the revision of allotments.

Accordingly, allotments are herein established on the basis of and consistent with such findings.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the Act, and in accordance with paragraph (c) of § 815.9 of this chapter, it is hereby ordered that paragraph (a) of § 815.9 be amended to read as follows:

§ 815.9 Allotment of the direct-consumption portion of mainland sugar quota for Puerto Rico for the calendar year 1968.

(a) *Allotments.* The direct-consumption portion of the 1968 mainland sugar

quota for Puerto Rico, amounting to 165,000 short tons, raw value, is hereby allotted as follows:

Allottee	Direct-consumption allotment (Short tons, raw value)
	Central Aguirre Sugar Co., a trust..
Central Roig Refining Co.....	22,644
Central San Francisco.....	1,177
Puerto Rican American Sugar Refinery, Inc.....	108,872
Western Sugar Refining Co.....	25,487
Liquid sugar reserve for persons other than named above.....	30
Total	165,000

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 205, 207, 209; 61 Stat. 926, 927, 928; 7 U.S.C. 1115, 1117, 1119)

Effective date. The allotments established by this amendment for two of the allottees are larger than the allotments previously established in S.R. 815.9 (33 F.R. 10935). To afford the allottees the opportunity to market the additional quantities of sugar in 1968, it is imperative that this order be effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective requirement in 5 U.S.C. 533 (80 Stat. 378) is impracticable and contrary to the public interest and, consequently, the amendment made herein shall become effective when filed for public inspection in the office of the FEDERAL REGISTER.

Signed at Washington, D.C., on October 25, 1968.

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

[F.R. Doc. 68-13154; Filed, Oct. 25, 1968; 3:20 p.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX

Information Reporting of Bank Collections, Dividends, and Interest

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, preferably in quintuplicate, to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any written comments or suggestions not specifically designated as confidential in accordance with 26 CFR 601.601(b) may be inspected by any person upon written request. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

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

In order to clarify the requirements for information reporting by payers of dividends and interest and persons engaged in the banking business, the Income Tax Regulations (26 CFR Part 1) under sections 6041, 6042, and 6049 of the Internal Revenue Code of 1954, are amended as follows:

PARAGRAPH 1. Section 1.6041-3 is amended by deleting the word "and" at the end of paragraph (o), by deleting the period at the end of paragraph (p) and inserting in lieu thereof "; and", and by adding a new paragraph (q) to read as follows:

§ 1.6041-3 Payments for which no return of information is required under section 6041.

(q) Payments made to principals by persons carrying on the banking business, and by persons which are mutual savings banks, cooperative banks, building and loan associations, homestead associations, credit unions, or similar organizations chartered and supervised by Federal or State law, of funds collected when acting in the capacity of collection agents. For purposes of this paragraph, the term collection agent does not include collections of items on a regular and continuing basis under a so-called escrow or trust agreement. The exception from reporting set forth in this paragraph shall apply until such time as the Commissioner determines that it is feasible for such persons to report the payments, and this paragraph is amended accordingly to require such reporting.

PAR. 2. Paragraph (a)(1)(i) of § 1.6042-2 is amended to read as follows:

§ 1.6042-2 Returns of information as to dividends paid in calendar years after 1962.

(a) Requirement of reporting—(1) In general. (i) Every person who makes payments of dividends (as defined in § 1.6042-3) aggregating \$10 or more to any other person during a calendar year after 1962 shall make an information return on Forms 1096 and 1099 for such calendar year showing the aggregate amount of such payments, the name and address of the person to whom paid, the total of such payments for all persons, and such other information as is required by the forms. In the case of dividends paid during the calendar year 1963 or 1964, the requirement of this subdivision for the filing of Form 1099 will be met if a person making payments of dividends to another person on two or more classes of stock files a separate Form 1099 with respect to each such class of stock on which \$10 or more of dividends are paid to such other person during the calendar year. Thus, if during 1963 a corporation pays to a person dividends totaling \$15 on its common stock and \$20 on its preferred stock, it may file separate Forms 1099 with respect to the payments of \$15 and \$20. If the dividends on the preferred stock totaled \$5 instead of \$20, no return would be required with respect to the \$5. In addition, in the case of dividends paid during calendar years beginning with 1965 and continuing until such time as the Commissioner determines that it is feasible to aggregate payments on two or more separate stock ownership accounts and this subdivision is amended accordingly to provide for reporting on

an aggregate basis, the requirement of this subdivision for the filing of Form 1099 will be met if a person making payments of dividends to another person on two or more such separate stock ownership accounts (regardless of whether the payments are made on only one class of stock) files a separate Form 1099 with respect to each such stock ownership account on which \$10 or more of dividends are paid to such other person during the calendar year.

PAR. 3. Paragraph (a)(1)(i) of § 1.6049-1 is amended to read as follows:

§ 1.6049-1 Returns of information as to interest paid in calendar years after 1962.

(a) Requirement of reporting—(1) In general. (i) Every person who makes payments of interest (as defined in § 1.6049-3) aggregating \$10 or more to any other person during a calendar year after 1962 shall make an information return on Forms 1096 and 1099 for such calendar year showing the aggregate amount of such payments, the name and address of the person to whom paid, the total of such payments for all persons, and such other information as is required by the forms. In the case of interest paid during calendar years beginning with 1963 and continuing until such time as the Commissioner determines that it is feasible to aggregate payments on two or more accounts, insurance contracts, or investment certificates and this subdivision is amended accordingly to provide for reporting on an aggregate basis, the requirement of this subdivision for the filing of Form 1099 will be met if a person making payments of interest to another person on two or more such accounts, insurance contracts, or investment certificates, files a separate Form 1099 with respect to each such account, contract, or certificate on which \$10 or more of interest is paid to such other person during the calendar year. In the case of evidences of indebtedness described in section 6049 (b)(1)(A), separate Forms 1099 may be filed as provided in the preceding sentence with respect to holdings in different issues. Thus, if a bank pays to a person interest totaling \$15 on one account and \$20 on a second account, it may file separate Forms 1099 with respect to the payments of \$15 and \$20. If the interest on the second account totaled \$5 instead of \$20, no return would be required with respect to the \$5.

[F.R. Doc. 68-13136; Filed, Oct. 29, 1968; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 12782; FCC 68-1068]

COMPETITION AND RESPONSIBILITY IN NETWORK TELEVISION BROADCASTING

Order Extending Time for Filing Comments

1. The Commission has before it (1) petition of Columbia Broadcasting System, Inc., requesting 4 months' extension of time for filing and date of oral argument and (2) statement of the National Broadcasting Co. in support thereof.

2. Petitioners intend to file additional information and comment in this proceeding as invited by the Commission's order of September 20, 1968. As part of that information, they intend (a) to bring to date the information and data in the Arthur D. Little Report, a voluminous study prepared at the behest of the television networks and filed by them as part of the record herein, and (b) obtain and submit additional information alleged by them to be necessary to enable the Commission properly to evaluate the so-called Westinghouse proposal upon which the Commission has now requested comment.

3. Counsel for CBS and NBC have informed counsel for the Commission that, in order to carry out the above objectives and provide the Commission with information not now in its possession which they allege to be essential to an informed judgment herein, will require 4 months in addition to the time already allotted. Counsel further stated that in order properly to bring the Little Report to date it will be necessary to collect a large amount of additional information and to rework most of the tables contained in the Little Report. In this connection, it is noted that originally the Little Report was just short of a year in preparation.

4. Petitioners also allege that the Westinghouse proposal is ambiguous and needs clarification, particularly whether the 3-hour limitation applies to the aggregate of programs from all national networks carried by the sta-

tion in prime time or only to the aggregate of such programs from the network with which the station is primarily affiliated.

5. First we shall dispose of the "ambiguity." The Commission does not intend to confine its consideration of this most important matter to any narrowly restricted course within the subjects and issues involved herein. It may well consider several variants of the so-called Westinghouse proposal. Included would be limiting the total network programs derived by a television station from all three national networks during a stipulated period of time.

6. As has been stated, it is the Commission's desire to proceed herein on as broad and cogent a base as is reasonably possible. To this end, it has invited comment, opinions, and advice not only from network corporations, licensees, advertisers, program producers, and others in the industry, but also public groups and interested members of the public. In addition, it has expressed the hope that it would be given all relevant information regarding the serious and complex questions involved in this proceeding.

7. In its order for oral argument of September 20, 1968, the Commission stated that most of its information and data with regard to network interests in domestic syndication and foreign distribution of new program series and concerning network interests and shares in syndication and foreign distribution markets has a cutoff date as of 1964. The Commission also observed that there was no evidence before it that the situation in these areas was substantially different now from what the record discloses it to have been in and prior to 1964. The CBS petition now alleges that the situation has changed markedly since 1964 not only with regard to network proprietary and economic control of its program schedules and the implications therefrom; but also with regard to certain phases of syndication and the significance thereof.

8. It is alleged in the petitions and further supported by statements of Counsel that updating the Arthur D. Little Report in various respects is essential "if the Commission is to have a complete and accurate picture of program production, procurement and syndication." It is further alleged in the petitions and asserted by Counsel that

additional original research will be necessary to provide the "considerable amount of additional data" necessary for a proper and adequate evaluation of the Westinghouse proposal.

9. The Commission has heretofore sought the assistance of the parties in providing it with information and data and suggesting alternative courses of action and continues to seek such assistance. Thus, while it is highly desirable to move forward with all appropriate speed, it is equally important that the Commission be fully and currently informed with regard to the several vital aspects of the nation's communication system which are involved, before final action is taken herein. On balance, we believe that assurance that the Commission is acting on as broad a base of relevant information and data as reasonably feasible, even though somewhat time consuming, outweighs the desire in this case to go forward as rapidly as possible. In this way, we will best assure that, as we said in our original notice of proposed rule making, "any final action taken in this vitally important area [will] best promote the public interest in the larger and more effective use of television."

10. Accordingly, it is ordered, That the time for filing comments and to submit relevant information with regard to the subject matter herein be extended to March 17, 1969, and that oral argument be scheduled to begin at 10 a.m. on the 12th day of May 1969 in the Commission's offices in Washington; that reply comments be filed prior to April 14th 1969; and that all persons, whether or not they have filed comments in this proceeding, who have, at least 20 days prior to the date of oral argument, filed a notice in writing with the Secretary of the Commission stating their intent to participate, may be heard as time permits in the oral argument.

Adopted: October 23, 1968.

Released: October 25, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-13165; Filed, Oct. 29, 1968;
8:47 a.m.]

¹ Commissioners Hyde, chairman; and Cot absent.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[Countervailing Duty—ATS 644]

STEEL PRODUCTS FROM ITALY

Notice of Countervailing Duty Proceedings

Information has been received pursuant to the provisions of § 16.24(b) of the Customs Regulations (19 CFR 16.24(b)) which appears to indicate that certain rebates or refunds granted by Italy on the exportation of steel products enumerated in Annex A constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303), upon the manufacture, production, or exportation of the merchandise to which the refunds apply. The available information indicates that the approximate amount of the rebate or refund is between 15 and 40 lire per kilo, depending upon the type of steel product.

After the expiration of the time limits set forth in this notice, a determination will be made whether a bounty or grant is being paid or bestowed in connection with any such manufacture, production, or export. If it is determined that a bounty or grant is being paid or bestowed, an appropriate countervailing duty order will be issued and published in accordance with § 16.24 of the Customs Regulations (19 CFR 16.24).

Before a determination is made consideration will be given to any relevant data, views, or arguments submitted in writing with respect to the existence or nonexistence, and the net amount of a bounty or grant. Such submissions should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

This notice is published pursuant to § 16.24(d) of the Customs Regulations (19 CFR 16.24).

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: October 25, 1968.

JOSEPH M. BOWMAN,
Assistant Secretary
of the Treasury.

ANNEX A

Steel mill products enumerated under Schedule 6 (Metals and Metal Products), Part 2, Subpart B, of the Tariff Schedules of the United States (1968), except for the exclusion of the below-listed item numbers:

607.10 through 608.10.
608.25 through 608.32.
610.56 through 610.81.

In addition, the notice is applicable to steel products enumerated under the following item numbers of Tariff Schedules of the United States:

642.08 through 642.18.
642.35.
642.80.
642.91 through 642.97.
646.20.
646.25 through 646.30.
646.40.
646.54 through 646.56.
652.90 through 652.92.
652.94 through 652.98.
653.02 through 653.03.
680.40.
688.30.
688.35.
690.25 through 690.30.

[F.R. Doc. 68-13225; Filed, Oct. 29, 1968;
8:47 a.m.]

Parcel No.	Description	Acreage	Appraised value	Publication cost
R 1252	T. 5 South, R. 15 East, SBM, California, Sec. 10, S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.	5	\$2,500	\$20.13

The land will be sold subject to a reservation to the United States of rights-of-way for ditches and canals under the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. sec. 945); and subject to existing rights-of-way. All minerals will be reserved to the United States and withdrawn by operation of law, from appropriation under the public land laws.

Bids may be made by the principal or his agent. Only bids for the entire tract will be considered. Sealed bids will be considered only if received at the District and Land Office, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502, prior to 10 a.m., December 10, 1968. Each sealed bid must be in an envelope marked in the lower left hand corner "Public Sale Bid, December 10, 1968, Parcel No. R 1252." Each bid must be accompanied by certified check, post office money order, bank draft or cashier's check made payable to the Bureau of Land Management, for the amount of the bid plus the cost of publication. After publicly opening and declaring the highest qualifying sealed bid received, the authorized officer shall invite oral bids in increments of \$100. The person, if any, declared to have entered the highest qualifying oral bid must promptly submit payment in a form acceptable for a sealed bid. Payment shall be for the amount of the bid plus the cost of publication indicated above. The right is reserved at any time to determine that the lands should not be sold, or that any and all bids should be rejected.

For further information write: Manager, District and Land Office, 1414 Uni-

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Public Sale

OCTOBER 23, 1968.

Pursuant to the Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421-27) and 43 CFR Subpart 2243, there will be offered to the highest bidder, but at not less than the appraised value, at a public sale to be held at 11 a.m., local time, on December 10, 1968, at the District and Land Office, 1414 University Avenue, Riverside, Calif., the following tract of public land in Riverside County, Calif.:

University Avenue, Post Office Box 723, Riverside, Calif. 92502.

GORDON W. FLINT,
Acting Assistant Manager,
District and Land Office.

[F.R. Doc. 68-13138; Filed, Oct. 29, 1968;
8:45 a.m.]

[Wyoming 11090]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

OCTOBER 22, 1968.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, Serial No. Wyoming 11090, for the withdrawal of land described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant wishes to assure tenure of the land as it is situated below the high water line of the Yellowtail Reservoir. It is also surrounded by other reclamation withdrawn and acquired land.

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 office of the Bureau of Land Management, Department of the Interior, 2120 Capitol Avenue, Cheyenne, Wyo. 82001.

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 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, to eliminate lands needed for purposes more essential 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:

SIXTH PRINCIPAL MERIDIAN, WYOMING
T. 57 N., R. 94 W.,
Sec. 28, lot 36 of Two Rivers Tracts in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains approximately 10 acres.

AUBREY F. SMITH,
Acting State Director.

[F.R. Doc. 68-13141; Filed, Oct. 29, 1968;
8:45 a.m.]

Office of the Secretary

[Order 2508, Amdt. 78]

COMMISSIONER OF INDIAN AFFAIRS

Delegation of Authority Regarding Tribal Enactments

Order 2508 (an order by which the Secretary of the Interior delegates certain authority to the Commissioner of Indian Affairs), as amended, is further amended in section 18(a) by adding a new subparagraph (3) and renumbering the existing subparagraphs (3) and (4) accordingly. The addition authorizes the Commissioner to exercise the Secretary's authority to approve disenrollment actions. As so amended, section 18(a) reads as follows:

Sec. 18. *Tribal ordinances, resolutions, constitutions, and charters.* (a) The Commissioner may exercise the authority of the Secretary with respect to those matters set forth in subparagraphs (1), (2), and (3), subject to the limitations set forth in subparagraphs (4) and (5), of this paragraph:

(1) Tribal ordinances and resolutions, and contracts, including expenditures under such contracts where approval of such expenditures is required, which are adopted, enacted, or negotiated by Indian tribal governing bodies pursuant to constitutions approved under section 16 or charters issued under section 17 of the act of June 18, 1934 (48 Stat. 984; 25 U.S.C., 1964 ed., secs. 461 et seq.), as

amended, the act of May 1, 1936 (49 Stat. 1250; 25 U.S.C., 1964 ed., sec. 473a), and the act of June 26, 1936 (49 Stat. 1967; 25 U.S.C., 1964 ed., sec. 503), or pursuant to the constitutions adopted and approved without regard to the provisions of these acts;

(2) Tribal ordinances relating to law and order adopted pursuant to 25 CFR 11.1(e).

(3) Tribal enactments disenrolling persons found not to meet the established enrollment criteria. The Commissioner's approval of such action shall be subject to appeal to the Secretary of the Interior.

(4) The Commissioner shall forward to the Secretary, with a recommendation, ordinances, resolutions, or contracts which, in the opinion of the Commissioner are: Inconsistent with an Act of Congress or with a treaty or with the tribal constitution or charter under which the ordinance, resolution, or contract was adopted, enacted, or negotiated; or should be disapproved or rescinded for any other reason.

(5) Notwithstanding the provisions of section 25 of this order, the Commissioner shall not redelegate the authority granted in this paragraph to any officer or employee who pursuant to a tribal constitution or charter passes upon ordinances, resolutions, or contracts.

STEWART L. UDALL,
Secretary of the Interior.

OCTOBER 24, 1968.

[F.R. Doc. 68-13139; Filed, Oct. 29, 1968;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

POLK COUNTY AUCTION CO. ET AL.

Depositing of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Name, location of stockyard, and date of posting

Polk County Auction Co., Mena, Ark., Nov. 4, 1964.
Stratton Sale Barn, Inc., Stratton, Colo., Mar. 6, 1957.
W & W Livestock Enterprises, Inc., La Porte City, Iowa, Sept. 16, 1968.
Newton Sale Co., Newton, Iowa, May 26, 1959.
North Mississippi Livestock Cooperative (A.A.L.), Corinth, Miss., Feb. 10, 1959.
Carlisle Livestock Market, Inc., Carlisle, Pa., Nov. 27, 1959.
Wyalusing Livestock Market, Wyalusing, Pa., Nov. 4, 1959.
Farmers Auction Co., Decherd, Tenn., Sept. 30, 1959.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not depositing promptly a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 23d day of October, 1968.

G. H. HOPPER,
Acting Chief, Registrations,
Bonds, and Reports Branch,
Livestock Marketing Division.

[F.R. Doc. 68-13140; Filed, Oct. 29, 1968;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

MONSANTO CO.

Notice of Withdrawal of Petition for Food Additives

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

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, has withdrawn its petition (FAP 8B2306), notice of which was published in the FEDERAL REGISTER of July 10, 1968 (33 F.R. 9909), proposing an amendment to § 121.2520 *Adhesives* to provide for the safe use of terphenyl, chlorinated to 60 weight percent, as an optional component of food packaging adhesives.

Dated: October 21, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13157; Filed, Oct. 29, 1968;
8:47 a.m.]

SMITH KLINE & FRENCH LABORATORIES

Notice of Filing of Petition for Food Additive Parabendazole

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition

has been filed by Smith Kline & French Laboratories, 1500 Spring Garden Street, Philadelphia, Pa. 19101, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of parabendazole (methyl 5-butyl-2-benzimidazolecarbamate), administered as an oral drench, in cattle as an anthelmintic against various species of gastrointestinal nematodes.

Dated: October 21, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13158; Filed, Oct. 29, 1968;
8:47 a.m.]

Office of the Secretary

PUBLIC HEALTH SERVICE; HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

This amendment to the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare, reflects the implementation of the Reorganization Orders signed by Secretary Wilbur J. Cohen on March 13, 1968 (33 F.R. 4894), April 1, 1968 (33 F.R. 5426), and July 1, 1968 (33 F.R. 9909), with respect to the organization of the Health Services and Mental Health Administration as an operating agency of the Department. There is hereby established a new Part 5 of the Department's Statement of Organization, Functions, and Delegations of Authority as set forth below. Those provisions in Part 4 (Public Health Service) of the Department's Statement of Organization, Functions, and Delegations of Authority which are inconsistent with the provisions of the new Part 5 are revoked herewith.

Sec. 5-A Mission. The Health Services and Mental Health Administration (2000) provides leadership and direction to programs and activities designed to improve physical and mental health services for all of the people of the United States and to achieve the development of health care and maintenance systems adequately financed, comprehensive, interrelated, and responsive to the needs of individuals and families in all socioeconomic and ethnic groups.

To these ends, the Health Services and Mental Health Administration: (1) Collects, analyzes, and disseminates data on births, deaths, disease incidence, health resources, and the state of the Nation's health.

(2) Plans, directs, and coordinates a national effort to improve the physical health of the people of the United States through the development of services to promote and sustain physical health, prevent physical illnesses, and provide care and treatment for physically ill persons: (a) Conducts and supports research, development, technical assistance, and information activities to improve the organization and delivery of

health services; (b) conducts and supports programs to control or prevent infectious and chronic diseases; (c) provides health services and hospital and outpatient medical care to designated beneficiaries; (d) develops and recommends quality standards for health services financed in whole or in part by programs of the Department of Health, Education, and Welfare; (e) supports planning and construction of hospitals and other health facilities; and (f) provides leadership and support for State and area comprehensive health planning and services and for regional cooperative arrangements among medical schools, research institutions, medical care facilities, and practitioners.

(3) Plans, directs, and coordinates the national effort to improve the mental health of the people of the United States through the development of knowledge, manpower, and services to promote and sustain mental health, prevent mental illness, and treat and rehabilitate mentally ill persons: (a) Conducts and supports research, development, technical assistance, training, and information activities to improve mental health services; (b) conducts or supports programs to control or prevent mental illnesses; (c) supports or provides mental health services and hospital and outpatient mental health care to designated beneficiaries; (d) recommends quality standards for mental health services, financed in whole or in part, by programs of the Department of Health, Education, and Welfare; (e) supports planning and construction of mental health hospitals and centers and other mental health facilities; and (f) provides leadership and support for comprehensive mental health planning and services.

(4) Plans, directs, and coordinates the development of physical and mental health service programs to assure: (a) That mental and physical personal health concerns are integrated; (b) that priorities which govern Administration activities apply appropriately to mental and physical health planning and service activities; and (c) that social considerations and priorities are woven into both the physical and mental health operations of the Administration.

