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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.

5 CFR

213 8151
338 8151

7 CFR

910 8151
917 8151
966 8152

9 CFR

76 8153

14 CFR

39 (4 documents) 8157, 8158
71 8158

PROPOSED RULES:
39 (2 documents) 8168

33 CFR

208 8159

39 CFR

113 8159

41 CFR

5A–1 8160
101–2 8160
101–26 (2 documents) 8162
101–45 8164
101–47 8166

49 CFR

173 8166
178 8166
1033 8167

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

PART 338—QUALIFICATION REQUIREMENTS (GENERAL)

Miscellaneous Amendments

Paragraph (b) of § 213.3101 and paragraph (b) of § 338.202 are revised to ease the restrictions on the summer employment of the children of civilian employees and military personnel when the family concerned is eligible for assistance under a public welfare program or has a total income not exceeding certain limits. Effective on publication in the FEDERAL REGISTER, Parts 213 and 338 are amended as set out below.

§ 213.3101 Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.

* * * * *

(b) An agency (including a military department) may not appoint the son or daughter of a civilian employee of that agency, or the son or daughter of a member of its uniformed service, to a position listed in Schedule A for summer or student employment within the United States. This prohibition does not apply to the appointment of persons (1) who are eligible for placement assistance under the Commission's Displaced Employee (DE) Program, (2) who are employed to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or (3) who are members of families which are eligible to receive financial assistance under a public welfare program or the total income of which in relation to family size does not exceed limits established by the Commission and published in the Federal Personnel Manual.

* * * * *

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954–58 Comp., p. 218.)

* * * * *

§ 338.202 Restriction on sons and daughters.

* * * * *

(b) Paragraph (a) of this section does not apply to the appointment of persons (1) who are eligible for placement assistance under the Commission's Displaced Employee (DE) Program, or (2) who are employed to meet urgent needs resulting from an emergency posing an immediate threat to life or property. Paragraph (a) does not apply to student employment of persons who are members of families which are eligible to receive financial assistance under a public welfare program or the total income of which in relation to family size does not exceed limits established by the Commission and published in the Federal Personnel Manual.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218.)

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

[F.R. Doc. 69-6302; Filed, May 23, 1969; 10:44 a.m.]

Title 7—AGRICULTURE

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

[Lemon Reg. 375]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.675 Lemon Regulation 375.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 20, 1969.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period May 25, 1969, through May 31, 1969, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 302,250 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: May 22, 1969.

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

[F.R. Doc. 69-6260; Filed, May 23, 1969; 8:49 a.m.]

[Plum Reg. 3]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Regulation by Grade and Size

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in the State 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 recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the varieties hereinafter

set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) The recommendations by the Plum Commodity Committee reflect its appraisal of the plum crop and current and prospective market conditions. Shipments of Beauty and Burmosa varieties of plums are expected to begin on or about May 25, 1969. The grade and size requirements provided herein are necessary to prevent the handling, on and after May 25, 1969, of any plums grading lower than the grade specified herein for all varieties, and of Beauty and Burmosa plums smaller in size than as hereinafter specified for such varieties, so as to provide consumers with good quality fruit, consistent with (1) the overall quality of the crop, and (2) maximizing returns to the producers pursuant to the declared policy of the act.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than May 25, 1969. Shipments of plums are currently subject to regulation by grade pursuant to Plum Regulation 2 (33 F.R. 7441) through May 31, 1969, unless sooner terminated. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until May 15, 1969, on which date an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such plums. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such plums are expected to begin on or about the effective date hereof; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such plums; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

§ 917.415 Plum Regulation 3.

(a) *Order.* (1) During the period June 1, 1969, through May 31, 1970, no handler shall ship any lot of packages or containers of Beauty, Burmosa, Grand Rosa, Laroda, Santa Rosa, July Santa Rosa, El Dorado, Wickson, Duarte, Red Roy, Ace, Sharkey, Mariposa, Emily, Late Duarte, President, Nubiana, Simka, Arrosa, New Yorker, Queen Ann, Standard, Elephant Heart, or any other variety of plums not named in subparagraph (2) of this section, unless such plums grade at least U.S. No. 1.

