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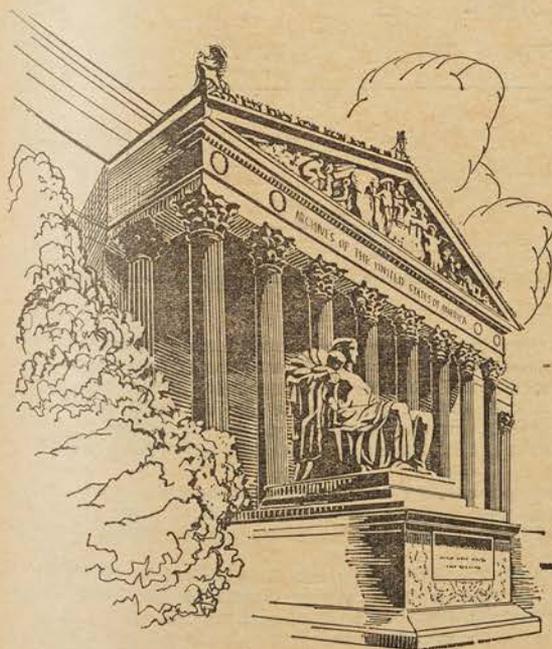
Tuesday, December 3, 1968 • Washington, D.C.

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CFR Unit:	Price
1-3 (Rev. Jan. 1, 1968)	\$3.00
3 1938-1943 Compilation	9.00
1943-1948 Compilation	7.00
1949-1953 Compilation	7.00
1954-1958 Compilation	4.00
1959-1963 Compilation	6.00
1964-1965 Compilation	3.75
1966 Compilation	1.00
1967 Compilation	1.00
4 (Rev. Jan. 1, 1968)	.30
5 (Rev. Jan. 1, 1968)	1.00
6 [Reserved]	
7 Parts:	
0-45 (Rev. Jan. 1, 1968)	1.75
46-51 (Rev. Jan. 1, 1968)	1.25
52 (Rev. Jan. 1, 1968)	2.00
53-209 (Rev. Jan. 1, 1968)	2.00
210-699 (Rev. Jan. 1, 1968)	1.25
700-749 (Rev. Jan. 1, 1968)	1.75
750-899 (Rev. Jan. 1, 1968)	1.25
900-944 (Rev. Jan. 1, 1968)	1.00
945-980 (Rev. Jan. 1, 1968)	.65
981-999 (Rev. Jan. 1, 1968)	.60
1000-1029 (Rev. Jan. 1, 1968)	1.00
1030-1059 (Rev. Jan. 1, 1968)	1.00
1060-1089 (Rev. Jan. 1, 1968)	1.00
1090-1119 (Rev. Jan. 1, 1968)	.70
1120-1199 (Rev. Jan. 1, 1968)	.75
1200-1499 (Rev. Jan. 1, 1968)	2.00
1500-end (Rev. Jan. 1, 1968)	\$1.00
8 (Rev. Jan. 1, 1968)	.55
9 (Rev. Jan. 1, 1968)	1.50
10 (Rev. Jan. 1, 1968)	1.00
11 [Reserved]	

CFR Unit:	Price	CFR Unit:	Price
12 Parts:		1600-end (Rev. Jan. 1, 1968)	.60
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13 Parts:		200-end (Rev. Jan. 1, 1968)	1.50
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60-199 (Rev. Jan. 1, 1968)	1.75	35 (Rev. Jan. 1, 1967)	5.25
200-end (Rev. Jan. 1, 1968)	1.75	(Supp. Jan. 1, 1968)	.30
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18 (Rev. Jan. 1, 1968)	2.00	6-17 (Rev. Jan. 1, 1968)	2.25
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24 (Rev. Jan. 1, 1968)	1.25	146-149 (Rev. Jan. 1, 1968)	2.50
25 (Rev. Jan. 1, 1968)	1.25	(Supp. July 1, 1968)	.20
26 Parts:		150-199 (Rev. Jan. 1, 1968)	1.50
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800-999 (Rev. Jan. 1, 1968)	1.50		
1000-1199 (Rev. Jan. 1, 1968)	1.00		
1200-1599 (Rev. Jan. 1, 1968)	1.25		

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields, Wheat Certificate Program for Crop Years 1968-69, and Wheat Diversion Program for the 1969 Crop Year

COUNTY PROJECTED YIELDS AND DIVERSION PAYMENT RATES

The regulations in this subpart are amended by revising § 728.515, including the heading thereof, to read as follows:

§ 728.515 County projected yields and county diversion payment rates for the 1969 crop of wheat.

(a) A county projected yield has been determined for each wheat producing county in the United States for the 1969 crop, except for counties in Alaska, Hawaii, and New Hampshire, for which no apparent need for such yields exists. The county projected yield for 1969 was determined on the basis of the average of the 5-year (1963-67) annual yields per harvested acre of wheat for the county as determined by the Statistical Reporting Service, adjusted for abnormal weather conditions affecting such yields, for trends in yields, and for any significant changes in production practices.

(b) In adjusting for abnormal weather conditions: (1) 80 percent of the 5-year (1963-67) average yield was substituted for each annual yield less than 80 percent of the 5-year average, (2) 140 percent of the 5-year (1963-67) average yield was substituted for each annual yield in excess of 140 percent of the 5-year average yield, (3) an average of the 5 annual yields, after adjustment as provided in subparagraphs (1) and (2) of this paragraph, was then obtained, and (4) the "county weather adjusted average yield" is the yield calculated under subparagraph (3) of this paragraph, but not less than the 10-year (1958-67) adjusted average yield. Each 10-year adjusted average yield was calculated by substituting 80 percent of the 10-year average for each annual yield less than that figure and 140 percent of the 10-year average yield for each annual yield greater than that figure and averaging the 10 annual yields after such adjustment.

(c) The adjustment for trends in yields was as follows: (1) Each county 10-year (1958-67) weather adjusted average yield was subtracted from the 5-year (1963-67) weather adjusted average yield and the bushel difference was added to the 5-year weather adjusted average yield as an adjustment for trend (if the 10-year weather adjusted average yield was higher than the 5-year weather adjusted average yield, no adjustment for trend was made), (2) the county trend-weather adjusted average yields (the results obtained under subparagraph (1) of this paragraph) in each State were then weighted by the 1968 county wheat acreage allotment to determine a State weighted average of county trend-weather adjusted average yield, and (3) each State weighted average yield was then divided into the State check yield as determined in paragraph (d) of this section, less 0.2 bushel State reserve, and less the amount in bushels required to satisfy the 95 percent provision referred to in the next sentence, to obtain a State adjustment factor. Each county preliminary projected yield is the larger of the county trend-weather adjusted average yield multiplied by the State factor or 95 percent of the 1968 county projected yield.

(d) In calculating the State check yield, the average of the 5-year (1963-67) annual yields per harvested acre as determined by the Statistical Reporting Service, adjusted for abnormal weather, trend, and significant changes in production practices was obtained. Each State's 5-year average was adjusted for weather as follows: (1) 80 percent of the 5-year average was substituted for each annual yield less than 80 percent of the 5-year average, (2) 140 percent of the 5-year average was substituted for each annual yield greater than 140 percent of the 5-year average, (3) an average of the 5 annual yields after adjustment for subparagraph (1) and (2) of this paragraph was obtained, (4) the 10-year average yield was adjusted in a like manner by substituting 80 percent of the 10-year average yield for each annual yield less than that figure and 140 percent of the 10-year average yield for each annual yield greater than that figure and averaging the 10 annual yields after such adjustment, and (5) each State's weather adjusted yield was the higher of the 5-year weather adjusted average or the 10-year weather adjusted average. Each State weather adjusted yield was adjusted for trend by adding the bushel difference by which the 5-year weather adjusted average yield exceeded the 10-year weather adjusted average yield. Each resulting State trend-weather adjusted yield was then weighted by the 1968 State wheat allotment. The resulting national weighted average yield was then divided into the national projected yield (adjusted by the same amount needed to compensate for the following 3 and 6 percent limitations) to obtain a national adjustment factor. Each State trend-weather adjusted yield was then multiplied by the national adjustment factor to arrive at each State check yield; *Provided*, That no State check yield is less than the 1968 State check yield by more than 3 percent or exceeds the 1968 State check yield by more than 6 percent.

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

(f) The county projected yields determined on the basis of the foregoing pro-

visions, with such adjustments as were recommended by the State committees and approved as provided in paragraph (e) of this section, and the estimated 1969 county loan rates to be used in determining diversion payments, are as follows:

ALABAMA		
County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Autauga	30.0	1.32
Baldwin	22.9	1.32
Barbour	21.1	1.32
Bibb	24.6	1.32
Blount	24.2	1.32
Bullock	24.4	1.32
Butler		
Calhoun	28.0	1.32
Chambers	27.3	1.32
Cherokee	29.6	1.32
Chilton	23.3	1.32
Choctaw		
Clarke	24.3	1.32
Clay	26.2	1.32
Cleburne	25.6	1.32
Coffee	27.5	1.32
Colbert	27.3	1.32
Conecuh	27.7	1.32
Coosa	23.9	1.32
Covington	26.6	1.32
Crenshaw	31.2	1.32
Cullman	25.2	1.32
Dale	29.6	1.32
Dallas	29.2	1.32
De Kalb	27.4	1.32
Elmore	26.2	1.32
Escambia	28.3	1.32
Etowah	24.3	1.32
Fayette	29.9	1.32
Franklin	27.2	1.32
Geneva	23.2	1.32
Greene	24.9	1.32
Hale	23.5	1.32
Henry	27.5	1.32
Houston	24.0	1.32
Jackson	25.9	1.32
Jefferson	28.0	1.32
Lamar	27.2	1.32
Lauderdale	27.7	1.32
Lawrence	26.4	1.32
Lee	21.3	1.32
Limestone	28.2	1.32
Lowndes	24.7	1.32
Macon	24.0	1.32
Madison	27.9	1.32
Marengo	28.0	1.32
Marion	29.0	1.32
Marshall	28.0	1.32
Mobile	24.5	1.32
Monroe	29.4	1.32
Montgomery	28.8	1.32
Morgan	28.3	1.32
Perry	27.3	1.32
Pickens	26.0	1.32
Pike	28.7	1.32
Randolph	28.7	1.32
Russell	21.1	1.32
St. Clair	24.1	1.32
Shelby	28.2	1.32
Sumter	30.4	1.32
Talladega	23.0	1.32
Tallapoosa	24.0	1.32
Tuscaloosa	26.3	1.32
Walker	24.6	1.32
Washington	27.3	1.32
Wilcox	22.9	1.32
Winston	27.6	1.32
State check yield	26.5	

ARIZONA		
County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Apache	16.4	0.96
Cochise	43.1	1.37
Cocconino	15.3	.96
Gila		1.18
Graham	36.7	1.03
Greenlee	35.9	1.34
Maricopa	53.5	1.02
Mohave	22.9	.96
Navajo	15.7	1.30
Pima	40.6	1.34
Pinal	48.6	
Santa Cruz		.99
Yavapai	25.8	1.35
Yuma	57.5	
State check yield	48.0	

RULES AND REGULATIONS

17883

ARKANSAS

CALIFORNIA—Continued

COLORADO—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Arkansas	32.4	1.37
Ashley	25.1	1.35
Baxter	25.0	1.25
Benton	28.3	1.20
Boone	25.8	1.23
Bradley		
Calhoun		
Carroll	30.6	1.20
Chicot	29.9	1.38
Clark		
Clay	30.8	1.37
Cleburne	19.9	1.33
Cleveland		
Columbia		
Conway	29.8	1.34
Craighead	30.3	1.30
Crawford	32.8	1.21
Crittenden	35.7	1.42
Cross	37.5	1.41
Dallas		
Debs	31.0	1.37
Drew	27.1	1.35
Faulkner	31.3	1.35
Franklin	27.5	1.22
Fulton	19.8	1.31
Gariand	16.3	1.29
Grant	21.0	1.31
Greene	23.4	1.38
Hempstead	29.7	1.35
Hot Spring	32.9	1.30
Howard		
Independence	30.9	1.33
Izard	17.5	1.27
Jackson	28.7	1.37
Jefferson	31.7	1.36
Johnson	30.5	1.25
Lafayette	30.3	1.36
Lawrence	29.1	1.38
Lee	31.6	1.40
Lincoln	31.9	1.35
Little River	28.6	1.35
Logan	31.7	1.21
Lonoke	35.9	1.37
Madison	33.1	1.21
Marion	29.4	1.25
Miller	22.7	1.36
Mississippi	35.5	1.40
Monroe	32.6	1.39
Montgomery	20.9	1.25
Nevada		
Newton	21.8	1.23
Ouachita		
Perry	26.0	1.26
Phillips	32.2	1.39
Pike		
Poinsett	34.1	1.41
Polk	23.3	1.25
Polpe	25.8	1.25
Prairie	28.0	1.38
Pulaski	29.7	1.36
Randolph	26.4	1.38
St. Francis	33.6	1.41
Saline	18.7	1.30
Scott		
Searay	17.4	1.25
Sebastian	27.6	1.24
Seyler		
Sharp	26.9	1.31
Stone	21.7	1.29
Union		
Van Buren		
Washington	32.9	1.34
White	33.6	1.21
Woodruff	21.8	1.38
Yell	30.9	1.39
State check yield	28.1	1.25
	32.0	

CALIFORNIA

Alameda	31.9	1.42
Alpine	29.5	1.30
Amador	29.6	1.42
Butte	36.2	1.39
Calaveras		
Columbia		
Contra Costa	44.2	1.40
Del Norte	47.6	1.42
El Dorado		
Fresno	47.2	1.40
Glam	30.5	1.40
Humboldt		
Imperial		
Inyo	64.0	1.37
Kern	23.5	1.24
Kings	38.4	1.38
Lake	51.4	1.40
Lassen	29.8	1.36
Los Angeles	34.2	1.23
Madera	27.5	1.40
	24.3	1.42

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Marin	32.1	1.42
Mariposa	30.0	1.42
Mendocino	34.7	1.32
Merced	41.4	1.42
Modoc	44.0	1.28
Mono	22.3	1.22
Monterey	30.6	1.38
Napa	35.7	1.41
Nevada		
Orange	21.4	1.40
Placer	28.4	1.40
Plumas	22.1	1.30
Riverside	21.3	1.37
Sacramento	44.3	1.41
San Benito	30.4	1.39
San Bernardino	26.3	1.39
San Diego	29.0	1.36
San Francisco		
San Joaquin	54.8	1.44
San Luis Obispo	16.6	1.36
San Mateo	20.9	1.42
Santa Barbara	18.8	1.35
Santa Clara	26.4	1.41
Santa Cruz		
Shasta	26.2	1.28
Sierra	24.5	1.22
Siskiyou	35.9	1.28
Solano	46.5	1.41
Sonoma	23.5	1.40
Stanislaus	34.3	1.43
Sutter	44.0	1.40
Tehama	32.6	1.34
Trinity		
Tulare	26.0	1.39
Tuolumne	22.0	1.42
Ventura	26.1	1.40
Yolo	46.7	1.41
Yuba	35.7	1.40
State check yield	31.8	

COLORADO

Adams	23.0	1.11
Alamosa	37.0	.94
Arapahoe	22.3	1.11
Archuleta	32.2	.94
Baca	17.6	1.13
Bent	21.8	1.12
Boulder	27.6	1.11
Chaffee	31.5	.93
Cheyenne	18.6	1.13
Clear Creek		
Conejos	32.9	.93
Costilla	34.1	.95
Crowley	20.0	1.11
Custer	21.8	1.02
Delta	42.5	.92
Denver		
Dolores	22.3	.94
Douglas	22.3	1.11
Eagle	39.7	.93
Elbert	18.9	1.11
El Paso	16.4	1.11
Fremont	23.2	1.04
Garfield	24.0	.93
Gilpin		
Grand	24.0	.95
Gunnison		
Hinsdale		
Huerfano	17.1	1.06
Jackson	27.8	.97
Jefferson	26.4	1.11
Kiowa	16.8	1.13
Kit Carson	21.0	1.13
Lake		
La Plata	27.5	.94
Larimer	24.8	1.11
Las Animas	15.5	1.11
Lincoln	18.2	1.11
Logan	21.7	1.11
Mesa	29.2	.93
Mineral		
Moffat	28.4	.95
Montezuma	23.4	.94
Montrose	40.3	.92
Morgan	23.3	1.11
Otero	40.8	1.11
Ouray	24.3	.92
Park		
Phillips	24.4	1.13
Pitkin	26.0	.93
Prowers	20.2	1.13
Pueblo	20.1	1.11
Rio Blanco	26.5	.94
Routt	38.7	.93
Saguache	30.8	.95
San Juan	35.7	.93

San Miguel	21.1	.92
Sedgwick	26.0	1.14
Summit		
Teller	33.9	1.11
Washington	20.4	1.11
Weld	23.1	1.11
Yuma	22.0	1.13
State check yield	21.0	

CONNECTICUT

Fairfield	29.7	1.33
Hartford	29.7	1.33
Litchfield	29.7	1.33
Middlesex	29.7	1.33
New Haven	29.7	1.33
New London		
Tolland	29.7	1.38
Windham	29.7	1.38
State check yield	29.7	

DELAWARE

Kent	35.5	1.43
New Castle	35.1	1.43
Sussex	35.5	1.43
State check yield	36.5	

FLORIDA

Alachua	21.0	1.34
Baker	18.0	1.34
Bay		
Bradford		
Brevard		
Broward		
Calhoun	26.6	1.34
Charlotte		
Citrus		
Clay		
Collier		
Columbia	24.5	1.34
Dade		
De Soto		
Dixie		
Duval		
Escambia	27.4	1.34
Flagler		
Franklin		
Gadsden	27.8	1.34
Gilchrist	20.0	1.34
Glades		
Gulf		
Hamilton	22.6	1.34
Hardee		
Hendry		
Hernando		
Highlands		
Hillsborough		
Holmes	26.1	1.34
Indian River		
Jackson	29.9	1.34
Jefferson	22.9	1.34
Lafayette	16.9	1.34
Lake		
Lee		
Leon	22.4	1.34
Levy	22.4	1.34
Liberty	21.0	1.34
Madison	24.2	1.34
Manatee		
Marion	24.8	1.34
Martin		
Monroe		
Nassau		
Okaloosa	27.9	1.34
Okeechobee		
Orange		
Osceola		
Palm Beach		
Pasco		
Pinellas		
Polk		
Putnam		
St. Johns		
St. Lucie		
Santa Rosa	28.9	1.34
Sarasota		
Seminole		
Sumter	20.5	1.34
Suwannee	20.2	1.34
Taylor		
Union		
Volusia		

RULES AND REGULATIONS

FLORIDA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Wakulla		
Walton	25.6	1.34
Washington	22.9	1.34
State check yield	26.3	

GEORGIA

Appling	39.7	1.34
Atkinson	35.7	1.34
Bacon	27.6	1.34
Baker	32.3	1.34
Baldwin	29.7	1.34
Banks	25.7	1.34
Barrow	27.2	1.34
Bartow	26.5	1.34
Ben Hill	33.4	1.34
Berrien	31.7	1.34
Bibb	37.7	1.34
Bleckley	38.8	1.34
Brantley		
Brooks	31.5	1.34
Bryan	22.1	1.34
Bulloch	32.5	1.34
Burke	32.9	1.34
Butts	33.9	1.34
Calhoun	36.0	1.34
Camden		
Candler	39.4	1.34
Carroll	34.3	1.34
Catoosa	27.2	1.34
Charlton		
Chatam	20.5	1.34
Chattahoochee		
Chattooga	28.2	1.34
Cherokee	32.9	1.34
Clarke	30.3	1.34
Clay	26.1	1.34
Clayton	33.2	1.34
Clinch		
Cobb	22.8	1.34
Coffee	33.4	1.34
Colquitt	39.1	1.34
Columbia	36.2	1.34
Cook	27.2	1.34
Coweta	22.8	1.34
Crawford	35.8	1.34
Crisp	38.9	1.34
Dade	19.8	1.34
Dawson	23.3	1.34
Deacatur	33.6	1.34
De Kalb	26.7	1.34
Dodge	25.1	1.34
Dooly	40.8	1.34
Dougherty	31.5	1.34
Douglas	23.9	1.34
Early	29.8	1.34
Echols	21.1	1.34
Effingham	24.4	1.34
Elbert	28.2	1.34
Emanuel	37.3	1.34
Evans	29.6	1.34
Fannin	26.7	1.34
Fayette	30.4	1.34
Floyd	29.9	1.34
Forsyth	27.0	1.34
Franklin	26.4	1.34
Fulton	26.7	1.34
Gilmer	22.3	1.34
Glascock	29.5	1.34
Glynn		
Gordon	26.6	1.34
Grady	30.2	1.34
Greene	23.1	1.34
Gwinnett	29.0	1.34
Habersham	24.3	1.34
Hall	26.1	1.34
Hancock	26.0	1.34
Haralson	27.3	1.34
Harris	24.7	1.34
Hart	30.0	1.34
Heard	34.5	1.34
Henry	33.5	1.34
Houston	45.1	1.34
Irwin	32.1	1.34
Jackson	37.1	1.34
Jasper	31.5	1.34
Jeff Davis	31.1	1.34
Jefferson	34.1	1.34
Jenkins	33.6	1.34
Johnson	30.9	1.34
Jones	21.9	1.34
Lamar	30.6	1.34
Lanier	26.7	1.34
Laurens	38.5	1.34
Lee	34.4	1.34
Liberty		
Lincoln	27.4	1.34
Long		
Lowndes	26.7	1.34

GEORGIA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Lumpkin	24.8	1.34
McDuffie	34.1	1.34
McIntosh		
Macon	41.8	1.34
Madison	30.0	1.34
Marion	41.4	1.34
Meriwether	34.1	1.34
Miller	28.2	1.34
Mitchell	38.5	1.34
Monroe	32.7	1.34
Montgomery	37.8	1.34
Morgan	28.8	1.34
Murray		
Muscogee	30.6	1.34
Newton	40.9	1.34
Oconee	29.0	1.34
Oglethorpe	39.8	1.34
Paulding	36.1	1.34
Peach	32.3	1.34
Pickens	38.3	1.34
Pierce	28.8	1.34
Pike	21.1	1.34
Polk	28.8	1.34
Pulaski	30.4	1.34
Pulaski	41.1	1.34
Putnam	25.5	1.34
Quitman	29.7	1.34
Rabun	22.3	1.34
Randolph	36.1	1.34
Richmond	27.9	1.34
Rockdale	24.6	1.34
Schley	39.5	1.34
Screven	35.9	1.34
Seminole	34.1	1.34
Spalding	34.2	1.34
Stephens	27.2	1.34
Stewart	33.0	1.34
Sumter	43.5	1.34
Talbot	34.4	1.34
Taliaferro	25.3	1.34
Tattnall	35.0	1.34
Taylor	29.5	1.34
Telfair	41.8	1.34
Terrill	37.7	1.34
Thomas	32.0	1.34
Tift	36.0	1.34
Toombs	39.5	1.34
Townsend	24.0	1.34
Trenton	28.0	1.34
Troup	25.5	1.34
Turner	39.7	1.34
Twiggs	38.2	1.34
Union	25.5	1.34
Upson	36.9	1.34
Walker	30.9	1.34
Walton	26.7	1.34
Warren		
Washington	31.2	1.34
Washington	39.6	1.34
Wayne		
Webster	39.8	1.34
Wheeler	37.9	1.34
White	22.8	1.34
Whitfield	26.3	1.34
Wilcox	38.1	1.34
Wilkes	27.7	1.34
Wilkinson	32.0	1.34
Worth	35.6	1.34
State check yield	32.9	

IDAHO

Ada	51.7	1.16
Adams	35.2	1.16
Bannock	31.5	1.16
Bear Lake	32.9	1.13
Benewah	58.2	1.24
Bingham	50.5	1.14
Blaine	42.7	1.16
Boise	41.2	1.15
Bonner	36.3	1.15
Bonneville	41.0	1.13
Boundary	49.7	1.16
Butte	37.8	1.14
Camas	23.8	1.15
Canyon	72.6	1.16
Caribou	37.6	1.15
Cassia	40.4	1.18
Cassia	29.2	1.11
Clark	51.5	1.22
Clearwater	50.3	1.14
Custer	43.5	1.15
Elmore	38.2	1.17
Franklin	40.9	1.11
Fremont	57.8	1.16
Gen	57.1	1.17
Gooding	53.2	1.22
Idaho	51.9	1.13
Jefferson	64.4	1.18
Jerome	43.5	1.21
Kootenai		

IDAHO—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Latah	64.0	1.24
Lemhi	49.9	1.13
Lewis	65.1	1.22
Lincoln	56.2	1.18
Madison	39.3	1.12
Minidoka	57.2	1.18
Nez Perce	58.1	1.24
Oneida	30.2	1.17
Owyhee	69.0	1.16
Payette	67.5	1.16
Power	30.4	1.16
Shoshone		
Teton	31.4	1.16
Twin Falls	66.1	1.20
Valley	31.8	0.14
Washington	44.4	1.16
State check yield	45.3	

ILLINOIS

Adams	37.9	1.27
Alexander	40.9	1.29
Bond	45.2	1.32
Boone	38.8	1.33
Brown	35.4	1.27
Bureau	39.5	1.32
Calhoun	39.7	1.32
Carroll	36.1	1.30
Cass	37.5	1.24
Champaign	48.5	1.29
Christian	45.4	1.29
Clark	45.8	1.26
Clay	44.7	1.24
Clinton	45.3	1.30
Coles	48.0	1.27
Cook	40.2	1.33
Crawford	46.2	1.27
Cumberland	51.0	1.29
De Kalb	42.2	1.33
De Witt	49.4	1.27
Douglas	49.1	1.27
Du Page	42.0	1.33
Edgar	45.3	1.24
Edwards	46.6	1.29
Effingham	49.8	1.30
Fayette	45.0	1.32
Ford	46.8	1.30
Franklin	41.1	1.32
Fulton	35.8	1.22
Gallatin	45.1	1.33
Greene	38.5	1.33
Grundy	42.7	1.33
Hamilton	42.6	1.28
Hancock	36.7	1.25
Hardin	30.0	1.18
Henderson	38.8	1.28
Henry	38.3	1.29
Iroquois	42.9	1.32
Jackson	41.4	1.32
Jasper	50.8	1.29
Jefferson	41.1	1.32
Jersey	43.7	1.33
Jo Daviess	33.7	1.29
Johnson	34.1	1.21
Kane	41.6	1.33
Kankakee	39.5	1.32
Kendall	41.7	1.33
Knox	41.1	1.29
Lake	40.2	1.32
La Salle	39.8	1.22
Lawrence	45.9	1.32
Lee	40.4	1.31
Livingston	40.7	1.28
Logan	43.5	1.25
McDonough	38.2	1.33
McHenry	42.0	1.29
McLean	46.5	1.30
Macon	49.8	1.32
Macoupin	45.3	1.33
Madison	45.4	1.33
Marion	46.6	1.31
Marshall	40.0	1.31
Mason	35.6	1.26
Massac	38.0	1.25
Menard	41.8	1.27
Mercer	37.3	1.29
Monroe	44.5	1.32
Montgomery	43.7	1.32
Morgan	41.3	1.29
Moultrie	48.6	1.28
Ogle	39.5	1.29
Peoria	40.3	1.33
Perry	40.1	1.28
Piatt	48.2	1.27
Pike	36.0	1.22
Pope	31.8	1.29
Pulaski	36.3	1.30
Putnam	39.8	1.33
Randolph	42.5	

RULES AND REGULATIONS

17885

ILLINOIS—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Richland	46.2	1.27
Rock Island	36.1	1.30
St. Clair	46.0	1.31
Saline	40.6	1.22
Sangamon	46.0	1.28
Schnyler	35.9	1.27
Scott	36.6	1.31
Shelby	45.1	1.30
Stark	41.3	1.30
Stephenson	35.7	1.31
Tazewell	38.9	1.28
Union	38.4	1.31
Vermilion	44.7	1.30
Wabash	46.9	1.26
Warren	41.2	1.29
Washington	46.2	1.32
Wayne	43.5	1.27
White	45.2	1.25
Whiteside	38.1	1.32
Will	39.9	1.33
Williamson	35.3	1.31
Winnebago	33.7	1.32
Woodford	40.5	1.30
State check yield	43.6	-----

INDIANA

Adams	43.6	1.19
Allen	41.2	1.19
Bartholomew	42.3	1.25
Benton	49.2	1.25
Blackford	39.8	1.21
Boone	46.0	1.31
Brown	31.9	1.21
Carroll	44.8	1.26
Cass	43.8	1.26
Clark	39.5	1.30
Clay	42.0	1.23
Clinton	45.9	1.23
Crawford	32.8	1.30
Daviess	46.1	1.18
Dearborn	34.2	1.22
Decatur	41.5	1.24
De Kalb	37.9	1.19
Delaware	43.6	1.20
Dubois	37.7	1.30
Elkhart	36.7	1.25
Fayette	42.3	1.21
Floyd	35.1	1.30
Fountain	45.9	1.20
Franklin	37.4	1.22
Fulton	37.6	1.31
Gibson	44.4	1.25
Grant	44.8	1.21
Greene	43.1	1.19
Hamilton	46.9	1.20
Hancock	44.7	1.21
Harrison	35.6	1.30
Hendricks	44.7	1.21
Henry	45.1	1.21
Howard	45.7	1.22
Huntington	44.1	1.19
Jackson	38.8	1.25
Jasper	40.2	1.31
Jay	37.5	1.19
Jefferson	37.3	1.23
Jennings	38.6	1.24
Johnson	48.5	1.22
Knox	49.5	1.22
Kosciusko	37.2	1.24
Lagerange	36.0	1.20
Lake	43.6	1.32
La Porte	38.2	1.31
Lawrence	37.1	1.26
Madison	45.5	1.20
Marion	44.3	1.21
Marshall	38.2	1.31
Martin	40.2	1.19
Miami	43.8	1.25
Monroe	36.6	1.27
Montgomery	46.6	1.21
Morgan	42.9	1.19
Newton	42.8	1.32
Noble	44.1	1.20
Ohio	37.7	1.22
Orange	39.8	1.29
Owen	36.9	1.19
Parke	43.4	1.20
Perry	33.7	1.29
Pike	40.1	1.24
Porter	33.7	1.32
Posey	42.0	1.24
Pulaski	42.2	1.32
Putnam	38.3	1.21
Randolph	43.8	1.21
Ripley	41.6	1.20
Rush	35.0	1.22
St. Joseph	41.1	1.21
Scott	36.3	1.30
	38.1	1.26

INDIANA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Shelby	44.0	1.21
Spencer	35.4	1.29
Starke	32.4	1.31
Steuben	38.7	1.19
Sullivan	48.5	1.25
Switzerland	34.2	1.23
Tippecanoe	44.8	1.23
Tipton	46.0	1.21
Union	44.9	1.21
Vanderburgh	43.5	1.30
Vermillion	42.4	1.30
Vigo	43.3	1.31
Wabash	42.2	1.22
Warren	47.3	1.25
Warrick	41.7	1.28
Washington	38.1	1.27
Wayne	40.5	1.21
Wells	44.6	1.19
White	44.5	1.32
Whitley	41.0	1.21
State check yield	42.0	-----

IOWA

Adair	27.5	1.27
Adams	30.0	1.31
Albany	33.8	1.31
Appanoose	32.6	1.23
Audubon	30.0	1.25
Benton	35.0	1.29
Black Hawk	27.9	1.30
Boone	29.7	1.28
Bremer	33.0	1.31
Buchanan	29.8	1.29
Buena Vista	-----	-----
Butler	35.0	1.31
Calhoun	33.1	1.29
Carroll	35.0	1.28
Cass	31.0	1.26
Cedar	32.6	1.28
Cerro Gordo	28.9	1.32
Cherokee	30.7	1.28
Chickasaw	29.9	1.31
Clarke	27.3	1.27
Clay	32.3	1.31
Clayton	35.0	1.29
Clinton	31.3	1.25
Crawford	29.3	1.28
Dallas	30.1	1.28
Davis	28.8	1.23
Decatur	29.6	1.25
Delaware	35.0	1.29
Des Moines	35.0	1.24
Dickinson	30.0	1.31
Dubuque	33.0	1.28
East Pottawattamie	28.4	1.29
Emmet	25.6	1.33
Fayette	33.0	1.30
Floyd	33.1	1.32
Franklin	29.5	1.31
Fremont	29.8	1.31
Greene	32.8	1.28
Grundy	25.0	1.30
Guthrie	31.3	1.28
Hamilton	31.6	1.30
Hancock	26.2	1.32
Hardin	34.0	1.30
Harrison	30.0	1.27
Henry	32.2	1.24
Howard	27.9	1.32
Humboldt	31.6	1.30
Ida	27.6	1.27
Iowa	33.8	1.28
Jackson	34.0	1.26
Jasper	32.6	1.28
Jefferson	29.0	1.24
Johnson	35.0	1.28
Jones	34.1	1.29
Keokuk	27.8	1.25
Kossuth	29.0	1.32
Lee	33.6	1.23
Linn	34.4	1.29
Louisa	35.0	1.25
Lucas	28.9	1.24
Lyon	30.2	1.30
Madison	29.0	1.26
Mahaska	35.0	1.26
Marion	34.0	1.26
Marshall	35.0	1.29
Mills	29.8	1.31
Mitchell	29.5	1.33
Monona	25.0	1.28
Monroe	28.7	1.24
Montgomery	28.0	1.31
Muscatine	30.0	1.27
O'Brien	35.0	1.30
Osceola	25.2	1.31
Page	28.5	1.31
Palo Alto	28.9	1.31

IOWA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Plymouth	26.0	1.31
Pocahontas	26.9	1.30
Polk	32.5	1.28
Poweshiek	33.8	1.28
Ringgold	27.0	1.26
Sac	35.0	1.29
Scott	33.9	1.25
Shelby	33.0	1.26
Sioux	27.6	1.32
Story	34.4	1.29
Tama	35.0	1.29
Taylor	27.3	1.23
Union	32.3	1.30
Van Buren	29.9	1.23
Wapello	30.2	1.24
Warren	31.5	1.27
Washington	29.7	1.25
Wayne	28.0	1.23
Webster	34.8	1.30
West Pottawattamie	28.4	1.29
Winnebago	29.2	1.33
Winneshek	34.7	1.31
Woodbury	22.7	1.28
Worth	28.6	1.33
Wright	31.6	1.31
State check yield	29.4	-----

KANSAS

Allen	28.1	1.28
Anderson	28.8	1.30
Atchison	27.3	1.31
Barber	25.7	1.22
Barton	20.2	1.21
Bourbon	28.1	1.29
Brown	31.8	1.31
Butler	26.8	1.24
Chase	29.0	1.26
Chautauqua	33.6	1.26
Cherokee	30.0	1.28
Cheyenne	25.8	1.16
Clark	20.2	1.17
Clay	26.1	1.25
Cloud	26.3	1.24
Coffey	27.5	1.28
Comanche	18.3	1.19
Cowley	29.0	1.25
Crawford	31.0	1.28
Decatur	26.3	1.19
Dickinson	30.1	1.24
Doniphan	30.9	1.31
Douglas	28.8	1.31
Edwards	21.7	1.21
Elk	27.2	1.26
Ellis	18.3	1.21
Ellsworth	23.1	1.23
Finney	26.1	1.17
Ford	21.1	1.20
Franklin	27.3	1.31
Geary	31.8	1.26
Gove	25.1	1.18
Graham	21.8	1.21
Grant	25.5	1.16
Gray	21.9	1.18
Greeley	21.7	1.16
Greenwood	24.3	1.26
Hamilton	21.2	1.16
Harper	26.7	1.23
Harvey	30.3	1.24
Haskell	22.5	1.17
Hodgeman	19.4	1.20
Jackson	29.5	1.30
Jefferson	25.9	1.31
Jewell	24.3	1.23
Johnson	30.8	1.31
Kearny	26.4	1.16
Kingman	24.6	1.23
Kiowa	21.0	1.21
Labette	32.6	1.28
Lane	24.2	1.18
Leavenworth	29.1	1.31
Lincoln	24.3	1.31
Linn	28.8	1.31
Logan	24.5	1.17
Logan	26.4	1.27
Lyons	27.8	1.23
McPherson	27.8	1.24
Marion	29.0	1.27
Marshall	19.9	1.17
Meade	29.5	1.31
Miami	24.0	1.23
Mitchell	32.7	1.28
Montgomery	28.5	1.25
Morris	19.8	1.20
Morton	31.6	1.28
Nemaha	30.9	1.28
Neosho	19.9	1.20
Ness	25.1	1.21
Norton	-----	-----

KANSAS—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payment (dollars per bushel)
Osage	28.7	1.29
Osborne	21.7	1.22
Ottawa	26.0	1.24
Pawnee	21.1	1.21
Phillips	23.8	1.21
Pottawatomie	28.6	1.28
Pratt	22.3	1.21
Rawlins	26.7	1.17
Reno	27.0	1.22
Republic	26.7	1.24
Rice	24.4	1.23
Riley	28.7	1.27
Rooks	20.7	1.21
Rush	20.1	1.21
Russell	18.9	1.21
Saline	27.5	1.23
Scott	27.8	1.17
Sedgwick	28.2	1.24
Seward	20.2	1.21
Shawnee	29.6	1.29
Sheridan	25.2	1.18
Sherman	25.9	1.16
Smith	24.4	1.23
Stafford	23.2	1.21
Stanton	25.3	1.14
Stevens	22.5	1.17
Stimner	28.4	1.24
Thomas	25.9	1.17
Trego	22.0	1.21
Wabatonsee	28.3	1.28
Wallace	21.7	1.16
Washington	28.5	1.25
Wichita	25.0	1.16
Wilson	30.3	1.27
Woodson	25.4	1.28
Wyandotte	32.6	1.31
State check yield	24.6	

KENTUCKY

Adair	27.5	1.29
Allen	30.8	1.28
Anderson	30.0	1.30
Ballard	34.6	1.26
Barren	34.0	1.28
Bath	24.3	1.30
Bell		
Boone	32.8	1.29
Bourbon	30.7	1.31
Boyd	23.0	1.31
Boyle	26.5	1.31
Bracken	34.5	1.30
Breathitt		
Breckinridge	32.1	1.27
Bullitt	32.4	1.29
Butler	28.4	1.27
Caldwell	37.2	1.27
Calloway	37.0	1.26
Campbell	26.9	1.29
Carlisle	31.8	1.26
Carroll	35.1	1.29
Carter	24.2	1.30
Casey	26.7	1.30
Christian	41.6	1.27
Clark	33.4	1.31
Clay		
Clinton	32.5	1.30
Crittenden	33.4	1.26
Cumberland	26.3	1.29
Davless	37.5	1.26
Edmonson	28.6	1.27
Elliott		
Estill	33.3	1.30
Fayette	30.5	1.31
Fleming	28.5	1.30
Floyd		
Franklin	35.2	1.30
Fulton	40.7	1.26
Gallatin	34.4	1.29
Garrard	27.5	1.31
Grant	31.4	1.30
Graves	37.2	1.26
Grayson	32.1	1.28
Green	28.2	1.30
Greenup	23.3	1.31
Hancock	32.4	1.27
Hardin	36.3	1.28
Harlan		
Harrison	32.9	1.30
Hart	33.8	1.28
Henderson	40.9	1.26
Henry	36.2	1.29
Hickman	35.9	1.26
Hopkins	33.6	1.27
Jackson	22.6	1.29
Jefferson	38.4	1.29
Jesamine	27.7	1.31
Johnson		
Kenton	30.9	1.29

KENTUCKY—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Knott		
Knox	22.1	1.29
Larue	31.6	1.29
Laurel	24.0	1.30
Lawrence		
Lee	19.9	1.30
Leslie		
Letcher		
Lewis	24.0	1.31
Lincoln	28.9	1.31
Livingston	31.5	1.26
Logan	38.6	1.27
Lyon	31.7	1.27
McCracken	33.4	1.26
McCreary		
McLean	34.5	1.26
Madison	28.9	1.31
Magoffin		
Marion	34.5	1.30
Marshall	33.3	1.26
Martin		
Mason	33.6	1.30
Meade	31.1	1.27
Menifee		
Mercer	28.0	1.31
Metcalfe	34.1	1.28
Monroe	29.3	1.29
Montgomery	28.1	1.30
Morgan	20.0	1.29
Muhlenberg	34.1	1.27
Nelson	34.9	1.30
Nicholas	29.8	1.30
Ohio	28.5	1.27
Oldham	38.4	1.29
Owen	31.8	1.30
Owsley		
Pendleton	26.5	1.30
Perry		
Pike		
Powell	22.9	1.30
Pulaski	30.4	1.31
Robertson	28.2	1.30
Rockcastle	26.4	1.31
Rowan	22.2	1.31
Russell	27.5	1.29
Scott	29.5	1.30
Shelby	34.9	1.29
Simpson	38.6	1.28
Spencer	29.5	1.29
Taylor	30.9	1.30
Todd	40.3	1.27
Trigg	39.1	1.27
Trimble	38.8	1.29
Union	42.7	1.26
Warren	37.4	1.27
Washington	33.3	1.31
Wayne	35.4	1.30
Webster	37.7	1.26
Whitley		
Wolfe		
Woodford	32.0	1.31
State check yield	35.9	

LOUISIANA

Acadia	22.7	1.37
Allen	22.7	1.37
Assension		
Assumption		
Avoyelles	25.0	1.37
Beauregard		
Bienville		
Bossier	30.0	1.37
Caddo	25.1	1.37
Calcasieu		
Caldwell	28.0	1.37
Cameron		
Catahoula	26.5	1.37
Claiborne	17.3	1.37
Concordia	28.4	1.37
De Soto	22.0	1.37
East Baton Rouge	25.3	1.37
East Carroll	29.5	1.37
East Feliciana	21.8	1.37
Evangeline	23.0	1.37
Franklin	26.6	1.37
Grant		
Iberia		
Iberville		
Jackson	18.3	1.37
Jefferson		
Jefferson Davis	22.0	1.37
Lafayette	20.4	1.37
Lafourche		
La Salle	21.9	1.37
Lincoln		
Livingston		
Madison	29.6	1.37
Morehouse	26.6	1.37