Sec. 5-B Organization. The Health Services and Mental Health Administration is directed by the Administrator (Health Services and Mental Health Administration) who is responsible to the Assistant Secretary (Health and Scientific Affairs). The Administration consists of the following major components, with functions as indicated:

OFFICE OF THE ADMINISTRATOR (2000)

Provides leadership and direction to the programs and activities of the Health Services and Mental Health Administration.

Immediate Office of the Administrator (2001). (1) Provides leadership for the execution of Administration responsibilities related to the conduct and improvement of physical and mental health services for the people of the United States; (2) manages and directs the ac-

tivities of the Administration; (3) provides consultative services on physical and mental health services for the U.S. Government both at home and abroad; and (4) directs the coordination of the Administration's intergovernmental and other cooperative health programs, direct health programs, and mental health programs, to assure the integrated development of all these programs into comprehensive health programs.

Office of Information (2017). Under the direction of the Assistant Administrator for Information who serves as a member of the Administrator's immediate staff, plans, directs, and coordinates the information programs and health education activities of the Health Services and Mental Health Administration: (1) Advises on policy matters pertaining and related to information and communications activities—external and internal; (2) formulates policies and plans for the guidance of information activities throughout the Administration; (3) identifies programs, areas, and population groups requiring special efforts in health education and provides guidance, assistance, and support to such special efforts; (4) establishes operational procedures for the orderly and expeditious processing and dissemination of informational materials and performs a concept-review and evaluation function of all such materials (films, radio and television materials; publications, magazine articles and news features, exhibits, etc.) to ensure that information projects are supportive of program and policy objectives; (5) establishes guidelines to support informational program planning, evaluation, and budgeting; (6) determines through the conduct or sponsorship of population sampling studies or otherwise the needs for health information and education and the effectiveness of public information and education programs in meeting those needs; and (7) provides centralized supporting information services at Administration and subordinate levels with particular emphasis on regional needs.

Office of the Assistant Administrator for Management (2019). The Assistant Administrator for Management who serves as a member of the Administrator's immediate staff: (1) Participates in executive policy formulation and execution; (2) advises on management implications of Administration plans and programs; (3) provides Administration-wide leadership in all phases of management; and (4) directs the administrative management components in the Office of the Administrator.

Office of Management Policy (20192). (1) Conducts organization and management studies and surveys; (2) initiates or reviews proposals for establishing or modifying organizational structure or function, and management objectives, policies, standards, and regulations; (3) negotiates solutions to interagency, interservice, and interoffice problems of organization, functions, policy, procedures, or coordination; (4) advises and assists Administration staff and operating offices and provides general staff

support for major study groups established by the Administrator; (5) participates in program and legislative planning to assure recognition of management problems and opportunities involved; (6) advises on issues of major concern to the Administrator in the areas of general administration and program management; (7) manages the documentation and issuance system of the Administration; (8) assures the availability and adequacy of Administration-wide functional area systems of management appraisal; (9) conducts general appraisals of the effectiveness of management activities; (10) participates with program officials in conduct of in-depth appraisals of the effectiveness of program operations and management; and (11) conducts Administration-wide management improvement programs.

Office of Systems Management (20193). Plans, develops, and coordinates the Administration's management information system: (1) develops the specifications for, and coordinates the implementation of Administration-wide systems for recording and processing data for program planning, direction, and control; (2) provides technical services to the Office of the Administrator in data systems design; (3) maintains liaison to insure that Administration management data needs are met and that adjustments are made to accommodate new areas of interest and changes in program emphases or goals; (4) reviews new data systems and proposals for consistency with Administration program, direction, and management needs; and (5) develops and coordinates Administration-wide programs for determining the requirements for and utilization of ADP equipment.

Office of Financial Management (20194). (1) Collaborates with the Office of Program Planning and Evaluation in the development and implementation of the 5-year program and financial plan for the Administration's Planning, Programming and Budgeting System; (2) develops policies and instructions for budget preparation and presentation; (3) prepares budget submissions; (4) participates in budget hearings; (5) allocates funds; (6) manages a system of budgetary controls; (7) directs planning and implementation of fiscal systems and procedures; (8) provides accounting services; (9) prepares financial reports; (10) participates in development of policies and procedures concerning financial aspects of grants and negotiated research and development contracts; (11) furnishes financial advice to contracting officers; (12) evaluates financial management systems and activities throughout the Administration; and (13) maintains liaison with the Office of the Secretary and the Bureau of the Budget.

Office of Procurement and Materiel Management (20195). (1) Establishes Administration objectives, policies, standards, and procedures for procurement and supply, contracting, specifications, cataloging, personal property control, forms, printing, storage, and distribution; (2) interprets regulatory issuances and provides guidance and

technical assistance in these areas; (3) acquires equipment, supplies, and services; (4) coordinates plans for utilization of Administration procurement and materiel resources under national emergency conditions; (5) evaluates procurement and materiel management activities throughout the Administration; and (6) maintains liaison with the Office of the Secretary, the General Services Administration, and other agencies concerned with procurement and materiel management activities.

Office of Buildings and Facilities (20197). (1) Provides guidance and technical assistance in design, construction, renovation, repair, improvement, and in related real estate activities encompassing the acquisition, utilization, and disposal of real property and provision of communication facilities, parking, and other supporting services; (2) establishes and evaluates buildings and facilities programs, objectives, policies, and procedures; and (3) maintains liaison with the Office of the Secretary, the Public Buildings Administration, and other agencies concerned with buildings and facilities.

Office of Grants Management (20198). (1) Coordinates the review, development, and issuance of policy and procedural materials for the Administration's grant programs; (2) establishes procedures for the receipt, review, and referral system for grant applications; (3) establishes standards and guides for and evaluates grants management operations throughout the Administration; (4) provides advice and consultation on interpretation and application of Departmental and Administration policies and procedures affecting grants management; (5) coordinates Administration positions and actions with respect to grants audit requirements and results; (6) analyzes, evaluates, and reports on Administration grant activities; and (7) maintains liaison with grantee institutions and organizations and the Office of the Secretary and other components of the Department.

Office of Personnel (20199). (1) Plans, directs, and coordinates personnel programs covering headquarters and field employees; (2) develops policies, procedures and standards for personnel programs and operations; (3) provides personnel service for officials and employees of the Administration; (4) provides technical advice and assistance to operating officials on all personnel matters; (5) conducts Administration-wide programs in areas such as personnel development and utilization and safety and occupational hazards control; (6) evaluates Administration personnel programs, systems, and activities; and (7) maintains liaison with the Office of the Secretary, the Civil Service Commission, and other agencies concerned with personnel management.

Office of Program Planning and Evaluation (2031). Under the direction of the Assistant Administrator for Program Planning and Evaluation who is a member of the Administrator's immediate staff: (1) Serves as the Administrator's principal staff arm for program plan-

ning, coordination, and evaluation, including the development of program alternatives and policy positions; (2) oversees planning, reporting, and analytical and evaluation functions in support of policy formulation and program implementation; (3) advises the Administrator and his immediate staff on program, policy, and operational implications arising from activities of the Office; (4) collaborates with the Office of Financial Management in the development and implementation of the 5-year program and financial plan for the Administration's Program Planning and Budgeting System; (5) maintains liaison with other Federal and non-Federal health agencies; (6) provides staff planning, evaluation, and coordination service to the Administrator for International Health activities and programs; and (7) assures program coordination and liaison in these areas between the Administrator and the operating program of the Administration.

Office of Legislation (2035). Under the direction of the Assistant Administrator for Legislation who is a member of the Administrator's immediate staff: (1) Assists in the development of Administration objectives, policies and programs, with particular reference to their relationship to statutory authorities and to Congressional trends, attitudes and policies; (2) assists the Administrator in the coordination of operating efforts toward meeting national goals and policies as reflected in the legislation related to the activities of the various elements of the Administration. In meeting these responsibilities, the Office of Legislation (a) provides for legislative analysis and development through reports on pending bills, development of legislative program, and technical assistance to Committee staffs and members of Congress; (b) furnishes legislative program support through preparation of testimony, backup material for hearings, assistance on preparation of Congressional Committee reports; (c) provides Congressional services and liaison through preparation of general or special program information; (d) provides Congressional inquiry service, and follows up on significant Congressional correspondence; (e) serves as a legislative reference center; (f) provides or arranges for summaries of Congressional hearings and digests of other Congressional developments or publications; and (g) maintains liaison with the Office of the Assistant Secretary for Legislation and the Assistant Secretary for Health and Scientific Affairs in matters concerned with legislative proposals or legislative policies.

Regional Organization (20A1). The Administration's Regional Organization provides a focal point for responding to the needs of State and local governmental officials, community agencies, and public or private institutions involved in the planning or provision of health services. As such, it (1) exerts leadership in planning and maintaining effective health programs; (2) coordinates activities with those of other Federal health-related programs to achieve maximum effect on priority

problem areas and population groups; (3) provides consultative and technical assistance on the planning and operation of programs including those designed to prevent or control infectious and chronic diseases, to provide coordinated health care services at the community level, and to plan and train for emergency health services during times of disasters; (4) reviews and approves applications for formula and protect grants for health planning, for health services, and for the construction of health facilities where these functions have been assigned to the Regional Offices; (5) promotes programs to improve the quality and utilization of health care resources and facilities; and (6) evaluates State and local health programs.

NATIONAL CENTER FOR HEALTH SERVICES RESEARCH AND DEVELOPMENT (2100)

Conducts or, by means of grants and contracts, supports, promotes, and stimulates a national program of health services research and developing and demonstrations, including: (1) Improving the availability of health services to all people; (2) assisting all health professions to improve their capabilities for assessing the quality of their services; (3) investigating the comparative costs of alternative methods of providing and financing health services; (4) experimenting with new architectural designs, site locations and plans, and new methods of construction; (5) increasing efficiency through new ways of utilizing health personnel and development of new types of health workers at the professional, technical, and auxiliary levels; (6) applying and refining computer technology in screening, automating medical records, and selected other aspects of the medical care process; (7) accelerating application of new or improved techniques for the prevention, diagnosis, treatment and control of diseases and disabilities; (8) designing and demonstrating experimental health service systems in urban and rural areas; (9) making multidisciplinary analyses of the organization and functioning of all components of the health services system; (10) increasing academic resources for training health services research and development personnel; and (11) establishing and operating a health services data system relevant to research and development planning, policy making, and management.

Office of the Director (2101). (1) Plans, directs, administers, coordinates, and evaluates the program and management operations of the Center; (2) fosters and stimulates a national program of health services research and development activities; (3) coordinates the Center's activities with other Administration or organizational elements, other Federal organizations within and without the Department, State and local bodies, and professional and scientific organizations; and (4) performs legislative planning and review.

Liaison Staff (2109). (1) Assists and advises the Director of the Center on major policies affecting Center programs and relations with other organizations;

(2) acts as the representative of the Center Director and serves as focal point for establishing and maintaining the Center's working relationships with other components of the Administration, with other organizational elements of the Department, other Federal agencies, State and local bodies, professional bodies, and the health services research and development community in general; (3) develops and coordinates policy and procedure for the conduct of Center relationships with other agencies and organizations on matters of collaborative efforts and communication mechanisms; (4) develops relationships with other governmental bodies, professional bodies, and private organizations to foster the implementation and application of research findings so as to improve health care services in actual operations; and (5) coordinates with the Offices and Programs of the Center on related aspects of extramural activities.

Office of Grants and Contracts Management and Review (2115). (1) Administers a system of review for grants and contracts submitted to the Center and provides management services for approved grants; (2) interprets and implements policies relating to grants and contracts emanating from the Office of the Secretary, Office of the Administrator, and Office of the Center Director; (3) provides assistance to the Programs of the Center and to organizations and institutions concerning the interpretation and application of grants management and grants and contracts review policies and procedures; and (4) maintains and provides fiscal and other types of information on the status of grants and contracts.

Office of Information (2117). (1) Assists and advises the Director in interpreting the program of the Center to the general public and to appropriate professional and scientific groups, and reports to the Director on actual and prospective public response; (2) plans and directs the public information program of the Center; (3) acts as control liaison point for clearance and coordination with other information offices; (4) develops, reviews, and edits public issuances of the Center; and (5) provides Center's public information distribution system.

Office of Administrative Management (2119). (1) Plans, directs, and coordinates administrative management activities of the Center, including providing central services and assigning Management Officers to Programs and Offices; (2) assists the Office of the Director in the development of Center goals and objectives; (3) provides backup support for Center Staffs and Offices such as administrative services for grants and contracts activities and administrative liaison with the Office of the Administrator on contracts; (4) develops and implements management policies, procedures, systems and practices for the conduct of Center affairs; (5) appraises the effectiveness of Center organization and operations from a management standpoint; (6) provides program guidance and information to the Staff of the Ad-

ministrator's Office of Financial Management in their operation of a financial management system for the Center, including program policy interpretation in budget formulation and execution, in preparation of Program Planning and Budgeting System data, and in the financial aspects of grants administration; and (7) serves as the focal point for liaison with the Office of the Administrator and the Office of the Secretary on financial, personnel, organization, supply, and other management matters.

Program Planning and Evaluation Staff (2131). (1) Assists and advises the Center Director in program planning and in the development, coordination, and assessment of current and long-range activities; (2) develops guidelines and standards for appraising program activities; (3) assesses and evaluates program accomplishments and activities in terms of approved goals and objectives; (4) identifies the need and recommends necessary actions for new program activities including methods for development; (5) provides leadership in the development of Center goals and objectives; and (6) directs and coordinates the implementation of Program Planning and Budgeting System in collaboration with the Office of Administrative Management.

Health Economics Analysis Program (2141). (1) Supports, conducts, and fosters research on (a) the financial structure of medical care, (b) the effects of health services on the economy as a whole, (c) alternatives for capital financing, (d) cost-benefit and cost-effectiveness of various ways of providing health services, and (e) the economics of health manpower; (2) supports research training in health economics, including analyses of alternative methods of distribution and use of health manpower to provide health care services; (3) collects and disseminates information on and results of health economics research; and (4) establishes and maintains cooperative working relationships with other organizations in the Administration and the Department concerned with economics of health services.

Health Care Technology Program (2145). (1) Supports, conducts, and fosters research, development, experiments or demonstrations on (a) the instrumentation and automation of health services, and (b) the application of electronic and computer technology to disease detection systems, diagnosis, patient-monitoring and therapy, medical record handling, and techniques in laboratory medicine; (2) supports research training in health care technology; (3) collects and disseminates information on and the results of research in health care technology; and (4) works cooperatively with hospitals and other organizations in the Administration and the Department engaged in research in health care technology.

Health Care Institutions Program (2151). (1) Supports, conducts, and fosters research, development, experiments or demonstrations on (a) the design, organization, and administration

of health care facilities, (b) effects of new staffing patterns in improving health care services, (c) factors contributing to adequacy, effectiveness, and efficiency of institutions, and (d) methods of determining siting in communities; (2) promotes studies and tests of new methods of construction for improving health care capabilities of institutional facilities; (3) supports related research training; (4) collects and disseminates information on and the results of research on health care institutions; and (5) works cooperatively with other organizations in the Administration and the Department concerned with research in health care institutions.

Social Analysis and Evaluation Program (2155). (1) Supports, conducts, and fosters research on (a) social and psychological factors influencing individuals and groups in their health habits and use of available services, (b) social and psychological factors which affect the operation of health institutions and services, (c) the effects of social and legal factors on the availability, quality, and organization of services, and (d) the evaluation of health services and programs; (2) consults with other programs of the Administration and the Department on improved methods of evaluating health service programs; (3) supports related research training; (4) collects and disseminates information and results of social science research and evaluation; and (5) works cooperatively with other organizations in the Administration and the Department concerned with social analysis and evaluation.

Health Care Organization and Delivery Program (2161). (1) Supports, conducts, and fosters research on (a) health planning and community organization, including the interaction between the community and its medical care system, (b) improved techniques for identifying health needs, (c) the medical care process, including organizational, administrative, economic, and other elements that influence the process and its outcome, and (d) methods for assessing the effectiveness and quality of medical care; (2) develops and demonstrates new or improved methods of providing needed personal health services and improved methods and health service systems applicable to special types of urban and rural communities; (3) supports related research training; (4) collects and disseminates information and results of research in organization and delivery of health care; and (5) works cooperatively with organizations in the Administration and the Department concerned with improving methods of organizing and delivering health care.

Health Manpower Utilization Program (2165). (1) Supports, conducts, and fosters health services manpower utilization research or demonstrations to develop (a) new ways of increasing the productivity of physicians, nurses, and other health care personnel, (b) new careers in health services manpower, and (c) new ways of educating, training, and utilizing health services manpower; (2) supports related research training; (3) collects and disseminates information

and results of research on health services manpower utilization; and (4) establishes and maintains cooperative working relationships with concerned organizations in the Administration, in the Bureau of Health Manpower of the National Institutes of Health, and elsewhere in the Department and the Nation.

Health Care Data Systems Program (2171). (1) Supports, conducts, and fosters research to improve and develop methodology for collection, analysis, and use of health care data, including methods for determining utilization of available health care personnel, facilities and services, and analysis of the outcome of this utilization; (2) assembles health care data for use of program components and supplements this as needed; (3) assists other programs, and other governmental and nongovernmental bodies, by providing data and by developing methods for assessing the effectiveness of and need for modification of programs and policies relating to health care services; (4) provides related research training; and (5) establishes and maintains cooperative working relationships with Federal and State and other public and private organizations concerned with development of data systems for health services.

NATIONAL CENTER FOR HEALTH STATISTICS (2200)

Collects, compiles, and publishes general purpose vital and health statistics and develops a program in health, demographic and related statistics to serve present and future needs of all segments of health and related professions.

Office of the Center Director (2201). (1) Plans, directs, and coordinates the total program of the National Center for Health Statistics; (2) stimulates research and developmental activities; (3) provides national and international leadership in health statistics; (4) conducts a variety of professional activities to provide assistance to States, to foster international relationships, and to improve the broad field of health statistics; and (5) provides central management and information services for the Center.

Office of Information (2217). (1) Conducts information activities to present the Center's programs and product to appropriate user groups; (2) conducts scientific and technical communications programs; (3) develops exhibits, notices, information brochures, and other related material; and (4) conducts publication activities involving design, editing, and layout of special and recurring statistical volumes and reports.

Office of Administrative Management (2219). (1) Plans and directs the Center's administrative management activities; (2) initiates and conducts management programs embracing integrated systems of planning and analysis; (3) develops and coordinates the Center's legislative activities; (4) provides financial guidance and information to staff of the Administration's Office of Financial Management in the operation of a financial management system for the Center, including program policy interpretation in

budget formulation and execution and in preparation of program planning and budgetary support data; and (5) provides specialized services in management analysis, personnel management, procedural development, and administrative services for the Center.

Office of Program Planning and Evaluation (2231). (1) Provides a Center focus for program planning and coordination for evaluating the adequacy and completeness of new and existing programs in meeting the Center's total mission; (2) assesses program accomplishments in relation to approved plans; (3) provides liaison with Service program planning officials; (4) coordinates the application of results of program research conducted throughout the Center; and (5) collaborates with counterpart offices in development and implementation of the Department's PPB system.

Office of Statistical Methods (2233). (1) Provides expert consultation on mathematics, probability, statistical theory, and methodology, and demographic theory and methodology to the Center, the programs of the Administration and Department, and the health community; (2) conducts mathematical statistical research; (3) conducts activities in the development of sampling survey techniques, the methodology of analysis of data from complex surveys and demographic methodology, including modification of statistical models to facilitate computer solution; and (4) exercises a surveillance function to assure the statistical adequacy of new and ongoing programs.

Office of International Statistical Programs (2235). (1) Plans and conducts the Center's foreign research, consultation and training programs and represents the Center in international statistical activities including those concerned with population problems; (2) stimulates the conception and development of research projects in foreign countries under the Special International Research Program; (3) provides technical advice on the development of health statistics and registration programs; and (4) develops and conducts academic and practical courses in statistics, demography and registration for foreign visitors.

Office of State Services (2237). (1) Plans programs to foster State, local, and other professional relationships; (2) conducts a program of direct, technical assistance to States and local areas covering all aspects of vital and health statistics activities; (3) develops a training activity including courses in vital and health statistics theory and practice to serve State and local needs; (4) provides secretariat services to the Public Health Conference on Records and Statistics; and (5) encourages improvement of the vital and health statistics function in State health programs.

Office of Health Statistics Analysis (2241). (1) Plans and conducts a statistical program providing analyses in depth of health data; (2) stimulates the development of specific statistical programs or concepts throughout the Center to

expand data available for analytical studies; (3) analyzes and interprets data reflecting the impact on the Nation's health of existing health conditions, programs and activities; (4) assesses the adequacy for trend analysis of methodological approaches to data collection; and (5) develops and publishes studies and reports.

Division of Vital Statistics (2245). (1) Conducts a statistical program serving demographic and public health needs; (2) promotes utilization of data through expansion of the U.S. vital registration system and through conduct of sampling surveys to provide demographic and health information; (3) conducts methodological research on analyzing, evaluating and presenting vital data and publishes results; (4) evaluates the responsiveness of the statistical product to user needs; and (5) develops and applies actuarial methods and formulae for construction of life tables and publishes results.

Division of Health Examination Statistics (2249). (1) Conducts a statistical program based on systematic Nationwide health examinations of individuals and publishes the results; (2) conducts research on survey methodology, data quality and reliability; and (3) evaluates the responsiveness of the statistical product to user needs.

Division of Health Interview Statistics (2255). (1) Conducts a statistical program based on systematic Nationwide health interview surveys and publishes the results; (2) advises and technically assists others on interview data and interview methodology; (3) conducts research on data quality and reliability and the statistical techniques used; and (4) evaluates the responsiveness of the statistical product to user needs.

Division of Health Resources Statistics (2259). (1) Conducts a national statistical program, using sampling surveys of records, and primary and secondary sources, to develop data on health resources including facilities and manpower, on short-term hospital visits, and on the entire institutionalized population, and publishes reports; (2) conducts research on collection methodologies and publishes methodological reports; (3) makes studies to improve data quality and reliability; (4) provides technical assistance on the content and utilization of health records data; and (5) evaluates the responsiveness of the statistical product to user needs.

Division of Data Processing (2261). (1) Provides data processing services to all the Center's programs; (2) develops general computer programs and provides technical expertise in systems analysis and programming; (3) trains data processing, professional and executive personnel; (4) conducts research and originates methods for processing, handling, transmitting, sorting, and retrieving statistical data; (5) provides technical assistance to States, other elements of the Administration and the Department; and (6) conducts a statistical processing quality control program.