(2) During the period June 1, 1969, through May 31, 1970, no handler shall ship:

(i) Any lot of packages or containers of Tragedy or Kelsey plums unless such plums grade at least U.S. No. 1, with a total tolerance of 10 percent for defects not considered serious damage in addition to the tolerances permitted by such grade; or

(ii) Any lot of packages or containers of Late Santa Rosa, Improved Late Santa Rosa, Casselman, Linda Rosa, Red Rosa, or Swall Rosa plums unless such plums grade at least U.S. No. 1, except that healed cracks emanating from the stem end which do not cause serious damage shall not be considered as a grade defect with respect to such grade; or

(iii) Any lot of packages or other containers of Late Tragedy plums unless such plums grade at least U.S. No. 1, except that gum spots which do not cause serious damage shall not be considered as a grade defect with respect to such grade.

(3) During the period May 25, 1969, through October 31, 1969, no handler shall ship any package or other container of:

(i) Beauty plums unless such plums are of a size that an 8-pound sample, representative of the sizes of the plums in the package or other container, contains not more than 98 plums;

(ii) Burmosa plums unless such plums are of a size that an 8-pound sample, representative of the sizes of the plums in the package or container, contains not more than 60 plums.

(b) When used herein, "U.S. No. 1" and "serious damage" shall have the same meaning as set forth in the U.S. Standards for Fresh Plums and Prunes (§§ 51.1520–1538 of this title; 34 F.R. 7498); and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: May 21, 1969.

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

[F.R. Doc. 69-6225; Filed, May 23, 1969; 8:48 a.m.]

[966.306, Amdt. 6]

PART 966—TOMATOES GROWN IN FLORIDA

Limitation of Shipments

Notice of rule making with respect to a proposed amendment to the limitation of shipments regulation, to be made effective under Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the Florida production area, was published in the FEDERAL REGISTER May 1, 1969 (34 F.R. 7170). An amended notice was published in the FEDERAL REGISTER May 10, 1969 (34 F.R. 7578). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than May 12, 1969. Within the period specified, written comments were filed by L. W. Anderson, Dallas, Tex.; John Cox, Richardson, Tex.; Walter Holm & Co., Nogales, Ariz.; Harry H. Price & Son, Dallas, Tex.; Tricar Sales, Inc., Nogales, Ariz.; E. L. Farley, Fort Worth, Tex.; Jimmy Baum, Arlington, Tex.; Coast Marketing Co., Nogales, Ariz.; West Mexico Vegetable Distributors Association, Nogales, Ariz.; Reaves Brokerage Co., Dallas, Tex.; Buddies Super Markets, Fort Worth, Tex.; Ruskin Vegetable Corp., Ruskin, Fla.; C. E. Leisey, Ruskin, Fla.; C. E. Leisey, Jr., Ruskin, Fla.; Jim Sims, Ruskin, Fla.; H. Sims Farms, Inc., Tampa, Fla.; Pitts Farms, Inc., Tampa, Fla.; Villemaire Farms, Inc., Tampa, Fla.; Ray Thompson, Ruskin, Fla.; C. W. Williams, Ruskin, Fla.; W. T. Sauqs, Ruskin, Fla.; Florida Fruit and Vegetable Association, Orlando, Fla.; Dewey Gargiulo, Palmetto, Fla.; E. J. Beazley, Palmetto, Fla.; C. R. Burnett, Palmetto, Fla.; I. L. Tyler, Palmetto, Fla.; Ken Wooten, Palmetto, Fla., and Whisenant Farms, Palmetto, Fla.

After consideration of all relevant matters presented, including the written comments filed and the proposals set forth in the aforesaid notice, which were recommended by the Florida Tomato Committee, established pursuant to said amended marketing agreement and order, it is hereby found and determined that this amendment will tend to effectuate the declared policy of the act.

As of May 10, 1969, according to reports of the Statistical Reporting Service of the U.S. Department of Agriculture, there remained in Florida approximately 12,040 acres of tomatoes yet to be harvested of which 3,250 acres were to be harvested within the following 2-week period, and 4,330 acres with fruit set in which harvest would follow shortly thereafter.

