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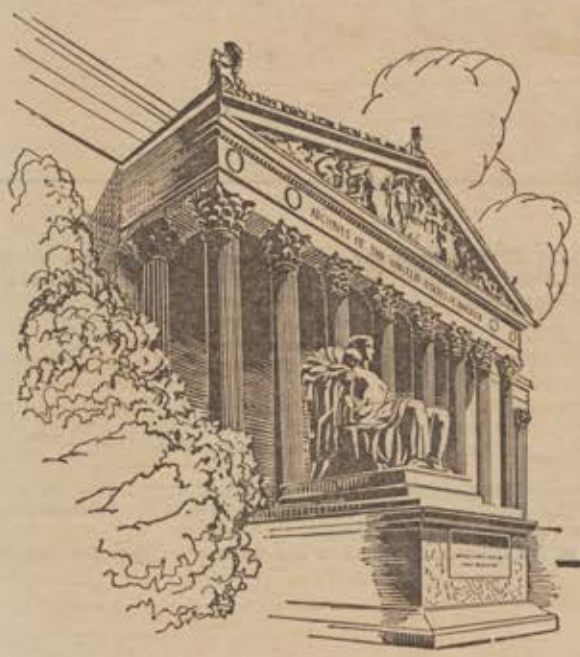
Agencies in this issue—

Detailed list of Contents appears inside.



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Contents

(Continued on next page)

List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

3 CFR

EXECUTIVE ORDER:
11466 ---- 6727

5 CFR

213 ---- 6730

7 CFR

908 ---- 6729
910 ---- 6729
PROPOSED RULES:
1060 ---- 6738
1201 ---- 6738

12 CFR

PROPOSED RULES:
210 ---- 6739

14 CFR

39 ---- 6729

17 CFR

249 ---- 6730
279 ---- 6730

30 CFR

PROPOSED RULES:
14 ---- 6735
55 ---- 6737
56 ---- 6737
57 ---- 6737

41 CFR

8-6 ---- 6730
8-8 ---- 6730
8-12 ---- 6731
8-18 ---- 6732
101-18 ---- 6732

49 CFR

1033 ---- 6733
PROPOSED RULES:
371 ---- 6739

50 CFR

28 ---- 6733
33 ---- 6734

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11466

ADMINISTRATION OF CERTAIN JOINTLY FUNDED PROJECTS

By virtue of the authority vested in me by section 612 of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2962), section 406 of the Juvenile Delinquency Prevention and Control Act of 1968 (42 U.S.C. 3886), and section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Director of the Bureau of the Budget is authorized to designate, from time to time, projects for joint funding under section 612 of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2962), and section 406 of the Juvenile Delinquency Prevention and Control Act of 1968 (42 U.S.C. 3886). The Director of the Bureau of the Budget is also authorized to designate, or provide criteria for the designation of, one Federal agency to act for all participating agencies in administering any such jointly funded project.

SEC. 2. Any Federal agency designated pursuant to section 1 of this order to administer any jointly funded project may waive any technical grant or contract requirement which is inconsistent with such agency's similar requirements or which such agency does not impose, except that no waiver of requirements may be made which (1) would materially affect or change the character or purpose of such project, or (2) does not have the concurrence of the agency which imposed such requirement and advanced the funds for such project. For the purposes of this section, the term "technical grant or contract requirement" means any requirement imposed by administrative regulation or order.

SEC. 3. The Director of the Bureau of the Budget is authorized to prescribe such additional regulations, not inconsistent with those prescribed herein, as he may deem necessary to implement section 612 of the Economic Opportunity Act of 1964, as amended, section 406 of the Juvenile Delinquency Prevention and Control Act of 1968, and this order.

SEC. 4. In carrying out the provisions of this order, the Director of the Bureau of the Budget shall from time to time consult with the participating Federal agencies as may be appropriate.

SEC. 5. Nothing in this order shall be deemed to limit or restrict any other authority which any Federal agency may possess by law, regulation, or order to initiate or participate in common or jointly funded projects, programs, activities, or functions.

Richard Nixon

THE WHITE HOUSE,
April 18, 1969.

[F.R. Doc. 69-4861; Filed, Apr. 18, 1969; 5:05 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

[Valencia Orange Reg. 271, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829) regulating the handling of Valencia oranges grown in Arizona and designated part of California, 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 and information submitted by the Valencia Orange 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 Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(b) *Order, as amended.* The provisions in paragraph (b)(1)(iii) of § 908.571 (Valencia Orange Reg. 271, 34 F.R. 6325) are hereby amended to read as follows:

§ 908.571 Valencia Orange Regulation 271.

* * * * *

(b) *Order.* (1) * * *

(iii) District 3: 275,000 cartons.

* * * * *

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

Dated: April 17, 1969.

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

[F.R. Doc. 69–4747; Filed, Apr. 21, 1969; 8:47 a.m.]

[Lemon Reg. 369, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(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 amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendement relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* The provisions in paragraph (b)(1)(ii) of § 910.669 (Lemon Reg. 369, 34 F.R. 6437) are hereby amended to read as follows:

§ 910.669 Lemon Regulation 369.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 229,710 cartons.

* * * * *

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

Dated: April 17, 1969.

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

[F.R. Doc. 69–4746; Filed, Apr. 21, 1969; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 69–CE–5–AD; Amdt. 39–755]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna Model 210–5 (205), 206, and 210 Series Airplanes

There have been reports of complete loss of engine power when using the fuel boost pump on Cessna Model 210–5 (205), 206, and 210 series airplanes. These reports indicate that the engine will not restart in flight under certain conditions when one follows the placarded instructions in the cockpit for switching from a dry tank to one containing fuel. Further, the agency has determined that complete loss of engine power will occur in these aircraft when the boost pump is inadvertently left on "Hi" and the throttle is retarded below 19 inches hg. manifold pressure. Since this condition is likely to exist in other airplanes of the same type design, an airworthiness directive is being issued requiring within 50 hours' time-in-service from the effective date of this airworthiness directive, the installation of a resistor in the boost pump electrical circuit to reduce pump output pressure in accordance with Cessna Service Letter SE 69–9, dated April 11, 1969, or any equivalent method approved by the Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Central Region.

Since immediate action is required in the interest of safety, compliance with the notice and public procedure provision of the Administrative Procedure Act is not practical and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

CESSNA. Applies to Models 210–5 (205), Serial Nos. 205–0001 through 205–0577; Models 206, U206, and P206, Serial Nos. 206–0001 through U206–1284 and P206–0001 through P206–0566; Models 210 and T210, Serial Nos. 21058221 through 21059111 and T210–0001 through T210–0424 series airplanes.

Compliances. Within 50 hours' time-in-service after the effective date of this airworthiness directive, unless already accomplished.

To prevent complete loss of engine power when using the fuel boost pump, accomplish the following:

Modify the fuel boost pump electrical circuit by installing a resistor in accordance with Cessna Service Letter No. SE 69-9, dated April 11, 1969, or any equivalent method approved by the Chief, Engineering & Manufacturing Branch, Federal Aviation Administration, Central Region.

This amendment becomes effective April 22, 1969.

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

Issued in Kansas City, Mo., on April 11, 1969.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 69-4741; Filed, Apr. 21, 1969; 8:47 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

General Services Administration

Section 213.3337 is amended to show that the position of Special Assistant to the Assistant Administrator, the position of Confidential Assistant to the Archivist of the United States, and the positions of the Confidential Assistants to the Commissioners of the Federal Supply Service, the Property Management and Disposal Service, the Public Buildings Service, and the Transportation and Communications Service are excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, § 213.3337 is amended as set out below.

§ 213.3337 General Services Administration.

(a) *Office of the Administrator.* * * *

(8) One Special Assistant to the Assistant Administrator.

(b) *Public Buildings Service.* * * *

(2) One Confidential Assistant to the Commissioner.

(c) *Federal Supply Service.* * * *

(2) One Confidential Assistant to the Commissioner.

(d) *National Archives and Records Service.* * * *

(2) Confidential Assistant to the Archivist of the United States.

* * * * *

(f) *Property Management and Disposal Service.* * * *

(2) One Confidential Assistant to the Commissioner.

(h) *Transportation and Communications Service.* * * *

(1) One Confidential Assistant to the Commissioner.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-4811; Filed, Apr. 21, 1969; 8:48 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release Nos. 34-8564, IA-246]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

PART 279—FORMS PRESCRIBED UNDER THE INVESTMENT ADVISERS ACT OF 1940

Amendment of Forms for Registration of Broker-Dealers and Investment Advisers

On February 12, 1969, in Securities Exchange Act Release No. 8523 and Investment Advisers Act Release No. 244 and in the FEDERAL REGISTER for February 21, 1969 (34 F.R. 2502), the Securities and Exchange Commission announced the adoption of revisions to Items 12 and 17 of Form BD (17 CFR 249.501), the form of application for registration as broker-dealer under section 15(b) of the Securities Exchange Act of 1934 and for amending such application, and the same items of Form ADV (17 CFR 279.1), the form of application for registration as an investment adviser under section 203 of the Investment Advisers Act of 1940 and for amending such application.

Since questions have been raised as to whether the Commission continues to require a Schedule D to be filed for a person who is subject to an action reported under Item 16, but who is not named in any other item or schedule of the form, the Commission has clarified the language of Item 17 of Form BD (17 CFR 249.501) and Item 17 of Form ADV (17 CFR 279.1) to make it clear that such schedule should be filed for such person.

Copies of the foregoing release have been filed with the Office of the Federal Register and may be obtained from the Securities and Exchange Commission's Washington headquarters office or any regional office.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

APRIL 9, 1969.

[F.R. Doc. 69-4723; Filed, Apr. 21, 1969; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans Administration

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 8 is amended to read as follows:

PART 8-6—FOREIGN PURCHASES

§ 8-6.202—8-6.204 [Revoked]

1. In Part 8-6, Subpart 8-6.2 is revoked (see Subpart 8-18.6):

PART 8-8—TERMINATION OF CONTRACTS

2. In Part 8-8, Subpart 8-8.7 is revised to read as follows:

Subpart 8-8.7—Clauses

Sec.
8-8.700 Scope and applicability of subpart.
8-8.700-1 Scope.
8-8.700-2 Applicability.

AUTHORITY: The provisions of this Subpart 8-8.7 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114; 38 U.S.C. 210(c).

Subpart 8-8.7—Clauses

§ 8-8.700 Scope and applicability of subpart.

§ 8-8.700-1 Scope.

This subpart prescribes the termination clauses to be used by the Veterans Administration in fixed-price and certain cost-reimbursement type contracts.

§ 8-8.700-2 Applicability.

(a) Formally advertised or negotiated fixed-price contracts for supplies and/or equipment will include the following clauses, as applicable:

(1) The long-form termination for convenience clause set forth in FPR 1-8.701 and the termination for default clause set forth in FPR 1-8.707 will be included in contracts estimated to exceed $100,000.

(2) The short-form termination for convenience clause set forth in FPR 1-8.705-1 and the termination for default clause set forth in FPR 1-8.707 will normally be included in contracts estimated to cost more than $2,500 but not more than $100,000. However, the long-form termination for convenience clause in FPR 1-8.701 may be used for contracts in this price range when the long-form clause is included in preprinted supplemental conditions.

(b) Formally advertised or negotiated fixed-price contracts for nonpersonal services (excluding construction) estimated to exceed $2,500 may include the short-form termination for convenience clause set forth in FPR 1-8.705-1, whenever it is determined that a termination for convenience clause is both advisable and desirable for use of the Government and a claim will not be made in the event of termination for the convenience of the Government. If these conditions do not exist, and it is the desire of both parties to have the right to terminate the contract, a mutual termination clause as provided in paragraph (i)(2) of this section may be included. In other cases a special termination clause, designed to meet the specific requirements of the contract, may be included as provided in paragraph (i)(1) of this section. Service contracts will normally include the termination for default clause set forth in FPR 1-8.707 (Article 11, Standard Form 32, General Provisions, Supply Contracts). However, when this clause is clearly not appropriate for the services being acquired, it may be elliminated, revised or replaced with a special or mutual termination clause as provided in paragraph (i) of this section.

(c) Formally advertised or negotiated fixed-price contracts for construction will

include the following clauses, as applicable:

(1) The long-form termination for convenience clause set forth in FPR 1–8.703 and the long-form termination for default clause set forth in FPR 1–8.709–1 will be included in contracts estimated to exceed $10,000.

(2) The short-form termination for default clause set forth in FPR 1–8.709–2 will be included in contracts not exceeding $10,000. At the option of the contracting officer, the short-form termination for convenience clause set forth in FPR 1–8.705–2 may be included.

(d) Formally advertised or negotiated fixed-price contracts in excess of $2,500 for experimental, developmental, or research work where a profit is contemplated will include the long-form termination for convenience clause set forth in FPR 1–8.701. However, if the contract is for services and it is determined that the successful bidder will not have incurred substantial charges in preparation for and carrying out the contract, the short-form termination for convenience clause set forth in FPR 1–8.705–1 may be used instead. When it is advisable to provide for termination for default, contracts of this type will also include the clause set forth in FPR 1–8.710.

(e) Fixed-price contracts for experimental, developmental or research work placed with an educational or nonprofit institution on a no-fee or no-profit basis will contain the termination for convenience clause set forth in FPR 1–8.704–1. A termination for default clause is not required.

(f) Cost-reimbursement type contracts for experimental, developmental, or research work placed with an educational or nonprofit institution on a no-fee or no-profit basis will include the termination for convenience clause set forth in FPR 1–8.704–1, whenever the contracting officer considers a termination clause is necessary or advisable. A termination for default clause is not required.

(g) Cost-reimbursement type contracts for (1) supplies and/or equipment or (2) experimental, developmental or research work where a fee is contemplated will include the termination for default or for convenience clause as set forth in FPR 1–8.702, whenever the contracting officer considers a termination clause is necessary or advisable. When this termination clause is used, an excusable delays clause substantially as set forth in FPR 1–8.708 will be included.

(h) Cost-reimbursement type construction contracts in excess of $10,000 will include the termination for default or for convenience clause set forth in FPR 1–8.702, modified as provided in FPR 1–8.700–2(a)(3). Contracts of this type will also include the excusable delays clause substantially as set forth in FPR 1–8.708.

(i) Special or mutual termination clauses may be used in service contracts for which no clauses are prescribed in this subpart.

(1) When required or advisable, a special clause will be developed to meet the needs of the specific contract, such as procurement from a sole source for utility services, medical specialist services, medical resources, etc.

(2) When a mutual termination clause is appropriate, it will be substantially as follows:

> This contract will remain in force during the period stated, unless terminated at the request of either party after thirty (30) days notice in writing. To the extent that this contract is so terminated, the Veterans Administration will be liable only for payment in accordance with the payment provisions of this contract for services rendered prior to the effective date of termination.

PART 8–12—LABOR

3. In Part 8–12, §§ 8–12.404–3, 8–12.404–4, and 8–12.404–5 are added to read as follows:

§ 8–12.404–3 Additional classifications.

(a) When a classification for laborers and mechanics required in the performance of the contract work is not listed in the wage determination incorporated in the contract, the contractor will be required to submit a proposed classification or reclassification and wage rate, plus fringe benefits if any, to the contracting officer, together with data to substantiate the establishment of the proposed classification or reclassification and rate. For purposes of establishing prevailing rates, information reflecting wage rates and classifications employed on similar projects in the vicinity may be obtained from contractors' associations, labor organizations and other contractors.

(b) Upon receipt of this information, the contracting officer will:

(1) Review the wage determination in the contract to see if there is a classification that can be used to cover the work to be performed. Example: If there is a crane operator in the appropriate schedule of the contract and the contractor requests a dragline operator, the contractor can use the crane operator rate.

(2) If there is no applicable classification and rate in the schedule, assure that the new classification or reclassification requested is generally used in the construction industry or that it is used locally, and that the rate proposed is not less than that which was prevailing in the area 10 days before opening of bids.

(3) Determine that the proposed rate is generally conformable with other rates in the contract. An example of nonconformability would be having a crane operator listed in the wage determination at $4.50, but proposing an additional classification for a dragline operator at $2. Any difference of opinion between the parties should be resolved, if possible, by obtaining additional information and/or discussing the problem.

(4) If the contractor and the contracting officer cannot agree on the proper classification or reclassification and rate, the contracting officer will submit the question to the Secretary of Labor for final determination. The submission will include all substantiating data and the contracting officer's recommendation. The contractor will be advised of the submission and promptly notified upon receipt of the determination of the proper classification and rate.

(5) If the proposed additional classification or reclassification and wage rate are approved by the contracting officer, he will advise the contractor by letter and report the action taken to the Secretary of Labor. When approved by the contracting officer, it may be assumed, for the purpose of checking payrolls, that the classification and rate are satisfactory unless otherwise advised by the Department of Labor. If a correction or objection is received from the Department of Labor, a proper adjustment will be necessary.

§ 8–12.404–4 Apprentices.

(a) Apprentices may be employed by contractors or subcontractors on construction projects only when the prime contractor has presented to the contracting officer written evidence that such apprentices are registered, individually, under a bona fide apprenticeship agency which is recognized by the Bureau of Apprenticeship and Training, U.S. Department of Labor; and if no such recognized agency exists in a State, under a program registered directly with the aforesaid Bureau of Apprenticeship and Training. Such evidence, together with the allowable ratio of apprentices to journeymen and the wage rates applicable in the area of the project, will be submitted by the contractor prior to using apprentices on the project.

(b) Whenever the payrolls indicate that a contractor has classified employees as apprentices without complying with the foregoing requirements, the contractor will be required to pay such employees at the journeymen's rates applicable to the classification of the work they actually performed.

(c) Any bona fide apprentices employed in excess of the allowable ratio will be entitled to journeymen's rates for each day of disproportionate employment on the project. Allowances should be made for journeymen absenteeism due to circumstances beyond the control of the contractor.

(d) Apprentice employment data must be furnished with the first payroll on which each apprentice appears. The payroll must show the period of training and approved wage rate of each apprentice employed.

§ 8–12.404–5 Subcontracts.

The contractor will be requested to furnish a list of all subcontracts with a description of the work to be performed thereunder. The list will be used to assure compliance with the requirement for submission of payrolls by the contractor and subcontractor.

4. A new Part 8–18 is added to read as follows:

PART 8–18—PROCUREMENT OF CONSTRUCTION

Subpart 8–18.1—General Provisions

Subpart 8–18.2—Formal Advertising

Subpart 8–18.6—Buy American Act

AUTHORITY: The provisions of this Part 8–18 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114; 38 U.S.C. 210(c).

Subpart 8–18.1—General Provisions

§ 8–18.104 Subcontracting.

The clause contained in § 8–7.650–3, Work To Be Executed by Contractor's Forces, will be used in lieu of the clause in FPR 1–18.104.

§ 8–18.110 Liquidated damages.

Liquidated damages provisions may be included in construction contracts when the criteria of § 8–1.315–2 is met. If partial performance may be accepted and utilized to the advantage of the Government, the clause substantially as set forth in § 8–1.315–3(c) will be included in addition to the clause set forth in FPR 1–18.110.

§ 8–18.111 Concurrent firm fixed-price and cost-type construction contracts.

When concurrent contracts of the type specified in FPR 1–18.111 are considered necessary or advantageous, prior approval will be requested of the Chief Medical Director for contracts involving M&R (Maintenance and Repair) funds or of the Assistant Administrator for Construction for contracts involving C of H&DF (Construction of Hospital and Domiciliary Facilities) funds. Complete justification will be furnished in the request.

§ 8–18.112 Construction contracts with design architect-engineers.

When it is considered necessary or advantageous to award a contract for construction of a project to a firm or person that designed the project, prior approval will be requested of the Chief Medical Director for contracts involving M&R funds or of the Assistant Administrator for Construction for contracts involving C of H&DF funds. Complete justification will be furnished in the request.

Subpart 8–18.2—Formal Advertising

§ 8–18.203 Invitations for bids.

§ 8–18.203–1 Preparation of invitations for bids.