NATIONAL COMMUNICABLE DISEASE CENTER (2300)

(1) Plans, conducts, coordinates, and supports a national program for the prevention and control of communicable and other preventable diseases through (a) surveillance activities, (b) research and development programs, (c) epidemiologic studies, (d) consultation and training, (e) public information and education, (f) technical assistance, and (g) community demonstrations; (2) directs foreign quarantine activities and enforces foreign quarantine regulations; (3) provides consultation and assistance in upgrading the performance of clinical laboratories and evaluates and licenses clinical laboratories engaged in interstate commerce; and (4) provides consultation to other nations in the control of preventable diseases and administers international activities for the eradication or control of malaria, smallpox, and measles.

Office of the Director (2301). (1) Directs the activities of the National Communicable Disease Center; (2) advises the Administrator, Health Services and Mental Health Administration, on policy matters concerning the Center activities; (3) provides liaison, through the Center's Washington office, with other governmental agencies and outside groups; (4) provides or obtains technical assistance for State and local health departments and private and official agencies, as needed; (5) provides professional and technical direction to regional personnel on disease control matters; and (6) participates in the development of the Center's goals and objectives.

Office of International Services (2311). (1) Plans, organizes and administers programs of specialized training for foreign representatives and for domestic representatives to foreign countries; (2) provides for the reception and orientation of foreign visitors to the Center; (3) designs, develops, and implements seminar services and resources reference on current international health affairs for Center staff; (4) renders advisory services on Public Law 480 projects; and (5) establishes and maintains liaison with other organizations concerned with international health.

Office of Information (2317). Plans, organizes, and administers the Center's public information program, publications management, and all concomitant activities such as tours and receptionist services, publications clearance, and distribution of information and educational materials.

Office of Research Grants (2318). (1) Develops and administers the Center's research grants programs, including stimulation of research in neglected or underemphasized fields; (2) provides financial support to nonprofit research organizations; and (3) maintains active liaison with Administration and Department organizational components concerned with grants.

Staff Services—Administrative Management (2319). Under the direction of the Executive Officer: (1) Assists and advises in the development, coordination,

direction, and assessment of management activities throughout the Center and assures consideration of management implications in program decisions; (2) conducts Center-level management services such as administrative services, financial management, personnel management, engineering services, computer systems, management analysis, legislative reference, library, and other delegated authorities as may be assigned; (3) provides technical leadership and guidance to management services at field stations and evaluates technical performance; (4) maintains liaison with HSMHA officials on management matters including ADP systems, management information systems, and communication networks; (5) provides financial data and systems development support to the Program Planning and Budgeting system; and (6) participates in the development of the Center's goals and objectives.

Office of Program Planning and Evaluation (2331). In cooperation with the Center's Executive Officer, programs, and staff services: (1) Plans and develops short and long range goals and objectives for the Center; (2) analyzes and evaluates the Center's programs activities; (3) collaborates in the development and implementation of the PPB system; (4) maintains liaison with counterpart organizations as appropriate; and (5) develops systematic approaches to reporting on the operations of the Center.

Ecological Investigations Program (2341). (1) Plans, coordinates, and conducts field station activities which include investigations of: (a) Viral meningitis and encephalitis; (b) hepatitis and gastroenteritis; (c) respiratory infections caused by viruses, bacteria; and fungi; (d) plague and other zoonoses; (e) schistosomiasis and other tropical diseases; and (f) the epidemiology of oncogenic viruses; and (2) develops measures for prevention and control of the communicable diseases under investigation.

Epidemiology Program (2345). (1) maintain surveillance over communicable and certain preventable diseases of national importance and develops programs of international surveillance in collaboration with the Foreign Quarantine Program, the Department of Defense, the Department of State, and the World Health Organization; (2) investigates special communicable disease problems and recommends control measures; (3) evaluates experimental vaccines and immunizing agents and procedures; (4) provides epidemic aid and epidemiological services and consultation to States, Federal agencies, foreign countries, and other recipients; (5) recruits and trains public health epidemiologists; (6) collects and analyzes morbidity and mortality statistical data and publishes reports of findings; (7) enforces interstate quarantine regulations; and (8) serves as the WHO Regional Reference Laboratory for Rabies in the Americas.

Foreign Quarantine Program (2351). (1) Plans, directs, and conducts the national program to protect the United

States against the introduction of communicable diseases from foreign countries; (2) provides epidemiological data on worldwide communicable disease prevalence; and (3) implements the provisions of the International Sanitary Regulations.

Malaria Eradication Program (2355). Administers the Public Health Service international program of malaria eradication jointly planned and developed with U.S. Agency for International Development missions and the national ministries of health of cooperating countries and which encompasses as appropriate such activities as vector control, field investigations and testing of methods and procedures, evaluation of country programs, and training and epidemiological appraisals.

Smallpox Eradication Program (2361). (1) Provides overall consultation, direction, coordination, and management for the United States participation in the worldwide program for eradication of smallpox; (2) when feasible, conducts other simultaneous immunization programs; and (3) maintains surveillance of smallpox and smallpox vaccine reaction in the United States.

Training Program (2365). (1) Conducts a program of continuing education for the practicing health professions on methods and techniques of disease prevention and control; (2) promotes the establishment, maintenance, and improvement of State and other health training programs; (3) provides communicable disease control training and consultation in natural disasters and epidemics; (4) devises, develops, and demonstrates advanced training methodologies through the above activities; and (5) coordinates the Center's training activities.

Laboratory Division (2375). (1) Administers a comprehensive national laboratory improvement program; (2) directs and conducts the administration of the licensure and evaluation of clinical laboratories engaged in interstate commerce under the authority and provisions of the Clinical Laboratories Improvement Act of 1967; (3) conducts research for improving and standardizing laboratory methodology; (4) evaluates techniques, materials, and reagents used in public health laboratories; (5) provides reference and typing center services related to clinical laboratory procedures for national and international organizations; (6) produces and distributes microbiological reference and working reagents not commercially available or of unreliable supply; (7) provides consultation, training, and informational services in laboratory techniques and laboratory management to States and other recipients; (8) distributes experimental vaccines and special immune globulins to prevent and control laboratory infections; and (9) directs, coordinates, and manages biological, chemical, and engineering research and development on methods, materials, and equipment for the prevention, control, and eradication of vector-borne diseases at the Technical Development Laboratories, Savannah, Ga.

State and Community Services Division (2381). (1) Plans, directs, and coordinates a national program for the prevention, control or eventual eradication of serious diseases, such as tuberculosis, respiratory diseases, syphilis, gonorrhea and other venereal diseases, for which specific preventive measures are available; (2) administers intramural and extramural programs for the control or eventual eradication of preventable diseases; and (3) conducts community demonstration programs in cooperation with State and local health departments and other agencies to serve as models in teaching communicable disease control and prevention.

NATIONAL INSTITUTE OF MENTAL HEALTH
(2400)

Plans, directs, and coordinates the national effort to improve the mental health of the people of the United States through the development of knowledge, manpower, and services to promote and sustain mental health, prevent mental illness, and treat and rehabilitate mentally ill persons: (1) Administers direct and support programs of mental health research, training and services, development of mental health standards, consultative and technical services to regions, States, and communities, construction and staffing of community mental health centers and construction, modernization, and renovation of other mental health facilities, scientific communications for professional individuals and groups and information and education for the public; (2) serves as the principal focus for behavioral science activities and for social and cultural problems related to mental health and for concerns and activities ranging from the causes, diagnosis, treatment, and prevention of mental disorders to the biological and psychosocial factors that determine human behavior and development; (3) exerts focused efforts in such areas as alcoholism, narcotic and other drug abuse, development and evaluation of psychoactive drugs, suicide prevention, cultural deprivation, crime and delinquency, services for the mentally ill offenders, and the behavior of groups including mass violence; (4) gives specific emphasis to (a) an attack on the overall mental health manpower problem by experimental training, both direct and supported, and continuing education, (b) an expansion of research efforts in clinical and applied areas, and (c) an expansion and improvement of mental health services through utilization of programs such as medicare, Appalachian development, and pertinent aspects of aid to education; and (5) consults with appropriate individuals and agencies in the development of mental health programs in other countries.

Intramural research activities located on National Institutes of Health premises are operated in accordance with the general policies and practices applicable to the intramural research programs of the NIH components under a mutual agreement between the two organizations.

Office of the Director (2401). (1) Plans, directs, and administers the programs of the Institute; (2) develops and provides policy guidance and staff direction to Institute programs in such areas as program coordination and review, mental health research, administrative management, intramural training, and patient care; (3) serves as the focal point for the national mental health effort; and (4) provides professional and technical direction to the regional personnel on mental health matters.

Office of Communications (2417). (1) Serves as focal point for all Institute public information and scientific communications activities including operation of the National Clearinghouse for Mental Health Information; (2) advises the Director and the Divisions on program developments related to public information and scientific communications in the field of mental health; (3) provides central services for information activities, including editing, clearance, and layout design services for Institute publications and photography; and (4) operates the Institute library.

Office of Administrative Management (2419). (1) Provides advice, coordination, and services in financial management, management policy, personnel management, grants and contracts management, general services, and data processing activities; (2) advises the Director and the Divisions on developments and their implications in these areas; and (3) designs, issues, and implements administrative operating procedures for the conduct of Institute affairs.

Office of Program Planning and Evaluation (2431). (1) Develops and issues guidelines and standards for program planning and evaluation; (2) develops or coordinates the development of plans and evaluates program accomplishments; (3) coordinates development of the program aspects of the Program Planning and Budgeting System; (4) identifies and analyzes national mental health needs and their socioeconomic implications; (5) develops standards for mental health diagnosis, treatment, care, and rehabilitation; and (6) provides legislative reference services, assists in the development of legislation, and advises on legislative matters in mental health.

Office of Program Liaison (2433). (1) Coordinates Institute relationships and activities with Department components, other Federal agencies, international groups, and with regional, State, and local mental health agencies and citizen groups; (2) acts as liaison between the regional staffs and Institute program areas; (3) performs grant application review and referral for the Institute; and (4) coordinates similar activities in the Divisions and keeps Divisions informed on significant developments.

Division of Extramural Research Programs (2441). (1) Plans and administers programs of support for research on the causes, prevention, diagnosis, and treatment of mental diseases including behavioral, clinical, biological, and applied psychopharmacological research; (2) develops and utilizes various types of

grant and contract mechanisms to support this research; (3) conducts and supports epidemiological research; and (4) coordinates Institute programs in schizophrenia, and in mental health and social problems.

Division of Manpower and Training Programs (2445). (1) Plans and administers programs of support for training of mental health personnel for research and service on a nationwide basis, including training in the mental health core disciplines, specialized training for professionals and subprofessionals in allied fields, and experimental training for current and newly emerging programs and activities; (2) develops and utilizes various types of grant and contract mechanisms to support these training programs; and (3) collects and evaluates data on national mental health manpower.

Division of Mental Health Service Programs (2449). (1) Plans and administers programs for the support of nationwide mental health services including (a) general improvement of State and local mental health programs, (b) construction and staffing of comprehensive community mental health centers, (c) improvement of the quality of care and competence of staff in State mental hospitals and institutions, (d) construction, modernization, and renovation of mental hospital, general hospital, and university-based psychiatric facilities;

(2) coordinates Institute activities and consults with other Federal agencies and the States on mental aspects of medical care provided under Social Security legislation; (3) provides advice and consultation to regional, State and community agencies in the development and utilization of mental health services; (4) coordinates Institute programs of regional, metropolitan, and rural mental health problems; (5) operates a model comprehensive community mental health center; and (6) develops and coordinates Institute programs in regard to the delivery of mental health services through occupational mental health programs and related service programs.

Division of Special Mental Health Programs (2451). (1) Plans and administers programs directed toward the solution of specialized mental health problems such as alcoholism, family and child mental health, crime and delinquency, mental health and social change, and suicide prevention, including the research, training, service, and other aspects of such programs; (2) develops and utilizes various types of grants and contract mechanisms to carry out these programs; and (3) coordinates and integrates these programs with other pertinent components of the Institute.

Division of Narcotic Addiction and Drug Abuse (2455). (1) Plans and administers the Institute's programs in the field of narcotic addiction and drug abuse through such activities as (a) operation of clinical research centers, (b) conduct of research in narcotics and drug abuse, (c) support of research, training, service, and demonstration in narcotics and drug

abuse through grants, contracts, and conferences, and (d) administration of the Institute's responsibilities for the rehabilitation of narcotic addicts under the Narcotic Addict Rehabilitation Act; and (2) as pertinent to clinical research efforts, provides patient care for narcotic addicts.

Mental Health Intramural Research Program (2461). (1) Plans and administers a comprehensive long-term intramural research program of clinical and behavioral, biological, and special research dealing with causes, diagnosis, treatment, and prevention of mental disorders and the biological and psychosocial factors that determine human behavior and development; (2) provides a focus for national attention in the area of mental health research; (3) provides technical support to the three intramural divisions through development and maintenance of electronic and mechanical instrumentation and equipment; and (4) assures that Institute intramural research activities located on National Institutes of Health premises are operated in accordance with the general policies and practices applicable to the intramural research programs of the NIH components under a mutual agreement between the two organizations.

Division of Clinical and Behavioral Research (24613). Plans and conducts a coordinated program of clinical and behavioral research dealing with the causes, diagnosis, treatment, and prevention of mental disease.

Division of Biological and Biochemical Research (24615). Plans and conducts a coordinated program of biological and biochemical research dealing with the basic biological processes that determine both adaptive and maladaptive behavior.

Division of Special Mental Health Research (24617). (1) Plans and conducts a program of intramural research on special mental health problems such as psychopharmacology, neuropharmacology, memory, human behavior, and the biochemistry of learning; and (2) performs clinical evaluation and followup activities in connection with research patients.

National Center for Mental Health Services, Training, and Research (2471).

(1) Administers Saint Elizabeths Hospital as a model demonstration of the conversion of a large mental hospital into an active, modern, community-based mental health program including: (a) Operation, in collaboration with the District of Columbia Health Department, of a community mental health center for residents of designated areas of the District of Columbia; (b) operation of a training and education program to provide multidisciplinary clinical training and other types of training for professional and other personnel engaged or interested in mental health activities; and (c) planning, development, and conduct of clinical research for the purpose of obtaining a better understanding of the causes of mental disorders, and of the factors bearing upon their development, treatment, and prevention; and (2) provides administrative and logistical sup-

port to special institute research programs in areas such as crime and delinquency, alcoholism, and suicide which are located in the facilities of the hospital.

Saint Elizabeths Hospital—Division of Clinical and Community Services (24713). (1) Provides treatment, care, and rehabilitation services for patients; (2) operates a model comprehensive community mental health center; and (3) operates a security treatment facility.

Seymour D. Vestermark Division of Intramural Training (24715). Administers the Institute programs of intramural training including a mental health career development program for officers of the Commissioned Corps, psychiatric residency programs, nursing training, and other training for both Federal and non-Federal personnel in various mental health disciplines and related areas.

Winfred Overholser Division of Clinical Research (24717). Conducts research in the clinical sciences as related to mental illness in such areas as clinical neurology, personality assessment, sociology, and clinical behavior.

HEALTH FACILITIES PLANNING AND CONSTRUCTION SERVICE (2500)

(1) Administers a grant and consultation program for the planning, construction, modernization, equipping, and utilization of health facilities; (2) participates in the administration of related programs by providing administrative, architectural, and engineering services for the planning, construction, and modernization of community mental health centers, facilities for the mentally retarded, university affiliated facilities for the mentally retarded, educational facilities for the health professions, nurse training, allied health educational facilities, including health facility projects assisted under the Appalachian Redevelopment Act and sheltered workshops under the Vocational Rehabilitation Act; and (3) formulates, administers and evaluates activities which supplement the grant program, including the development of guide materials.

Office of the Director (2501). (1) Plans, directs, coordinates and evaluates activities and relationships of the Service; and (2) provides management, education, legislative and regulatory planning, information and other central services for the Service.

Office of Program Planning and Analysis (2531). (1) Provides program planning and development assistance, statistical and data evaluation services and budget statistical support to the Service; (2) conducts surveys and studies to collect and analyze data on patient care facility needs and resources; and (3) develops measures of need for patient care facilities and devises and tests formulae for use in the administration of the Service's grant program, and serves as a resource for information on the extent of existing, planned or needed patient care health facilities.

Office of Architecture and Engineering (2541). (1) Provides leadership in the architectural and engineering aspects of the health facility construction

grant program and the several construction programs assisted by this Service; (2) provides consultation and assistance to representatives of foreign governments, to Federal, State, and local government officials, to private organizations and to the public concerned with health facilities regarding planning, designing and constructing such facilities, conducts studies on the design and construction requirements of health facilities; (3) develops regulations, standards, guides and planning materials; and (4) maintains liaison with equipment and material manufacturers, and professional organizations associated with the design and operation of health facilities.

Office of Equipment Consultation (2545). (1) Administers a program for determining equipment resources needed and disseminating specialized technical data through educational and training programs for hospitals, participates in the formulation of policy relating to adequate and proper equipment for such facilities; (2) develops and conducts a program for obtaining and presenting data on comparable items of equipment, for reviewing and analyzing equipment item comparability, and for distributing such information to health facilities throughout the country, and members of the public concerned with the hospital and health facility equipment area; (3) promotes the development of high standards; and (4) provides technical direction, leadership, consultation, and guidance to regional staff.

Office of Consultation on Hospital Functions (2551). (1) Serves as the focal point within the Service for developing, organizing, and continually evaluating the functional requirements of health care facilities; (2) provides leadership in the development of standards and other guide materials; (3) promotes the application of new concepts, standards, and practices; and (4) provides related consultation to regional office staffs, State agencies, project sponsors and other representatives of the hospital community.

Office of State Plans (2555). (1) Directs the Service's formula grant program for the planning, construction and modernization of hospitals, diagnostic and treatment centers, long-term care facilities, rehabilitation facilities, and participates in the administration of related programs by providing administrative and consultation assistance for the planning, modernization and construction of community mental health centers, facilities for the mentally retarded, university affiliated facilities for the mentally retarded, educational facilities for the health professions, nurse training, allied health professions educational facilities, including health facility projects assisted through the Appalachian Redevelopment Act and sheltered workshops under the Vocational Rehabilitation Act; (2) conducts consultation, study and evaluation programs which support and supplement the grant programs; and (3) develops regulations, policies, procedures, and other guide materials.

COMMUNITY HEALTH SERVICE (2600)

Stimulates, conducts, supports, and evaluates programs designed to increase the effectiveness and efficiency of allocating and utilizing health resources for quality preventive and curative health services, obtainable and acceptable to the American people. To this end, the Service promotes, develops, and supports: (1) Comprehensive health planning designed to match resources to the needs and wants of people in accordance with continually assessed priorities; (2) standards and evaluative activities as means of increasing the Nation's capacity for delivering quality health services; (3) activities designed to increase the scope and adequacy of balanced resources for the provision of comprehensive personal health services; and (4) programs of comprehensive health care focused on the needs of individuals and families wherever they live.

Office of the Director (2601). (1) Provides leadership and general direction for Service operations; (2) establishes program objectives and policies; (3) coordinates and evaluates development and progress of the Service's activities; (4) provides technical guidance and coordination to Service activities in the Regional Offices; and (5) provides a liaison with other agencies including the Social Security Administration, the Consumer Protection and Environmental Health Service, the Social and Rehabilitation Service, Department of Housing and Urban Development, Appalachian Regional Commission, and the Office of Economic Opportunity.

Office of Information (2617). (1) Develops and conducts an overall Service information program; (2) coordinates, evaluates, and provides leadership in the development and effective operation of Division information programs; (3) provides staff advice on information matters; (4) participates in the planning and development of Service-level policies with special responsibility for their interpretation to the public.

Office of Administrative Management (2619). (1) Plans, directs, and evaluates the administrative management activities of the Service; (2) develops and implements management policies, procedures, and systems; (3) provides program guidance and information to the staff of the Administration's Office of Financial Management in the operation of a financial management of grants; and Service, including program policy interpretation in budget formulation and execution, in preparation of Program Planning and Budgeting data, and in the financial management of grants; and (4) serves as the focal point for liaison with officials of the Office of the Administrator and Office of the Secretary on financial, personnel, organization, supply, contracts, and other management matters.

Office of Field Services (2621). (1) Coordinates the implementation of Service programs in the regional offices and field; (2) maintains liaison with regional staffs, the Social Security Admin-

istration, and the Social and Rehabilitation Service and other Federal agencies to coordinate regional office activities, and (3) recommends regional and field staffing assignments.

Division of Analysis and Evaluation (2631). (1) In cooperation with the National Center for Health Statistics, and making use of available primary and secondary data, develops and continually updates a picture of the national health status to determine health needs, available resources, and gap areas; (2) devises and operates a system for analysis of State plans and health service development projects and for determining impact of grant programs on health status of populations; (3) develops and applies methodological approaches to the creation of community profiles and community health indices; (4) assists in providing community health data and in developing methodology and design for data systems at National, State, and local levels; (5) provides leadership in development and operation of the Service's Program Planning and Budgeting System including preparation of annual and 5-year plans, establishment of program goals, evaluation of progress, and development of program alternatives; and (6) provides grants management services for the Division including receipt, clerical review, and routing of applications, issuance of notices of award, and application and interpretation of grants policy.

Division of Comprehensive Health Planning (2641). (1) Provides leadership in the development and operation of programs to provide grants to State and local agencies for the conduct and improvement of comprehensive State and area health planning; (2) develops policy issuances and program guidelines for the conduct of comprehensive health planning under section 314 of the Public Health Service Act; (3) establishes and maintains a system of pertinent communication and information exchange with other Federal agencies and National organizations concerned with planning or having related health interests; (4) stimulates and participates in the development of projects and administers grant program for studies, training, and demonstrations looking toward the improvement of comprehensive health planning techniques; (5) recommends funding of project grants for area-wide planning and for training; (6) provides technical assistance to regional offices and participates at their request in providing consultation and information on comprehensive health planning to States and communities; (7) conducts or arranges for staff training in planning for regional office personnel with responsibility for consulting and advising States and communities; and (8) conducts analyses and comparisons of the progress of State and area-wide planning programs with particular attention to their implications for Federal policy.

Division of Health Standards (2645). (1) Develops, evaluates, and recommends minimum standards for health care provided under Titles XVIII and

XIX and other Federal reimbursement programs; (2) develops, evaluates, and recommends guidelines and procedural manuals for use by State agencies in their licensure, inspection, and certification programs; (3) develops model legislation covering standards, licensure, and inspection of health facilities; (4) identifies need for new and revised standards so as to continually up-grade quality of health care; (5) identifies need for and develops standards for State health service programs supported by section 314 grants; (6) provides technical consultation to other Federal programs, to regional office personnel, and to State and local health officials in the development and interpretation of health standards; (7) identifies need for and stimulates projects for evaluating quality of care and for innovative approaches to standard-setting; and (8) maintains and analyzes State agency Medicare agreements, plans and operations, and participates in review of State agency Medicare certification documents.