The Florida seasonal shipping pattern for the past 3 years shows that shipments of tomatoes have generally peaked about mid-May. This year it is expected that Florida tomato shipments will reach their highest level about the last week in May or the first week in June. Supplies

from Mexico also are expected to continue into June. In the absence of this regulation supplies from Florida and Mexico would be expected to exceed the 1,100 carloads per week level, considered to be the maximum quantity the market will take at a fair return to producers.

Heavy volume shipments during a short period beginning the last week of May could cause glutted markets and depressed prices to producers. To guard against this the slightly tighter regulations hereinafter set forth are necessary beginning on the date specified. If and when market conditions warrant, the regulations can be relaxed.

The committee reports that the percentage of vine-ripe tomato shipments from Florida is expected to increase due to hot weather which normally occurs during this period. Vine-ripe tomatoes are more mature than green tomatoes and are therefore generally larger. The difference required in the sizes of the tomatoes, as recommended by the committee, is to equalize the burden between mature-green and vine-ripe tomatoes, so that the percentage withheld from market by Florida producers will be approximately the same for each maturity. Returns to producers from large sizes of U.S. No. 2 and U.S. No. 3 grade tomatoes have generally exceeded returns from small sizes of U.S. No. 1 grade tomatoes. The smaller sizes normally sell for lower prices, and in periods of excessive supplies producers receive little, if any, returns from the smaller sizes. In periods of heavy supplies the small sizes depress returns to producers for the larger sizes. Accordingly, the regulation restricting the grade and sizes as hereinafter set forth is appropriate and will tend to effectuate the declared policy of the Act.

It is hereby found that good cause exists for not postponing the effective date of this amendment until 30 days after its publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) tomatoes grown in the production area are currently being marketed and a greatly increased volume of shipments is expected beginning on or about the effective date hereof; (2) unless this amendment becomes effective in time for the anticipated increased shipments, returns to producers could be greatly depressed; and (3) compliance with this amendment will not require any special preparation by handlers which cannot be completed by the effective date.

Regulation, as amended. In § 966.306 (33 F.R. 16330, 17310, 19161; 34 F.R. 128, 6326, 7135, 7170, 7578), paragraphs (a) and (b) are hereby amended to read as follows:

§ 966.306 Limitation of shipments.

* * * * *

(a) *Minimum grade, size, and maturity requirements.* No person shall handle any lot of tomatoes for shipment outside the regulation area unless they meet the following minimum requirements:

(1) For mature green tomatoes: U.S. No. 3 or better grade, over $2\frac{9}{32}$ inches in diameter.

(2) For all other tomatoes: U.S. No. 3, or better grade, over $2\frac{17}{32}$ inches in diameter.

(3) Not more than 10 percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter.

(b) *Size classifications.* (1) No person shall handle for shipment outside the regulation area any tomatoes unless they are sized within one or more of the following ranges of diameters (expressed in terms of minimum and maximum). Measurement of minimum and maximum diameter shall be in accordance with the method prescribed in paragraph (c) of § 51.1860 of U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855 to 51.1877 of this title).

Size classification:	*Diameter (inches)*
6 x 7	Over $2\frac{9}{32}$ to $2\frac{17}{32}$, inclusive.
6 x 6	Over $2\frac{17}{32}$ to $2\frac{25}{32}$, inclusive.
5 x 6	Over $2\frac{25}{32}$.

* * * * *

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

Dated: May 22, 1969, to become effective May 26, 1969.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 69-6257; Filed, May 23, 1969; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Miscellaneous Amendments

On November 20, 1968, and April 3, 1969, there were published in the FEDERAL REGISTER (33 F.R. 17180 and 34 F.R. 6047) notices with respect to proposed amendments of Part 76, Subchapter C, Chapter I, Title 9, Code of Federal Regulations. Said notices gave interested persons an opportunity to submit both written and oral comments. After due consideration of all relevant material in connection with such notices and pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–128; 134–134h), said Part 76 is hereby amended in the following respects:

1. In § 76.1, paragraph (e) is amended, and a proviso is added at the end of paragraph (x), to read, respectively, as follows:

§ 76.1 Definitions.

* * * * *

(e) *Exposed swine.* Swine that have been in contact with animals known to be or suspected of being affected with hog cholera; and any swine which have been inoculated with modified live virus vaccine not approved under § 76.16(c) or other virulent hog cholera virus at any time or with any other live hog cholera virus vaccine after January 1, 1970, or any swine which have been in contact with such vaccinates.