In addition to complying with the provisions of FPR 1–2.201 and 1–18.203, the following referenced provisions and clauses will be included in the invitations for bids, to the extent applicable:

(a) Small business set-asides. (§ 8–1.706–5)

(b) Aggregate award. (§ 8–2.201(f))

(c) Bid samples. (FPR 1–2.202–4)

(d) Buy American Act. (FPR 1–18.604 and § 8–18.604)

(e) Communist-controlled areas. (§ 8–6.5303)

(f) Contract clauses. (FPR 1–7.6, Subpart 8–7.6)

(g) Bid guarantees. (§ 8–10.103)

(h) Performance bonds. (§ 8–10.104)

(i) Payment bonds. (FPR 1–10.105)

(j) Federal, State, and local taxes. (FPR 1–11.401–1)

(k) Liquidated damages. (FPR 1–18.110 and § 8–1.315)

(l) Revisions to prescribed forms. (FPR 1–16.401)

(m) Termination clauses. (§ 8–8.700–2)

Subpart 8–18.6—Buy American Act

§ 8–18.602 Buy American policy.

§ 8–18.602–1 General.

(a) Pursuant to the "Buy American Act" (41 U.S.C. 10a–10d), the Assistant Administrator for Construction has determined that the articles, materials and supplies listed in this section may be used in Veterans Administration construction without regard to source, except as provided for in Subpart 8–6.53.

Acetylene, black.
Antimony, as metal or oxide.
Asbestos, amosite.
Bismuth.
Cadmium, ores and flue dust.
Chalk, English.
Chrome ore or chromite.
Cobalt in cathodes, rondelles, or other primary forms.
Cork, wood, or bark and waste.
Dammar gum.
Fiber, coir, abaca, and agave.
Flax.
Graphite, natural, crystalline, crucible grade.
Hemp.
Jute and jute burlaps.
Kauri gum.
Lac.
Logs, veneer, and lumber from Alaskan yellow cedar, angelique, balsa, ekki, greenheart, lignum vitae, mahogany, and teak.
Manganese.
Mica.
Nickel, primary in ingots, pigs, shot, cathodes, or similar forms; nickel oxide and nickel salts.
Nitroguanidine (picrite).
Rubber, crude and latex.
Shellac.
Sisal.
Tin, in bars, blocks, and pigs.
Tungsten.
Wax, carnauba.

(b) If articles, materials and supplies required for a particular procurement are not excepted in paragraph (a) of this section, or when only foreign bids or offers are received, the determination concerning nonavailability required by FPR 1–18.602–1(b) will be made by the contracting officer, factually supported in writing, and included in the contract file.

(c) A copy of the determination will be forwarded to the Assistant Administrator for Construction. When appropriate, the item will be added to the list of excepted articles, materials and supplies contained in paragraph (a) of this section.

§ 8–18.603 Unreasonable cost determination.

§ 8–18.603–3 Deviations by agency head.

When a contracting officer believes that the requirement of the "Buy American Act," is impractical as provided in FPR 1–18.602–1(a), or that it would be advantageous to the Government to deviate from the provisions of FPR 1–18.603–1, authority to consummate the contract will be requested. The request containing all the facts, including a comparison of all the bids or offers received and any other pertinent information upon which a determination may be made, will be submitted through channels to the Assistant Administrator for Construction for approval by the Administrator. If approved, a report of the transaction will be prepared and transmitted by the Assistant Administrator for Construction in accordance with Executive Order 10582, dated December 17, 1954, as amended.

§ 8–18.604 Invitation provision.

The provision required by FPR 1–18.604 shall be included in invitations for bids and requests for proposals for affected construction work estimated to exceed $10,000. The list of excepted items contained in § 8–18.602–1 will be incorporated in this provision.

These regulations are effective immediately.

Approved: April 15, 1969.

By direction of the Administrator.

[SEAL] A. W. STRATTON,
Deputy Administrator.

[F.R. Doc. 69–4734; Filed, Apr. 21, 1969; 8:46 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER D—PUBLIC BUILDINGS AND SPACE

PART 101–18—ACQUISITION OF REAL PROPERTY

Subpart 101–18.1—Acquisition by Lease

ACQUISITION OF REAL PROPERTY BY LEASE, DIRECTS AGENCIES TO REFRAIN FROM CONTACTS WITH LESSORS

Although all Federal agencies that occupy leased space acquired by the General Services Administration have been cautioned not to make commitments or agreements with offerors or lessors, such incidents still occur. To preclude future incidents of this nature, this revision directs agencies to refrain from such contacts with offerors or lessors.

Section 101–18.103 is amended by adding a new paragraph (c) to read as follows:

§ 101–18.103 Acquisition by GSA.

* * * * *

(c) Agencies not authorized to acquire space by lease, or agencies which have requested GSA to provide leased space for their activities, shall not directly or indirectly contact lessors or potential lessors for the purpose of making oral or written promises, commitments, or agreements with respect to the conditions of occupancy of particular space, alterations and repairs, or payment of overtime services.

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

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: April 15, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69–4729; Filed, Apr. 21, 1969; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Rev. S.O. 1023]

PART 1033—CAR SERVICE

Demurrage and Detention Charges on Freight Cars

Supersedes Service Order No. 1023, service date April 3, 1969.

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 16th day of April 1969.

It appearing, that there are acute shortages of freight cars throughout the country; that certain carriers are unable to furnish an adequate supply of freight cars to shippers located on their lines; that these shortages of freight cars are impeding the movement of many commodities; that many freight cars are held by shippers for loading, unloading, or instructions for movement, in excess of the free-time periods established by the applicable demurrage and detention tariffs; that such practices immobilize large numbers of freight cars needed by shippers for transportation of other freight; and that the existing demurrage and detention rules, regulations, and practices of the railroads are ineffective with respect to the use, supply, control, movement, distribution, exchange, interchange, and return of freight cars to meet the requirements of shippers. It is the opinion of the Commission that an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. Accordingly, the Commission finds that notice and public procedure are impracticable and contrary to the public interest, and that good cause exists for making this order effective upon less than 30 days' notice.

It is ordered, That:

§ 1033.1023 Demurrage and detention charges on freight cars.

(a) Each common carrier by railroad subject to the Interstate Commerce Act shall observe, enforce, and obey the following rules, regulations, and practices with respect to its demurrage and detention rules, practices, and charges.

(b) Description of cars subject to this order: Except as otherwise provided in paragraph (c) herein this order shall apply to freight cars which are subject to demurrage and detention rules applicable to detention of cars.

(c) Exception: The provisions of this order shall not apply to freight cars listed in the Official Railway Equipment Register, ICC R.E.R. 370 issued by E.J. McFarland, or reissues thereof, as having the following descriptions and mechanical designations:

Mechanical designation: RA, RAM, RCD, RS, RSB, RSM, RSTC, and RSTM.
Mechanical designation: SA, SC, SD, SF, SH, SM, SP, and ST.
Mechanical designation: TA, TAI, TG, TGI, THI, TL, TLI, TM, TMI, TMU, TMUI, TP, TPI, TPA, TPAI, TR, TRI, TVI, TW, and TWI.
Mechanical designation: XT.

(d) Cars not subject to average demurrage agreement:

(1) The lowest rates of car detention or demurrage charges published in the applicable tariff for such period of time as is provided in the tariff.

(2) $25 per car per day, or fraction of a day, for all cars subject to the next level of charges published in the applicable tariff for such period of time as is provided in the tariff.

(3) $50 per car per day, or fraction of a day, for all subsequent detention.

(e) Cars Subject to Rule 9, Item 940, Freight Tariff 4–I, ICC H–36, issued by B. B. Maurer, supplements thereto or reissues thereof: When a car has accrued four debits, a charge of $25 per car per day, or fraction of a day, will be made for each of the next 4 days, or fraction of a day and $50 per car per day, or fraction of a day, will be made for all subsequent detention.

(f) If the application of the detention or demurrage rules published in any tariff lawfully in effect results in detention or demurrage charges greater than those provided in this order, such greater charges shall apply.

(g) Application: The provisions of this order shall apply to intrastate, interstate, and foreign commerce.

(h) Regulations suspended—announcement required: The operation of all rules and regulations, insofar as they conflict with the provisions of this order, is hereby suspended and each railroad subject to this order, or its agent, shall publish, file, and post a supplement to its tariffs affected hereby, in substantial accordance with the provisions of Rule 9(k) of the Commission's Tariff Circular No. 20, announcing such suspension.

(i) Effective date: This order shall become effective at 7 a.m., May 1, 1969.

(j) Expiration date: This order shall expire at 6:59 a.m., July 1, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69–4736; Filed, Apr. 21, 1969; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Brigantine National Wildlife Refuge, N.J.

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

§ 28.28 Special regulations: recreation: for the individual wildlife refuge areas.

NEW JERSEY

BRIGANTINE NATIONAL WILDLIFE REFUGE

Entrance into the refuge on foot is permitted except in areas designated by signs as closed, and by motor vehicle on designated travel routes, for the purpose of nature study, photography, hiking, swimming, picnicking, and fishing during daylight hours. Pets are allowed if on a leash not exceeding 10 feet in length.

The refuge areas, comprising more than 19,385 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office and Courthouse, Boston, Mass. 02109.

The provisions of this special regulation supplement the regulations governing recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28,

and are effective through December 31, 1969.

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

APRIL 15, 1969.

[F.R. Doc. 69-4721; Filed, Apr. 21, 1969; 8:45 a.m.]

PART 33—SPORT FISHING

Union Slough National Wildlife Refuge, Iowa

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge area.

IOWA

UNION SLOUGH NATIONAL WILDLIFE REFUGE

Sportfishing on the Union Slough National Wildlife Refuge, Kossuth County, Iowa, is permitted only on the area designated by signs as open to fishing. This open area is delineated on a map available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Minneapolis, Minn. 55450. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from June 1, 1969, through September 15, 1969 during daylight hours only.

(2) The use of boats is not permitted.

(3) The use of minnows or fish, or parts thereof, for bait is not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through September 15, 1969.

ROBERT H. STRATTON, Jr.,
Refuge Manager, Union Slough National Wildlife Refuge, Titonka, Iowa.

APRIL 15, 1969

[F.R. Doc. 69-4732; Filed, Apr. 21, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 14]

[Bureau of Mines Schedule 21B]

FILTER-TYPE DUST, FUME, AND MIST RESPIRATORS

Requirements for Investigation, Testing, and Certification

Notice is hereby given that under authority contained in the Act of May 16, 1910 (36 Stat. 370; 30 U.S.C. 3, 5, and 7), as amended, it is proposed to amend the regulations issued as Part 14 of Subchapter B of Chapter I, Title 30, Code of Federal Regulations. The current regulations were adopted on January 19, 1965 (30 F.R. 616) and the fees were revised on March 23, 1965 (30 F.R. 3752).

The purposes of the proposed revision are to bring up-to-date the regulations to incorporate provision for technologic advances in the design and construction of Filter-Type Respirators, to provide for a greater variety of equipment to better meet new environmental conditions, and to make certain administrative procedures and requirements consistent with those of other parts.

In accordance with the policy of the Department of the Interior, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment of the regulations to the Director, Bureau of Mines, Interior Building, Washington, D.C. 20240, within 30 days after the date of publication in the FEDERAL REGISTER.

JOHN F. O'LEARY,
Director, Bureau of Mines.

Part 14 of Subchapter B of Chapter I of Title 30 would be amended as follows:

1. Paragraph (b) of § 14.2 is amended as follows:

§ 14.2 Definitions.

* * * * *

(b) "Bureau" means the Bureau of Mines of the U.S. Department of the Interior.

* * * * *

2. Section 14.3 is amended as follows:

§ 14.3 Consultation.

By appointment, applicants or their representatives may visit the Bureau's Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, to discuss with qualified Bureau personnel proposed respirators to be submitted in accordance with the regulations of this part. No charge is made for such consultation and no written report thereof will be made to the applicant.

3. A new subparagraph (7) is added to paragraph (b) of § 14.4, as follows, and the present subparagraphs (7) and (8) are renumbered (8) and (9), respectively:

§ 14.4 Types of respirators for which certificates of approval will be issued.

* * * * *

(b) * * *

(7) Respirators for radon daughters and radon daughters attached to dusts, fumes, and mists.

* * * * *

4. Paragraphs (a) and (h) of § 14.5 are amended as follows:

§ 14.5 Applications.

(a) Investigation or testing, including retesting of equipment that has been previously tested and disapproved, will be undertaken by the Bureau only pursuant to a written application, in duplicate, accompanied by all prescribed drawings, specifications, and related materials; and accompanied by a check, bank draft, or money order payable to the Bureau of Mines, to cover the fees. The application, all related matters, and all correspondence concerning it shall be sent to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

* * * * *

(h) When the Bureau notifies the applicant that the application has been accepted, it will also notify him as to the number of completely assembled respirators, together with the number of filters and other parts, that will be required for testing. All materials required for testing shall be delivered (charges prepaid) to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

5. New items (l) and (p) are added to § 14.6, as follows, and present items (l), (m), (n), (o), and (p) are relettered (m), (n), (o), (q), and (r), respectively:

§ 14.6 Fees.

* * * * *

(l) Radon daughters and radon daughters attached to dusts, fumes, and mists	$740

* * * * * *

(p) Facepiece only for respirator (1)	325

* * * * *

6. Section 14.8 is amended as follows:

§ 14.8 Conduct of investigations, tests, and demonstrations.

(a) Prior to the issuance of a certificate of approval, only Bureau personnel, representatives of the applicant, and such other persons as may be mutually agreed upon, may observe the investigations or tests. The Bureau shall hold as confidential, and shall not disclose, principles or patentable features prior to certification. It shall not disclose any analyses, nor any details of the applicant's drawings, specifications, and related material. The conduct of all investigations, tests, and demonstrations shall be under the sole direction and control of the Bureau. Any other persons shall be present only as observers or as required under paragraph (c) of this section.

(b) After the issuance of a certificate of approval, the Bureau may conduct such public demonstrations and tests of the approved respirator as it deems appropriate.

(c) When requested by the Bureau, the applicant shall provide assistance in assembling or disassembling the respirator and its components, subassemblies, or assemblies for testing, in preparing the respirator and its components, subassemblies, or assemblies for testing, and in operating the respirator during the tests.

(d) Applicants shall be responsible for their representatives present during tests and for observers admitted at their request and shall save the Government harmless in the event of damage to applicant's property or injury to applicant's representatives or to observers admitted at their request.

7. Paragraph (e) of § 14.10 is amended as follows:

§ 14.10 Approval labels or markings.

* * * * *

(e) Full-scale designs or reproductions of approval labels and markings, and a sketch or description of their position shall be submitted for approval before final adoption to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

* * * * *

8. Paragraph (a) of § 14.11 is amended as follows:

§ 14.11 Material required for record.

(a) The Bureau reserves the right to retain as part of the permanent record of the investigation, a complete respirator or any component thereof that has been tested and certified. Material not required for record will be returned to the applicant at his request and at his expense on written shipping instructions to the Bureau of Mines, Health and Safety Research and Testing Center, 4800 Forbes Avenue, Pittsburgh, Pa. 15213, Attention: Approval and Testing.

* * * * *

9. Paragraph (a) of § 14.23 and subparagraph (1) of paragraph (b) of § 14.23 are amended as follows:

§ 14.23 Facepiece.

(a) *General requirements.* Each facepiece shall be constructed so as to assure a quick, dispersoid-tight fit on persons of widely varying facial shapes and sizes. The overall efficiency of a full-facepiece respirator shall not be affected by the optional use of corrective spectacles. A mouthpiece-type respirator with provision for nasal seal may be used provided the respirator meets all other pertinent requirements of this part. Coverings of cloth or other material for the face-contacting portion of the facepiece approved as part of a respirator that is designed for respiratory protection against dusts, fumes, or mists shall pass the complete facepiece tests for the particular type of respirator except that no such covering of cloth or other material will be approved for use with a respirator for protection against radon daughters or radon daughters attached to dusts, fumes, and mists. The head harness shall be adjustable and replaceable.

(b) *Valves*—(1) *Respirators for dusts, fumes, and mists of materials having a TLV not less than 0.1 milligram per cubic meter or 2.4 million particles per cubic foot or for radon daughters and radon daughters attached to dusts, fumes, and mists.* Each respirator shall be provided with an exhalation valve(s). The use of an inhalation valve(s) is desirable but optional, except that for respirators equipped with a canister, cartridge(s), or filter(s) not attached directly to the facepiece an inhalation valve(s) shall be provided in the breathing system.

* * * * *

10. Paragraph (b) of § 14.30 is amended as follows:

§ 14.30 Facepiece tests.

* * * * *

(b) *Coal-dust tightness test (applicable to respirators designed for respiratory protection against dusts, and mists of materials having a TLV not less than 0.1 milligram per cubic meter or 2.4 million particles per cubic foot, or for radon daughters and radon daughters attached to dusts, fumes, and mists).* (1) Three persons shall each wear two different respirators (six tests and six different respirators) in a concentration of 75±25 milligrams per cubic meter of bituminous coal dust. The coal dust shall be 100 percent through a 200-mesh sieve. The geometric mean particle diameter, determined from Coulter counter measurements, or equivalent, shall be 1.2 microns, with a standards deviation not greater than 2. Each person will perform not more than one test in a single day.

(2) Each respirator will be modified, in a manner which will least affect its performance, by connecting a lightweight tube through the facepiece to a 5-micron pore size membrane filter and holder assembly and a vacuum (sampling) pump operating at 2 liters per minute. Each wearer will perform the preliminary facepiece fit test recommended by the manufacturer. If he obtains a satisfactory fit, he will wear the respirator for 30 minutes while performing the following test in the coal dust chamber.

3 minutes—walking and turning and nodding head.
1½ minutes—smiling.
1½ minutes—frowning.
3 minutes—reciting alphabet.
3 minutes—talking.
3 minutes—shallow and deep breathing.
Repeat above schedule once.

(3) During the same 30-minute period, a second sampling pump, connected to a second membrane filter and holder assembly located in the wearer's breathing zone, will sample the test concentration in the ambient atmosphere.

(4) To meet the requirements of this test, the sample of coal dust, desiccated and weighed to the nearest 0.01 milligram, sampled from within the facepiece during the test, shall not exceed the following:

Respirator for—	*Percent of ambient concentration*
Dusts and mists of materials having a TLV not less than 0.1 milligram per cubic meter or 2.4 million particles per cubic foot	10
Radon daughters and radon daughters attached to dusts, fumes, and mists	5

* * * * *

11. The subject headings of paragraph (a) and of subparagraphs (1) and (2) of paragraph (a) of § 14.31 and the subject heading of paragraph (c) are amended as set forth below. New paragraphs (f) and (i) are added to § 14.31 as follows, and present paragraphs (f) and (g) are relettered (g) and (h), respectively.

§ 14.31 Mechanical filter tests.

(a) *Silica-dust tests of respirators designed for respiratory protection against dusts having a TLV not less than 2.4 million particles per cubic foot, dusts, fumes, and mists having a TLV less than 0.1 milligram per cubic meter, radionuclides, radon daughters and radon daughters attached to dusts, fumes, and mists*—(1) *Single-use filters (applicable to all respirators described in this paragraph).*

* * * * *

(2) *Reusable filters (applicable only to respirators designed for protection against dusts having a TLV not less than 2.4 million particles per cubic foot).*

* * * * *

(c) *Lead fume tests for respirators designed for respiratory protection against fumes of various metals having a TLV not less than 0.1 milligram per cubic meter or for radon daughters and radon daughters attached to dusts, fumes, and mists.*

* * * * *

(f) *Lead-fume tests of air-purifying respirators (with attached blower in the contaminated atmosphere) designed for respiratory protection against radon daughters and radon daughters attached to dusts, fumes, and mists.* Three respirators will be tested at the effective airflow rate of the respirator as described in paragraph (c) of this section, except that the rate of continuous airflow through the respirator filter shall be not less than 4 cubic feet per minute for 4 hours to tight-fitting facepieces and not less than 6 cubic feet per minute for 4 hours to hoods and helmets. Tested under these conditions, the total amount of unretained test suspension, which is analyzed and calculated as lead (Pb), shall not exceed 4.8 milligrams for a test made at 4 cubic feet per minute or 6.2 milligrams for a test made at 6 cubic feet per minute.