Division of Health Resources (2651).

(1) Encourages, assists, and supports appropriate agencies to develop needed resources and increase their capacity to provide quality, effective services; (2) develops, supports, and evaluates methods for organizing and financing of group practice arrangements as a community health resource; (3) conducts programs designed to assist States in the effective application of standard-setting programs, licensure laws and regulations; (4) assists providers of health services to adopt professionally accepted practices and conform with requirements of standard-setting programs, including licensure, certification under programs authorized by the Social Security Act, and accreditation programs; (5) provides leadership in the development of programs to increase professional and technical skills, and effective use of personnel in health facilities and agencies; and (6) stimulates improved administration and operation of health facilities and agencies.

Division of Health Care Services (2655).

(1) Promotes the utilization of improved methods of health services organization, delivery, and financing at the community level in both urban and rural settings; (2) stimulates interest in and knowledge of their health services on the part of members of the community; (3) promotes studies of existing patterns of health services organization in specific communities to identify gaps in services to people; (4) encourages the design of systems of health service delivery to meet the communities' expectations and wishes; (5) promotes the concept of coordinated local programing in order to assure maximum effectiveness from available resources; (6) recommends funding for project grants for development and extension of health services; and (7) supports the delivery of health services to groups with special needs, such as the rural and urban poor, the residents of sparsely populated areas, and the migrant worker.

REGIONAL MEDICAL PROGRAMS SERVICE (2700)

Plans, conducts, coordinates, and supports national programs for the prevention and control of major killing and crippling diseases and chronic illnesses, and for the improvement in delivery of health care services: (1) Through the provision of information on comprehensive care for long-term illnesses; (2) through professional and technical assistance and advice to regional groups, States, and local communities; (3) through studies and demonstrations to improve methods of prevention, treatment and rehabilitation for chronic diseases; and (4) through grants to support the development of programs for integrated service and comprehensive care of those suffering from such illnesses and chronic diseases by encouraging cooperative arrangements leading to regionalization of facilities, services and resources.

Office of the Director (2701). (1) Provides direction and leadership for the programs and components of the Regional Medical Programs Service; (2) plans and formulates mission objectives and policies; (3) coordinates the programs and components of the Service utilizing research results and information developed by the Division of Chronic Disease Programs, the National Institutes of Health, the National Center for Health Services Research and Development, and elsewhere; (4) develops and coordinates policy and operational relationships with public and private organizations which support and carry out health programs related to the objectives of the program; (5) establishes and maintains liaison with appropriate leaders in the medical community, State and local officials and members of Congress; and (6) provides management and administrative services.

Division of Regional Medical Programs (2747). Supports, through grants and contracts, technical and professional assistance, the planning, development, and operation of regional programs to reduce the illness, disability and premature deaths resulting from heart disease, cancer, stroke and related diseases. These programs link medical schools, medical research centers, hospitals and other health organizations and institutions through regional cooperative arrangements in order to carry out research, training (including continuing education), demonstrations of patient care and other activities to achieve more widespread and effective use of the latest advances in the diagnosis and treatment of these diseases, encouraging and promoting the establishment of more effective systems for the delivery of health care services and, thus, generally improving the health of the population, as well as the health manpower and facilities available to the nation.

Division of Chronic Disease Programs (2751). Plans, conducts, and coordinates programs for the prevention and control of chronic diseases through (1) surveillance activities; (2) field trials, feasibility studies, and demonstrations; (3)

epidemiologic studies; (4) technical assistance to Government and other organizations; (5) consultation on international programs; and (6) public information and education activities, including a National Clearinghouse for Smoking and Health.

Management Appraisal Office (2815).

(1) Promotes the principles and practice of good management; (2) makes recommendations for establishing new or revised management policies; (3) reviews organizational proposals; (4) develops recommendations for improved procedures; (5) conducts surveys and appraisals of organizational units and activities; (6) advises professional personnel on management matters; (7) maintains liaison with the Bureau of Indian Affairs; (8) promotes and coordinates staffing studies.

Information Office (2817).

(1) Develops informational programs; (2) disseminates information on the health needs of Indians and Alaska Natives and on available services; (3) maintains liaison with voluntary health agencies, mass and special media writers interested in Indian health and national press, radio and television news outlets; (4) provides guidance to Area Offices on information matters.

Office of Administration (2819).

(1) Plans, develops and coordinates administrative activities of the Service, including administrative services, personnel management, and financial management activities; (2) participates in administrative staff recruitment, assignment, and development.

Health Programs Systems Center (2820).

A center for development and demonstration of management systems for administration, planning, allocation of and benefit assessment of program for individual and community health services; development and operation of optimal delivery systems for comprehensive health services for the American Indian in the Tucson, Ariz., area; and for consultation and technical assistance to all operating and management levels of the Indian Health Service in the evaluation, requirement analysis, design and implementation of health management and services delivery systems.

INDIAN HEALTH SERVICE (2800)

The Indian Health Service: (1) Develops and directs a program of comprehensive health services for eligible American Indians and Alaska Natives; (2) provides hospital and medical care services and preventive health services such as public health nursing, health education, environmental health, maternal and child health, school health and oral health; (3) conducts tuberculosis and other communicable disease control activities; (4) encourages and assists in the development of individual and community water and waste disposal systems; (5) provides training for health personnel; (6) conducts systems evaluation and development for the management and delivery of comprehensive health services to American Indians and Alaska Natives.

Office of the Director (2801). (1) Plans, develops, and directs the Indian health program; (2) coordinates Service activities with other governmental and nongovernmental agencies, and tribal governing bodies; (3) evaluates program needs, accomplishments and personnel development; (4) coordinates technical training for beneficiaries to qualify them for service in the Indian health program.

Office of Tribal Affairs (2811). (1) Promotes and encourages participation of the beneficiaries and interested organizations in Indian health programs; (2) identifies tribal relations problems with potential adverse effects on health programs, and develops solutions; (3) maintains liaison with tribal councils, State officials, and interested groups; (4) maintains an information gathering system yielding non-statistical data on tribal affairs and analyzes and interprets such information to facilitate policy formulation and decision making; (5) coordinates Congressional correspondence for the Service.

Office of Program Planning and Evaluation (2831). As a staff resource for the Service Director, coordinates program planning and evaluation activities for the Service, including: (1) Development of program planning criteria, and evaluation methodology; (2) assists in development of program goals and reporting of progress; (3) assistance in development of program and policy alternatives for management decision; (4) provision of planning, reporting and analytical functions for both Service and Administration use in support of policy formulation and program implementation; (5) provision of advice on operational implications arising from activities of the Office of the Director; (6) collaboration with appropriate fiscal and budget offices in development and implementation of the 5-year program and financial plan; (7) maintenance of liaison with other elements of the Administration and other Federal and non-Federal agencies; (8) development of improved methodologies for program planning and evaluation, and monitoring their installation and use; (9) identification of needs for legislative action; and (10) participation in recruitment, assignment, and development of program planning staff within the Service.

Office of Special Services (2833). (1) Promotes and coordinates research; (2) develops and structures program innovations for implementation by operating offices; (3) plans and directs the training activities of the Indian Health Service and the Indian Health Service Training Center; (4) develops new training methodologies as required by new program developments; and (5) promotes, coordinates, and directs domestic and non-domestic special projects that expand the effectiveness of the Indian Health Program.

Office of Program Services (2841). (1) Plans, develops, coordinates, and appraises professional and program services relating to the medical care and preventive health services provided bene-

ficiaries; (2) provides advice and consultation in these matters.

Office of Environmental Health (2845). (1) Plans, develops, coordinates, and appraises environmental health activities which include environmental health services and sanitation facilities construction for beneficiaries; (2) participates in professional staff recruitment, assignment and development.

Field Organization. The Indian Health Service mission is accomplished in the field through Indian (or Alaska Native) Health Area Offices and Subarea Offices, Hospitals, Medical Centers, Health Centers, Health Stations, and other facilities.

FEDERAL HEALTH PROGRAMS SERVICE (2900)

Carries out programs to provide: (1) Comprehensive direct health care for designated Federal beneficiaries and selected community groups; (2) occupational health care and safety services for Federal employees; (3) national planning, advance preparation, and logistic support for emergency health services; (4) training for health services personnel; and (5) the conduct of intramural clinical and health services research.

Office of the Director (2901). (1) Plans, develops, coordinates, and administers the programs of the Service and (2) provides advice to the Administrator on policy matters concerning such programs.

Office of Policy Coordination (2911). (1) Provides consultation, guidance, and coordination in policy development for the Service; and (2) develops and assists in the formulation or evaluation of legislation, regulations, policies, and procedures.

Office of Health Manpower Development (2912). (1) Provides leadership, guidance, and coordination to overall Service professional and technical health manpower development activities; (2) conducts and provides consultative services in the planning and programming for professional and technical Service training and career development activities; (3) coordinates affiliation agreements for training; (4) cooperates with other offices in personnel recruitment, utilization, and evaluation; and (5) maintains liaison with other agencies and accrediting organizations.

Office of Professional Services (2913). (1) Provides leadership, guidance, and coordination to the overall Service professional activities; (2) coordinates and evaluates the clinical care activities of the Service; (3) participates in professional staff recruitment and assignment; (4) maintains liaison with other Federal agencies, accrediting organizations and related professional groups; and (5) provides medical and consultative services to other agencies of the Federal Government.

Office of Information (2917). (1) Develops and conducts an information program consonant with the purposes and needs of the variety of programs of the Service; (2) advises on public relations policy, including guidance in such matters; (3) reviews, edits, and writes

general, professional and technical articles and presentations; and (4) coordinates and maintains liaison within and outside the Department to further the information and public relations objectives of the Service.

Office of Administrative Management (2919). Provides leadership, guidance, and coordination to the Service's management activities including (1) the conduct and coordination of the Service's management plans and programs; (2) the development, coordination, evaluation of administrative programs, policies and standards; (3) participation in administrative staff recruitment training and assignment; and (4) providing of consultative services to and the maintenance of liaison with other agencies and organizations.

Office of Research (2921). (1) provides leadership, guidance, and coordination to the research activities of the Service; (2) coordinates the planning and programming of intramural research; (3) develops and administers research program policies and standards; (4) coordinates collaborative research activities with other agencies and organizations, including research projects under the Special International Research Program (Public Law 480); (5) provides consultant services to other agencies and organizations; and (6) maintains liaison with other Government and non-Government research organizations.

Office of Program Planning and Evaluation (2931). Provides staff support to the Service Director through development and operation of the program planning and evaluation function for the Service, which includes: (1) Program planning, coordination, and evaluation; (2) development of program goals and reporting of progress; (3) development of program and policy alternatives for management decision; (4) exercise of planning, reporting and analytical functions for both Service and Administration use in support of policy formulation and program implementation; (5) provision of advice on program, policy, and operational implications arising from activities of the Office of the Director; (6) collaboration with appropriate fiscal and budget offices in development and implementation of the 5-year program and financial plan; (7) maintenance of liaison with other elements of the Administration and other Federal and non-Federal agencies; (8) development of improved methodologies for program planning and evaluation, and monitoring and guidance of their installation and use; (9) identification of the need for legislative action; (10) coordination of the Service's facilities modernization program changes; and (11) facilities systems analysis.

Division of Federal Employee Health (2945). (1) Provides consultation on, and stimulates the development of, improved occupational health and safety programs throughout the Government; (2) evaluates upon request, Federal agency occupational health services in relation to standards; (3) administers employee occupational health programs

for other Federal agencies on a reimbursable basis; (4) conducts research studies, training and demonstration projects; (5) develops occupational medical standards and methods for Federal employee occupational health programs; and (6) promotes activities designed to protect the working health and safety of Federal employees in order to maximize their productivity.

Division of Emergency Health Services (2951). Develops, plans, and administers programs covering all aspects of emergency health and medical services and resources applicable to all contingencies ranging from natural disasters to thermonuclear attack, including such programs as (1) the management of the emergency medical stockpile; (2) research; (3) resource analysis; and (4) the provision of guidance, training, and consultation to health agencies and facilities.

U.S. Coast Guard Medical Program (2971). (1) Develops and directs a comprehensive medical program for military personnel of the Coast Guard; and (2) provides medical and dental care to Coast Guard military personnel and eligible dependents through hospitals, clinics, infirmaries, sick bays, motorized dental units and contract resources located throughout the United States and foreign countries and aboard Coast Guard vessels.

Bureau of Prisons Medical Program (2981). (1) Develops and directs a comprehensive medical program for prisoners in Federal prisons and correctional institutions; (2) provides medical, psychiatric, and related services for such prisoners through hospitals and infirmaries located primarily at Bureau of Prisons facilities; (3) collaborates in planning prison hospital construction; and (4) helps develop standards for medical care in State and county prisons.

Bureau of Employees' Compensation Medical Program (2991). (1) Develops and directs a comprehensive medical services program for Federal employees who sustain an injury or illness as a result of their employment; (2) provides technical advice in the adjudication of compensation claims; and (3) participates in staff educational activities.

Field Organization. The Service provides a comprehensive program of direct health care for designated Federal beneficiaries and selected community groups; carries out the training of health services personnel; conducts intramural and health services research; plans and performs activities in support of and in cooperation with intra-agency and inter-agency sponsored community programs. The mission of the Service is carried out through a system of hospitals, clinics, dispensaries, mobile units, health units, medical stockpile depots, and other facilities.

Sec. 5-C Delegations of Authority. The order of succession and delegations of authority to the Administrator, and related matters are indicated below.

Order of succession. During the absence or disability of the Administrator or in the event of a vacancy in that office,

the first official listed below who is available shall act as Administrator, except during a planned period of absence for which a different order has been specified under (2) below:

(1) (a) Deputy Administrator; (b) Associate Administrator.

(2) For a planned period of absence, the Administrator may specify a different order of succession.

Delegations of authorities. The Administrator shall continue to exercise all of the authorities given to him under the April 1, 1968, Redlegation by the Assistant Secretary for Health and Scientific Affairs (33 F.R. 5426) as amended May 1, 1968, (33 F.R. 6891) and the Secretary's Reorganization Order of July 1, 1968 (33 F.R. 9909). All delegations or redelegations to any officers or employees of the Administration which were in effect immediately prior to the effective date hereof continue in effect in them or their successors.

Dated: October 24, 1968.

DONALD F. SIMPSON,
Assistant Secretary
for Administration.

[F.R. Doc. 68-13160; Filed, Oct. 29, 1968;
8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 68-110]

PHILLIPS PETROLEUM CO.

Registration of House Flag and Funnel Mark

The Commandant, U.S. Coast Guard, in accordance with the provisions of 19 CFR 3.81 (§ 3.81, Customs Regulations), issued under the authority of the Act of May 28, 1908, as amended (46 U.S.C. 49), has registered the house flag and funnel mark of Phillips Petroleum Co., as described below:

(a) **House flag.** The house flag is rectangular in shape. Centered both vertically and horizontally on a white field is a blue field, on which is superimposed and centered horizontally, a shield with a black border, a white field inside, upper portion containing black letters: "Phillips", the lower portion containing a red field with white numerals "66".

The proportionate dimensions are: Hoist, 1.0; fly, 1.6; length of blue field, 1.5333; height of blue field, 0.9333; height of shield, 0.65; height of white background in shield for "Phillips", 0.2083; height of letters for "Phillips", numerals, 0.3583; height of "66" numerals, 0.2167; distance from bottom of flag to bottom of shield, 0.1833; and distance from top of flag to top of shield, 0.1666.

Funnel mark. The funnel mark is to appear on a black funnel. Around the funnel is a blue band, on which is centered both vertically and horizontally, a

shield with a black border, a white field inside, upper portion containing black letters "Phillips", the lower portion containing a red field with white numerals "66".

The proportionate dimensions at the centerline of funnel are: Diameter of funnel, 1.0; height of funnel, 1.1111; width of blue band, 0.4722; distance from top of funnel to top of band, 0.2917; distance from bottom of funnel to bottom of band, 0.3472; height of shield, 0.3888; distance from top of shield to top of band, 0.0417; distance from bottom of shield to bottom of band, 0.0417; height of white background in shield for "Phillips", 0.1226; height of letters for "Phillips", 0.0567; height of red field for "66" numerals, 0.2129; and height of "66" numerals, 0.1261.

Colored drawings of the house flag and funnel marks described are on file with the Office of the Federal Register, National Archives and Records service.

Dated: October 21, 1968.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 68-13146; Filed, Oct. 29, 1968;
8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 18245, 18246; FCC 68R-448]

RADIO COLLINSVILLE, INC., AND 1530 RADIO

Memorandum Opinion and Order Enlarging Issues

In re applications of Radio Collinsville, Inc., Collinsville, Va., Docket No. 18245, File No. BP-17183; Michael C. Turner and Howard A. Weiss, doing business as 1530 Radio, Chapel Hill, N.C., Docket No. 18246, File No. BP-17270; for construction permits.

1. This proceeding involves the mutually exclusive applications of Radio Collinsville, Inc. (Radio Collinsville), and Michael C. Turner and Howard A. Weiss, doing business as 1530 Radio (1530 Radio), seeking authority to construct new standard broadcast stations at Collinsville, Va., and Chapel Hill, N.C., respectively. The applications were designated for consolidated hearing on areas and populations and section 307 (b) issues. Order, 33 F.R. 10537 published July 24, 1968. Presently before the Review Board is a petition to enlarge issues,¹ filed on August 8, 1968, by 1530 Radio, which seeks the addition of (1) a suburban community issue against Radio Collinsville; (2) an issue to determine the extent to which existing area programming adequately meets the local needs and

¹ The other pleadings before the Board are: (a) Opposition, filed Aug. 21, 1968, by Radio Collinsville; (b) Comments, filed Aug. 28, 1968, by the Broadcast Bureau; and (c) Reply, filed Sept. 10, 1968, by 1530 Radio.

interests of Collinsville; (3) a misrepresentation or lack of candor issue against Radio Collinsville; and (4) an issue to determine whether Radio Collinsville has been so careless and inept as to warrant disqualification. These requests will be treated seriatim.

The Suburban Community Issue. 2. Petitioner argues that the Radio Collinsville application should realistically be considered to be a broadcast proposal for Martinsville, Va. While recognizing that the "population test" of the Policy Statement on Suburban Communities² is not met, 1530 Radio contends that, consistent with the criteria enunciated in V.W.B., Inc., FCC 67-158, 10 RR 2d 563 and Babcom, Inc., 12 FCC 2d 306, 12 RR 2d 998 (1968), it has made a "threshold showing" which warrants the addition of the issue. Thus, 1530 Radio avers that Collinsville (population—3,586³) is approximately one-fifth the size of Martinsville (population—18,798), and is located within 2 miles of Martinsville; that the Radio Collinsville 1 kw mid-day and 250 watts critical hours proposal will place a 5 mv/m signal over all of Martinsville (during critical and noncritical hours) and a 25 mv/m signal over a substantial portion of that city (during noncritical hours); that according to an engineering affidavit submitted with the instant petition, the proposed station could provide adequate coverage to Collinsville, meeting all Commission requirements with respect to its principal community, with 250 watts of power; that Collinsville has no independent banking institutions, motor freight services, paid fire or police departments, hospital, and but one doctor, one dentist, one lawyer and a "string of small businesses"; and that Collinsville is therefore socially, economically and culturally dependent on the "dynamic industrial and commercial complex located in Martinsville." Finally, 1530 Radio alleges that none of the corporate officer or directors of Radio Collinsville is a resident of Collinsville.

3. In opposition, Radio Collinsville submits an affidavit of its consulting engineer who states that the antenna and transmitter site for the proposed station "could not have been located so as to provide a 25 mv/m signal to the Collinsville business area without penetrating the boundaries of the city of Martinsville with a 5 mv/m signal, operating at

either 250 watts or 1 kw." In addition, Radio Collinsville submits that while Collinsville is presently unincorporated, plans for incorporation have been initiated⁴ due to the extraordinary growth of Collinsville in the past 10 years.⁵ The applicant argues that Collinsville is an independent, self-sufficient community which is the location of 125 different businesses, a post office, a fire department, 9 churches, a high school, an elementary school, a recreation center and the offices of two lawyers, three physicians, the Appalachian Electric Power Co. and the Lee Telephone Co. Finally, Radio Collinsville submits the results of a survey (conducted following receipt of the instant petition to enlarge issues), which was designated to determine whether Collinsville residents and businessmen considered Collinsville to be economically, culturally or socially dependent on Martinsville; each of the 84 respondents indicated that no such dependence existed. The Broadcast Bureau opposes the addition of this issue arguing, in part, that "facts other than the basic fact that the small town is a typical small town must be pleaded" in order to warrant the addition of the requested issue; and that 1530 Radio has failed to make such an additional showing.

4. In reply, 1530 Radio alleges that Radio Collinsville knew at the time its proposal was filed that its application was mutually exclusive with those previously filed, and that the small community of Collinsville was therefore selected in order to achieve a 307(b) advantage. Petitioner contends that its showing under the objective standards of V.W.B., Inc., supra and Babcom, Inc., supra, raises substantial questions as to this applicant's expressed intent to realistically serve Collinsville.

5. In our view, petitioner's allegations do not meet the requirement of the "threshold showing" contemplated by the Policy Statement on Suburban Communities, supra. The Policy Statement was designed to provide guidelines for the consideration of the nature of a proposed station " * * * located in a suburban community and [which] would serve adjacent urbanized areas." While the Commission has granted a petitioner an opportunity to make a "threshold showing" in instances where the "population test" of the Policy Statement is not met, it is nonetheless incumbent upon such petitioner to demonstrate that a "substandard central city station" is proposed. See Durgin Associates, Inc., FCC 67-1036, 11 RR 2d 205; Risner Broadcasting, Inc., 13 FCC 2d 781, 13 RR 2d 912 (1968). In the instant case, 1530 Radio has not adequately shown that the general characteristics of a city-suburb relationship exist between Col-

linsville and Martinsville.⁶ Moreover, petitioner has not specifically alleged that Radio Collinsville must rely on Martinsville for substantial advertising revenue in order to operate its broadcast facility; nor is there any indication that Radio Collinsville's proposed programing is directed to Martinsville residents.