* * * * *

(x) * * *: *Provided,* That any swine so vaccinated on or after July 1, 1969, shall not be deemed to be an official vaccinate after December 31, 1969.

* * * * *

2. The heading and paragraphs (b), (f), and (g) of § 76.2 are revised to read, respectively, as follows:

§ 76.2 Notices relating to existence of hog cholera; prohibition of movement of any hog cholera virus, exceptions; spread of disease through raw garbage; regulations; quarantines; eradication States; and free States.

* * * * *

(b) Notice is hereby given that the Administrator has determined that the prohibition of the interstate movement of any hog cholera virus, with the exceptions as specified in § 76.4, is necessary in order to effectuate the eradication of hog cholera.

* * * * *

(f) Notice is hereby given that there is no clinical evidence that the virus of hog cholera exists in swine in the following States, that systematic procedures are in effect to detect and eradicate the disease should it appear within any of such States, and that such States are hereby designated as hog cholera eradication States: Connecticut, Delaware, Florida, Maryland, and Oklahoma.

(g) Notice is hereby given that a period of more than 1 year has passed since there has been clinical evidence that the virus of hog cholera exists in the following States, that more than 1 year has passed since systematic procedures were placed in effect to exclude the virus of hog cholera and to detect and eradicate the disease should it appear within any of such States, and that the virus of hog cholera has been eradicated from such States and such States are hereby designated as hog cholera free States: Alaska, Idaho, Michigan, Montana, Nevada, North Dakota, Oregon, Utah, Vermont, Washington, Wisconsin, and Wyoming.

3. The center heading preceding § 76.4 is amended to read: "Movement of Hog Cholera Virus and Swine Treated with Such Virus."

4. The heading, introductory paragraph and paragraphs (a) and (b) of § 76.4 are amended and a new paragraph (c) is added to read, respectively, as follows:

§ 76.4 Interstate movement of hog cholera virus prohibited, except as provided.

Virulent hog cholera virus shall not be moved interstate, at any time, and any other hog cholera virus shall not be moved interstate on or after July 1, 1969, except that:

(a) In specific cases and under such conditions as he may impose, the Director of Division may authorize the interstate movement of stated quantities of virulent hog cholera virus and modified live hog cholera virus for particular purposes, if he determines that such movement will not endanger swine or impair the hog cholera eradication program. Such movements shall be accompanied by a permit from the appropriate official of the State of destination and a certificate issued by the Animal Health Division specifying any such conditions imposed regarding the specific shipment.

(b) In specific cases and under such conditions as he may impose, the Director of the Veterinary Biologics Division may authorize the interstate movement of stated quantities of virulent hog cholera virus or modified live hog cholera virus for export, research, or biologics production, if he determines that such movement will not endanger swine or impair the hog cholera eradication program. Such interstate movement for purposes other than export shall be accompanied by a permit from the appropriate official of the State of destination and all such movements shall be accompanied by a certificate issued by the Veterinary Biologics Division specifying any such conditions imposed regarding the specific shipment.

(c) Killed or inactivated hog cholera virus vaccine may be moved interstate into States which provide for such movement if such States are not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine on infected premises.

5. In § 76.5 the heading, introductory paragraph, and paragraphs (a) and (b) are amended; and new paragraphs (c), (d), (e), and (f) are added, to read, respectively, as follows:

§ 76.5 Interstate movement of swine treated with nonapproved modified live virus vaccine or other virulent hog cholera virus or any other hog cholera virus prohibited, except as provided.

Swine treated with any hog cholera virus shall not be moved interstate except that:

(a) Swine treated with a nonapproved modified live virus vaccine, not of porcine origin, prior to July 25, 1967, or treated with other virulent hog cholera virus prior to April 1, 1966, and not known to be affected with or otherwise exposed to hog cholera may be moved interstate if:

(1) Such swine are consigned for immediate slaughter; or

(2) Such swine are accompanied by a permit from the appropriate official of the State of destination; are moved directly to a farm destination without contact with other swine during movement; are moved under such other conditions as may be imposed for the specific movement by the Director of Division in order to prevent such swine from endangering other swine or impairing the hog cholera eradication program; and are accompanied by a certificate issued by a Division inspector specifying any such conditions.