LOUISIANA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Natchitoches	24.8	1.37
Orleans		
Ouachita	29.0	1.37
Plaquemines		
Pointe Coupee	22.4	1.37
Rapides	22.9	1.37
Red River	29.6	1.37
Richland	24.5	1.37
Sabine		
St. Bernard		
St. Charles		
St. Helena		
St. James	20.4	1.37
St. John the Baptist		
St. Landry	22.1	1.37
St. Martin		
St. Mary		
St. Tammany		
Tangipahoa		
Tensas	28.1	1.37
Terrebonne		
Union		
Vermilion	22.0	1.37
Vernon		
Washington		
Webster	22.1	1.37
West Baton Rouge		
West Carroll	25.0	1.37
West Feliciana		
Winn		
State check yield	28.4	

MAINE

Androscoggin		
Aroostook	30.4	1.34
Cumberland		
Franklin		
Hancock		
Kennebec	30.5	1.34
Knox		
Lincoln		
Oxford		
Penobscot	30.4	1.34
Piscataquis		
Sagadahoc		
Somerset	30.4	1.34
Waldo	30.6	1.34
Washington	30.3	1.34
York	30.7	1.34
State check yield	30.4	

MARYLAND

Allegany	28.6	1.34
Anne Arundel	25.8	1.43
Baltimore	38.6	1.43
Calvert	27.0	1.41
Caroline	38.2	1.43
Carroll	33.2	1.42
Cecil	38.2	1.42
Charles	27.2	1.41
Dorchester	37.0	1.43
Frederick	34.5	1.41
Garrett	29.8	1.33
Harford	30.8	1.43
Howard	35.0	1.45
Kent	42.0	1.43
Montgomery	36.2	1.42
Prince Georges	26.4	1.43
Queen Annes	38.2	1.42
St. Marys	27.5	1.41
Somerset	31.1	1.43
Talbot	37.8	1.39
Washington	33.4	1.42
Wicomico	28.4	1.41
Worcester	28.8	1.42
State check yield	35.5	

MASSACHUSETTS

Barnstable	32.4	1.37
Berkshire	29.2	1.37
Bristol		
Dukes	28.1	1.37
Essex	29.3	1.37
Franklin	29.0	1.37
Hampden	29.2	1.37
Hampshire		
Middlesex		
Nantucket		
Norfolk		
Plymouth		
Suffolk		
Worcester	29.0	1.37
State check yield	30.0	

MICHIGAN

MINNESOTA—Continued

MISSISSIPPI—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Alcona	31.1	1.12
Alper	24.3	1.21
Allegan	37.7	1.18
Alpena	31.7	1.11
Antrim	30.1	1.13
Arema	42.1	1.13
Baraga	25.5	1.27
Barry	41.1	1.18
Bay	45.0	1.15
Benzie	29.0	1.15
Berrien	37.6	1.28
Branch	34.8	1.19
Calhoun	39.3	1.22
Cass	33.3	1.22
Charlevoix	30.4	1.12
Cheboygan	27.3	1.11
Chippewa	21.9	1.07
Clare	35.0	1.15
Clinton	41.7	1.17
Crawford	23.6	1.13
Delta	21.3	1.21
Dickinson	21.7	1.22
Eaton	43.3	1.18
Emmet	33.6	1.11
Genesee	41.7	1.18
Gladwin	37.4	1.14
Gogebie		
Grand Traverse	35.9	1.14
Gratiot	45.5	1.17
Hillsdale	40.2	1.19
Houghton	23.5	1.24
Huron	41.4	1.18
Ingham	41.8	1.18
Ionia	41.1	1.17
Iosco	32.8	1.12
Iron		
Isabella	38.5	1.15
Jackson	39.8	1.22
Kalamazoo	40.3	1.21
Kalkaska	27.7	1.14
Kent	36.4	1.17
Keweenaw		
Lake	32.0	1.15
Lapeer	38.3	1.18
Leelanau	31.8	1.14
Lenawee	46.2	1.23
Livingston	36.8	1.18
Loce	19.0	1.07
Mackinac	24.8	1.06
Macomb	40.8	1.22
Manistee	24.6	1.15
Marquette		
Mason	40.1	1.15
Mecosta	34.1	1.15
Menominee	23.9	1.21
Midland	45.9	1.15
Missaukee	33.1	1.15
Monroe	45.1	1.23
Monteaim	35.9	1.15
Montmorency	31.8	1.12
Muskegon	41.8	1.15
Newaygo	37.6	1.15
Oakland	37.8	1.20
Oceana	39.2	1.15
Ogemaw	32.1	1.13
Ontonagon	19.8	1.22
Oscoda	34.2	1.15
Osceola	27.1	1.13
Otsego	31.8	1.12
Otsewa	36.4	1.18
Presque Isle	31.1	1.10
Roscommon	31.4	1.14
Saginaw	47.3	1.17
St. Clair	40.4	1.21
St. Joseph	34.3	1.21
Sanilac	42.1	1.18
Schoolcraft	18.8	1.21
Shiawassee	42.5	1.18
Tuscola	45.0	1.18
Van Buren	35.7	1.20
Washtenaw	42.9	1.20
Wayne	42.4	1.21
Wexford	28.7	1.15
State check yield	40.7	

MINNESOTA

Aitkin	21.0	1.44
Anoka	23.7	1.43
Becker	26.9	1.37
Beltrami	24.1	1.39
Benton	24.0	1.43
Big Stone	23.9	1.39
Blue Earth	30.8	1.43
Brown	24.7	1.43
Carlton	20.7	1.44
Carver	29.3	1.43
Cass	20.0	1.42
Chippewa	25.3	1.42

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Chisago	24.2	1.43
Clay	31.1	1.35
Clearwater	23.5	1.38
Cook		
Cottonwood	29.4	1.41
Crow Wing	20.4	1.43
Dakota	26.7	1.43
Dodge	28.2	1.43
Douglas	24.5	1.41
East Ottertail	24.5	1.39
East Polk	28.8	1.35
Faribault	31.4	1.42
Fillmore	28.4	1.40
Freeborn	29.7	1.43
Goodhue	26.9	1.43
Grant	25.5	1.40
Hennepin	28.0	1.43
Houston	34.0	1.38
Hubbard	22.0	1.39
Isanti	25.7	1.43
Itasca	23.7	1.44
Jackson	27.9	1.40
Kanabec	22.3	1.43
Kandiyohi	26.2	1.43
Kittson	26.1	1.30
Koochiching	21.4	1.37
Lac Qui Parle	23.2	1.40
Lake		
Lake of the Woods	23.2	1.35
Le Sueur	29.1	1.43
Lincoln	22.0	1.38
Lyon	23.9	1.40
McLeod	28.4	1.43
Mahnomen	27.4	1.36
Marshall	28.7	1.33
Martin	30.1	1.41
Meeker	27.8	1.43
Mille Laes	22.1	1.43
Morrison	22.0	1.42
Mower	28.5	1.43
Murray	24.2	1.39
Nicollet	29.1	1.43
Nobles	28.0	1.36
Norman	30.6	1.35
North St. Louis	23.2	1.38
Olmsted	28.3	1.43
Pennington	25.8	1.35
Pine	20.2	1.43
Pipestone	22.0	1.36
Pope	22.7	1.41
Ramsey		
Red Lake	26.3	1.36
Redwood	29.0	1.42
Renville	27.2	1.43
Rice	27.5	1.43
Rock	22.6	1.34
Roseau	23.2	1.31
Scott	27.3	1.43
Sherburne	23.6	1.43
Sibley	27.9	1.43
South St. Louis	23.2	1.38
Stearns	24.3	1.43
Steele	29.8	1.43
Stevens	24.2	1.40
Swift	22.3	1.42
Todd	22.3	1.41
Traverse	24.4	1.38
Wabasha	29.7	1.43
Wadena	20.6	1.40
Waseca	30.7	1.43
Washington	27.3	1.43
Watsonwan	24.2	1.42
West Ottertail	25.6	1.39
West Polk	29.6	1.35
Wilkin	28.4	1.37
Winona	28.1	1.43
Wright	27.1	1.43
Yellow Medicine	24.3	1.41
State check yield	27.5	

MISSISSIPPI

Adams	32.0	1.29
Alcorn	30.2	1.29
Amite		
Attala	30.5	1.29
Benton	31.2	1.29
Bolivar	33.8	1.29
Calhoun	32.9	1.29
Carroll	29.7	1.26
Chickasaw	30.5	1.29
Choctaw		
Claborn	33.1	1.29
Clarke		
Clay	27.0	1.29
Coahoma	33.4	1.29
Copiah	26.2	1.29
Covington	30.0	1.29
De Soto	32.5	1.29

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Forrest		
Franklin		
George	28.7	1.29
Greene		
Grenada		
Hancock		
Harrison		
Hinds	32.1	1.29
Holmes	31.6	1.29
Humphreys	33.0	1.29
Issaquena	32.9	1.29
Itawamba	32.5	1.29
Jackson	24.2	1.29
Jasper		
Jefferson	28.0	1.29
Jefferson Davis	28.1	1.29
Jones	29.9	1.29
Kemper	34.8	1.29
Lafayette	31.1	1.29
Lamar		
Lauderdale		
Lawrence	26.4	1.29
Leake		
Lee	31.8	1.29
Leflore	33.6	1.29
Lincoln		
Lowndes	31.4	1.29
Madison	32.7	1.29
Marion		
Marshall	29.8	1.29
Monroe	31.6	1.29
Montgomery	31.8	1.29
Neshoba	31.6	1.29
Newton		
Noxubee	30.5	1.29
Oktibbeha	31.7	1.29
Panola	32.3	1.29
Pearl River		
Perry	21.6	1.29
Pike	23.3	1.29
Pontotoc	29.0	1.29
Prentiss	29.9	1.29
Quitman	31.8	1.29
Rankin		
Scott	28.5	1.29
Sharkey	34.9	1.29
Simpson		
Smith		
Stone		
Sunflower	33.0	1.29
Tallahatchie	32.8	1.29
Tate	33.9	1.29
Tippah	30.5	1.29
Tishomingo	31.2	1.29
Tunica	35.7	1.29
Union	32.5	1.29
Walthall		
Warren	32.5	1.29
Washington	33.4	1.29
Wayne		
Webster	28.9	1.29
Wilkinson	29.3	1.29
Winston		
Yalobusha	32.1	1.29
Yazoo	34.3	1.29
State check yield	33.6	

MISSOURI

Adair	30.6	1.25
Andrew	31.4	1.31
Atchison	33.0	1.31
Audrain	37.5	1.31
Barry	30.1	1.26
Barton	33.6	1.28
Bates	32.7	1.31
Benton	32.6	1.29
Bollinger	29.7	1.31
Boone	37.6	1.29
Buchanan	32.0	1.31
Butler	35.2	1.36
Caldwell	30.4	1.31
Callaway	37.7	1.30
Camden	26.1	1.26
Cape Girardeau	39.2	1.35
Carroll	35.2	1.31
Carter	28.8	1.31
Cass	33.1	1.31
Cedar	27.7	1.30
Chariton	34.9	1.30
Christian	31.3	1.26
Clark	31.3	1.26
Clay	34.3	1.31
Clinton	31.1	1.31
Cole	33.9	1.30
Cooper	37.0	1.27
Crawford	28.0	1.30
Dade	33.7	1.27
Dallas	31.0	1.25
Davless	30.2	1.30

MISSOURI—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
De Kalb	30.4	1.31
Dent	27.9	1.28
Douglas	24.2	1.23
Dunklin	36.2	1.37
Franklin	38.7	1.34
Gasconade	36.3	1.32
Genoa	30.0	1.31
Greene	30.1	1.26
Grundy	32.2	1.29
Harrison	30.7	1.29
Henry	32.3	1.31
Hickory	26.3	1.28
Holt	31.2	1.31
Howard	33.6	1.28
Howell	26.2	1.27
Iron	31.4	1.31
Jackson	32.6	1.31
Jasper	33.0	1.28
Jefferson	35.4	1.33
Johnson	33.5	1.30
Knox	33.6	1.26
Laclede	30.9	1.25
Lafayette	33.8	1.31
Lawrence	30.8	1.23
Lewis	32.0	1.26
Lincoln	41.0	1.34
Linn	31.6	1.29
Livingston	33.6	1.30
McDonald	29.5	1.26
Macon	33.5	1.27
Madison	31.3	1.31
Marion	31.8	1.32
Marion	32.7	1.27
Mercer	28.5	1.28
Miller	34.2	1.29
Mississippi	42.0	1.36
Moniteau	35.6	1.27
Monroe	32.8	1.28
Montgomery	40.3	1.33
Morgan	33.1	1.27
New Madrid	38.1	1.37
Newton	28.8	1.26
Nodaway	32.7	1.31
Oregon	31.4	1.30
Osage	36.9	1.31
Ozark	28.2	1.25
Pemiscot	41.3	1.37
Perry	40.0	1.31
Pettis	35.4	1.29
Phelps	33.3	1.29
Pike	38.7	1.32
Platte	30.9	1.31
Polk	29.8	1.27
Pulaski	28.2	1.27
Putnam	32.3	1.26
Ralls	33.0	1.28
Randolph	33.0	1.28
Ray	33.6	1.31
Reynolds	29.8	1.28
Ripley	27.2	1.35
St. Charles	44.4	1.34
St. Clair	27.6	1.30
St. Francois	39.0	1.31
St. Louis	42.1	1.34
Ste. Genevieve	44.4	1.31
Saline	36.0	1.30
Schuyler	30.0	1.25
Scotland	30.7	1.29
Scott	39.9	1.35
Shannon	27.6	1.28
Shelby	31.1	1.27
Stoddard	39.2	1.36
Stone	25.9	1.25
Sullivan	30.8	1.28
Taney	26.1	1.24
Texas	26.2	1.23
Vernon	33.2	1.30
Warren	39.2	1.34
Washington	36.6	1.31
Wayne	35.0	1.32
Webster	28.7	1.24
Worth	30.9	1.31
Wright	28.1	1.23
State check yield	34.4	---

MONTANA

Beaverhead	33.1	1.10
Big Horn	32.3	1.08
Blaine	23.7	1.08
Broadwater	28.0	1.05
Carbon	30.6	1.08
Carter	23.1	1.15
Cascade	34.2	1.08
Chouteau	34.8	1.08
Custer	27.7	1.12
Daniels	22.5	1.09
Dawson	28.8	1.13
Deer Lodge	60.3	1.07

MONTANA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Fallon	25.1	1.15
Fergus	31.9	1.08
Flathead	47.8	1.06
Gallatin	36.7	1.07
Garfield	25.0	1.10
Glacier	28.7	1.08
Golden Valley	27.8	1.08
Granite	31.3	1.06
Hill	24.4	1.08
Jefferson	27.2	1.05
Judith Basin	30.5	1.08
Lake	38.5	1.06
Lewis and Clark	26.9	1.08
Liberty	26.1	1.08
Lincoln	29.7	1.06
McCone	24.6	1.11
Madison	35.4	1.07
Meagher	33.9	1.08
Mineral	32.3	1.08
Missoula	30.5	1.08
Musselshell	28.4	1.08
Park	29.4	1.05
Petroleum	25.0	1.08
Phillips	25.4	1.08
Pondera	35.1	1.08
Powder River	28.5	1.09
Powell	39.0	1.07
Prairie	29.0	1.12
Ravalli	34.7	1.06
Richland	25.3	1.11
Roosevelt	22.5	1.10
Rosebud	31.6	1.08
Sanders	28.7	1.08
Sheridan	25.0	1.12
Silver Bow	28.5	1.07
Sweet Grass	32.1	1.08
Teton	28.6	1.08
Toole	31.6	1.08
Treasure	28.2	1.08
Valley	34.5	1.08
Wheatland	25.2	1.08
Wibaux	28.9	1.08
Yellowstone	23.8	1.15
State check yield	35.0	1.08

NEBRASKA

Adams	26.0	1.25
Antelope	25.0	1.28
Arthur	17.1	1.16
Banner	25.8	1.11
Blaine	26.3	1.28
Boone	26.3	1.15
Box Butte	19.7	1.26
Boyd	21.7	1.21
Buffalo	24.2	1.25
Burt	28.0	1.31
Butler	29.2	1.31
Cass	31.4	1.31
Cedar	20.3	1.27
Chase	25.0	1.16
Cherry	21.3	1.19
Cheyenne	25.7	1.12
Clay	27.8	1.26
Colfax	28.3	1.31
Cuming	28.0	1.31
Custer	28.2	1.23
Dakota	26.4	1.28
Dawes	27.4	1.14
Dawson	26.6	1.24
Deuel	26.8	1.15
Dixon	24.0	1.28
Dodge	28.1	1.31
Douglas	29.8	1.31
Dundy	25.9	1.16
Fillmore	27.7	1.28
Franklin	24.3	1.24
Frontier	26.8	1.21
Furnas	24.2	1.22
Gage	27.9	1.29
Garden	26.6	1.15
Garfield	22.6	1.24
Gosper	27.2	1.23
Grant	26.6	1.27
Greely	28.6	1.27
Hall	23.6	1.26
Hamilton	25.1	1.28
Harlan	25.2	1.23
Hayes	26.3	1.17
Hitchcock	26.7	1.18
Holt	17.3	1.25
Hooker	13.9	1.18
Howard	24.2	1.26
Jefferson	27.2	1.28
Johnson	28.4	1.30
Kearney	25.9	1.24
Keith	25.9	1.16

NEBRASKA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Keya Paha	19.4	1.22
Kimball	22.5	1.11
Knox	23.3	1.28
Lancaster	33.3	1.31
Lincoln	26.7	1.20
Logan	25.8	1.21
Loup	25.0	1.24
McPherson	19.8	1.20
Madison	26.6	1.29
Merrick	23.3	1.28
Morrill	24.7	1.14
Nance	26.0	1.28
Nemaha	31.3	1.30
Nuckolls	25.7	1.26
Otoe	31.8	1.31
Pawnee	30.6	1.28
Perkins	25.3	1.16
Phelps	25.3	1.23
Pierce	26.0	1.29
Platte	26.9	1.30
Polk	28.6	1.23
Red Willow	27.5	1.20
Richardson	29.3	1.29
Rock	17.4	1.32
Saline	27.6	1.30
Sarpy	29.8	1.31
Sanders	31.8	1.31
Scotts Bluff	25.2	1.12
Seward	28.3	1.31
Sheridan	26.2	1.16
Sherman	24.9	1.25
Sioux	27.5	1.13
Stanton	26.2	1.31
Thayer	26.9	1.27
Thomas	13.7	1.20
Thurston	25.0	1.30
Valley	26.5	1.25
Washington	28.6	1.31
Wayne	27.9	1.27
Webster	23.7	1.25
Wheeler	21.6	1.28
York	30.3	1.29
State check yield	26.7	---

NEVADA

Churchill	54.0	1.22
Clark	37.1	1.22
Douglas	45.1	1.22
Elko	45.1	1.22
Esmeralda	42.1	1.22
Eureka	34.7	1.22
Humboldt	56.6	1.22
Lander	44.9	1.22
Lincoln	38.0	1.22
Lyon	58.1	1.22
Mineral	34.9	1.22
Nye	36.2	1.22
Ormsby	42.1	1.22
Pershing	71.6	1.22
Storey	42.1	1.22
Washoe	41.0	1.22
White Pine	35.7	1.22
State check yield	54.6	---

NEW JERSEY

Atlantic	35.7	1.42
Bergen	39.6	1.43
Burlington	39.0	1.44
Camden	35.2	1.40
Cape May	39.6	1.42
Cumberland	39.6	1.42
Essex	39.0	1.43
Gloucester	36.7	1.41
Hudson	39.6	1.43
Hunterdon	39.6	1.43
Mercer	39.6	1.43
Middlesex	39.6	1.42
Monmouth	39.6	1.42
Morris	35.0	1.41
Ocean	37.2	1.41
Passaic	39.6	1.43
Salem	35.5	1.42
Somerset	36.1	1.43
Sussex	35.0	1.43
Union	39.6	1.40
Warren	38.7	1.42
State check yield	38.7	---

NEW MEXICO

Bernalillo	24.6	1.14
Catron	34.6	1.02
Chaves	36.7	1.21

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NEW MEXICO—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Colfax	25.7	1.13
Curry	34.0	1.26
De Baca	33.7	1.20
Dona Ana	27.6	1.14
Eddy	37.2	1.20
Grant	36.9	1.00
Guadalupe	17.1	1.19
Harding	12.8	1.23
Hidalgo	58.6	1.13
Lea	21.0	1.23
Lincoln	18.7	1.17
Luna		
McKinley	14.5	.94
Mora	21.5	1.14
Otero	39.8	1.17
Quay	15.2	1.25
Rio Arriba	15.7	.94
Roosevelt	17.5	1.25
Sandoval	23.8	1.14
San Juan	30.6	.94
San Miguel	24.0	1.14
Santa Fe	27.3	1.15
Sierra	32.1	1.14
Socorro	19.0	1.14
Taos	24.0	.95
Torrance	17.1	1.16
Union	22.8	1.22
Valencia	36.6	1.07
State check yield	24.2	

NEW YORK

Albany	40.6	1.45
Allegany	34.9	1.38
Broome	31.2	1.38
Cattaraugus	32.5	1.33
Cayuga	42.9	1.38
Chautauqua	36.4	1.28
Chemung	33.2	1.38
Chemango	38.7	1.38
Clinton	26.2	1.34
Columbia	43.6	1.43
Cortland	38.3	1.38
Delaware	36.8	1.38
Dutchess	43.7	1.41
Erie	40.1	1.35
Essex	39.5	1.38
Franklin	26.2	1.31
Fulton	37.5	1.38
Genesee	45.2	1.38
Greene	43.2	1.42
Hamilton		
Herkimer	36.6	1.41
Jefferson	34.4	1.34
Lewis	36.2	1.35
Livingston	43.5	1.38
Madison	40.3	1.38
Monroe	43.6	1.38
Montgomery	41.4	1.43
Nassau	43.6	1.39
New York City		
Niagara	43.2	1.37
Oneida	42.7	1.39
Ontondaga	41.2	1.38
Ontario	44.5	1.38
Orange	44.0	1.41
Orleans	45.7	1.37
Oswego	38.1	1.38
Otsego	38.8	1.40
Putnam		
Rensselaer		
Richmond	40.2	1.44
Rockland		
St. Lawrence		
Saratoga	30.8	1.33
Schenectady	41.8	1.43
Schoharie	39.8	1.44
Schuyler	42.9	1.42
Seneca	31.1	1.38
Steuben	42.8	1.38
Suffolk	35.5	1.38
Sullivan	44.8	1.39
Tioga	29.6	1.35
Tompkins	30.6	1.38
Ulster	36.5	1.38
Warren	43.2	1.41
Washington		
Wayne	41.4	1.41
Westchester	40.8	1.38
Wyoming	29.3	1.43
Yates	42.8	1.37
State check yield	43.1	1.38
	42.0	

NORTH CAROLINA

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Alamance	32.7	1.36
Alexander	30.9	1.36
Alleghany	33.6	1.36
Anson	27.1	1.36
Ashe	28.9	1.36
Avery	26.3	1.36
Beaufort	34.2	1.36
Bertie	35.1	1.36
Bladen	32.2	1.36
Brunswick	31.6	1.36
Buncombe	29.7	1.36
Burke	30.4	1.36
Cabarrus	29.4	1.36
Caldwell	33.5	1.36
Camden	37.6	1.36
Carteret	33.6	1.36
Caswell	30.7	1.36
Catawba	33.0	1.36
Chatham	29.2	1.36
Cherokee	22.7	1.36
Chowan	35.6	1.36
Clay	26.0	1.36
Cleveland	31.0	1.36
Columbus	33.3	1.36
Craven	35.1	1.36
Cumberland	28.5	1.36
Currituck	36.8	1.36
Dare		
Davidson	30.4	1.36
Davie	31.9	1.36
Duplin	31.3	1.36
Durham	32.2	1.36
Edgecombe	37.6	1.36
Forsyth	29.6	1.36
Franklin	30.0	1.36
Gaston	28.7	1.36
Gates	33.1	1.36
Graham		
Granville	26.6	1.36
Greene	38.9	1.36
Guilford	32.5	1.36
Hallifax	33.8	1.36
Harnett	30.5	1.36
Haywood	28.5	1.36
Henderson	28.5	1.36
Hertford	34.0	1.36
Hoke	31.4	1.36
Hyde	34.9	1.36
Iredell	31.2	1.36
Jackson	24.0	1.36
Johnston	32.6	1.36
Jones	33.4	1.36
Lee	28.6	1.36
Lenoir	33.1	1.36
Lincoln	33.6	1.36
McDowell	30.4	1.36
Macon	25.0	1.36
Madison	29.2	1.36
Martin	37.2	1.36
Mecklenburg	28.0	1.36
Mitchell		
Montgomery	27.9	1.36
Moore	25.2	1.36
Nash	35.9	1.36
New Hanover	31.8	1.36
Northampton	31.5	1.36
Onslow	30.3	1.36
Orange	30.9	1.36
Pamlico	35.6	1.36
Pasquotank	39.5	1.36
Pender	31.9	1.36
Perquimans	40.4	1.36
Person	27.9	1.36
Pitt	37.0	1.36
Polk	29.5	1.36
Randolph	29.4	1.36
Richmond	25.5	1.36
Robeson	30.5	1.36
Rockingham	32.4	1.36
Rowan	31.0	1.36
Rutherford	32.2	1.36
Sampson	32.8	1.36
Scotland	30.8	1.36
Stanly	29.2	1.36
Stokes	27.5	1.36
Surry	34.7	1.36
Swain		
Sylvania		
Tyrrell	31.4	1.36
Union	35.0	1.36
Vance	30.4	1.36
Vance	28.2	1.36
Wake	30.5	1.36
Warren	28.7	1.36
Washington	36.0	1.36
Watauga	32.3	1.36

NORTH CAROLINA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Wayne	36.9	1.36
Wilkes	31.9	1.36
Wilson	39.6	1.36
Yadkin	32.1	1.36
Yancey	28.1	1.36
State check yield	31.4	

NORTH DAKOTA

Adams	22.6	1.21
Barnes	25.7	1.30
Benson	27.1	1.23
Billings	22.0	1.19
Bottineau	29.2	1.17
Bowman	21.1	1.20
Burke	28.3	1.16
Burleigh	22.2	1.24
Cass	27.1	1.32
Cavalier	30.7	1.24
Dickey	20.3	1.31
Divide	26.5	1.14
Dunn	22.4	1.19
Eddy	25.1	1.25
Emmons	20.3	1.25
Foster	26.5	1.27
Golden Valley	23.7	1.16
Grand Forks	29.1	1.31
Grant	20.9	1.22
Griggs	27.3	1.29
Hettinger	23.8	1.21
Kidder	19.5	1.24
La Moure	22.5	1.29
Logan	19.3	1.26
McHenry	24.2	1.19
McIntosh	19.2	1.27
McKenzie	23.2	1.13
McLean	27.2	1.20
Mercer	24.6	1.20
Morton	22.2	1.22
Mountrail	27.7	1.16
Nelson	32.1	1.28
Oliver	20.5	1.21
Pembina	27.7	1.28
Pierce	25.0	1.21
Ramsey	30.7	1.25
Ransom	22.3	1.33
Renville	30.7	1.16
Richland	23.5	1.36
Rolette	28.0	1.19
Sargent	22.9	1.34
Sheridan	22.5	1.22
Sioux	19.5	1.23
Slope	24.9	1.20
Stark	23.8	1.20
Steele	30.4	1.30
Stutsman	23.5	1.28
Towner	23.9	1.21
Traill	29.5	1.31
Walsh	29.8	1.29
Ward	29.6	1.17
Wells	26.1	1.24
Williams	24.6	1.15
State check yield	25.7	

OHIO

Adams	27.9	1.21
Allen	40.0	1.22
Ashland	34.0	1.24
Ashtabula	35.1	1.27
Athens	28.3	1.23
Auglaize	41.1	1.21
Belmont	32.7	1.24
Brown	28.4	1.21
Butler	38.4	1.21
Carroll	34.3	1.24
Champaign	43.6	1.21
Clark	43.1	1.21
Clermont	30.2	1.21
Clinton	37.4	1.21
Columbiana	36.2	1.25
Coshocton	32.7	1.24
Crawford	38.9	1.23
Cuyahoga	37.0	1.24
Darke	42.1	1.21
Defiance	37.0	1.21
Delaware	35.5	1.23
Erie	40.7	1.23
Fairfield	35.5	1.23
Fayette	37.9	1.21
Franklin	36.7	1.23
Fulton	46.9	1.21

RULES AND REGULATIONS

OHIO—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Gallia	27.2	1.21
Geauga	31.9	1.27
Greene	40.0	1.21
Guernsey	29.0	1.24
Hamilton	38.7	1.21
Hancock	43.1	1.23
Hardin	38.7	1.23
Harrison	34.0	1.24
Henry	42.9	1.21
Highland	32.4	1.21
Hocking	30.3	1.23
Holmes	35.7	1.24
Huron	38.9	1.23
Jackson	31.9	1.21
Jefferson	32.8	1.25
Knox	31.7	1.23
Lake	32.9	1.25
Lawrence	33.4	1.21
Licking	31.4	1.23
Logan	41.3	1.21
Lorain	35.4	1.24
Lucas	46.6	1.22
Madison	42.9	1.22
Mahoning	36.9	1.26
Marion	39.1	1.23
Medina	35.5	1.24
Meigs	32.2	1.21
Mercer	40.5	1.21
Miami	40.5	1.21
Monroe	31.0	1.24
Montgomery	38.1	1.21
Morgan	30.2	1.24
Morrow	34.1	1.23
Muskingum	30.3	1.24
Noble	28.7	1.24
Ottawa	40.2	1.23
Panhandling	39.2	1.21
Perry	31.0	1.23
Pickaway	41.0	1.22
Pike	32.8	1.21
Portage	35.8	1.24
Preble	42.0	1.21
Putnam	41.2	1.21
Richland	35.2	1.24
Ross	35.6	1.22
Sandusky	40.4	1.23
Scioto	33.1	1.21
Seneca	40.4	1.23
Shelby	40.0	1.21
Stark	37.6	1.24
Summit	33.0	1.24
Trumbull	32.4	1.27
Tuscarawas	34.1	1.24
Union	37.9	1.23
Van Wert	44.6	1.21
Vinton	31.3	1.23
Warren	35.5	1.21
Washington	31.1	1.24
Wayne	37.5	1.24
Williams	39.5	1.21
Wood	44.6	1.23
Wyandot	40.0	1.23
State check yield	38.6	

OKLAHOMA

A dair	28.0	1.26
Alfalfa	27.7	1.25
Atoka	22.8	1.26
Beaver	16.6	1.23
Beckham	20.5	1.26
Blaine	25.2	1.26
Bryan	24.1	1.26
Caddo	29.0	1.26
Canadian	28.2	1.26
Carter	24.7	1.26
Cherokee	25.0	1.26
Choctaw	24.4	1.26
Cimarron	15.6	1.21
Cleveland	28.8	1.26
Coal	26.3	1.26
Comanche	21.4	1.26
Cotton	27.9	1.26
Craig	26.8	1.26
Creek	24.1	1.26
Custer	26.5	1.26
Delaware	28.7	1.26
Dewey	21.1	1.26
Ellis	15.8	1.24
Garfield	27.0	1.26
Garvin	26.5	1.26
Grady	28.8	1.26
Grant	27.4	1.25
Greer	20.8	1.26
Harmon	20.4	1.26
Harper	16.7	1.24
Haskell	26.3	1.26
Hughes	24.6	1.26
Jackson	22.4	1.26

OKLAHOMA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Jefferson	24.4	1.26
Johnston	26.7	1.26
Kay	31.4	1.25
Kingfisher	24.1	1.26
Kiowa	22.9	1.26
Latimer	20.1	1.26
Le Flore	28.6	1.26
Lincoln	22.8	1.26
Logan	26.7	1.26
Love	25.9	1.26
McClain	29.3	1.26
McCurtain	21.9	1.26
McIntosh	25.3	1.26
Major	25.7	1.26
Marshall	26.2	1.26
Mayes	30.0	1.25
Murray	26.1	1.26
Muskogee	28.5	1.26
Noble	28.8	1.26
Nowata	28.3	1.27
Okfuskee	24.2	1.26
Oklahoma	28.2	1.26
Okmulgee	23.2	1.26
Osage	27.9	1.24
Ottawa	30.3	1.26
Pawnee	27.4	1.26
Payne	26.4	1.26
Pittsburg	24.1	1.26
Pontotoc	24.9	1.26
Pottawatomie	27.2	1.26
Pushmataha	23.0	1.26
Roger Mills	19.2	1.25
Rogers	28.7	1.25
Seminole	25.1	1.26
Sequoyah	29.9	1.26
Stephens	26.1	1.26
Texas	16.6	1.23
Tillman	26.8	1.26
Tulsa	29.5	1.25
Wagoner	27.8	1.25
Washington	29.9	1.26
Washita	23.7	1.26
Woods	23.1	1.24
Woodward	19.9	1.25
State check yield	23.6	

OREGON

Baker	36.5	1.24
Benton	52.6	1.29
Clackamas	46.6	1.30
Clatsop		
Columbia	46.8	1.26
Coos		
Crook	56.1	1.27
Curry		
Deschutes	41.9	1.27
Douglas	32.1	1.17
Gilliam	28.1	1.30
Grant	24.7	1.29
Harney	24.5	1.12
Hood River	24.2	1.33
Jackson	36.7	1.17
Jefferson	48.4	1.30
Josephine	32.1	1.17
Klamath	41.0	1.28
Lake	29.0	1.27
Lane	48.6	1.24
Lincoln		
Linn	46.6	1.28
Malheur	56.1	1.16
Marion	54.0	1.31
Morrow	26.1	1.29
Multnomah	46.8	1.31
Polk	46.8	1.30
Sherman	31.4	1.32
Tillamook		
Umatilla	34.6	1.28
Union	41.6	1.25
Wallowa	38.8	1.23
Wasco	31.2	1.33
Washington	55.4	1.32
Wheeler	29.3	1.29
Yamhill	50.7	1.31
State check yield	35.4	

PENNSYLVANIA

Adams	35.2	1.41
Allegheny	31.9	1.30
Armstrong	33.0	1.28
Beaver	33.5	1.27
Bedford	34.8	1.33
Berks	38.0	1.41
Blair	36.2	1.32
Bradford	35.0	1.36
Bucks	36.8	1.43

PENNSYLVANIA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Butler	35.7	1.29
Cambria	31.9	1.31
Cameron	25.5	1.32
Carbon	34.1	1.30
Centre	36.2	1.33
Chester	43.4	1.42
Clarion	30.8	1.29
Clearfield	29.1	1.31
Clinton	34.4	1.33
Columbia	37.3	1.41
Crawford	33.5	1.27
Cumberland	37.3	1.38
Dauphin	37.1	1.37
Delaware	39.6	1.43
Elk	31.2	1.32
Erie	34.0	1.27
Fayette	34.4	1.32
Forest	29.3	1.28
Franklin	37.3	1.38
Fulton	30.8	1.36
Greene	34.1	1.29
Huntingdon	32.5	1.34
Indiana	33.0	1.31
Jefferson	30.8	1.31
Juniata	34.6	1.35
Lackawanna	33.0	1.36
Lancaster	44.0	1.41
Lawrence	36.0	1.29
Lebanon	39.5	1.39
Lehigh	37.3	1.41
Luzerne	33.5	1.36
Lycoming	35.2	1.34
McKean	34.6	1.32
Mercer	34.7	1.35
Mifflin	35.3	1.39
Monroe	35.2	1.35
Montgomery	35.0	1.43
Montour	40.6	1.41
Northampton	35.2	1.35
Northumberland	35.2	1.38
Perry	35.2	1.38
Philadelphia		
Pike	33.0	1.35
Potter	36.2	1.31
Schuylkill	33.0	1.37
Snyder	34.3	1.35
Somerset	33.2	1.32
Sullivan	34.1	1.38
Susquehanna	33.5	1.37
Tioga	33.0	1.34
Union	36.8	1.35
Venango	31.9	1.27
Warren	31.3	1.27
Washington	35.2	1.27
Wayne	33.0	1.35
Westmoreland	35.2	1.29
Wyoming	35.0	1.38
York	39.1	1.41
State check yield	36.8	

RHODE ISLAND

Bristol		
Kent		
Newport	28.5	1.35
Providence		
Washington	28.5	1.35
State check yield	28.5	

SOUTH CAROLINA

Abbeville	31.3	1.35
Aiken	27.8	1.35
Allendale	31.9	1.35
Anderson	30.4	1.35
Bamberg	32.7	1.35
Barnwell	30.8	1.35
Beaufort	35.3	1.35
Berkeley	34.1	1.35
Calhoun	34.7	1.35
Charleston	33.8	1.35
Cherokee	31.3	1.35
Chester	29.8	1.35
Chesterfield	30.0	1.35
Clarendon	31.3	1.35
Colleton	30.4	1.35
Darlington	33.8	1.35
Dillon	32.1	1.35
Dorchester	32.2	1.35
Edgefield	32.4	1.35
Fairfield	29.2	1.35
Florence	32.2	1.35
Georgetown	28.3	1.35
Greenwood	29.1	1.35
Hampton	31.7	1.35
Horry	31.3	1.35
State check yield	33.9	

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SOUTH CAROLINA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Jasper	29.6	1.35
Kershaw	30.5	1.35
Lancaster	29.2	1.35
Laurens	30.7	1.35
Lee	35.0	1.35
Lexington	27.8	1.35
McCormick	29.7	1.35
Marion	30.1	1.35
Marlboro	31.6	1.35
Newberry	36.3	1.35
None	28.0	1.35
Orangeburg	32.3	1.35
Pickens	26.2	1.35
Richland	30.5	1.35
Saluda	33.1	1.35
Spartanburg	30.1	1.35
Sumter	31.5	1.35
Union	29.8	1.35
Williamsburg	29.4	1.35
York	30.3	1.35
State check yield	31.1	

SOUTH DAKOTA

Aurora	17.5	1.30
Beadle	15.6	1.33
Bennett	27.6	1.18
Bon Homme	17.7	1.31
Brookings	18.4	1.34
Brown	19.0	1.33
Brule	22.9	1.30
Butte	19.1	1.31
Campbell	24.8	1.20
Charles Mix	18.1	1.26
Clark	18.9	1.29
Clay	16.3	1.35
Clay	21.3	1.32
Codington	18.5	1.36
Corson	18.8	1.24
Custer	17.3	1.14
Davison	18.6	1.31
Day	20.7	1.35
Deuel	18.8	1.33
Dewey	17.0	1.24
Douglas	17.3	1.29
Edmunds	15.5	1.31
Fall River	24.7	1.11
Faulk	16.7	1.32
Grant	18.7	1.38
Gregory	24.2	1.25
Haakon	26.6	1.26
Hamlin	18.6	1.36
Hand	18.2	1.31
Hanson	19.2	1.31
Hardin	17.0	1.21
Hughes	17.9	1.30
Hutchinson	18.0	1.30
Hyde	17.4	1.31
Jackson	24.3	1.26
Jerauld	16.2	1.31
Jones	24.5	1.28
Kingsbury	17.5	1.33
Lake	18.2	1.34
Lawrence	25.2	1.20
Lincoln	19.9	1.32
Lyman	27.2	1.30
McCook	18.9	1.31
McPherson	15.6	1.29
Marshall	21.3	1.34
Mead	26.8	1.21
Mellette	23.3	1.23
Miner	16.7	1.32
Minnehaha	20.9	1.33
Moody	22.0	1.35
Pennington	27.7	1.23
Perkins	19.7	1.22
Potter	18.7	1.31
Roberts	19.0	1.37
Sanborn	16.3	1.31
Shannon	25.9	1.17
Spiak	16.3	1.34
Stanley	24.2	1.30
Sully	18.5	1.31
Todd	21.7	1.23
Tripp	27.9	1.24
Turner	18.7	1.30
Union	20.9	1.32
Walworth	19.5	1.29
Washabawh	27.8	1.26
Yankton	18.0	1.29
Ziebach	18.4	1.23
State check yield	19.6	

TENNESSEE

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Anderson	21.1	1.34
Bedford	27.9	1.31
Benton	24.4	1.28
Bledsoe	22.5	1.32
Blount	26.4	1.35
Bradley	28.2	1.34
Campbell	22.2	1.34
Cannon	27.6	1.30
Carroll	32.6	1.27
Carter	28.0	1.37
Cheatham	30.4	1.29
Chester	30.4	1.27
Clairborne	27.3	1.35
Clay	24.2	1.30
Cooke	27.6	1.35
Coffee	33.1	1.31
Crockett	33.3	1.26
Cumberland	27.4	1.32
Davidson	23.8	1.29
Decatur	19.6	1.28
De Kalb	24.0	1.30
Dickson	30.3	1.29
Dyer	37.7	1.26
Fayette	27.8	1.26
Fentress	31.4	1.32
Franklin	31.9	1.32
Gibson	33.6	1.26
Giles	26.4	1.31
Grainger	27.2	1.35
Greene	29.0	1.36
Grundy	31.8	1.31
Hamblen	30.2	1.36
Hamilton	22.2	1.33
Hancock	24.9	1.37
Hardeman	27.8	1.27
Hardin	30.2	1.28
Hawkins	26.8	1.38
Haywood	34.5	1.26
Henderson	34.6	1.28
Henry	37.3	1.27
Hickman	28.7	1.29
Houston	32.1	1.28
Humphreys	23.7	1.28
Jackson	21.2	1.30
Jefferson	30.9	1.35
Johnson	28.2	1.37
Knox	24.2	1.35
Lake	39.6	1.26
Lauderdale	35.2	1.26
Lawrence	27.8	1.30
Lewis	27.5	1.30
Lincoln	24.6	1.32
Loudon	29.0	1.34
McMinn	24.9	1.34
McNairy	25.3	1.27
Macon	29.0	1.29
Madison	30.8	1.26
Marion	26.3	1.32
Marshall	25.8	1.31
Maury	29.4	1.30
Meigs	22.1	1.33
Monroe	26.2	1.35
Montgomery	39.9	1.28
Moore	25.0	1.31
Morgan	24.4	1.33
Obion	35.0	1.26
Overton	29.1	1.31
Perry	23.9	1.29
Pickett	27.7	1.31
Polk	24.8	1.35
Putnam	29.7	1.31
Rhea	22.5	1.33
Roane	26.9	1.33
Robertson	36.4	1.28
Rutherford	30.6	1.30
Scott		
Sequatchie	24.8	1.32
Sevier	29.5	1.35
Shelby	31.5	1.26
Smith	23.6	1.30
Stewart	31.3	1.28
Sullivan	28.4	1.38
Sumner	34.3	1.28
Tipton	39.1	1.26
Trousdale	26.6	1.29
Unicoi	26.6	1.36
Union	23.5	1.35
Van Buren	24.4	1.31
Warren	28.4	1.37
Washington	28.8	1.37
Wayne	29.5	1.29
Weakley	33.3	1.26
White	29.7	1.31
Williamson	27.3	1.30
Wilson	25.2	1.29
State check yield	30.9	