6. In V.W.B., Inc., supra, the Commission stated: "We are not going to designate applications for hearing [on a suburban community issue] merely because they happen to place a strong signal over a somewhat larger community * * *." While Radio Collinsville's 5 mv/m contour would include the entire city of Martinsville, the pleadings reflect that such coverage would exist with operational power of either 1 kw or 250 watts; this factor is recognized in the engineering affidavit submitted by petitioner.⁷ Radio Collinsville's engineer explains that the transmitter site "could not have been located so as to provide a 25 mv/m signal to the Collinsville business area without penetrating the boundaries of the city of Martinsville with a 5 mv/m signal, operating at either 250 watts or 1 kw." In addition, 1530 Radio's allegations concerning Collinsville's economic, social and cultural reliance on Martinsville are inconsistent with the numerous references made by petitioner's affiants to independent Collinsville community activity.⁸ In short, the Board agrees with the Bureau's contention that 1530 Radio has failed to sufficiently demonstrate any demographic, technical, economic or other relationship between the Collinsville broadcast proposal and the community of Martinsville, other than showing that Collinsville is a small town located near a larger town. Thus, no substantial question as to whether Radio Collinsville will realistically serve primarily a community other than its

² While not determinative, it is interesting to note that many of the people who responded to Radio Collinsville's random survey (see para. 3), in fact, work in Collinsville and reside in Martinsville.

³ Petitioner's consulting engineer at page 8 of his affidavit states: "An examination of the engineering data contained in the Collinsville application shows that the entire city of Martinsville falls within 5 mv/m service contour of the proposed Collinsville operation, both for the 1 kw mid-day operation and for the 250 watt operation during the critical hours."

⁴ Thus, in an effort to demonstrate existing radio coverage for Collinsville businesses, schools and organizations (to be discussed hereinafter) the station managers of three area stations list, in part, the following Collinsville activities: Collinsville High School; John Reed Smith Elementary School; P.T.A.; Stone Memorial Christian Church; Lion's Club; volunteer fire department; Hill Memorial Baptist Church; Smith Memorial Methodist Church; Explorer Group No. 81; First Baptist Church; Collinsville Jaycee; Garden Club; Heart and Cancer Fund; branch banks; three "major manufacturing and industrial firms"; one shopping center; one doctor; and one dentist. In addition, 1530 Radio has not rebutted Radio Collinsville's allegation that there are 125 different businesses in Collinsville.

⁵ Policy Statement on section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, 2 FCC 2d 190, 6 RR 2d 1901 (1965), reconsideration denied 2 FCC 2d 866, 6 RR 2d 1908. Therein, the Commission called for an examination to determine "whether the applicant's proposed 5 mv/m daytime contour would penetrate the geographic boundaries of any community with a population of over 50,000 persons and having at least twice the population of the applicant's specified community." If such a condition exists, a presumption arises that the applicant realistically proposes to serve the larger community.

⁶ Petitioner states that the 1960 Census population of Collinsville is 3,856; as noted by Radio Collinsville, this figure is incorrect.

⁴ A copy of the Collinsville incorporation feasibility study is attached to the instant opposition.

⁵ While this applicant asserts that the estimated 1967 population of Collinsville was 6,700, this projection is speculative and will therefore not be considered. Babcom, Inc., supra.

specified community has been raised, and the requested issue will be denied.

The Existing Local Programming Issue. 7. Petitioner contends that to the extent that Collinsville has separate and distinct broadcasting needs, existing radio Stations WMVA and WHEE in Martinsville and WODY in Basset, Va., more than adequately meet such program needs. Affidavits of the general managers of these three area stations are submitted to demonstrate that coverage is afforded to Collinsville schools, clubs, and religious groups. See note 8, supra. The Broadcast Bureau does not oppose the addition of this issue, provided the burden of proceeding with the introduction of evidence is placed upon the petitioner.

8. In opposition, Radio Collinsville argues that no showing has been made that the existing stations have ascertained the specific program needs of Collinsville; and it is therefore impossible to substantiate an allegation that such needs are already being met. The applicant contends that 1530 Radio has offered no details with respect to specific programming intended for Collinsville; and as such, petitioner's showing falls far short of the presentations made in Charlottesville Broadcasting Corp., FCC 65R-396, 6 RR 2d 744 and Boardman Broadcasting Company, Inc., FCC 64R-21, 1 RR 2d 931, wherein the requested issue was added.

9. The three station manager affidavits submitted by petitioner sufficiently raise the question of whether the programming needs of Collinsville are presently being satisfied, at least to some extent, by Martinsville and Basset stations. The affidavits indicate that existing stations broadcast, on a regular basis, public service announcements for Collinsville clubs and organizations, Collinsville religious services, sports events, school closings, and other community events. Thus, in the instant case, evidence concerning the programming of existing stations may be material to a determination, under section 307(b) of the Communications Act, of which community has the greater need for the broadcast facility. However evidence regarding existing programming will be permitted on a contingent basis and authorized only in the event that Radio Collinsville prevails under standard section 307(b) considerations (i.e., absent a consideration of the programming of existing stations).⁹

The Misrepresentation and Carelessness Issues. 10. Petitioner alleges that Radio Collinsville, in its application, misrepresented and distorted certain material facts in an attempt "to overstate the importance of Collinsville." Thus, 1530 Radio submits that Radio Collinsville incorrectly indicated in its application that it had contacted representatives of the Collinsville Jaycees and the Collinsville Rotary Club. Petitioner also asserts that Radio Collinsville's application

(Exhibit 10) "gives the impression that certain of the other named organizations, such as the American Legion and Masonic Lodge, are Collinsville organizations." Affidavits of area residents submitted by 1530 Radio state that there is no Rotary Club, American Legion Post, or Masonic Lodge in Collinsville; there was no Jaycees group at the time of Radio Collinsville's survey; and contrary to Radio Collinsville's assertion, there are no plans to locate the Henry County Courthouse in Collinsville. While the applicant had an opportunity to correct these alleged misrepresentations in its revised Exhibit 10, 1530 Radio submits that Radio Collinsville only further distorted the record by allocating air time for a report by the "Mayor of Collinsville" since, 1530 Radio states, the unincorporated area of Collinsville does not have a mayor. In addition to a misrepresentation issue, 1530 Radio also requests the addition of an issue to determine whether Radio Collinsville's representations reflect such carelessness and ineptness "that the Commission cannot rely upon the applicant to fulfill the duties and responsibilities of a licensee."

11. Radio Collinsville, in opposition, submits that the Masonic Lodge and American Legion Post were not identified as Collinsville groups in either its original or amended Exhibit 10 (which are submitted with the opposition); however the representatives of these organizations live and work in Collinsville. According to Radio Collinsville the nature of the program proposed for the mayor of Collinsville was explained in a footnote to the program reference in Exhibit 10; therein Collinsville's plan for future incorporation was indicated. In addition, Radio Collinsville submits the affidavit of the former Chairman of the Board of Supervisors of Henry County who states that at the time Radio Collinsville's application was filed, " * * * Henry County had under consideration a certain parcel of land located immediately adjacent to Collinsville"¹⁰ as a possible site for the county courthouse. While Radio Collinsville admits to the "mis-characterization" of the Jaycees and Rotary Club as Collinsville organizations, it nonetheless contends that efforts to establish a local Collinsville Jaycees (which was ultimately chartered in March 1966), had been initiated prior to the filing of the subject application; and that the Rotary Club community identification was corrected in the amended exhibit. The Broadcast Bureau contends that Radio Collinsville's response is adequate to eliminate the need for the requested issues.

12. It appears from a review of Radio Collinsville's application and the pleadings herein that references made to the location of the Masons and American Legion groups may be properly interpreted as designating the residence of the

group representatives contacted rather than the organizations themselves. Furthermore, while the nature of the program designed for the "mayor" of Collinsville and the specific location considered for the courthouse construction are somewhat ambiguous, these matters have been sufficiently explained by Radio Collinsville. There are only two organizations (the Jaycees and Rotary Club) which were improperly identified in Radio Collinsville's application, and petitioner has set forth no adequate reason to doubt the veracity of Radio Collinsville's representation that these inaccuracies were merely inadvertent errors. Thus, the Board finds no basis for the addition of either a misrepresentation or ineptness issue, and is of the view that the matters raised are not " * * * significant from either an absolute or a comparative standpoint." Bay Broadcasting Co., 6 FCC 2d 552, 9 R.R. 2d 344, app. for rev. denied, FCC 67-840, released July 20, 1967. Unlike the circumstances in J. W. Furr, 10 FCC 2d 357, 11 R.R. 2d 410 (1967), cited by petitioner, there is no question here as to the authenticity of Radio Collinsville's programming contacts. Rather, the innocent mis-characterizations and ambiguities involved herein, have been corrected, or adequately explained to the Board's satisfaction. The questions of subtle interpretation here involved are not comparable with the substantial financial, site suitability, and site availability questions raised against the applicant in Beamon Advertising, Inc., FCC 63R-467, 1 R.R. 2d 285, also cited by the petitioner, wherein both misrepresentation and ineptness issues were added.

13. Accordingly, it is ordered, That the petition to enlarge issues, filed August 8, 1968, by Michael C. Turner and Howard A. Weiss doing business as 1530 Radio, is granted to the extent indicated below, and is denied in all other respects; and that the issues in this proceeding are enlarged by the addition of the following issue:

In the event that Radio Collinsville, Inc., should be preferred under the existing section 307(b) issue in this proceeding, to determine the extent to which programming of existing stations meets the local needs and interests of Collinsville, Va., and to determine in light of such evidence which of the applicants should be preferred.

14. It is further ordered, That the burden of proceeding with the introduction of evidence on the contingent issue added herein will be on 1530 Radio and the burden of proof will be on Radio Collinsville, Inc.

Adopted: October 24, 1968.

Released: October 28, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,¹¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-13166; Filed, Oct. 29, 1968;
8:47 a.m.]

¹¹ Board member Pincock absent.

⁹ This inquiry was added on a contingent basis in both Charlottesville Broadcasting Corp., supra, and Boardman Broadcasting Company, Inc., supra.

¹⁰ In reply, 1530 Radio notes that even this affirmation does not indicate that Collinsville, rather than an area adjacent to Collinsville, was being considered as the courthouse site.

[Docket No. 18363; FCC 68-1057]

**WESTERN UNION INTERNATIONAL,
INC.**

**Memorandum Opinion and Order
Instituting an Investigation**

1. The Commission has before it:

(a) Revisions filed by Western Union International, Inc. (WUI) to its Tariff FCC No. 11 (Overseas Datel Service) which would establish rules, regulations and rates for the deferred handling of Datel calls.¹

(b) Application No. 987 filed by RCA Communications, Inc. (RCA), for special permission to file tariff revisions on short notice which offer Deferred Datel service in competition with WUI.

(c) A letter from WUI to the Commission, dated June 21, 1968, in response to a staff request for clarification and justification of such revisions;

(d) Petitions filed by ITT World Communications, Inc. (ITT) on July 15, 1968, and by RCA on July 18, 1968, seeking suspension of WUI's proposed tariff offering;

(e) Reply of WUI filed on August 12, 1968;

(f) Application No. 185 filed by WUI on August 30, 1968 for special permission to make certain clarifying and substantive amendments in its pending revisions in an effort to meet some of the objections raised by ITT and RCA;

(g) A letter from ITT, dated September 5, 1968, stating that, in view of WUI's proposed amendments to its tariff revisions, ITT would not renew its earlier objections to such revisions; and

(h) Telegram from RCA, dated September 10, 1968, stating that it also would not renew its objections to WUI's tariff revisions, but that it still believes that such revisions raise issues as to the lawfulness of the proposed service which it believes the Commission should examine in the light of the public interest.

2. WUI's revisions of May 29, 1968 (as proposed to be amended pursuant to its pending application for special permission of Aug. 30, 1968) would provide for the deferral of Datel calls at the customer's request. Outbound Datel calls received by WUI from customers via data tielines, domestic Broadband Exchange Service or Data-Phone connections would be stored by the company in the form of punched paper tape for later retransmission overseas in accordance with the instructions of the customer. Similarly, inbound Datel calls would be stored in WUI's operating rooms for subsequent retransmission to the party called in this country. WUI would make a \$5 "connection charge" for this service

in addition to the established charges for Datel calls, i.e., \$12 for the first 3 minutes plus \$4 for each additional minute.

Discussion. 3. The proposed Deferred Datel offering would constitute a departure from the established services in the international record field. Existing services may be divided into two broad categories, message services and customer-to-customer services. The customer-to-customer services, such as Datel, telex and leased channel, have been considered to consist of permitting a customer to utilize a carrier's facilities for the transmission and reception of his communications. The carrier's undertaking is merely to furnish a communication path connecting the customer with his correspondent; the carrier assumes no responsibility for the processing or transmitting of the customer's messages. Charges for customer-to-customer services are thus related to the value of the facilities furnished and to the amount of time during which such facilities are utilized by the customer. In the message services, on the other hand, the carrier undertakes to process and transmit the customer's message and deliver it to the addressee. The carrier is free to use whatever available facilities it finds convenient to accomplish this task. Message charges are thus made upon the quantity of words or information transmitted. While a carrier's cost and procedures for handling message traffic vary, depending upon the type of facilities utilized for acceptance, delivery, and transmission, these differences are not reflected, for the most part, in charges to the public. For example, while the carrier's costs of delivering a message by telex tieline might be considerably less than that of delivering a message by messenger, in each case the same charge is made to the customer. The disparity in charges between customer-to-customer service and message service, on a per unit of information transmitted basis has been considered to be justified by the fundamental difference in the undertakings of the carrier.

4. In Deferred Datel, WUI would introduce a manual store and forward function traditionally associated with message classifications into the customer-to-customer Datel service. The resulting service would not appear to fall within the conventional criteria for either the customer-to-customer or the message services. Consequently, new principles must be formulated to govern the charges, terms, and conditions upon which such a hybrid service is to be offered.

5. Datel at present is provided to a relatively small number of users and does not make a major contribution to the revenue requirements of the international carriers. It appears, however, that the service will grow in importance in the future. Furthermore, it appears that a demand may develop to introduce message handling functions into the telex service and, possibly, other customer-to-customer services. This could significantly affect the present service and rate structures within the industry. We,

therefore, believe that we should at this point carefully consider whether such hybrid services are in the public interest, and, if so, upon what terms and conditions they should be offered, and what is the proper relationship of the charges for such service as compared with the charges for the message and customer-to-customer services.

6. In the proposed Deferred Datel offering before us, the charges are based upon the time required for the overseas transmission at Datel rates plus a flat \$5 "connection charge" per call for the tape handling or message processing involved. This may be a reasonable way to meet customer's desire for deferred service. However, the resulting cost to the customer per unit of information transmitted, in the normal case, would be a small fraction of that applicable to message telegram service. Questions are thus presented as to whether Deferred Datel is an unjust and unreasonable classification of service and whether WUI's revisions grant an undue and unreasonable preference and advantage to customers afforded Deferred Datel transmission.

7. We further note that WUI proposes to make the limitation of liability provisions now contained in its Datel tariff applicable in the case of deferred calls as well as directly connected calls. Such provisions would appear to limit liability for damage caused by the negligence of its operators to no more than a refund of charges, unless such damages result from the failure of WUI to maintain proper standards of maintenance and operation or to exercise reasonable supervision. The question is presented as to whether this is a reasonable limitation of liability in the case of deferred service where the customer must entrust the paper tape containing his communication to WUI for handling and storage by its operators.

8. Finally, we believe that WUI has not submitted sufficient information to support the lawfulness of its proposed \$5 "connection charge." In this respect, it has submitted only summary results of a cost study upon which such charge was formulated. We are, therefore, unable to evaluate the relevance or adequacy of this study.

9. Accordingly, the Commission is unable to determine at this time that the charges, classifications, regulations, and practices contained in WUI's proposed Deferred Datel offering are or will be appropriately related to that of the message telegram service as required by 201(b) and 202(a) of the Communications Act, or that the level of WUI's proposed "connection charge" or that its limitation of liability provisions as applicable to Deferred Datel calls are or will be just and reasonable as required by section 201(b) of the Communications Act. An investigation will, therefore, be instituted into the lawfulness of such tariff offering. We believe that such investigation should be broad in scope looking toward the development of regulatory principles for all such hybrid services, as well as the determination of

¹ Such revisions were originally filed on May 29, 1968 accompanying Transmittal No. 365. Their effective date was postponed on several occasions and they are now scheduled to become effective on Oct. 28, 1968. Specifically, the revisions at issue are: 2d 3d, 4th, 5th, 6th, 7th, and 8th Revised Page 1; 6th, 7th, 8th, 9th, 10th, 11th, and 12th Revised Page 13; Original and 1st, 2d, 3d, 4th, 5th, and 6th Revised Page 13A; and 3d, 4th, 5th, 6th, 7th, 8th, and 9th Revised Page 14.

the particular questions raised by Deferred Datel.

10. We have examined the tariff amendments proposed by WUI in its pending Application No. 185 for special permission. Such amendments would appear to clarify the intent and to eliminate some questionable features of its Deferred Datel tariff revisions presently on file. We will, therefore, grant WUI's application. In response to WUI's proposed amendments, ITT and RCA appear to have abandoned their requests for suspension. In any event, we do not believe that under the circumstances present here, the proposed Deferred Datel tariff provisions should be suspended. Users of Deferred Datel should be on notice, however, that this service could be terminated or the terms and conditions upon which it is offered could be modified as a result of this proceeding. We are aware of the legitimate concern of RCA and ITT that they not be placed at a competitive disadvantage with respect to the service during the pendency of the investigation. We have, therefore, instructed the Chief, Common Carrier Bureau, to grant special permission, pursuant to his delegated authority, to these carriers to file appropriate tariff revisions offering Deferred Datel in competition with WUI. Such revisions that they choose to file for this purpose will also be subject to the investigation herein. Since the principles formulated in this proceeding could have a significant effect upon the future development of the service and rate structures in the international record field, we think that there should be broad participation in the proceeding by the public and by the carriers within the industry. In view of this and the leading positions of ITT and RCA in the international telegraph industry, such carriers will be made parties respondent to the proceeding, along with WUI, regardless of whether they choose to offer Deferred Datel service at this time.

11. We believe that a determination as to the lawfulness of the Deferred Datel tariff revisions of the international carriers should be made as promptly as possible, particularly since such revisions are to become effective without suspension. Toward this goal, we shall order, and do hereby find that the due and timely execution of our functions require, that the hearing record in the proceeding be certified to the Commission by the hearing examiner without making either an initial or recommended decision, and that in lieu of the examiner's decision, the Chief, Common Carrier Bureau, shall expeditiously prepare a recommended decision upon which exceptions may be filed by the parties.

Accordingly, it is ordered, That pursuant to the provisions of sections 4(i), 201, 202, 204, 205, and 403 of the Communications Act, an investigation is hereby instituted into the lawfulness of overseas record services offering store and forward or other traditional message handling functions in conjunction with a customer-to-customer service and into the lawfulness of tariff revisions offering

Deferred Datel Service (including any amendments thereto) which have been filed by WUI and which may be filed by ITT and RCA;

It is further ordered, That without in any way limiting the scope of the proceeding, it shall include inquiry into the following:

1. Whether other hybrid customer-to-customer services, in addition to Deferred Datel, are likely to be proposed in the future; and, if so, what such services are likely to be proposed;

2. What are the needs of users and what markets are anticipated for Deferred Datel and other hybrid services;

3. Whether technological developments in the near future would lessen the need for deferred customer-to-customer services or would permit such deferral by automatic as opposed to manual means;

4. Whether the introduction of hybrid services would cause a diversion of traffic and revenues from existing services; and, if so, what would be the extent of such diversion;

5. Whether the introduction of Deferred Datel or deferred versions of other customer-to-customer services would or will permit better utilization of personnel and circuit capacity during off peak periods; and, if so, what is the extent of the savings that would be incurred by such better utilization for each of these services;

6. Whether, in light of all the evidence including that adduced in reference to the foregoing issues, the provision of store and forward or other traditional message handling functions in conjunction with a customer-to-customer service should be held to be in the public interest, just and reasonable and otherwise lawful; and, if so, how should the charges for such services be formulated and upon what terms and conditions should such services be offered;

7. Whether Deferred Datel is a like and contemporaneous service with message telegram service at lower charges and whether Deferred Datel will result in an unjust or unreasonable discrimination or will subject any person or class of persons to undue or unreasonable prejudice or disadvantage, or will give any undue or unreasonable preference or advantage to any person or class of persons within the meaning of section 202(a) of the Communications Act;

8. Whether Deferred Datel is or will be an unjust or unreasonable classification of service;

9. Whether the level of charges for Deferred Datel is or will be unjust or unreasonable;

10. Whether the tariff regulations limiting the liability of the carriers for damages as applied to Deferred Datel calls are or will be unjust or unreasonable;

11. Whether any of the charges, classifications, regulations, and practices for Deferred Datel Service otherwise are or will be unjust or unreasonable within the meaning of section 201(b) of the Communications Act; and

12. Whether the Commission should prescribe just and reasonable charges, classifications, regulations, and practices or the maximum or minimum charges to be hereafter followed with respect to the services under investigation and, if so, what charges, classifications, regulations, and practices should be prescribed.

It is further ordered, That a hearing be held in the proceeding at the Commission's office in Washington, D.C., at a time to be specified in a subsequent order and that the hearing examiner designated to preside at the hearing shall certify the record to the Commission for decision without preparing either an initial decision or a recommended decision, and that the Chief, Common Carrier Bureau, shall prepare and issue a recommended decision, which shall be subject to the submittal of exceptions and requests for oral argument as provided in §§ 1.276 and 1.277 of the Commission's rules (47 CFR 1.276 and 1.277) after which the Commission shall issue its decision as provided in § 1.282 of the Commission's rules (47 CFR 1.282);

It is further ordered, That WUI, ITT, and RCA are hereby made parties respondent to this proceeding; that such parties shall participate fully herein; they shall submit a statement of their position or views on the above specified issues prior to the prehearing conference herein, but not later than 30 days after the release of this memorandum opinion and order; and they shall submit briefs at the close of the hearing on such issues as the examiner may direct;

It is further ordered, That WUI is hereby granted special permission in accordance with its Application No. 185 to file amendments to its pending tariff revisions for Deferred Datel Service to become effective as of October 28, 1968. (§ 61.59 of the Commission's rules, 47 CFR 61.59, is waived for this purpose);

It is further ordered, That the petitions of RCA and ITT to suspend WUI's tariff revisions are dismissed.

Adopted: October 23, 1968.

Released: October 25, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,²

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-13167; Filed, Oct. 29, 1968;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. CP69-67—CP69-70]

EL PASO NATURAL GAS CO. AND
NORTHWEST PIPELINE CORP.