(b) Swine treated with virulent hog cholera virus or treated with any other hog cholera virus and not known to be affected with or otherwise exposed to hog cholera, may be moved interstate for research or biologic production if such swine:

(1) Are moved directly to a point of destination approved by an inspector of the Veterinary Biologics Division, without contact with other swine during movement;

(2) Are accompanied by a permit from the appropriate official of the State of destination;

(3) Are moved under such other conditions as may be imposed for the specific movement by the Director of the Veterinary Biologics Division in order to prevent such swine from endangering other swine or impairing the hog cholera eradication program; and

(4) Are accompanied by a certificate issued by an inspector of the Veterinary Biologics Division specifying any such conditions.

(c) Swine that are officially vaccinated prior to July 1, 1969, with a modified live virus vaccine that was approved under § 76.16(c) and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate at any time in accordance with § 76.7, § 76.9, or § 76.10.

(d) Swine that are officially vaccinated on or after July 1, 1969, with any modified live virus vaccine that was approved under § 76.16(c) prior to July 1, 1969, and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate:

(1) For feeding, breeding, or exhibition purposes in accordance with § 76.7 (c), § 76.9, or § 76.10 only until January 1, 1970; or

(2) For slaughter in accordance with § 76.7, § 76.9, or § 76.10 if vaccinated prior to January 1, 1970.

(3) For slaughter in accordance with § 76.6(c), or § 76.13 if vaccinated on or after January 1, 1970.

(e) Swine that are officially vaccinated prior to January 1, 1970, with a killed or inactivated hog cholera virus vaccine and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate in accordance with § 76.7, § 76.9(a), or § 76.10.

(f) Swine that are officially vaccinated on or after January 1, 1970, with a killed or inactivated hog cholera virus vaccine and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate: (1) In accordance with § 76.7, § 76.9, or § 76.10 from a State not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine on infected premises, into any State the laws, rules or regulations of which provide for such treatment, or (2) in accordance with § 76.6 or § 76.13 from and to any State for slaughter.

6. Section 76.7 is amended by changing the introductory paragraph and paragraph (c)(7) and adding a new paragraph (d) to read, respectively:

§ 76.7 Movement to recognized slaughtering centers, licensed establishments, approved feed lots, public stockyards or approved stockyards or livestock markets.

Swine not known to be affected with or exposed to hog cholera (including swine subject to § 76.5 (c) or (e)) and swine subject to § 76.5 (d) or (f) may be moved interstate as provided in this section and shall not be diverted for any other purposes:

* * * * *

(c) * * *

(7) From any point not listed in subparagraphs (1) through (6) of this paragraph (c), in a State not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine in infected herds, to a public stockyard or approved stockyard or livestock market in any other State if such swine have been officially vaccinated either at least 21 days prior to the date of shipment by methods specified in § 76.10 (a)(1) or (b)(2) or at least 14 days prior to date of shipment by methods specified in § 76.10(a)(2).

(d) Swine subject to § 76.5 (c), (d), (e), or (f) must comply with all the requirements of that section as well as this section.

7. Section 76.8 is amended to read:

§ 76.8 Interstate movement of swine for feeding, breeding, or exhibition purposes prohibited, except as provided.

No swine shall be moved interstate for feeding, breeding, or exhibition purposes, except as provided in §§ 76.5, 76.7, 76.9, and 76.10.

8. Section 76.9 is amended to read as follows:

§ 76.9 Movements from public stockyards or approved stockyards or livestock markets.

(a) Swine not known to be affected with or exposed to hog cholera (including swine subject to § 76.5 (c) or (e)) and swine subject to § 76.5 (d) or (f) may be moved interstate for feeding or breeding purposes from public stockyards or approved stockyards or livestock markets to States the laws, rules, or regulations of which provide for the segregation or

quarantine of imported swine for a period of not less than 21 days [1, 2], if:

(1) The swine are inspected by a Division inspector or an accredited veterinarian at such yard or market; and