* * * * *

(i) *Silica-dust tests of air-purifying respirators (with attached blower in the contaminated atmosphere) designed for respiratory protection against radon daughters and radon daughters attached to dusts, fumes, and mists.* Three respirators will be tested at the effective airflow rate of the respirator as described in subparagraph (1) of paragraph (a) of this section, except that the rate of continuous airflow through the respirator filter shall be not less than 4 cubic feet per minute for 4 hours to tight-fitting facepieces and not less than 6 cubic feet per minute for 4 hours to hoods and helmets. Tested under these conditions, the respirator resistance shall not exceed that specified in paragraph (a) of § 14.32 for respirators for protection against radon daughters and radon daughters attached to dusts, fumes, and mists.

12. Paragraph (a) of § 14.32 is amended as follows:

§ 14.32 Tests of complete respirator.

(a) *Resistance to airflow (applicable to all dust, fume, and mist respirators).* (1) The resistance to airflow of a complete respirator on inhalation and on exhalation will be determined on a mechanical apparatus before and after the tests are conducted as described in § 14.31 and as described in subparagraph (4) of paragraph (b) of this section. The continuous rate of airflow will be 85 liters per minute.

(2) The resistance to inhalation of respirators approved for respiratory protection against dusts, fumes, and mists but not for protection against radon daughters and radon daughters attached to dusts, fumes, and mists shall not exceed 30 millimeters of water-column height before and 50 millimeters height immediately after each test, and the resistance to exhalation shall not exceed 20 millimeters of water column height at any time.

(3) The resistance to inhalation of respirators approved for respiratory protection against radon daughters and radon daughters attached to dusts, fumes, and mists shall not exceed 18 millimeters of water-column height before or 25 millimeters of water-column height immediately after the silica dust tests described in subparagraph (1) of paragraph (a), and paragraph (i) of § 14.31. The resistance to exhalation shall not exceed 15 millimeters of water-column height at any time.

* * * * *

[F.R. Doc. 69-4720; Filed, Apr. 21, 1969; 8:45 a.m.]

[30 CFR Parts 55, 56, 57]

METAL AND NONMETALLIC MINES

Health and Safety Standards; Notice of Corrections; Extension of Time for Comments

In Part II of the FEDERAL REGISTER of January 16, 1969, pages 656 through 693, there was published a notice of proposed rule-making of proposed Health and Safety Standards for Metal and Nonmetallic Open Pit Mines, Underground Mines, and Sand, Gravel, and Crushed Stone Operations, respectively, which are covered by the Federal Metal and Nonmetallic Mine Safety Act of 1966 (80 Stat. 772, 30 U.S.C. 721–740, Supp. III). The standards were set forth in proposed new Parts 55, 56, and 57, of Title 30, Code of Federal Regulations. Interested persons were afforded a period of 60 days after the date of publication in which to submit written data, views, or arguments, and within which to file written objections and request a public hearing on a proposed health and safety standard which is designated as a mandatory standard and which has not been recommended as a mandatory standard by an Advisory Committee.

In the FEDERAL REGISTER of March 14, 1969, at page 5258, there was published a notice extending the time within which to submit written data, views, or arguments, and within which to file written objections and request a public hearing to May 1, 1969.

A review of the proposed health and safety standards as published on January 16, 1969, has disclosed errors of a substantive nature. The proposed Parts 55, 56, and 57, of Title 30, Code of Federal Regulations, are corrected and revised as shown below. These are substantive corrections only. Minor typographical errors are not being corrected at this time.

In accordance with the provisions of section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725), interested persons are hereby afforded a period of 30 days after the date of publication in the FEDERAL REGISTER of this notice of corrections in which to submit written data, views, or arguments respecting only the proposed standards affected by these corrections. Communications should be addressed to the Director, Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

RUSSELL E. TRAIN,
Under Secretary of the Interior.

APRIL 18, 1969.

PART 55—METAL AND NONMETALLIC OPEN PIT MINES

Part 55 is corrected and revised as follows:

1. In paragraphs 55.3–1 and 55.4–23, the letters and designation "*OPAC*" after the word "*Mandatory*" are deleted. The standards set forth in these paragraphs have not been recommended to be mandatory by the Advisory Committee.

2. In paragraphs 55.4–4, 55.6–94, 55.6–96, and 55.6–115, the letters and designation "*OPAC*" are inserted after the word "*Mandatory.*" In paragraph 55.11–3 the word and letters "*Mandatory-OPAC*" are inserted after the paragraph number. The standards set forth in these paragraphs have been recommended to be mandatory by the Advisory Committee.

3. In paragraph 55.5–1 the name "American Conference of Governmental Hygienists" is corrected to read "American Conference of Governmental Industrial Hygienists."

4. In paragraph 55.6–113, the second sentence is corrected to read: "Adequate steps, including the grounding and bonding of the conductive parts of pneumatic loading equipment, shall be taken to eliminate the hazard of static electricity before blasting agent use is commenced."

5. In paragraphs 55.12–47 and 55.12–50, the title "National Electrical Safety Code" is corrected to read "National Electrical Code."

6. The paragraph numbered "55.19–49" is changed to "55.19–50" and a new paragraph 55.19–49 is inserted as follows:

55.19–49 *Mandatory-OPAC.* Buckets shall not be used to hoist men except during shaft sinking operations, inspection, maintenance, and repairs.

7. Paragraph 55.19–62 is corrected to read:

55.19–62 Maximum acceleration and deceleration should not exceed 6 feet per second per second.

PART 56—SAND, GRAVEL, AND CRUSHED STONE OPERATIONS

Part 56 is corrected and revised as follows:

1. The first sentence of § 56.1 "Purpose and scope" is revised to read as follows: "The regulations in this part are promulgated pursuant to section 6 of the Federal Metal and Nonmetallic Mine Safety Act (30 U.S.C. 725) and prescribe health and safety standards for sand (including industrial sands), gravel, and crushed stone operations which are subject to the Act."

2. In paragraphs 56.3–1, 56.4–23, 56.6–84, 56.19–46, the letters and designation "*SGCS*" after the word "*Mandatory*" are deleted. The standards set forth in these paragraphs have not been recommended to be mandatory by the Advisory Committee.

3. In paragraphs 56.4–4, 56.6–49, 56.6–94, 56.6–96, 56.6–115, the letters and designation "*SGCS*" are inserted after the word "*Mandatory.*" In paragraph 56.11–3 the word and letters "*Mandatory-SGCS*" are inserted after the paragraph number. The standards set forth in these paragraphs have been recommended to be mandatory by the Advisory Committee.

4. In paragraph 56.5–1 the name "American Conference of Governmental Hygienists" is corrected to read "American Conference of Governmental Industrial Hygienists."

5. Paragraph 56.6–58 is corrected to read:

56.6–58 *Mandatory-SGCS.* Areas in which charged holes are awaiting firing shall be guarded, or barricaded and posted, or flagged, against unauthorized entry.

6. In paragraph 56.6–113, the second sentence is corrected to read: "Adequate steps, including the grounding and bonding of the conductive parts of pneumatic loading equipment, shall be taken to eliminate the hazard of static electricity before blasting agent use is commenced."

7. The paragraph numbered "56.5–115" is corrected to "56.6–115."

8. Paragraph 56.8–2 is corrected to read:

56.8–2 *Mandatory-SGCS.* Safety chains or other suitable locking devices shall be provided across connections to and between high pressure oxygen hose lines of 1-inch inside diameter or larger.

9. In paragraphs 56.12–47 and 56.12–50 the title "National Electrical Safety Code" is corrected to read "National Electrical Code."

10. Paragraph 56.13–17 is corrected to read:

56.13–17 *Mandatory-SGCS.* Safety chains or suitable locking devices shall be used at connections to machines of high pressure hose lines of 1-inch inside diameter or larger, and between high pressure hose lines of 1-inch inside diameter or larger, where a connection failure would create a hazard.

11. The paragraph numbered "56.19–49" is changed to "56.19–50" and a new paragraph 56.19–49 is inserted as follows:

56.19–49 *Mandatory-SGCS.* Buckets shall not be used to hoist men except during shaft sinking operations, inspection, maintenance, and repairs.

12. Paragraph 56.19–62 is corrected to read:

56.19–62 Maximum acceleration and deceleration should not exceed 6 feet per second per second.

PART 57—METAL AND NONMETALLIC UNDERGROUND MINES

Part 57 is corrected and revised as follows:

1. In paragraph 57.5–1 the name "American Conference of Governmental Hygienists" is corrected to read "American Conference of Governmental Industrial Hygienists."

2. In paragraph 57.6–5 after the word "Reference" insert "57.5–1."

3. Paragraph 57.6–12 is corrected to read:

57.6–12 *Mandatory.* Internal combustion engines other than Bureau of Mines approved diesels shall not be used underground and such approved diesels shall be operated in an approved manner and maintained in approved condition.

4. Paragraph 57.7–45 is deleted.

5. The paragraph numbered "57.7–78" is changed to "57.7–79" and a new paragraph 57.7–78 is inserted as follows:

57.7–78 *Mandatory-UAC.* Vehicles shall be attended, whenever practical and possible, while loaded with explosives or detonators.

6. In § 57.7 "Explosives" under the center headings "Use"—"Surface Only" the following paragraphs are added:

57.7–168 *Mandatory-UAC.* Misfires shall be reported to the proper supervisor and shall be disposed of safely before any other work is performed in that blasting area.

57.7–169 Blastholes in "hothole" areas and holes that have sprung should not be charged before tests have been made to insure that the heat has dissipated to a safe extent.

57.7–170 *Mandatory-UAC.* Where electric blasting is to be performed, electric circuits to equipment in the immediate area to be blasted shall be deenergized before explosives are brought into the area; the power shall not be turned on again until after the shots are fired.

7. In 57.7 "Explosives" under the center headings "Use"—"Underground Only" delete paragraphs 57.7–178 through 57.7–180 and insert in lieu thereof the following paragraphs:

57.7–178 In secondary blasting if more than one shot is to be fired at one time, blasting should be done electrically or with detonating cord.

57.7–179 Blastholes should be cleaned before charging is begun.

57.7–180 Explosives and blasting lines should be isolated from sources of static or other electrical contract.

57.7–181 Where electric blasting is to be performed, electric circuits to equipment in the immediate area to be blasted should be deenergized before explosives are brought into the area; the power should not be turned on again until after the shots are fired.

8. In paragraph 57.7–193, the second sentence is corrected to read: "Adequate steps, including the grounding and bonding of the conductive parts of pneumatic loading equipment, shall be taken to eliminate the hazard of static electricity before blasting agent use is commenced."

9. In paragraph 57.7–195 the letters and designation "*UAC*" are inserted after the word "*Mandatory*." The standard set forth in this paragraph has been recommended to be mandatory by the Advisory Committee.

10. Paragraph 57.7–199 is deleted.

11. In paragraph 57.10–7 the letters and designation "*UAC*" after the word "*Mandatory*" are deleted. The standard set forth in this paragraph has not been recommended to be mandatory by the Advisory Committee.

12. In paragraph 57.10–99 the second sentence is corrected to read: "Mantrips shall be operated independently of ore and supply trips."

13. In paragraphs 57.14–45 and 57.14–48 the title "National Electrical Safety Code" is corrected to read "National Electrical Code."

14. The paragraph numbered "57.21–49" is changed to "57.21–50" and a new paragraph 57.21–49 is inserted as follows:

57.21–49 *Mandatory-UAC.* Buckets shall not be used to hoist men except during shaft sinking operations, inspection, maintenance, and repairs.

15. Paragraph 57.21–62 is corrected to read:

57.21–62 Maximum acceleration and deceleration should not exceed 6 feet per second per second.

16. In paragraph 57.21–127 the word "*Mandatory*" and the letters and designation "*UAC*" are deleted. Neither the Advisory Committee nor the Secretary has recommended the proposed standard in this paragraph to be mandatory.

17. In paragraphs 57.22–13, 57.22–39, 57.22–40, and 57.22–81 references to the quantity "1 percent" are corrected to "1.0 percent."

18. In paragraph 57.22–63 the first sentence is corrected to read: "Underground working places shall be examined for hazards by qualified persons at least once during each producing shift, and more often, if necessary."

19. Paragraph 57.22–96 is corrected to read:

57.22–96 *Mandatory.* The Bureau of Mines and the State Inspector of Mines in granting approval referred to in paragraph 57.22–95, shall provide the operator with a written list of conditions for using the specific blasting agent or explosives covered by the approval and adapted to the mining operation.

[F.R. Doc. 69–4773; Filed, Apr. 21, 1969; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1060]

[Docket No. AO 360–A3]

MILK IN MINNESOTA-NORTH DAKOTA MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Sunbowl Room, Biltmore Motor Hotel, 3700 West Main, Fargo, N. Dak., beginning at 9:30 a.m., local time, on Wednesday, May 14, 1969, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Minnesota-North Dakota marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Land O'Lakes Creameries, Inc., Minneapolis, Minn.:

Proposal No. 1. In § 1060.51(a) of the Minnesota-North Dakota order, change the figure $0.86 to $1.10.

Proposed by Cass-Clay Creamery, Inc., Moorhead, Minn.:

Proposal No. 2. Amend paragraphs (a) and (b) of § 1060.16 by changing the phrase "received at a pool plant(s) for at least 3 days during the month" in each paragraph to read: "received at a pool plant(s) for at least 5 days during the month".

Proposal No. 3. Amend that part of paragraph (a) of § 1060.23 preceding the proviso to read as follows:

(a) A distributing plant from which a volume of Class I milk equal to not less than 35 percent of its Grade A receipts is disposed of during the month on routes or by transfer to another plant and classified as Class I pursuant to § 1060.44 and not less than 15 percent of such receipts are so disposed of in the marketing area:

Proposal No. 4. Amend the sentence preceding the proviso in paragraph (a) of § 1060.61 to read as follows: "A plant from which the Secretary determines a greater proportion of fluid milk products is disposed of in another marketing area regulated by another order issued pursuant to this Act and such plant is fully subject to regulation of such other order:"

Proposed by All Grade A Producers of Cavalier, Pembina, and Walsh Counties, N. Dak:

Proposal No. 5. Amend § 1060.2(a) of the Minnesota-North Dakota order to exclude Cavalier, Pembina, and Walsh Counties, N. Dak.

Proposed by Fergus Dairy, Fergus Falls, Minn.:

Proposal No. 6. Amend § 1060.2(a) by adding Pope County, Minn., to the marketing area.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 7. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Sanford A. Balgaard, 7703 Normandale Road, Room 100, Minneapolis, Minn. 55435, or from the Hearing Clerk, Room 112–A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on April 17, 1969.

JOHN C. BLUM,
Deputy Administrator, Regulatory Programs.

[F.D. Doc. 69–4748; Filed, Apr. 21, 1969; 8:48 a.m.]

[7 CFR Part 1201]

TYPE 62 SHADE-GROWN CIGAR-LEAF TOBACCO GROWN IN DESIGNATED PRODUCTION AREA OF FLORIDA AND GEORGIA

Notice of Proposed Rule Making With Respect to Expenses and Fixing of Rate of Assessment for 1969–70 Fiscal Period

Consideration is being given to the following proposals submitted by the Control Committee, established under

the amended marketing agreement and Amended Order No. 195 (7 CFR Part 1201), regulating the handling of type 62 shade-grown cigar-leaf tobacco grown in designated production area of Florida and Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(a) Expenses in the amount of $8,500 are reasonable and likely to be incurred by the Control Committee for its maintenance and functioning during the fiscal period ending January 31, 1970.

(b) The following rate of assessment which each handler who first handles tobacco shall pay, in accordance with the applicable provisions of the said amended marketing agreement and amended order, is hereby fixed as such handler's pro rata share of the aforesaid expenses: $1.20 per 1,000 pounds of tobacco handled by such handler as the first handler thereof during the fiscal period ending January 31, 1970.

(c) Terms used in this section shall have the same meaning as when used in said amended marketing agreement and amended order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to the notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business.

Done at Washington, D.C., this 17th day of April 1969.

JACK THOMASON,
Director, Tobacco Division,
Consumer and Marketing Service.

[F.R. Doc. 69–4749; Filed, Apr. 21, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[49 CFR Part 371]

[Docket No. 69–5; Notice 2]

MOTOR VEHICLE SAFETY STANDARDS

Motor Vehicle Safety Standard No. 205; Glazing Materials; Notice of Extension of Time To File Comments

On March 1, 1969, the Federal Highway Administration published in the FEDERAL REGISTER a notice of proposed rule making (34 F.R. 3699) that would amend Standard No. 205 to require glazing materials for use in forward facing windows of campers, pickup caps, pickup covers and pickup canopies to conform to AS1 type safety glass specifications established by Z26.1–1966; or AS2 type laminated safety glass meeting the specifications established by Z26.1–1966 plus the penetration resistance test No. 26, set forth in Z26.1–1966; or AS3 type laminated safety glass meeting the specifications established in Z26.1–1966 plus the penetration resistance test No. 26 set forth in Z26.1–1966. The proposed effective date of the amendment was July 1, 1969.

The regulation presently permits AS–1, AS–2, and AS–3 type safety glass; and AS–4 and AS–5 type plastics, to be used in forward facing windows of campers. Interested persons were invited to submit data, information, views, and arguments by March 31, 1969. Several manufacturers of plastics, in response to the notice, requested a meeting to demonstrate the relative merits of AS–4 and AS–5 type glazing material (plastics). A meeting was held on March 27, 1969, at which the Federal Highway Administration requested that additional information be supplied regarding the relative safety of AS–4 and AS–5 for use in forward facing windows of campers. Two plastic manufacturers have asked for an extension of time to file comments so they may supplement their comments with the test data requested.

In view of the foregoing, additional time to file comments in response to the notice of proposed rule making is being allowed and the proposed effective date of the regulations will be postponed until the additional test data submitted can be thoroughly evaluated. Therefore, the time to file comments in response to the proposed amendment to Standard No. 205 is extended until August 1, 1969.

This notice of extension of time to file comments is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegation of authority contained in § 1.4(c) of Part 1 of the regulations of the Office of the Secretary (49 CFR 1.4(c)).

Issued: April 17, 1969.

F. C. TURNER,
Federal Highway Administrator.

[F.R. Doc. 69–4750; Filed, Apr. 21, 1969; 8:48 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 210]

[Reg. J]

COLLECTION OF CHECKS AND OTHER ITEMS BY FEDERAL RESERVE BANKS

Sender's Agreement and Return of Cash Items

The Board of Governors is considering amending Part 210 (Regulation J) in the following respects:

1. Section 210.5(a) would be amended and new paragraph (c) would be added at the end thereof as follows:

§ 210.5 Sender's agreement.

(a) By its action in sending any cash item or noncash item to a Federal Reserve Bank, the sender shall be deemed (1) to authorize the receiving Federal Reserve Bank, and any other Federal Reserve Bank or other collecting bank to which such item may be forwarded, to handle such item subject to the provisions of this Part and of the operating letters of the Federal Reserve Banks; (2) to warrant its own authority to give such authority; (3) to agree that such provisions shall, insofar as they are made applicable thereto, govern the relationships between such sender and the Federal Reserve Banks with respect to the handling of such item and its proceeds; and (4) to agree that it will honor drafts drawn upon it in connection with the direct return of cash items to it pursuant to § 210.12(b).