Notice of Postponement

OCTOBER 21, 1968.

El Paso Natural Gas Co., Docket No. CP69-67; Northwest Pipeline Corp., CP69-68, CP69-69, and CP69-70.

² Commissioners Hyde, chairman; and Cox absent.

On October 14, 1968, Northwest Pipeline Corp. filed a motion requesting that the prehearing conference in the above-designated matter, now scheduled to commence on November 7, 1968, be postponed to November 12, 1968, for the reason that the U.S. District Court for the District of Utah, Central Division, has scheduled for November 7, 1968, a hearing in a related matter, Civil Action No. 143-57.

Notice is hereby given that the prehearing conference in the above-designated proceeding is postponed to November 12, 1968, at 10 a.m. (e.s.t.).

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-13132; Filed, Oct. 29, 1968;
8:45 a.m.]

[Docket No. CP69-113]

**LAWRENCEBURG GAS TRANSMISSION
CORP.**

Notice of Application

OCTOBER 22, 1968.

Take notice that on October 14, 1968, Lawrenceburg Gas Transmission Corp. (Applicant), 220 West High Street, Lawrenceburg, Ind. 47025, filed in Docket No. CP69-113 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase in the volume of natural gas delivered to an existing customer, Lawrenceburg Gas Co. (Lawrenceburg), for resale in its authorized delivery area, 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 increase its delivery to Lawrenceburg from 11,500 Mcf to 12,030 Mcf per day beginning November 1, 1968. Lawrenceburg has requested this proposed increase in firm supply to meet its obligations under a recently acquired franchise for retail service in the community of West Harrison, Ind., and to meet the needs of its normal expansion.

Applicant will purchase the necessary increase in its supply of natural gas from Texas Gas Transmission Corp. under the latter company's FPC Gas Rate Schedule CD-4. There is no new construction or cost to be incurred by this delivery increase.

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 November 18, 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 re-

quired 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. 68-13133; Filed, Oct. 29, 1968;
8:45 a.m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 94D-33]

**MOUNTAIN STATES DEVELOPMENT
CO.**

**Order Permanently Suspending
Exemption**

OCTOBER 24, 1968.

I. Mountain States Development Co. (issuer), 216 Kearns Building, Salt Lake City, Utah 84101, a Utah corporation, on October 23, 1967, filed with the Commission a notification on Form 1-F and sales material relating to a proposed assessment of 10 cents per share on 2,982,915 shares of its outstanding stock for an aggregate of \$298,291.50, and thereafter filed various amendments thereto, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation F promulgated thereunder.

II. The Commission, on September 20, 1968, temporarily suspended the Regulation F exemption of Mountain States Development Co., stating it had reason to believe from information reported to it by its staff that:

A. The sales material used in connection with the offering contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to the following:

1. The failure to disclose the fact that certain stockholders, who were also holders of notes of the issuer, were to be permitted to return notes to the corporation in lieu of payments of the assessment on shares of stock held by them;

2. The statement of the purposes for which the proceeds from the assessment and from any delinquent assessments sales were to be used and the statement concerning the priority of the use of such proceeds were not accurate;

3. The failure to disclose the specific date that payment was due in satisfac-

tion of the stock assessment without forfeiture and sale of said stock;

4. The failure to state that Mr. Sam Manchel, controlling power of Laser Power Industries, Inc., Mountain States' newly acquired subsidiary, died prior to the date of the filing of the sales material used in connection with the assessment.

5. The failure in respect of a lawsuit naming Laser Power Industries, Inc., as defendant to reflect that Leon Fromkess and Sam Manchel have each indemnified issuer for only one-third of the costs of any settlement thereof, or judgment therein, and any settlement of such lawsuit or judgment therein would leave one-third of the amount thereof to be paid by Laser Power Industries, Inc.;

6. The failure to reflect that the business of Laser Power Industries, Inc., is solely that of a manufacturer of batteries and is totally unrelated to the laser field of research and development as such term is commonly understood and has no connection whatever with light application by stimulated emission of radiation;

7. The failure to reflect the keen competition which Laser Power Industries, Inc., will encounter from large and well established manufacturers of batteries;

8. The failure to reflect minimum monthly royalty payments due by Laser Power Industries, Inc., to Electro-Acid Corp. for use of necessary patents and the failure to reflect whether or not such minimum royalty payments are current;

9. The failure to include a discussion relating to the voting control which will be in the hands of management and other affiliated persons if in fact stock is issued under notes described in Exhibit A of said sales material and further failure to call attention to the fact that stockholders generally will not be able to exercise an effective voice in the control of management;

10. The failure to reflect the issuance by the issuer on October 2, 1967, of a note for \$25,000 in favor of R. C. Gardner and Associates for the purchase of various assets of R. C. Gardner and Associates and the further failure to reflect the option contained in such note to convert and exchange all or any part of the unpaid balance of the note for capital stock of the issuer on the basis of 9 cents per share plus the amount of any assessment which may be levied prior to the date of the conversion of such option to be exercised prior to October 2, 1969; and

11. The failure to reflect the intention of the holders of convertible notes aggregating \$530,000 to convert such notes into common stock of the issuer immediately after the levying of the assessment.

B. The terms and conditions of Regulation F have not been complied with in that:

1. Use has been made of sales material prior to the expiration of the waiting period prescribed by Rule 654;

2. Use has been made of sales material which failed to comply with the requirements of Regulation F; and

3. The amount of the assessments, plus the aggregate sale price of all securities of the issuer sold in violation of

section 5(a) of the Securities Act of 1933, as amended, exceeded \$300,000 contrary to the provisions of Rule 651.

C. The offering has been made and would be made in violation of section 17 of the Securities Act of 1933, as amended.

III. The temporary suspension order required Mountain States Development Co. (Mountain States), pursuant to Rule 7 of the Commission's rules of practice, to answer the allegations contained in the temporary suspension order and Mountain States, in an answer filed on October 14, 1968, having generally denied the allegations contained in the temporary suspension order, consented to the entry of a permanent order of suspension without requesting to be heard in connection with the charges.

It is ordered, Therefore, on the basis of the temporary suspension order that the exemption of Mountain States Development Co. be, and it hereby is, permanently suspended.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-13142, Filed, Oct. 29, 1968;
8:45 a.m.]

PARAMOUNT GENERAL CORP.

Order Suspending Trading

OCTOBER 24, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Paramount General Corp., Los Angeles, Calif., and all other securities of Paramount General Corp. 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 October 25, 1968, through November 3, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-13143; Filed, Oct. 29, 1968;
8:45 a.m.]

[File No. 24NY-6444]

POLLUTION DYNAMICS CORP.

Order Permanently Suspending Exemption

OCTOBER 24, 1968.

I. On November 22, 1967 Pollution Dynamics Corp. (Pollution Dynamics), 1225 Ridge Road West, Rochester, N.Y., filed a notification pursuant to Regulation A in connection with a proposed offering of 149,000 shares of its \$0.05 par value common stock at \$2 per share. The offering was to be conducted by the

officers and directors of the company without an underwriter.

Pollution Dynamics is a New York corporation organized on September 13, 1967, and located at 1225 Ridge Road West, Rochester, N.Y. According to the offering circular, it proposes to engage in the development, manufacture and distribution of all types of equipment used to eliminate or control air and water pollution. Its primary business will be "the development of a smokeless incinerator which can be used as a disposal for waste, rubbish or similar material on a commercial basis."

II. The Commission, on June 13, 1968, temporarily suspended the Regulation A exemption of Pollution Dynamics Corp., stating it had reason to believe from information reported to it by its staff that:

A. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to the following:

1. The failure to disclose that Louis Martino, a principal stockholder and director, has exercised and will continue to exercise control over the issuer and its affairs.

2. The offering circular is materially false and misleading in failing to disclose accurately and adequately the business experience and background of Louis Martino, a principal stockholder, director and controlling party, and the serious business reverses suffered by Louis Martino and companies which he controlled.

3. The failure to disclose accurately and adequately the terms and conditions of the transaction wherein Mr. Martino transferred to Pollution Dynamics Corp. all of his rights in and title to the smokeless incinerator, including the market research design rights and expenses incidental thereto, the consideration to be paid by the company, the obligation, if any, to be assumed by the company, and the liability to be assumed by the company with respect to working models of the smokeless incinerators which Mr. Martino built for other persons prior to such transfer.

4. The Statement of Assets contained in the issuer's offering circular lists as an asset a \$3,277.32 item which is in fact worthless, rendering the financial statements false.

B. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer failed to name as affiliates, in Item 2(b) of the notification, Rochester Seamless Gutter Corp., Ravenswood Farms, Inc., and Terra Developers, Inc., all of which are under the control of Louis Martino, principal stockholder and director of Pollution Dynamics.

2. The issuer has failed to disclose in Item 9(a) of the notification, all trans-

actions whereby it issued unregistered securities during the year preceding the filing of the notification;

3. The issuer offered its securities without delivering a copy of an offering circular containing the information required in Schedule 1 of Form 1-A in violation of Rule 256(a) (1); and,

4. The issuer in causing a newspaper article to be published exceeded the limitations prescribed by Rule 256(c) and Rule 258.

C. The offering would be in violation of section 17(a) of the Securities Act of 1933, as amended.

III. Issuer, on July 12, 1968, filed pursuant to Rule 7 of the Commission's rules of practice, an answer to the charges set forth in the temporary suspension order and requested a hearing with respect to those charges. On October 17, 1968, the issuer filed a motion asking to withdraw its request for a hearing and consenting to the entry of a permanent order of suspension based upon the allegations contained in the temporary suspension order.

The Commission has determined to accept Pollution Dynamics Corporation's request for withdrawal of its request for a hearing and therefore:

It is ordered, On the basis of the temporary suspension order, that the Regulation A exemption with respect to the securities of Pollution Dynamics Corp. be, and it hereby is, permanently suspended.

It is further ordered, That the hearing scheduled for October 22, 1968, be, and it hereby is, canceled.

For the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-13144; Filed, Oct. 29, 1968;
8:46 a.m.]

TOP NOTCH URANIUM AND MINING CORP.

Order Suspending Trading

OCTOBER 24, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Top Notch Uranium and Mining Corp. (a Utah corporation) and all other securities of Top Notch Uranium and Mining Corp. 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 October 25, 1968, through November 3, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-13145; Filed, Oct. 29, 1968;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 25, 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. 41480—*Coarse grains from, to, and between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 620), for interested rail carriers. Rates on coarse grains and related articles, in carloads, as described in the application, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Carrier competition.

Tariff—Supplement 142 to Texas-Louisiana Freight Bureau, agent, tariff ICC 1012.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13148; Filed, Oct. 29, 1968;
8:46 a.m.]

[Notice 1231]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 25, 1968.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, 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.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 107515 (Sub-No. 584) (Republication), filed July 27, 1967, published in the FEDERAL REGISTER issue of August 17, 1967, and republished this issue: Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. In the above-entitled proceeding, the examiner recommended the granting to applicant a certificate of public convenience and necessity, authorizing operation in interstate or foreign commerce as a common carrier, by motor vehicle, over ir-

regular routes, of the commodities, to and from points substantially as indicated below. A decision and order of the Commission, Review Board No. 1, dated October 9, 1968, and served October 15, 1968, as amended, finds the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of: (1) *Frozen foods*, from the plantsites and storage facilities of Rich Products Corp. and of Southland Frozen Foods, Inc., at Buffalo, N.Y., to points in Illinois, Indiana, Michigan, and Ohio; restricted to traffic originating at such plantsites and storage facilities and destined to points in the named destination States; (2) *frozen foods*, from the plantsites and storage facilities of Southland Frozen Foods, Inc., at Barker, N.Y., to points in Illinois, Indiana, Michigan, and Ohio, restricted to traffic originating at such plantsites and storage facilities and destined to points in the named destination States; and (3) *frozen foods* (except frozen fruits, frozen berries, and frozen vegetables), from Fredonia, N.Y., to points in Florida, Georgia, Illinois, Indiana, Michigan, North Carolina, Ohio, and South Carolina; restricted to traffic originating at Fredonia, N.Y., and destined to points in the named destination States; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 109821 (Sub-No. 24) (Corrected Republication) filed July 26, 1967, published in the FEDERAL REGISTER issues of August 17, 1967, and October 2, 1968, and republished as corrected, this issue. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. 16901. Applicant's representative: Robert DeKroyft, 233 Broadway, New York, N.Y. 10007. By application filed July 26, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce as a common carrier by motor vehicle, over irregular routes of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and commodities in bulk), between Wellsboro and Pittsburgh, Pa. A corrected order of the Commission, dated September 10, 1968, and served Octo-

ber 16, 1968, orders that the notice of the application be republished in the FEDERAL REGISTER to show that applicant seeks, in effect, to tack the authority sought herein with that presently held in its Sub-No. 5 certificate, so as to provide service, among other points, between Pittsburgh, Pa., and New York, N.Y.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. That on or before 60 days from the date of republication of the application, applicant may submit verified statements in support of the application; that within 20 days after expiration of the time for filing of statements by applicant, protestant may submit verified statements in opposition to the application; and that within 10 days after expiration of the time for filing of statements by protestant, applicant may submit verified statements in rebuttal.

No. MC 127761 and No. MC 127761 (Sub-No. 1) (Republication). Applicant: ELMER MONK, doing business as MONK'S EXPRESS, 7561 Wooster Pike, Cincinnati, Ohio 45244. Applicant's representative: Theodore K. High, 2215 Central Trust Tower, Cincinnati, Ohio 45202. In No. MC-127761, applicant holds a permit, dated October 16, 1967, authorizing operation as a contract carrier by motor vehicle of, as pertinent, here, iron wire, from and to specified points subject to certain restrictions, and in No. MC-127761 (Sub-No. 1), the Commission, Operating Rights Board, by order of July 31, 1968, granted applicant motor contract carrier authority to transport, as pertinent, (1) iron wire from and to specified points, and (2) other named commodities from points in Anderson Township (Hamilton County), Ohio, to Elkton, Md., and Edgemont, Scranton, Reading, Lewisburg, Lewistown, Clayburg, Wyoming, Montoursville, and Schuylkill Haven, Pa., subject to certain restrictions; and that no permit has, as yet, been issued. An order of the Commission, Division 1, dated October 14, 1968, requires that a notice be published in the FEDERAL REGISTER reflecting (1) modification of applicant's permit under MC 127761, dated October 16, 1967, by deleting the words "iron wire" from where they appear therein and substituting in lieu thereof the words "iron or steel wire", and (2) modification of the order of the Commission, Operating Rights Board, entered July 31, 1968, in MC127761 (Sub-No. 1), by (1) deleting the words "iron wire" from where they appear in the findings therein and substituting in lieu thereof the words "iron or steel wire" (2) by adding the following parenthetical expression "(Delaware County)" immediately after the word "Edgemont" in the said findings; and (3) by deleting the word "Clayburg" from the said findings and substituting in lieu thereof the word "Claysburg"; that this order shall become effective 45 days after publication of notice of this order in the FEDERAL REGISTER, unless any party in interest, before the expiration

of such time, shall show cause, if any there be, in writing verified under oath, why the said permit in No. MC 127761 and the order in No. MC 127761 (Sub-No. 1) should be modified in the manner and to the extent described above.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 21170 (Sub-No. 268), filed October 4, 1968. Applicant: BOS LINES, INC., 408 South 12th Avenue., Marshalltown, Iowa 50158. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, commodities in bulk, commodities requiring special equipment, and commodities injurious or contaminating to other lading, (1) between Des Moines, Iowa, on the one hand, and, on the other, Ames, Iowa, from Des Moines over U.S. Highway 69 to Ames, Iowa, and return over the same route, serving no intermediate points, (2) between Des Moines, Iowa, on the one hand, and, on the other, Marshalltown, Iowa, from Des Moines, over Iowa Highway 64 to junction Iowa Highway 330, thence over Iowa Highway 330 to Marshalltown, Iowa, and return over the same route, serving no intermediate points, (3) between junction of U.S. Highways 30 and 218, on the one hand, and, on the other, Waterloo, Iowa, from junction U.S. Highways 30 and 218, over U.S. Highway 218 to Waterloo, Iowa, and return over the same route, serving no intermediate points, (4) between Ames, Iowa, on the one hand, and, on the other, junction U.S. Highways 30 and 218, (a) from Ames, Iowa, over U.S. Highway 30 to junction 218, and return over the same route, serving the intermediate points of Nevada, Colo., State Center, Marshalltown, Le Grand, Toledo, Tama, and Gladstone, Iowa; (b) from Ames, Iowa, over U.S. Highway 30 to junction Iowa Highway 330, thence over Iowa Highway 330 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 218, and return over the same route, serving the intermediate points of Nevada, Colo., State Center, Marshalltown, Le Grand, Toledo, Tama, and Gladstone, Iowa; and (5) between Marshalltown, Iowa, on the one hand, and, on the other, Waterloo, Iowa, from Marshalltown, Iowa, over Iowa Highway 14 to junction Iowa Highway 58, thence over Iowa Highway 58 to junction U.S. Highway 63, thence over U.S. Highway 63 to Waterloo, Iowa and return over the same route, serving the intermediate points of Grundy Center, Reinbeck, Voochies, and Hudson, Iowa. Restriction: Service from, to or through the points of Ames, Colo., Des Moines, Gladstone, Grundy Center, Hudson, Le Grand, Marshalltown, Nevada, Reinbeck, State Center, Tama, Toledo, Voochies, and Waterloo, Iowa, is restricted to the movement of traffic having a prior or subse-

quent movement, to or through, authorized points on the carriers' regular routes, other than the points named above. NOTE: This application is a matter directly related to MC-F-10010 published in FEDERAL REGISTER issue of January 24, 1968. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 22229 (Sub-No. 50), filed October 21, 1968. Applicant: TERMINAL TRANSPORT CO., INC., 248 Chester Avenue SE, Atlanta, Ga. 30316. Applicant's representative: Jack Goodman, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, (a) between Loveland, Ohio, on the one hand, and, on the other, points in Ohio; and (b) between Cincinnati, Ohio, and points in Ohio within the commercial zone of Cincinnati, on the one hand, and, on the other, points in Ohio; and (2) *household goods, office furniture and fixtures*, between points in Clermont County, Ohio, on the one hand, and, on the other, points in Ohio. NOTE: Applicant proposes to tack the requested authority at Cincinnati, Ohio, to perform service throughout its presently authorized territory, wherein applicant is authorized to operate in the states of Michigan, Ohio, Illinois, Indiana, Kentucky, Tennessee, Arkansas, Alabama, Missouri, Mississippi, Georgia, and Florida. This application is a matter directly related to MC-F-10277, published in the FEDERAL REGISTER issue of October 23, 1968, wherein applicant seeks to convert a portion of E. A. Schlairet Transfer Co., certificate of registration under MC 32839 (Sub-No. 13) into a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 109397 (Sub-No. 163), filed September 25, 1968. Applicant: TRISTATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Interstate Business Route I-44, Joplin, Mo. 64802. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*; (1) between Denver, Colo., on the one hand, and, on the other, points in that part of Colorado located in Jefferson, Douglas, and Park Counties, enclosed within and extending 5 miles beyond a line beginning at Watertown, Colo., thence south along South Platte River to Deckers, Colo., thence west and north along unnumbered highways through Buffalo, Estabrook, and Bailey, Colo., thence along U.S. Highway 285 to Conifer Junction, thence along unnumbered highway to Critchell, Colo., thence east to Watertown, Colo.; (2) between points in Jefferson, Douglas, and Park Counties enclosed within and extending 5 miles beyond the areas as defined above and points in Colorado with the right to tack paragraph (2) with applicant's Sub 48 authorizing the transportation of classes A and B explosives between Holly, Colo.,

on the one hand, and, on the other, points in Kansas. The Sub 48 service at Holly is now restricted to interchange with other carriers. NOTE: Applicant has contract carrier authority in MC 128814 and subs thereunder, therefore, dual operations may be involved. Applicant states that it now holds authority under its Sub 71 to transport explosives between Louviers, Colo., and points within 5 miles thereof, on the one hand, and, on the other, Dupont, Wash., and points in Oregon, California, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Wyoming; and under its Sub 115 the plantsite of Simsbury and Avon, Conn. Applicant further states that if the restriction in its Sub 48 is removed, applicant would tack at Holly, Colo., for service to points in Kansas. Applicant seeks no duplicating authority and is agreeable to restrictions that any grant of authority shall confer but a single authority. This application is a matter directly related to Docket No. MC-F-10261, published in FEDERAL REGISTER issue of October 2, 1968. If a hearing is deemed necessary, applicant does not specify a location.

APPLICATION UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-10279. Authority sought for purchase by REFINERS TRANSPORT & TERMINAL CORPORATION, 445 Earlwood Avenue, Oregon (Toledo), Ohio 43616, of a portion of the operating rights of PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306, and for acquisition by LEASEWAY TRANSPORTATION CORP., and, in turn by H. M. O'NEILL, F. J. O'NEILL, and W. J. O'NEILL, all of 21111 Chagrin Boulevard, Cleveland, Ohio 44122, of control of such rights through the purchase. Applicants' attorneys: John Andrew Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115, and Roland Rice, 618 Perpetual Building, Washington, D.C. 20004. Operating rights sought to be transferred: *Chemicals and washing compounds*, in bulk, in tank vehicles, as a *common carrier*, over irregular routes, from the plantsite of Stepan Chemical Co., at or near Millsdale, Ill., to points in Connecticut, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, West Virginia, and Wisconsin. Restriction: The authority granted herein is restricted against the joining or tacking with other authority held by carrier. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii), and the District of Columbia. Application has not

been filed for temporary authority under section 210a(b).