TEXAS

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Anderson		
Andrews		
Angelina		
Aransas		
Archer	16.0	1.26
Armstrong	16.4	1.26
Atascosa	16.2	1.37
Austin		
Bailey	25.7	1.26
Bandera	14.5	1.35
Bastrop	16.3	1.39
Baylor	16.8	1.26
Bee	16.5	1.37
Bell	16.4	1.39
Bexar	19.0	1.39
Blanco	15.0	1.38
Borden	12.7	1.26
Bosque	15.7	1.37
Bowie	26.1	1.30
Brazoria		
Brazos	18.2	1.40
Brewster		
Briscoe	19.6	1.26
Brooks		
Brown	14.0	1.35
Burleson		
Burnet	13.8	1.35
Caldwell	16.8	1.39
Calhoun		
Callahan	15.8	1.26
Cameron		
Camp		
Carson	17.9	1.26
Cass		
Castro	34.9	1.26
Chambers		
Cherokee	14.7	1.40
Childress	15.4	1.26
Clarendon	18.5	1.28
Clay	21.5	1.26
Cochran	14.0	1.26
Coke	14.3	1.32
Coleman	20.4	1.35
Collin	16.5	1.26
Collingsworth	19.9	1.47
Colorado	14.6	1.39
Comal	14.6	1.29
Comanche	13.0	1.35
Concho	19.2	1.30
Cooke	15.0	1.35
Coryell	14.3	1.26
Cottle		
Crane		
Crockett		
Crosby	22.3	1.26
Culberson	19.6	1.18
Dallam	25.7	1.23
Dallas	18.9	1.35
Dawson	19.1	1.26
Deaf Smith	32.2	1.26
Delta	22.1	1.32
Denton	19.0	1.35
De Witt	15.7	1.39
Dickens	13.7	1.26
Dimmit	14.7	1.28
Donley	15.3	1.26
Duval		
Eastland	12.9	1.26
Ector		
Edwards	14.7	1.26
Ellis	17.4	1.37
El Paso		
Erath	14.0	1.31
Falls	17.1	1.39
Fannin	24.2	1.30
Fayette		
Fisher	14.2	1.26
Floyd	22.2	1.26
Foard	16.4	1.26
Fort Bend		
Franklin		
Freestone		
Frio	23.7	1.32
Gaines	19.8	1.26
Galveston		
Garza	12.8	1.26
Gillespie	16.3	1.34
Glasscock	19.3	1.26
Goliad		
Gonzales	17.4	1.39
Gray	16.1	1.26
Grayson	21.3	1.30
Gregg		
Grimes		
Guadalupe	20.9	1.39
Hale	30.9	1.26
Hall	14.7	1.26

RULES AND REGULATIONS

TEXAS—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Hamilton	14.8	1.32
Hansford	24.4	1.24
Hardeman	16.8	1.26
Hardin		
Harris		
Harrison		
Hartley	17.7	1.24
Haskell	15.9	1.26
Hays	15.7	1.39
Hemphill	15.3	1.24
Henderson	15.2	1.39
Hidalgo		
Hill	16.6	1.38
Hockley	19.5	1.26
Hood	15.8	1.34
Hopkins	17.0	1.32
Houston	21.3	1.40
Howard	12.9	1.26
Hudspeth		
Hunt	22.3	1.34
Hutchinson	24.0	1.24
Irion	15.8	1.23
Jack	15.8	1.30
Jackson	14.3	1.43
Jasper		
Jeff Davis		
Jefferson		
Jim Hogg		
Jim Wells		
Johnson	16.7	1.37
Jones	15.9	1.26
Karnes	17.9	1.37
Kaufman	18.6	1.36
Kendall	14.4	1.35
Kenedy		
Kent	12.4	1.26
Kerr	13.8	1.33
Kimble	12.3	1.35
King	13.7	1.26
Kinney		
Kleberg		
Knox	18.4	1.26
Lamar	24.7	1.30
Lamb	29.8	1.26
Lampasas	15.9	1.35
La Salle		
Lavaca	21.2	1.42
Lee		
Leon	15.7	1.40
Liberty		
Limestone	16.9	1.39
Lipscomb	15.0	1.24
Live Oak	14.9	1.37
Llano	14.4	1.35
Loving		
Lubbock	21.4	1.26
Lynn	16.3	1.26
McCulloch	13.4	1.35
McLennan	16.5	1.39
McMullen		
Madison		
Marion		
Martin	13.7	1.25
Mason	14.5	1.35
Matagorda		
Maverick	23.3	1.24
Medina	19.7	1.37
Menard	13.8	1.35
Midland	15.7	1.24
Milam	18.2	1.41
Mills	13.7	1.35
Mitchell	14.0	1.26
Montague	17.6	1.30
Montgomery		
Moore	28.9	1.24
Morris		
Motley	14.5	1.26
Nacogdoches		
Navarro	18.8	1.38
Newton		
Nolan	16.3	1.26
Nueces		
Ochiltree	16.2	1.24
Oldham	15.2	1.26
Orange		
Palo Pinto	14.1	1.30
Panola		
Parker	15.2	1.34
Parmer	43.4	1.26
Pecos	28.0	1.19
Folk	16.2	1.26
Potter	24.6	1.17
Presidio	19.5	1.35
Rains	18.6	1.26
Randall	15.1	1.23
Reagan		
Real		
Red River	27.9	1.30

TEXAS—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Reeves	23.0	1.19
Refugio		
Roberts	15.3	1.25
Robertson		
Rockwall	18.8	1.35
Runnels	14.2	1.30
Rusk		
Sabine		
San Augustine		
San Jacinto		
San Patricio		
San Saba	15.0	1.35
Schleicher	13.6	1.24
Seurry	12.8	1.26
Schackelford	16.3	1.26
Shelby		
Sherman	24.8	1.23
Smith		
Somervell	14.6	1.34
Starr		
Stephens	14.6	1.30
Sterling	13.1	1.26
Stonewall	15.1	1.26
Sutton		
Swisher	31.3	1.26
Tarrant	17.6	1.36
Taylor	15.0	1.28
Terrell		
Terry	17.4	1.26
Throckmorton	16.2	1.28
Titus		
Tom Green	14.5	1.26
Travis	17.5	1.39
Trinity		
Tyler		
Upshur		
Upton		
Uvalde	14.0	1.31
Val Verde		
Van Zandt	16.8	1.35
Victoria	18.2	1.39
Walker	14.6	1.41
Waller	16.5	1.53
Ward		
Washington	17.6	1.47
Webb		
Wharton	19.2	1.51
Wheeler	15.4	1.26
Wichita	18.5	1.26
Wilbarger	18.5	1.26
Willacy		
Williamson	15.9	1.39
Wilson	16.3	1.37
Winkler		
Wise	16.6	1.32
Wood		
Yoakum	19.1	1.26
Young	18.1	1.30
Zapata		
Zavala	21.8	1.28
State check yield	20.9	

UTAH

Beaver	50.3	1.19
Box Elder	31.5	1.16
Cache	34.6	1.16
Carbon	48.3	.98
Daggett	36.4	.97
Davis	52.5	1.18
Duchesne	43.6	1.05
Emery	42.0	.98
Garfield	35.0	.98
Grand	30.3	.98
Iron	34.5	1.17
Juab	26.0	1.18
Kane	30.0	.98
Millard	25.8	1.19
Morgan	36.2	1.17
Plute	53.0	.98
Rich	27.0	1.08
Salt Lake	35.0	1.18
San Juan	17.8	.98
Sanpete	37.0	.98
Sevier	58.9	.98
Summit	37.9	1.17
Tooele	18.8	1.18
Uintah	40.7	1.01
Utah	37.0	1.18
Wasatch	52.5	1.05
Washington	28.3	1.17
Wayne	47.5	.98
Weber	48.5	1.18
State check yield	31.1	

VERMONT

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Addison	31.4	1.36
Bennington		
Caledonia		
Chittenden	31.4	1.36
Essex		
Franklin		
Grand Isle	31.4	1.36
Lamoille		
Orange		
Orleans	31.4	1.36
Rutland		
Washington		
Windham	31.4	1.36
Windsor		
State check yield	31.4	

VIRGINIA

Accomack	32.8	1.37
Albemarle	33.7	1.36
Alleghany	27.9	1.34
Amelia	31.2	1.37
Amherst	29.3	1.36
Appomattox	30.3	1.37
Augusta	33.2	1.36
Bath	28.3	1.34
Bedford	32.4	1.36
Bland	29.0	1.34
Botetourt	32.6	1.35
Brunswick	26.1	1.36
Buchanan	22.0	1.34
Buckingham	32.1	1.37
Campbell	30.5	1.36
Caroline	30.7	1.37
Carroll	29.7	1.35
Charles City	34.3	1.37
Charlotte	28.3	1.37
Chesapeake	31.9	1.36
Chesterfield	26.6	1.37
Clarke	31.2	1.36
Clarke	30.0	1.34
Culpeper	31.9	1.36
Cumberland	31.5	1.37
Dickenson	22.5	1.34
Dinwiddie	29.1	1.37
Essex	31.7	1.37
Fairfax	28.0	1.36
Fauquier	31.4	1.36
Floyd	33.0	1.35
Fluvanna	31.0	1.36
Franklin	29.3	1.35
Frederick	29.1	1.36
Giles	29.3	1.34
Gloucester	28.5	1.37
Goochland	30.8	1.37
Grayson	27.1	1.35
Greene	29.0	1.36
Greensville	27.7	1.36
Halifax	26.9	1.36
Hampton	25.1	1.37
Hanover	33.6	1.37
Henrico	30.6	1.37
Henry	27.8	1.35
Highland	27.6	1.34
Isle of Wight	28.3	1.36
James City	33.8	1.37
King and Queen	30.2	1.37
King George	31.8	1.37
King William	31.9	1.37
Lancaster	30.0	1.37
Lee	31.7	1.36
Loudoun	31.8	1.36
Louisa	31.5	1.37
Lunenburg	28.7	1.36
Madison	32.2	1.37
Mathews	33.8	1.36
Mecklenburg	27.0	1.37
Middlesex	33.0	1.34
Montgomery	28.0	1.36
Nansemond	28.7	1.36
Nelson	33.7	1.36
New Kent	36.5	1.37
Newport News	35.9	1.37
Northampton	35.4	1.37
Northumberland	28.3	1.37
Nottoway	31.8	1.35
Orange	31.4	1.36
Page	31.0	1.35
Patrick	31.0	1.36
Pittsylvania	28.5	1.37
Powhatan	29.3	1.37
Prince Edward	31.5	1.37
Prince George	27.7	1.37
Prince William	30.2	1.36
Pulaski	25.9	1.35
Rappahannock	33.5	1.36

VIRGINIA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Richmond	33.4	1.37
Roanoke	33.1	1.35
Rockbridge	33.3	1.36
Rockingham	33.1	1.36
Russell	24.5	1.35
Scott	27.9	1.35
Shenandoah	32.2	1.36
Smyth	28.2	1.35
Southampton	26.7	1.36
Spotsylvania	29.5	1.37
Stafford	31.7	1.37
Surry	29.4	1.36
Sussex	29.2	1.36
Tazewell	25.6	1.34
Virginia Beach	31.9	1.36
Warren	33.9	1.36
Washington	27.5	1.35
Westmoreland	34.5	1.37
Wise	22.5	1.35
Wythe	30.4	1.35
York	33.5	1.37
State check yield	30.6	

WASHINGTON

Adams	34.7	1.27
Asotin	37.0	1.24
Benton	26.0	1.29
Chelan	22.5	1.28
Chillam	49.2	1.16
Clark	37.9	1.32
Columbia	66.3	1.28
Cowlitz	44.3	1.28
Douglas	29.8	1.26
Ferry	39.7	1.22
Franklin	39.3	1.28
Garfield	52.0	1.28
Grant	46.4	1.27
Grays Harbor	40.3	1.23
Island	64.5	1.26
Jefferson	54.4	1.17
King		
Kitsap		
Kittitas	62.1	1.32
Klickitat	35.6	1.31
Lewis	49.3	1.24
Lincoln	41.2	1.26
Mason		
Okanogan	23.4	1.26
Pacific		
Pend Oreille	27.2	1.15
Pierce	40.0	1.30
San Juan	50.0	1.26
Skagit	59.6	1.26
Skamania		
Snohomish	42.0	1.28
Spokane	54.0	1.24
Stevens	43.0	1.20
Thurston	44.0	1.25
Wahkiakum		
Walla Walla	46.8	1.28
Whitman	39.9	1.25
Whitman	56.3	1.26
Yakima	43.7	1.31
State check yield	43.2	

WEST VIRGINIA

Barbour		
Berkeley	29.9	1.31
Boone	34.8	1.35
Braxton		
Brooke	23.4	1.30
Cabell	30.8	1.28
Calhoun	24.1	1.28
Clay		
Doddridge		
Fayette		
Gilmer	24.8	1.32
Grant		
Greenbrier	32.3	1.33
Hamshire	29.2	1.34
Hancock	30.8	1.34
Hardy	27.9	1.28
Harrison	35.2	1.34
Jackson	25.8	1.30
Jefferson	27.6	1.27
Kanawha	32.2	1.36
Lewis	22.2	1.29
Lincoln	22.7	1.30
Logan		
McDowell		
Marion		
Marshall	27.2	1.29
Mason	26.2	1.28
Mason	27.6	1.28
Mercer	24.6	1.33

WEST VIRGINIA—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Mineral	33.8	1.33
Mingo		
Monongalia	24.4	1.29
Monroe	30.3	1.33
Morgan	23.7	1.34
Nicholas	26.5	1.32
Ohio	27.2	1.28
Pendleton	29.2	1.34
Pleasants	26.8	1.27
Pocahontas	30.9	1.34
Preston	28.4	1.28
Putnam	23.0	1.31
Raleigh	24.5	1.31
Randolph	32.7	1.33
Ritchie	26.4	1.28
Roane	26.1	1.28
Summers	28.3	1.34
Taylor	26.8	1.31
Tucker	24.3	1.33
Tyler	24.0	1.27
Upshur	25.8	1.31
Wayne	22.0	1.29
Webster	23.7	1.32
Wetzel	25.3	1.28
Wirt	23.1	1.28
Wood	29.1	1.27
Wyoming		
State check yield	30.6	

WISCONSIN

Adams	25.1	1.28
Ashland	25.1	1.41
Barron	26.4	1.39
Bayfield	25.8	1.35
Brown	35.1	1.26
Buffalo	28.6	1.35
Burnett	22.2	1.43
Calumet	36.8	1.27
Chippewa	26.0	1.39
Clark	29.4	1.36
Columbia	37.8	1.28
Crawford	35.4	1.29
Dane	38.1	1.29
Dodge	38.7	1.29
Door	30.8	1.20
Douglas	25.6	1.44
Dunn	28.0	1.39
Eau Claire	26.9	1.36
Florence	22.0	1.24
Fond du Lac	36.3	1.28
Forest	22.2	1.31
Grant	36.2	1.24
Green	39.9	1.30
Green Lake	28.8	1.27
Iowa	37.3	1.27
Iron	20.6	1.36
Jackson	31.5	1.33
Jefferson	38.5	1.30
Juneau	29.4	1.29
Kenosha	43.5	1.33
Kewaunee	35.9	1.23
La Crosse	28.8	1.31
Lafayette	35.2	1.27
Langlade	26.5	1.27
Lincoln	29.8	1.27
Manitowoc	36.1	1.27
Marathon	29.3	1.33
Marquette	26.2	1.24
Marquette	24.9	1.27
Menominee		
Milwaukee	38.0	1.32
Monroe	30.0	1.30
Oconto	27.9	1.24
Oneida	23.2	1.27
Outagamie	34.7	1.26
Ozaukee	38.5	1.31
Pepin	27.9	1.38
Pierce	27.1	1.38
Polk	26.4	1.42
Portage	25.2	1.33
Price	22.2	1.38
Racine	43.5	1.32
Richland	38.9	1.27
Rock	39.3	1.32
Rusk	22.8	1.40
St. Croix	27.3	1.39
Sauk	34.8	1.28
Sawyer	21.4	1.37
Shawano	30.7	1.28
Sheboygan	40.1	1.29
Taylor	27.6	1.38
Trempealeau	28.4	1.33
Vernon	36.2	1.30
Vilas	21.8	1.25
Walworth	39.9	1.32
Washburn	22.0	1.37
Washington	42.3	1.31

WISCONSIN—Continued

County	Projected yield (bushels per acre)	Estimated loan rate for computing diversion payments (dollars per bushel)
Waukesha	37.6	1.31
Waupaca	30.7	1.28
Waushara	29.8	1.26
Winnebago	35.7	1.27
Wood	31.6	1.36
State check yield	37.4	

WYOMING

Albany		
Big Horn	38.3	1.00
Campbell	23.7	1.07
Carbon	18.3	1.00
Converse	18.9	1.07
Crook	23.1	1.10
Fremont	40.9	0.97
Goshen	21.6	1.11
Hot Springs	37.4	0.98
Johnson	20.8	1.05
Laramie	22.9	1.01
Lincoln	23.0	1.01
Natrona	26.5	1.01
Niobrara	19.2	1.11
Park	42.7	1.00
Platte	23.9	1.11
Sheridan	25.4	1.05
Sublette		
Sweetwater		
Teton	37.4	1.10
Uinta	28.6	1.00
Washakie	38.1	0.99
Weston	21.5	1.10
State check yield	22.9	

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

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 22, 1968.

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

[F.R. Doc. 68-14263; Filed, Dec. 2, 1968; 8:45 a.m.]

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

[Grapefruit Reg. 67, Amdt. 2]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as

hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order. The provisions of § 905.506 (Grapefruit Regulation 67; 33 F.R. 14066, 14169) are hereby amended in the following respects:

Paragraph (a) (2) (i) is amended to read as follows:

§ 905.506 Grapefruit Regulation 67.

- (a) * * *
(2) * * *

(i) Any seeded grapefruit, grown in the production area, which do not grade at least U.S. No. 1: *Provided*, That during the period December 2, 1968, through September 14, 1969, any seeded grapefruit grown in Regulation Area II may be handled if such grapefruit grade at least U.S. No. 1 Golden;

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

Dated, November 27, 1968, to become effective December 2, 1968.

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

[F.R. Doc. 68-14469; Filed, Nov. 29, 1968;
2:39 p.m.]

[Orange Reg. 19, Amdt. 2]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation of the Texas Valley Citrus Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges of specified varieties, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the

public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Texas Valley Citrus Committee on November 26, 1968; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the recommended regulation and information upon which the regulation is based were received by the Department on November 27, 1968; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period and in the manner hereinafter set forth so as to provide for the regulation of the handling of such oranges; and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

The provisions of paragraph (a) of § 906.342 (Orange Regulation 19; 33 F.R. 14067, 14282) are amended to read as follows:

§ 906.342 Orange Regulation 19.

(a) *Order.* (1) During the period December 4, 1968, through September 14, 1969, no handler shall handle any oranges of the Navel or early and midseason variety, grown in the production area, unless such oranges grade U.S. No. 2; U.S. Combination, with not less than 60 percent, by count, of the oranges in each container thereof grading at least U.S. No. 1 grade and the remainder grading U.S. No. 2; or any higher grade; and are of a size not smaller than $2\frac{1}{16}$ inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in any individual container in such lot may be of a size smaller than $2\frac{1}{16}$ inches in diameter.

(2) During the period beginning December 4, 1968, through January 19, 1968, no handler shall handle Valencia and similar late type variety oranges, grown in the production area, unless such or-

anges grade at least U.S. No. 1 and are of a size not smaller than $3\frac{1}{16}$ inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers and not more than 15 percent, by count, of such oranges in any individual container in such lot, may be of a size smaller than $3\frac{1}{16}$ inches in diameter.

(3) During the period beginning January 20, 1969, through September 14, 1969, no handler shall handle Valencia and similar late type variety oranges, grown in the production area, unless such oranges grade at least U.S. No. 2 and are of a size not smaller than $2\frac{1}{16}$ inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in any individual container in such lot, may be of a size smaller than $2\frac{1}{16}$ inches in diameter.

(4) (i) During the periods specified in subparagraphs (1) through (3) of this paragraph no handler shall handle any oranges of any such variety, grown as aforesaid, for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto not more than 48 hours prior to the time of shipment.

(ii) All oranges of any variety, grown as aforesaid, handled during the period specified in subparagraphs (1) through (3) of this paragraph are subject to all applicable container and pack requirements which are in effect pursuant to the aforesaid marketing agreement and order during such periods.

(5) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; and terms relating to grade and diameter, when used herein, have the same meaning as is given to the respective term in the U.S. Standards for Oranges (Texas and States other than Florida, California, and Arizona) (§§ 51.68-51.712 of this title).

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

Dated, November 29, 1968, to become effective December 4, 1968.

FLOYD F. HEDLUND,
*Director, Fruit and Vegetable
Division, Consumer and Mar-
keting Service.*

[F.R. Doc. 68-14547; Filed, Dec. 2, 1968;
11:21 a.m.]

[Lemon Reg. 350]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.650 Lemon Regulation 350.

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

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 26, 1968.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period December 1, 1968, through December 7, 1968, are hereby fixed as follows:

- (i) District 1: 13,950 cartons;
- (ii) District 2: 42,780 cartons;
- (iii) District 3: 96,720 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: November 27, 1968.

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

[F.R. Doc. 68-14467; Filed, Nov. 29, 1968; 2:39 p.m.]

[Grapefruit Reg. 10, Amdt. 1]

PART 944—FRUIT; IMPORT REGULATIONS

Grapefruit

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) of Grapefruit Regulation 10 (§ 944.106, 33 F.R. 14365) are hereby amended as follows:

The introductory text and subparagraph (1) of paragraph (a) are amended to read as follows:

§ 944.106 Grapefruit Regulation 10.

(a) On and after December 2, 1968, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 Golden and be of a size not smaller than 3¹⁵/₁₆ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; and

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under amended Grapefruit Regulation 67 (§ 905.506); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of grapefruit.

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

Dated: November 27, 1968, to become effective December 2, 1968.

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

[F.R. Doc. 68-14468; Filed, Nov. 29, 1968; 2:39 p.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9279; Amdt. 39-687]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corporation, Model BAC 1-11 200 Series Airplane

There has been an inflight failure of the forward saddle bracket assembly of the main undercarriage door jack on a BAC 1-11 200 series airplane. The failure occurred on selection of the undercarriage "down" position, and upon landing the door struck the runway causing damage to the keel auxiliary structure and the forward and aft hinge brackets. In view of the possible serious consequences of such a failure and since this condition is likely to exist or develop in other airplanes of the same type, an airworthiness directive is being issued to require inspection of the saddle bracket assemblies for cracks or damage and replacement if necessary.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following airworthiness directive:

BRITISH AIRCRAFT CORPORATION. Applies to Model BAC 1-11 200 Series Airplanes.

Compliance required as indicated unless already accomplished.

To prevent failure of the saddle bracket structure located at Station 575 in the main landing gear bay, accomplish the following:

(a) For airplanes with saddle bracket assemblies which have accumulated 12,000 or more landings, inspect in accordance with paragraph (c), within the next 50 landings after the effective date of this AD, unless already inspected within the last 150 landings prior to the effective date of this AD, and thereafter at intervals not to exceed 200 landings, from the last inspection.

(b) For airplanes with saddle bracket assemblies which have accumulated less than 12,000 landings on the effective date of this AD, inspect in accordance with paragraph (c) between the time that the assemblies have accumulated 11,900 landings and 12,050

landings, and thereafter at intervals not exceeding 200 landings from the last inspection.

(c) Visually inspect the main landing gear door jack attachment saddle bracket for cracks or damage in accordance with BAC 1-11 Alert Service Bulletin No. 53-A-PM 3620, Issue 1, dated August 12, 1968, or later ARB-approved issue, or an FAA-approved equivalent.

(d) Saddle brackets which have damage or cracks which exceed the acceptable limitations defined in BAC 1-11 Alert Service Bulletin No. 53-A-PM 3620 are unserviceable and must be replaced with serviceable brackets of the same part number or with BAC modification PM 3620 brackets, before further flight.

(e) The repetitive inspections required by paragraphs (a) and (b) may be discontinued after the incorporation of modification PM 3620 or an FAA-approved equivalent.

(f) For the purpose of complying with this AD, subject to acceptance by the assigned FAA Maintenance Inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

This amendment becomes effective December 8, 1968.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; section 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on November 26, 1968.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 68-14398; Filed, Dec. 2, 1968; 8:46 a.m.]

[Docket No. 9113; Amdt. 93-13]

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

High Density Traffic Airports

The purpose of these amendments is to designate John F. Kennedy, La Guardia, Newark, O'Hare, and Washington National Airports as high density traffic airports and to prescribe special rules that apply to operations at those airports.

Under Notice 68-20 (33 F.R. 12580) the FAA proposed amendments to Part 93 that would prescribe the following rules:

1. Designate John F. Kennedy, La Guardia, Newark, O'Hare, and Washington National Airports as high density traffic airports with a limitation of 80, 60, 60, 135, and 60 IFR reservations per hour, respectively.

2. Allocate those hourly IFR reservations to three classes of users—

- (a) Scheduled air carriers (United States and foreign) except air taxis;
- (b) Scheduled air taxis; and
- (c) All other aircraft operators.

3. Require each aircraft operating under an allocated IFR reservation to have—

- (a) A capability of maintaining an air speed of not less than 150 knots while under control jurisdiction of the approach control ATC facility;
- (b) An operable coded radar beacon transponder having at least a Mode A/3 64 code capability replying to Mode A/3

interrogation with the Code specified by ATC; and

(c) A minimum flight crew of two pilots.

The notice also contained three exceptions to the requirement for an IFR reservation and the maximum number of IFR operations allocated for a particular airport. The first exception permitted an IFR operation at a designated high density airport when the aircraft could be accommodated without adverse effect on the allocated operations for the airport concerned. The second permitted VFR operations at a particular airport when the aircraft could be accommodated without adverse effect on the allocated operations for the airport concerned and the ceiling at that airport was at least 1,000 feet and the reported ground visibility was at least 3 miles. A VFR operation conducted under that exception would not be required to comply with the foregoing aircraft and pilot requirements. The third exception permitted either IFR or VFR operations under a letter of agreement if the aircraft were operated without interference to any other aircraft operation. Under this exception, STOL, VTOL, helicopter and similar operations would be authorized at a particular airport and the aircraft and pilot requirements would not be applicable.

Written comments in response to NPRM 68-20 were received from most segments of the aviation industry as well as a number of public officials and other interested persons. There was substantial opposition to certain of the proposals made in the notice. The objections stated in the comments to the notice and at a public hearing held in connection therewith on September 25 and 26, and October 3, 1968, were generally based on one or more of the following assertions:

1. The regulation is unnecessary and does not solve the problem.

2. The air carriers cause congestion by overscheduling.

3. Congestion is caused by the lack of controllers.

4. The pilot and aircraft equipment requirements are unreasonable.

5. The maximum hourly IFR reservations for operations at the designated high density traffic airports are too low.

6. The regulation terminates the long-established policy of first-come-first-served.

7. The regulation discriminates against certain classes of users.

8. Regulations forcing foreign carriers to schedule service into airports designated in bilateral agreements at times which are commercially or operationally disadvantageous would violate obligations contained in international agreements.

9. If the regulation is adopted, it should be for a temporary period and rescinded if it is found unnecessary.

10. The proposal is not a proper exercise of the Administrator's authority under the Federal Aviation Act.

11. The unusual congestion and delay of last July and August were the result

of a controller "slowdown" at a time of peak seasonal travel.

Associations representing the air carriers, airport operators, and airline pilots favored the proposed rule with some reservations. The reservations most commonly expressed were:

1. The rule should be considered to be only a temporary solution.

2. The allocation of flights should be increased.

3. The effort to obtain permanent solutions to congestion by adding and improving facilities should be expedited.

Many citizen groups and others representative of the public viewpoint, such as the leading newspapers in the cities directly concerned, stressed the need for Federal action.

In regard to some of the comments, it appears important to correct any misunderstanding in regard to the purpose of NPRM 68-20. The proposals contained in that notice were intended to provide relief from excessive delays at certain major terminals. They were not, as some persons concluded, intended to correct a safety problem.

In response to the many comments received, it should be pointed out that the FAA has not relied exclusively on the prospects of the proposed rule to relieve the air congestion problem. Several actions have been taken which have helped the congestion problem to some extent, and other actions will be taken as rapidly as possible. Some of these actions were listed in the preamble to the NPRM, and others were suggested by commentators to the notice.

The FAA has changed its procedures to assign "intersection takeoffs" where adequate runway is available beyond the "intersection" for the type aircraft concerned. Another change, the elimination of detailed taxi instructions to regular users of the airport, saves valuable radio communications time. To reduce controller workload, a third measure will place greater reliance on pilots to obtain information concerning the runway in use, altimeter setting, wind direction and velocity, etc., without verification by the controllers. These changes are in themselves minor, but cumulatively contribute to efficiency and expedition without derogating safety.

The most significant future action to reduce airborne congestion and delay will be taken by placing new and revised "flow control" procedures into effect. These procedures contemplate that aircraft destined for the high density traffic airports named in the rule will be held on the ground at points of origin whenever estimated airborne delays at the destination airport reach a stated time which is now proposed to be one hour. Consequently, with this system, there should not be more than one hour's backlog of airborne traffic at those airports. However, ground delays at airports of origin could be several hours if weather conditions, runway blockage, or other hindrances reduce capacity at the destination airport. While this is not a solution to the congestion problem, ground delays

are generally preferable to airborne delays and congestion.

In addition to efforts to increase capacity, certain actions have been taken by some airport operators which will tend to alleviate congestion by reducing demand. On August 1, 1968, the Port of New York Authority imposed new and higher fee schedules at Kennedy, La Guardia, and Newark for the express purpose of shifting general aviation traffic away from peak hours. In the 3 months since the imposition of the fee, general aviation operations at the three New York airports have declined by more than 25 percent. While other factors may account for a part of the decline, much is undoubtedly attributable to the fee increase. Since the New York fee schedule is the subject of pending litigation, the longrun effect of the action is uncertain. On September 11, 1968, the FAA imposed an increased minimum charge for landing at Washington National (33 F.R. 12833). It is too early to assess the effect of the fee charge at Washington National.

Even with these combined actions, it is obvious that congestion will again reach serious proportions unless additional restraints are placed on aircraft demand for the use of airport facilities. There are no short-term solutions to this problem that offer any substantial relief. For the 12-month periods ending October 1966, 1967, and 1968, air carrier operations at the three New York airports increased from 618,297 to 670,179 to 715,846. There are now being delivered more than one jet per day to the scheduled airlines and 20 aircraft per day to all other categories of users. If operational constraints are not imposed, the growth in aircraft operations will exceed any short-term growth in airport capacity, and obviously, will compound the congestion problems.

Longrun solutions are dependent upon the modernization and expansion of the airways system and airport development. Legislation is required to provide a sound financial framework within which these programs could move forward.

In the meantime, the public interest in efficient, convenient, and economical air transportation requires more effective use of airport and airspace capacity. The authority of the FAA to regulate aircraft operations to reduce congestion is clear. The plenary authority conferred by the Federal Aviation Act to regulate the flight of aircraft to assure the safe and efficient utilization of the navigable airspace is well established by practice and judicial decision. As indicated in Notice 68-20, it is anticipated that, subject to the approval of the Civil Aeronautics Board, the air carriers can arrive voluntarily at decisions to reduce schedules so as not to exceed the total allocation established by this rule in the interest of efficient airspace utilization. Discussions among the airlines are proceeding pursuant to a CAB order, and this rule as presently drawn contemplates that an agreement will be in force on the effective date of the rule, April 27, 1969.

The rule adopted herein differs in several aspects from the rule proposed in Notice 68-20. The final rule designates Kennedy, La Guardia, Newark, Washington National, and O'Hare Airports as high density traffic airports; adopts the hourly allocations for these airports as set forth in the notice; allocates all reservations at Kennedy International Airport to certificated air carriers during the hour of 5 p.m. to 8 p.m.; and requires an operable coded radar beacon transponder for all IFR operations. However, the requirements relating to aircraft speed capability and two pilots have not been incorporated in the final rule. Further, the supplemental air carriers have been included in the same category as the scheduled air carriers.

This rule grants a greater priority to certificated air carriers, who provide common carriage service, in accordance with the policy of recognizing the national interest in maintaining a public mass air transportation system, offering service on equal terms to all who would travel. For the traveler today, there is frequently no feasible alternative mode of travel. The concept of "first come-first served" remains as the fundamental policy governing the use of airspace so long as capacity is adequate to meet the demands of all users without unreasonable delay or inconvenience. When capacity limitations compel a choice, however, the public service offered by the common carrier must be preferred. This policy is fully consistent with the Federal Aviation Act's provisions relating to the certification of common carriers by the Civil Aeronautics Board, wherein the Board finds that the service provided is required by the public convenience and necessity.

The notice proposed allocating to the certificated carriers all of the reservations at Kennedy International during the hours of 5 p.m. to 8 p.m. In their comments, the Air Transport Association requested all reservations during the hours 4 p.m. to 9 p.m. at Kennedy, La Guardia, Newark, and O'Hare Airports. This action does not appear warranted in view of the present service patterns at those airports. This view was shared by the Port of New York Authority which endorsed the allocations proposed in the rule. Accordingly, no change is being made.

Kennedy Airport is the major international gateway to the United States, served by 12 domestic scheduled air carriers, 4 U.S. international air carriers, 18 foreign flag air carriers, and numerous U.S. supplemental air carriers. Because of distance and time differentials, most international service tends to be very sensitive to disruptions of scheduled departure and arrival times. Current scheduling practices reflect this. For example, in July 1968, two-thirds of all international passenger flights at Kennedy were scheduled to arrive or depart in the eight hours between 3 p.m. and 11 p.m. Under the allocations being imposed, some of these flights may have to be rescheduled or eliminated, even with the allocation of all reservations between the hours of

5 p.m. to 8 p.m. International departures fall off abruptly after 10 p.m. and, clearly, it would not be in the public interest, considering the resultant noise disturbance, to encourage scheduling of more flights at later hours. With the allocation of all reservations to certificated air carriers during the hours of 5 p.m. to 8 p.m., undue disruptions to international operations are not anticipated.

The inclusion of the supplemental air carriers in the same category as scheduled air carriers for the purpose of hourly allocations is based upon the argument offered in the supplemental carriers' comments. They contended that there is no significant distinction between the service they provide and the non-scheduled services provided by scheduled carriers, which must be accommodated within the total allocated to scheduled carriers. Because the supplemental carrier operations are an extremely small percentage of the total air carrier operations, no increase in the air carrier share of total allocations is warranted. In placing the supplemental air carriers in the same classification with the scheduled carriers, it is anticipated that they will participate with the scheduled air carriers in the establishment of voluntary scheduling agreements for the high density traffic airports involved in this rule. All allocations in the category "Other" will now be available exclusively to general aviation.

Users of the airports concerned recommended an increase in the maximum number of the hourly allocations contained in the proposed rule. On the other hand, persons primarily concerned with the noise resulting from the aircraft operations in the vicinity of the airports concerned urged that the number of the allocations should be decreased. Neither of these recommendations was adopted. As stated in NPRM 68-20, the number of allocations specified are in excess of the capacities of the airports to handle IFR traffic in IFR conditions with minimum delays and they were selected with the realization that under IFR weather conditions delays will occur. Permitting some delay appears preferable to restricting the total operations to the actual IFR minimum delay capacity resulting in unused capacity when the weather is above IFR conditions. If experience indicates that the allocations are too high or too low, adjustments will be made. The exceptions contained in the proposed rule permitting operations in excess of the allocations under prescribed conditions have also been retained in the final rule.

The allocation of reservations to the air carriers at Washington National Airport will be on a basis different from the other airports due to the historical development of the restrictions at Washington National. For the past few years, the carriers at National have voluntarily restricted schedules to 40 scheduled operations per hour, plus extra sections, and plus nonscheduled operations. This level of operations, varying between 40 and 50 per hour, has not created undue congestion in the air, on the runways

or in the terminal. Rather than prescribe a new number of air carrier allocated reservations on a basis consistent with the other airports, only for the purpose of confirming the status quo at National, it was decided to leave the allocation stand as it is presently defined. Section 93.123 of the rule has been amended to reflect this interpretation.

The efficacy of the requirements that each IFR aircraft operating to or from a high density traffic airport must have a minimum flight crew of two pilots and be capable of maintaining an airspeed of not less than 150 knots was universally challenged by general aviation users. The final rule reflects the conclusion that these requirements would not substantially affect the safe and efficient utilization of the airspace in the vicinity of the high density traffic airports and that, at the present time, any benefits would appear to be outweighed by the burden imposed on the users. The last sentence of § 93.129(b) has been deleted to conform with the omission of the speed and pilot requirements. For the purpose of clarification the word "reported" has been added following the word "ceiling" in § 93.129(b) of this rule.

The words "without adverse effect on the operations allocated for the airport" appearing in the proposed paragraphs (a) and (b) of § 93.129 have been understood by some people to imply that safety is the standard for additional operations. This was not intended. The rule as adopted uses the term "without significant additional delay to the operations" as the standard for additional operations under that section.

Finally, § 93.123 has been amended to reserve to ATC authority to grant exceptions to the hourly number of allocated IFR reservations. This authority is necessary to accommodate any emergencies which may arise due to weather, fuel, or other factors.

April 27, 1969, which is a normal date for airline schedule changes, has been established as the effective date of the rule to allow the scheduled air carriers time to make necessary operational adjustments. While the rule will not be "temporary" as many commentators

urged, it will be kept under continuing review and modified as circumstances require or permit.

In consideration of the foregoing, Part 93 of the Federal Aviation Regulations is amended, effective April 27, 1969, as follows:

1. Section 93.1 is amended by adding a new paragraph (e) to read as follows:

§ 93.1 Applicability.

(e) Subpart K of this part designates high density traffic airports and prescribes air traffic rules and other requirements for operating aircraft to or from those airports.

2. A new Subpart K is added to read as follows:

Subpart K—High Density Traffic Airports

- 93.121 Applicability.
- 93.123 High density traffic airports.
- 93.125 Arrival or departure reservation and flight plan.
- 93.127 Aircraft requirements.
- 93.129 Additional operations.

AUTHORITY: The provisions of this Subpart K issued under secs. 103, 307 (a), (b), and (c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1303, 1348 (a), (b), and (c), 1354(a), 1421; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1665(c); § 1.4 (b), Part 1, Regulations of the Office of the Secretary; 49 CFR 1.4(b).

Subpart K—High Density Traffic Airports

§ 93.121 Applicability.

This subpart designates high density traffic airports and prescribes the aircraft equipment and air traffic rules for operating aircraft to or from those airports.

§ 93.123 High density traffic airports.

(a) Each of the following airports is designated as a high density traffic airport and, except as provided in § 93.129 and paragraph (b) of this section, or unless otherwise authorized by ATC, is limited to the hourly number of allocated IFR operations (takeoffs and landings) that may be reserved for the specified classes of users for that airport:

IFR OPERATIONS PER HOUR

Class of user	John F. Kennedy Airport	La Guardia Airport	Newark Airport	O'Hare Airport	Washington National Airport
Air carriers except air taxis.....	70	48	40	115	40
Scheduled air taxis.....	5	6	10	10	8
Other.....	5	6	10	10	12

(b) The allocations of reservations under paragraph (a) of this section among the several classes of users do not apply from 12 midnight to 6 a.m. local time, but the total hourly limitation remains applicable. The allocations of reservations under paragraph (a) of this section at John F. Kennedy Airport do not apply from 5 p.m. to 8 p.m. local time. During those hours, the total 80 reservations are allocated to air carriers except air taxis. In the case of Washington National Airport only, the allocation of

40 reservations under paragraph (a) of this section does not include extra sections of scheduled air carrier flights, charter, or other nonscheduled flights of scheduled or supplemental air carriers which may be conducted without regard to the limitation of 40 reservations. Any reservation under paragraph (a) of this section allocated to, but not taken by, scheduled or supplemental air carrier operations is available for a scheduled air taxi operation. Any reservation under paragraph (a) of this section allocated

to, but not taken by, an air carrier (scheduled or supplemental) or scheduled air taxi operation is available for other operations.

§ 93.125 Arrival or departure reservation and flight plan.

Unless otherwise authorized by ATC in a letter of agreement under § 93.129 (c), no person may operate an aircraft to or from an airport designated as a high density traffic airport unless—

- (a) He has received for that operation an arrival or departure reservation from ATC; and
- (b) He has filed an IFR or VFR flight plan for that operation.

§ 93.127 Aircraft requirements.

Unless otherwise authorized by ATC in a letter of agreement under § 93.129(c), no person may operate an aircraft IFR to or from a high density traffic airport unless the aircraft is equipped with an operable coded radar beacon transponder having at least a Mode A/3 64 code capability, replying to Mode A/3 interrogation with the code specified by ATC.

§ 93.129 Additional operations.

(a) *IFR.* The operator of an aircraft may take off or land the aircraft under IFR at a designated high density traffic airport without regard to the maximum number of operations allocated for that airport if he obtains a departure or arrival reservation, as appropriate, from ATC. The reservation is granted by ATC whenever the aircraft may be accommodated without significant additional delay to the operations allocated for the airport for which the reservation is requested.

(b) *VFR.* The operator of an aircraft may take off or land the aircraft under VFR at a designated high density traffic airport if he obtains a departure or arrival reservation, as appropriate, from ATC. The reservation is granted by ATC whenever the aircraft may be accommodated without significant additional delay to the operations allocated for the airport for which the reservation is requested and the ceiling reported at the airport is at least 1,000 feet and the ground visibility reported at the airport is at least 3 miles.

(c) *Operations under letters of agreement.* The operator of an aircraft may takeoff or land the aircraft under either IFR or VFR at a designated high density traffic airport if he operates the aircraft without interference to any other aircraft operation and the operation is under the terms of a letter of agreement with the airport management and the appropriate ATC facility. An operation conducted under this paragraph (c) is not required to comply with the aircraft equipment requirements of § 93.127 except to the extent specified in the applicable letter of agreement.