* * * * *

(c) Whenever any action or proceeding is brought in any court against a Federal Reserve Bank which has collected an item, based upon the alleged failure of the sender of such item to have the authority to make the warranty and the agreement referred to in paragraph (a) of this section, or upon any action taken by such Federal Reserve Bank within the scope of its authority for the purpose of collecting such item, or upon any warranty or agreement with respect thereto made by such Federal Reserve Bank consistently with paragraph (b) of § 210.6 of this part, such Federal Reserve Bank may, upon the entry of a final judgment or decree in such action or proceeding, recover from the sender in the manner provided herein the amount of attorneys' fees and other expenses of litigation actually incurred, and, in addition, any amount required to be paid by such Federal Reserve Bank under such judgment or decree, together with interest thereon. Such recovery may be effected by charging the amount thereof to any account of the sender maintained on the books of such Federal Reserve Bank (or if the sender is another Federal Reserve Bank, by entering a charge therefor against such other Federal Reserve Bank through the Interdistrict Settlement Fund), provided only (1) that such Federal Reserve Bank shall have made seasonable demand on the sender in writing to assume the defense of the action or proceeding, and (2) that the sender shall not have made any other provision acceptable to such Federal Reserve Bank for the payment of such amount. A Federal Reserve Bank against which any such charge has been entered through the Interdistrict Settlement Fund may recover from its sender, in any case herein provided, as if the action or proceeding against the Federal Reserve Bank which entered the charge had been brought against it. The failure of any Federal Reserve Bank to avail itself of the remedy provided by this paragraph shall not prejudice the enforcement by it in any other manner of the indemnity agreement referred to in paragraph (b) of this section.

2. Section 210.12 would be amended by relettering paragraph (b) of that section as paragraph (c) and by inserting the following new paragraph (b):

§ 210.12 Return of cash items.

* * * * *

(b) Within the time and in the manner prescribed by paragraph (a) of this section, a paying bank may return an unpaid cash item directly to the sender, if the sender was the first bank to which the item was transferred for collection; and the paying bank may send for collection as a cash item a draft drawn upon the sender and obtain reimbursement. In such case, if the sender has received credit for the item in accordance with § 210.10, the sender shall reimburse the paying bank drawing the draft; and any provisional credits for the item between banks shall become and remain final.

* * * * *

The purpose of the first and third of the proposed amendments would be to permit any paying bank to return an unpaid cash item directly to the bank that sent the item to the Reserve Bank for collection (if the sending bank was the first bank to which the item was transferred for collection) and to draw a draft upon the sending bank for reimbursement for provisional payment of the item. Such a procedure for the direct return of unpaid items is provided for by provisions of the Uniform Commercial Code as adopted in most but not all of the States. The proposed amendments would in effect supplement the Uniform Commercial Code, in respect to items handled by the Reserve Banks, in those States in which provision for direct return of unpaid items has not been adopted.

The second of the proposed amendments is intended to provide a procedure under which a Federal Reserve Bank that is sued in connection with a cash item collected by it may recover from the sending bank expenses of such litigation and the amount of any adverse judgment by charging the account of the sending bank, provided the Reserve Bank has tendered defense of the suit to the sending bank and such tender has not been accepted.

This notice is published pursuant to section 553(b) of title 5 of the United States Code, and § 262.2(a) of the Rules of Procedure of the Board of Governors.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 16, 1969.

Dated at Washington, D.C., this 14th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-4719; Filed, Apr. 21, 1969; 8:45 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

LATIN AMERICA HOUSING INVESTMENT GUARANTY PROGRAM

Reopening

The Agency for International Development (A.I.D.) hereby announces that applications will again be accepted during 1969 for housing investment guaranties in Latin American countries, insuring against loss of loan investments by eligible U.S. investors pursuant to section 224 of the Foreign Assistance Act of 1961 (FAA). Acceptance of applications is governed by the attached "Information for Applicants", by the terms of this Announcement, and by additional special announcements that may be issued from time to time.

The Housing and Urban Development Division of the Bureau for Latin America has prepared the attached "Information for Applicants", which sets out specific guidelines for submitting an application, and which supersedes the guidelines issued in connection with all previous Announcements.

Applications must be submitted to the A.I.D. Mission (or U.S. Embassy or Consulate) in each country for which the housing investment guaranty is requested. No applications will be accepted by A.I.D. in Washington.

Countries for which allocations of investment guaranty authority have been approved to date are as follows:

Country	Application period	Total authority (tentative)
Barbados, B.W.I.	Sept. 1-15, 1969	$3,000,000
Argentina	Oct. 1-15, 1969	6,000,000
Colombia	Nov. 1-15, 1969	6,000,000
Ecuador	Dec. 1-15, 1969	3,000,000

It is anticipated that in the near future, allocations of investment guaranty authority will be approved for additional Latin American countries and announcements concerning such allocations will be issued by A.I.D. promptly as they become available.

Separate special announcements concerning the housing investment guaranty program will be issued by A.I.D. for each of the countries listed herein, and for each country for which subsequent allocations of guaranty authority are announced as stated above. These special announcements may be obtained from the A.I.D. Mission in each country (or the U.S. Embassy in Barbados), or, upon request, from the Housing and Urban Development Division, Bureau for Latin America, Agency for International Development, Washington, D.C. 20523.

Dated: April 16, 1969.

JAMES R. FOWLER,
Deputy U.S. Coordinator,
Alliance for Progress.

LATIN AMERICA HOUSING INVESTMENT GUARANTY PROGRAM

INFORMATION FOR APPLICANTS

I. *The program.* The Latin American Housing Investment Guaranty Program is administered by the Agency for International Development (A.I.D.) of the Department of State. It is an integral part of the Alliance for Progress. Its purpose is to insure those private U.S. investments in housing which are most responsive to the Alliance objective of making a material contribution to the solution of the existing housing and urban development problems of Latin America.

It operates in approximately the same manner as the Federal Housing Administration's program of insured mortgages operates in the United States. The Contract of Guaranty insures the U.S. investor against the loss of his investment for an approved housing investment guaranty project in Latin America.

The purpose of this brochure is to provide the basic information needed by applicants in the preparation of a competitive housing investment guaranty application.

As additional guaranty authority becomes available A.I.D. issues a Public Announcement on the Reopening of the Housing Investment Guaranty Program. This announcement indicates the amount of additional authority available; the countries for which applications will be accepted; the tentative amount allocated to each country and the terminal date for the receipt of applications for each of the eligible countries. There also will be individual announcements concerning special conditions, which will apply to applications for a particular country.

A. *Congressional authority.* 1. The authority to guaranty is contained in the Foreign Assistance Act of 1961, as amended:

SEC. 224. *Housing Projects in Latin American Countries.*

(a) It is the sense of Congress that in order to stimulate private home ownership and assist in the development of stable economies in Latin America, the authority conferred by this section should be utilized for the purpose of assisting in the development in the American Republics of self-liquidating pilot housing projects, the development of institutions engaged in Alliance for Progress programs, including cooperatives, free labor unions, savings and loan type institutions, and other private enterprise programs in Latin America engaged directly or indirectly in the financing of home mortgages, the construction of homes for lower income persons and families, the increased mobilization of savings and the improvement of housing conditions in Latin America.

(b) To carry out the purpose of subsection (a), the President is authorized to issue guaranties, on such terms and conditions as he shall determine, to eligible U.S. investors as defined in section 223 assuring against loss of loan investments made by such investors in—

(1) Pilot or demonstration private housing projects in Latin America of types similar to those insured by the Department of Housing and Urban Development and suitable for conditions in Latin America;

(2) Credit institutions in Latin America engaged directly or indirectly in the financing of home mortgages, such as savings and loan institutions and other qualified investment enterprises;

(3) Housing projects in Latin America for lower income families and persons, which projects shall be constructed in accordance with maximum unit costs established by the President for families and persons whose incomes meet the limitations prescribed by the President;

(4) Housing projects in Latin America which will promote the development of institutions important to the success of the Alliance for Progress, such as free labor unions, cooperatives, and other private enterprise programs; or

(5) Housing projects in Latin America 25 per centum or more of the aggregate of the mortgage financing for which is made available from sources within Latin America and is not derived from sources outside Latin America, which projects shall, to the maximum extent practicable, have a unit cost of not more than $6,500.

B. *The objectives.* 1. The program is an integral part of the Alliance for Progress. Accordingly, A.I.D. utilizes the guaranty authority to the maximum extent possible to support those projects which are most responsive to a basic Alliance objective of making a material contribution to the solution of the existing housing and urban development problems of Latin America. This is to be accomplished:

a. Principally by the development and strengthening of housing finance institutions, which will be able to make a continuing contribution to the basic objective.

b. Also by projects which have demonstration or multiplier effects which can contribute toward achieving qualitative and quantitative improvements in the home construction and finance industries throughout the hemisphere.

c. Also by the creation of institutions capable of undertaking long range cooperative housing programs that serve the needs of low and middle income families.

d. And finally by the addition of housing to the existing inventory.

A.I.D. seeks to encourage the use of significantly better financing, marketing, management, and building techniques to meet these objectives, and will entertain proposals employing improvements and/or innovations in methods, materials, and design in home and community planning and construction which will result in reduced initial costs and carrying charges and improved housing while at the same time being consistent with sound underwriting criteria.

C. *The five categories*—1. *Pilot demonstration.* (a) Any project submitted under this category must demonstrate a contribution to the advancement of housing and/or urban development in the locality for which it is proposed. This advancement may be in land planning, design, construction, building materials, production techniques, use of manpower, marketing procedures, financing, community planning or organization, or such other demonstration features as may be responsive to the program objectives. It is not intended, however, that this category be used for experimenting with unproved methods of construction and materials. To be acceptable for incorporation into houses under this category, new methods must have been utilized successfully in a climatic environment similar to that in which the proposed project is to be located.

(b) The relevant portion of the statute quoted above, describes eligible pilot or demonstration projects as similar to those insured by the Department of Housing and Urban Development, and suitable for conditions in Latin America. The U.S. Department of Housing and Urban Development, and in partciular its Federal Housing Administration, now insures a variety of projects in addition to one-family homes and condominium apartments. This includes the rehabilitation of existing dwellings, the urbanization of land for resale, cooperative projects, technically innovative projects, and others. Rental projects, however, are not contemplated under this program. While the appropriateness of any particular one of these new categories for A.I.D. housing guaranties remains to be determined, applicants are invited to provide the most imaginative proposals consistent with these guidelines. In substantial measure the relevance and pertinence of proposals to guaranty program objectives will be derivatives of the excellence and creativity of the presentation and each will be considered on its own merits.

(c) A.I.D. continues to consider as one of its most important goals the development of institutions in Latin America which participate in the Alliance for Progress by helping in the economic and social development of the hemisphere. (See also subsection 4 below which is devoted to projects directed primarily at institution building). Accordingly, pilot or demonstration projects which will also promote the development of trade unions, cooperatives and mortgage credit institutions, or which provide for financial participation of local institutions, as lenders or guarantors, will be welcomed for review and evaluation under this program. The maximum selling price of houses in the pilot or demonstration category which A.I.D. will approve at the time construction of the project commences is $7,500.

2. *Credit institution.* This facet of the program deals with credit institutions engaged in financing home mortgages. Guaranties will include loans to Latin American savings and loan systems and associations made by those U.S. savings and loan institutions and Federal Home Loan Banks eligible for participation through the Housing Acts of 1965 and 1968 and subsequently enacted State statutes. If the proceeds of the loan are intended to finance a specific project, the project will be reviewed in accordance with the criteria hereinafter described. However, if the loan proceeds are intended to serve as seed capital for an individual Latin American savings and loan institution or for a Latin American savings and loan system, earmarking for a specific project will not be necessary. A.I.D. will nonetheless require that houses constructed with the proceeds of such loans comply with structural and design controls and limitations to be established by the agency. The maximum selling price of houses which may be so financed is $5,000, subject to possible variations from country to country which will be included in the announcement for each particular country.

While not essential to the submission of an application under this category, A.I.D. anticipates that all or virtually all such applications will also meet the criteria for local participation described in paragraph 5 below, and, in the event of such a combination of criteria, the maximum allowable sales price will therefore be $6,500.

3. *Housing projects for lower income families.* A.I.D. intends to encourage the development of projects which will provide housing for families with the minimum income consistent with fulfilling all the obligations of home ownership. To the maximum degree possible, this should endeavor to reach the lowest income level of the regularly employed. With this end in view, A.I.D. has established a basic price ceiling for this phase of the program of $2,500. This price ceiling may be adjusted from country to country, and the governing ceiling will be discussed in the announcement for each particular country. To meet this target, architects and builders should be encouraged to explore and utilize new building techniques and to develop new designs. In many locations, only a "core" house may be feasible within the price ceilings established.

4. *Institutions important to the Alliance.* This portion of the program will attempt to stimulate the construction of housing projects in Latin America which will promote the development of institutions important to the success of the Alliance for Progress. One of the major aims of the Alliance is the encouragement and support of the growth of free trade unions and cooperatives, and cooperative housing service institutions capable of providing technical assistance to cooperatives as a meaningful demonstration of dynamic democracy. A.I.D. will continue to support programs to assist trade unions and will encourage the furnishing of assistance to housing cooperatives. Also included are "other private enterprise programs" in order to permit the development of new types of programs involving existing groups which do not fall into the trade union or cooperative categories. Since the focus of A.I.D.'s interest is the institution involved, applications submitted for this portion of the Program should include detailed information concerning the organization or institution including its membership, affiliations, history, financial condition, and legal structure. The maximum selling price for this portion of the program at the time of commencement of project construction is $5,000, subject to possible variation which will be included in the individual Announcements applying to a particular country.

5. *Local participation.* A principal objective of the program is to encourage the mobilization of Latin American capital either in the form of savings and/or as local investments in specific projects. While the statutes require a minimum of 25 percent of the total mortgage financing for projects in this category from Latin American sources, A.I.D. will give special consideration to those projects which attract a higher percentage of Latin American participation as well as to those projects which commit the use of mortgage repayments of the Latin Amerian capital as a revolving fund to finance additional housing. While the statutory sales price ceiling for this portion of the program is $6,500, A.I.D. will give special consideration to projects having a lower sales price.

An application may qualify under more than one category, and could qualify under all five categories simultaneously. Where a project qualifies under more than one category, the maximum allowable sales price will be the highest allowable. For example, a cooperative project with 25 percent local participation will have an allowable sales price of $6,500.

D. *Eligibility criteria*—1. *Limit on applications.* No applicant may file more than one application in any one country during any one application period.

2. *Applications previously submitted.* Applications previously submitted under earlier housing guaranty programs and not approved will not be considered unless resubmitted utilizing the present form of application. Such applications must meet all requirements of this program.

3. *Sales price.* The maximum sales price of any dwelling unit as listed by category in section (C) above shall not be exceeded at the time construction of the project begins and houses are offered for sale. Therefore, in preparing applications, sponsors should take into consideration anticipated price increases resulting from increased material and labor costs between the time the applica-

tion is submitted and construction begins. This period may be between 18 months and 2 years. A.I.D. will allow increases in sales prices above the ceilings, however, which may be required by increases in the costs of labor and material during the construction period.

4. *Bonding and warranties.* (a) Sponsors of specific projects will be required to provide surety that if a project is terminated prematurely, it will be done in an orderly fashion. This will require that work begun be completed and that all financial obligations of the sponsor be satisfied. This surety may be in the form of a performance bond or a bank guaranty in an amount not less than 10 percent of the cost of the project. If neither performance bonds nor bank guaranties are available, this surety may be in such other form (generally the pledge of specific assets) as may be acceptable to A.I.D.

(b) Sponsors of specific projects will also be required to escrow 2.7 percent of the sales price for not less than a 12-month period after the closing of each house to insure that the sponsor meets the conditions of his warranties, or to make other arrangements acceptable to A.I.D. A.I.D. may require more extensive warranties depending on normal practice in the countries in which projects are located.

6. *Applications.* All applications must be submitted in the English language. All exhibits must be submitted in English, or must be accompanied by English translations. Five complete sets of applications and exhibits must be submitted. Applications should be submitted on the prescribed approved form of application.

7. *Dwelling space.* In regard to dwelling space, it is A.I.D.'s objective that, to the maximum extent possible, dwelling units designed for housing investment guaranties, regardless of category, contain not less than three bedrooms. Under the categories with lower sales price ceilings, however, this objective may not be attainable in many locations. In such cases, applicants must design dwelling units in such a manner as to permit relatively simple and economical expansion to three or more bedrooms, and provide for plans detailing the future expansion to be furnished to each homebuyer.

8. *Joint venture.* The application for pilot or demonstration projects must propose sponsorship by a bondafide joint venture between United States and host country entities. The application should expressly state the division of responsibilities envisioned, stock owership proposed, and any other information which would help explain how the joint venture would operate. The U.S. partner must have proven experience in comparable residential development. Particular attention in the application should be devoted to the exact participation of each partner of the joint venture.

II. *General information.* An explanation of the terminology used in the Contract of Guaranty and other documents may be helpful to those unfamiliar with the program. In the discussion that follows the term "specific projects" is used to cover all applications under all categories that propose the construction of a number of houses on a particular site or sites. The term "general relending" is used to cover applications that propose a loan to a mortgage credit institution, for relending to finance individual home mortgages.

A. *Sponsors of specific projects.* The sponsor normally develops a project, submits it to A.I.D. for review and is responsible, once the project is determined to be eligible for guaranty coverage, to see it through to completion. The sponsor of specific projects will normally be an individual or entity with considerable experience in organizing and carrying out large scale residential construction projects. All sponsors of specific projects shall:

1. Demonstrate actual experience and present capacity in developing housing projects, and financial capacity to complete the proposed project;

2. Certify that they are not presently barred from doing business with the Federal Housing Administration or other agencies of the U.S. Government; and

3. Demonstrate ability to secure construction financing without an A.I.D. all risk guaranty specifically for such construction financing.

B. *Sponsors of credit institution applications.* 1. For the credit institution program, the sponsor should be a thrift institution which collects savings from the general public without any implicit or specific commitment to make a housing loan to the saver and which invests its resources in home mortgages. The sponsor can also be the government agency which regulates such privately owned thrift institutions.

2. Where the credit institution proposes to invest all or a portion of the proceeds of the U.S. investment in any subdivision or project, in which the total investment exceeds $150,000, then such project(s) will be subject to prior approval by A.I.D. in a manner similar to the review process for specific projects. However, where the proceeds are intended for general relending, then A.I.D. will concern itself only with the qualifications of the institution and the guidelines and criteria for such relending, such as price and construction standards. A.I.D. will not review each loan or group of loans made by the institution, but will retain, of course, the right to audit any part of this operation.

C. *The U.S. investor.* 1. Section 223(c) of the Foreign Assistance Act of 1961, as amended, defines "eligible U.S. Investors" as follows:

> (c) the term "eligible U.S. investors" means U.S. citizens, or corporations, partnerships, or other associations created under the laws of the United States or any State or territory and substantially beneficially owned by U.S. citizens, as well as foreign corporations, partnerships, or other associations wholly owned by one or more such U.S. citizens, corporations, partnerships, or other associations: *Provided*, That the eligibility of a foreign corporation shall be determined without regard to any shares, in aggregate less than 5 per centum of the total of issued and subscribed share capital, required by law to be held by other than the U.S. owners.

2. Investors in the program to date have included insurance companies, commercial banks, the trustees of the pension and retirement funds of AFL–CIO unions, Federal Home Loan Banks, United States Federal Savings and loan association and State chartered savings and loan associations. It is also understood that action by State legislatures or State supervisory agencies now permits or soon will permit a substantial number of additional State chartered savings and loan associations to participate in the program as investors.

3. Sponsors are not required to provide evidence of the specific interest of long-term U.S. investors at the time of application. The first contact between the sponsor and investor need not take place until A.I.D. has completed its evaluation and issued a Letter of Advice to the successful applicants.

D. *The investment.* 1. The U.S. investment must be in the form of a long-term (generally at least 15 years and usually 20 years) dollar loan to provide mortgage financing for a home ownership program. The mortgage financing, together with downpayments and closing costs, should produce funds adequate to cover all project costs, including profit. Investments in rental projects are not eligible.

2. The rate of interest payable to the investor is governed by the provisions of the Foreign Assistance Act of 1961, as amended, which are as follows: "Section 222(h): In the case of any loan investment for housing guaranteed under * * * this Act * * * the Administrator of the Agency for International Development shall prescribe the rate of interest allowable to the eligible U.S. investor, which rate shall not be less than one-half of 1 per centum above the then current rate of interest applicable to housing mortgages insured by the Department of Housing and Urban Development. In no event shall the Administrator prescribe an allowable rate of interest which exceeds by more than 1 per centum the then current rate of interest applicable to housing mortgages insured by such Department." Note that the rates referred to above are the allowable (i.e., maximum) rates, and that A.I.D. can and has approved rates lower than the allowable.