No. MC-F-10280. Authority sought for control by SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306, of KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. 54956, and for acquisition by A. J. SCHNEIDER, AGNES SCHNEIDER, both of 812 Stuart Street, Green Bay, Wis., and DONALD J. SCHNEIDER, 836 Neufeld Street, Green Bay, Wis., of control of KAMPO TRANSIT, INC., through the acquisition by SCHNEIDER TRANSPORT & STORAGE, INC. Applicant's attorneys: Charles W. Singer, 33 North Dearborn Street, Chicago, Ill. 60602, and Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C. 20006. Operating rights sought to be controlled: *Commodities* in bulk, having an immediate prior movement by rail or water (except cement), and numerous other specified commodities, as a *common carrier*, over irregular routes, from, to, and between specified points in the States of Illinois, Wisconsin, Georgia, Louisiana, Oklahoma, Texas, Indiana, Kentucky, Mississippi, Tennessee, Nebraska, Iowa, Minnesota, Illinois, Ohio, Michigan, Kansas, Missouri, Nebraska, Florida, Alabama, Arkansas, Louisiana, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Virginia, West Virginia, North Dakota, and South Dakota, with certain restrictions, as more specifically described in Docket No. MC-110988 and Sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. SCHNEIDER TRANSPORT & STORAGE, INC., is authorized to operate as a *common carrier* 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. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10282. Authority sought for purchase by AMERICAN TRANSFER CO., 2810 Jensen Avenue, Fresno, Calif. 93715, of the operating rights and property of SMITH TRUCK LINE, INC., 4022 East California Avenue, Fresno, Calif., and for acquisition by GLENN L. PRICKETT, 2810 Jensen Avenue, Fresno, Calif., of control of such rights and property through the purchase. Applicants' attorneys: William H. Kessler, 638 Divisadero Street, Fresno, Calif. 93721, and Marvin Handler, 405 Montgomery

Street, San Francisco, Calif. 94104. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-121438 Sub-1, covering the transportation of general commodities, as a *common carrier*, in intrastate commerce within the State of California. Vendee is authorized to operate as a *common carrier* in California; and under certificates of registration within the State of California. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10283. Authority sought for control by JAMES G. DYE, doing business as MUKLUK FREIGHT LINES, Post Office Box 600, Kenai, Alaska, of MITCHELL TRUCK & TRACTOR SERVICE, INC., 1817 North Salem Loop, Anchorage, Alaska, and for purchase by JAMES G. DYE, doing business as MUKLUK FREIGHT LINES, of the operating rights of MITCHELL TRUCK & TRACTOR SERVICE, INC. Applicants' attorney: David J. Pree, 101 Christensen Drive, Anchorage, Alaska 99501. Operating rights sought to be controlled and transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between Fairbanks and Valdez, Alaska, on the one hand, and, on the other, points in Alaska (1) on and within 25 miles of Alaska Highway 2 between and including Fairbanks and the United States-Canada boundary line, and (2) on and within 25 miles of Alaska Highway 4 between and including Valdez and the junction of Alaska Highways 2 and 4 at or near Buffalo Center, Alaska, between Anchorage, Alaska, and points within 25 miles thereof, on the one hand, and, on the other, Fairbanks, Alaska, and points within 25 miles thereof; and *motor vehicles*, in secondary movements, in truck-away service, between Seattle, Wash., and Fairbanks, Alaska, from Seward, Alaska, to Fairbanks, Alaska. JAMES G. DYE, doing business as MUKLUK FREIGHT LINES, is authorized to operate as a *common carrier* in Alaska. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10284. Authority sought for control by LARRY KERR AND JOHN L. KERR, JR., Individuals, Post Office Box 8365, Jackson, Miss. 39204, of REESE TRUCK LINE, INCORPORATED, Box 632 Highway 24 Bypass, Centerville, Miss. 39631, and for acquisition by JOHN L. KERR and G. O. KERR, JR., both also of Jackson, Miss., of control of REESE TRUCK LINE, INCORPORATED, through the acquisition by LARRY KERR AND JOHN L. KERR, JR., Individuals. Applicants' attorney: Phineas Stevens, 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. Operating rights sought to be controlled: *General commodities*, except those of unusual value, and except high explosives, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those

injurious or contaminating to other loading as a *common carrier*, over a regular route, between Gloster, Miss., and New Orleans, La., serving the intermediate point of Centerville, Miss. LARRY KERR nor JOHN L. KERR, JR., holds authority from this Commission. However, they are affiliated with JOHN L. KERR AND G. O. KERR, JR., which as a partnership, doing business as SHIPPERS EXPRESS, Post Office Box 8665, 1651 Kerr Drive, Jackson, Miss. 39204, are authorized to operate as a *common carrier* in Mississippi, and under a certificate of registration, within the State of Mississippi. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10285. Authority sought for purchase by CLINE MUNDY, doing business as GENERAL MOTOR LINES, 520 Orange Avenue, Roanoke, Va. 24012, of the operating rights and property of GARST TRUCK LINE, INC., Bluefield, Va. Applicants' attorney: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. 20036. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Bluefield, W. Va., and Honaker, Va., between Claypool Hill, Va., and Virginia-Kentucky State line, serving all intermediate points; *such merchandise* as is dealt in by retail and wholesale food business houses, from Bluefield, W. Va. to Bristol, Tenn., and Appalachia and Rich Creek, Va., serving certain intermediate and off-route points, restricted to delivery only; *canned milk*, between Galax, Va., to Bluefield, Va., serving no intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Bluefield, W. Va., on the one hand, and, on the other, points in Virginia and West Virginia within 75 miles of Bluefield; *such merchandise* as is dealt in by retail and wholesale food business houses, from Bluefield, Va., to points in West Virginia within 75 miles of Bluefield, Va., and *canned goods*, between Newport and Sevierville, Tenn. Vendee is authorized to operate as a *common carrier* in Virginia, and under a certificate of registration, within the State of Virginia. Application has been filed for temporary authority under section 210a(b). No. MC-58549 Sub-11, is a matter directly related.

No. MC-F-10286. Authority sought for control by ALGERNON E. FITZPATRICK, 2 Lodges Lane, Cynwyd, Pa. of SELOVER TRUCKING CO., INC., 381 Turnpike, South River, N.J. 08882. Applicants' attorney and representative: John Stewart, and Daniel B. Pierson, both of 1604 Philadelphia National Bank Building, Broad and Chestnut Streets, Philadelphia, Pa. 19107. Operating rights sought to be controlled: *General commodities*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities

[Notice 720]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 25, 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 2860 (Sub-No. 44 TA), filed October 22, 1968. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Pittsburgh, Pa., to points in Florida, for 180 days. Note: Applicant states that joinder is possible. Supporting shipper: Pittsburgh Brewing Co., 3340 Liberty Avenue, Pittsburgh, Pa. 15201. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 44605 (Sub-No. 33 TA), filed October 23, 1968. Applicant: MILNE TRUCK LINES, INC., 2200 South Third West Street, Salt Lake City, Utah 84115. 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 Lyman, Wyo., and Rock Springs, Wyo., over U.S. Highway 30 (Interstate Highway 80), serving all intermediate points, for 180 days. Note: Applicant states it does intend to tack the authority with its present regular-route authority both at Lyman and Rock Springs, Wyo., and will interline with all authorized motor common carriers at said points, as well as all other points on

its presently authorized routes. Supporting shippers: There are approximately 15 statements of support attached to the application which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 61403 (Sub-No. 185 TA), filed October 23, 1968. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road (37664), Post Office Box 47, Kingsport, Tenn. 37622. Applicant's representative: Charles E. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fumaric acid*, in bulk, in tank vehicles, from plantsite of Charles Pfizer Co., at Terre Haute, Ind., to Savannah, Ga., for 180 days. Supporting shipper: Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017. Send protests to: J. E. Gamble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803-1808 West End Building, Nashville, Tenn. 37203.

No. MC 89716 (Sub-No. 46 TA), filed October 23, 1968. Applicant: DICK JONES TRUCKING, Post Office Box 965, Powell, Wyo. 82435. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products and accessories*, from Himes, Wyo., to points in North Dakota, South Dakota, and Colorado, for 180 days. Supporting shipper: Georgia-Pacific Corp., Portland, Ore. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 304, Lierd Building, 259 South Center Street, Casper, Wyo. 82601.

No. MC 95540 (Sub-No. 737 TA), filed October 22, 1968. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Carrollton, Macon, Marshall, Moberly, and Milan, Mo., to points in Indiana, Ohio, Pennsylvania, New York, New Jersey, Massachusetts, Connecticut, Rhode Island, Maryland, Vermont, New Hampshire, Delaware, West Virginia, and Tennessee, for 180 days. Supporting shipper: Banquet Canning Co., 515 Olive Street, St. Louis, Mo. 63101. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 96619 (Sub-No. 4 TA), filed October 23, 1968. Applicant: FEDERAL TRANSFER COMPANY, INC., 270 South Hanford, Seattle, Wash. 98134. Applicant's representative: Jack R. Davis, 1100 IBM Building, Seattle, Wash. 98101.

bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, with no seasonal restrictions, as a *common carrier*, over irregular routes, between South River, N.J., and points in New Jersey and New York within 45 miles of South River, on the one hand, and, on the other, certain specified points in Pennsylvania, and Tarrytown, N.Y., and certain specified points in New Jersey; and *general commodities*, with exceptions specified above, during the season extending from the 1st day of June to the 1st day of October, inclusive, between points in New Jersey, on and south of New Jersey Highway 33, on the one hand, and, on the other, New York, N.Y. ALGERNON E. FITZPATRICK, holds no authority from this Commission. However, he controls JOHN GIBBONS, INC., 105 Chestnut Street, Philadelphia, Pa. 19106, which is authorized to operate as a *common carrier* in Pennsylvania, New Jersey, Maryland, Delaware, New York, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10281. Authority sought for control by MT. HOOD STAGES, INC., doing business as PACIFIC TRAILWAYS, 1048 Bond Street, Bend, Ore. 97701, of EVERGREEN TRAILS, INC., 1936 Westlake Avenue, Seattle, Wash. 98101, and for acquisition by WM. A. NISKANEN, also of Bend, Ore., of control of EVERGREEN TRAILS, INC., through the acquisition by MT. HOOD STAGES, INC., doing business as PACIFIC TRAILWAYS. Applicants' attorney: Donald A. Schafer, 1400 Public Service Building, Portland, Ore. 97204. Operating rights sought to be controlled: Passengers and their baggage, and newspapers, express, and mail, in the same vehicle with passengers, as a *common carrier*, over regular routes, between Snohomish, Wash., and Seattle, Wash., serving all intermediate points except that service to and from points in Seattle and Bothell, Wash., inclusive, is restricted to traffic moving from or to points north of Bothell, between Snohomish, Wash., and Monroe, Wash., serving all intermediate points. MT. HOOD STAGES, INC., doing business as PACIFIC TRAILWAYS, is authorized to operate as a *common carrier* in Oregon, Utah, Idaho, Arizona, California, Nevada, Texas, Massachusetts, New York, Alabama, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). Note: A motion to dismiss has been included.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 68-13149; Filed, Oct. 29, 1968;
8:46 a.m.]

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Seattle, Wash., and points in Washington; *Heavy machinery and building materials* (excluding vehicles or similar specialized equipment), between points in Washington, for 150 days. NOTE: Applicant proposes to tack with existing authority and to interline with other carriers. Supporting shippers: (1) Hulin Terminal Warehouse, by Paul R. Dever, Vice President, 270 South Hanford, Seattle, Wash. 98134; (2) John Morrell & Co. by J. W. Hunter, Seattle, Wash., Manager, 270 South Hanford, Seattle, Wash. 98134; (3) Cerro Copper & Brass Co., by A. D. Cranmer, District Sales Manager, 270 South Hanford, Seattle, Wash. 98134; (4) Republic Carloading by Ken Doak, Seattle Office Manager, 75 South Massachusetts, Seattle, Wash. 98134. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 111401 (Sub-No. 267 TA) (Correction), filed October 11, 1968, published FEDERAL REGISTER issue of October 22, 1968, and republished as corrected this issue. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplements*, in bulk, in tank vehicles, from Arkansas City, Kans., and Enid, Okla., to Little Rock, Russellville, Searcy, and Springdale, Ark.; Lamar, Colo.; Coolidge, Dodge City, Garden City, Howell, Hutchinson, Ingalls, Pratt, and Wichita, Kans.; Buffalo, Crescent, El Reno, Oklahoma City, and Woodward, Okla.; Dallas, Fort Worth, Friona, Hereford, and 3 SW Hereford, Tex., for 180 days. NOTE: The purpose of this republication is to correct the origin points. Supporting shipper: Sonner By-Products, 2015 East Eucalyptus, Enid, Okla. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 118130 (Sub-No. 61 TA), filed October 23, 1968. Applicant: BEN HAMRICK, INC., Box 6946, Fort Worth, Tex. 76115. Applicant's representative: J. F. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as defined by this commission, from Friona, Tex., and points within 5 miles thereof to Pensacola, Fla., Mobile, Ala., and points in Mississippi and Louisiana, for 180 days. Supporting shipper: Missouri Beef Packers, Inc., Post Office Box 1178, Friona, Tex. 79035. Send protests to: Billy R. Reid, District Supervisor, Interstate Commerce Commission, Bureau of

Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 125433 (Sub-No. 10 TA), filed October 23, 1968. Applicant: F-B TRUCK LINE COMPANY, 4255 South Second West Street, Salt Lake City, Utah 84107. Applicant's representative: D. Acklie, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, plaster, gypsum lath, and wall-board*, from points in Clark County, Nev., to points in California and Utah, for 180 days. Supporting shippers: Johns-Manville Corp., 22 East 40th Street, New York, N.Y. 10016; The Flintkote Co., Flintkote-Blue Diamond Gypsum and Construction Systems, 1650 South Alameda Street, Los Angeles, Calif. 90054. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 128696 (Sub-No. 3 TA), filed October 23, 1968. Applicant: GRANTHAM TRUCKING COMPANY, 114 Bell Street, Warner Robins, Ga. 31093. Applicant's representative: Carl E. Westmoreland, 713 Bankers Building, Macon, Ga. 31201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel pressure tanks*, between Macon, Ga., plantsite to points in Nebraska, North Dakota, and South Dakota, for 180 days. Supporting shipper: Delta Tank Manufacturing Co., Inc., Post Office Box 5105, Macon, Ga. 31208. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 128909 (Sub-No. 7 TA), filed October 23, 1968. Applicant: COMMODORE CONTRACT CARRIERS, INC., 8712 West Dodge Road, Suite 4000, Omaha, Nebr. 68114. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes, and buildings*, in sections mounted on wheeled undercarriages with hitch-ball connectors and *unrelated parts, appliances, furniture, and accessories* when moving with the commodities described above, between Carbon Hill, Ala., on the one hand, and, on the other, points in Florida, Georgia, North Carolina, South Carolina, Virginia, Maryland, the District of Columbia, West Virginia, Ohio, Indiana, Illinois, Missouri, Arkansas, Oklahoma, Texas, Louisiana, Mississippi, Tennessee, and Kentucky, for 150 days. Supporting shipper: Commodore Corp., 8712 West Dodge Road, Suite 4000, Omaha, Nebr. 68114. Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 133247 TA, filed October 23, 1968. Applicant: PAUL MARTIN, doing business as MARTIN TRUCKING COM-

PANY, Rural Route 1, Box 175, New Salisbury, Ind. 47161. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky. 40202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, in bulk and in bags, in specialized equipment, from Castleton, Ind., to points in Kentucky, for 180 days. Supporting shipper: The Quaker Oats Co., Merchandise Mart Plaza, Chicago, Ill. 60654. Send protests to: District Supervisor James W. Habermehl, Bureau of Operations, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13150; Filed, Oct. 29, 1968;
8:46 a.m.]

[Notice 236]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 25, 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-70790. By order of October 22, 1968, the Transfer Board approved the transfer to Alice Mary Cowan, Sapulpa, Okla., of certificate of registration No. MC-121039 (Sub-No. 1), issued February 10, 1964, to M. M. Cowan, Sapulpa, Okla., authorizing transportation in interstate and foreign commerce pursuant to class B permit No. 13222 dated March 10, 1960, issued by the Corporation Commission of Oklahoma. David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73101, attorney for applicants.

No. MC-FC-70796. By order of October 22, 1968, the Transfer Board approved the transfer to Cinti Trucking, Inc., Cincinnati, Ohio, of the operating rights in certificate No. MC-40326 issued August 21, 1964, to Raymond J. Gallagher, Cincinnati, Ohio, authorizing the transportation, over irregular routes, of general commodities, except articles of unusual value, classes A and B explosives, household goods, and such bulk commodities as are transported in dump trucks and unloaded by dumping, between Harrison, Ind., and points in Hamilton County, Ohio, and Boone,

Campbell, and Kenton Counties, Ky. Theodore K. High, 2215 Central Trust Tower, Cincinnati, Ohio 45214, attorney for applicants.

No. MC-FC-70841. By order of October 21, 1968, the Transfer Board approved the transfer to Danco Truck Lines, Inc., Irving, Tex., of the certificate in No. MC 98649 (Sub-No. 3), issued April 16, 1964, to Buckaloo Trucking Co., Kenedy, Tex., authorizing the transportation of: Specified commodities between points in Texas. M. Ward Bailey, Continental Life Building, Fort Worth, Tex. 76102, attorney for applicants.

No. MC-FC-70846. By order of October 21, 1968, the Transfer Board approved the transfer to Mary Marie Elliott, doing business as Bies Transfer, Tekamah, Nebr., of certificate No. MC-589, issued March 24, 1955, to Mary L. Bies, doing business as Bies Transfer, Tekamah, Nebr., authorizing the transportation of general commodities, with the usual exceptions, between Tekamah and Omaha, Nebr., serving all intermediate and specified off-route points, feed, farm machinery, farm machinery parts, drain tile, and building materials, from Sioux City, Iowa, to Tekamah, Nebr., and points in Nebraska within 25 miles thereof, livestock and agricultural commodities between Tekamah, Nebr., and points in Nebraska within 25 miles thereof, and points in Iowa, and household goods between Tekamah, Nebr., and points in Nebraska within 25 miles thereof, and points in Minnesota, Colorado, Iowa, South Dakota, and Missouri. Ralph M. Anderson, 240 13th Street, Tekamah, Nebr. 68601, attorney for applicants.

No. MC-FC-70848. By order of October 21, 1968, the Transfer Board approved the transfer to Richard Parker, Inc., of the operating rights in certificate No. MC-118213 issued February 20, 1964, to Joseph Amato, Medford Lakes, N.J., authorizing the transportation of: Bananas, between points in Maryland, Pennsylvania, New Jersey, South Carolina, and New York. Robert Watkins, 170 South Broad Street, Trenton, N.J. 08608, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 68-13151; Filed, Oct. 29, 1968;
8:46 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

OCTOBER 25, 1968.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests

for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. (Unknown), filed October 14, 1968. Applicant: VERNE E. URION, Box 72, Paradise, Mont. 59856. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General Commodities*, between Plains and Hot Springs over Highway No. 28, a distance of 22 miles. Both intrastate and interstate authority sought.

HEARING: Not yet assigned. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Board of Railroad Commissioners of the State of Montana, Helena, Mont. 59601, and should not be addressed to the Interstate Commerce Commission.

State Docket No. 3748-M, filed October 15, 1968. Applicant: FREIGHT DELIVERY SERVICE, INC., 1314 Chattahoochee Avenue NW., Atlanta, Ga. 30318. Certificate of Public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, having prior or subsequent haul by rail (piggy-back traffic), between Atlanta, Ga., and the towns of Stone Mountain and Tucker, Ga., and the Stone Mountain Industrial Park and the Tucker-Stone Mountain Industrial area. Both interstate and intrastate authority is sought.

HEARING: Tuesday, December 3, 1968, at the Georgia Public Service Commission, in the Commission's Hearing Room, 177 State Offices Building, 244 Washington Street, SW., Atlanta, Ga. 30334, at 10 a.m. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Georgia Public Service Commission, Atlanta, Ga. 30334, and should not be directed to the Interstate Commerce Commission.

State Docket No. 4189, filed September 18, 1968. Applicant: KAYWAY MOTOR FREIGHT, INC., 430 East Highland Street, San Angelo, Tex. Applicant's representative: Grady L. Fox, 222 Amarillo Building, Amarillo, Tex. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, from Ft. Stockton, Tex., over U.S. Highway 67 to Presidio via Alpine and Marfa, Tex.; from Alpine via Texas State Highway 118 to Fort Davis, Tex.; from Fort Davis, Tex., via Texas State Highway 17 to Marfa, Tex., serving all intermediate points and return over the same routes and coordinating this service with all other existing authority of the applicant. Both intrastate and interstate authority sought.

HEARING: Not yet assigned. Requests for procedural information, including the time for filing protests, concerning this

application should be addressed to the Railroad Commission of Texas, Motor Transportation Division, Austin, Tex., and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 68-13152; Filed, Oct. 29, 1968;
8:46 a.m.]

[Notice 522]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

OCTOBER 25, 1968.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 52587 (Deviation No. 2), O. K. MOTOR SERVICE, INC., 2577 Armitage Avenue, Chicago, Ill. 60647, filed October 16, 1968. Carrier's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill. 60641. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Chicago, Ill., over Illinois Highway 43 to junction U.S. Highway 41 south of Gurnee, Ill., and (2) from Chicago, Ill., over Interstate Highway 55 to junction Illinois Highway 53 north of Joliet, Ill., thence over Illinois Highway 53 to junction Interstate Highway 55 east of Gardner, Ill., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: From Chicago, Ill., over Harlem Avenue (formerly Illinois Highway 42A) to junction U.S. Highway 41, and (2) from Peoria, Ill., over U.S. Highway 24 to Chenoa, Ill., thence over U.S. Highway 66 to Chicago, Ill., thence over Illinois Highway 21 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction Wisconsin Highway 36, thence over Wisconsin Highway 36 to junction U.S. Highway 41,

thence over U.S. Highway 41 to Milwaukee, Wis., thence over Wisconsin Highway 59 to Waukesha, Wis., and return over the same routes.