Issued in Washington, D.C., on November 27, 1968.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 68-14405; Filed, Dec. 2, 1968; 8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1441]

PART 13—PROHIBITED TRADE PRACTICES

Gruskin & Feldman, Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-30 Fur Products Labeling Act; § 13.1325 *Source or origin*: 13.1325-70 Place: 13.1325-70(c) Foreign, in general. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Gruskin & Feldman, Inc., et al., New York, N.Y., Docket C-1441, Nov. 1, 1968]

In the Matter of Gruskin & Feldman, Inc., a Corporation, and Jack Gruskin and Milton Feldman, Individually and as Officers of Said Corporation

Consent order requiring a New York City fur manufacturer to cease misbranding and falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Gruskin & Feldman, Inc., a corporation, and its officers, and Jack Gruskin and Milton Feldman, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

- A. Misbranding any fur product by:
 1. Falsely or deceptively labeling or otherwise identifying such fur product as to the country of origin of furs contained in such fur product.
 2. Failing to affix a label to such fur product showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

3. Setting forth on a label affixed to such fur product the name or names of any animal or animals other than the name of the animal which produced the fur contained in the fur product as specified in the Fur Products Name Guide and as prescribed by the rules and regulations.

4. Failing to affix a label to any such fur product used as a sample to promote or effect sales of fur products showing in words and in figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products labeling Act and the rules and regulations promulgated thereunder.

5. Failing to set forth on a label the item number or mark assigned to such fur product.

B. Falsely or deceptively invoicing any fur product by:

1. Failing to furnish an invoice, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Misrepresenting in any manner on an invoice, directly or by implication, the country of origin of the fur contained in such fur product.

3. Setting forth on an invoice pertaining to such fur product the name or names of any animal or animals other than the name of the animal producing the fur contained in the fur product as specified in the Fur Products Name Guide and as prescribed by the rules and regulations.

4. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

5. Failing to set forth on an invoice the item number or mark assigned to such fur product.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: November 1, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA, Secretary.

[F.R. Doc. 68-14383; Filed, Dec. 2, 1968; 8:45 a.m.]

[Docket No. C-1440]

PART 13—PROHIBITED TRADE PRACTICES

Jewell Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.125 *Limited offers or supply*; § 13.180 *Quantity*: 13.180-30 In

stock. Subpart—Misrepresenting oneself and goods—Goods: § 13.1715 *Quality*: § 13.1747 *Special or limited offers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, the Jewell Corp. trading as Todd's et al., Washington, D.C., Docket C-1440, Oct. 25, 1968]

In the Matter of the Jewell Corp., a Corporation, Trading and Doing Business as Todd's, and Jerry Jewell, Individually and as an Officer of Said Corporation, and Alvin Fischer, Individually and as General Manager of Said Corporation

Consent order requiring a Washington, D.C., distributor of wristwatches, blenders and other merchandise to cease advertising merchandise which is not in stock, and without clearly disclosing when stock is available only in limited supply.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents the Jewell Corp., a corporation, trading and doing business as Todd's or under any other name, and its officers, and Jerry Jewell, individually and as an officer of said corporation, and Alvin Fischer, individually and as general manager of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of wrist watches, blenders or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any products are offered for sale when such offer is not a bona fide offer to sell such products at the prices and on the terms and conditions stated.

2. Advertising any article of merchandise for sale, unless sufficient quantities of such merchandise are available in stock to meet reasonably anticipated demands: *Provided, however*, That merchandise available only in limited supply may be advertised if such advertising, clearly and conspicuously discloses the number of units in stock and the duration of the offer.

3. Misrepresenting, in any manner, the quantity of merchandise advertised for sale.

4. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of respondents' products or services and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in

writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: October 25, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-14384; Filed, Dec. 2, 1968;
8:45 a.m.]

[Docket No. C-1442]

PART 13—PROHIBITED TRADE PRACTICES

Sportsville Casuals, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*: 13.1053-80 Textile Fiber Products Identification Act. Subpart—§ 13.1185 *Composition*: 13.1185-80 Textile Fiber Products Identification Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-80 Textile Fiber Products Identification Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 72 Stat. 1717, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 70, 68) [Cease and desist order, Sportsville Casuals, Inc., et al., New York, N.Y., Docket C-1442, Nov. 1, 1968]

In the matter of Sportsville Casuals, Inc., a Corporation, and Bernard W. Slavis and Simon Shar, Individually and as Officers of Said Corporation

Consent order requiring a New York City clothing manufacturer to cease misbranding the fiber content of its products, furnishing false guaranties, and failing to maintain required records.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Sportsville Casuals, Inc., a corporation, and its officers, and Bernard W. Slavis and Simon Shar, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber products which has been advertised or offered for sale in commerce, or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the

Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

2. Failing to affix a stamp, tag, label or other means of identification to each such product showing in a clear, legible and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

3. Failing to affix labels to samples, swatches or specimens of textile fiber products used to promote or effect the sale of such textile fiber products showing in words and figures plainly legible all the information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Failing to maintain and preserve proper records showing the fiber content of the textile fiber products manufactured by said respondents, as required by section 6 of the Textile Fiber Products Identification Act and Rule 39 of the regulations promulgated thereunder.

It is further ordered, That respondents Sportsville Casuals, Inc., a corporation, and its officers, and Bernard W. Slavis and Simon Shar, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any textile fiber product is not misbranded or falsely invoiced under the provisions of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Sportsville Casuals, Inc., a corporation, and its officers, and Bernard W. Slavis and Simon Shar, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any wool product is not misbranded, when the respondents have reason to believe that such wool product may be introduced, sold, transported or distributed in commerce.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: November 1, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-14385; Filed, Dec. 2, 1968;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Definition of Commodity

Pursuant to the authority vested in the Secretary of Agriculture by section 8a(5) of the Commodity Exchange Act, as amended (7 U.S.C. 12a(5)), paragraph (e) of § 1.3 of the regulations under said act (17 CFR 1.3(e)) is hereby amended by deleting the word "and" before the phrase "livestock products," substituting a comma for the period at the end of the paragraph, and adding after it the words "and frozen concentrated orange juice."

The purpose of this amendment is to bring the definition of the word "commodity" in § 1.3(e) of the regulations into conformity with the definition of the same word in section 2a of the Commodity Exchange Act (7 U.S.C. 2) as amended on July 23, 1968, by P.L. 90-418. Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure on the amendment of the regulations are unnecessary, and good cause is found for making the amendment effective on publication in the FEDERAL REGISTER.

This amendment shall become effective on publication in the FEDERAL REGISTER.

Issued: November 27, 1968.

TED J. DAVIS,
Assistant Secretary.

[F.R. Doc. 68-14433; Filed, Dec. 2, 1968;
8:47 a.m.]

Chapter II—Securities and Exchange Commission

[Release 33-4934]

PART 231—INTERPRETATIVE RELEASES RELATING TO THE SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

Expediting Registration Statements Filed Under Securities Act of 1933

The Securities and Exchange Commission today invited the cooperation of the industry, the bar, underwriters, accountants and other experts in a program which will assist the Commission's staff in its processing of the increased volume of registration statements filed under the Securities Act of 1933.

The workload of the Commission's Division of Corporation Finance has greatly increased recently due in part to the substantial increase in the number of filings of registration statements under the

Securities Act of 1933. In the fiscal year ending June 30, 1968, 2,473 registration statements were filed, as compared to 1,543 in 1967. For the first quarter of fiscal 1969, 840 registration statements were filed as compared to 507 for the like period in 1968. There has also been a substantial increase in the number of registration statements filed by issuers which never before have been subjected to the registration process. For example, of the 840 registration statement filings in the first quarter of fiscal 1969, 414 were filed by such issuers as compared to 149 for the first quarter of 1968. These filings most often require time-consuming review by the staff. The substantial increase in the volume of filings, and the high percentage of new filings, have resulted in a lengthening of the period between the filing and effective dates of registration statements. Further, as a result of the Securities Acts Amendments of 1964 approximately 3,200 additional companies became subject to the Commission's proxy rules. The number of definite proxy statements filed with the Commission has increased from 2,661 in fiscal 1964 to 5,244 in fiscal 1968. The review of these filings has fallen almost entirely on the Division of Corporation Finance.

The backlog of registration statements to be processed by the staff of that Division has now reached an unprecedented high (852 as of October 31, 1968, as compared to 410 at October 31, 1967), because of the enormous increase in the number of filings and accompanied at the same time by a reduction of personnel in the Division due to budgetary cuts. While proposals for meeting this problem have been under constant study by the Commission and its staff and certain steps have been taken from time to time to that end, further measures now must be taken to reduce the backlog. Of course, the statutory standards of disclosure remain unchanged. Under the circumstances the Commission has directed the staff of the Division of Corporation Finance to adopt the following procedures until such time as normal procedures may be resumed.

A Division officer will make a cursory review of every registration statement and will make one of the following three decisions:

1. That the registration statement is so poorly prepared or otherwise presents problems so serious that no further review will be made. Oral or written comments will not be issued for to do so would delay the review of other registration statements which do not appear to contain comparable disclosure problems. Counsel will be notified;

2. That counsel shall be advised that the staff has made only a cursory review of the registration statement; no written or oral comments will be provided; and review by the staff whether extensive as is customary or cursory as in this case, may not be relied upon in any degree to indicate that the registration is true, complete or accurate. Particularly, with respect to companies which have never before been subject to the registration process, counsel will be requested to furnish as supplemental information letters

from the chief executive officer of the issuer, the auditors, and the managing underwriter on behalf of all underwriters. These letters shall include representations that the respective persons are aware that the staff has made only a cursory and not a customary review of the registration statement, which may not be relied upon in any degree to indicate that the registration statement is true, complete or accurate, and are also aware of their statutory responsibilities under the Securities Act. Counsel will be advised that upon receipt of such supplemental information in satisfactory form, the staff will recommend clearance of the registration statement upon request, not earlier than 20 days after the date of original filing; or

3. That the filing will be subject to the regular review process.

With respect to (1), the company's counsel will be advised that acceleration of the effective date of the registration statement will not be recommended and should it become effective in such form, the Division would then decide what action, if any, to recommend to the Commission. Such action could include recommendations for examination or private investigation under section 8(e) or 20(a) of the Securities Act of 1933, stop-order public hearing under section 8(d) of the Act, and an injunctive proceeding or criminal reference under section 20(b) of the Act.

With respect to both (1) and (2), counsel for the companies will be advised that the statutory burden of full disclosure is on the issuer, its affiliates, the underwriter and experts, that as a matter of law this burden cannot be shifted to the staff, and that the current work load is such that the staff cannot undertake additional review and comment. Attention is directed to the case of *Escott v. BarChris Construction Corp.*, et al., 283 F. Supp. 643 (D.C., S.D.N.Y., 1968).

Need for Full Cooperation of the Bar and Financial Community. This program and the efforts of the staff of our Division of Corporation Finance to reduce the record backlog of registration statements and the length of the preeffective period in a manner consistent with the tradition of high standards of disclosure can only be accomplished with the full cooperation of issuers, counsel, underwriters, accountants and others. Such persons are therefore urged to proceed as follows:

(1) Do not file a registration statement with the Commission unless it fully meets the statutory standards. Filing a piece of paper to "get in line" or in expectation that the staff's comments will enable you to meet these standards will not be productive.

(2) By reason of the period elapsing between the filing date and the effective date, it is frequently necessary to request that financial statements be updated. Registrants should anticipate such requests and be prepared to furnish financial data to the latest practicable date.

(3) Cooperate with the staff in pinpointing to them in your letter of transmittal possible trouble spots and in explaining to them the desired time schedule. Such time schedule should of course

be realistic. The registration process of the SEC is not and was not designed to be an adversary proceeding. We are trying to assist bona fide efforts to comply with the disclosure requirements of the statute so that prospective investors can exercise sound and informed judgments as to the merits of securities.

(4) Exercise great restraint in considering whether to communicate with members of the staff, in person or by telephone.

[SEAL] ORVAL L. DUBOIS,
Secretary.

NOVEMBER 21, 1968.

[F.R. Doc. 68-14403; Filed, Dec. 2, 1968; 8:46 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-297; Order 370A]

PART 14—REPORTING NET INVESTMENT IN LICENSED PROJECTS TO THE COMMISSION

Hydroelectric Project Licenses; Calculation of "Net Investment"; Order Granting Rehearing for Purpose of Further Consideration and Extending Time for Compliance

NOVEMBER 22, 1968.

On September 27, 1968, the Commission issued its Order No. 370 prescribing the method for determining the "net investment in a project" as that phrase is defined in section 3(13) of the Federal Power Act, and establishing annual reporting requirements in regard thereto (33 F.R. 14943 (1968)). Thirty-three applications for rehearing or modification have been filed with the Commission.¹

¹ Applications for rehearing or modification were filed on Oct. 23, 1968, by the Public Service Commission of Wisconsin; on Oct. 25, 1968, by the Pennsylvania Public Utility Commission; on Oct. 28, 1968, by the Idaho Public Utilities Commission, Pennsylvania Power & Light Co., Pacific Gas & Electric Co., Appalachian Power Co., Duke Power Co., the Montana Power Co., Southern California Edison Co., Alabama Power Co. et al., Central Maine Power Co., Niagara Mohawk Power Corp., National Association of Regulatory Utility Commissions, Louisville Gas & Electric Co., New England Power Co., Idaho Power Co., Minnesota Power & Light Co., Arkansas Power & Light Co., the Southern Co., the Washington Water Power Co., Alabama Public Service Commission, Wisconsin Michigan Power Co., Western Massachusetts Electric Co., Alabama Power Co., People of California and the Public Utilities Commission of State of California, General Public Utilities Corp. et al., the Washington Utilities & Transportation Commission; on Oct. 25, 1968, by Investment Bankers Association, the Georgia Public Service Commission; on Oct. 27, 1968, by Yadkin, Inc.; on Oct. 28, 1968, by Virginia Electric & Power Co.; on Oct. 29, 1968, by the Board of Railroad Commissioners of State of Montana; on Nov. 4, 1968, by Pacific Power & Light Co. (Letters and telegrams have been considered as applications for rehearing or modification.)

The number and length of the applications in this complicated matter make it necessary that the Commission have more time to read and consider them than the period of 30 days usual in considering rehearing applications. Solely for the purpose of allowing us an opportunity to give full and adequate consideration to the views of the applicants, we grant rehearing. No answering filings are required unless later order of the Commission shall so provide.

Order No. 370 provided that all licenses with project licenses due to expire by January 1, 1972, should report within 6 months their net investment in each project under such a license. Approximately 60 days of the 6-month period have already passed. In view of the additional time necessary to deal properly with the voluminous applications we think the 6-month period should be extended to 10 months from the date of Order No. 370.

The Commission finds: The amendment of Part 14 of the Commission regulations under the Federal Power Act set forth in Title 18 of the Code of Federal Regulations, prescribed herein, is necessary and appropriate for the administration of the Federal Power Act.

The Commission orders:

(A) The applications for rehearing or modification with respect to our Order No. 370 are hereby granted for the purpose of adequate consideration of the issues.

(B) Paragraph (a) of § 14.1 of Part 14 of Subchapter G, Chapter I of Title 18 of the Code of Federal Regulations shall be amended by substituting "10 months" for "6 months" in the first line thereof.

By the Commission,

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-14365; Filed, Dec. 2, 1968;
8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

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

[Reg. 4, further amended]

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

Subpart L—Family Relationships

"LIVING WITH" AND "LIVING IN SUCH INDIVIDUAL'S HOUSEHOLD"

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

Section 404.1113 is added to read as follows:

§ 404.1113 "Living with" and "living in such individual's household."

(a) *Defined.* "Living with" as used in sections 202(d) (3), 202(d) (4), 202(d) (8),

202(d) (9), and 216(h) (3) of the Act, as amended and "living in such individual's household" as used in section 216(e) of the Act mean the parent and child are sharing the same residence and that the parent is exercising or has the right to exercise parental control and authority over the child. As used in this section, the term "parent" includes a natural parent, legally adopting parent, stepparent, and the foster parent as to whom the child-claimant has the status of "child" under a theory of "equitable adoption."

(b) *Periodic or temporary separation.* A child and parent will be considered to be sharing the same residence during a periodic or temporary separation if the circumstances indicate that the child and parent have shared and again expect to share a common residence when conditions permit; for example, the parent, prior to his induction into the Armed Forces, shared a common residence with the child or with the child's mother if the child was born during the separation. However, a child is not considered to be "living with" his parent or "living in such individual's household" in situations where the parent does not have the right to exercise parental control and authority over the child; for example, if the child is in the Armed Forces or is committed to a correctional institution.

(Secs. 202, 205, 216, 1102, Social Security Act, as amended, 49 Stat. 623, as amended, 53 Stat. 1368, as amended, 64 Stat. 510, as amended, 49 Stat. 647, as amended; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 402, 405, 416, 1302)

Effective date. The foregoing regulations shall become effective upon publication in the FEDERAL REGISTER.

Dated: November 11, 1968.

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

Approved: November 27, 1968.

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

[F.R. Doc. 68-14430; Filed, Dec. 2, 1968;
8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Canned Pineapple, Canned Pineapple Juice, Identity Standards; Confirmation of Effective Date of Order Listing Dimethylpolysiloxane as Optional Defoaming Ingredient

In the matter of amending the definitions and standards of identity for canned pineapple (21 CFR 27.50) and canned pineapple juice (21 CFR 27.54) by listing dimethylpolysiloxane as an optional defoaming ingredient:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of August 24, 1968 (33 F.R. 12040). Accordingly, the amendments promulgated by that order became effective October 23, 1968.

Dated: November 25, 1968.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 68-14421; Filed, Dec. 2, 1968;
8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RESINOUS AND POLYMERIC COATINGS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9B2321) filed by E. I. du Pont de Nemours & Co., 1007 Market Street, Wilmington, Del. 19898, and other relevant material, concludes that the food additive regulations should be amended to provide for use of additional substances as set forth below as components of polyamide resins used in side seam cements. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2514(b)(3) (xxxii) is amended under "Polyamides * * *" by alphabetically inserting a new subitem under "Acids" and another under "Amines," as follows:

§ 121.2514 Resinous and polymeric coatings.

* * * * *

(b) * * * * *

(3) * * * * *

(xxxii) Side seam cements. * * * * *

Polyamides derived from the following acids and amines:

Acids:

Adipic.

* * * * *

Amines:

* * * * *

Hexamethylenediamine.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the

person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 25, 1968.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 68-14422; Filed, Dec. 2, 1968;
8:47 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter IV—Government National Mortgage Association, Department of Housing and Urban Development

In Subtitle B of Title 24 a new Chapter IV is added as follows:

Subchapter A—Introduction

Part
1600 General.

Subchapter B—Special Assistance Functions

1625 Description.
1630 Eligible sellers of mortgages.
1635 Purchase requirements.
1640 Servicing and sales of mortgages.

Subchapter C—Management and Liquidating Functions

1650 Description.
1655 Mortgage activities.
1660 Fiduciary activities.
1665 Guaranty of mortgage-backed securities [Reserved]

SUBCHAPTER A—INTRODUCTION

PART 1600—GENERAL

Sec.
1600.1 Scope of chapter.
1600.3 Description.
1600.5 Creation and status.
1600.7 Area of operations.
1600.9 Offices.
1600.11 Power of attorney.
1600.13 Exceptions.

AUTHORITY: The provisions of this Part 1600 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1600.1 Scope of chapter.

This chapter consists of general information and does not purport to set forth all of the procedures and requirements

that apply to the operations of the Association. Complete specific information as to any aspect of such operations may be obtained from the regional offices listed in § 1600.9.

§ 1600.3 Description.

The Government National Mortgage Association (hereafter in this chapter called the Association) purchases, services, and sells mortgages insured or guaranteed by the Federal Housing Administration (FHA) and the Veterans Administration (VA), furnishes fiduciary services to itself and other departments and agencies of the Government, and guarantees privately issued securities backed by trusts or pools of mortgages or loans which are insured or guaranteed by FHA and VA and certain loans insured by the Farmers Home Administration.

§ 1600.5 Creation and status.

The Association is a Government corporation in the Department of Housing and Urban Development. The origin of the Association is in the creation on February 10, 1938, under title III of the National Housing Act, of the National Mortgage Association of Washington. On April 11, 1938, its name was changed to Federal National Mortgage Association. Effective November 1, 1954, it was rechartered by the Congress as a mixed-ownership corporation. Effective September 1, 1968, it was partitioned by the Congress into two corporations, one of which is the Association. The operations of the Association are conducted under its statutory charter contained in title III of the National Housing Act, 12 U.S.C. 1716 et seq.

§ 1600.7 Area of operations.

The Association is authorized to conduct its business in any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

§ 1600.9 Offices.

The Association directs its operations from its office located at 451 Seventh Street SW., Washington, D.C. 20414. It has made provisions for the carrying on of such operations through the Federal National Mortgage Association (FNMA). The regional offices of FNMA are listed below:

Atlanta, Ga. 30303, 34 Peachtree Street NE.; Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.

Chicago, Ill. 60603, 1112 Commonwealth-Edison Building, 72 West Adams Street; Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.

Dallas, Tex. 75201, 411 North Akard Street; Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas.

Los Angeles, Calif. 90005, 3540 Wilshire Boulevard; Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.

Philadelphia, Pa. 19107, 211 South Broad Street; Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island,

Vermont, Virgin Islands, Virginia, West Virginia.

§ 1600.11 Power of attorney.

(a) The Association does hereby make, constitute, and appoint each of the persons named in paragraph (c) of this section its true and lawful attorney-in-fact, for the Association and in its name and stead:

(1) To purchase or contract to purchase any note, bond, or other evidence of indebtedness and any accompanying real estate mortgage, deed to trust, security deed, chattel mortgage, or collateral or security of whatsoever kind or nature, to modify or consent to the modification of any such contract, and to act or authorize action to enforce any such contract;

(2) To endorse, assign, sell, exchange, amend, modify, extend, release, cancel, or renew any note, bond, check, or other evidence of indebtedness now or hereafter held by the Association, and to release from liability any maker, obligor, or guarantor on any such note, bond, check, or other evidence of indebtedness;

(3) To satisfy, discharge, release, amend, assign, modify, extend, renew, subordinate, foreclose, or liquidate in any legal manner, in whole or in part, any chattel mortgage, real estate mortgage, deed of trust, security deed, or collateral or security of whatsoever kind or nature, securing any note, bond, check, or other evidence of indebtedness now or hereafter held by the Association, and to exercise any right or authority which the Association has or may have pursuant to the terms of any such security instrument or evidence of indebtedness, including any power of appointment contained therein;

(4) To assign, convey, sell, lease, or sublease and to contract for the assignment, conveyance, sale, lease, or sublease of any real estate, chattel, security, or property of any sort or nature, or any interest therein, now held or hereafter acquired by the Association;

(5) To discharge, satisfy, release, waive, enforce, compromise, subordinate, or assign, in whole or in part, any judgment now or hereafter entered in favor of, or assigned to, the Association;

(6) To assign, surrender, release, or modify, or consent to the assignment, surrender, release, or modification of, any policy of insurance, or any right arising therefrom, of which the Association now is or hereafter shall become the assignee, beneficiary, or the insured, or in which the Association now has or hereafter may have any interest of any kind or nature; and to execute proof of loss, proof of death, statement of claimant, and any other instrument in connection with any such policy of insurance and any right arising therefrom;

(7) To execute, acknowledge, deliver, file for record, and record any such instrument, and to perform such other act or acts as may be necessary and proper to effectuate the foregoing; and

(8) To designate and appoint in behalf of the Association such other attorneys-in-fact for the Association as he may deem appropriate for the purpose

of releasing or satisfying of record any specific mortgage, deed of trust, security deed, or other security instrument now or hereafter held by the Association.

(b) The Association does further grant unto each of such attorneys-in-fact, and any other attorney-in-fact designated and appointed pursuant to this section, full power and authority to do and perform all and every act and thing requisite, necessary, and proper to carry into effect the power or powers granted by or under this section as fully, to all intents and purposes, as the Association might or could do, and hereby does ratify and confirm all that each of such attorneys-in-fact, and any other attorney-in-fact designated and appointed pursuant to this section, shall lawfully do or cause to be done by virtue of the power or powers granted by or under this section.

(c) The persons appointed attorneys-in-fact by paragraph (a) of this section are:

(1) The Federal National Mortgage Association, a U.S. corporation.

(2) Allan E. Arneson, of Los Angeles, Calif.

(3) Harry L. Bickford, of Philadelphia, Pa.

(4) Howard S. Carnes, of Atlanta, Ga.

(5) W. D. Cornwell, of Atlanta, Ga.

(6) J. L. Dacus, of Atlanta, Ga.

(7) Lawrence V. Daniels, of Los Angeles, Calif.

(8) K. A. Duncan, of Atlanta, Ga.

(9) Joseph J. Dunne, of Chicago, Ill.

(10) B. B. Fincher, of Dallas, Tex.

(11) Ralph J. Grutsch, of Chicago, Ill.

(12) Helmer G. Hanson, of Chicago, Ill.

(13) Charles W. Harvey, Jr., of Los Angeles, Calif.

(14) E. V. Hopkins, of Washington, D.C.

(15) William F. W. Jones, of Philadelphia, Pa.

(16) Kevin E. Keegan, of Philadelphia, Pa.

(17) Hughes A. King, of Dallas, Tex.

(18) Philip J. Lynch, of Philadelphia, Pa.

(19) Hugh J. McConville, of Dallas, Tex.

(20) Albert D. Oltman, of Los Angeles, Calif.

(21) Frank W. Pence, of Washington, D.C.

(22) Harry Rode, of Dallas, Tex.

(23) Edward N. Sambol, of Chicago, Ill.

§ 1600.13 Exceptions.

In the conduct of its affairs, in individual cases or classes of cases, the Association reserves the right, consistent with law, without prior notice and at any time, to alter or waive any of the requirements contained in this chapter or elsewhere or to impose other and additional requirements; it further reserves the right, without prior notice and at any time, to amend or rescind any or all of the material set forth herein.

SUBCHAPTER B—SPECIAL ASSISTANCE FUNCTIONS

PART 1625—DESCRIPTION

Sec.	
1625.1	Authority.
1625.3	Mortgages eligible for purchase.
1625.5	Fees or charges.
1625.7	Below-market interest rate mortgages.
1625.9	Financing of special assistance functions.

AUTHORITY: The provisions of this Part 1625 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1625.1 Authority.

The Special Assistance Functions of the Association are authorized by section 305 of the National Housing Act, to provide financing for selected types of mortgages that qualify under special housing programs. The Association also provides assistance, from time to time, through the purchase of home mortgages generally as a means of retarding or stopping a decline in mortgage lending and home building activities which threatens materially the stability of a high level National economy.

§ 1625.3 Mortgages eligible for purchase.

Operations under the Special Assistance Functions are confined, so far as is practicable, to mortgages which are deemed by the Association to be of such quality as to meet, substantially and generally, the purchase standards imposed by private institutional mortgage investors, but which, at the time the mortgages are offered for purchase, are not necessarily readily acceptable to such investors. When and as authorized by the President of the United States, or by the Congress, the Association announces the inauguration of Special Assistance Programs, specifying the types of mortgages that will be purchased, the prices to be paid therefor, and any special acceptability requirements relating to such Programs.

§ 1625.5 Fees or charges.

Fees or charges for the Association's services under the Special Assistance Functions are established with the objective that all related costs and expenses will be within the income of the Association derived from the operations and that such operations will be fully self-supporting. In connection with all purchases of mortgages, unless otherwise specified as to a particular Special Assistance Program, the Seller is required to pay a Purchase and Marketing fee. For the issuance of commitments to purchase mortgages in the future, a Commitment fee is also charged.

§ 1625.7 Below-market interest rate mortgages.

The Association is expressly authorized to purchase below-market interest rate mortgages insured under sections 221 (d) (3) and 221 (h) of the National Housing Act. As to these mortgages, the Association's operations are not required to be self-supporting.

§ 1625.9 Financing of special assistance functions.

Funds required for operations of the Special Assistance Functions are obtained primarily by borrowings from the Secretary of the Treasury. Additional sources of funds are portfolio liquidations, sales of certificates of beneficial interests or participations in mortgages, and net earnings. All of the benefits and burdens incident to the administration of the Special Assistance Functions inure solely to the Secretary of the Treasury.

PART 1630—ELIGIBLE SELLERS OF MORTGAGES

Sec.	
1630.1	General.
1630.3	Servicing facilities.
1630.5	VA-guaranteed mortgages.
1630.7	FHA-insured mortgages.
1630.9	Governmental instrumentalities.
1630.11	Termination.

AUTHORITY: The provisions of this Part 1630 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1630.1 General.

Designation of an eligible Seller to sell mortgages to the Association under its Special Assistance Functions is consummated by the execution of a Selling Agreement.

§ 1630.3 Servicing facilities.

The Selling Agreement requires the Seller, with respect to each home mortgage offered or submitted for purchase, either (a) to be qualified as a Servicer by the execution of a Servicing Agreement and agree to service the mortgage or (b) to proffer facilities satisfactory to the Association for servicing the mortgage. Sellers are not required to furnish servicing facilities in connection with the purchases by the Association of multifamily mortgages.

§ 1630.5 VA-guaranteed mortgages.

In order to be eligible to sell a VA-guaranteed mortgage to the Association, a seller must be acceptable to the Association and also must come within one of the following three classifications:

(a) Any lender that is classified by VA as a supervised lender under Chapter 37 of title 38, United States Code, including any National bank, State bank, private bank, building and loan association, insurance company, credit union, or mortgage and loan company, that is subject to examination and supervision by an agency of the United States or of any State, including the District of Columbia;

(b) Any lender that is an FHA-approved mortgagee, as defined in § 1630.7; or

(c) Any other lender, if such lender has a net worth of not less than \$100,000 in assets acceptable to the Association.

§ 1630.7 FHA-insured mortgages.

In order to be eligible to sell an FHA-insured mortgage to the Association, a Seller must be acceptable to the Association and must be an FHA-approved

mortgagee, which term does not include a mortgagee that has been approved on the basis of being a duly authorized loan correspondent of an approved mortgagee qualified with FHA to originate loans under the National Housing Act.

§ 1630.9 Governmental instrumentality.

Except with respect to mortgages insured under sections 221(d)(3) or 221(h) of the National Housing Act, a State, territorial, or municipal instrumentality cannot become an approved Seller.

§ 1630.11 Termination.

The Association may, upon notice as stipulated in the Selling Agreement, terminate the Agreement in whole or in part in accordance with the terms therein provided.

PART 1635—PURCHASE REQUIREMENTS

- Sec. 1635.1 Scope of part.
- 1635.3 General requirements.
- 1635.5 Ownership.
- 1635.7 Original mortgagee.
- 1635.9 Mortgage interest rate.
- 1635.11 Offering periods.
- 1635.13 Maximum purchase price.
- 1635.15 Maximum mortgage amount.
- 1635.17 Advances by seller.
- 1635.19 Credit.
- 1635.21 Property.
- 1635.23 Occupancy.
- 1635.25 Mortgage lien.
- 1635.27 Title evidence.
- 1635.29 Hazard insurance.
- 1635.31 Eligibility of VA mortgages.

AUTHORITY: The provisions of this Part 1635 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1635.1 Scope of part.

This part describes the general requirements and procedures governing the purchase by the Association of mortgages under the Special Assistance Functions. Other requirements and procedures are set forth in greater detail in the Sellers' Guide of the Association.

§ 1635.3 General requirements.

As a condition precedent to the offering of mortgages to the Association for purchase, the Seller and the Association must have executed a Selling Agreement pursuant to Part 1630 of this chapter. Any mortgage offered or submitted to the Association must meet the conditions contained in such Agreement. Each mortgage must meet all the requirements of the law, rules, and regulations that are applicable, and must also conform to any special acceptability requirements prescribed by the Association and to the pertinent requirements of this part.

§ 1635.5 Ownership.

On the date of the Seller's offer to enter into an immediate purchase contract with the Association, the Seller must be the owner of the mortgage.

§ 1635.7 Original mortgagee.

The Seller must be the original mortgagee, and must not have made any prior sale of the mortgage offered to the Association.

§ 1635.9 Mortgage interest rate.

Except for those below market interest rate mortgages insured under sections 221(d)(3) and 221(h), each mortgage must bear interest at the highest rate permitted by FHA or VA Regulations for that type of mortgage at the time of issuance of the FHA insurance commitment or the VA Certificate of Reasonable Value.

§ 1635.11 Offering periods.

(a) *Immediate purchase contract.* Mortgages may not be offered to the Association for immediate purchase prior to the date of the related FHA insurance commitment or VA Certificate of Reasonable Value, nor prior to the date of final disbursement of the loan proceeds; nor may they be offered later than 4 months after the date of the insurance or guaranty thereof.

(b) *Commitment contract.* An offer of a commitment contract may not be delivered to the Association prior to the issuance of the FHA insurance commitment or the VA Certificate of Reasonable Value. Subject to specific contractual treatment otherwise, an offer of a commitment contract covering a multifamily housing mortgage may not be delivered to the Association subsequent to the commencement of construction or rehabilitation.

§ 1635.13 Maximum purchase price.

The Association may not purchase any mortgage at a price in excess of par.

§ 1635.15 Maximum mortgage amount.

In general, the original principal obligation of mortgages purchased under the Special Assistance Functions must not exceed \$17,500 for each dwelling unit, or \$20,000 for each dwelling unit having four or more bedrooms. These limitations do not apply to mortgages covering property located in Alaska, Guam, or Hawaii; to mortgages insured under section 220 or title VIII of the National Housing Act; to mortgages insured under section 213 of such Act and covering property located in urban renewal areas; to mortgages insured under title X of such Act with respect to new communities approved under section 1004 thereof; or, in certain circumstances of local tax abatement, to below-market interest rate mortgages insured under section 221(d)(3) of such Act.

§ 1635.17 Advances by seller.

On the date of submission to the Association, each mortgage must be current with respect to matured installments of principal, interest, and deposits. The Seller, within the immediately preceding 3 months must not have advanced funds, nor have induced or solicited any advances of funds by another, directly or indirectly, for the payment of any amount required by the note or mortgage, except for interest accruing from the date of the note or the date of disbursement of the loan proceeds, whichever is later, to the day which precedes by 1 month the due date of the first full installment of principal and interest.

§ 1635.19 Credit.

With respect to each mortgage, there should not be any circumstances of, or conditions affecting, the mortgagor, the present owner, or the affairs of either, that would cause the mortgage to become delinquent.

§ 1635.21 Property.

With respect to each mortgage, there should not be any circumstances of, or conditions affecting, the mortgaged premises that would adversely affect the value or marketability of the mortgage or that would cause private investors to regard the mortgage as unacceptable for prudent investment.

§ 1635.23 Occupancy.

Subject to specific contractual treatment otherwise, the property securing a home mortgage must be occupied at the time the mortgage is submitted to the Association for purchase. The property securing a multifamily housing mortgage must, at the time the mortgage is submitted to the Association for purchase, be occupied to the extent that the income therefrom will cover all property expenses, carrying charges, and payments required by the mortgage.

§ 1635.25 Mortgage lien.

Except in the case of certain FHA-insured home improvement loans, each mortgage must be a first and paramount lien on the security of real property, and on the related personal property if any is required to secure the loan, subject only to liens for taxes not due and payable, acceptable special assessments not in arrears, and conditions, restrictions, and encumbrances deemed by the Association not to be material.

§ 1635.27 Title evidence.

With respect to each mortgage, the title evidence to be delivered by the Seller must meet requirements prescribed by law or the applicable FHA or VA Regulations, and must be in such form and substance as to meet the Association's title evidence requirements.

§ 1635.29 Hazard insurance.

Property securing each mortgage must be covered by kinds and amounts of hazard insurance that meet all of the hazard insurance requirements of the Association.

§ 1635.31 Eligibility of VA mortgages.

To be eligible for purchase by the Association, a VA-guaranteed mortgage must in all cases meet current requirements set forth in the Sellers Guide.

PART 1640—SERVICING AND SALES OF MORTGAGES

- Sec. 1640.1 Servicing requirements.
- 1640.3 Servicers' compensation.
- 1640.5 Sales.

AUTHORITY: The provisions of this Part 1640 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1640.1 Servicing requirements.

A seller may not service mortgages of the Association unless it has qualified as an eligible Servicer and has executed a Servicing Agreement. The Servicer must establish that it has an office with servicing facilities satisfactory to the Association located within approximately 100 miles of the mortgaged property. When the mortgage is submitted for purchase, the Servicer (whether the Seller, or another Servicer that the Seller has previously ascertained is satisfactory to the Association) must have consented to service the mortgage, and must have executed documentary evidence of such consent. This requirement does not apply to multifamily housing mortgages.

§ 1640.3 Servicers' compensation.

The compensation of Servicers is at a contractual rate or rates, as agreed to by the Association and the Servicers.

§ 1640.5 Sales.

Mortgages owned by the Association are available for sale to qualified investors. Information concerning possible sales can be obtained from the regional offices listed in § 1600.9 of this chapter.

SUBCHAPTER C—MANAGEMENT AND
LIQUIDATING FUNCTIONS

PART 1650—DESCRIPTION

Sec.
1650.1 General.
1650.3 Financing.

AUTHORITY: The provisions of this Part 1650 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1650.1 General.

Section 306 of the National Housing Act authorizes the Association to manage and liquidate a portfolio of mortgages acquired prior to, and pursuant to contracts entered into prior to, November 1, 1954, and certain other mortgages, loans, and other obligations acquired and to be acquired subsequently from other Government agencies, in an orderly manner, with a minimum of adverse effect upon the home mortgage market and minimum loss to the Federal Government. Under the Management and Liquidating Functions, the Association also provides fiduciary services to itself and other Departments and agencies of the Federal Government, and guarantees securities issued by private institutions against pools of Federally underwritten mortgages and loans.

§ 1650.3 Financing.

Funds required for the Management and Liquidating Functions are obtained principally through borrowings from the Secretary of the Treasury. Additional sources of funds are liquidations of the portfolio, sales of certificates of beneficial interests or participations in mortgages, net earnings, and appropriations. The Association is also expressly authorized to sell its obligations to private investors. The aggregate amount of such obligations issued to private investors, the proceeds of which are paid to the Secretary of the Treasury in reduction of the Association's related indebtedness,

may not exceed the Association's ownership under such functions, free from any liens or encumbrances, of cash, mortgages, and other approved securities. Such obligations are not guaranteed by the United States and do not constitute a debt or obligation of the United States. All of the benefits and burdens incident to the Management and Liquidating Functions inure solely to the Secretary of the Treasury.

PART 1655—MORTGAGE ACTIVITIES

Sec.
1655.1 Original portfolio.
1655.3 Purchases.
1655.5 Servicing.
1655.7 Sales.

AUTHORITY: The provisions of this Part 1655 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1655.1 Original portfolio.

The Management and Liquidating Functions began on November 1, 1954, with the portfolio of mortgages and outstanding contracts owned by the Federal National Mortgage Association as of October 31, 1954.

§ 1655.3 Purchases.

The Association purchases obligations offered to it by the Secretary of Housing and Urban Development and mortgages of residential property offered to it by any Federal instrumentality.

§ 1655.5 Servicing.

Home mortgages owned by the Association under the Management and Liquidating Functions are serviced as described in Part 1640 of this chapter.

§ 1655.7 Sales.

Sales of mortgages owned under the Management and Liquidating Functions are consummated as described in Part 1640 of this chapter.

PART 1660—FIDUCIARY ACTIVITIES

Sec.
1660.1 General.
1660.3 Appropriations.

AUTHORITY: The provisions of this Part 1660 issued under sec. 309, National Housing Act; 12 U.S.C. 1723a.

§ 1660.1 General.

The Association is authorized by section 302(c) of the National Housing Act to create, accept, execute, and administer trusts and other fiduciary undertakings appropriate for financing purposes. In relation thereto, it is authorized to acquire and otherwise deal in any mortgages or other types of obligations in which any department or agency of the United States listed in section 302(c)(2) of such Act may have a financial interest. Under its fiduciary powers, accounted for under the Management and Liquidating Functions, the Association creates, accepts, and administers trusts consisting of interests in mortgages and obligations, sells to private investors certificates of beneficial interest, or participations, in the mortgages or obligations or in the interest and principal pay-

ments derived therefrom, and provides for payment of interest and principal and for retirement of the participations. The Association under the Management and Liquidating Functions, in its ordinary corporate capacity as contrasted to its fiduciary capacity, is expressly authorized to guarantee the participations.

§ 1660.3 Appropriations.

There is authority for Congress to appropriate such sums as may be necessary to enable the trustor of any trust (as described in § 1660.1) to pay to the Association, as trustee, any insufficiency in aggregate receipts from the obligations subject to the trust to provide for the timely payment by the trustee of all interest or principal on the beneficial interests or participations related to such trust.

PART 1665—GUARANTY OF MORTGAGE-BACKED SECURITIES (RESERVED)

Issued at Washington, D.C., November 27, 1968.

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

[P.R. Doc. 68-14438; Filed, Dec. 2, 1968; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER A—ADMINISTRATION

PART 807—ISSUING AIR FORCE PUBLICATIONS AND FORMS OUTSIDE THE AIR FORCE

Part 807 is revised as follows:

Sec.
807.1 Issuing publications and forms to private citizens, private organizations, and commercial activities.
807.2 Issuing publications and forms to other Federal Government agencies and to State, local, and foreign governments.

AUTHORITY: The provisions of this Part 807 issued under sec. 8012, 70A Stat. 488, 10 U.S.C. 8012.

SOURCE: Change 2, March 20, 1968 and Change 3, July 12, 1968 to Chapter 7 of AFM 7-1, July 10, 1967.

§ 807.1 Issuing publications and forms to private citizens, private organizations, and commercial activities.

(a) Classified publications, accountable forms, and forms requiring storage safeguards, will not be released to private citizens, private organizations, or commercial activities except as stated in the table shown in § 807.2, Part 806, Subchapter A, and Part 813, Subchapter B, of this chapter.

(b) Publications marked "For Official Use Only" will be released to private citizens, private organizations, or commercial activities only under the conditions set forth in Part 806, Subchapter A, of this chapter.

(c) Publications and forms other than those specified in paragraphs (a) and (b) of this section will be issued on request to private citizens and organizations of any country, but only under the conditions cited in Parts 806 and 813 of this chapter and AFR 11-25 (Communications with Service to the Public).

(d) Publications and forms will be issued free to commercial activities only under the conditions set forth in § 807.2. Otherwise, Parts 806 and 813 of this chapter apply.

(e) Obsolete unclassified OJT Package Programs may be offered free in any quantity to local nonprofit organizations such as Boy Scout troops, boys' clubs, YMCAs, YWCAs.