3. The Administrator of A.I.D. fixes the allowable interest rate within the limits established by the statute.

4. The current maximum yield to the investor permitted under the program will be published by A.I.D. periodically. This yield will be adjusted upward or downward periodically pursuant to section 222(c) quoted in paragraph C.2 above.

5. The typical investment to date has been made for mortgages having a 20-year amortization period. A.I.D. is now prepared to consider extending the amortization period beyond 20 years for lower income projects in order that lower income families may be able to share

in the benefits of the program. A.I.D. will also consider extensions beyond 20 years when an investment is guaranteed by the host country government. Substantial justification will be required to support such an extension.

6. The amount of the A.I.D. guaranty applied for is limited to a maximum of $3 million per project and a minimum of $1 million. However, A.I.D. reserves the right to authorize a guaranty in excess of or less than the amount of guaranty authorization requested and without regard to these limitations.

E. *The Administrator (Local Fiduciary Agent).* 1. In most instances, A.I.D. secures the services of a financial institution in the host country which originates and services the mortgages financed by the program. This institution, or local fiduciary agent, is known as the administrator.

2. A.I.D. analyzes potential administrators in each country and will select the administrator for specific projects under the program.

3. The administrator must be located within the country and virtually always in the city in which the project is located. Individual or cooperative mortgages financed from the proceeds of a guarantied investment may not be serviced by an investor or institution located in the United States.

4. The competence of the administrator is basic to the success of the project since it has primary responsibility to inspect and otherwise supervise the project from its inception through the servicing of the individual or cooperative mortgages until they are completely repaid.

F. *Fees, reserves, and other charges*—1. *Fees*—a. *Application fees*—(i) *Initial fee.* Each application must be accompanied by an initial fee in the amount of one thousand dollars ($1,000). This fee shall be in the form of a certified check payable to the Agency for International Development. It becomes nonrefundable upon acceptance of the application as described in section A of Part III below.

(ii) *Acceptance fee.* Upon issuance by A.I.D. of a "Letter of Advice" (see par. III D below) to the applicant in which the amount of guaranty authorized by A.I.D. will be stated, along with other conditions of the authorization, an acceptance fee shall become due and payable. This fee shall be in the amount of two dollars ($2.00) per one thousand dollars ($1,000) of the amount of the guaranty authorized, and is not refundable.

b. *A.I.D. guaranty fee.* The A.I.D. guaranty fee is based upon the unpaid principal balance of the guarantied loan investment and is payable periodically as follows:

(i) One-half of 1 percent per annum where repayment of the loan in U.S. dollars has been guarantied by the government of the country in which the project is located;

(ii) One percent per annum where mortgages are insured in local currency by a government mortgage insurance institution, housing agency or other public or private institution acceptable to A.I.D. of the country in which the project is located; and

(iii) Two percent per annum in all cases for which A.I.D. has no form of coguaranty.

c. *Devaluation insurance.* Unless the devaluation risk is guarantied in a manner acceptable to A.I.D. (such as a host government guaranty) A.I.D. will require a devaluation insurance fee amounting to 1 percent per annum of the outstanding loan investment, payable monthly, to cover the risk of devaluation. This fee is not refundable.

d. *Reserves and guaranties.* (i) A.I.D. requires that reserves be established to cover defaults by individual mortgagors. These reserves are established through an initial payment by the mortgagor at the time the mortgages are closed, and may also include the payment of a fixed monthly charge, as part of the home purchaser's monthly payments.

(ii) A.I.D. will require, wherever appropriate, adjustable mortgage payments by homeowners. Adjustable mortgages are normally based on a formula which adjusts the outstanding mortgage balance periodically in accordance with a reliable index which reflects the trend of internal costs and prices in a particular country.

(iii) A.I.D. may also require, in certain situations, a guaranty of repayment of the investment in U.S. dollars by the government of the country in which the project is located, or assurance of the repayment of all mortgages in local currency by a host country insurer.

(iv) The guaranties required and the amounts of reserves required will vary from country to country. Further information will be included in the individual announcements and will also be available from the A.I.D. Missions in the respective countries.

e. *Inspector's fee.* Each sponsor of an approved specific project will normally be required to place in escrow with the administrator at the time that the guaranty contracts for the project are signed (and to maintain such escrow fund with monthly deposits), an amount equal to the sum of three months salary for the certifying project inspector. These payments will constitute a project charge, which will be incorporated in the sales price of the houses.

f. *Other charges.* There are many variables both within a country and among countries which can affect the total interest rate paid by the individual home purchaser. It is therefore suggested that applicants use eleven percent (11%) interest per annum as the sum of applicable charges when estimating the homeowner's monthly payments, unless more accurate figures are available for the particular project.

G. *Establishing sales prices.* 1. A.I.D. will evaluate proposed selling prices on the basis of estimates submitted by the applicant and reviewed by or on behalf of A.I.D.

2. The sponsor should consult the local USAID Mission regarding the appropriate level of sales prices and should be prepared to demonstrate the existence of an unserved market in the income group for which the project is intended.

3. A.I.D. will give special consideration to those projects having sales prices below the specified maximum price.

H. *Downpayment.* A.I.D. policy is to require a minimum of 10 percent of the sales price to be paid by the homebuyer at the time of closing. This percentage may be increased or decreased by A.I.D. as indicated by the need for conformance with host country policy and home mortgage practice.

I. *Community facilities.* 1. All applications for specific projects should carefully consider the basic needs of a community over and above that for improved housing itself. A.I.D. will, therefore, carefully evaluate the sponsor's effort to assure that education, transportation, recreation, shopping, health facilities, and other basic community necessities are provided.

2. A.I.D. will consider inclusion of the cost of desirable community facilities, such as a school, or a community center and related facilities, in calculating the selling prices of the houses.

3. As an essential element in sound community planning, applications must incorporate proposals governing the use of protective covenants and community organizations such as a Homeowner's Association to control the uses of and alterations to the dwellings and to own and operate common facilities where appropriate, as well as other arrangements necessary to maintain the standards of the community. Such arrangements shall also commit the sponsor or builder to remain responsible for the maintenance and operation of utilities and facilities until such responsibility is legally assumed by another acceptable entity.

III. *Processing of applications* — A. *Presubmission stage.* 1. The primary contact for a potential sponsor is the U.S. A.I.D. Mission ("USAID") situated in the country in which the proposed project is located. The sponsor should establish that the USAID has no objection to the submission of the application for the proposed project before developing the application. USAID will provide the sponsor with copies of those announcements, if any, which set forth those additional conditions which apply in the particular country where the project is proposed.

2. Mission personnel will be available to provide general guidance to prospective applicants.

3. USAID personnel will review, for completeness, those applications submitted before the established deadline, and either will advise the applicant in writing that the application is complete or will indicate what items are lacking. USAID personnel will finish their review for completeness as soon as possible after the applications have been submitted.

4. For any application to be considered it must be submitted by the terminal date. Any applicant whose application is found to be incomplete will be given 15 days from the date of notification of same in

which to provide the missing information. If, after this 15-day period, the USAID personnel determine the application still to be incomplete, it shall then be rejected in writing and may not be resubmitted. All applications so rejected by A.I.D. shall be returned to the applicant together with the submission fee described in Part II, section F, paragraph 1a.(1), above. This is the only condition under which the submission fee will be returned to the applicant.

5. A copy of the appropriate application forms (A.I.D. Form 1520–8) are available at the various A.I.D. offices.

B. *Prefeasibility review.* 1. All applications accepted by A.I.D. pursuant to section A above, will be subjected to competitive evaluation in two stages. During the first, or prefeasibility review, all applications will be reviewed by A.I.D., and those projects considered most responsive to A.I.D.'s objectives will be selected for more exhaustive (feasibility) studies. A.I.D. expects to complete the first stage processing within 120 days of the final date applications are accepted in a particular country. Applicants shall be notified in writing of the disposition of their application at this point.

2. During prefeasibility review, the applicant will be expected to have an authorized representative available in the country in which the proposed project is located to provide A.I.D. representatives with such clarifications as may be requested.

C. *Feasibility review.* 1. All applications considered which are not rejected as a result of the prefeasibility review shall be subject to a second stage or feasibility review. This review will include full local investigations of each project.

2. A.I.D. is able to avail itself of the cumulative skills, experience and personnel of the Federal Housing Administration (FHA) through FHA's International Division which, under contract with A.I.D. provides technical and staff services to the A.I.D. Housing and Urban Development Division in the administration of the Housing Investment Guaranty Program. The FHA will send a team of housing technicians to investigate each specific project selected for feasibility review. The technical judgments of the FHA shall serve as guides for A.I.D. in fulfillment of its housing guaranty responsibilities.

3. A.I.D. also has a contractual arrangement with the Washington Federal Savings and Loan Association of Miami Beach, Fla., to provide expert advice and evaluation on applications in the credit institution category. Washington Federal will send a housing finance team to the field to investigate credit institution category applications.

4. A.I.D. utilizes the services of the Foundation for Cooperative Housing (FCH) for advice concerning cooperative housing projects and community facilities and organization.

5. A.I.D. will make use of the skills of its own personnel and such other consultants it considers necessary to investigate and evaluate each project.

6. As in prefeasibility review, the applicant will be expected to have an authorized representative available in the country in which the project is to be located to provide A.I.D. representatives with such additional information and clarifications as may be required.

D. *Acceptance.* After feasibility reviews are completed, A.I.D. will select the successful projects, and issue Letters of Advice. Applicants not selected will be notified in writing. All decisions by A.I.D. are final.

IV. *A closing note.* The success of the program is considered a key element of the Alliance for Progress. The staff of the Division of Housing and Urban Development, Bureau for Latin America, of the Agency for International Development, and the Missions of the Agency in each country will furnish all possible assistance to applicants in order to insure preparation to the best possible applications and the ultimate development of the finest and most creative group of projects. For more specific information on any aspects of the program write to:

Housing and Urban Development Division, Agency for International Development, Department of State, Room 2242, Washington, D.C. 20523.
Stanley Baruch, Director.
Peter M. Kimm, Deputy Director for Guaranties and Engineering.

[F.R. Doc. 69–4744; Filed, Apr. 21, 1969; 8:47 a.m.]

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1968 Rev., Supp. No. 14]

GULF INSURANCE CO., DALLAS, TEX. AND GULF INSURANCE CO., KANSAS CITY, MO.

Termination of Authority To Qualify as Surety on Federal Bonds and Acceptable Surety Company on Federal Bonds

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to the Gulf Insurance Co., Dallas, Tex., a Texas corporation, under sections 6 to 13 of title 6 of the United States Code, to qualify as an acceptable surety on recognizances, stipulations, bonds, and undertakings required by the laws of the United States, is hereby terminated effective as of 11:59 p.m., December 31, 1968.

Pursuant to a Reinsurance Agreement, approved by the Commissioner of Insurance of the State of Texas on December 31, 1968, and the Superintendent of Insurance of the State of Missouri on December 19, 1968, and effective as of 11:59 p.m., December 31, 1968, Washington Fire and Marine Insurance Co., Kansas City, Mo., a Missouri corporation, acquired certain assets and assumed all of the insurance business and liabilities of the Gulf Insurance Co., a Texas corporation, which withdrew from the insurance business and adopted the name Gulf Liquidating Co. At the same time, the name of the Washington Fire and Marine Insurance Co. was changed to Gulf Insurance Co. A copy of the Reinsurance Agreement is on file in the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury under date of December 31, 1968 to the following company under sections 6 to 13 of title 6 of the United States Code. An underwriting limitation of $4,746,000 has been established for the company.

Name of company, location of principal executive office, and state in which incorporated

Gulf Insurance Company
Dallas, Texas
Missouri

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new certificates are issued on July 1, so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact fidelity and surety business and other information. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Audit Staff, Washington, D.C. 20226.

In view of the foregoing, no action need be taken by bond-approving officers, by reason of the reinsurance and reorganization, with respect to any bond or other obligation in favor of the United States, or in which the United States has an interest, direct or indirect, issued on or before December 31, 1968, or thereafter, by the Gulf Insurance Co., Dallas, Tex., pursuant to the Certificate of Authority issued to the company by the Secretary of the Treasury.

Dated: April 16, 1969.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 69–4739; Filed, Apr. 21, 1969; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

BADLANDS NATIONAL MONUMENT

Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Mr. E. N. Nelson authorizing him to provide concession facilities and services for the public at the Cedar Pass Lodge, Badlands National Monument, for

a period of five (5) years from January 1, 1969, through December 31, 1973.

The foregoing concessioner has performed his obligations under the expired contract to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the publication date of this notice.

Interested parties should contact the Assistant to the Director for Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: April 15, 1969.

EDWARD A. HUMMEL,
Associate Director,
National Park Service.

[F.R. Doc. 69-4722 Filed, Apr. 21, 1969; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

MANAGER

Notice of Basic Compensation

Pursuant to the provisions of 5 U.S.C. 5364, notice is hereby given that the basic compensation for the position of Manager of the Federal Crop Insurance Corportation, U.S. Department of Agriculture, has been adjusted to $30,239 per annum, effective February 23, 1969.

The salary paid to the Manager of the Federal Crop Insurance Corporation has been established at the equivalant of grade GS-18. In the future the Manager's salary will be adjusted to coincide with the salary paid employees in grade GS-18 without further public notice.

Done at Washington, D.C., this 16th day of April 1969.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[F.R. Doc. 69-4731; Filed, Apr. 21, 1969; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 125]

INTERAGENCY COMMITTEE CONSULTATION ON EXPORT CONTROLS

Organization and Functions

The following order was issued by the Secretary of Commerce on April 9, 1969. This material supersedes the material appearing at 20 F.R. 5269 of July 22, 1955.

SECTION 1. *Purpose.* This revision updates the provisions for the Advisory Committee on Export Policy and restates how it shall function in relation to overall arrangements for carrying out interagency consultation requirements on export controls called for by the Export Control Act of 1949, as amended.

SEC. 2. *Background.* .01 By Executive Order 10945 of May 24, 1961 (as continued by Executive Order 11038 of July 23, 1962), the Secretary of Commerce is delegated the President's power, authority and discretion to carry out the provisions of the Export Control Act of 1949, as amended (the "Act"), (50 U.S.C. App. 2021-2032). This Executive order superseded a number of previous Executive orders under which the Secretary of Commerce was responsible for carrying out provisions of the Act as well as of predecessor Acts.

.02 Section 4(a) of the Act requires that the department or agency making certain determinations with respect to exports authorized by the Act shall seek advice and information from other departments or agencies concerned. For this purpose, the Secretary on October 5, 1950, through the issuance of Department Order 125, established the Advisory Committee on Export Policy (ACEP). The ACEP replaced a previous structure for interagency coordination on export control matters.

.03 In Executive Order 10945, the President also established the Export Control Review Board (ECRB), consisting of the Secretaries of Defense, State, and Commerce, with the last serving as Chairman. The ECRB was established for the purpose of assuring the highest level of consideration of trade control policies and actions, and, to the extent possible, of obtaining agreed upon action on the part of departments most vitally concerned with advising and counseling the Department of Commerce under provisions of the Act. The ECRB chiefly functions as a review body whereby problems, on which divergent views remain after consideration through the ACEP structure, may be considered and resolved at the Cabinet level.

SEC. 3. *The Advisory Committee on Export Policy.* .01 The Advisory Committee on Export Policy (ACEP) is hereby continued.

.02 The following departments and agencies, together with the Department of Commerce, constitute the membership of the ACEP, each having designated a representative of the rank of Assistant Secretary or equivalent on the ACEP upon the invitation of the Secretary of Commerce:

Department of State.
Department of Defense.
Department of Agriculture.
Department of Interior.
Department of Treasury.
Department of Transportation.
Atomic Energy Commission.
National Aeronautics and Space Administration.
Office of Emergency Preparedness.
Central Intelligence Agency.

In addition to its designated representative, each member department and agency may designate one or more alternate representatives. The Chairman of the ACEP may invite other departments and agencies to participate in the discussions of the ACEP when matters affecting their interests or on which they may furnish information are under consideration.

.03 The Assistant Secretary of Commerce for Domestic and International Business (DIB) shall be the Chairman of the ACEP. He may designate a Vice Chairman to serve in his absence. He shall designate an official under his line of direction to serve as Executive Secretary of the ACEP, and may establish as he deems necessary rules governing the procedures and operations of the ACEP and of its subcommittees or working groups.

SEC. 4. *Functions of the ACEP.* In accord with section 4(a) of the Act, the ACEP shall inform and advise the Secretary with respect to his determining what shall be controlled under the Act and the extent to which exports shall be limited. More specifically, the ACEP shall review and recommend:

a. U.S. export control policy objectives;

b. Export policies and programs relating to the foreign policy, national security and welfare of the United States;

c. Export control licensing policies, criteria and rating structures, and the listing and delisting of commodities and technical data to be designated and controlled for export from the United States;

d. Export policies and programs affecting particular foreign countries or areas or otherwise relating to foreign policy and the fulfillment of U.S. international responsibilities;

e. Export policies and programs for materials in short supply; and

f. Actions on other significant policy problems, including particular export transactions, and matters on which the Assistant Secretary for DIB may seek information and advice.

SEC. 5. *Working structure of the ACEP.* .01 The ACEP shall continue to have a subcommittee, called the Operating Committee (OC), which shall serve as the mechanism for initial interagency consideration of export matters within the purview of the ACEP.

.02 The OC shall consist of a senior official from each of the member departments and agencies of the ACEP, as designated by their respective ACEP representative. One or more alternate representatives may be similarly designated by each ACEP representative.

.03 The Executive Secretary of ACEP shall serve as Chairman of the OC, but not as the Department of Commerce representative to the OC.

SEC. 6. *Interagency consultation procedures.* 01 Matters within the scope of the ACEP's review and advisory functions normally shall be initially referred to its OC for consideration on behalf of the ACEP, but at the election of any member of ACEP or the ECRB, any such matter may be initially considered directly by the ACEP proper or by the ECRB.

.02 The OC Chairman shall report to the Assistant Secretary for DIB the in-

formation and advice of the OC representatives on each matter considered in the OC, except where the OC Chairman is otherwise authorized or directed by the Assistant Secretary for DIB to follow other procedures. This shall include the Chairman's recommendation thereon, and the concurrences and objections, if any, of the representatives with respect to the Chairman's recommendation.

a. If there is no objection to the OC Chairman's recommendation, the Assistant Secretary for DIB shall take steps to implement the recommended action or, if he disagrees with it, refer the matter back to the OC for reconsideration or to the ACEP proper for consideration.

b. If the OC Chairman's recommendation on a matter is objected to by an OC representative, the Assistant Secretary for DIB shall refer the matter to the ACEP proper for further consideration, unless he believes further consideration by the OC may be desirable or direct referral by the Secretary to the ECRB is indicated.

.03 On any matter reviewed by the ACEP proper, the Assistant Secretary for DIB as its Chairman shall report to the Secretary of Commerce the information and advice of the ACEP representatives, together with his recommendation thereon, and the concurrences and objections, if any, of the representatives with respect to his recommendation.

a. If there is no objection to the ACEP Chairman's recommendation, the Secretary will, if he is in agreement, authorize and approve the taking of recommended action by the Department of Commerce. If the Secretary disagrees with the proposed action he normally will refer the matter back to the ACEP for reconsideration or direct to the ECRB.

b. If the ACEP Chairman's recommendation on a matter is objected to by an ACEP representative, the Secretary normally will refer the matter back to the ACEP for further consideration in light of his own views on the subject or submit it to the ECRB for resolution of the disagreement.

.04 The advisory position of each OC representative and of each ACEP representative concerned with the subject matter shall be recorded on all substantive matters considered by each group.

.05 The Assistant Secretary for DIB may assign to a Deputy Assistant Secretary under him the responsibility for reviewing and the authority for acting on recommendations of the OC Chairman as set forth in paragraph 6.02 above.

Effective date: April 9, 1969.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 69-4718; Filed, Apr. 21, 1969; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Correction

In F.R. Doc. 69-4404 appearing at page 6546 in the issue of Wednesday, April 16, 1969, the second paragraph should read as follows:

The analytical method proposed in the petition for determining residues of the insecticide is that of D. B. Katague and C. A. Anderson published in "Journal of Agricultural and Food Chemistry," vol. 14, pages 505-508 (1966).