No. MC 108937 (Deviation No. 9), MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Road, St. Paul, Minn. 55113, filed October 9, 1968. Carrier's representative: R. L. Stevens, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Rockford, Ill., over U.S. Highway 51 to junction Illinois Highway 64, thence over Illinois Highway 64 to junction Illinois Highway 83, thence over Illinois Highway 83 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction Interstate Highway 94, (2) from Chicago, Ill., over Interstate Highway 94 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 20, (3) from junction U.S. Highway 20 and Interstate Highway 90 (near Rockford, Ill.), over Interstate Highway 90 to Chicago, Ill., (4) from Chicago, Ill., over Interstate Highway 90 to Buffalo, N.Y., (5) from Chicago, Ill., over Interstate Highway 94 to junction U.S. Highway 41, (6) from Milwaukee, Wis., over U.S. Highway 41 to junction U.S. Highway 45 (near Oshkosh, Wis.), (7) from Jackson, Mich., over Interstate Highway 94 to junction U.S. Highway 20 (near Michigan City, Ind.), (8) from Detroit, Mich., over Interstate Highway 75 to Toledo, Ohio, (9) from Cleveland, Ohio, over Interstate Highway 71 to junction Interstate Highway 80 at Interchange No. 10, thence over Interstate Highway 80 to junction Interstate Highway 90 (near North Ridgeville, Ohio, and (10) from Cleveland, Ohio, over Interstate Highway 71 to junction Ohio Highway 82, thence over Ohio Highway 82 to junction U.S. Highway 20, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows:

(1) From Sandusky, Ohio, over U.S. Highway 6 to Rocky River, Ohio, (2) from Toledo, Ohio, over U.S. Highway 20 to Elyria, Ohio, (3) from Elyria, Ohio, over U.S. Highway 20 to Rocky River, Ohio, (4) from Monroe, Mich., over Michigan Highway 50 to junction U.S. Highway 24, (5) from junction Michigan Highway 50 and U.S. Highway 24 over Michigan Highway 50 to Cambridge Junction, Mich., (6) from Cambridge Junction, Mich., over Michigan Highway 50 to Jackson, Mich., (7) from Toledo, Ohio, over U.S. Highway 23 to junction U.S. Highway 12 (formerly U.S. Highway 112), (8) from Jackson, Mich., over Interstate Highway 94 (formerly portion U.S. Highway 12) to junction unnumbered highway (formerly portion U.S. Highway 12), thence over unnumbered highway to junction Interstate Highway 94 (formerly portion U.S. Highway 12), thence over Interstate Highway 94 to junction Jackson Road (formerly portion U.S. Highway 12), thence over Jackson Road to junction Interstate Highway 94

(formerly portion U.S. Highway 12), thence over Interstate Highway 94 to junction Michigan Highway 17, thence over Michigan Highway 17 to Ypsilanti, Mich., (9) from junction U.S. Highway 127 and unnumbered highway (formerly Michigan Highway 120) over U.S. Highway 127 to junction U.S. Highway 20, (10) from junction unnumbered highway (portion formerly U.S. Highway 27) and Michigan Highway 60 over unnumbered highway to Coldwater, Mich., (11) from Coldwater, Mich., over unnumbered highway (portion formerly U.S. Highway 27) to the Michigan-Indiana State line, thence over U.S. Highway 27 to Angola, Ind., (12) from South Bend, Ind., over U.S. Highway 33 to Elkhart, Ind.

(13) From South Bend, Ind., over Indiana Highway 2 to junction U.S. Highway 20, (14) from Michigan City, Ind., over U.S. Highway 12 to the Michigan-Indiana State line, thence continuing over U.S. Highway 12 (formerly U.S. Highway 112) to the junction Michigan Highway 205, (15) from Niles, Mich., over Michigan Highway 60 to junction U.S. Highway 131, (16) from junction U.S. Highway 12 and Indiana Highway 212 over Indiana Highway 212 to junction U.S. Highway 20, (17) from Chicago, Ill., over U.S. Highway 20 to Elkhart, Ind., thence over Indiana Highway 19 to the Indiana-Michigan State line, thence over Michigan Highway 205 to junction U.S. Highway 12 (formerly U.S. Highway 112), thence over U.S. Highway 12 to Detroit, Mich. (also from Chicago over U.S. Highway 12 to Michigan City, Ind., thence over U.S. Highway 35 to junction U.S. Highway 20, thence over U.S. Highway 20 to Elkhart, Ind., and thence to Detroit as specified above), (18) from Toledo, Ohio, over U.S. Highway 25 to Detroit, Mich. (also from Toledo over U.S. Highway 24 to junction U.S. Highway 25, thence to Detroit, as specified above), (19) from Jackson, Mich., over U.S. Highway 127 to junction U.S. Highway 12 (formerly U.S. Highway 112), thence over U.S. Highway 12 to junction U.S. Highway 223, thence over U.S. Highway 223 to Toledo, Ohio, (20) from Homer, Mich., over Michigan Highway 99 to Hillsdale, Mich., thence over Michigan Highway 34 to Adrian, Mich., (21) from Hillsdale, Mich., over unnumbered highway via Bunkers, Mich., to junction Michigan Highway 49, thence over Michigan Highway 49 to Camden, Mich.

(22) From Clinton, Mich., over unnumbered highway (formerly Michigan Highway 52) to junction Michigan Highway 50, thence over Michigan Highway 50 to junction Michigan Highway 52, thence over Michigan Highway 52 to junction unnumbered highway (1 mile south of Jasper, Mich.), thence over unnumbered highway via Weston, Mich., to Morenci, Mich., (23) from Detroit, Mich., over Michigan Highway 53 to the Chrysler Corp. Tank Arsenal near Detroit, Mich., (24) from Detroit, Mich., over U.S. Highway 12 (formerly U.S. Highway 112) to junction Interstate Highway 94 (formerly U.S. Highway 12), thence over Interstate Highway 94 to

Ypsilanti, Mich., (25) from Toledo, Ohio, over Ohio Highway 2 to Sandusky, Ohio, thence over U.S. Highway 250 to junction Ohio Highway 113, thence over Ohio Highway 113 to Elyria, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, (26) from Freeport, Ill., over U.S. Highway 20 to Chicago, Ill., (27) from Hazel Green, Wis., over Wisconsin Highway 84 (formerly Wisconsin Highway 80) to the Wisconsin-Illinois State line, thence over Illinois Highway 84 (formerly Illinois Highway 80) to junction U.S. Highway 20, thence over U.S. Highway 20 via Freeport, Ill., to Chicago, Ill. (also from Hazel Green to Freeport as specified above, thence over Illinois Highway 26 to Forrester, Ill., thence over Illinois Highway 72 to Starks, Ill., thence over U.S. Highway 20 to Chicago), (28) from Stockton, Ill., over U.S. Highway 20 to Chicago, Ill., (29) from Rhinelander, Wis., over U.S. Highway 8 to junction U.S. Highway 45, thence over U.S. Highway 45 to Oshkosh, Wis., thence over U.S. Highway 41 to junction Wisconsin Highway 175, thence over Wisconsin Highway 175 to Fond du Lac, Wis., thence over U.S. Highway 45 to junction Wisconsin Highway 145, thence over Wisconsin Highway 145 to Milwaukee, Wis., thence over U.S. Highway 41 to Chicago, Ill.

(30) From Chicago, Ill., over U.S. Highway 41 to Junction Illinois Highway 176, thence over Illinois Highway 176 to junction Illinois Highway 131, thence over Illinois Highway 131 to the Illinois-Wisconsin State line, thence over Wisconsin Highway 31 to junction Wisconsin Highway 31 to junction Wisconsin Highway 43, thence over Wisconsin Highway 43 to junction U.S. Highway 41, thence over U.S. Highway 41 to Milwaukee, Wis., (31) from junction U.S. Highway 41 and Illinois Highway 176 over U.S. Highway 41 to junction Wisconsin Highway 43, and (32) from Toledo, Ohio, over Ohio Highway 120 to junction U.S. Highway 20, thence over U.S. Highway 20 to Fremont, Ohio, thence over U.S. Highway 6 via Sandusky, Ohio, to Lorain, Ohio, thence over Ohio Highway 57 to junction Ohio Highway 254, thence over Ohio Highway 254 to Cleveland, Ohio, thence over U.S. Highway 20 to Buffalo, N.Y. (also from Toledo over Ohio Highway 2 to Sandusky, Ohio; also from Toledo to Cleveland as specified above, thence over Ohio Highway 84 to junction Ohio Highway 534, thence over Ohio Highway 534 to Geneva, Ohio, thence over the above route to Buffalo, and also from Toledo to Cleveland, as specified above, thence over U.S. Highway 20 to junction Pennsylvania Highway 5, thence over Pennsylvania Highway 5 to the Pennsylvania-New York State line, thence over New York Highway 5 to Buffalo), and return over the same routes.

No. MC 108937 (Deviation No. 10), MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Road, St. Paul, Minn. 55113, filed October 9, 1968. Carrier's representative: R. Stevens, same

address as applicant: Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Sioux City, Iowa, and Omaha, Nebr., over Interstate Highway 29, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Sioux City, Iowa, over U.S. Highway 77 to Dakota City, Nebr., thence over Nebraska Highway 35 to Emerson, Nebr., thence over Nebraska Highway 9 to Pender, Nebr., (2) from Omaha, Nebr., over Nebraska Highway 130 to Waterloo, Nebr., thence over U.S. Highway 275 to West Point, Nebr., thence over Nebraska Highway 9 to Pender, Nebr., (3) from Oakland, Nebr., over Nebraska Highway 9 to West Point, Nebr., and (4) from Pender, Nebr., over Nebraska Highway 16 (formerly Nebraska Highway 92) to junction Nebraska Highway 51, thence over Nebraska Highway 51 to junction U.S. Highway 77, and return over the same routes.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Deviation No. 478) (Cancels Deviation No. 466), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507,

filed October 18, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle of *passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, over deviation routes as follows: (1) From Duson, La., over Louisiana Highway 95 to junction Interstate Highway 10, thence over Interstate Highway 10 to Lake Charles, La., with the following access routes: (a) From Rayne, La., over Louisiana Highway 35 to junction interstate Highway 10, (b) from Crowley, La., over Louisiana Highway 13 to junction Interstate Highway 10, (c) from junction Interstate Highway 10 and Louisiana Highway 97 over Louisiana Highway 97 to junction U.S. Highway 90, (d) from junction Interstate Highway 10 and Louisiana Highway 26 over Louisiana Highway 26 to junction U.S. Highway 90, and (e) from junction Interstate Highway 10 and U.S. Highway 165 over U.S. Highway 165 to junction U.S. Highway 90, (2) from junction U.S. Highway 190 and Louisiana Highway 415 over Louisiana Highway 415 to junction Louisiana Highway 76, thence over Louisiana Highway 76 to junction Louisiana Highway 1, thence over Louisiana Highway 1 to junction Interstate Highway 10, thence over Interstate Highway 10 via Baton Rouge to junction Interstate Highway 12, thence over Interstate Highway 12

to junction U.S. Highway 61, with the following access route: From junction Louisiana Highway 1 and U.S. Highway 190 (at the west end of Mississippi River Bridge) over Louisiana Highway 1 to junction Interstate Highway 10, and (3) from New Orleans, La., over Interstate Highway 10 to junction Louisiana Highway 49, thence over Louisiana Highway 49 to Kenner, La., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: From New Orleans, La., over U.S. Highway 90 to junction Louisiana Highway 30, thence over Louisiana Highway 30 to Luling, La., thence over unnumbered highway to Boutte, La., and thence over U.S. Highway 90 to Lake Charles, La., (2) from Natchez, Miss., over U.S. Highway 61 via Scotlandville, La., to New Orleans, La., and (3) from junction U.S. Highways 90 and 190 east of Slidell, over U.S. Highway 190 via Slidell to Opelousas, La., and return over the same routes.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13153; Filed, Oct. 29, 1968; 8:46 a.m.]

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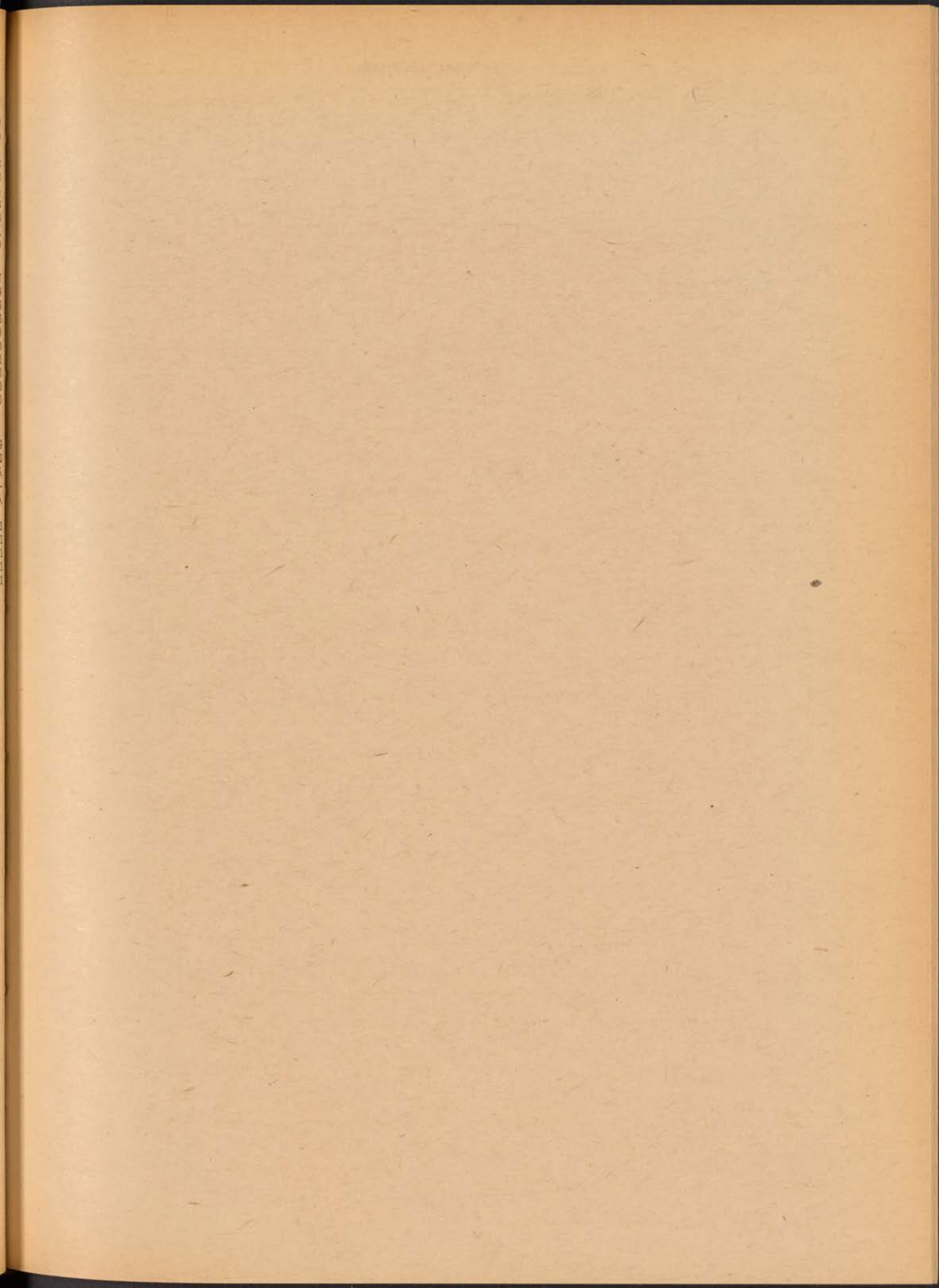
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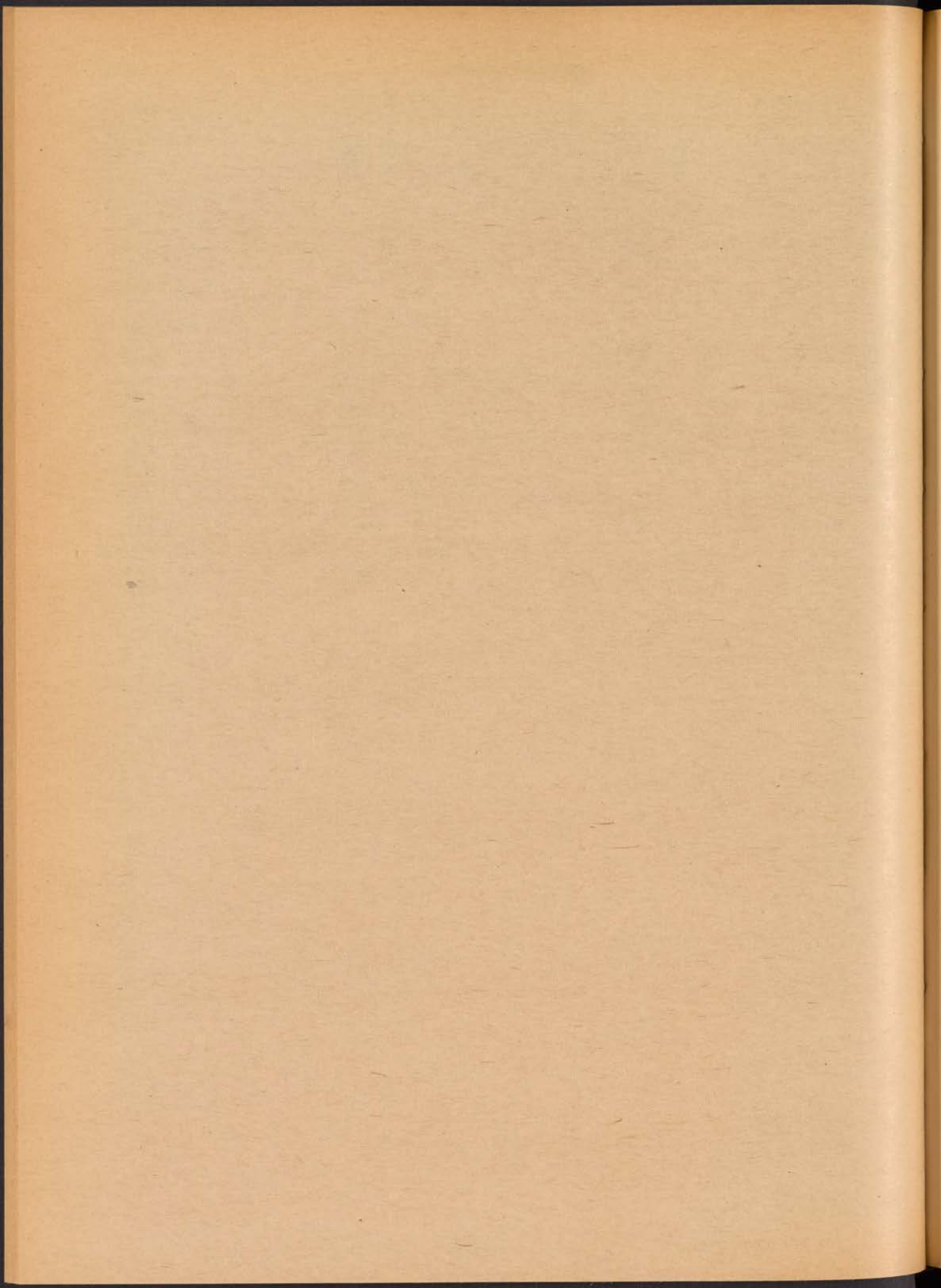
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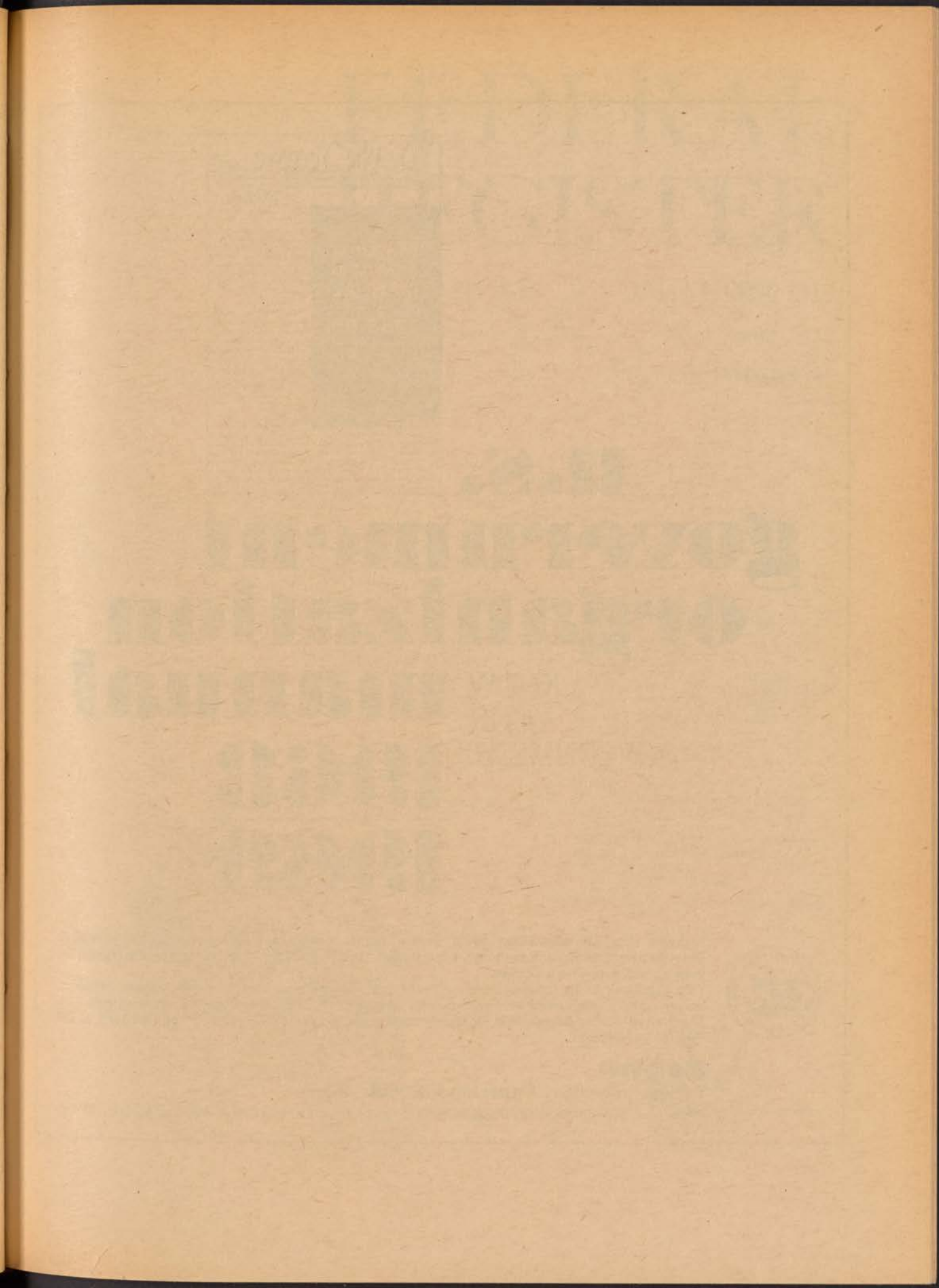
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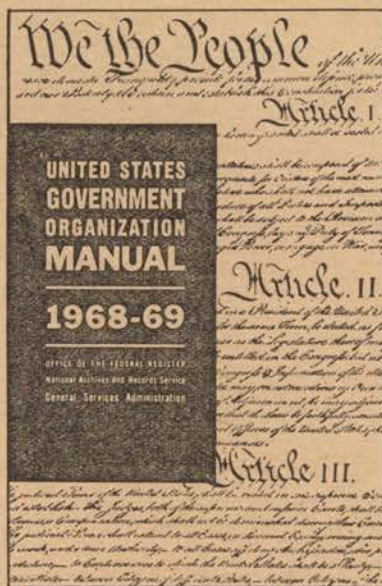
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