§ 807.2 Issuing publications and forms to other Federal Government agencies and to State, local and foreign Governments.

(a) Other Federal agencies and State and local Governments (see table below).

(b) Foreign governments.

(1) *Under the Military Assistance Program.* See AFM 400-3 (Military Assistance Sales) and AFR 5-16 (Issuing Air Force Publications Under Grant Aid Provisions of the Military Assistance Program).

(2) *Classified publications.* See AFR 200-9 (Disclosure of Classified Military Information to Foreign Government and International Organizations (Confidential)).

Sec.

- 825a.34 Responsibility.
- 825a.35 Advertising and publicity.
- 825a.36 Transportation charges.
- 825a.37 Temporary custody of gift items.

Subpart F—Sample Proffer of Gift

- 825a.38 Sample proffer of gift by corporation.
- 825a.39 Sample proffer of gift by individual.
- 825a.40 Sample proffer of gift to the Air Force Academy in certain special cases.

AUTHORITY: The provisions of this Part 825a issued under sec. 8012, 70A Stat. 488, secs. 2601-2603, 70A Stat. 144-145, 76 Stat. 244; 10 U.S.C. 8012, 2601-2603.

SOURCE: AFR 11-26, Sept. 12, 1968.

Subpart A—General

§ 825a.1 Purpose.

This part prescribes policies and procedures for receiving, accepting, and administering both conditional and unconditional gifts proffered to the Department of the Air Force. It applies to gifts to individual members of the Department of the Air Force. It does not apply to gifts to religious funds, or gifts to nonappropriated welfare and sundry funds. It does not authorize the solicitation of gifts by Air Force Personnel.

§ 825a.2 Definitions.

(a) *Gift.* Whenever the word "gift" is used it shall be construed to include a contribution, donation, bequest, or devise.

(b) *Gift to the Department of the Air Force.* A gift to the Department of the Air Force may be a gift proffered to the United States, or to the Secretary of the Air Force acting on behalf of the United States.

(c) *Items of nominal value.* Items of an approximate value of \$250.

(d) *Tangible personal property.* For purposes of this part, tangible personal property is divided into three categories:

(1) *Items of historic significance.* Historical property items having value because of their association with the history of the U.S. Air Force.

(2) *Items of artistic significance.* Paintings, prints, sculptures, and other objects of an artistic nature.

(3) *Items for current use.* All other items of tangible personal property including items which, upon acceptance, will be used by or for the benefit of some command, organization, or institution under the jurisdiction of the Department of the Air Force.

(e) *Intangible personal property.* Money, checks, money orders, drafts, bonds, shares of stock, and similar documents with a present or future benefit or value.

(f) *Unconditional gift.* A gift of tangible or intangible personal property proffered with no limitations upon its ownership, use, expenditure, or disposition.

(g) *Conditional gift of money or other intangible personal property.* A gift of money or other intangible personal property is conditional if proffered with certain specified limitations upon its ownership, use, expenditure, or disposition.

(h) *Conditional gift of real property or tangible personal property.* A gift of

ISSUANCE OF PUBLICATIONS AND FORMS FREE OUTSIDE THE AIR FORCE

When AF Publication or form requested	And issue is—	Then it is available—	And may be obtained from—
Concerns invitation for bid.	-----	For review by prospective bidders.	The Air Force procurement authority concerned.
Is needed in connection with contract performance.	One-time issue to contractor.	For use by contractors.	The Air Force or Defense Supply Agency (DSA) official responsible for administering the contract.
	Followup or recurring issue to contractor of Federal Supply Catalog handbooks and manual chapters.	When guaranteed by contract (otherwise contractor must purchase from Superintendent of Documents, GPO).	
Is desired in small quantities. (see Note).	Followup or recurring issue to contractor of Air Force publication or form.	When the AF contract administering official determines issue to be necessary to contract performance.	
	One-time issue to another Federal, State, or local Government agency except Army and Navy.	Subject only to security regulations.	PDO or other issuing activity.

NOTE: Refer recurring requests and requests for large quantities to the procuring headquarters for determination of whether reimbursement is required.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, JR.,
Colonel, U.S. Air Force, Chief, Special Activities Group,
Office of The Judge Advocate General.

[F.R. Doc. 68-14391; Filed, Dec. 2, 1968; 8:45 a.m.]

SUBCHAPTER C—PUBLIC RELATIONS

PART 825a—GIFTS OF THE DEPARTMENT OF THE AIR FORCE

Subchapter C of Chapter VII of Title 32 of the Code of Federal Regulations is revised as follows:

Subpart A—General

- Sec. 825a.1 Purpose.
- 825a.2 Definitions.
- 825a.3 Policy.
- 825a.4 Authority to accept or reject gifts.
- 825a.5 Determination of nature of a proffer of a gift.
- 825a.6 Informal acceptances.
- 825a.7 Expenses prior to acceptance.
- 825a.8 Custodial responsibility.
- 825a.9 Correspondence files.
- 825a.10 Copyrighted or patented items.
- 825a.11 Gifts from foreign governments.
- 825a.12 Gifts of real property.
- 825a.13 Advice to donors concerning tax benefits.

Subpart B—Unconditional Gifts

- 825a.14 Acceptance of gifts.
- 825a.15 Rejection of gifts.
- 825a.16 Procedures for receiving and transmitting proffers of gifts.

Sec.

825a.17 Accounting and/or disposition of unconditional gifts.

Subpart C—Conditional Gifts

- 825a.18 Statutory authority.
- 825a.19 Form of instruments proffering gifts.
- 825a.20 Acceptance of gifts.
- 825a.21 Form of instruments accepting gifts.
- 825a.22 Rejection of gifts.
- 825a.23 Procedures for receipt and transmittal of proffers of gifts.
- 825a.24 Accounting for gift property accepted pursuant to 10 U.S.C. 2601.
- 825a.25 Sale of gift property.

Subpart D—Conditional Gifts Not Acceptable Under 10 U.S.C. 2601

- 825a.26 Statutory authority.
- 825a.27 General provisions of act of July 27, 1954.
- 825a.28 Limitation on scope of act.
- 825a.29 Procedures for accepting gifts other than 10 U.S.C. 2601.
- 825a.30 Doubtful cases.
- 825a.31 Advice of disposition.

Subpart E—Gifts for Distribution to Individuals

- 825a.32 Scope of subpart.
- 825a.33 Acceptable gifts.

real property or tangible personal property is conditional if proffered on condition that it be used or disposed of in fewer than all of the manner or purposes and the places in which it may be used; or if proffered on condition that it be used by specific departments or agencies which are fewer than all of the departments or agencies which normally use such property.

§ 825a.3 Policy.

The following policies will be considered in determining acceptance or rejection of a gift:

(a) Whenever possible a gift of tangible personal property of nominal value should be unconditional: *Provided*, That the costs of accepting and maintaining the item will be negligible. To this end, responsible persons will, when the opportunity arises, tactfully suggest that the donor make an unconditional proffer of the item if the nominal nature of the gift and the costs of acceptance and maintenance are reasonably apparent.

(b) Whenever possible, a gift of tangible personal property of more than nominal value, or a gift of personal property of nominal value the acceptance and maintenance of which entail more than negligible costs, should be conditionally accepted under provisions of 10 U.S.C. 2601, and processed according to Subpart C of this part. To this end, responsible persons will, when the opportunity arises, tactfully suggest that the donor consider 10 U.S.C. 2601 in determining the conditions of his proffer whenever the property involved is of more than nominal value, or of only nominal value but with more than negligible costs of acceptance and maintenance.

(c) Whenever possible, a gift of money, or other intangible personal property, should be conditional, accepted under 10 U.S.C. 2601, and processed according to Subpart C of this part.

(d) No arrangements will be made which entail the granting of special privileges or concessions to the donor.

(e) If the donor is a defense contractor, subcontractor, the donor must state that the costs of the gift will not be charged directly or indirectly as an element of cost or price in any Government contract.

(f) A useful gift of small value to a military member of the Air Force, which contributes to his welfare, health, convenience, and morale, is deemed to be a gift to an individual and not a gift to the Department of the Air Force. The Air Force may receive such a gift for distribution to military members according to Subpart E of this part.

(g) Necessity for prompt action: In the handling of a proffer of a gift, the utmost effort will be made to process the proffer in the most expeditious manner consistent with good administration.

§ 825a.4 Authority to accept or reject gifts.

The authority to accept or reject a gift proffered to the Department of the Air Force is vested in the Secretary of the Air Force, the commanders of major commands, the Superintendent of the

Air Force Academy, the Director of the Air Force Museum, and commanders of USAF medical facilities. This authority depends upon the value and kind of property proffered as follows:

(a) *Gifts requiring secretarial acceptance or rejection.* Any gift of real property, of personal property of more than \$250 value, or of personal property of less than \$250 value but requiring more than negligible expenditures for its acceptance and maintenance, must be accepted or rejected by, or by direction of, the Secretary of the Air Force subject to the policies, procedures and restrictions of this part.

(b) *Gifts which may be accepted or rejected below secretarial level.* A gift of personal property of \$250 or less which does not require more than a negligible expenditure for its acceptance and maintenance may be accepted or rejected by commanders of major commands, the Superintendent of the Air Force Academy, the Director of the Air Force Museum, and commanders of USAF medical facilities subject to the policies, procedures, and restrictions in this part.

§ 825a.5 Determination of nature of a proffer of a gift.

(a) An administrative determination must be made initially as to whether a gift has been proffered conditionally or unconditionally, because procedures for the acceptance of conditional or unconditional gifts and property accounting therefor are not identical.

(b) If there is any doubt as to whether the proffer is conditional or unconditional it shall be processed as a conditional proffer (see Subpart C of this part).

(c) The determination made according to paragraph (a) this section will control the manner in which the proffer or gift will be processed, that is, whether Subpart B, C, or D of this part will be followed.

§ 825a.6 Informal acceptances.

(a) Informal oral acceptance of a gift will not be made by a person unauthorized to accept a gift. When a conditional or unconditional proffer of a gift is made to a person not authorized to accept or reject the gift, the person will not informally accept the gift for the person authorized to do so. He may, however, transmit the proffer of the gift to the person authorized to accept the gift.

(b) When a proffer of a gift is made directly to a person who is authorized to accept the gift, the person may orally accept the gift. Whenever a gift is orally accepted by an authorized person, he will send a letter of acknowledgment to the donor confirming the oral acceptance.

§ 825a.7 Expenses prior to acceptance.

A prospective donor will be informed by the person authorized to receive the gift that the Air Force cannot assume responsibility for defraying any expenses incurred before the proffered gift is accepted and while still in the possession of the donor or of the Air Force under a temporary custody arrangement.

§ 825a.8 Custodial responsibility.

Except in unusual circumstances the Air Force will not accept custody of a gift between the time it is proffered and the time it is accepted. If custody is assumed by the Air Force, the donor will be informed that the Air Force cannot assume responsibility for any loss of or damage to the gift before the gift is accepted by an authorized person.

§ 825a.9 Correspondence files.

The command which receives final custody of gift property for either use, storage or display will retain, or receive for permanent retention in command records, the original letter or other instrument proffering the gift and a copy of the instrument accepting the gift.

§ 825a.10 Copyrighted or patented items.

(a) A gift of a copyrighted or patented item will be treated in the same manner as a gift of an item which is not protected by such rights or an item which, though once protected, is presently in the public domain.

(b) Whenever a copyrighted or patented gift might be used for governmental purposes within the scope of the copyright or patent, the Air Force's acceptance of the gift pursuant to §§ 825a.14 and 825a.20 must be conditioned on the grant of a royalty-free license under the copyright or patent.

(c) There is no objection to a copyright or patent owner making a gratuitous grant to the United States of an assignment of the copyright or patent covering the gift item.

§ 825a.11 Gifts from foreign governments.

(a) Gifts from foreign governments to the Department of the Air Force do not require congressional approval (see AFM 900-3 concerning decorations and awards from foreign governments).

(b) The Secretary of the Air Force has not delegated his authority to accept or reject gifts from foreign governments to the Department of the Air Force.

(c) Proffers of gifts to the United States from foreign governments under the Act of July 27, 1954 (Ch. 582, 68 Stat. 566, 50 U.S.C. 1151-1156) will be processed according to Subpart D of this part.

§ 825a.12 Gifts of real property.

(a) Several statutory provisions authorize the Secretary of the Air Force to accept gifts of land and interests therein for particular purposes (see 10 U.S.C. 9771; 10 U.S.C. 9773; 10 U.S.C. 2601).

(b) Gifts of land to the Department of the Air Force most often result from negotiations between the Air Force and states, municipalities, and other prospective donors. Generally, such gifts are for expansion of existing air bases or for construction of new base facilities. The authority of the Air Force to accept or reject such gifts is usually found in one of the several statutes on this subject.

(c) Whenever any person in the Department of the Air Force receives a proffer of a gift of land, he will forward

the proffer letter, through channels, to Hq USAF (AFOCE), for determination of recommended action to be taken by the Secretary.

(d) The letter of transmittal required by paragraph (c) of this section will contain the same information required to be submitted in the case of a conditional gift of land § 825a.23(b)(3).

§ 825a.13 Advice to donors concerning tax benefits.

(a) Air Force personnel will not give prospective donors specific advice on tax deductions for gifts to the Department of the Air Force. They may, however, invite attention to 10 U.S.C. 2601.

(b) In all cases, Air Force personnel will encourage prospective donors to consult civilian experts for specific advice concerning tax matters.

(c) Air Force personnel will not place any valuation on proffered gifts which prospective donors might use in tax returns.

(d) The date of proffer of a gift will not be back dated nor will a proffered gift be accepted on any condition that the date of proffer be back dated for the purpose of the donor's tax matters.

Subpart B—Unconditional Gifts

§ 825a.14 Acceptance of gifts.

In accepting unconditional gifts the following rules will be strictly observed:

(a) All unconditional proffers of gifts requiring Secretarial acceptance or rejection (see § 825a.4) will be forwarded to Hq USAF for acceptance or rejection by, or by direction of, the Secretary of the Air Force.

(b) All unconditional proffers of gifts of personal property of only nominal value may be accepted on behalf of the Secretary of the Air Force by officers below Secretarial level as designated in § 825a.4 under the following conditions:

(1) The person authorized to accept determines that the costs which will result from the acceptance and maintenance of the proffered gift will be negligible.

(2) When there is doubt whether the proffered item is of only nominal value or whether the cost resulting from acceptance and maintenance of the proffered gift will be negligible, the person receiving the proffer will process the proffer as though the gift were an item of more than nominal value.

(c) In every case in which there has not been an oral acceptance, the acceptance of an unconditional gift will be in writing. An oral acceptance will be confirmed in writing as prescribed by § 825a.6(b). The person authorized to accept the gift will:

(1) By means of an appropriate letter to the donor, accept, on behalf of the United States, the proffered gift.

(2) Inform the donor where to deliver the gift or where to send it.

(3) Instruct the appropriate commander as to the disposition to be made of the item if it was delivered to a subordinate command of the Air Force for custody pending acceptance.

NOTE: To be unconditional, a gift must not contain any restrictions or limitations upon the ownership, use, expenditures, or disposition of the money or property. However, a gift may be unconditional despite the expression in the proffer of a limitation upon its use if the limitation merely requires that the gift be used in the place, manner or purpose for which its normal use is limited by reason of its physical nature.

§ 825a.15 Rejection of gifts.

(a) The determination to reject an unconditional gift shall be made personally by the person authorized to reject such gifts.

(b) No gift will be rejected unless it is determined that acceptance will not be in the best interest of the Air Force.

(c) Gifts may be rejected under the following circumstances:

(1) Acceptance involves the expenditure or use of funds in excess of amounts appropriated by Congress.

(2) The proffered item is unwarrentedly dangerous.

(3) The proffered item is in bad taste.

(4) Acceptance of the gift would raise a serious question of impropriety in light of the donor's present or prospective business relationships with the Department of the Air Force (see AFR 30-30).

(5) The cost of acceptance and maintenance is disproportionate to any benefit.

(6) Any other circumstance covered by this part.

(d) In every case in which an unconditional, written proffer of a gift has been received or in which a gift item has been physically received, rejection of the gift will be in writing, signed personally by the person authorized to reject the gift. The person authorized to reject the gift will acknowledge receipt of the proffer or gift item and state reasons why the gift may not be accepted by the Air Force.

§ 825a.16 Procedures for receiving and transmitting proffers of gifts.

(a) *Methods of proffering gifts.* There is no prescribed format for proffering unconditional gifts. Either a memorandum or a more formal instrument may be used by a donor.

(b) *Transfer of title.* The proffer of an unconditional gift of real property is merely an offer to transfer title to the property to the United States. Acceptance of the gift by the Secretary of the Air Force pursuant to § 825a.14 is contingent upon delivery to the Air Force of a deed transferring valid title to the property to the United States. Transfer of title is effected only when, coincident with or subsequent to acceptance of the gift by the Secretary of the Air Force, such a deed is delivered to the Department of the Air Force. Before the Air Force may accept delivery of the deed, the written opinion of the Attorney General is required in favor of the validity of the title. Acceptance of all other unconditional gifts effects a transfer of title to the gift property.

(c) *Receipt of proffers.* Any person, military or civilian, in the Department of the Air Force may receive an unconditional proffer of a gift to the Air Force,

or the gift itself, subject to §§ 825a.6 and 825a.8.

(d) *Transmittal of proffers.* Any person in the Department of the Air Force who receives an unconditional proffer of a gift which he is not authorized to accept will forward the proffer immediately, through channels, to the appropriate authority for such disposition as is required by § 825a.14. Proffers of gifts which must be forwarded to Hq USAF will be processed through the channels prescribed in § 825a.23(b) depending upon the type of property involved.

(1) Whenever it is necessary for a proffer to be forwarded to a higher level of command the letter or indorsement transmitting the proffer will contain all the pertinent information available to the transmitting headquarters.

(2) In the case of personal property of historical significance the following items of information will be included in the letter of transmittal:

(i) A complete description of the item, including the quantity involved, condition of the item, material and approximate size and weight.

(ii) The present use, location and availability of the item.

(iii) Any unusual or relatively large expense involved in connection with acceptance and use of the item.

(iv) All pertinent facts concerning the donor's business relationships or prospective business relationships, if any, with the Department of the Air Force.

(v) The recommendation of the commander transmitting the proffer as to acceptance or rejection of the gift.

(vi) Brief summary of the significance of the item to the Air Force.

(vii) Any documentation available.

(3) In the case of personal property for current use, subdivisions (i) through (v) and (vii) of subparagraph (2) of this paragraph will be included in the letter of transmittal.

(4) Unconditional proffers of gifts of real property will be processed in accordance with the provisions of § 825a.12.

§ 825a.17 Accounting and/or disposition of unconditional gifts.

After acceptance, the disposition of the following types of gift items will be as indicated:

(a) *Money.* Whenever an unconditional gift of money is accepted, such money will immediately be turned over to the local accounting and finance officer for deposit to the Miscellaneous Receipts Account of the U.S. Treasury.

(b) *Intangible personal property other than money.* Gifts in the form of negotiable or nonnegotiable instruments will be indorsed, or made payable to the Treasurer of the United States and processed in the same manner as gifts of money.

(c) *Tangible personal property.* The disposition of personal property will depend upon the category to which it belongs and will be in accordance with the following procedures:

(1) Gifts of historic significance will be processed per AFR 210-4 (Air Force Museum Program). Direct communication is authorized between the Director,

Air Force Museum, and other commands on the collection, inventory, and disposition of Air Force historical properties.

(2) Artistic gifts will be reviewed by the Secretary of the Air Force Office of Information (SAFOICB) and used as prescribed by that office. If shipment of these items is not practical, photographs may be forwarded. Reproduction of gift items will not be made without the permission of SAFOICB and use of such items for purely commercial purposes is prohibited.

(3) Gifts of tangible personal property for current use will be processed according to § 825a.23. These items will be used for the purpose indicated by the accepting authority.

(d) *Real property.* Gifts of real property will be used and accounted for according to provisions of AFM 93-1 (Air Force Real Property Accountable Records) and such additional directives as may be issued.

Subpart C—Conditional Gifts

§ 825a.18 Statutory authority.

10 U.S.C. 2601 authorizes the Secretary of the Air Force to accept conditional gifts on behalf of the United States for certain purposes in connection with the operation of the Department of the Air Force.

§ 825a.19 Form of instruments proffering gifts.

(a) There is no prescribed format for use by prospective donors in proffering conditional gifts under the provisions of 10 U.S.C. 2601. The advice of the local staff judge advocate should be sought as appropriate. Such proffers may be in the form of a memorandum, or a more formal instrument. However, when a valuable conditional gift is involved, the proffer of the gift should include the following elements, including the language quoted below:

(1) A description of the property proffered which is complete enough so that the gift is readily identifiable.

(2) A statement that the donor is the owner of the property, that he voluntarily gives, transfers, conveys, and assigns the property free and clear of all encumbrances, "to the Secretary of the Air Force, acting on behalf of the United States of America, to have and to hold the same forever," and that the donor relinquishes for himself, his executors, administrators, successors, and assigns all ownership, rights, title, interest, and possession in the property.

(3) A statement that no arrangements are made which entail the granting of special concessions or privileges to the donor or to the donor's executors, administrators, successors, and assigns.

(4) A statement that the gift "is made for the benefit of or use in connection with the establishment, operation or maintenance of (designated Air Force organization or institution) or other institution or organization under the jurisdiction of the Department of the Air Force, in conformance with 10 U.S.C. 2601." For language relating to a special

class of gifts for the benefit of the Air Force Academy, see § 825a.38.

(5) The signature of the donor and of a witness and the date. If the donor is a corporation or partnership, one of the officers or partners should sign on behalf of the donor.

(6) If the donor is a corporation, a certificate, signed by an officer of the corporation (usually the secretary) certifying that he is an officer of the corporation, that the person who signed the instrument proffering the gift on behalf of the corporation is an officer of the corporation, and that the instrument proffering the gift was duly signed for and on behalf of the corporation by authority of its governing body and is within the scope of the corporation's power. The certificate should include the date and should be sealed with corporate seal.

(b) Sample formats are shown in §§ 825a.38, 825a.39, and 825a.40. They are samples only, and appropriate changes may be made in them depending upon the needs of the individual case.

(c) With respect to conditional gifts of real property under the provisions of 10 U.S.C. 2601, the proffer of gift is merely an offer to transfer title to the property to the Secretary of the Air Force, acting on behalf of the United States of America. Acceptance of the gift by the Secretary of the Air Force pursuant to § 825a.20 is subject to the delivery to the Air Force of a deed transferring valid title to the property to the Secretary of the Air Force acting on behalf of the United States of America. Transfer of title is effected only when, coincident with or subsequent to acceptance of the gift by the Secretary of the Air Force, such a deed is delivered to the Air Force. Before the Air Force may accept delivery of the deed, the written opinion of the Attorney General is required in favor of the validity of the title. The language of the appropriate forms for proffers and acceptances of conditional gifts should be revised, with respect to conditional gifts of real property, according to the provisions of this section (§§ 825a.38, 825a.39, and 825a.40).

(d) With respect to all other conditional gifts under the provisions of 10 U.S.C. 2601, acceptance of the gift effects a transfer of title to the gift property to the Secretary of the Air Force acting on behalf of the United States of America.

§ 825a.20 Acceptance of gifts.

(a) The policy of the Department of the Air Force is to accept all conditional gifts unless it is determined that acceptance of a conditional gift will not be in the best interest of the Air Force.

(b) The following provisions govern the acceptance of conditional gifts:

(1) All conditional proffers of gifts requiring Secretarial acceptance or rejection will be forwarded to Hq. USAF, for acceptance or rejection of such gifts by, or by direction of, the Secretary of the Air Force.

(2) All conditional proffers of gifts of personal property of only nominal value may be accepted on behalf of the Secre-

tary of the Air Force by those officers designated in § 825a.4 under the following conditions:

(i) The person authorized to accept determines that the costs which will result from the acceptance and maintenance of the gift will be negligible.

(ii) Whenever there is any doubt whether the proffered gift is of only nominal value or whether its acceptance entails negligible costs, the gift will be treated as if it were a gift of more than nominal value, and the proffer will be forwarded according to the procedures prescribed in this part for proffers of gifts of that type of property.

(iii) The person who accepts gifts of nominal value will submit a copy of the instrument proffering the gift and a copy of the instrument accepting the gift to the appropriate individual, as determined by the kind of property involved.

(c) In each case in which there has not been an oral acceptance, the acceptance of a conditional gift will be in writing. Oral acceptance will be confirmed in writing per § 825a.6(b). The Air Staff office concerned, determined by the nature of the item, will prepare the letter or instrument of acceptance if the proffered item is of more than nominal value or if the costs of acceptance and maintenance of an item of only nominal value are greater than negligible. Letters or instruments of acceptance will be submitted for signature to the Office of the Secretary of the Air Force through the Secretary of the Air Staff for coordination and the Office of the Chief of Staff for approval. The Secretary of the Air Staff will make a critical review of the proffer and a recommendation for acceptance to assure that:

(1) There is administrative consistency in carrying out the requirements of this part.

(2) The proffer is properly coordinated.

(3) It is in the best interest of the Air Force to accept an item or several items in a collection. This evaluation may require the help of functional specialists.

(d) Unless the terms of the proffer expressly prohibit it, the Secretary of the Air Force may dispose of conditional gifts and use the money for the purposes specified in the proffer.

§ 825a.21 Form of instruments accepting gifts.

(a) The instrument of acceptance usually should include:

(1) Acknowledgment of receipt of the proffer of gift.

(2) Brief description of the property involved, but one complete enough to make the gift readily identifiable.

(3) Actual acceptance of the gift.

(4) A statement to the effect that the gift is accepted pursuant to 10 U.S.C. 2601.

(5) An appropriate expression of appreciation for the gift.

(6) Signature.

§ 825a.22 Rejection of gifts.

(a) The determination to reject a conditional gift will be made personally by

the individual authorized to reject such gifts.

(b) No gift will be rejected unless it is determined that acceptance will not be in the best interest of the Air Force. The phrase "in the best interest of the Air Force" will be broadly construed.

(c) Gifts may be rejected if:

(1) The proffered item is unwar-
rantedly dangerous.

(2) The proffered item ridicules the Air Force, a sister service, or any other governmental agency.

(3) The proffered item is in bad taste.

(4) Acceptance of the gift could raise a serious question of impropriety in light of the donor's business relationships or prospective business relationships with the Department of the Air Force.

(5) The cost of acceptance and main-
tenance will be out of proportion to any benefit which could accrue to the Air Force from an acceptance.

(6) The acceptance will involve the expenditure or use of funds in excess of amounts appropriated.

(7) The proffered item will be of doubtful value because of conditions or limitations which have been placed on its use, expenditure, or disposition.

(d) When a conditional written proffer of a gift has been received or when a gift item has been physically received, rejection of the gift will be in writing and signed personally by the person authorized to reject the gift. The person authorized to reject the gift will acknowledge receipt of the proffer or gift item and state reasons for its nonacceptance. The Air Staff office concerned, determined by the nature of the item, will prepare the letter or instrument of rejection if the proffered item is of more than nominal value or if the costs of acceptance and maintenance of an item of only nominal value are more than negligible. This letter or instrument of rejection will be submitted for signature to the Office of the Secretary of the Air Force through the Secretary of the Air Staff for coordination and the Office of the Chief of Staff for approval. The Secretary of the Air Staff will make a critical review of the proffer and the recommendation for rejection to assure that:

(1) There is administrative consistency in carrying out the requirements of this part.

(2) The proffer is properly coordinated.

(3) It would not be in the best interests of the Air Force to accept either a single item or a collection of items. This evaluation may require the assistance of functional specialists.

§ 825a.23 Procedures for receipt and transmittal of proffers of gifts.

(a) *Receipt of proffers.* Any person, military or civilian, in the Department of the Air Force may receive a conditional proffer of a gift and may also receive the gift item, subject to the provisions of § 825a.8.

(b) *Transmittal of proffers.* Any person in the Department of the Air Force who receives a conditional proffer of a gift which he is not authorized to accept

will forward the proffer immediately to the appropriate authority as set forth below, for disposition as required by this section and § 825a.20. Whenever it is necessary for a proffer to be forwarded to a higher level of command the letter or indorsement transmitting the proffer will contain all of the pertinent information available to the transmitting headquarters.

(1) *Gifts of personal property for current use.* The responsible office within Hq. USAF for processing gifts of tangible personal property will be determined by the type of commodity being proffered. For example, proffer of equipment items will be forwarded to Hq. USAF (AFSSS), Washington, D.C. 20330; medical and nonmedical items for use in a medical facility to Hq. USAF (AFMSG) Washington, D.C. 20330; records and filing, microfilming, printing, duplicating, copying, and related equipment and documents to Hq. USAF (AFDAS), Washington, D.C. 20330; automatic data processing equipment to Hq. USAF (AFADA), Washington, D.C. 20330. When tangible personal property of more than nominal value is proffered as a gift to the Department of the Air Force, or when that property is of nominal value but the costs of acceptance are more than negligible, the following information will be sent through channels to the appropriate Hq. USAF action office for review, before submission for acceptance:

(i) A complete description of the item, including the quantity involved, the condition of the item, material and approximate size and weight.

(ii) The conditions and limitations surrounding the proffer.

(iii) The present use, location and availability of the item.

(iv) Any unusual or relatively large expense involved in connection with acceptance and use of the item.

(v) All pertinent facts concerning the donor's business relationships or prospective business relationships, if any, with the Department of the Air Force.

(vi) The recommendation of the commander transmitting the proffer and of commanders of intervening commands as to the acceptance or rejection.

(2) *Disposition of proffers of items not in current use.* If the office receiving the proffer determines that the item is not one of current use, the proffer and all attachments will be forwarded to the Secretary of the Air Staff to determine the proper action office.

(3) *Gifts of real property.* When a gift of real property is proffered to the Department of the Air Force, the following information will be forwarded, through channels, to Hq. USAF (AFOCE), Washington, D.C. 20330, for review before submission for acceptance:

(i) Complete description of the land.

(ii) Geographic location (including relation of the land to existing Air Force facilities).

(iii) Need for the land (i.e., to assist expansion of base).

(iv) Type of land (i.e., wasteland, agricultural, mountainous, swampland, timber).

(v) Current use of land.

(vi) Availability of the land for occupancy.

(vii) Buildings presently on site.

(viii) Cost of acquisition, development, operation, rehabilitation, and maintenance.

(ix) Availability of adjacent additional property.

(x) Accessibility of public transportation and communications systems, utility services, and public roads.

(xi) Availability of housing, schools, and medical and recreational facilities.

(xii) Impact on civilian economy, attitude of communities, owners, other agencies, and individuals.

(xiii) Approximate valuation of land.

(xiv) Suitability for use by other commands.

(xv) Conditions under which proffer was made.

(xvi) All pertinent facts concerning the donor's business relationships or prospective business relationships, if any, with the Department of the Air Force.

(xvii) The signed recommendation of the commander transmitting the proffer and commanders of intervening commands as to acceptance.

(4) *Gifts of money and other intangible personal property.* When money or other intangible personal property is proffered to the Department of the Air Force, such proffers will be transmitted to the Commander, Air Force Accounting and Finance Center, for review and recommendation prior to submission for acceptance or rejection. The following information will be furnished:

(i) The amount involved.

(ii) All pertinent facts concerning the donor's business relationships or prospective business relationships, if any, with the Department of the Air Force.

(iii) The conditions of the proffer.

(iv) Form (i.e., whether money or other intangible personal property).

(5) *Items of historic significance.* When items of historic significance of more than nominal value, of which the costs of acceptance and maintenance are more than negligible, are proffered as gifts to the Department of the Air Force, the proffers will be sent to the Air Force Museum, Wright-Patterson AFB, Ohio 45433. The following information will be furnished:

(i) A complete description of the item, including the quantity involved, condition of the item, material and approximate size and weight.

(ii) The condition and limitations surrounding the proffer.

(iii) The present use, location and availability of the item.

(iv) Any expense involved in connection with acceptance and maintenance of the item.

(v) A summary of historic significance of the item to the Air Force.

(vi) Any documentation available.

(vii) All pertinent facts concerning the donor's business relationships or prospective relationships, if any, with the Department of the Air Force.

(viii) The signed recommendation of the commander or vice commander transmitting the proffer, commanders or

vide commanders of intervening commands, and the Director, Air Force Museum, as to acceptance.

(6) *Items of artistic significance.* When paintings, prints, or other artistic objects are proffered to the Department of the Air Force, they will be sent through channels to the Secretary of the Air Force (SAFOI), Washington, D.C. 20330, along with this information:

(i) A summary of artistic significance of item to Air Force.

(ii) Name of artist.

(iii) The signed recommendation of the commander transmitting the proffer and the commanders of intervening commands as to acceptance.

§ 825a.24 Accounting for gift property accepted pursuant to 10 U.S.C. 2601.

(a) All records of property received by the Air Force under 10 U.S.C. 2601 must be kept separate from property acquired otherwise. Accounting for conditional gift property accepted under 10 U.S.C. 2601 will be as follows:

(1) *Real property.* Air Force Real Property Records as prescribed by AFM 93-1 will be used for the accounting of real property acquired by the Department of the Air Force by gift under the provisions of 10 U.S.C. 2601.

(2) *Historical property.* Records of property having historic significance will be kept per AFR 210-4.

(3) *Tangible personal property.* Personal property acquired by the Department of the Air Force by gift under the provisions of 10 U.S.C. 2601 will be accounted for according to internal Air Force instructions.

(4) *Money and other intangible personal property.* Funds received as gifts pursuant to 10 U.S.C. 2601 or proceeds from the sale or investment of these gifts will be deposited in the Treasury to the Trust Fund Receipts Account (578928, Deposits, Department of the Air Force General Gift Fund). Gifts will not be deposited in this account until the proffer of gift has been accepted by proper authority. Gifts of money will not be spent until receipt of AF Form 401, "Budget Authorization," and AF Form 402, "Allocation or Allotment," from Hq. USAF (AFABF). A Budget Authorization and an Allocation or Allotment will be requested, through channels, from Hq. USAF (AFABF) Washington, D.C. 20330, immediately after deposit of the gift in the Treasury. In cases of conditional gifts with limitation on expenditure to the amount of annual interest earned by the gift (i.e., interest from Treasury Bonds) the Treasury Department issues annual certificates of deposit. When the certificate of deposit is received AF Forms 401 and 402 will be requested for the amount of the deposit, through channels, from Hq. USAF (AFABF). A copy of the collection voucher prepared by the accounting and finance officer will be sent with this request. Records of receipts, disbursements, and transactions concerning such funds will be kept according to the provisions of pertinent accounting and finance directives. Gifts of negotiable instruments will be in-

dorsed or made payable to the Treasurer of the United States and processed in the same manner as gifts of money.

(5) *Artistic property.* Records of property with artistic significance will be kept by SAFOICE.

(b) Property records will positively identify the property as gift property.

(1) The records described in subparagraphs (1), (2), and (3) of paragraph (a) of this section will be prominently and clearly stamped in the following manner:

Property acquired under provisions of 10 U.S.C. 2601.

(2) The records described in subparagraph (4) of paragraph (a) of this section will be prominently and clearly stamped in the following manner:

Funds acquired under provisions of 10 U.S.C. 2601.

§ 825a.25 Sale of gift property.

(a) The Secretary of the Air Force may, unless specifically prohibited by the terms and conditions of the proffer of a particular gift, convert into money any gift of property, real or personal, received pursuant to 10 U.S.C. 2601.

(b) The proceeds of any such sale shall be treated in the same manner as a gift of money. The proceeds will be deposited in the appropriate account and will be subject to disbursement at the discretion of the Secretary of the Air Force in accordance with the terms and conditions of the proffer of the particular gift.

Subpart D—Conditional Gifts Not Acceptable Under 10 U.S.C. 2601

§ 825a.26 Statutory authority.

Congress provided in the act of July 27, 1954 (ch. 582, 68 Stat. 566; 50 U.S.C. 1151-1156), a basic authority for the acceptance by the United States of all gifts which are proffered for the purpose of furthering the defense effort.

§ 825a.27 General provisions of act of July 27, 1954.

(a) The Secretary of the Treasury is authorized to accept or reject on behalf of the United States any gift or other intangible personal property "made on condition that it be used for a particular defense purpose."

(b) The Administrator of General Services is authorized to accept or reject on behalf of the United States any gift or other property, real or personal, "made on condition that it be used for a particular defense purpose."

(c) The Secretary of the Treasury and the Administrator of General Services are required to consult with the interested Federal agencies in carrying out the provisions of the Act.

§ 825a.28 Limitation on scope of act.

(a) The Act of July 27, 1954, provides that nothing therein shall be construed to modify or repeal the authority to accept conditional gifts under any other provisions of law.

(b) The authority of the Secretary of the Air Force pursuant to 10 U.S.C. 2601 in regard to the acceptance of condi-

tional gifts is unimpaired by the provisions of the Act of July 27, 1954.

§ 825a.29 Procedures for accepting gifts other than under 10 U.S.C. 2601.

Whenever conditional gifts or conditional proffers of gifts are received by commands of the Department of the Air Force and it is determined that such gifts cannot be accepted under 10 U.S.C. 2601 and under Subpart C of this part, the following steps will be taken:

(a) Money or other intangible personal property:

(1) The money or other intangible personal property, together with the original correspondence, will be forwarded to the Treasury Department, Bureau of Accounts, Administrative Division, Washington, D.C. 20220.

(2) Prior to forwarding, the receiving command will acknowledge receipt of the gift to the donor. Such acknowledgment should indicate the receipt of the gift by the command and its referral to the Treasury Department, but should not indicate acceptance or rejection of the gift on behalf of the United States. A copy of the acknowledgment will accompany the original correspondence to the Treasury Department.

(3) The letter of transmittal to the Treasury Department shall contain recommendations of the receiving command with regard to acceptance or rejection of the gift and the appropriation or fund account to which the proceeds of the gift should ultimately be credited to carry out the intent of the donor.

(b) Real property or tangible personal property:

(1) The command receiving a conditional proffer of a gift of real property or tangible personal property shall notify the appropriate regional office of the General Services Administration and shall submit a recommendation as to acceptance or rejection of the gift.

(2) Prior to such notification, the receiving command shall acknowledge receipt of the proffer and advise the donor of its referral to the General Services Administration regional office, but should not indicate acceptance or rejection of the gift on behalf of the United States. A copy of the acknowledgment shall accompany the notification and recommendations to the regional office of the General Services Administration.

§ 825a.30 Doubtful cases.

In cases of doubt as to whether a conditional gift may properly be accepted under 10 U.S.C. 2601 or whether it must be accepted under the Act of July 27, 1954, such doubt shall be resolved, procedure-wise, in favor of 10 U.S.C. 2601 and the proffer of gift processed under Subpart C of this part so that the final determination shall be made at Hq. USAF, and the gift transmitted to the General Services Administration or to the Treasury Department if such action is indicated.

§ 825a.31 Advice of disposition.

The Fiscal Assistant Secretary of the Treasury, in the case of conditional gifts

of money or intangible personal property, and the Administrator of General Services in the case of conditional gifts of real property or tangible personal property, are responsible, respectively, for the official acceptance or rejection of the gift and for notifying the donor and the agency concerned of the action taken with respect to acceptance or rejection and final disposition of the gift.

Subpart E—Gifts for Distribution to Individuals

§ 825a.32 Scope of subpart.

This subpart establishes policy and procedures for the receipt by the Air Force of certain types of gifts, as specified herein, for distribution to military personnel. It is emphasized that the gifts discussed in this subpart are gifts to individuals of the Air Force in their individual capacity and not gifts to the Department of the Air Force.

§ 825a.33 Acceptable gifts.

Only gifts of a nominal value of a desirable and useful nature which contribute to the health, comfort, convenience, or morale of the person may be received under the provisions of this subpart. (Examples of gifts of nominal value are: Playing cards for airmen of the Third Air Force, books for hospitalized airmen, writing material for airmen in Vietnam, and so forth).

§ 825a.34 Responsibility.

Subject to the policies, procedures, and limitations contained herein:

(a) CONUS major commands may receive gifts intended for distribution to personnel within their respective commands. This authority may be delegated to subordinate commanders.

(b) Oversea major commands may receive gifts from donors located within their geographic areas. This authority may be delegated to subordinate commanders.

(c) The Director of Military Personnel, Hq. USAF, is designated to receive gifts from persons or organizations in the United States for distribution to oversea commands, and not for distribution in the CONUS when gifts are intended for military personnel for more than one major command.

§ 825a.35 Advertising and publicity.

Receipt of gifts of the nature contemplated by this subpart will be subject to the following provisions regarding advertising and publicity:

(a) *By the donor of the gift.* Restrictions will not be placed on advertising or publicity by the donor. However, such advertising or publicity should not imply an indorsement of the product by the Air Force or any member thereof.

(1) There is no objection to the action of a donor of a gift in placing upon the gift a marking of some description which identifies the property as being donated by a particular person, group, or organization. However, such marking must be in good taste and must not be worded so as to state or imply an indorsement of the product by the Air Force or any member thereof.

(2) Receipt by an Air Force commander of gift property so marked will not be construed as either advertising or publicity of the gift by the Air Force.

(b) *By the commander receiving the gift for distribution.* (1) Except in special cases specifically authorized by the Secretary of the Air Force, public acknowledgment of receipt of the gift will not be made. The commander authorized to receive such gifts will, on behalf of the military personnel of the command concerned, acknowledge receipt of the gift by an appropriate letter to the donor.

(2) Arrangements will not be made which entail granting of special concessions or privileges to the donor.

(3) Publicity will not be initiated by the receiving commander.

§ 825a.36 Transportation charges.

(a) *Packaging and transportation charges paid by the donor.* With the exception of the cases set forth in paragraph (b) of this section, receipt of gifts under this section will be subject to the provisions that all packaging and transportation charges will be paid by the donor to the following points:

(1) *Gifts for distribution in the CONUS.* Gifts will be sent to the distribution point or points designated by the receiving commander or the Director of Military Personnel, Hq. USAF.

(2) *Gifts for distribution in oversea commands.* Gifts will be sent to the port of embarkation or other coastal activity designated by the Director of Military Personnel, Hq. USAF, or to the point designated by the receiving oversea commander. Oversea commanders will make all necessary arrangements with the port of embarkation for shipment of gift property to its destination in the oversea command.