(2) The swine upon such inspection are found to be free from symtoms of hog cholera and in a healthy condition and are treated in accordance with paragraph (b)(1) of this section prior to January 1, 1970, or are treated in accordance with paragraph (b)(2) of this section in a public stockyard by a veterinarian under Division supervision, or in an approved stockyard or livestock market by an accredited veterinarian, in a portion of the stockyard or market set aside for that purpose: *Provided*, That

(i) Swine officially vaccinated prior to inspection, in accordance with § 76.10(a) or (b)(2) or swine which have received serum prophylaxis in accordance with paragraph (b)(2) of this section, are not required to be so treated but are subject to the other provisions of this paragraph (a); and

(ii) Swine which originate in, and are moved interstate from public stockyards or approved stockyards or livestock markets located in, States designated in § 76.2 (f) or (g) are not required to be so treated if moved interstate without contact prior to or during movement with swine from States not so designated and if the interstate movement of such swine is continuous and is accomplished in the same vehicle in which movement of such swine commenced, but such swine are subject to the other provisions of this paragraph (a); and

(iii) Official serum prophylaxis will qualify swine for interstate movement under this paragraph (a) only to States the laws, rules, or regulations of which provide for such prophylaxis; and

(3) The swine required to be so treated are permanently identified as follows:

(i) Official vaccinates shall be identified by individual eartag (other than orange in color), ear notch, tattoo, or similar individual identification; and

(ii) Swine receiving official serum prophylaxis shall be identified by individual orange eartag, ear notch, tattoo, or similar individual identification; and

(4) The swine are accompanied by a health certificate issued by a Division inspector at the public stockyard, or by an accredited veterinarian at an approved stockyard or livestock market, showing place and date of issuance, destination of shipment, record of official vaccination or official serum prophylaxis when applicable, the permanent identification of the swine, and that the swine are apparently free from hog cholera and other contagious, infections or communicable diseases; and a copy of such certificate is forwarded to the appropriate livestock sanitary official of the State of destination; and

(5) The swine are transported in a cleaned and disinfected vehicle: *Provided, however*, That if the vehicle is not regularly used to transport livestock, disinfection is not required.

(b) Inoculation methods: Swine required under this section to be officially vaccinated or to receive official serum prophylaxis shall be inoculated by one of the following methods as appropriate:

(1) *Official vaccinates.* Swine required under this section to be officially vaccinated shall be given prior to January 1, 1970, simultaneous inoculation with anti-hog-cholera serum or hog cholera antibody concentrate and modified live virus vaccine prepared under license from the Secretary. Such vaccine must also be approved by the Director of Division pursuant to the provisions of § 76.18(c), prior to July 1, 1969. The dosage of serum or antibody concentrate and modified live virus vaccine shall be as follows:

(i) *Dossage of anti-hog-cholera serum or hog cholera antibody concentrate.* Except for swine under 20 pounds in weight, the dosage of serum should not exceed 1 cc. per pound body weight, or one-half cc. per pound body weight if antibody concentrate is used.

Weight of swine (pounds)	Minimum dose of serum (cubic centimeters)	Minimum dose of antibody concentrate (cubic centimeters)
Under 60	20	10
60–120	30	15
Over 120	40	20

(ii) *Dosage of modified virus vaccine.* The dosage of modified live virus vaccine shall be that recommended on the product label by the licensed manufacturer for use with the amounts of anti-hog-cholera serum or hog cholera antibody concentrate given in subdivision (i) of this paragraph.

(2) *Official serum prophylaxis.* Swine required under this section to receive official serum prophylaxis shall be inoculated with anti-hog-cholera serum or hog cholera antibody concentrate prepared under license from the Secretary, as provided below:

(i) Dosage of anti-hog-cholera serum or hog cholera antibody concentrate: Such swine shall be given the dosage of anti-hog-cholera serum or antibody concentrate provided in subparagraph (1)(i) of this paragraph; and

(ii) Such dosage shall be given within 5 days (120 hours) prior to interstate movement: *Provided, however*, That such swine shall receive at least one additional official serum prophylaxis inoculation in the amount provided in subparagraph (1)(i) of this paragraph during each additional 5-day (120-hour) period, or portion thereof, that expires after the first official serum prophylaxis inoculation until such interstate movement ends.

(c) Swine vaccinated in such stockyards or livestock markets or elsewhere which are subject to § 76.5 (c), (d), (e), or (f) must comply with all the requirements of that section as well as this section.