ATOMIC ENERGY COMMISSION

[Docket No. 50-146]

SAXTON NUCLEAR EXPERIMENTAL CORP.

Notice of Issuance of Amendment to Operating License

The Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 5, set forth below, to Operating License No. DPR-4. This license applies to the demonstration power reactor owned by the Saxton Nuclear Experimental Corp. which is located near the Borough of Saxton in Liberty Township, Bedford County, Pa. The amendment authorizes the loading only of the main components of Core III into the reactor. Saxton has made application, dated August 27, 1968, with supplements dated August 30, 1968, and March 12, 1969, for an amendment to operate the reactor at power levels up to 28 mw. t. with Core III; however, the Commission has not completed its review of this request.

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 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, a notice of hearing or an appropriate order will be issued.

For further details with respect to this amendment, see (1) the application to load Core III dated March 19, 1969, and revision dated April 1, 1969, (2) a related Safety Evaluation prepared by the Division of Reactor Licensing, and (3) Attachment A to Amendmment No. 5 containing the technical specifications, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of Item 2 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 11th day of April 1969.

For the Atomic Energy Commission.

FRANK SCHROEDER,
Acting Director, Division of Reactor Licensing.

[License No. DPR-4, Amdt. 5]

The Atomic Energy Commission has found that:

1. The application for amendment dated March 19, 1969, and revision dated April 1, 1969, comply 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. The loading of the reactor with Core III fuel 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, in addition to other activities authorized by this license, as amended, the licensee is authorized to load fuel of revised design (designated as Core III) into the reactor in accordance with the application for amendment dated March 19, 1969, and revision dated April 1, 1969, but not to operate the reactor with this new fuel.

The Technical Specifications of License No. DPR-4 are revised by adding a new paragraph to section 3.B. as follows:

"The above Technical Specifications are hereby changed by Attachment A appended hereto (designated as Change No. 32)[1] effective with the loading of the new fuel designated as Core III into the reactor."

This amendment is effective as of the date of issuance.

Date of issuance: April 11, 1969.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director, Division of Reactor Licensing.

[F.R. Doc. 69-4717; Filed, Apr. 21, 1969; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20909]

COMPAGNIE NATIONALE AIR FRANCE

Notice of Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in the above-entitled

[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.

matter is assigned to be held on April 25, 1969, at 10 a.m., e.s.t. in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner John E. Faulk.

Notice is further given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., April 17, 1969.

[SEAL] THOMAS L. WRENN, *Chief Examiner.*

[F.R. Doc. 69-4742; Filed, Apr. 21, 1969; 8:47 a.m.]

[Docket No. 19956]

TRANSPORTES AEREOS NACIONALES, S.A.

Notice of Further Postponment of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter now assigned to be held on April 23, 1969, is hereby postponed to April 25, 1969, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., April 17, 1969.

[SEAL] EDWARD T. STODOLA, *Hearing Examiner.*

[F.R. Doc. 69-4817; Filed, Apr. 21, 1969; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 69-379]

RADIO EQUIPMENT LIST

Type Acceptance and Listing Withdrawn for Certain Transmitters

APRIL 17, 1969.

The Part 81 and 83 listings for 391 transmitters (of 37 manufacturers) which do not comply with the narrow band technical standards for operation in the 156–162 Mc/s band will be deleted from the Radio Equipment List on the dates indicated in the attached lists. In addition, type acceptance for four composite transmitters will be withdrawn as of January 1, 1974.

New "narrow band" technical standards for operation in the 156–162 Mc/s band under Parts 81 and 83 of the rules and regulations were established by the Commission in Docket 17295, FCC 68-740, 33 F.R. 10849, July 31, 1968. This action established the requirement for installation and the characteristics of an audio low-pass filter to be used in equipment operating in the 156–162 Mc/s band under Parts 81 and 83 of the Commission's rules. In addition, it established more stingent frequency tolerances for such equipment. The use of nonconforming but presently type accepted equipment, under license granted prior to March 1, 1969, is permitted through December 31, 1970, for certain equipment under Part 81 and through December 31, 1973, for certain equipment under Parts 81 and 83, pursuant to the provisions set forth in the above-mentioned rules.

The Commission has completed a review of its Radio Equipment List to determine which of the listed transmitter types do not comply with the technical standards which become mandatory January 1, 1971, and January 1, 1974, for equipment used in the 156–162 Mc/s band under Parts 81 and 83. The technical requirements for such equipment are set forth in Subpart E of Parts 81 and 83. On the basis of the information submitted by manufacturers and reflected in the Radio Equipment List, the transmitter types listed in the attached appendix are not considered capable of complying with those standards. This being the case, type acceptance and listings in the Radio Equipment List will be withdrawn for transmitters under Part 81 on January 1, 1971, or January 1, 1974, as indicated, and for transmitters under Part 83 effective January 1, 1974.

Licensees under Parts 81 and 83 are not authorized to utilize the transmitters listed in the appendix attached to this notice on or after the effective withdrawal date.

Any manufacturer or licensee, having equipment shown on the list attached to this notice which he believes to be capable of compliance with all pertinent requirements without modification, may submit to the Commission measurement data taken in accordance with type acceptance procedures set forth in Subpart F of Part 2 of the Commission's rules, accompanied by a request for continued listing in the Radio Equipment List. Such measurement data should show the capabilities of the equipment with respect to the technical standards in Subpart E of Part 81 or Part 83, as appropriate.

Persons desiring to modify equipment for compliance with the standards may submit requests for type acceptance of the modified transmitters in accordance with the type acceptance procedure set forth in Subpart F of Part 2 of the Commission's rules.

A requirement for the capability to measure the carrier power for transmitters having ratings greater than 200 watts input or 100 watts output was established by Docket 17720 for transmitters operating under Parts 81, 83, and 85. All such transmitters will be required to be fitted with instruments necessary to determine the carrier power by January 1, 1974. The transmitters affected by this requirement are so noted in the attached list.

Action by the Commission April 16, 1969. Commissioners Hyde (Chairman), Bartley, Robert E. Lee, Cox, Wadsworth, Johnson, and H. Rex Lee.

FEDERAL COMMUNICATIONS COMMISSION,

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

APPENDIX

TRANSMITTERS FOR WHICH TYPE ACCEPTANCE AND LISTING IN THE RADIO EQUIPMENT LIST ARE WITHDRAWN EFFECTIVE JANUARY 1, 1971, FOR PART 81 AND JANUARY 1, 1974, FOR PART 83 OF THE COMMISSION'S RULES AND REGULATIONS, UNLESS OTHERWISE NOTED

AERONAUTICAL ELECTRONICS, INC.

60T1	6W15/SLT-EB
6AT15-M	6W3
6AT25-M	6W35/SLT
6T1	6W35/SLT-B
6W10	6W60
6W100	6W60/SLTA
6W100/SLTA	6W85
6W15	6W85/SLTA
6W15/SLT	6WB10
6W15/SLT-E	

AIRCRAFT RADIO CORP.

7001UFMVZ-P	7020UFMVZ-T
7001UFXVZ-P	7020UFXVZ-D
7010UFMVZ-D	7020UFXVZ-T
7010UFMVZ-DL	7025UFMVZ-F
7010UFMVZ-MC	7025UFMVZ-T
7010UFMVZ-P	7025UFXVZ-F
7010UFMVZ-T	7025UFXVZ-T
7010UFXVZ-D	7060UFMVZ-F
7010UFXVZ-DL	7060UFXVZ-F
7010UFXVZ-MC	8207UFMVZ-T
7010UFXVZ-P	8207UFXVZ-T
7010UFXVZ-T	8306UFXNZ
7020UFMVZ-D	

APPLIED ELECTRONICS CO.

AF-35M	AF-35MA	AF-36MB [1]

BENDIX CORP. OR BENDIX AVIATION CORP.

12TS-3	MT-142B-1
12TS-4	MT-142D-1
13TS-3	MT-142E-1
13TS-4	SKIPPER 925

CANADIAN GENERAL ELECTRIC CO., LTD.

ETC 21-A	ETC-48A

CANADIAN MARCONI CO.

165-475/17	189-611/17
189-520/6/7/10	DN30-TBM
189-520/6/7/10/29	DN30-TCM
189-520/6/8/10	DN32-TBM
189-520/6/8/10/29	DN32-TCM
189-610/17	

COMMUNICATIONS CO., INC.

450-2T-FG	592-M
582-T	592-T
582-T-10	592-T-10

COMMUNICATIONS CO., INC.

626 [1]	800
626-AC [1]	802
649-RMT-M [1]	802-4
682-M	930W
682-T	937W

DUMONT DIVISION OF FAIRCHILD CAMERA AND INSTRUMENT CORP. OR DUMONT ALLEN B LABS, INC.

M-810-AC	M-875-A
M-810F	MCA-875-A

DUMONT DIVISION OF GONSET

HH300	M-876-A
M-875-A	

DUMONT DIVISION OF LING ALTEC, INC.

HH300H

ELECTROGARDE, INC.

TRP-12

See footnotes at end of table.

FARINON ELECTRIC CO.

MB150	MB150A–150W–1 [2]
MB150–150W–1 [2]	MB150A–250W–1 [2]
MB150–250W–1 [2]	MB150A–50W–1
MB150–36F3–150W [2]	MB150M–150W–1 [2]
MB150–36F3–250W [2]	MB150M–250W–1 [2]
MB150–36F3–50W	MB150M–50W–1
MB150–50W–1	

FEDERAL SIGN & SIGNAL

HVP–7	HVP–7A

FISHER RESEARCH LABORATORY, INC.

F–150	F–150/12A

GENERAL ELECTRIC CO.

ES–12–C	ET–37–D
ES–20–A	ET–42–A
ES–25–C	ET–48–A
ES–25–C/GE–1	ET–50–A
ET–1–C	ET–50–B
ET–1–E	ET–52–A
ET–1–E/LC–1	ET–52–B
ET–1–E/LC–2	ET–57–B
ET–20–A	ET–58–B [2]
ET–20–A–5	ET–62–B
ET–21–A	ET–70–B
ET–21–A–5	ET–74–B
ET–21–C	ET–74–D
ET–26–A [2]	ET–83–B [2]
ET–29–A	ET–87–B
ET–32–B	ET–9–A
ET–32–D	EU–1–A
ET–33–B	EU–1–A/EC–14–A
ET–33–D	EU–1–B
ET–34–B	EU–2–A
ET–34–D	EU–2–B
ET–37–B	MS–54–A

HAMMARLUND MANUFACTURING CO., INC.

FM50AW	HFM–30 TM–1
HFM–30–1	HFM–30 TM–4
HFM–30–4	

HARTMAN MARINE ELECTRONICS CORP.

HURRICANE VHF	RM–1500
RB–1500	

INLAND COMMUNICATIONS, INC.

S12	S18
S12M	S18R
S12MM	S2MB
S12MM15	S2MB15
S12MM25	S2MB25
S12MR	S3–10
S12R	S3–10M
S1–5	

INT. TEL. & TEL. CORP.

MT–600–06–00–WB

JEFFERSON RAY DIV.–JETRONIC INC.

6100

KAAR ELECTRONICS CORP.—SEE KAAR ENGINEERING CO.

CLIPPER 1	DP–14
CLIPPER 2	DP15
DJ30WB	DP16
DJ95WB	DT34WB
DJ96WB	

KONEL PRODUCTS, KONEL CORP. OR KONIGSBERG ELECTRONICS, INC.

KR–23VB [2]	KR–53VA
KR–23VN [2]	KR–53VB [2]
KR–33V	KR–53VN [2]
KR–33VB [2]	KR–63V
KR–33VN [2]	KR–63VB [2]
KR–53V	KR–63VN [2]

MACKAY RADIO & TELEGRAPH CO.

219A	221A	CCU9540

See footnotes at end of table.

MOTOROLA AVIATION ELECTRONICS, MOTOROLA, INC.

CC3002	CC3050C
CC3003	CC3051
CC3005 [2]	CC3051C
CC3006	CC3052
CC3007	CC3053
CC3008	CC3056
CC3009	CC3056C
CC301	CC3057
CC3012	CC3057C
CC3019	CC305C
CC302	CC306
CC3020	CC3063
CC3024	CC3063C
CC3025	CC3064 [2]
CC3026	CC3064C [2]
CC3027	CC3065 [2]
CC3028	CC3065C [2]
CC3029B [2]	CC3067
CC303	CC3067C
CC3032	CC3068
CC3033	CC3068C
CC3033A	CC3069
CC3033B	CC307
CC3034 [2]	CC3070
CC3034A [2]	CC3071
CC3034B [2]	CC3072
CC3035	CC3073
CC3035B	CC3073C
CC3035C	CC3074 [2]
CC3037	CC3074A [2]
CC3037C	CC3074C [2]
CC3038	CC3078
CC3038A	CC3078C
CC3038B	CC308
CC3038C	CC3085
CC3039	CC3086
CC3039A	CC3087
CC3039B	CC3088 [2]
CC3039C	CC3089
CC3040 [2]	CC3090
CC3040A [2]	CC3091
CC3040B [2]	CC3092 [2]
CC3040C [2]	CC3093 [2]
CC3042 [2]	CC311
CC3042C [2]	CC350
CC3043	CC3500
CC3043C	CC3501
CC3044	CC3504
CC3044B	CC3508
CC3044C	CC3509
CC3045	CC3510
CC3045C	CC3511
CC3046	CC3512
CC3046C	CC3514A
CC3049	CC3515
CC3049C	CC3517A
CC305 [2]	CC3520
CC3050	

OUTERCOM ELECTRONICS CORP.

FM15B	MINI–MOD
FM50AW	

PEARCE–SIMPSON, INC.

MRT–50

PYE CORPORATION OF AMERICA

PTC3832UN	PTC–8202UN
PTC–8202U	PTC–8302UN

R. F. COMMUNICATIONS

RF–401–15

RADIO CORP. OF AMERICA

CMC–10A	CRM–P19A–100
CMC–10A2	CRM–P19B–60
CMC–10B/H	CRM–P19C–40
CPCJ1–1–TQA	CRM–P20A–15
CRM–P15A–100	CSC–60A
CRM–P15B–60	CSC–60A1
CRM–P15C–40	CT–12A
CRM–P17A–100	CT–12A1
CRM–P17B–60	CT2–100BLM
CRM–P17C–40	CT2–2A
CRM–P18A–100	CT2–30BL–M
CRM–P18B–60	CT2–30E
CRM–P18C–40	CT2–30G
CT2–30HM	CT2–60F1
CT2–30JM	CT2–60GM
CT2–30KM	CT–5C–A
CT2–350B [2]	ET–3030
CT2–350CM [2]	ET–8054–M
CT2–60B–M	ET–8058
CT2–60D	ET–8058M

RADIO SPECIALTY MANUFACTURING CO.

1178–111–1	1178–111–2

RAYTHEON CO. OR RAYTHEON MANUFACTURING CO.

RAY–124ME28	RAY–40A
RAY–40	RAY–42VHFB [2]

REPCO, INC.

BB–1001–1	BB–3004
BB–3002	

SEATRON, INC.

MARK 1	MARK 1A

SIMPSON ELECTRONICS

FM–25 [2]	VHF–50
FM–3 [2]	

STANDARD ELECTRIC A/S

CCU9540

SYMETRICS ENGINEERING CORP.

TCM225A	TPM225A
TCM230A	TPM230A
TCM235A	TPM235A
TPM220A	

WESTINGHOUSE ELECTRIC CORP.

FE	FE–1

[1] Type acceptance under Parts 81 and 83 to be withdrawn effective Jan. 1, 1974.

[2] Type acceptance to be withdrawn under Part 81 only, effective Jan. 1, 1974.

[3] Persons desiring to modify this transmitter for compliance with the new technical requirements adopted in Docket No. 17295 should note also that it is not equipped with instruments necessary to determine carrier power which will be required after Jan. 1, 1974, pursuant to section 81.110(b).

COMPOSITE TRANSMITTERS (NOT IN RADIO EQUIPMENT LIST) FOR WHICH TYPE ACCEPTANCE UNDER PARTS 81 AND 83 OF THE COMMISSION'S RULES IS WITHDRAWN AS OF JANUARY 1, 1974

Bronx Towing Lines, Inc. c/o Cohn and Marks, Cafritz Building, Washington, D.C. 20006.

Motorola CC3012 Modified.

Central Wharf Towboat Co., Inc., 72 Commercial Street, Portland, Maine 04103.

Type No. 295A–AW.

Interstate Oil Transport Co., 214 Transportation Center, 6 Penn Center Plaza, Philadelphia, Pa. 19103.

Type No. 1.

Pilots' Association for the Bay and River Delaware, 214 South 11th Street, Philadelphia, Pa. 19107.

Type No. 1.

[F.R. Doc. 69–4740; Filed, Apr. 21, 1969; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

MARINE CORP.

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 The Marine Corp., which is a bank holding company located in Milwaukee, Wis., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of The First State Bank, West Bend, Wis.

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 Chicago.

Dated at Washington, D.C., this 16th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-4743; Filed, Apr. 21, 1969; 8:47 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES PRODUCED OR MANUFACTURED IN CZECHOSLOVAKIA

Entry and Withdrawal From Warehouse for Consumption

APRIL 17, 1969.

On December 23, 1968, the U.S. Government requested the Government of Czechoslovakia to enter into consultations concerning exports to the United States of cotton textiles in Category 26 (other than duck), produced or manufactured in Czechoslovakia. In that request the U.S. Government indicated a specific level at which it considered that exports in this category from Czechoslovakia should be restrained. Following consultations, the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3, and Article 6(c) which relates to nonparticipants, is establishing a restraint at the level of 320,000 square yards for the 12-month period beginning April 15, 1969, and extending through April 14, 1970. Cotton textiles in Category 26 (other than duck), produced or manufactured in Czechoslovakia and exported to the United States during the period of December 23, 1968, through April 14, 1969, will not be charged against the above level of restraint except to the extent that exports during that period exceed 800,000 square yards, in which case the excess will be charged against the designated level of 320,000 square yards. Notice of any such charge will be made to the Commissioner of Customs by letter from the Chairman of the Interagency Textile Administrative Committee. This restraint action does not apply to cotton textiles in Category 26 (other than duck), produced or manufactured in Czechoslovakia and exported to the United States prior to December 23, 1968.

There is published below a letter of April 17, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textiles in Category 26 (other than duck), produced or manufactured in Czechoslovakia which may be entered or withdrawn from warehouse for consumption in the United States for the above period be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

APRIL 17, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective April 15, 1969, and for the 12-month period extending through April 14, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles in Category 26 (other than duck)[1] produced or manufactured in Czechoslovakia, in excess of a level of restraint for the period of 320,000 square yards.

In carrying out this directive, entries of cotton textiles in Category 26 (other than duck), produced or manufactured in Czechoslovakia and exported to the United States from Czechoslovakia prior to April 15, 1969, shall not be charged against the level set forth in the first paragraph of this directive unless you are specifically requested to do so by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of Category 26 (other than duck), in terms of T.S.U.S.A. numbers, was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Czechoslovakia and with respect to imports of cotton textiles and cotton textile products from Czechoslovakia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely,

ROCCO C. SICILIANO,
Secretary of Commerce, Chairman, President's Cabinet, Textile Advisory Committee.

[F.R. Doc. 69-4735; Filed, Apr. 21, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

CRESTLINE URANIUM & MINING CO.

Order Suspending Trading

APRIL 16, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Crestline Uranium & Mining Co., Denver, Colo., 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 April 17, 1969, through April 23, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-4724; Filed, Apr. 21, 1969; 8:45 a.m.]

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[1] The T.S.U.S.A. Nos. for duck fabric not covered by this directive are:

320...01 through 04, 06, 08
321...01 through 04, 06, 08
322...01 through 04, 06, 08
326...01 through 04, 06, 08
327...01 through 04, 06, 08
328...01 through 04, 06, 08.

ELECTROGEN INDUSTRIES, INC.

Order Suspending Trading

APRIL 16, 1969.