(b) *Transportation charges paid by the Air Force.* Transportation charges for gifts of the nature contemplated by this subpart are hereby authorized to be paid by the Air Force from current appropriations when the following conditions are met:

(1) The gift comprises supplies or materials which, in the absence of a donation of them, would have been purchased with appropriated funds and transported to their destination at Government expense.

(2) No conditions of any kind are affixed to the donation by the donors.

§ 825a.37 Temporary custody of gift items.

Ordinarily, no question will arise concerning temporary custody of gifts covered by this subpart. However, if a proffer of property for distribution to individuals as above described is made to an individual who is not authorized to receive it, and the donor specifically requests that the Air Force assume custody while the proper procedure is being determined, the donor will be informed that the Air Force cannot assume responsibility for any loss of or damage to the property before it is delivered to the point designated by the person authorized to receive the gift.

Subpart F—Sample Proffer of Gift

§ 825a.38 Sample proffer of gift by corporation.

PROFFER OF GIFT

Know All Men by These Presents:

That the (name of company), a corporation, the owner of the property listed below, acting by and through (name of corporate officer signing), (the president), (one of its vice presidents) (-----), does hereby voluntarily give, transfer, convey, and assign said property, free and clear of all encumbrances, to the Secretary of the Air Force, acting on behalf of the United States of America, to have and to hold the same forever, hereby relinquishing for itself, its successors and assigns all ownership, rights, title, interest, and possession therein to the donee absolutely: (Description of property).

The herein described gift and transfer of said property does not entail the granting by the donee of special concessions or privileges to the donor.

The herein described gift and transfer of said property is made for the benefit of or use in connection with the establishment, operation, or maintenance of (designated Air Force Organization or Institution) or other institution or organization under the jurisdiction of the Department of the Air Force, in conformance with 10 U.S.C. 2601.

In witness whereof the (name of company) has affixed its seal and caused this instrument to be executed by (name of person signing), (the president), (one of its vice presidents) (-----), for and on behalf of the (name of company) this (day) of (month) (year).

(Name of Company)
By (Signature)

CERTIFICATE

I (name), certify that I am the (secretary) (assistant secretary) (-----) of the (name of company), a corporation; that (name), who signed the Proffer of Gift dated (-----), on behalf of the (name of company), is (the president) (a vice president) of the (name of company); and said Proffer of Gift was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

(Date)

(Name)

(Corporate seal)

NOTE: For proffers of gifts of real property, the language of the above attachment should be modified in the following ways:

In the first paragraph, following the word "voluntarily," the words "offer to" should be added; and in the same paragraph, the phrase "hereby relinquishing" should be changed to read "relinquishing upon such gift and conveyance."

At the end of the first paragraph, the following sentence should be added: "Pursuant to this offer, I will deliver to the Department of the Air Force a deed transferring valid title to said property to the Secretary of the Air Force, acting on behalf of the United States of America."

In line one of both the second and third paragraphs, the phrase "The herein described gift and transfer of said property * * *" should be changed to read, "The gift and conveyance of said property offered herein * * *."

If the gift of real estate is under a different statute, cite statute applicable in the place of 10 U.S.C. 2601.

§ 825a.39 Sample proffer of gift by individual.

PROFFER OF GIFT

Know All Men by These Presents:

That I (name), the owner of the property listed below, do hereby voluntarily give, transfer, convey and assign said property, free and clear of all encumbrances, to the Secretary of the Air Force, acting on behalf of the United States of America, to have and to hold the same forever, hereby relinquishing for myself, my executors, administrators, heirs and assigns all ownership, rights, title, interest and possession therein to the donee absolutely: (description of property).

The herein described gift and transfer of said property does not entail the granting by the donee of special concessions or privileges to me or my executors, administrators, heirs and assigns.

The herein described gift and transfer of said property is made for the benefit of or use in connection with the establishment, operation, or maintenance of the (Designated Air Force Organization or Institution) or other institution or organization under the jurisdiction of the Department of the Air Force, in conformance with 10 U.S.C. 2601.

[SEAL] _____
(Signature)

(Dated)

Witness:

(Signature)

NOTE: For proffers of gifts of real property, the language of the above attachment should be modified in the following ways.

In the first paragraph, following the word "voluntarily," the words "offer to" should be added; and the phrase "hereby relinquishing" should be changed to read "relinquishing upon such gift and conveyance."

At the end of the first paragraph, the following sentence should be added: "Pursuant to this offer, I will deliver to the Department of the Air Force a deed transferring valid title to said property to the Secretary of the Air Force, acting on behalf of the United States of America."

In line one of both the second and third paragraphs, the phrase "The herein described gift and transfer of said property * * *" should be changed to read, "The gift and conveyance of said property offered herein * * *"

If the gift of real estate is under a different statute, cite statute applicable in place of 10 U.S.C. 2601.

§ 825a.40 Sample proffer of gift to the Air Force Academy in certain special cases.

Except in unusual cases, the Sample Proffer of Gift by Corporation set forth in § 825a.38 and the Sample Proffer of Gift by Individual set forth in § 825a.39 are appropriate for use in proffering gifts to the Department of the Air Force for the benefit or use of the Air Force Academy. The language set forth below should be recommended for use only in those special cases in which (a) an individual intends to proffer a gift to the Department of the Air Force for the benefit or use of the Air Force Academy; (b) the total amount of his charitable contributions (including the proposed gift to the Academy) during the taxable year for income tax purposes will exceed 20 percent of his adjusted gross income; and (c) he expresses a desire to claim the benefit of the provisions of section 170(b)(1)(A)(ii) of the Internal Revenue Code of

1954, which authorize an additional deduction of up to 10 percent of the taxpayer's adjusted gross income for charitable contributions to certain educational organizations. In such special cases, Air Force personnel may recommend that the following language be substituted for the last paragraph of § 825a.39:

The herein described gift and transfer of said property is made for the benefit of or use in connection with the establishment, operation, or maintenance of the U.S. Air Force Academy, or any organization or institution which may be established in the future as the successor to the United States Air Force Academy, in conformance with 10 U.S.C. 2601.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
Colonel, U.S. Air Force, Chief,
Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 68-14392; Filed, Dec. 2, 1968; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER I—ANCHORAGES
[CGFR 68-123]

PART 110—ANCHORAGE REGULATIONS

Subpart A—Special Anchorage Areas

Subpart B—Anchorage Grounds

ECHO BAY, NEW ROCHELLE, N.Y.

1. The city manager of the city of New Rochelle, N.Y., by letter dated January 25, 1967, requested the establishment of a special anchorage area in Echo Bay, New Rochelle, N.Y. A public notice dated March 31, 1967, was issued by the New York District, Corps of Engineers, describing the proposed anchorage. All known interested parties were notified, and some objections were received. These objections were carefully weighed and evaluated. However, it is felt that the establishment of the Special Anchorage Area is in the best interest of the public. Therefore, the request is granted and the establishment of a special anchorage area as described in 33 CFR 110.60(b-1) below is granted, subject to the right to change the requirements and to amend the regulations if and when necessary in the public interest.

2. The purpose of this document is to establish and describe the special anchorage area in Echo Bay, New Rochelle, N.Y., as described in 33 CFR 110.60(b-1) below, wherein vessels not more than 65 feet in length, when at anchor in such special anchorage area, shall not be required to carry or exhibit anchor lights. The area will be principally for use by yachts and other recreational craft. The issuing of mooring permits and assign-

ment of moorings will be under the jurisdiction of the town of New Rochelle Harbor Master and the New Rochelle Superintendent of Bureau of Marinas, Docks and Harbors.

3. The further purpose of this document is to amend the description of the anchorage grounds in 33 CFR 110.155 (a)(2) and (a)(3).

4. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 14 U.S.C. 632 and the delegation in 49 CFR 1.4(a)(3) of the Secretary of Transportation under 49 U.S.C. 1655(g)(1), 33 CFR Part 110 is amended as follows to become effective on and after the date of publication of this document in the FEDERAL REGISTER:

1. Section 110.60 is amended by adding a new paragraph (b-1), reading as follows:

§ 110.60 Port of New York and vicinity.

(b-1) *New Rochelle, Echo Bay.* That portion of Long Island Sound Anchorage Grounds No. 1-A and No. 1-B (described in § 110.155(a)(2) and (3)) northwest of a line ranging 30°30' from the northeastern tip of Davenport Neck to the southeastern tip of Premium Point.

NOTE: An ordinance of the Town of New Rochelle N.Y., requires a permit from the New Rochelle Harbor Master or the New Rochelle Superintendent of Bureau of Marinas, Docks and Harbors before any mooring is placed in this special anchorage area.

(R.S. 4233, as amended, 28 Stat. 647, as amended, 30 Stat. 98, as amended, sec. 6(g)(1), 80 Stat. 940; 33 U.S.C. 180, 258, 322, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3))

§ 110.155 [Amended]

2. Paragraph (a)(2) and (3), of § 110.155 is amended by adding an explanatory note at the end of each paragraph, reading as follows:

NOTE: The special anchorage area in this anchorage is described in § 110.60(b-1).

(Sec. 7, 38 Stat. 1053, as amended, sec. 6(g)(1), 80 Stat. 940; 33 U.S.C. 471, 49 U.S.C. 1655(g)(1); 49 CFR 1.4(a)(3))

Dated: November 20, 1968.

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

[F.R. Doc. 68-14370; Filed, Dec. 2, 1968; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

Miscellaneous Amendments

1. In Part 6, §§ 6.19, 6.31, and 6.36 are revised to read as follows:

§ 6.19 Revival of insurance.

(a) If the sole reason death, total permanent disability or total disability benefits under a policy of U.S. Government life insurance cannot be granted is that the policy had lapsed, the insurance will be considered in force under premium-paying conditions on the date of death or the date of commencement of total permanent or total disability if,

(1) On the date of lapse there were accrued dividends, not then payable, resulting from premiums paid since the last anniversary date of the policy and such dividends were equal to or greater in amount than the total of the monthly premiums which have become due from and including the date of lapse to the date of death or date of commencement of total permanent or total disability, and/or

(2) At the end of the grace period for the unpaid premium causing lapse there were due and payable to the policyholder unpaid dividends, refundable premiums, pure insurance risk credits, other refundable credits or total permanent or total disability benefit payments arising from the policyholder's U.S. Government or National Service life insurance which are equal to or greater in amount than the total of the monthly premiums which have become due from and including the date of lapse to the date of death or date of commencement of total permanent or total disability.

(3) For purposes of this section amounts under subparagraphs (1) and (2) of this paragraph may be combined. In that case, the amount, if any, of dividend accrued under subparagraph (1) of this paragraph will first be determined and the amount available under subparagraph (2) of this paragraph, if any, will be added thereto for the purpose of determining if the total amount thus available is equal to or greater than the total of monthly premiums which have become due.

(4) In determining the amount of monthly premiums which have become due under subparagraphs (1) and (2) of this paragraph a shortage of 10 percent per monthly premium may be allowed for a period not to exceed 3 months.

(5) In determining the monthly premiums which have become due for adjustment purposes under subparagraphs (1) and (2) of this paragraph, the premium for the monthly due date immediately preceding the date of death or date of commencement of total permanent or total disability may be omitted because of the coverage provided by the allowable grace period (§§ 6.35 and 6.36) and if the conditions of paragraph (b) of this section are met, the premium for the second due date immediately preceding the date of death or date of commencement of total permanent or total disability may be omitted.

(6) When a policy is deemed in force under premium-paying conditions by operation of this section the amount of any shortage included in the calculation and the premium for any monthly due date omitted in the calculation will become a lien against the policy.

(7) The provisions of this section may be applied if, on the date of death, the insurance is in force under the extended term insurance provision (§ 6.105) and a policy loan was outstanding on the date of lapse or a dividend deposit balance was included in the cash value as determined at time of lapse.

(8) If accrued dividends under subparagraph (1) of this paragraph and/or amounts due and payable under subparagraph (2) of this paragraph exist in connection with more than one policy of the same veteran and one or more policies lapsed prior to the date of death or date of commencement of total permanent or total disability, the amounts available will be related first to the policy or policies on which they arose if such policy or policies are lapsed. Any amount available under subparagraph (1) or (2) of this paragraph which is not required to place in force the policy upon which it arose or which is insufficient to place in force the policy upon which it arose, may be combined with similar amounts available on any other policy whenever the total of such amounts is sufficient to place another policy in force.

(9) Where more than one policy is involved and credits are not needed or are insufficient to revive the policy on which the credits arose, the credits will be used insofar as they are sufficient to revive the policy or policies under which the most insurance is payable.

(10) No total disability income provision will be considered in force under this section unless it lapsed at the same time as the life insurance contract and both the life insurance and total disability income provision can be considered in force through the same date and benefits are payable under the total disability income provision. An exception will be a paid-in-full limited pay contract on which total disability income provision premiums continue to be due and payable.

(11) When a total disability income provision lapsed at the same time as the life insurance, the premium for the provision will be considered separately in determining if the amounts available are equal to or in excess of the monthly premiums which have become due. In such a case if the amounts available are sufficient, both the life insurance and the provision will be revived. If the amounts are insufficient for that purpose, they will be applied to revive the policy or policies with the greatest amount payable in death cases or the policy or policies providing the greatest life insurance and total disability benefit in total disability cases.

(12) Accrued dividends and/or credits on any policy of U.S. Government or National Service life insurance held by the policyholder may be considered for the purpose of this section.

(b) If the sole reason death or total permanent or total disability benefits under a policy of U.S. Government life insurance cannot be granted is that the policy had lapsed, the insurance will be considered in force on the date of death or date of commencement of total permanent or total disability if,

(1) The policyholder died or became totally or totally and permanently disabled within 61 days of the due date of the unpaid premiums, and,

(2) The policy prior to the lapse had been in force for 5 years or more. In determining in-force status under this subparagraph if the original effective date of the insurance (when necessary, include predecessor contracts involving renewal, conversion or replacement/reinstatement under 38 U.S.C. 781) is 5 years or more earlier than the date of death or date of total or total and permanent disability—and during the 5 years immediately preceding the date of lapse the insurance has not been lapsed at any one time in excess of 6 months, the requirement will be satisfied. When insurance is considered in force under this section the amount of the monthly premium due on the date of lapse and the following monthly premium(s) will become a lien against the policy.

(3) The provisions of this section may be applied if, on the date of death, the insurance is in force under the extended term insurance provision (§ 6.105) and a policy loan was outstanding on the date of lapse or a dividend deposit balance was included in the cash value as determined at time of lapse.

§ 6.31 Calculation of time period.

If the last day of a time period specified in § 6.17a, § 6.18 or § 6.19 or allowed for filing an application for U.S. Government life insurance or for applying for reinstatement thereof, or paying premiums due thereon, falls on a Saturday, Sunday, or legal holiday, the time period will be extended to include the following workday.

§ 6.36 Computation of grace period.

For the purpose of § 6.35 the grace period shall be computed to include 31 days from and after the date on which the premium was due. When a payment of premium is mailed the postmark date will be accepted as the date on which the payment was tendered. The monthly premium when paid within the grace period shall continue the insurance in force for the month for which the premium was due. If a premium is not paid before the expiration of the grace period, the effective date of lapse shall be the due date of the unpaid premium.

2. In Part 8, §§ 8.7c, 8.12, and 8.15 are revised to read as follows:

§ 8.7c Revival of insurance.

(a) If the sole reason death or total disability benefits under a policy of National Service life insurance cannot be granted is that the policy had lapsed, the insurance will be considered in force under premium-paying conditions on the date of death or the date of commencement of total disability if,

(1) On the date of lapse there were accrued dividends, not then payable, resulting from premiums paid since the last anniversary date of the policy and such dividends were equal to or greater in amount than the total of the monthly premiums which have become due from

and including the date of lapse to the date of death or date of commencement of total disability, and/or

(2) At the end of the grace period for the unpaid premium causing lapse there were due and payable to the policyholder unpaid dividends, refundable premiums, pure insurance risk credits, other refundable credits or total disability benefit payments arising from the policyholder's U.S. Government or National Service life insurance which are equal to or greater in amount than the total of the monthly premiums which have become due from and including the date of lapse to the date of death or date of commencement of total disability.

(3) For purposes of this section amounts under subparagraphs (1) and (2) of this paragraph may be combined. In that case, the amount, if any, of dividend accrued under subparagraph (1) of this paragraph will first be determined and the amount available under subparagraph (2) of this paragraph, if any, will be added thereto for the purpose of determining if the total amount thus available is equal to or greater than the total of monthly premiums which have become due.

(4) In determining the amount of monthly premiums which have become due under subparagraphs (1) and (2) of this paragraph a shortage of 10 percent per monthly premium may be allowed for a period not to exceed 3 months.

(5) In determining the monthly premiums which have become due for adjustment purposes under subparagraphs (1) and (2) of this paragraph, the premium for the monthly due date immediately preceding the date of death or date of commencement of total disability may be omitted because of the coverage provided by the allowable grace period (§§ 8.14 and 8.15) and if the conditions of paragraph (b) of this section are met, the premium for the second due date immediately preceding the date of death or date of commencement of total disability may be omitted.

(6) When a policy is deemed in force under premium-paying conditions by operation of this section, the amount of any shortage included in the calculation and the premium for any monthly due date omitted in the calculation will become a lien against the policy.

(7) The provisions of this section may be applied if, on the date of death, the insurance is in force under the extended term insurance provision (§ 8.29) and a policy loan was outstanding on the date of lapse or a dividend deposit balance was included in the cash value as determined at time of lapse.

(8) If accrued dividends under subparagraph (1) of this paragraph and/or amounts due and payable under subparagraph (2) of this paragraph exist in connection with more than one policy of the same veteran and one or more policies lapsed prior to the date of death or date of commencement of total disability, the amounts available will be related first to the policy or policies on which they arose if such policy or policies

are lapsed. Any amount available under subparagraphs (1) and (2) of this paragraph which is not required to place in force the policy upon which it arose or which is insufficient to place in force the policy upon which it arose, may be combined with similar amounts available on any other policy whenever the total of such amounts is sufficient to place another policy in force.

(9) Where more than one policy is involved and credits are not needed or are insufficient to revive the policy on which the credits arose, the credits will be used insofar as they are sufficient to revive the policy or policies under which the most insurance is payable.

(10) No total disability income provision will be considered in force under this section unless it lapsed at the same time as the life insurance contract and both the life insurance and total disability income provision can be considered in force through the same date and benefits are payable under the total disability income provision. An exception will be a paid-in-full limited pay contract on which total disability income provision premiums are due and payable to age 65.

(11) When a total disability income provision lapsed at the same time as the life insurance, the premium for the provision will be considered separately in determining if the amounts available are equal to or in excess of the monthly premiums which have become due. In such a case if the amounts available are sufficient, both the life insurance and the provision will be revived. If the amounts are insufficient for that purpose, they will be applied to revive the policy or policies with the greatest amount payable in death cases or the policy or policies providing the greatest life insurance and total disability benefit in total disability cases.

(12) Accrued dividends and/or credits on any policy of National Service or U.S. Government life insurance held by the policyholder may be considered for the purpose of this section.

(b) If the sole reason death or total disability benefits under a policy of National Service life insurance cannot be granted is that the policy had lapsed, the insurance will be considered in force on the date of death or date of commencement of total disability if,

(1) The policyholder died or became totally disabled within 61 days of the due date of the unpaid premiums, and

(2) The policy prior to the lapse had been in force for 5 years or more. In determining in-force status under this subparagraph if the original effective date of the insurance (when necessary, include predecessor contracts involving renewal, conversion or replacement/reinstatement under 38 U.S.C. 781) is 5 years or more earlier than the date of death or date of total disability and during the 5 years immediately preceding the date of lapse the insurance has not been lapsed at any one time in excess of 6 months, the requirement will be satisfied. When insurance is considered in force under this section the amount of the monthly pre-

mium due on the date of lapse and the following monthly premium(s) will become a lien against the policy.

(3) The provisions of this section may be applied if, on the date of death, the insurance is in force under the extended term insurance provision (§ 8.29) and a policy loan was outstanding on the date of lapse or a dividend deposit balance was included in the cash value as determined at time of lapse.

§ 8.12 Calculation of time period.

If the last day of a time period specified in § 8.7a, 8.7b or 8.7c or allowed for filing an application for National Service life insurance or for applying for reinstatement thereof, or paying premiums due thereon, falls on a Saturday, Sunday, or legal holiday, the time period will be extended to include the following workday.

§ 8.15 Computation of grace period.

For the purpose of § 8.14 the grace period shall be computed to include 31 days from and after the date on which the premium was due. When a payment of premium is mailed the postmark date will be accepted as the date on which the payment was tendered. The monthly premium when paid within the grace period shall continue the insurance in force for the month for which the premium was due. If a premium is not paid before the expiration of the grace period, the effective date of lapse shall be the due date of the unpaid premium.

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective the date of approval.

Approved: November 25, 1968.

By direction of the Administrator.

[SEAL]

A. W. STRATTON,
Deputy Administrator.

[F.R. Doc. 68-14400; Filed, Dec. 2, 1968; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 4—Department of Agriculture PART 4-50—DISPUTES AND APPEALS

Contract Appeals

Chapter 4, Agriculture Procurement Regulations, is amended as follows:

1. The table of contents for Chapter 4 is amended to change so much as reads: "4-50 Disputes and appeals policy and procedure" to read "4-50 Disputes and appeals."

2. The title of Part 4-50, Disputes and Appeals Policy and Procedure, is amended to read as set forth above.

3. The table of contents for Part 4-50, Disputes and Appeals, is amended as follows:

a. The following entries are deleted:

Subpart 4-50.2—Contract Appeal Procedure

Sec.

4-50.201 Appeals.
4-50.201-1 Eligible contractors.

- Sec.
4-50.201-2 Form and contents of notice of appeal.
4-50.201-3 Transmittal.
4-50.202 Board of Contract Appeals.
4-50.202-1 Membership.
4-50.202-2 Notice to parties.
4-50.202-3 Quorum.
4-50.202-4 Function of the Board.
4-50.202-5 Lack of prosecution.
4-50.203 Request by contracting officer for hearing.
4-50.204 Consideration by Board without hearing.
4-50.205 Location of hearings.
4-50.206 Notice of hearings.
4-50.207 Scope of procedures.
4-50.208 Absence of parties.
4-50.209 Prehearing arrangements.
4-50.210 Conduct of hearings.
4-50.211 Findings and decision of the Board.
4-50.212 Finality of decision.

b. The following new entries are added:

Subpart 4-50.2—Contract Appeals

- 4-50.201 Manner of filing appeals.
4-50.202 Form and contents of appeal.
4-50.203 Receipt and transmittal.
4-50.204 Board of Contract Appeals.
4-50.205 Request by contracting officer for hearing.
4-50.206 Releases to contractors.

§§ 4-50.201—4-50.212 [Deleted]

4. Subpart 4-50.2, Contract Appeal Procedure, is deleted in its entirety.
5. New Subpart 4-50.2 is added as follows:

Subpart 4-50.2—Contract Appeals

§ 4-50.201 Manner of filing appeals.

- (a) Appeals may be taken from decisions of contracting officers of the Department involving disputed questions of fact under contracts, the terms of which provide that such appeals may be made.
(b) Such appeals shall be taken by mailing or otherwise furnishing to the Contracting Officer a written appeal addressed to the head of the Department (the Secretary of Agriculture) within the time prescribed in the contract.

§ 4-50.202 Form and contents of appeal.

The appeal shall clearly identify the decision from which the appeal is taken, the date of the decision, and the contract number. The appeal need not follow any prescribed form. It may be in the form of a letter and should contain a full statement of the exact nature of the dispute, the specific relief sought by the contractor, the pertinent facts and reasons in support of the contractor's contentions and, if the contractor desires to appear or be represented at an oral hearing, a request that a hearing be held.

§ 4-50.203 Receipt and transmittal.

Upon receipt of the appeal, the officer receiving it shall certify the date of receipt, and such date shall be considered as the date of filing with the Board of Contract Appeals. Within 10 days after receipt, the appeal shall be forwarded through agency channels in an original and five copies to the Executive Secretary, Board of Contract Appeals, Department of Agriculture, Washington, D.C. 20250. A copy of the letter transmitting the appeal to the Board shall be furnished to the Office of Plant and Operations.

§ 4-50.204 Board of Contract Appeals.

The organization, functions, and rules of procedure of the Board of Contract Appeals, Department of Agriculture, are set forth in Title 7, Code of Federal Regulations, Part 2400.

§ 4-50.205 Request by contracting officer for hearing.

If a hearing is not requested by the contractor, the contracting officer may request that a hearing be held by forwarding such a request in writing to the Board.

§ 4-50.206 Releases to contractors.

It is not standard procedure in the usual contracting operations of this Department to execute final releases to the contractors upon conclusion of contracts. However, in any case where such a release or other contractual instrument waiving the Government's right to further claims is to be executed as a result of a decision of a Board of Contract Appeals, there shall be included a statement as follows:

This document is not binding if later found to be in violation of the standards set forth in the Wunderlich Act. (41 U.S.C. 321).

(See 43 Comp. Gen. 231 in connection with this requirement.)

Done at Washington, D.C., this 26th day of November 1968.

ELMER MOSTOW,
Director of Plant and Operations.

[F.R. Doc. 68-14377; Filed, Dec. 2, 1968; 8:45 a.m.]

Chapter 12B—Coast Guard, Department of Transportation

[CGFR 68-109]

PART 12B-1—GENERAL

Subpart 12B-1.3—General Policies

CONTRACTING OFFICER'S DECISION UNDER A DISPUTES CLAUSE

Pursuant to the authority vested in me as Commandant, U.S. Coast Guard, by 49 CFR 1.4:

Section 12B-1.318 is revoked.

§ 12B-1.318 [Revoked]

(14 U.S.C. 633, 10 U.S.C. Ch. 137. Apply sec. 6(b), 80 Stat. 938; 49 U.S.C. 1655(b); 49 CFR 1.4)

Dated: November 20, 1968.

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

[F.R. Doc. 68-14371; Filed, Dec. 2, 1968; 8:45 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER F—TELECOMMUNICATIONS AND PUBLIC UTILITIES

PART 101-35—TELECOMMUNICATIONS

Subpart 101-35.3—Utilization and Ordering of Telecommunications Services

CERTIFICATION NOT REQUIRED WHEN TOUCH-TONE INSTRUMENTS ARE NEEDED BY HANDICAPPED EMPLOYEES

Subpart 101-35.3 is amended to provide that agencies need not certify to General Services Administration when a touch-tone instrument is provided a physically handicapped employee who needs such special instrument to perform official duties. However, such instrument can be substituted for regular service only when such substitution can be accomplished without a change in the existing switchboard.

Section 101-35.308-5 is revised to read as follows:

§ 101-35.308-5 Touch-tone instruments.

Touch-tone instruments are prohibited, unless provided without additional cost under a general tariff applicable to all instruments associated with the same PBX arrangement. This prohibition may be waived in instances where the head of an agency certifies to the Administrator of General Services that, due to special operating requirements, touch-tone instruments are essential to the effective or economical execution of agency responsibilities. Certification to the Administrator of General Services is not required when the agency determines that a touch-tone telephone is necessary for a physically handicapped employee to perform his official duties, provided the instrument can be substituted for regular service without modification to the switchboard.

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

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

Dated: November 25, 1968.

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

[F.R. Doc. 68-14368; Filed, Dec. 2, 1968; 8:45 a.m.]

Title 44—PUBLIC PROPERTY AND WORKS

Chapter IV—Business and Defense Services Administration, Department of Commerce

[Foreign Excess Property Order 1]

PART 401—FOREIGN EXCESS PROPERTY

Importations for Public and Quasi-Public Use

On page 10805 of the FEDERAL REGISTER of July 30, 1968, there was published a notice of proposed rule making to revise § 401.7 of Foreign Excess Property Order No. 1 governing the importations of foreign excess property for public and quasi-public use. Interested persons were given twenty (20) days in which to submit written comments, suggestions, or objections regarding the proposed regulation.

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

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

RODNEY L. BORUM,
Administrator.

NOVEMBER 20, 1968.

§ 401.7 Importations for public and quasi-public use.

The importation of foreign excess property:

(a) Which is the subject of a firm contract of sale and delivery to the Federal Government, or

(b) Which is the subject of a firm contract of sale and delivery to, or is offered for importation by, any State or any agency of a State, or tax-supported or other nonprofit medical institutions, hospitals, clinics, health centers, schools, school systems, colleges or universities, schools for the mentally retarded, schools for the physically handicapped, and radio or television stations licensed by the Federal Communications Commission as educational radio or educational television stations (nonprofit institutions must be exempt from taxation under section 501(c)(3) of Title 26, Internal Revenue Code of 1954) and public libraries, for purposes of education or public health or for research for any such purposes; or for civil defense purposes including research;

shall be deemed to be beneficial to the economy of the United States. No application need to be filed with the FEPO for such importation, but the importer of such property shall submit evidence acceptable to the District Director of Customs at the port of entry of such property either: (1) That the importer of such property has entered into a firm contract of sale and

delivery thereof to a purchaser or an agent of a purchaser designated as an eligible purchaser thereof in this section, or (2) that the importer of such property is itself an eligible purchaser of such property.

(63 Stat. 398; 40 U.S.C. sec. 512)

[F.R. Doc. 68-14294; Filed, Dec. 2, 1968;
8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Department of Transportation

[Docket No. HM-11; Amdts. 171-2, 173-4,
174-2, 175-2, 176-1, 177-4, 178-2, 179-1, 180-1]

PART 171—GENERAL INFORMATION AND REGULATIONS

PART 173—SHIPPERS

PART 174—CARRIERS BY RAIL FREIGHT

PART 175—CARRIERS BY RAIL EXPRESS

PART 176—RAIL CARRIERS IN BAGGAGE SERVICE

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

PART 178—SHIPPING CONTAINER SPECIFICATIONS

PART 179—SPECIFICATIONS FOR TANK CARS

PART 180—CARRIERS BY PIPELINE

Change of Reference

The purpose of this amendment is to convert certain references in the Hazardous Materials Regulations from "Interstate Commerce Commission" and "Commission" to "Department of Transportation" and "Department" respectively and "ICC" to "DOT" while permitting continued use of "ICC" as a specification marking on newly manufactured packagings for a reasonable period of time.

The Hazardous Materials Regulations (49 CFR Parts 170-190) refer in many places to the use of "ICC" in specification markings. Since conversion from "ICC" to "DOT" on newly manufactured packagings would require the changing of numerous marking devices, it is reasonable to authorize the use of either "ICC" or "DOT" as markings on newly manufactured packagings for an additional period of time. Under this amendment either marking may be used until January 1, 1970. On and after that date all newly manufactured packagings must be marked "DOT" as required. However, packagings with the previously required ICC specification markings which are manufactured before January 1, 1970, may be continued in service as marked.

Since this amendment is concerned with a name conversion and authorizes immediate voluntary conversion to a new marking system but imposes no immediate burden on any person, notice and public procedure thereon are unnecessary and good cause exists for making it effective on less than 30 days' notice.

In consideration of the foregoing, Title 49 of the Code of Federal Regulations is amended, effective on date of publication in the FEDERAL REGISTER as follows:

(A) By striking out the words "Interstate Commerce Commission" and "Commission" wherever they appear in Parts 171 through 180 and by inserting the words "Department of Transportation" and "Department" respectively in place thereof.

(B) By striking out the letters "ICC" wherever they appear in Parts 171, 173, 174, and 177 through 179 and by inserting the letters "DOT" in place thereof except in the following sections: §§ 173.23(b), 173.32 (b), (b) (3), (c), and (d); 173.33 (e) (1); 173.34(e) (10) in the table each cylinder to which footnote one applies; 173.124(a) (5) each specification to which footnote one applies; 173.301(h) in the table each cylinder to which footnote one applies; 173.304(d) (3) (ii) in the table each container to which footnote one applies; and in 173.314(c) in the table each tank car to which footnote one applies.

I. Part 171 is amended as follows:

(A) Section 171.14 is added in the Table of Contents to read as follows:

Sec.
171.14 Specification markings.

(B) Section 171.14 is added to read as follows:

§ 171.14 Specification markings.

(a) Notwithstanding any other requirements of Parts 171 through 179 of this chapter, the letters "ICC" may continue to be placed on any packaging requiring specification markings until January 1, 1970.

(b) Packagings with the specification markings "ICC" placed thereon before January 1, 1970, may be continued in service as marked.

(Title 18 U.S.C. sec. 831-835; sec. 9, Department of Transportation Act; 49 U.S.C. 1657; Title VI, sec. 902(h), Federal Aviation Act of 1958; 49 U.S.C. 1421-1430, 1474(h))

Issued in Washington, D.C., on November 27, 1968.

SAM SCHNEIDER,
*Board Member, for the
Federal Aviation Administration.*

P. E. TRIMBLE,
*Acting Commandant,
United States Coast Guard.*

LOWELL K. BRIDWELL,
*Administrator,
Federal Highway Administration.*

A. SCHEFFER LANG,
*Administrator,
Federal Railroad Administration.*

[F.R. Doc. 68-14437; Filed, Dec. 2, 1968;
8:47 a.m.]

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1002, Amdt. 1]

PART 1033—CAR SERVICE

Car Distribution Directions; Appointment of Agents

At a session of the Interstate Commerce Commission, Division 3, held in Washington, D.C., on the 20th day of November 1968.

Upon further consideration of Service Order No. 1002 (33 F.R. 11453), and good cause appearing therefor:

It is ordered, That § 1033.1002, *Service Order No. 1002*, be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date*. This order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., November 30, 1968.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), 17(2))

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-14396; Filed, Dec. 2, 1968; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 258]

FISHERMEN'S PROTECTIVE ACT

Procedures

NOVEMBER 27, 1968.

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Fishermen's Protective Act of 1967 (P.L. 90-482; 22 U.S.C. 1977), it is proposed to adopt procedures (50 CFR Part 258) as set forth below. Section 7 of this Act provided that the Secretary of the Interior shall, upon receipt of an application, enter into an agreement with the owner of any vessel of the United States, which is documented or certificated as a commercial fishing vessel, to guarantee certain costs or losses which may be incurred as a result of the seizure of such vessel by a foreign country on the basis of rights or claims which are not recognized by the United States. These procedures will govern the administration of section 7 of this Act.

This proposed procedure relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, whenever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit, in triplicate, written comments, suggestions, or objections with respect to the proposed procedure to the Director, Bureau of Commercial Fisheries, Department of the Interior, Washington, D.C. 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

Part 258 if adopted to become effective on February 9, 1969.

§ 258.1 Definition of terms.

For the purpose of this part, the following terms shall be construed, respectively, to mean and to include:

(a) *Secretary*. The Secretary of the Interior or his authorized representative.

(b) *Owner*. The registered owner or owners of a commercial fishing vessel, or a bareboat charterer of a commercial fishing vessel.

(c) *Act*. The Fishermen's Protective Act of 1967 (22 U.S.C. 1971-1977, as amended).

(d) *Fishermen's Protective Fund*. The account established in the Treasury of the United States under the provisions of section 7(c) of the Act.

(e) *Commercial fishing vessel*. A vessel licensed or enrolled and licensed as a fishing vessel of the United States en-

gaged in catching, or catching and processing, fish and/or shellfish.

(f) *Seized*. Placed under arrest and detained by a foreign country for alleged illegal fishing.

§ 258.2 Purposes of Fishermen's Protective Fund.

The broad objective of the Fishermen's Protective Fund is to provide for reimbursement of losses and costs (other than fines, license fees, registration fees, and other direct costs which are reimbursable by the Secretary of State) incurred as a result of the seizure of a U.S. commercial fishing vessel by a foreign country on the basis of rights or claims in territorial waters or on the high seas which are not recognized by the United States.

§ 258.3 Eligibility.

Any owner of a commercial fishing vessel documented or certified in the United States is eligible to apply for an agreement with the Secretary providing for a guarantee in accordance with section 7(a) of the Act.

§ 258.4 Applications.

Any Owner desiring to enter into an agreement with the Secretary under the authority of section 7(a) of the Act shall make application to the Director, Bureau of Commercial Fisheries, U.S. Department of the Interior, Washington, D.C. 20240, upon an application form furnished by that Bureau. The application shall be accompanied by a fee in the amount prescribed in § 258.5.

§ 258.5 Fees.

(a) The fees are established to provide for payment of the administrative costs and two-thirds of the estimated claims during the applicable fiscal year. They will be set based on anticipated losses and prior experience. The fee schedule may be increased or decreased by amendment to this part at any time, if warranted by changed conditions; and if this change takes place during a fiscal year it will be applicable to all contracts executed after the effective date of the amendment.

(b) The fees to be paid by an applicant shall be as follows:

For each vessel \$120 plus \$3.60 per gross ton as listed on the vessel's documents. Fractions of a ton are not included.

(c) The fees will cover the guarantee agreement for a fiscal year ending on June 30, or any part of that fiscal year. No return of a fee or portion of a fee will be made after an agreement is executed by the Secretary.

(d) A guarantee agreement may, with the consent of the Secretary, be assigned to a new owner of a vessel if the owner-

ship of the vessel is transferred during the period in which the agreement is in force.

§ 258.6 Insurance required.

In order to qualify for an agreement executed under this part, the vessel must be insured during the period of the agreement with hull and machinery insurance and protection and indemnity insurance in an amount and form satisfactory to the Secretary.

§ 258.7 Approval of applications.

The approval of an application shall be evidenced by the execution of the agreement by the Secretary and the agreement shall be in effect from the time of its effective date.

§ 258.8 Payment of claims.

(a) In case of a cost or loss resulting in a claim under an agreement, the claim shall be filed in duplicate with the Director, Bureau of Commercial Fisheries, U.S. Department of the Interior, Washington, D.C. 20240. The Director will obtain verification of certain essential facts regarding the seizure from the Department of State. Payments shall be made as promptly as practicable but may, at times, be delayed pending appropriation of necessary funds.

(b) The burden of proving all damages shall be upon the guaranteed party.

(c) No payment shall be made on a claim caused by negligence of the owner, captain or crew.

(d) Each claim filed shall contain an authorization to all International, Federal, State, or Local Government agencies to furnish the Bureau of Commercial Fisheries with any data or information relating to the operation of the vessel involved in the claim which the Secretary deems necessary for adjudication of the claim.

(e) No claim shall be paid unless the vessel involved and covered by a guarantee agreement is properly documented as a vessel of the United States at the time of the seizure.

(f) No claim of any crew member who is not a citizen or an alien legally domiciled in the United States will be considered.

(g) In case of the loss or confiscation of a vessel or gear resulting in a claim, the value of the vessel or gear for the purpose of settling the claim shall be the market value as determined by the Secretary.

(h) The value used in determining claims involving the catch of the vessel will be that paid in the port and on the date of the first arrival of the vessel in the United States as determined by the Secretary. If the vessel does not return to a port of the United States, the value used will be determined by the Secretary.

after consideration of the circumstances involved.

(i) Original documents or certified copies of receipts and other documents required as verification of losses must be provided. Documents in other than the English language must be accompanied by authenticated English translations. This translation may be made by any competent translator who shall certify that he has a proper knowledge of both languages and that the translation is an accurate and exact translation of the foreign language document. The certificate must have been executed before a notary public or other person authorized to administer oaths.

(j) All assureds shall pursue any claim under commercial insurance covering identical loss or losses as the Secretary may determine to be necessary prior to application for payment under this part.

§ 258.9 Records.

The Secretary shall have the right to inspect such books and records of the owner as the Secretary may deem necessary in processing a claim under this part.

WILLIAM M. TERRY,
Acting Director,

Bureau of Commercial Fisheries.

[F.R. Doc. 68-14412; Filed, Dec. 2, 1968; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 7]

CARPETS AND RUGS

Notice of Finding That Flammability Standard or Other Regulation May Be Needed and Institution of Proceedings

Finding. Pursuant to section 4(a) of the Flammable Fabrics Act, as amended (sec. 3, 81 Stat. 569; 15 U.S.C. 1193) and § 7.5 of the Flammable Fabrics Act Procedures (33 F.R. 14642), and upon the basis of investigation or research conducted pursuant to section 14 of the Flammable Fabrics Act, as amended (sec. 10, 81 Stat. 573; 15 U.S.C. 1201), it is hereby found that a flammability standard or other regulation, including labeling, may be needed for carpets and rugs, and fabrics or related materials intended to be used in these products, to protect the public against unreasonable risk of the occurrence of fire leading to death or personal injury, or significant property damage.

Although there are standards for certain specialized application, there now exists no national flammability standard for carpets and rugs affording protection to the general public from an unreasonable risk of fire. Carpets and rugs, therefore, might be produced and made available for consumer purchase which present through ordinary use such foreseeable hazards of fire as rapid flash burning or continuous slow burning or smoldering. In the latter situation, the

flame may easily remain undetected while the members of a household either go to bed or leave the premises.

In federally owned or leased buildings, a measure of protection against these hazards is afforded through the requirement of the Federal Supply Service, General Services Administration, that all rugs and carpets purchased for use in such buildings must comply with the flame resistance criteria of Federal Specification DDD-C-95, Carpets and Rugs, Wool, Nylon, Acrylic, Modacrylic. Under the test procedure prescribed therein, a specimen of carpet, conditioned at a prescribed relative humidity and placed in a horizontal position, is subjected to controlled ignition from a timed burning tablet. Flammability is evaluated by measuring the maximum diameter of the charred area produced.

The Department has been provided data concerning tests of carpet flammability conducted by Consumers Union, Mount Vernon, N.Y. The tests conducted by Consumers Union were in accordance with the procedures embodied in Federal Specification DDD-C-95.

The Department has analyzed the data provided by Consumers Union and has satisfied itself as to the adequacy of Consumers Union's facilities and the competence of their testing personnel, insofar as these criteria relate to the foregoing tests.

Consumers Union submitted data from 33 tests of acrylic (including blends containing modacrylic fiber) indoor carpets and 99 tests of acrylic and polypropylene indoor-outdoor carpets. The indoor carpets tested represented one or more models from 18 different brands. The carpet samples tested failed to meet the minimum requirements for flame resistance of Federal Specification DDD-C-95 in 14 of the 33 tests conducted.

The indoor-outdoor carpets tested represented 13 models from 12 different brands. The carpet samples tested failed to satisfy the minimum requirements for flame resistance of Federal Specification DDD-C-95 in 34 of the 99 tests conducted.

The test procedure of Federal Specification DDD-C-95 is only one of several flammability test methods currently available for rugs and carpets. For example, rugs or carpets for use in hospitals receiving Federal assistance under the Hospital and Medical Facilities Amendments of 1964 (78 Stat. 447; 42 U.S.C. 291 et seq.) to the so-called Hill-Burton Act, must comply with the requirements for construction and equipment established by the U.S. Public Health Service, Department of Health, Education, and Welfare. These requirements are published as "General Standards of Construction and Equipment for Hospital and Medical Facilities" (PHS No. 930-A-7) and include provision for maximum flame spread rating determined in accordance with ASTM Standard No. E 84-61.