9. The introductory paragraph, paragraph (a), paragraph (b) (1) and (2) and paragraph (c) of § 76.10 are amended to read, respectively, as follows:

§ 76.10 Other movements for feeding, breeding, or exhibition purposes or for sale for such purposes.

Swine which are not known to be affected with or exposed to hog cholera or any other contagious, infectious, or communicable disease may be moved interstate to any destination for feeding, breeding, or exhibition purposes or for sale for such purposes in accordance with this section. Swine subject to § 76.5 (c), (d), (e), or (f) may be moved interstate in accordance with this section and § 76.5 (c), (d), (e), or (f), respectively.

(a) *Movement from any point of origin.* Swine, which otherwise qualify for interstate movement under the provisions of this section, may be moved interstate to any destination for feeding, breeding, or exhibition purposes, or for sales for such purposes, if such swine have been officially vaccinated prior to July 1, 1969, with:

(1) Modified live virus hog cholera vaccine prepared under a license issued by the Secretary, approved prior to July 1, 1969, under § 76.16(c), and administered in accordance with the recommendations on the vaccine label not less than 21 days nor more than 2 years prior to date of shipment: *Provided, however*, That swine so treated on or after July 1, 1969, with vaccine approved prior to July 1, 1969, in accordance with § 76.16 (c), may be moved interstate until January 1, 1970, but shall not be so moved thereafter; or

(2) Killed or inactivated hog cholera vaccine prepared under a license issued by the Secretary and administered in accordance with the recommendations on the vaccine label: *Provided, however*, That swine so officially vaccinated shall receive at least two doses of such vaccine in the amounts recommended on the vaccine label at least 30 days but not more than 6 months apart: *And provided further*, That such official vaccination procedure shall be completed not less than 14 days nor more than 1 year prior to date of shipment: *And provided further*, That swine so officially vaccinated on or after July 1, 1969, may be moved interstate until January 1, 1970, but such swine shall not be so moved thereafter, except that swine which are located in States not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine in infected herds, may be moved interstate on or after January 1, 1970, in accordance with § 76.5(f) when such swine have been vaccinated with at least two doses of killed or inactivated vaccine prior to such movement, as specified in this subparagraph (2).

(b) *Movement from farm of origin in any State.* Notwithstanding paragraph (a) of this section, swine which otherwise qualify for interstate movement under the provisions of this section, may

[1] In each instance the regulations of the State of destination should be consulted before shipments are made.

[2] In order to minimize possible stress associated with shipping, feeder and breeder swine should be in transit as short a time as possible, with not more than 72 hours between shipment and arrival at destination.

be moved interstate directly from the farm of origin in any State to any destination for feeding, breeding, or exhibition purposes, or for sale for such purposes, if interstate movement is continuous and is accomplished in the same vehicle in which movement of such swine commenced; and

(1) Such swine have been officially vaccinated as provided in paragraph (a) of this section: *Provided, however,* That swine officially vaccinated as provided in paragraph (a)(1) of this section on or after July 1, 1969, may be moved interstate until January 1, 1970, but such swine may not be so moved thereafter; and swine officially vaccinated as provided in paragraph (a)(2) of this section on or after January 1, 1970, may be moved interstate only as provided in § 76.5(f); or

(2) Such swine have been officially vaccinated within 21 days prior to movement with the simultaneous inoculation of modified live virus hog cholera vaccine prepared under license issued by the Secretary, approved prior to July 1, 1969, under § 76.16(c), and administered in accordance with the dosage recommendations on the vaccine label with a minimum of 15 cc. of anti-hog-cholera serum or a minimum of 7.5 cc. of hog cholera antibody concentrate, also prepared under such license: *Provided, however,* That swine so officially vaccinated on or after July 1, 1969, may be moved interstate until January 1, 1970, but such swine may not be so moved thereafter; or,

* * * * *

(c) *Movement from a farm of origin located in a State designated in § 76.2 (f) or (g).* Notwithstanding paragraphs (a) and (b) of this section, swine which otherwise qualify for interstate movement under this section may be moved directly from the farm of origin in a State identified in § 76.2 (f) or (g) to any destination for feeding, breeding, or exhibition purposes or for sale for such purposes if the interstate movement is continuous and is accomplished in the same vehicle in which movement of such swine commenced; and if