Electrogen Industries, Inc., formerly Jodmar Industries, Inc., may be known as American Lima Corp.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all securities of Electrogen Industries, Inc., 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 April 17, 1969, through April 26, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-4725; Filed, Apr. 21, 1969; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 (Pacific Coastal Area), Rev. 1 Amdt. 2]

AREA COORDINATORS ET AL.

Delegation of Authority To Conduct Program Activities in the Pacific Coastal Area

Pursuant to the authority delegated to the Area Administrators by Delegation of Authority No. 30 (Revision 12) (32 F.R. 179), as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, and 34 F.R. 5134), Delegation of Authority No. 30 (Pacific Coastal Area) (Revision 1) (33 F.R. 10677) as amended (33 F.R. 14250), is hereby further amended by:

1. Revising Item I.E.1, to read as follows:

I. *Area Coordinators.*

* * * * *

E. *Financial Assistance Coordinator.*

1. *Eligibility determinations (for financial assistance only).* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

* * * * *

2. Revising Items II.B. 4 and 5 and adding thereto a new Item II.B.6, to read as follows:

II. *Regional Directors.*

* * * * *

B. Development Company Assistance.

* * * * *

4. To execute sections 501 and 502 loan authorizations for Central Office and area approved loans and for loans approved under delegated authority, said execution to read, as follows:

(Name), Administrator,
By: ----------
Regional Director,
(City)

5. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

6. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

3. Revising Items II.C, II.D, II.F.2, and II.G.12, to read as follows:

II. *Regional Directors.*

* * * * *

C. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

D. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

* * * * *

F. *Chiefs, Financial Assistance Division (and Assistant Chiefs, if assigned).*

* * * * *

2. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

* * * * *

G. *Supervisory Loan Officer and/or Assistance Team Leader.*

* * * * *

12. *Eligibility determinations for financial assistance only.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC and Development Company Assistance Programs, in accordance with Small Business Administration standards and policies. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

* * * * *

4. Revising Items II.I. 3 and 4, and adding thereto a new Item II.I.5, to read as follows:

II. *Regional Directors.*

* * * * *

I. *Chief, Development Company Assistance Division.*

* * * * *

3. To execute sections 501 and 502 loan authorizations for Central Office, area, and regional approved loans, said execution to read, as follows:

(Name), Administrator,
By: ----------
(Name)
Chief, Development Company Assistance Division.

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the

Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy, or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank application for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

* * * * *

Effective date: December 31, 1968.

WILLIAM S. SCHUMACHER,
Area Administrator,
Pacific Coastal Area.

[F.R. Doc. 69-4726; Filed, Apr. 21, 1969; 8:45 a.m.]

[Delegation of Authority No. 30-6 (Rev. 5), Amdt. 1, Southwestern Area, Dallas, Tex.]

REGIONAL DIRECTORS ET AL.

Delegation of Authority To Conduct Program Activities in Southwestern Area

Pursuant to the authority delegated to the Area Administrator by Delegation of Authority No. 30 (Revision 12), 32 F.R. 179, dated January 7, 1967, as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, and 34 F.R. 5134), Delegation of Authority No. 30-6 (Revision 5), Southwestern Area, 34 F.R. 5043, dated March 8, 1969, is hereby amended by:

1. Revising Items II.B.4 and 5 and adding thereto a new Item II.B.6, to read as follows:

II. *Regional Directors.*

* * * * *

B. *Development Company Assistance.*

* * * * *

4. To execute sections 501 and 502 loan authorizations for Central Office and area approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By: ----------
Regional Director.
(City)

5. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

6. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

* * * * *

2. Revising Items II.I.3 and 4 and adding thereto a new Item II.I.5, to read as follows:

II. *Regional Directors.*

* * * * *

I. *Chief, Development Company Assistance Division.*

* * * * *

3. To execute sections 501 and 502 loan authorizations for Central Office, area, and regional approved loans, said execution to read, as follows:

(Name), Administrator.

By: ----------
(Name)
Chief, Development Company Assistance Division.

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To take all necessary actions in connection with the administration, servicing, and collection; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank application for use of liquidity privilege under the loan guaranty plan.

d. Except: (1) To compromise or sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

* * * * *

Effective date: March 13, 1969.

ROBERT E. WEST,
Area Administrator,
Southwestern Area.

[F.R. Doc. 69-4727; Filed, Apr. 21, 1969; 8:46 a.m.]

[License No. 01/01-0018]

MASSACHUSETTS CAPITAL CORP.

Approval of Transfer of Control of a Licensed Small Business Investment Company

Pursuant to the provisions of § 107.701 of SBA Regulations (13 CFR Part 107, 33 F.R. 326), a notice of a proposed transfer of control of Massachusetts Capital Corp., 225 Franklin Street, Boston, Mass. 02110, was published in the FEDERAL REGISTER on March 22, 1969 (34 F.R. 5568).

Interested persons were given until April 1, 1969, to submit to the Small Business Administration (SBA) their comments on the proposed transfer of control. No comments were received.

Upon consideration of the application and other relevant information, SBA hereby approves the proposed transfer of control of Massachusetts Capital Corp.

For SBA (under delegated authority).

Dated: April 11, 1969.

A. H. SINGER,
Associate Administrator
for Investment.

[F.R. Doc. 69-4728; Filed, Apr. 21, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Investigation and Suspension Docket No. M-23033]

SMALL SHIPMENT RATE REVISION, CENTRAL AND SOUTHERN TERRITORY

Present: John W. Bush, Commissioner, to whom the matter which is the subject

of this order has been referred for action thereon.

It appearing, that by order of the Commission, Division 2, acting as an Appellate Division, dated April 3, 1969, in the above-entitled proceeding, an investigation was instituted into and concerning the lawfulness of the rates, charges, and regulations contained in the schedules described in said order, and suspended the operation of said schedules;

And it further appearing, that in order that consideration be given to all factors which may bear upon a proper determination of the issues, including the question whether the resulting rates would be just and reasonable, it is deemed appropriate in the public interest that the information specified below be included in the record to be developed in this proceeding; and good cause appearing therefor:

It is ordered, That respondents be, and they are hereby, notified and required to submit information and supporting data which shall include, among other things, actual expense and revenue data (including anticipated expense and revenue data to show the effect of the proposed increase or decrease) and operating ratios specifically related to the traffic and carriers involved, overall operating ratios, detailed data to establish the representative nature of the carriers used, and in addition, all pertinent evidence and supporting data for the individual representative carriers as they relate to their overall operations, and specifically to the traffic and territories involved.

It is further ordered, That the Commission will take official notice of all the respondent carriers' financial statements on file with the Commission.

It is further ordered, That the traffic studies to be submitted shall represent the most current period possible, and that they shall be based upon actual operations conducted during identical periods of time for each carrier; that the traffic studies shall be shown to be representative of the traffic covered by the rate proposal; and that the traffic study be costed out and operating ratios determined by the individual weight brackets included within the rate proposal. If the two carrier groups described below under the development of costs are used, the traffic study shall be similarly separated. The revenues and costs for both groups shall also be totaled and operating ratios developed.

It is further ordered, That respondents shall produce evidence showing the total revenue earned for the services performed under the bureau's tariffs here under investigation for the most recent annual reporting period.

It is further ordered, That the cost study shall be based upon the most current annual reporting period adjusted to date. The costs may be developed for those carriers subject to the requirements for allocation of expenses between line haul and pickup and delivery in 49 CFR Part 182, Instructions 27 and 9002, whose total amount of revenue derived under the bureau's tariffs collectively is 75 percent or more of the total revenue derived by all carriers participating in those tariffs. If those instruction 27 carriers' revenue is less than 75 percent of the total, then all of the instruction 27 carriers should be used. These study carriers shall be selected from the participating carriers in descending order beginning with the carrier deriving the greatest dollar amount of revenue from those tariffs. Unit costs are to be developed separately for (1) those carriers who earn 50 percent or more of their revenues under the tariffs involved and (2) those carriers who earn less than 50 percent. If factors similar to those published in appendix A to Highway Form B for the above two groups of carriers are not available, the published factors for the applicable territory based on the latest study are acceptable in the development of the unit costs.

It is further ordered, That both the cost study and the traffic study be adequately supported by working papers to permit a complete check of the procedures followed and the results obtained.

It is further ordered, That respondents shall produce evidence of the sum of money, in addition to operating expenses, needed to attract debt and equity capital which they require to insure financial stability and the capacity to render service. This evidence should include, without limiting the evidence that may be presented, particularized reference to the respondents' reasonable interest, dividend, and surplus requirements; and experienced, projected, and needed rate of return on depreciated investment in transportation.

It is further ordered, That all Class I and II motor carrier respondents shall submit detailed data regarding carrier-affiliate financial and operating relationships, and transactions including, with respect to any and all individuals, partnerships, and corporations affiliated with respondents, when such transactions individually or in the aggregate amount to $2,500 or more during the year 1968 the following information:

1. Name of each affiliate from which respondent, during the year 1968, acquired, leased or purchased lands, buildings, equipment, materials, supplies, parts, tires, tubes, gasoline, oil, or other property or services used by respondent in its operations as a motor common carrier.

2. Kinds of property or service which each affiliate supplies to respondent.

3. Basis of charges for property or services supplied by affiliate to respondent including the base and rate for rental charges.

4. Total charges by each affiliate to respondent during the year 1968 for:

a. Lease of vehicles.

b. Lease of terminals.

c. Lease of other property.

d. Pickup and delivery of shipments.

e. Repair and servicing of vehicles.

f. Management, accounting, financial, legal, purchasing, or traffic solicitation services.

g. Property sold by affiliate to respondent.

5. If the affiliate derives revenue from the sale or lease of property or from services through transactions with persons other than respondent, indicate the percentage of the revenue of such business to the total revenue of the affiliate in the year 1968.

6. A copy of the income statement for each affiliate for the year 1968 and the latest period of 1969 for which an income statement is available.

7. A statement listing the amount of wages, salaries, bonuses, and other compensation paid by the affiliate in 1968 to any individual who is also a respondent or an officer, director, or substantial stockholder of a respondent; or the wife or close relative of a respondent or officer, director or substantial stockholder of a respondent.

8. The term "affiliate" as used in this order means:

a. Any individual who is also a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent, or of an officer, director, or substantial stockholder of a respondent.

b. Any partnership in which one of the partners is a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent; or of an officer, director, or substantial stockholder of a respondent.

c. Any corporation whose stock is wholly or partly owned by a respondent; by an officer, director, or substantial stockholder of a respondent; or by the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

d. Any corporation which exercises control over the operations or finances of respondent.

It is further ordered, That all of the required data specified in this order shall be based upon and reflect at least the 1968 annual reporting period.

It is further ordered, That the detailed information called for by this order shall be in writing and shall be verified by a person or persons having kowledge thereof; that such verified material shall be served on all parties of record on or before July 15, 1969, and at the same time, respondents shall file an executed original and 16 copies with this Commission, together with certificates of service in accordance with § 1.22(a) of the general rules of practice. The information with respect to carrier affiliates may be served on the parties in summary form, if so desired.

It is further ordered, That all underlying data used in preparation of the material outlined above shall be made available in the office of the party serving such verified matter during usual office hours for inspection by any party of record desiring to do so; and that the underlying data shall be made available also at the hearing, but only if and to the extent specifically requested in writing and required by any party for the purpose of cross-examination.

It is further ordered, That anyone desiring to become a party of record to receive copies of the verified material

of respondents to be filed in accordance with the procedure set forth above, must notify the Commission, in writing, on or before July 1, 1969. As soon as practicable after such date, a service list of all parties of record will be prepared and served by the Commission. Otherwise, any interested person desiring to participate in this proceeding may make his appearance at the hearing.

It is further ordered, That this proceeding be, and it is hereby, referred to a hearing examiner to be later designated for hearing commencing on August 18, 1969, at 9:30 a.m. District of Columbia d.s.t. at the offices of the Interstate Commerce Commission, Washington, D.C.

It is further ordered, That this proceeding will not be the subject of an examiner's recommended report and order because due and timely execution of our functions requires an expedited decision and in addition, if the increases involved herein are not approved in their entirety, the shippers will be paying higher rates without any recourse to this Commission for relief.

It is further ordered, That a copy of this order be delivered to the Director, Division of Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

And it is further ordered, That, to avoid future unnecessary service upon those respondents who, although participating carriers in the tariff schedules which are the subject of investigation herein, are not actively interested in the outcome of such investigation, subsequent service on respondents herein of notices and orders of the Commission will be limited to those respondents who:

(1) Specifically make written request to the Secretary of the Commission to be included on the service list, or

(2) Have appeared at a hearing.

Dated at Washington, D.C., this 10th day of April 1969.

By the Commission, Commissioner Bush.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-4737; Filed, Apr. 21, 1969; 8:46 a.m.]

[Notice 330]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 17, 1969.

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-35428. By order of April 4, 1969, the Motor Carrier Board approved the lease to Richard H. Eshe and Lois Mae Eshe, a partnership, doing business as South Park Motor Lines, Denver, Colo., of the certificate of registration in No. MC-58818 (Sub-No. 1) issued December 12, 1963, to Fairplay Motor Co., a corporation, Fairplay, Colo., evidencing a right to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in certificate PUC No. 1179, transferred to carrier pursuant to Decision No. 25797 dated April 10, 1946, issued by the Public Utilities Commission of Colorado. Marion F. Jones, Esq., Jones, Meiklejohn, Kehl & Lyons, 420 Denver Club Building, Denver, Colo. 80202, attorney for applicants.

No. MC-FC-70925. By order of April 4, 1969, the Motor Carrier Board approved the transfer to Robert S. Lockhart and Walter M. Lockhart, a partnership, doing business as Lockhart Express, Winchester, Va., of the certificate in No. MC-55883 (Sub-No. 12), issued July 21, 1967, to Triangle Express, Inc., Wallace, S.C., authorizing the transportation of: Canned fruits and canned fruit products, from Mount Jackson and Maurertown, Va., to Detroit, Mich., and points in Georgia, Alabama, Tennessee, Mississippi, and Missouri, as restricted. S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005, attorney for applicants.

No. MC-FC-71130. By order of April 8, 1969, the Motor Carrier Board approved the transfer to Glen B. Smith and J. Milford Smith, doing business as Smith Transfer, 619 East Ontario Street, Missouri Valley, Iowa 51555, of certificate No. MC-522, issued January 18, 1960, to Glen B. Smith, doing business as Smith Transfer, 619 East Ontario Street, Missouri Valley, Iowa 51555, authorizing the transportation of general commodities, over regular routes, with the usual exceptions, between Missouri Valley, Iowa, and Omaha, Nebr., serving the intermediate points of Council Bluffs, Crescent, Honey Creek, and Loveland, Iowa: From Missouri Valley over U.S. Highway 75 to Omaha, and return over the same routes, and feed, agricultural implements, and building materials, over irregular routes, from Omaha, Nebr., to Logan, Iowa, and points within 20 miles of Logan.

No. MC-FC-71187. By order of April 4, 1969, the Motor Carrier Board approved the transfer to John R. Pacella, doing business as John J. Cushing Trucking Co., Chicago, Ill., of certificate in No. MC-48004, issued June 13, 1944, to Nicholas J. Sapienza, doing business as John J. Cushing Trucking Co., Chicago, Ill.; authorizing the transportation of: General commodities, with the usual exceptions, between points in the Chicago, Ill., commercial zone, as defined by the Commission in 1 M.C.C. 673. James R. Madler, 189 West Madison Street, Chicago, Ill. 60602, attorney for applicants.

No. MC-FC-71222. By order of April 8, 1969, the Motor Carrier Board approved the transfer to Highway Express, Inc., Hattiesburg, Miss., of the operating rights in certificate No. MC-109326 (Sub-No. 94) issued October 31, 1966, to C. & D. Transportation Co., Inc., Prichard, Ala., authorizing the transportation of general commodities, except those of unusual value, classes A and B explosives, lumber, gasoline, coal, sand, gravel, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading, between Hattiesburg, Miss., and New Orleans, La., serving the intermediate points of Wiggins and Gulfport, Miss., as follows: From Hattiesburg over U.S. Highway 49 to Gulfport, Miss., thence over U.S. Highway 90 to New Orleans, La., and return over the same route. Douglas C. Wynn, Post Office Box 1295, Greenville, Miss. 38701, attorney for applicants.

No. MC-FC-71242. By order of April 4, 1969, the Motor Carrier Board approved the transfer to Fastest Way Motor Freight, Inc., Spokane, Wash., of a portion of the operating rights in certificate No. MC-59412, and all the operating rights in certificate No. MC-59412 (Sub-No. 4), issued May 17, 1967, and May 10, 1967, respectively, to John W. Gillingham, Jr., doing business as Dependable Motor Freight, Spokane, Wash., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Spokane, Wash., and Medical Lake, Wash., serving specified intermediate and off-route points between Medical Lake, Wash., and Edwall, Wash., serving the intermediate point of Waukon, Wash.; between Medical Lake, Wash., and Edwall, Wash., serving no intermediate points; between Spokane, Wash., and Cheney, Wash., serving the intermediate point of Four Lakes, Wash.; and between Spokane, Wash., and Cheney, Wash., as an alternate route for operating convenience only, serving no intermediate points. George R. LaBissoniere, 1424 Washington Building, Seattle, Wash., 99101, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-4738; Filed, Apr. 21, 1969; 8:47 a.m.]

[Notice 329]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 16, 1969.

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-71227. By order of April 2, 1969, the Motor Carrier Board approved the transfer to George A. Lewis, Ltd., St. Stephen, New Brunswick, Canada, of certificate No. MC-117876, issued December 5, 1960, to Leo LeBlanc, doing business as Leo LeBlanc Fish Transport, Cape Bald, New Brunswick, Canada, authorizing the transportation of bananas, and fresh fruits and vegetables in mixed loads with bananas from Boston, Mass., to the port of entry on the United States-Canada boundary line at Calais, Maine. Frank J. Weiner, 536 Granite Street, Braintree, Mass. 02184, attorney for applicants.

No. MC-FC-71248. By order of April 4, 1969, the Motor Carrier Board approved the transfer to Frank James Brown, Jr., doing business as Klavuhn Transfer, 203 Independence Street, Cumberland, Md. 21502, of the certificate No. MC-108069 issued June 21, 1950, to Ralph Edward Klavuhn, doing business as Klavuhn Transfer, 633 Yale Street, Cumberland, Md. 21502, authorizing the transportation of: Household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, over irregular routes, between Cumberland, Md., and points and places in Maryland, Pennsylvania, and West Virginia within 10 miles of Cumberland, on the one hand, and, on the other, points and places in Maryland, Pennsylvania, West Virginia, and the District of Columbia.

No. MC-FC-71243. By order of April 4, 1969, the Motor Carrier Board approved the transfer to Poole Truck Lines, Inc., Evergreen, Ala., of certificate No. MC-115162 Sub-No. 5 through Sub-No. 166, issued to Walter Poole, doing business as Poole Truck Line, Evergreen, Ala., authorizing the transportation of various commodities, of a general commodity nature, serving points in the United States. Robert E. Tate, Post Office Box 310, Evergreen, Ala. 36401, registered practitioner.

No. MC-FC-71249. By order of April 4, 1969, the Motor Carrier Board approved the transfer to Craft Tours, Inc., Richmond, Va., of Broker License No. MC-12886 issued June 30, 1965, to Harold B. Crafts, doing business as Pleasure-Craft Tours, Richmond, Va., authorizing the right to engage in operations as a broker at Richmond, Va., in arranging for the transportation of passengers and their baggage, beginning and ending at points in Virginia, and extending to points in the United States, including Alaska. Henry E. Ketner, 1208 State Planters Bank Building, Richmond, Va. 23219, attorney for applicants.

No. MC-FC-71244. By order of April 4, 1969, the Motor Carrier Board approved the transfer to The Andrews Moving & Storage Co., a corporation, Cleveland, Ohio, of the certificate in No. MC-44737, issued June 19, 1942, to The Knickerbocker Storage Co., a corporation, Cleveland, Ohio, authorizing the transportation of household goods, as defined by the Commission, between points in Ohio, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, and the District of Columbia. G. M. Rebman, 314 North Broadway, St. Louis, Mo. 63102, attorney for applicants.