Institution of proceedings. Pursuant to section 4(a) of the Flammable Fabrics Act, as amended (sec. 3, 81 Stat. 569; 15 U.S.C. 1193), and § 7.6(a) of the Flam-

mable Fabrics Act Procedures (33 F.R. 14642), notice is hereby given of the institution of proceedings for the development of an appropriate flammability standard or other regulation for all carpets and rugs, and fabrics or related materials intended to be used in these products. All interested persons are invited to submit written comments or suggestions within 30 days after date of publication of this notice in the FEDERAL REGISTER relative to (1) the above finding that a new or amended flammability standard or other regulation, including labeling, may be needed; and (2) the terms or substance of a flammability standard or other regulation, including labeling, that might be adopted in the event that a final finding is made by the Secretary of Commerce that such a standard or other regulation is needed to adequately protect the public against unreasonable risk of the occurrence of fire leading to death, injury, or significant property damage. Written comments or suggestions should be submitted in at least four (4) copies to the Assistant Secretary for Science and Technology, Room 5884, U.S. Department of Commerce, Washington, D.C. 20230, and may be supported by any written data or other information as are available and pertinent to the subject.

All written comments received pursuant to this notice will be available for public inspection at the Central Reference and Records Facility of the Department of Commerce, Room 2122, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230.

Issued: November 27, 1968.

JOHN F. KINCAID,
Assistant Secretary
for Science and Technology.

[F.R. Doc. 68-14447; Filed, Dec. 2, 1968; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 73]

BIOLOGICAL PRODUCTS

Additional Standards; Tuberculin

Notice is hereby given that the Director, National Institutes of Health, proposes to amend Part 73 of the Public Health Service Regulations by prescribing specific standards of safety, purity, and potency for Tuberculin.

Inquiries may be addressed, the data, views and arguments may be presented by interested parties, in writing, in triplicate, to the Director, National Institutes of Health, 9000 Rockville Pike, Bethesda, Md. 20014. All relevant material received not later than 30 days after publication of this notice in the FEDERAL REGISTER will be considered.

Notice is also given that it is proposed to make any amendments that are

adopted effective 60 days after publication in the FEDERAL REGISTER.

1. Add to the table of contents the following:

ADDITIONAL STANDARDS: TUBERCULIN

Sec.	
73.610	Proper name and definition.
73.611	U.S. Standard preparations.
73.612	Production.
73.613	Potency test.
73.614	General requirements.
73.615	Equivalent methods.

2. Amend § 73.86 by deleting the product names, dating periods and storage temperatures for "Tuberculin, Old", "Tuberculin, Patch Test", "Tuberculin, Purified Protein Derivative" and "Tuberculin, Tine Test", and insert in lieu thereof, the following:

Tuberculin-----	<i>Old, concentrated:</i> Containing 50 percent glycerin, 5 years.
	<i>Old, diluted:</i> 1 year.
	<i>Purified Protein Derivative, concentrated:</i> 2 years containing 50 percent glycerin (5° C., 1 year).
	<i>Purified Protein Derivative, dried:</i> 5 years.
	<i>Old, dried on multiple puncture device:</i> 2 years, provided labeling recommends storage at no warmer than 30° C. (30° C., 1 year).

3. Add the following to Part 73:

ADDITIONAL STANDARDS: TUBERCULIN

§ 73.610 Proper name and definition.

The proper name of this product shall be Tuberculin, which shall be a preparation derived from *Mycobacterium tuberculosis* or *M. bovis*.

§ 73.611 U.S. Standard preparations.

(a) The U.S. Standard Tuberculin, Old, shall be used for determining the potency of nonfractionated tuberculins, as prescribed in § 73.613. One U.S. test unit is 0.1 ml. of a 1:10,000 dilution of this standard.

(b) The U.S. Standard Tuberculin, Purified Protein Derivative, shall be used in determining the potency of tuberculins made from protein fractions, as prescribed in § 73.613. One U.S. test unit is 0.1 ml. of a 1:5,000 dilution of this standard.

§ 73.612 Production.

(a) *Propagation of mycobacteria.* The medium used for production of mycobacteria shall not contain ingredients known to be capable of producing allergic effects in human subjects.

(b) *Test for viable mycobacteria.* The culture filtrate from each strain in its most concentrated form shall be shown to be free of viable mycobacteria by the following tests:

(1) *Animal test.* A 0.1 ml. sample of the filtrate shall be injected intraperitoneally into each of at least three healthy guinea pigs weighing approximately 350 gm. At least two-thirds of the animals must survive an observation period of at least 6 weeks and must show

a normal weight gain. After the observation period the animals shall be necropsied and examined for signs indicative of tuberculosis except that animals that die during the observation period shall be necropsied and examined as soon as feasible after death. The filtrate is satisfactory for Tuberculin manufacture if none of the animals in the test show evidence of tuberculosis infection.

(2) *Culture test.* A 2.0 ml. sample of the filtrate shall be inoculated onto Lowenstein-Jensen's egg medium or other media demonstrated to be equally capable of supporting growth. A control test on the culture medium shall be conducted simultaneously with the sample under test and shall be shown to be capable of supporting the growth of small numbers of the production strain(s). All the test vessels shall be incubated at a suitable temperature for a period of 6 weeks under conditions that will prevent drying of the medium, after which the cultures shall be examined for evidence of mycobacterial colonies. The filtrate is satisfactory for Tuberculin manufacture if the test shows no evidence of mycobacteria.

§ 73.613 Potency test.

The potency of each lot of Tuberculin shall be estimated from a comparison of the responses obtained by the intradermal injection into sensitized guinea pigs weighing over 500 gm. of a sample of the lot under test and of the appropriate standard preparation. The U.S. Standard Tuberculin, Old, shall be used in determining the potency of tuberculins made from the concentrated filtrate of the soluble products of the growth of the mycobacteria. The U.S. Standard Tuberculin, Purified Protein Derivative, shall be used in determining the potency of tuberculins made from protein fractions of the soluble products of the growth of the mycobacteria. The test shall be performed as follows:

(a) *Sensitization of test animals.* At least four white guinea pigs shall be sensitized with *M. tuberculosis* or *M. bovis*. The degree of sensitivity shall be such that an intradermal injection of one U.S. test unit of the appropriate standard preparation will produce in each test animal an erythematous reaction approximately 100 mm² within 18-24 hours.

(b) *Test procedure.* The hair shall be removed from both sides of the sensitized test animals without producing abrasions of the skin. Dilutions of the standard containing 0.5, 1, 2 and 4 U.S. test units in the test dose of 0.1 ml. and four comparable levels of activity of the lot under test shall be injected intradermally into opposite and parallel sites of each animal. Only three dilutions need be used when the initial concentration of the lot under test does not contain four test units in 0.1 ml. Within 18-24 hours following injection, measurements of the greater and lesser diameters of erythema measured to the closest millimeter shall be made at each site. The mean value of the product of the diameters for each dilution shall be calculated. The number of U.S. units in the lot under test

shall be estimated from its relationship to the reactivity of the appropriate standard preparation.

(c) *Potency.* The potency of the lot is satisfactory if the test results are within ±20 percent of the labeled unitage, except that tuberculins dried on multiple puncture devices shall be within ±50 percent of the labeled unitage.

§ 73.614 General requirements.

(a) *General safety.* Each lot of Tuberculin shall be tested for safety as prescribed in § 73.72, except that the sample of tuberculin from multiple-puncture devices shall be obtained by removing the tuberculin in a manner that will permit the injection of material from at least five devices into each of two guinea pigs and from at least two devices into each of two mice.

(b) *Labeling.* In addition to complying with all other applicable labeling provisions of this part, the package label shall state the following:

(1) The number of U.S. test units per dose.

(2) The applicable type of tuberculin placed immediately following and of no less prominence than the proper name, as follows:

- (i) "Old," or
- (ii) "Purified Protein Derivative" or "PPD."

(c) *Samples; protocols; official release.* For each lot of Tuberculin the following shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda, Md. 20014:

(1) A protocol which consists of a summary of the history of manufacture of each lot including all results of each test for which test results are requested by the Director, Division of Biologics Standards.

(2) Tuberculin distributed on a multiple puncture device, as follows:

- (i) A total of no less than 100 devices.
- (ii) A total of no less than 20 ml. of bulk tuberculin.

(3) A total of no less than 20 ml. of liquid tuberculin.

(4) Sufficient dried tuberculin in final containers so that upon reconstitution as recommended in labeling it will yield at least 20 ml.

Tuberculin shall not be issued by the manufacturer until notification of official release of the lot is received from the Director, Division of Biologics Standards.

§ 73.615 Equivalent methods.

Modification of any particular method or process or the conditions under which it is conducted as set forth in the additional standards relating to Tuberculin, shall be permitted whenever the manufacturer presents evidence that demonstrates the modification will provide assurances of the safety, purity, and potency of the product that are equal to or greater than the assurances provided by such standards, and the Director, National Institutes of Health, so finds and makes such finding a matter of official record.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216, Sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262)

Dated: November 5, 1968.

ROBERT Q. MARSTON,
Director,
National Institutes of Health.

Approved: November 27, 1968.

WILBUR J. COHEN,
Secretary.

[F.R. Doc. 68-14429; Filed, Dec. 2, 1968;
8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 121, 123]

[Docket No. 9276; Notice 68-32]

EMERGENCY TRANSCEIVERS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 121 of the Federal Aviation Regulations to require that a portable battery-powered transceiver be carried on all large airplanes operated under Part 121 for emergency use in the event of electrical power or other communications equipment failure.

All certificate holders under Part 123 of the Federal Aviation Regulations (Air Travel Clubs) are required to comply with the Part 121 emergency equipment requirements and would, therefore, be subject to this proposed equipment requirement if adopted.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before January 31, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

At present, there is no requirement in any part of the Federal Aviation Regulations that aircraft be equipped with a self-contained communications radio for use in flight which has a power source separate from the airplane's electrical system. The demand on the electrical system of transport category airplanes has steadily increased in recent years. A malfunction or failure of part of the electrical system can result in loss of power to communications equipment notwithstanding precautions taken in the design of electrical power producing and transmitting systems to preclude total loss of power. Also, malfunctions of radio system equipment have caused communications failures. Ice accumulation and damage in flight from various causes can also result in loss of communications. The consequences of a complete electrical system failure would be significantly reduced by having an emergency transceiver on board, since the use of airspace and the air traffic control system is predicated upon airplanes within the system having a communications capability. Most of the problems associated with communications failure could be alleviated by the availability and use of a self-contained transceiver.

Portable battery powered transceivers now available are completely self-contained, have a microphone, speaker, and antenna, and would not be subject to failure from malfunction of the components of the airplane's electrical or radio systems.

This proposed amendment would add a portable battery-powered transceiver to the emergency equipment listed in § 121.309. The specifications and requirements would be placed in an appendix to Part 121. The frequency requirement proposed for both transmitting and receiving is 121.5 MHz, the worldwide emergency frequency. The proposed regulation does not prohibit the use of emergency transceivers with a capability of transmitting or receiving on more than one frequency, but no requirement for frequencies in addition to 121.5 MHz is proposed at this time.

The FAA intends to make this proposed rule effective no later than one year after its adoption. However, the actual effective date that is established in the final rule will depend upon the availability of approved transceivers.

In consideration of the foregoing, it is proposed to amend Part 121 of the Federal Aviation Regulations as follows:

1. By adding the following new paragraph (g) at the end of § 121.309:

§ 121.309 Emergency equipment.

(g) *Portable battery-powered transceiver.* Each airplane must have a portable battery-powered transceiver that meets the specifications and requirements of Appendix G.

2. By adding the following new Appendix to Part 121:

APPENDIX G

PORTABLE BATTERY-POWERED TRANSCEIVERS

Portable battery-powered transceivers required by § 121.309 must meet the following specifications and requirements:

- (1) Each transceiver must be capable of transmitting and receiving on at least the worldwide emergency frequency 121.5 MHz;
- (2) The transmitter and receiver frequency stability must be ± 0.005 percent;
- (3) The transmitter must be capable of 85 percent voice amplitude modulation, without noticeable distortion;
- (4) The transmitter must be capable of voice amplitude modulation at frequencies between 300-2500 Hertz with less than 6 decibel variation over this range;
- (5) The transmitter power output must be at least 0.5 watt effective radiated power;
- (6) The antenna system must have a voltage standing wave ratio no greater than 1:1.2;
- (7) The receiver sensitivity shall be at least 10 microvolts for a 6 db signal + noise/noise ratio;
- (8) The receiver selectivity must be no wider than 34 KHz (± 17 KHz) at the 6 db points in the intermediate frequency curve and no wider than 70 KHz (± 35 KHz) at the 60 db points;
- (9) The audio frequency response of the receiver must be 300-2500 Hertz with less than 3 db variation over this range;
- (10) The audio output of the receiver must be at least 50 milliwatts with a 10 microvolt, 30 percent amplitude modulated, radio frequency input;
- (11) The transceiver must be self contained, including antenna, power source, microphone, and speaker;
- (12) Operating time must be at least 45 minutes with a transmit/receive ratio of 1:4;
- (13) The transceiver must be capable of operating under normal environmental conditions in the cockpit during flight; and
- (14) The operation of the transceiver must not be affected by the environmental extremes expected in stowage in the cockpit.

This amendment is proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on November 25, 1968.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 68-14372; Filed, Dec. 2, 1968;
8:45 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 68-293]

CUE CASES

Tariff Classification

NOVEMBER 26, 1968.

Pursuant to § 16.10a(d), Customs Regulations (19 CFR 16.10a(d)), the Bureau of Customs gave notice in the FEDERAL REGISTER for October 10, 1968 (33 F.R. 15127), that it would review the tariff classification of cue cases. This review has been completed and no representations have been received.

As a result of this review, the Bureau has concluded that wood cue cases and simulated leather cue cases are classifiable under the provision for other luggage, in item 706.60, Tariff Schedules of the United States (TSUS).

Inasmuch as this decision results in the assessment of duty at a higher rate than previously assessed under a uniform and established practice, the higher rate shall be applied only to such or similar merchandise entered, or withdrawn from warehouse, for consumption after the expiration of 90 days after the date of publication of this decision in the Customs Bulletin.

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

[F.R. Doc. 68-14399; Filed, Dec. 2, 1968; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Wyoming 15948]

WYOMING

Proposed Classification of Public Lands for Multiple-Use Management

NOVEMBER 22, 1968.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management, the public lands falling within the area described below. Publication of this notice has the effect of segregating the public lands described from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. Sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). Except as provided above, the lands shall remain open to all other forms of appropriation including the mining and mineral leasing laws. As used herein, "Public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934,

as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose. Public lands located within the areas described in this notice are shown on the Park County Classification Map, and lie within Area I of said Map, which is on display in the District Office, Bureau of Land Management, Worland, Wyo.; in the Park County Courthouse, Cody, Wyo.; and in the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, Wyo.

SIXTH PRINCIPAL MERIDIAN

PARK COUNTY

Tps. 48 to 58 N., R. 98 W.
T. 48 N., R. 99 W.
T. 49 N., R. 99 W.
Secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, secs. 22 to 27, inclusive, secs. 34, 35, and 36.
T. 50 N., R. 99 W.,
Secs. 1 to 27, inclusive, secs. 30, 31, 34, 35, and 36.
Tps. 51 to 58 N., R. 99 W.
T. 47 N., R. 100 W.,
Secs. 1 to 5, inclusive, E½ sec. 6, E½ sec. 7, secs. 8 to 17, inclusive, E½ sec. 18, secs. 20 to 24, inclusive, W½ sec. 27, secs. 28, 29, E½ sec. 31, secs. 32, 33, N½NW¼ sec. 34.
T. 48 N., R. 100 W.,
Sec. 1, S½ sec. 3, secs. 10 to 36, inclusive.
T. 49 N., R. 100 W.,
Secs. 2, 3, 4, lots 8, 9, SW¼SE¼ sec. 6, secs. 7 to 11, inclusive, N½ sec. 12, and N½ sec. 18.
T. 50 N., R. 100 W.,
Secs. 1 to 30, inclusive, N½ sec. 32, and secs. 33 to 36, inclusive.
Tps. 51 to 58 N., R. 100 W.
T. 49 N., R. 101 W.,
Lots 7, 8, SW¼SE¼ sec. 1 and sec. 12.
T. 50 N., R. 101 W.,
Sec. 1, E½, E½W½ sec. 2, secs. 12, 13, 24, and 25.
T. 51 N., R. 101 W.,
Secs. 1 to 27, inclusive, N½ sec. 30, secs. 35 and 36.
Tps. 52 to 58 N., R. 101 W.
T. 51 N., R. 102 W.,
Secs. 1 to 15, inclusive, and sec. 18.
T. 52 N., R. 102 W.,
Secs. 1 to 18, inclusive, E½ sec. 19, secs. 20 to 29, inclusive, and secs. 31 to 36, inclusive.
T. 53 N., R. 102 W.,
Secs. 1, 2, lots 9, 10, 14 sec. 3, and secs. 7 to 36, inclusive.
T. 54 N., R. 102 W.,
N½ sec. 1, secs. 13, 14, 24, 25, 26, 35, and 36.
T. 55 N., R. 102 W.,
Secs. 1 to 18, inclusive, N½N½ sec. 22, N½N½ sec. 23, and sec. 24.
Tps. 56 to 58 N., R. 102 W.
T. 51 N., R. 103 W.,
Secs. 12 and 13.
T. 52 N., R. 103 W.,
Secs. 1, 2, 3, lots 1, 6, 7, 8 sec. 4, secs. 12 and 13.
T. 53 N., R. 103 W.,
Secs. 6 to 29, inclusive, E½E½ sec. 33, secs. 34, 35, and 36.
T. 55 N., R. 103 W.,
E½ sec. 1 and E½ sec. 12.

T. 56 N., R. 103 W.,
Secs. 1 to 30, inclusive, N½, N½S½ sec. 31, NW¼NW¼ sec. 32, lot 1 sec. 34, and lots 1, 2, 3, 4, 5, 6, N½NE¼ sec. 36.
T. 57 N., R. 103 W.,
Secs. 12 and 24.
T. 58 N., R. 103 W.,
Sec. 24.
T. 54 N., R. 104 W.,
E½ sec. 25 (unsurveyed) and E½ sec. 36 (unsurveyed).

The public lands within the above described area aggregates approximately 405,095 acres.

2. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions or objections in connection with the proposed classification may present their views in writing to the District Manager, Worland District Office, Bureau of Land Management, Post Office Box 119, Worland, Wyo. 82401.

3. A public hearing on the proposed classification will be held on January 15, 1969, at 1:30 p.m. in the Cody Club Room in Cody, Wyo.

ROBERT E. WILBER,
Acting State Director.

[F.R. Doc. 68-14387; Filed, Dec. 2, 1968; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Order Directing That Referendum Be Conducted; Designation of Referendum Agents To Conduct Such Referendum; and Determination of Representative Period

Pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), it is hereby directed that a referendum be conducted within the period January 1, 1969, through February 15, 1969, among the growers who, during the period March 1, 1968, through December 31, 1968 (which period is hereby determined to be a representative period for the purposes of such referendum), were engaged, in the State of California, in the production of any fruit covered by the said amended marketing agreement and order (as the term "fruit" is therein defined) for market in fresh form to ascertain whether continuance of the said amended marketing agreement and order as to such fruit is favored by the growers. W. B. Blackburn, and G. P. Muck, of the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department

of Agriculture, Room 8518, 650 Capitol Mall, Sacramento, Calif. 95814, are hereby designated as referendum agents of the Secretary of Agriculture to conduct said referendum. The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400 et seq.).

Copies of the texts of the aforesaid amended marketing agreement and order may be examined in the office of the referendum agents or of the Director, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Ballots to be cast in the referendum may be obtained from the referendum agents and from their appointees.

Dated: November 26, 1968.

TED J. DAVIS,
Assistant Secretary.

[F.R. Doc. 68-14378; Filed, Dec. 2, 1968;
8:45 a.m.]

NECTARINES GROWN IN CALIFORNIA

Order Directing That Referendum Be Conducted; Designation of Referendum Agents To Conduct Such Referendum; and Determination of Representative Period

Pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916), and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), it is hereby directed that a referendum be conducted within the period beginning December 1, 1968, and ending February 15, 1969, among the growers who, during the current marketing season beginning on May 1, 1968 (which period is hereby determined to be a representative period for the purpose of such referendum), were engaged, in the State of California, in the production of nectarines for market to ascertain whether such growers favor the continuance of the said amended marketing agreement and order. W. B. Blackburn and G. P. Muck, of the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Room 8518, 650 Capitol Mall, Sacramento, Calif. 95814, are hereby designated as referendum agents of the Secretary of Agriculture to conduct said referendum.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (7 CFR 900.400 et seq.).

Copies of the texts of the aforesaid marketing agreement and order may be examined in the office of the referendum agents or of the Director, Fruit and Vegetable Division, Consumer and Marketing

Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Ballots to be cast in the referendum may be obtained from the referendum agents and from their appointees.

Dated: November 26, 1968.

TED J. DAVIS,
Assistant Secretary.

[F.R. Doc. 68-14379; Filed, Dec. 2, 1968;
8:45 a.m.]

Office of the Secretary NORTH CAROLINA AND NORTH DAKOTA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the States of North Carolina and North Dakota, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

NORTH CAROLINA

Bertie.

NORTH DAKOTA

Benson.
Cavaller.
Eddy.

Foster.
Pembina.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1969, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 26th day of November 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-14380; Filed, Dec. 2, 1968;
8:45 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-225]

AMERICAN MAIL LINE, LTD.

Notice of Application

Notice is hereby given that American Mail Line, Ltd., has applied for operating-differential subsidy for four freightships and 55 sailings per annum in addition to the vessels and maximum sailings now authorized on its subsidized Trade Route No. 29, U.S. Pacific Northwest/Far East service.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c), 46 U.S.C. 1175, of the Merchant Marine Act, 1936, as amended (the "Act"), should, by the close of business on December 10, 1968, notify the Secretary, Maritime Subsidy Board in

writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board/Maritime Administration (46 CFR Part 201).

In the event section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service, route, or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: November 27, 1968.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, JR.,
Secretary.

[F.R. Doc. 68-14413; Filed, Dec. 2, 1968;
8:46 a.m.]

[Docket No. S-224]

AMERICAN PRESIDENT LINES, LTD.

Notice of Application

Notice is hereby given that American President Lines, Ltd., has applied for operating-differential subsidy for four freightships and 55 sailings per annum in addition to the vessels and maximum sailings now authorized on its subsidized Trade Route No. 29, California/Far East service.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c), 46 U.S.C. 1175, of the Merchant Marine Act, 1936, as amended (the "Act"), should, by the close of business on December 10, 1968, notify the Secretary, Maritime Subsidy Board in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board/Maritime Administration (46 CFR Part 201).

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service, route, or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of

the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: November 27, 1968.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-14414; Filed, Dec. 2, 1968;
8:46 a.m.]

[Docket No. S-227]

AMERICAN PRESIDENT LINES, LTD.

Notice of Application

Notice is hereby given that American President Lines, Ltd., has applied for an increase in maximum sailings on its subsidized Trans-Pacific Freight Service (Trade Route No. 29, U.S. Pacific/Far East) from 48 sailings per annum to 54 sailings per annum.

Any person, firm, or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should, by the close of business on December 10, 1968, notify the Secretary, Maritime Subsidy Board, in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service, route, or line is inadequate, and (2) whether in the accomplishment of the purpose and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: November 27, 1968.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-14415; Filed, Dec. 2, 1968;
8:46 a.m.]

[Docket No. S-226]

STATES STEAMSHIP CO.

Notice of Application

Notice is hereby given that States Steamship Co. has applied for operating-differential subsidy for five freightships and a minimum of 25 and a maximum of 60 sailings per annum in addition to the vessels and sailings now authorized on its subsidized Trade Route No. 29, U.S. Pacific/Far East service.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c), 46 U.S.C. 1175, of the Merchant Marine Act, 1936, as amended (the "Act"), should, by the close of business on December 10, 1968, notify the Secretary, Maritime Subsidy Board, in writing, in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board/Maritime Administration (46 CFR Part 201).

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of U.S. registry in such service, route, or line is inadequate, and (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: November 27, 1968.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-14416; Filed, Dec. 2, 1968;
8:46 a.m.]

C4 TROOPSHIPS

Notice of Allocation

In F.R. Doc. 68-10435 appearing in the FEDERAL REGISTER issue of August 29, 1968 (33 F.R. 12202), notice was given that pursuant to the Ship Exchange Act (section 510(i) of the Merchant Marine Act, 1936, as added by Public Law 86-575 and amended by Public Law 89-254, 46 U.S.C. 1160(i)), two C4 troopships, owned by the United States of America, represented by the Secretary of Commerce, acting by and through the Maritime Administrator, were available for trade-out to nonsubsidized American flag steamship operators in exchange for

their older and less efficient ships in accordance with the terms therein stated.

In response to the notice, four companies filed applications proposing conversions for a total of 8 troopships.

On the basis of a review of the applications received in relation to the criteria for assignments of the available troopships as stated in the notice, the two C4 troopships have been assigned by the Acting Maritime Administrator as follows:

Applicant, Name of Ship, and Fleet

Waterman Steamship Corp.; General LeRoy Eltinge; Suisun Bay.
Waterman Steamship Corp.; General R. M. Blatchford; Suisun Bay.

Conditions of assignment. The assignments of the above-mentioned ships are approved subject to the applicant agreeing to the following conditions:

(a) The applicant must qualify for the ship exchanges in accordance with the provisions of the Ship Exchange Act, Public Law 86-575 and Public Law 89-254, and with the requirements of General Order 92 (27 F.R. 2011).

(b) The applicant must accept the ship assignments within 10 days and enter into ship exchange contracts within 60 days after the receipt of notice of assignment. Each assignment is contingent upon the execution of a shipyard contract or commitment for the proposed conversion and the completion of financing both as approved by the Maritime Administration no later than the time of execution of the ship exchange contract; evidence of firm commitment and date upon which the ship will be placed in a shipyard and date upon which the actual work is to commence in the shipyard; the posting with the Maritime Administration of a certified cash deposit of \$50,000 per ship at the time of acceptance of the ship assignments. The deposit shall be applied as a credit to the applicant under the contract. Should the applicant fail to enter into a ship exchange contract within such 60-day period the said \$50,000 deposit per ship shall be retained by the Maritime Administration as liquidated damages. The allocations are also contingent upon the applicant meeting all other requirements for the exchange of ships.

(c) In the event the applicant fails to meet the aforesaid requirements the allocation will automatically be canceled and the ships will be immediately offered for trade-out to all unsubsidized operators by a notice of availability published in the FEDERAL REGISTER.

(d) The Maritime Administration, without obligation to the applicant, reserves the right to cancel, in whole or in part, any of the above assignments prior to the execution of an exchange contract, if it determines that it would be in the public interest to do so, or that the applicant is not proceeding promptly or in good faith to comply with the conditions of the assignments.

(e) Each ship exchange contract will contain provisions requiring that the applicant complete the conversion of the C4

ship substantially in accordance with plans approved by the Maritime Administration within 12 months after execution of the ship exchange contract, unless additional time is granted by the Maritime Administration for good cause. Each exchange contract will provide that in the event the applicant fails to complete the conversion within the time stipulated, there shall become due and payable liquidated damages in the sum of \$1,000 per day for failure to complete the conversion and should this default continue for a period of more than 60 days, the exchange contract will be subject to termination at the option of the Maritime Administration in which event title and possession of the C4 ship will be returned to the U.S. Government, without obligation to the applicant.

(f) The assignments of ships are conditioned upon the ships being taken for title by the applicant or a closely related company, and for the conversions to be financed without aid from a subsidized company or affiliate thereof.

Dated: November 26, 1968.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 68-14417; Filed, Dec. 2, 1968;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration 2-AMINO BUTANE

Notice of Establishment of Temporary Tolerance

Notice is given that at the request of the Elanco Products Co., a division of Eli Lilly & Co., Indianapolis, Ind. 46206, a temporary tolerance of 50 parts per million is established for residues of the fungicide 2-aminobutane in or on peaches from postharvest application. The Commissioner of Food and Drugs has determined that this temporary tolerance will protect the public health.

A condition under which this temporary tolerance is established is that the fungicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Elanco Products Co. name.

This temporary tolerance will expire November 25, 1969.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: November 25, 1968.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 68-14423; Filed, Dec. 2, 1968;
8:46 a.m.]

ALLIED CHEMICAL CORP.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9B2364) has been filed by Allied Chemical Corp., Post Office Box 405, Morristown, N.J. 07960, proposing that § 121.2597 *Polymer modifiers in semirigid and rigid polyvinyl chloride plastics* (21 CFR 121.2597) be amended to provide for the safe use of the polymer modifiers listed therein as components of vinyl chloride-lauryl vinyl ether copolymers regulated under § 121.2608 *Vinyl chloride-lauryl vinyl ether copolymer* (21 CFR 121.2608).

Dated: November 25, 1968.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 68-14424; Filed, Dec. 2, 1968;
8:46 a.m.]

CIBA AGROCHEMICAL CO.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 9F0764) has been filed by the CIBA Agrochemical Co., Post Office Box 1105, Vero Beach, Fla. 32960, proposing the establishment (21 CFR Part 120) of a tolerance of 0.1 part per million for negligible residues of the herbicide 1,1-dimethyl-3-(α,α,α -trifluoro-*m*-tolyl)-urea in or on the raw agricultural commodity sugarcane.

The analytical method proposed in the petition for determining residues of the herbicide is a colorimetric procedure consisting of extraction with acetonitrile, hydrolysis to trifluoromethylaniline, diazotization, coupling with *N*-ethyl-1-naphthylamine, and measurement of the absorbance at 525 millimicrons.

Dated: November 25, 1968.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 68-14425; Filed, Dec. 2, 1968;
8:46 a.m.]

EASTERN RESEARCH LABORATORIES, INC.

Delfeta-Sed Plus T Stedytabs Sustained Release Tablets; Notice of Withdrawal of Approval of New-Drug Application

Eastern Research Laboratories, Inc., 302 South Central Avenue, Baltimore, Md. 21202, holder of approved new-drug application No. 12-379 and all amendments and supplements thereto for the

combination drug Delfeta-sed plus T Stedytabs sustained release tablets containing methamphetamine hydrochloride (30 milligrams), thyroid (2¼ grains), and amobarbital (120 milligrams), has waived opportunity for a hearing on the proposed withdrawal of approval of said application as announced in the FEDERAL REGISTER of September 17, 1968 (33 F.R. 14082).

The Commissioner of Food and Drugs, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), finds on the basis of new information evaluated together with evidence available when the application was approved that there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling, and that the drug is not shown to be safe for use under the conditions of use upon the basis of which the application was approved.

Therefore, pursuant to the foregoing finding, approval of new-drug application No. 12-379 and all amendments and supplements thereto applying to Delfeta-sed plus T Stedytabs sustained release tablets is withdrawn, effective on the date of signature of this document.

Dated: November 21, 1968.

WINTON B. RANKIN,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 68-14426; Filed, Dec. 2, 1968;
8:46 a.m.]

W. R. GRACE & CO., DEWEY & ALMY CHEMICAL DIVISION

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9A2365) has been filed by W. R. Grace & Co., Dewey & Almy Chemical Division, 62 Whittemore Avenue, Cambridge, Mass. 02140, proposing that § 121.1088 *Boiler water additives* (21 CFR 121.1088) be amended to provide for the safe use of sodium polymethacrylate as a boiler water additive in the preparation of steam that will contact food.

Dated: November 25, 1968.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 68-14427; Filed, Dec. 2, 1968;
8:46 a.m.]

HAZLETON LABORATORIES, INC.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C.

346a(d)(1)), notice is given that a petition (PP 9F0766) has been filed by Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, proposing the establishment of tolerances (21 CFR Part 120) for negligible residues of the insecticide rotenone in meat, fat, and meat byproducts of cattle, goats, hogs, and sheep and in milk at 0.04 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is the method of M. Jacobson et al., published in the "Journal of the Association of Official Analytical Chemists," Vol. 42, No. 1 (1959), pp. 174-6.

Dated: November 25, 1968.

R. E. DUGGAN,
*Acting Associate Commissioner
for Compliance.*

[F.R. Doc. 68-14428; Filed, Dec. 2, 1968;
8:47 a.m.]

Social Security Administration IRAN

Notice of Finding Regarding Foreign Social Insurance or Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which (A) periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and (B) individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare the Commissioner of Social Security has approved a finding that Iran does not have a social insurance or pension system which is of general application in that country.

Accordingly, it is hereby determined and found that Iran does not have in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

This augments the finding with respect to Iran published in the FEDERAL REGISTER of October 7, 1960 (25 F.R. 9652).

Dated: November 11, 1968.

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

Approved: November 27, 1968.

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

[F.R. Doc. 68-14431; Filed, Dec. 2, 1968;
8:47 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DIRECTOR, OPERATIONAL SERVICES DIVISION, AND CHIEF AND PRO- GRAM INSURANCE ADVISOR, LO- CAL ADMINISTRATIVE PRACTICES BRANCH, RENEWAL AND HOUSING ASSISTANCE

Redelegations of Authority

The Director, Operational Services Division, and the Chief and the Program Insurance Advisor, Local Administrative Practices Branch, Renewal and Housing Assistance, each is authorized to approve non-Federal insurance contracts and to execute endorsements of behalf of the Department of Housing and Urban Development on insurance checks on which the United States of America, Department of Housing and Urban Development or any predecessor agency of the Department of Housing and Urban Development, is a joint payee with respect to the programs listed below:

Slum clearance and urban renewal, demolition, and code enforcement programs under Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450-1468), and section 312 of the Housing Act of 1954 (42 U.S.C. 1450 note).

Low-rent public housing program under the United States Housing Act of 1937, as amended (42 U.S.C. 1401 et seq.).

(Secretary's delegations of authority published at 31 F.R. 8964, June 29, 1966, as amended, and at 31 F.R. 8967, June 29, 1966, as amended)

Effective date. These redelegations of authority are effective as of February 1, 1968.

DON HUMMEL,
*Assistant Secretary for
Renewal and Housing Assistance.*

[F.R. Doc. 68-14386; Filed Dec. 2, 1968;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-113]

UNIVERSITY OF ARIZONA

Notice of Issuance of Facility License Amendment

The Atomic Energy Commission has issued Amendment No. 8 as set forth below and effective as of the date of issuance, to Facility License No. R-52. The license, which authorizes The University of Arizona to operate its TRIGA type nuclear reactor located on the campus in Tucson, Ariz., expires on November 20, 1968. The licensee has requested a 20-year extension; all other conditions of the license will remain the same. Accordingly, Amendment No. 8 extends the expiration date of the license to November 20, 1988.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a

request for a hearing, and any person whose interest may be affected by the issuance of this amendment may file a petition for leave to intervene. A request for hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing of a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see the licensee's application for license renewal dated November 12, 1968, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 20th day of November 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
*Assistant Director for Reactor
Operations, Division of Re-
actor Licensing.*

AMENDMENT TO FACILITY LICENSE

[License R-52, Amdt. 8]

The Atomic Energy Commission has found that:

1. The University of Arizona application for license renewal dated November 12, 1968, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

2. Operation of the reactor in accordance with the license, as amended, will not be inimical to the common defense and security or to the health and safety of the public; and

3. Prior public notice of proposed issuance of this amendment is not required, since the amendment does not involve significant hazards considerations different from those previously evaluated.

Accordingly, Facility License No. R-52, as amended, is hereby further amended by revising paragraph number 5 thereof in its entirety to read as follows:

"5. This license is effective as of the date of issuance and shall expire at midnight, November 20, 1988."

Date of issuance: November 20, 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
*Assistant Director for Reactor Op-
erations, Division of Reactor Li-
censing.*

[F.R. Doc. 68-14381; Filed, Dec. 2, 1968;
8:45 a.m.]

[Docket No. 115-4]

PUERTO RICO WATER RESOURCES AUTHORITY

Notice of Issuance of Amended Operating Authorization

The Atomic Energy Commission has issued Amendment No. 1, set forth below, to Facility Operating Authorization No. DPRA-4. The operating authorization, as previously issued, authorized Puerto Rico Water Resources Authority (PRWRA)

to use and operate at power levels up to 50 thermal megawatts the Boiling Water Nuclear Superheater (BONUS) Reactor located at Punta Higuera, near Rincon, P.R. The amendment, effective as of the date of issuance, authorizes PRWRA to possess, but not to operate, the deactivated BONUS Reactor, which PRWRA plans to dismantle at a later date, and incorporates new Technical Specifications for the facility. The amendment has been issued in accordance with PRWRA's application for operating authorization amendment dated September 4, 1968, and supplements thereto dated September 12, and October 9, 1968.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this amended operating authorization may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the related Safety Evaluation prepared by the Division of Reactor Licensing and (2) the PRWRA's application for license amendment dated September 4, 1968, and supplements thereto dated September 12, and October 9, 1968, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room, or upon request, addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 19th day of November 1968.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

BONUS NUCLEAR REACTOR

AMENDED OPERATING AUTHORIZATION

[Operating Authorization DPRA-4, Amdt. 1]

1. The Atomic Energy Commission has found that:

A. The application for operating authorization amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10 Chapter I, CFR;

B. There is reasonable assurance that the reactor can be possessed at the designated location without endangering the health and safety of the public;

C. The Puerto Rico Water Resources Authority is technically qualified to engage in the activities authorized by this operating authorization, as amended, in accordance with the rules and regulations of the Commission;

D. The issuance of the amendment will not be inimical to the health and safety of the public; and

E. Prior public notice of the proposed issuance of this amended operating authorization is not required since the possession of the deactivated BONUS Reactor facility does not involve significant hazard considerations different from those previously evaluated.

2. Operating Authorization No. DPRA-4 is hereby amended in its entirety to read as follows:

A. This operating authorization applies to the Boiling Water Nuclear Superheater (BONUS) Reactor (the reactor) owned by the U.S. Atomic Energy Commission ("the Commission") and possessed by Puerto Rico Water Resources Authority (PRWRA) under contract with the Commission. The reactor is located at Punta Higuera on the Western tip of Puerto Rico approximately 13 miles from the city of Mayaguez and is described in the Final Hazards Summary Report (PRWRA-GNEC-5), dated February 1, 1962, as amended, and in other portions of the application identified as the Interim Report on Design and Fabrication of the BONUS Reactor Pressure Vessel (GNEC-210), dated February 10, 1962, and amendments thereto including the amendment dated September 4, 1968, and supplements thereto dated September 12, 1968, and October 9, 1968.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby authorizes PRWRA:

(1) Pursuant to the Atomic Energy Act of 1954, as amended ("the Act"), and Title 10, Chapter I, CFR, Part 115, "Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Requirements," to possess, but not to operate, the reactor as a utilization facility;

C. This authorization shall be deemed to contain and is subject to the conditions specified in §§ 115.42 and 115.47 of Part 115 and is subject to all applicable provisions of the Act and rules, regulations, and orders of the Commission now or hereafter in effect, and is subject to the additional conditions specified below:

(1) Puerto Rico Water Resources Authority shall not reactivate the facility without prior approval of the Commission.

(2) *Technical specifications.* The Technical Specifications contained in Appendix A¹ to this authorization, designated as Change No. 8, are hereby incorporated in this authorization. PRWRA shall maintain the reactor in accordance with the Technical Specifications. No changes shall be made in the Technical Specifications unless authorized by the Commission as provided in § 115.47 of Part 115.

(3) PRWRA may dispose of any component parts or devices of the facility in accordance with the provisions of 10 CFR Part 20, and the Current Plant Status Report submitted as Attachment A to the application dated September 4, 1968, and supplemented by letters dated September 12 and October 9, 1968.

(4) *Records.* In addition to the records heretofore required under this license and by applicable AEC regulations, PRWRA shall keep the following:

a. Records of inspections of the deactivated facility, including results of surveys of radioactivity levels.

b. Records showing radioactivity released or discharged into the air or water beyond the effective control of PRWRA as measured at the point of such release or discharge.

(5) *Reports.* In addition to those required by applicable regulations of the Commission, PRWRA shall submit the following:

a. A report of any indication or occurrence of a possible unsafe condition relating to the

¹ This item was not filed with the Office of the Federal Register but is available for inspection in the Public Document Room of the Atomic Energy Commission.

facility or to the public. For each such occurrence, PRWRA shall promptly notify by telephone or telegraph the Director of the appropriate AEC Regional Compliance Office listed in Appendix D of 10 CFR Part 20, and shall submit within 10 days a report in writing to the Director, Division of Reactor Licensing, with a copy to the Regional Compliance Office.

b. A report of the status of the deactivated facility, including the results of the surveys of radioactivity levels, upon completion of the work described in the PRWRA Current Plant Status Report submitted as Attachment A to the application dated September 4, 1968, and supplemented by letters dated September 12 and October 9, 1968.

3. This authorization, as amended, is effective as of the date of issuance and, unless extended for good cause shown, shall expire at midnight, July 8, 1976: *Provided, however,* That this authorization shall expire in any event upon termination of the contract between PRWRA and the Commission for possession of the reactor.

Date of issuance: November 19, 1968.

For the Atomic Energy Commission,

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 68-14402; Filed, Dec. 2 1968;
8:46 a.m.]

[Docket Nos. 50-295, 50-304]

COMMONWEALTH EDISON CO.

Order Changing Date of Reopened and Resumed Hearing

In the matter of Commonwealth Edison Co. (Zion Station Units 1 and 2).

A previous order of this Atomic Safety and Licensing Board designated December 10, 1968, as the date for the reopened and resumed hearing in this proceeding. Recent circumstances over which the Board has no control have resulted in a conflict which will prevent convening on that aforesaid date.

Wherefore, pursuant to the Atomic Energy Act, as amended, and the rules of practice of the Commission: *It is ordered,* That the reopened and resumed hearing in this proceeding shall convene at 9 a.m. on December 17, 1968, in Room 115, Lafayette Building, 811 Vermont Avenue NW., Washington, D.C. 20420.

Issued: November 29, 1968, at Germantown, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[F.R. Doc. 68-14512; Filed, Dec. 2, 1968;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20423]

AIR CANADA

Notice of Postponement of Prehearing Conference

At the request of the applicant the prehearing conference in the above-entitled matter now assigned for December 3 is

postponed to be held on December 10, 1968, at 10 a.m. e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Greer M. Murphy.

Dated at Washington, D.C., November 26, 1968.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-14434; Filed, Dec. 2, 1968;
8:47 a.m.]

[Docket No. 20415]

LATIN AMERICAN SERVICE MAIL RATE FOR PRIORITY MAIL

Notice of Postponement of Prehearing Conference

In accordance with the request of Pan American World Airways, Inc., the Prehearing Conference in the above-entitled proceeding, now scheduled to be held on December 2, 1968, is hereby rescheduled for December 5, 1968, at 10 a.m., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., November 27, 1968.

[SEAL] ARTHUR S. PRESENT,
Hearing Examiner.

[F.R. Doc. 68-14435; Filed, Dec. 2, 1968;
8:47 a.m.]

OZARK AIR LINES, INC.

Notice of Application for Amendment of Certificate of Public Convenience and Necessity

NOVEMBER 27, 1968.

Notice is hereby given that the Civil Aeronautics Board on November 26, 1968, received an application, Docket 20501, from Ozark Air Lines, Inc., for amendment of its certificate of public convenience and necessity for route 107 to authorize it to engage in nonstop service between St. Louis, Mo., on the one hand, and Kansas City, Mo., Louisville, Ky., and Nashville, Tenn., on the other hand. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 68-14436; Filed, Dec. 2, 1968;
8:47 a.m.]

FEDERAL MARITIME COMMISSION MARSEILLES NORTH ATLANTIC U.S.A. FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the

Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Guy L. Retournat, Secretary, Marseille North Atlantic U.S.A. Freight Conference, 10, Place de la Joliette, Marseille 2, France.

Agreement No. 5660-11, between the member lines of the Marseille North Atlantic U.S.A. Freight Conference, modifies Article 2 of the basic agreement to provide that the members may authorize absorptions of inland transportation costs to equalize disadvantages to shippers in instances where a member line's vessels do not call at particular discharge ports within the Conference range. It further provides that a quarterly report will be furnished the Commission of all such absorptions showing the commodity, tonnage, inland rate differential paid, destination and discharging port.

Dated: November 27, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-14408; Filed, Dec. 2, 1968;
8:47 a.m.]

[Independent Ocean Freight Forwarder
License No. 652]

ORBE ENTERPRISES, INC.

Revocation of License

By letter dated November 6, 1968, Orbe Enterprises, Inc., 120 Wall Street, New York, N.Y. 10005, has voluntarily requested the cancellation of its independent ocean freight forwarder license No. 652 to be effective November 12, 1968.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, § 6.03:

It is ordered, That the Independent Ocean Freight Forwarder License No. 652 of Orbe Enterprises, Inc., be and is hereby revoked effective November 12, 1968.

It is further ordered, That this cancellation is without prejudice to reapplication at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon the licensee.

LEROY F. FULLER,
Director,

Bureau of Domestic Regulation.

[F.R. Doc. 68-14409; Filed, Dec. 2, 1968;
8:47 a.m.]

PORTUGAL/U.S. NORTH ATLANTIC WESTBOUND FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Guy L. Retournat, Secretary, Portugal/U.S. North Atlantic Westbound Freight Conference, 10, Place de la Joliette, Marseille 2, France.

Agreement No. 9616-2, between the member lines of the Portugal/U.S. North Atlantic Westbound Freight Conference, modifies Article 8 of the basic agreement to provide that the members may authorize absorptions of inland transportation costs to equalize disadvantages to shippers in instances where a member line's vessels do not call at particular discharge ports within the Conference range. It further provides that a quarterly report will be furnished the Commission of all such absorptions showing the commodity, tonnage, inland rate differential paid, destination and discharging port.

Dated: November 27, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-14410; Filed, Dec. 2, 1968;
8:47 a.m.]

SPAIN/U.S. NORTH ATLANTIC WEST- BOUND FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the

Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Guy L. Retournat, Secretary, Spain/U.S. North Atlantic Westbound Freight Conference, 10, Place de la Joliette, Marseille 2, France.

Agreement No. 9615-2, between the member lines of the Spain/U.S. North Atlantic Westbound Freight Conference, modifies Article 8 of the basic agreement to provide that the members may authorize absorptions of inland transportation costs to equalize disadvantages to shippers in instances where a member line's vessels do not call at particular discharge ports within the Conference range. It further provides that a quarterly report will be furnished the Commission of all such absorptions showing the commodity, tonnage, inland rate differential paid, destination and discharging port.

Dated: November 27, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-14411; Filed, Dec. 2, 1968; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

D. H. BALDWIN CO.

Notice of Receipt of Application for Permission To Acquire Control of Empire Savings, Building and Loan Association

NOVEMBER 27, 1968.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the D. H. Baldwin Co., Cincinnati, Ohio, for permission to acquire control of the Empire Savings, Building & Loan Association, Denver, Colo., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)) and § 584.4 of the Regulations for Savings and Loan Holding Companies (12 CFR 584.4). The proposed acquisition would be effected by the purchase of not less than 52 percent of the issued and outstanding shares of Empire Savings, Building & Loan Association, Denver, Colo. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,
Secretary.

[F.R. Doc. 68-14394; Filed, Dec. 2, 1968; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI69-216, etc.]

ATLANTIC RICHFIELD CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

NOVEMBER 20, 1968.

The Respondents named herein have filed proposed increased rates and

¹ Does not consolidate for hearing or dispose of the several matters herein.

charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 8, 1969.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-216..	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221, Attention: Richard M. Young, Esq.	124	2	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Magnetics Field, Wharton County, Tex.) (R.R. District No. 3).	\$10,523	10-21-68	21-1-69	6-1-69	\$ 15.6	\$ 16.6	RI68-90.
RI69-217..	Atlantic Richfield Co. (Operator) et al.	214	4	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (New Refugio Field, Refugio County, Tex.) (R.R. District No. 2).	1,897	10-21-68	21-1-69	6-1-69	\$ 15.0	\$ 16.0	RI68-91.
RI69-218..	Shell Oil Co. (Operator) et al., 50 West 50th St., New York, N.Y. 10020.	246	3	Texas Eastern Transmission Corp. (Siloam Field, Clay County, Miss.).	9,031	10-21-68	21-11-21-68	4-21-69	\$ 20.6186	\$ 21.6495	RI65-475.

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets No.
									Rate in effect	Proposed increased rate	
RI69-219..	Pan American Petroleum Corp., Post Office Box 3092, Houston, Tex. 77001, Attn.: K. M. Nolen, Esq.	80	12	Natural Gas Pipeline Co. of America (Clayton Field, Live Oak County, Tex.) (RR. District No. 2).	\$3,413	10-24-68	* 1- 1-69	6- 1-69	\$ 14.0	\$ 10 15.3964	
.....do.....	.....do.....	306	6	United Gas Pipe Line Co. (North LaWard Field, Jackson County, Tex.) (RR. District No. 2).	6,934	10-24-68	* 1- 1-69	6- 1-69	\$ 14.0	\$ 11 18.28	RI68-509.
.....do.....	.....do.....	358	3	Florida Gas Transmission Co. (Palacios Field, Matagorda County, Tex.) (RR. District No. 3).	1,910	10-24-68	* 1- 1-69	6- 1-69	\$ 12 17.0	\$ 3 18.5	
.....do.....	.....do.....	322	2	Arkansas Louisiana Gas Co. (Cheniere Creek Field, Ouachita Parish, La.) (North Louisiana Area).	15,304	10-24-68	* 1- 1-69	6- 1-69	\$ 14 18.333	\$ 14 19.833	
.....do.....	.....do.....	441	3	Michigan Wisconsin Pipe Line Co. (Del Plains Field, Major County, Okla.) (Oklahoma "Other" Area).	7,050	10-24-68	* 11-24-68	4-24-69	\$ 17 16.25	\$ 16 17 19.25	
.....do.....	.....do.....	448	2	Michigan Wisconsin Pipe Line Co. (Woodward Gas Area, Major County, Okla.) (Oklahoma "Other" Area).	1,260	10-24-68	* 11-24-68	4-24-69	\$ 17 16 15.75	\$ 15 17 18 75	
.....do.....	.....do.....	268	4	Lone Star Gas Co. (Carter-Knox Field, Grady and Stephens Counties, Okla.) (Carter-Knox Area).	720	10-21-68	* 1- 1-69	6- 1-69	\$ 16.8	\$ 20 18.0	
.....do.....	.....do.....	290	8	Transwestern Pipeline Co. (Various Fields, Hansford, Lipscomb, Hutchinson, and Roberts Counties, Tex.) (RR. District No. 10).	36,150	10-21-68	* 11-21-68	4-21-69	\$ 17.0	\$ 22 18.0	
.....do.....	.....do.....	295	8	Transwestern Pipeline Co. (Various Fields, Hansford, and Lipscomb Counties, Tex.) (RR. District No. 10).	8,450	10-21-68	* 11-21-68	4-21-69	\$ 17.0	\$ 22 18.0	
.....do.....	.....do.....	372	7	Transwestern Pipeline Co. (Various Fields, Ochiltree County, Tex.) (RR. District No. 10).	50	10-21-68	* 11-21-68	4-21-69	\$ 17.0	\$ 22 18.0	
.....do.....	.....do.....	436	1	Natural Gas Pipeline Co. of America (Putnam Field, Dewey County, Okla.) (Oklahoma "Other" Area).	4,273	10-21-68	* 11-21-68	4-21-69	\$ 15.0	\$ 23 24 17.01556	
.....do.....	.....do.....	454	3	Transwestern Pipeline Co. (South Chaney Field, Ellis County, Okla.) (Panhandle Area).	1,454	10-21-68	* 11-21-68	4-21-69	\$ 17.0	\$ 25 18.0	
.....do.....	.....do.....	455	4	Transwestern Pipeline Co. (South Tangier Field, Woodward County, Okla.) (Panhandle Area).	270	10-21-68	* 11-21-68	4-21-69	\$ 17.0	\$ 25 18.0	
.....do.....	.....do.....	459	3	Michigan Wisconsin Pipe Line Co. (Woodward Gas Area, Woodward County, Okla.) (Panhandle Area).	5,690	10-24-68	* 11-24-68	4-24-69	\$ 17 17.42	\$ 27 28 18.42	
RI69-220..	Pan American Petroleum Corp. (Operator).	347	2	Natural Gas Pipeline Co. of America (East Bay City Field, Matagorda County, Tex.) (RR. District No. 3).	40,128	10-24-68	* 1- 1-69	6- 1-69	\$ 12 17.0	\$ 5 19.0	
RI69-221..	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	57	8	Colorado Interstate Gas Co. (Keyes Field, Cimarron County, Okla.) (Panhandle Area).	867	10-21-68	* 1- 1-69	6- 1-69	\$ 17 17.015	\$ 17 18.015	RI68-444.
.....do.....	.....do.....	73	7	.....do.....	661	10-21-68	* 1- 1-69	6- 1-69	\$ 17 17.015	\$ 17 18.015	RI68-444.
.....do.....	.....do.....	111	10	.....do.....	749	10-21-68	* 1- 1-69	6- 1-69	\$ 17 17.015	\$ 17 18.015	RI68-444.
.....do.....	.....do.....	102	11	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	145	10-21-68	* 1- 1-69	6- 1-69	\$ 13.5	\$ 14.5	RI68-424.
.....do.....	.....do.....	116	13	Colorado Interstate Gas Co. (Greenwood (Sparks) Field, Stanton County, Kans.).	2,100	10-21-68	* 1- 1-69	6- 1-69	\$ 17 17.0	\$ 17 18.0	RI68-424.
.....do.....	.....do.....	167	9	Natural Gas Pipeline Co. of America (Camrick Field, Texas County, Okla.) (Panhandle Area).	38	10-21-68	* 1-23-68	6-23-69	\$ 18.415	\$ 5 18.615	RI68-444.
.....do.....	.....do.....	177	4	Colorado Interstate Gas Co. (Hugoton Field, Kearny County, Kans.).	44	10-21-68	* 1- 1-69	6- 1-69	\$ 13.5	\$ 14.5	RI68-424.
.....do.....	.....do.....	266	5	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	1,200	10-21-68	* 12-16-68	5-16-69	\$ 17 17.0	\$ 17 19.0	
RI69-222..	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	435	4	Arkansas Louisiana Gas Co. (Massard Field, Sebastian County, Ark.).	816	10-21-68	* 11-21-68	4-21-69	\$ 15.0	\$ 16.0	
RI69-223..	Shell Oil Co., 50 West 50th St., New York, N. Y. 10020.	360	2	Panhandle Eastern Pipe Line Co. (South Bishop Field, Roger Mills County, Okla.) (Oklahoma "Other" Area).	1,200	10-21-68	* 11-21-68	4-21-69	\$ 15.0	\$ 17 17.0	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI67-24.	Pan American Petroleum Corp. (Operator) et al., Post Office Box 581, Tulsa, Okla. 74102.	283	11	Texas Eastern Transmission Corp. (Willow Springs Field, Greg County, Tex.) (R.R. District No. 6).	\$2,349	10-24-68	²¹ 1- 1-69	6- 1-69	³³ 14.8	^{4 32} 16.0	
.....do.....	.....do.....	481	4	El Paso Natural Gas Co. (Mocene Field, Beaver County, Okla.) (Panhandle Area).	160	10-24-68	² 11-24-68	4-24-69	³⁵ 17.0	^{4 34 35} 18.0	
.....do.....	.....do.....	247	²⁶ 16	Texas Gas Transmission Corp. (Mindent Field, Webster Parish, La.) (North Louisiana Area).	4,392	10-24-68	³¹ 1- 1-69	6- 1-69	^{5 33 35} 18.25	^{3 3 37 38} 19.75	
.....do.....	.....do.....	449	15	Northern Natural Gas Co. (Various Fields, Ellis and Woodward Counties, Okla. (Panhandle Area) and Dewey County, Okla.) (Oklahoma "Other" Area).	(³⁰) 258,854	10-24-68 10-24-68	² 11-24-68 ² 11-24-68	4-24-69 4-24-69	^{17 40} 15.0 ^{41 42} 19.55	^{2 4 17 40} 18.0 ^{3 4 41 42} 20.70	
RI67-25	Mack Oil Co., Post Office Box 400, Duncan, Okla. 73533.	1	5	Lone Star Gas Co. (Knox Field, Stephens and Grady Counties, Okla.) (Carter-Knox Area).	484	10-24-68	⁴⁹ 11-24-68	4-24-69	17.9	^{3 4} 19.0	RI64-18.

¹ The stated effective date is the effective date requested by Respondent.
² Periodic rate increase.
³ Pressure base is 14.65 p.s.i.a.
⁴ Subject to a downward B.t.u. adjustment.
⁵ Pressure base is 15.025 p.s.i.a.
⁶ Base rate 22 cents per Mcf plus 0.6495 cent tax reimbursement less 1 cent deduction by buyer for amortization of gathering facilities.
⁷ Base rate 21 cents per Mcf plus 0.6186 cent tax reimbursement less 1 cent deduction by buyer for amortization of gathering facilities.
⁸ Moratorium, with reservations, on effective increased rates until Jan. 1, 1969, pursuant to Settlement Order issued Apr. 13, 1966, in Docket Nos. G-9279 et al.
⁹ Increase from "fractured" rate to redetermined rate (15.25 cents base plus 0.1464 cent tax reimbursement).
¹⁰ Increase from "fractured" rate to redetermined rate.
¹¹ Rate provided by Settlement Order issued Apr. 13, 1966, in Docket Nos. G-9279 et al.
¹² Settlement order precludes Pan American from making effective contractually due rates in excess of applicable area increased rate ceilings prior to Jan. 1, 1969, but does preclude Pan American from filing for such rates prior to Jan. 1, 1969.
¹³ Includes 1.333 cents tax reimbursement.
¹⁴ Fractured rate. Respondent contractually due base rate of 19.5 cents plus upward B.t.u. adjustment.
¹⁵ Includes 1.25 cents upward B.t.u. adjustment for 1,125 B.t.u. gas.
¹⁶ Subject to upward and downward B.t.u. adjustment.
¹⁷ Includes 0.75 cent upward B.t.u. adjustment.
¹⁸ Settlement order precludes Pan American from making contractually due rates in excess of applicable area increased rate ceilings effective prior to Jan. 1, 1969, but does not preclude Pan American from filing for such rates prior to Jan. 1, 1969.
¹⁹ "Fractured" rate increase. Respondent contractually due 19 cents per Mcf.
²⁰ Settlement rate under Pan American's companywide settlement in Docket Nos. G-9279 et al. Settlement order, as amended, issued Apr. 13, 1966.
²¹ "Fractured" rate increase. Respondent contractually due 19.5 cents per Mcf.
²² Filing from initial certificated rate to initial contract rate plus tax reimbursement.
²³ Includes Excise Tax reimbursement of 0.015 cent and production tax reimbursement of 0.0056 cent.

²⁴ "Fractured" rate increase. Respondent contractually due 23 cents per Mcf.
²⁵ "Fractured" rate increase. Respondent contractually due 19.5 cents per Mcf.
²⁶ "Fractured" rate increase. Respondent contractually due base rate is 19.5 cents per Mcf.
²⁷ Includes 0.42 cent upward B.t.u. adjustment for 1,042 B.t.u. gas.
²⁸ "Fractured" rate increase. Respondent contractually due a base rate of 22 cents per Mcf.
²⁹ Filing from initial certificate rate of 15 cents to initial contract rate of 17 cents for production in Roger Mills County, Okla. (Oklahoma "Other" Area). Rate Schedule also contains acreage in Ellis County, Okla. (Panhandle Area) for which a certificate has been issued at a price of 17 cents per Mcf.
³⁰ Settlement order precludes Pan American from making effective contractually due rates in excess of applicable area increased rate ceilings prior to Jan. 1, 1969, but does preclude Pan American from filing for such rates prior to Jan. 1, 1969.
³¹ 9-step periodic increase.
³² Settlement rate pursuant to Settlement Order, as amended, issued Apr. 13, 1966, approving Pan American's companywide settlement in Dockets Nos. G-9279 et al.
³³ "Fractured" rate increase. Respondent contractually due base rate of 21 cents per Mcf.
³⁴ Pan American receives 25 percent of proceeds from liquids extracted in El Paso's processing plant. If the gas bypasses the processing plant, rate is subject to an upward B.t.u. adjustment of 0.01 cent for each B.t.u. in excess of 1,052 B.t.u.'s per cubic foot up to 1,147 B.t.u.'s per cubic foot.
³⁵ Applicable to acreage covered by Rate Schedule No. 247 as of the date of Pan American's settlement.
³⁶ Pressure base is 15.025 p.s.i.a.
³⁷ Includes 1.75 cents tax reimbursement.
³⁸ "No sales".
³⁹ Applicable to acreage in Dewey County, Okla. (Oklahoma "Other" Area). (No sales.)
⁴⁰ Applicable to acreage in Ellis and Woodward Counties, Okla. (Panhandle Area).
⁴¹ Includes base price of 17 cents plus 2.55 cents upward B.t.u. adjustment before increase and base price of 18 cents plus 2.70 cents upward B.t.u. adjustment after increase. Base price subject to upward and downward B.t.u. adjustment.
⁴² The stated effective date is the first day after expiration of the statutory notice.

Shell Oil Co. (Operator) et al. (Shell), request that their proposed rate increase be permitted to become effective on November 1, 1968. Mack Oil Co. (Mack) requests a retroactive effective date of July 1, 1968, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Shell and Mack's rate filings and such requests are denied.

Humble Oil & Refining Co. (Humble) requests that should the Commission suspend its proposed rate increase that the suspension period with respect thereto be shortened to 1 day, or as short a period as possible. Good cause has not been shown for granting Humble's request for limiting to 1 day the suspension period with respect to its rate filing and Humble's request is denied.

Humble proposes a rate increase for a sale of gas in the Arkoma Area of Arkansas where no formal ceiling rates have been established. Since the proposed 16 cents per Mcf rate exceeds the 11 cents per Mcf rate established for adjacent Oklahoma "Other" Area which has previously been applied for increased rates filed in this area of Arkansas, we conclude that Humble's proposed rate increase should be suspended for five months from November 21, 1968, the proposed effective date.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56), with the exception of the rate increase filed by Humble, mentioned above, for which no formal ceiling rates have been established for the area involved but exceeds the area increased rate ceiling for adjacent Oklahoma "Other" Area which has been used for similar cases in the past.

[F.R. Doc. 68-14267; Filed, Dec. 2, 1968; 8:45 a.m.]

[Docket No. RI67-278 etc.]

MULL DRILLING CO., INC., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

NOVEMBER 20, 1968.

Mull Drilling Co., Inc. (Operator) et al.; Docket Nos. RI67-278 et al., Woods Petroleum Corp., Docket No. RI67-283. In the order providing for hearings on and suspension of proposed changes in rates, issued February 7, 1967, and pub-

lished in the FEDERAL REGISTER February 15, 1967 (33 F.R. 2910), Appendix "A", page 3, line 1, Woods Petroleum Corp., Docket No. RI67-283; under column headed "Supp. No." (Opposite Rate Schedule No. 5) Change Supplement No. "3" to read Supplement No. "5".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-14366; Filed, Dec. 2, 1968; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

COMMERCE BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Commerce Bancshares, Inc., which is a bank holding company located in Kansas City, Mo., for the prior

approval of the Board of the acquisition by Applicant of more than 80 percent of the voting shares of The Citizens National Bank of Kirksville, Kirksville, Mo.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Dated at Washington, D.C., this 22d day of November 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-14406; Filed, Dec. 2, 1968;
8:46 a.m.]

COMMERCE BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Commerce Bancshares, Inc., which is a bank holding company located in Kansas City, Mo., for the prior approval of the Board of the acquisition by Applicant of more than 80 percent of the voting shares of the Mechanics Bank, St. Joseph, Mo.

Section 3(c) of the Act provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in fur-

therance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Dated at Washington, D.C., this 22d day of November 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-14407; Filed, Dec. 2, 1968;
8:46 a.m.]

FIRST WISCONSIN BANKSHARES CORP.

Order Extending Period of Time Prescribed by Proviso in Order of Approval

In the matter of the application of First Wisconsin Bankshares Corp., Milwaukee, Wis., for approval of acquisition of 80 percent or more of the voting shares of First Northwestern National Bank of Milwaukee, Milwaukee, Wis., a proposed new bank.

Whereas, by order dated July 2, 1968, the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), approved the acquisition by First Wisconsin Bankshares Corp., Milwaukee, Wis., a registered bank holding company, of 80 percent or more of the outstanding voting shares of First Northwestern National Bank of Milwaukee, Milwaukee, Wis., a proposed new bank; and said order was made subject to the proviso "that First Northwestern National Bank of Milwaukee shall be open for business not later than 6 months after the date of this Order"; and

Whereas, First Wisconsin Bankshares Corp. has applied to the Board for an extension of time within which the proposed new bank must be open for business, and it appearing to the Board that reasonable cause has been shown for the extension of time requested, and that such extension would not be inconsistent with the public interest;

It is hereby ordered, that the Board's order of July 2, 1968, as published in the FEDERAL REGISTER on July 10, 1968 (33 F.R. 9920), be, and it hereby is, amended so that the proviso relating to the date by which First Northwestern National Bank of Milwaukee shall be open for business shall read "not later than March 31, 1969."

Dated at Washington, D.C., this 22d day of November 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-14382; Filed, Dec. 2, 1968;
8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.,
Temporary Reg. F-30]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective November 25, 1968.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the New York Public Service Commission in a proceeding involving electric service rates of the Niagara-Mohawk Power Corp. (New York PSC Case No. 24974).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: November 25, 1968.

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

[F.R. Doc. 68-14369; Filed, Dec. 2, 1968;
8:45 a.m.]

INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA

DETROIT RIVER AND ST. CLAIR RIVER Water Pollution

Notice is hereby given that the International Joint Commission will convene a public international meeting on January 22, 1969, at 9:30 a.m., in the Dieppe Room, Cleary Auditorium, Windsor, Ontario, to inquire into the adequacy and effectiveness of the United States and Canadian programs for abatement of pollution of the Detroit and St. Clair Rivers and to ascertain why the Objectives for Boundary Waters Quality Control, which the Commission recommended in 1951 and which the several Governments approved, are not being met. The abatement programs and the Objectives are referred to in the Summary Report on Pollution of the St. Marys River, St. Clair River, and Detroit River, which was prepared for the Commission by its Lakes Superior-Huron-Erie Advisory Board and was released on November 12.

At this meeting, the Commission will invite water pollution control agencies and enforcement authorities in both countries to describe the abatement programs they have under way and their time tables for achievement of the established water quality objectives in the Detroit and St. Clair Rivers. The Commission will also be prepared to receive written statements from others wishing to submit them, and to entertain requests for time for oral presentation of these statements. Such requests, together with twelve (12) copies of the written statements, should be submitted to either of the Commission's Secretaries no later than January 7, 1969, so that time can be allotted and persons notified. An additional thirty (30) copies of the written statements should be brought to the meeting and deposited with the Secretaries.

Statements should be addressed to the adequacy and effectiveness of the pollution control measures and abatement programs referred to above and any additional measures that might be taken to:

- (1) Ensure the successful implementation of such programs;
- (2) Accelerate or improve the corrective measures contemplated; and
- (3) Minimize the extent of pollution in the interim period before the corrective measures take full effect.

Copies of the Summary Report on Pollution of the St. Marys River, St. Clair River, and Detroit River may be obtained free of charge from the Secretaries of

the Commission at either of the addresses noted below.

W. A. BULLARD, Esq.,
Secretary, United States Section,
International Joint Commission,
Washington, D.C.
20440, Stop 86.

D. G. CHANCE, Esq.,
Secretary, Canadian Section,
International Joint Commission,
151 Slater Street, Suite
850, Ottawa, Ontario, Canada.

DECEMBER 2, 1968.

[F.R. Doc. 68-14373; Filed, Dec. 2, 1968;
8:45 a.m.]

ST. MARYS RIVER Water Pollution

Notice is hereby given that the International Joint Commission will convene a public international meeting on January 21, 1969, at 9:30 a.m., in Crawford Hall, Lake Superior State College Campus, Sault Ste. Marie, Mich., to inquire into the adequacy and effectiveness of the United States and Canadian programs for abatement of pollution of the St. Marys River and to ascertain why the Objectives for Boundary Waters Quality Control, which the Commission recommended in 1951 and which the several Governments approved, are not being met. The abatement programs and the objectives are referred to in the Summary Report on Pollution of the St. Marys River, St. Clair River, and Detroit River, which was prepared for the Commission by its Lakes Superior-Huron-Erie Advisory Board and was released on November 12.

At this meeting, the Commission will invite water pollution control agencies and enforcement authorities in both countries to describe the abatement programs they have under way and their timetables for achievement of the established water quality objectives in the St. Marys River. The Commission similarly is requesting the municipalities and industries involved to be represented at the meeting and to describe what they have done or plan to do to abate objectionable pollution for which they are responsible. Others wishing to submit written or oral statements to the Commission concerning these matters may also do so. If a written statement is to be submitted, thirty (30) copies should be brought to the meeting and deposited with the Secretaries.

Statements should be addressed to the adequacy and effectiveness of the pollution control measures and abatement programs referred to above and any additional measures that might be taken to:

- (1) Ensure the successful implementation of such programs;
- (2) Accelerate or improve the corrective measures contemplated; and
- (3) Minimize the extent of pollution in the interim period before the corrective measures take full effect.

Copies of the Summary Report on Pollution of the St. Marys River, St. Clair River, and Detroit River may be obtained free of charge from the Secretaries of the Commission at either of the addresses noted below.

W. A. BULLARD, Esq.,
Secretary, United States Section,
International Joint Commission,
Washington, D.C.
20440, Stop 86.

D. G. CHANCE, Esq.,
Secretary, Canadian Section,
International Joint Commission,
151 Slater Street, Suite
850, Ottawa, Ontario, Canada.

DECEMBER 2, 1968.

[F.R. Doc. 68-14374; Filed, Dec. 2, 1968;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

MOONEY AIRCRAFT, INC. Order Suspending Trading

NOVEMBER 26, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Mooney Aircraft, Inc. (a Kansas corporation), 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 November 27, 1968, through December 6, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-14404; Filed, Dec. 2, 1968;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 255]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 27, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date

of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70777. By order of November 19, 1968, the Transfer Board approved the transfer to GTG Trucking Corp., doing business as Fehsal's Express, Pearl River, N.Y., of certificates in Nos. MC-106542 and MC-106542 (Sub-No. 3), and permit in No. MC-109035 (Sub-No. 1) issued June 28, 1950, November 9, 1960, and July 17, 1950, respectively, to Raymond O. Fehsal, doing business as Fehsal's Express, Pearl River, N.Y.; authorizing the transportation of: Household goods, between New York, N.Y., points in Orange and Rockland Counties,

N.Y.; and those in Bergen, Passaic, Morris, Essex, and Sussex Counties, N.J.; and between points in Rockland County, N.Y.; on the one hand, and, on the other, points in New York, New Jersey, Connecticut, and Pennsylvania within 150 miles of Nanuet, N.Y.; and, general commodities, with the usual exceptions, between New York, N.Y.; on the one hand, and, on the other, points in Rockland, Orange, Westchester, Nassau, Sullivan, and Ulster Counties, N.Y. Aaron G. Windheim, 45 Main Street, Nyack, N.Y. 10960, attorney for applicants.

No. MC-FC-70897. By order of November 19, 1968, the Transfer Board approved the transfer to Fred Horn General Trucking, Inc., Elko, Nev., of the operating rights in certificate No. MC-9219 issued March 26, 1943, to Fred L. Horn, Elko, Nev., authorizing the transportation of: Ore, ore concentrates, wool,

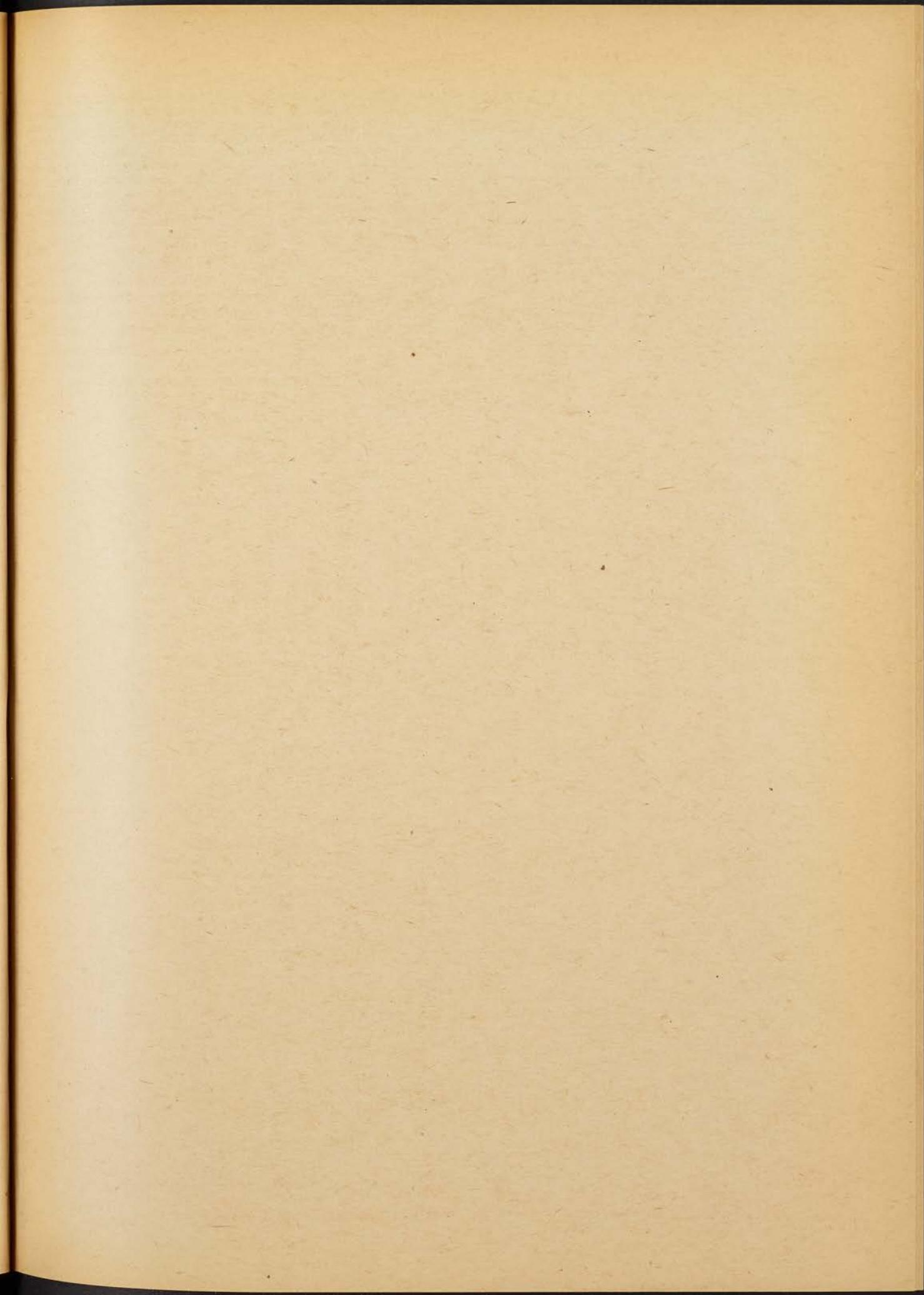
livestock, and equipment and supplies for various businesses and installations, between specified points in Nevada. Charles B. Evans, Jr., 575 Court Street, Post Office Box 511, Elko, Nev. 89801.

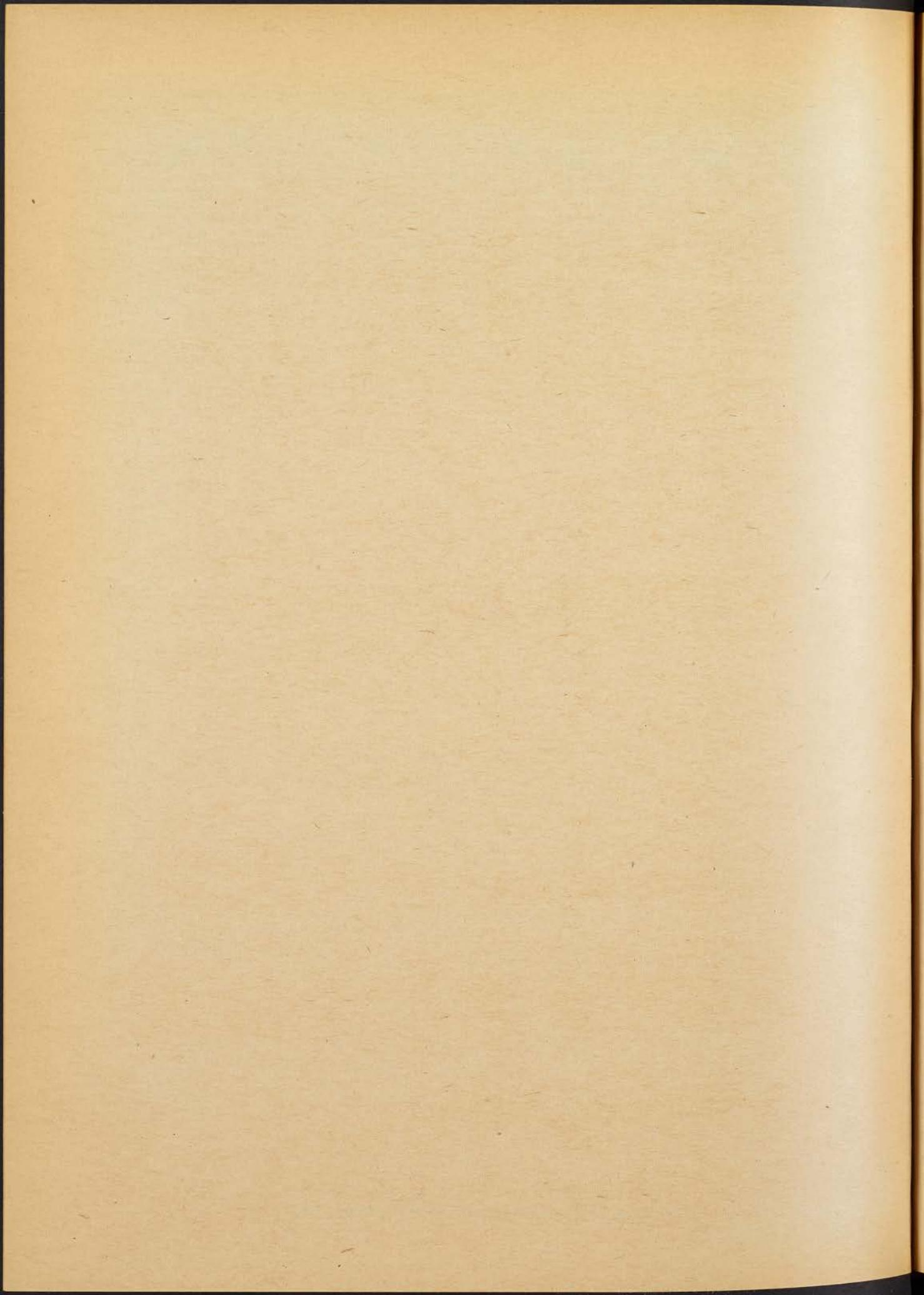
No. MC-FC-70879. By order of November 26, 1968, the Transfer Board approved the transfer to Kern Valley Trucking, a corporation, Los Angeles, Calif.; of certificate of registration in No. MC-120918 (Sub-No. 1) issued by May 12, 1966, to James L. Chase, doing business as Kern Valley Transfer, Los Angeles, Calif.; authorizing the transportation of: General commodities, with a large number of exceptions, from, to, or between specified points in California.

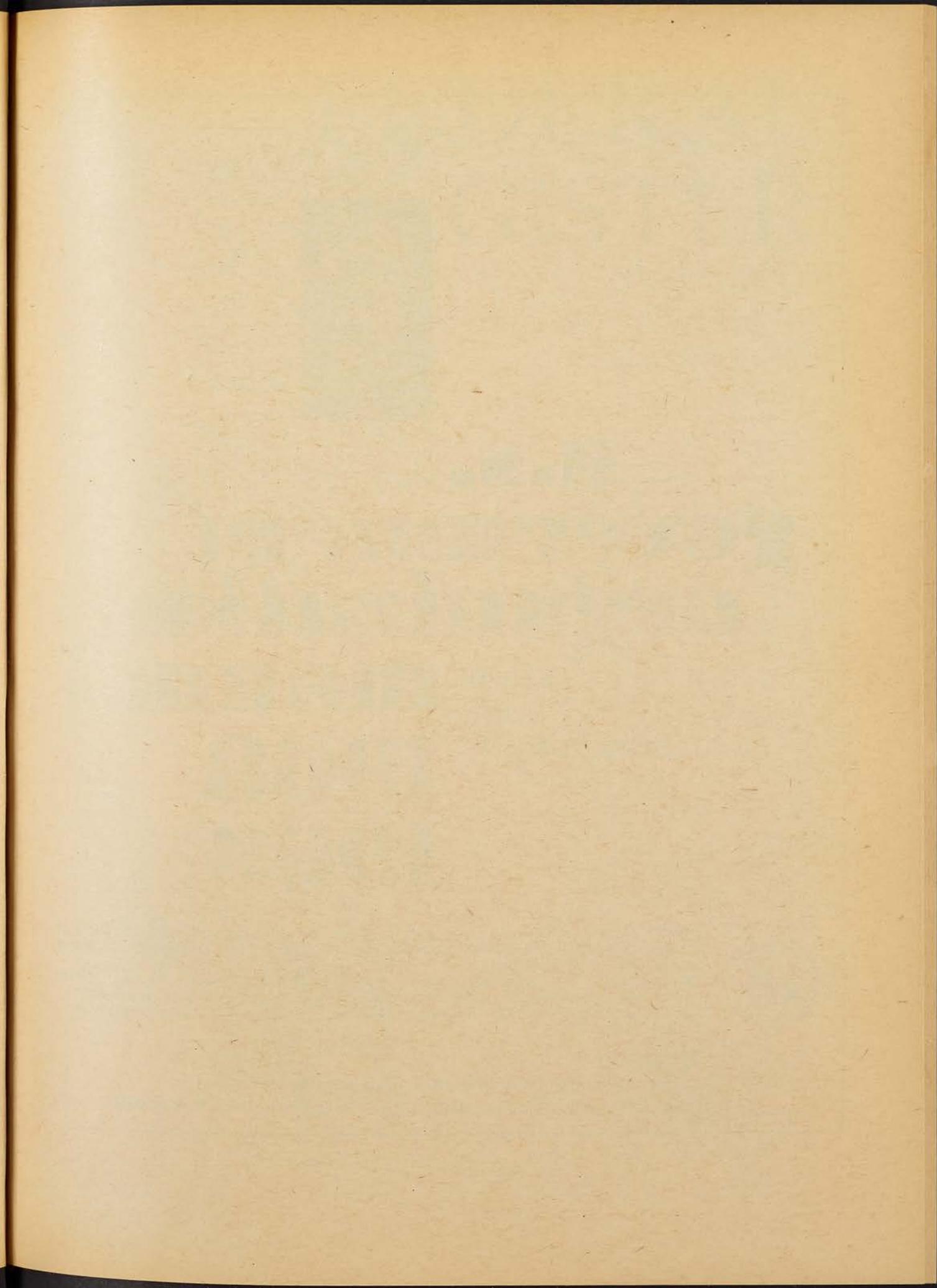
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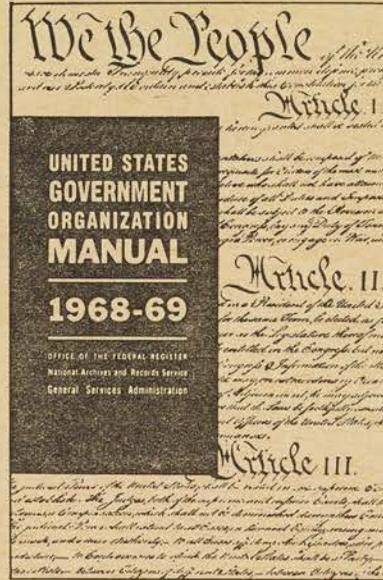
H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-14397; Filed, Dec. 2, 1968;
8:46 a.m.]









U.S.
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Presents essential information about Government agencies (updated and republished annually). Describes the creation and authority, organization, and functions of the agencies in the legislative, judicial, and executive branches.

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