No. MC-FC-71183. By order of April 4, 1969, the Motor Carrier Board approved the transfer to Isadore Berman and Lonzie Leroy Cross, Jr., doing business as I. Berman & Cross, Philadelphia, Pa., of certificate No. MC-64665, issued March 20, 1960, to Isadore Berman, doing business as Isadore Berman, Philadelphia, Pa., authorizing the transportation of household goods, as defined by the Commission, between Philadelphia, Pa., on the one hand, and, on the other, points in Delaware and New Jersey. Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-4696; Filed, Apr. 18, 1969; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Dockets Nos. RI 69-673 etc.]

SUNSET INTERNATIONAL PETROLEUM CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

APRIL 11, 1969.

Sunset International Petroleum Corp., and other respondents listed herein, Dockets Nos. RI69-673, etc.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the 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 May 28, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-673..	Sunset International Petroleum Corp., 2400 Fidelity Union Tower Bldg., Dallas, Tex. 75201.	11	5	Northern Natural Gas Co. (Hansford Field, Ochiltree County, Tex.) (R.R. District No. 10).	$2,700	3-17-69	[2] 4-17-69	9-17-69	[1] 17.5	[3] [4] 18.5	RI64-724.
	.....do.....	14	4	Northern Natural Gas Co. (Womble Area, Ochiltree and Roberts Counties, Tex.) (R.R. District No. 10).	900	3-17-69	[2] 4-17-69	9-17-69	[1] 17.5	[3] [4] 18.5	RI68-443.
	.....do.....	17	3	Northern Natural Gas Co. (Perryton Field, Ochiltree County, Tex.) (R.R. District No. 10).	610	3-17-69	[2] 4-17-69	9-17-69	[1] 17.5	[3] [4] 18.5	RI64-724.
	.....do.....	25	5	Southern Union Gathering Co. (McCoy Unit No. 1, San Juan County, N. Mex.) (San Juan Basin Area).	1,800	3-17-69	[2] 4-17-69	9-17-69	14.0	[3] [5] 15.0	RI66-319.
RI69-674..	Sunset International Petroleum Corp., et al.	32	7	Northern Natural Gas Co. (Perryton and Hansford Fields, Ochiltree County, Tex.) (R.R. District No. 10).	600	3-17-69	[2] 4-17-69	9-17-69	[1] 17.5	[3] [4] 18.5	RI64-725.
	.....do.....	38	6	Northern Natural Gas Co. (Guymon-Hugoton and George Morrow Fields, Beaver County, Okla.) (Panhandle Area).	300	3-17-69	[2] 4-17-69	9-17-69	[1] 17.5	[3] [4] 18.5	RI64-725.
RI69-675..	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020.	243	10	Transwestern Pipeline Co. (Panhandle Area, Lipscomb, Roberts, and Ochiltree County, Tex.) (R.R. District No. 10).	22,750	3-17-69	[2] 4-17-69	9-17-69	[3] [4] 17.5	[4] [7] 18.5	
	.....do.....	108	9	El Paso Natural Gas Co. (Denton Plant, Lea County, N. Mex.) (Permian Basin Area).	1,249	3-14-69	[2] 4-14-69	9-14-69	14.51	[4] [9] 18.14378	
	.....do.....	142	14	El Paso Natural Gas Co. (Spraberry Trend Area, Reagan County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	856	3-14-69	[2] 4-14-69	9-14-69	14.50	[4] [9] 18.243	
	.....do.....	18	14	El Paso Natural Gas Co. (Ratliff-Bedford Field, Andrews County, Tex.) (R.R. District No. 8) (Permian Basin Area).	466	3-14-69	[2] 4-14-69	9-14-69	15.58	[4] [9] 15.70925	
RI69-676..	Pecos Co., El Paso Natural Gas Bldg., El Paso, Tex. 79999.	6	2	Cities Service Gas Co. (South Bishop Area, Mills County, Okla.) (Oklahoma "Other" Area).	179	3-17-69	[2] 4-17-69	9-17-69	[1] 15.0	[3] [4] 17.0	
RI69-677..	Home-Stake Production Co., Philtower Bldg., Tulsa, Okla. 74103.	2	2	Northern Natural Gas Co. (Dower Field, Beaver County, Okla.) (Panhandle Area).	1,826	[10] 3-17-69	[12] 4-17-69	9-17-69	[1] [12] 16.5	[4] [11] [12] 18.5	RI61-41.
RI69-678..	Texaco, Inc. (Operator), et al., Post Office Box 2420, Tulsa, Okla. 74102.	166	12	Kansas-Nebraska Natural Gas Co., Inc. (Camrick Field, Texas County, Okla.) (Panhandle Area).	3,350	3-24-69	[13] 4-24-69	9-24-69	[1] 18.0	[3] [4] 18.2	RI68-165.
	.....do.....	133	41	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Texas and Beaver Counties, Okla.) (Panhandle Area) and Blakemore Area, Hansford County, Tex. (RR. District No. 10).	78,400 10,611	3-24-69	[13] [17] 4-24-69	9-24-69	[1] [16] 17.25 [1] [16] 17.0	[4] [14] [15] 18.6 [4] [14] [15] 18.6	RI68-665. RI68-665.
RI69-679..	Texaco, Inc.....	317	[18] 1	Northern Natural Gas Co. (Gooch Field, Stevens County, Kans.).	9,466	3-24-69	[13] 4-24-69	9-24-69	[1] [13] 16.0	[3] [4] [13] 17.0	
	.....do.....	354	2	Natural Gas Pipeline Co. of America (Indian Basin Area, Eddy County, N. Mex.) (Permian Basin Area).	17,438	3-17-69	[13] 4-17-69	9-17-69	[19] [20] 16.608	[4] [13] 17.646	
RI69-680..	Edwin L. Cox, 3800 First National Bank Bldg., Dallas, Tex. 75202.	26	5	Panhandle Eastern Pipe Line Co. (Texas County, Okla.) (Panhandle Area).	550	3-24-69	[3] 5-1-69	10-1-69	17.01	[4] 18.01	RI68-129.
RI69-681..	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	80	2	Kansas-Nebraska Natural Gas Co., Inc. (Camrick Field, Beaver County, Okla.) (Panhandle Area).	180	3-24-69	[3] 5-1-69	10-1-69	[1] 17.0	[3] [4] 18.0	
RI69-682	Southeastern Public Service Co. (Operator) et al., 70 Pine St., New York, N.Y. 10005.	5	3	Natural Gas Pipeline Co. of America (Menefee Field Area, Wharton County, Tex.) (RR. District No. 3).	16,425	3-18-69	[13] 4-18-69	9-18-69	[1] 16.0	[3] [4] 17.0	RI64-676.
RI69-683..	C. Crady Davis et al., c/o Kimbark Operating Co., 288 Clayton St., Denver, Colo. 80206.	1	11	Southern Union Gathering Co. (Blanco-Mesa Verde Field, San Juan County, N. Mex.) (San Juan Basin Area).	3,146	3-14-69	[21] 6-1-69	11-1-69	14.0006	[6] [22] 15.0036	RI67-148.
	.....do.....	2	7	El Paso Natural Gas Co. (Greater Blanco Field, San Juan County, N. Mex.) (San Juan Basin Area).	690	3-14-69	[3] 4-14-69	9-14-69	13.0	[3] [4] 14.0593	

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-684..	Standard Oil Co. of Texas, a division of Chevron Oil Co., Post Office Box 1249, Houston, Tex. 77001, Attention: C. W. Proctor, Vice president.	8	12	El Paso Natural Gas Co. (Eumont Field, Lea County, N. Mex.) (Permian Basin Area).	$3,459	3-17-69	[2] 4-17-69	9-17-69	[32] 14.44	[4] [31] 16.88	
	....do	9	10	El Paso Natural Gas Co. (Pecos Valley Fusselman Field, Pecos County, Tex.) (RR. District No. 8) (Permian Basin Area).	2,281	3-17-69	[2] 4-17-69	9-17-69	13.95	[4] 16.72	
	....do	11	8	El Paso Natural Gas Co. (Wilshire-Ellenburger Field, Upton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	995	3-17-69	[2] 4-17-69	9-17-69	14.19	[4] 15.20	
	....do	17	12	El Paso Natural Gas Co. (Langlie-Mattix Field, Lea County, N. Mex.) (Permian Basin Area).	2	3-17-69	[2] 4-17-69	9-17-69	14.29	[4] [31] 16.88	
	....do	18	12	....do	387	3-17-69	[2] 4-17-69	9-17-69	14.29	[4] [31] 16.88	
	....do	19	19	El Paso Natural Gas Co. (Warren's Monument Plant, Lea County, N. Mex.) (Permian Basin Area).	5,396	3-17-69	[2] 4-17-69	9-17-69	13.02	[4] [31] 16.86	
	....do	19	20	El Paso Natural Gas Co. (Various Fields, Lea County, N. Mex.) (Permian Basin Area).	99,939	3-17-69	[2] 4-17-69	9-17-69	14.12	[4] [31] 16.88	
	....do	33	3	Northern Natural Gas Co. (Yates Field, Pecos County, Tex.) (RR. District No. 8) (Permian Basin Area).	275	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 15.0	
	....do	35	6	El Paso Natural Gas Co. (North Puckett Field, Pecos County, Tex.) (RR. District No. 8) (Permian Basin Area).	8,222	3-17-69	[2] 4-17-69	9-17-69	16.50	[4] 18.24	
	....do	43	2	El Paso Natural Gas Co. (Wilshire-Devonian Field, Upton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	17,904	3-17-69	[2] 4-17-69	9-17-69	[30] 16.5	[16] 18.0	
RI69-685..	Sohio Petroleum Co. et al., 970 First National Annex Oklahoma City, Okla. 73102, Attention: Richard F. Remmers, Esq.	80	13	El Paso Natural Gas Co. (Spraberry Trend Area, Upton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	527	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	82	14	....do	714	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	77	13	El Paso Natural Gas Co. (Spraberry Area, Upton County, Tex.) (RR. District No. 4-C) (Permian Basin Area).	427	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	78	15	El Paso Natural Gas Co. (Spraberry Trend Area, Upton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	333	3-17-69	[11] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	79	13	....do	547	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	81	15	....do	669	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	83	16	....do	220	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	84	14	....do	422	3-17-69	[11] 4-17-69	9-17-69	14.5	[4] 18.243	
	....do	95	19	El Paso Natural Gas Co. (Spraberry Area, Midland County, Tex.) (RR. District No. 8) (Permian Basin Area).	295	3-17-69	[2] 4-17-69	9-17-69	14.5	[4] 18.243	
RI69-686..	Sohio Petroleum Co. (Operator) et al.	91	22	El Paso Natural Gas Co. (Spraberry Trend Area, Glasscock, Midland, Reagan, and Upton Counties, Tex.) (RR. District Nos. 8 and 7-C) (Permian Basin Area).	1,703	3-13-69	[2] 4-16-69	9-16-69	14.5	[4] 18.243	
	....do	97	12	El Paso Natural Gas Co. (Bakke Field, Andrews County, Tex.) (RR. District No. 8) (Permian Basin Area).	3,038	3-17-69	[2] 4-17-69	9-17-69	12.81	[4] 15.2025	
RI69-687..	Pecos Co. et al.,[35] El Paso Natural Gas Bldg., El Paso, Tex. 79999, Attention: Walter G. Henderson, Esq.	1	11	El Paso Natural Gas Co. (Benedum Field Gasoline Plant, Upton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	16,285	3-17-69	[2] 4-17-69	9-17-69	14.64	[4] 18.243	
RI69-688..	Pecos Co. (Operator).[35]	2	13	El Paso Natural Gas Co. (Midkiff Gasoline Plant, Midland County, Tex.) (RR. District No. 8) (Permian Basin Area).	47,000	3-17-69	[2] 4-17-69	9-17-69	11.82	[4] 16.216	
	....do [35]	4	10	El Paso Natural Gas Co. (Wilshire Gasoline Plant, Upton County, Tex.) (RR. District No. 7-C) (Permian Basin Area).	40,500	3-17-69	[2] 4-17-69	9-17-69	16.02	[4] 18.243	

[2] The stated effective date is the effective date requested by Respondent.
[4] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[8] Subject to a downward B.t.u. adjustment.
[9] Pressure base is 15.025 p.s.i.a.
[11] "Fractured" rate increase. Respondent contractually due 23-cent rate.
[16] Rate in effect subject to refund in Dockets Nos. RI65-475 (Roberts and Ochiltree Counties production) and RI67-382 (Lipscomb County production).
[30] Increase from applicable area ceiling rate to present contract rate plus tax reimbursement.
[31] Revised by filing submitted on Mar. 20, 1969, under letter dated Mar. 18, 1969.
[32] Two-step periodic rate increase.
[33] Includes 1 cent paid by buyer for seller relinquishing its rights to process gas.
[34] The stated effective date is the first day after expiration of the statutory notice.
[35] Filing from a previously filed fractured rate to full contractual rate.
[36] Blakemore Area, Texas Railroad District No. 10.
[37] Southeast Camrick Field, Oklahoma Panhandle Area.
[47] For base acreage committed under the Feb. 21, 1955, Basic Contract, the contractual effective date is Jan. 23, 1969. For certain added acreage in Oklahoma committed by the June 26, 1956, amendment provides three escalation dates for different blocks of acreage; Mar. 21, 1969, May 10, 1969, and June 5, 1969.
[48] For formations deeper than base of Wolfcamp Series of Permian System.
[49] Includes upward adjustment in price for B.t.u. above 1,000 B.t.u. per cubic foot. Subject gas contains 1,038 B.t.u.'s per cubic foot.
[50] Initial rate.
[51] The stated effective date is the earliest date on which the suspended rate on which Respondent is basing his favored-nation rate increase may be made effective.
[52] Favored-nation rate increase.
[53] Subject to deduction of 0.4467 cent per Mcf for gas delivered at pressure below 600 p.s.i.g.
[54] Subject to deduction of 0.5 cent per Mcf for compression.
[55] Pecos Co. is a wholly owned subsidiary of El Paso Natural Gas Co.

Home-Stake Production Co. requests that its proposed rate increase be permitted to become effective on March 17, 1969. Texaco, Inc. (Operator), et al., request a retroactive effective date of November 7, 1968 for Supplement No. 12 to their FPC Gas Rate Schedule No. 166, and an effective date of January 23, 1969, and March 21, 1969, for Supplement No. 41 to their FPC Gas Rate Schedule No. 133. Texaco, Inc., also requests a retroactive effective date of December 1, 1968, for Supplement No. 1 to its FPC Gas Rate Schedule No. 317, and an effective date of March 17, 1969, for Supplement No. 2 to its FPC Gas Rate Schedule No. 354. Sohio Petroleum Co. et al., request a retroactive effective date of August 1, 1964, for Supplements Nos. 15 and 14 to their FPC Gas Rate Schedules Nos. 78 and 84, respectively. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Southeastern Public Service Co. (Operator) et al. (Southeastern) request that their proposed rate increase be accepted by the Commission, or if suspended, the suspension period be shortened so as to allow collection of the increase at an early date. Good cause has not been shown for granting Southeastern's request for limiting to 1 day the suspension period with respect to their rate filing and such request is denied.

C. Crady Davis et al. (Davis), proposes a favored-nation rate increase from 14.0006 cents to 15.0636 cents per Mcf for a sale of gas to Southern Union Gathering Co. in the San Juan Basin Area of New Mexico under his FPC Gas Rate Schedule No. 1. The rate on which Davis is basing his proposed increase is suspended and cannot become effective prior to June 1, 1969. Under the circumstances, we conclude that Davis' proposed rate increase should be suspended for 5 months from the date the rate on which Davis is basing his proposed rate increase may be made effective.

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 Ch. I, Part 2, § 2.56), with the exception of the rate increases filed by the producers in the Permian Basin Area which exceed the just and reasonable rates established by the Commission in Opinion No. 468, as amended, and should be suspended for 5 months as ordered herein.

[F.R. Doc. 69-4640; Filed, Apr. 21, 1969; 8:45 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—APRIL

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during April

3 CFR

	Page
PROCLAMATIONS:	
3908	6467
3909	6679
EXECUTIVE ORDERS:	
Sept. 7, 1917 (revoked in part by PLO 4604)	6585
Sept. 27, 1917 (revoked in part by PLO 4604)	6585
June 8, 1926 (revoked in part by PLO 4604)	6585
Mar. 14, 1927 (revoked by PLO 4600)	6584
718 (revoked by PLO 4597)	6584
1357 (revoked by PLO 4623)	6689
1568 (revoked in part by PLO 4625)	6690
2067 (revoked in part by PLO 4596)	6583
4872 (revoked by PLO 4620)	6689
5289 (revoked in part by PLO 4602)	6585
5327 (see PLO 4615)	6658
6276 (revoked in part by PLO 4610)	6687
6544 (revoked in part by PLO 4613)	6657
6583:	
Revoked in part by PLO 4610)	6687
Revoked in part by PLO 4619	6688
7415 (see PLO 4620)	6689
8598 (revoked in part by PLO 4617)	6688
11248 (amended by EO 11463)	6029
11368 (amended by EO 11464)	6233
11462	5983
11463	6029
11464	6233
11465	6415
11466	6727

5 CFR

	Page
213	5985, 6035, 6036, 6180, 6515, 6639, 6730
315	3639
550	5985, 6277
735	6515

7 CFR

	Page
51	6180
52	6437
215	6515
220	6321
319	6571
718	6235, 6572
811	6469
813	6321
814	6031
849	6237
862	6651
905	6277
906	6075, 6651
907	6034, 6325, 6572
908	6035, 6325, 6326, 6470, 6572, 6729
910	6181, 6437, 6470, 6681, 6729
911	6438
912	6181, 6439, 6681
913	6182, 6439, 6681
944	6516
959	6439, 6573
966	6326
980	6326
987	6471
1073	6516
1103	6516
1133	6182
1430	6471
1468	6328
1472	6327
1601	6328
PROPOSED RULES:	
28	6244
81	6283
362	6106, 6194
913	6693
932	6482
980	6396
1005	6531
1009	6531
1036	6531
1060	6738
1064	6482
1079	6589
1125	6697
1103	5998
1138	6001
1201	6738

8 CFR

	Page
214	6036
238	6036
316a	6036

9 CFR

	Page
83	6573
PROPOSED RULES:	
76	6047
317	6284, 6538

10 CFR

	Page
2	6037
30	6652, 6653
31	6652
32	6652, 6653
50	6037
73	6277
115	6037
150	6517
PROPOSED RULES:	
1	6002
2	6002, 6540
50	6002, 6540, 6599
115	6002

12 CFR

	Page
201	6417
204	6329
224	6472
226	6417
329	6574
508	6575
563	6279
650	6329
654	6329
PROPOSED RULES:	
210	6739
217	6200
226	6295
329	6198
526	6199
545	6542
563	6543
569	6200

14 CFR

15 CFR

16 CFR

17 CFR

18 CFR

19 CFR

21 CFR

21 CFR—Continued

22 CFR

24 CFR

26 CFR

29 CFR

30 CFR

31 CFR

32 CFR

32A CFR

33 CFR

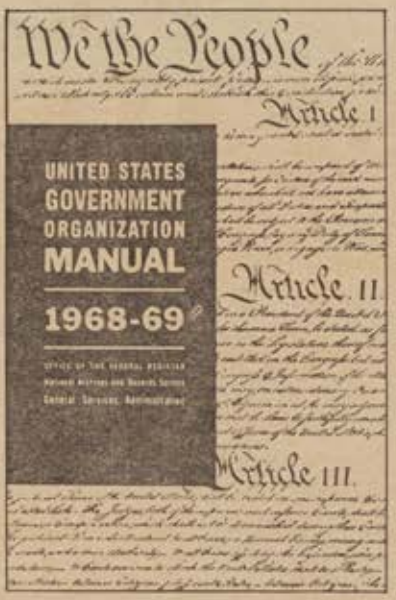
36 CFR

39 CFR

41 CFR

42 CFR

43 CFR



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