(1) Such swine are officially vaccinated prior to interstate movement as provided in paragraph (a) or (b) of this section: *Provided, however,* That swine officially vaccinated on or after July 1, 1969, may be moved interstate until January 1, 1970, but such swine may not be so moved thereafter except as provided in paragraph (a)(2) of this section; or

(2) Such swine have received official serum prophylaxis prior to interstate movement as provided in § 76.9(b)(2); or

(3) Such swine have not been officially vaccinated or have not received official serum prophylaxis prior to interstate movement, and are moved interstate in such a manner that they do not come into contact prior to or during such movement with swine from a State not designated in § 76.2 (f) or (g).

* * * * *

10. In § 76.16, a new sentence is added at the end of paragraph (b) and paragraph (c) is amended to read, respectively, as follows:

§ 76.16 Approval of stockyards and livestock markets; approval of modified live virus vaccines.

* * * * *

(b) * * * No approval will be granted or continued for any stockyard or livestock market if swine are inoculated therein with virulent virus at any time or with other modified live hog cholera virus on or after January 1, 1970.

(c) The Director of Division is authorized to approve modified live virus hog cholera vaccines, not of porcine origin, for the purposes of the regulations in this part when he determines that the interstate movement of such vaccines or swine treated therewith, will not constitute a threat to the hog cholera eradication program, and he is authorized to withdraw approval of any such vaccine when he determines that such action is necessary to effectuate the hog cholera eradication program: *Provided,* That the authority to approve any such vaccines shall not be effective after June 30, 1969. A list of modified live virus vaccines approved for the purposes of the regulations in this part will be published in the FEDERAL REGISTER and will appear in this part.

(Sec. 4, 23 Stat. 32, as amended, sec. 1, 32 Stat. 791, as amended, sec. 2, 32 Stat. 792, as amended, sec. 1, 75 Stat. 481, 76 Stat. 131; 21 U.S.C. 111, 112, 114g, 120, 125, 134c; 29 F.R. 16210, as amended, 33 F.R. 15485, as amended)

The foregoing amendments affect the interstate movement of approved modified live virus hog cholera vaccines and the interstate movement of swine vaccinated with such vaccines in the following ways:

1. Such vaccines shall not be moved interstate on or after July 1, 1969, except for export, research purposes or biologics production, or in other special cases.

2. Swine officially vaccinated with such vaccines prior to July 1, 1969, may be moved interstate indefinitely under stated conditions.

3. Swine officially vaccinated with such vaccines on or after July 1, 1969, and before January 1, 1970, may be moved interstate for slaughter purposes in accordance with this part indefinitely; however, such officially vaccinated swine may be moved interstate for feeding, breeding or exhibition purposes until January 1, 1970, but not thereafter.

4. Swine vaccinated with such vaccines on or after January 1, 1970, may be moved interstate as swine exposed to hog cholera in accordance with this part for slaughter.

The foregoing amendments also affect the interstate movement of killed or inactivated vaccines and the interstate movement of swine vaccinated with such vaccines in the following ways:

1. On or after July 1, 1969, such vaccines shall not be moved into States which have reached the level of the cooperative hog cholera eradication program which requires prompt and complete depopulation of swine on hog cholera infected premises.

2. Such vaccines may move interstate indefinitely into States which have not reached the level of the cooperative hog cholera eradication program which requires prompt and complete depopulation of hog cholera infected premises.

3. Swine officially vaccinated with such vaccines prior to January 1, 1970, may move interstate indefinitely under stated conditions from any State.

4. Swine officially vaccinated with such vaccine on or after January 1, 1970, may move interstate under stated conditions for slaughter indefinitely; however, such swine may move interstate for feeding, breeding, or exhibition purposes only from States which have not reached the level of the cooperative hog cholera eradication program which requires prompt and complete depopulation of hog cholera infected premises and into States with laws which provide for such treatment.

The amendments allow the interstate movement of killed or inactivated vaccines into States which have not reached the cooperative hog cholera eradication level which requires complete and prompt depopulation of infected herds and the official vaccination of swine in such States. It is expected that eventually complete elimination of all hog cholera vaccines will become necessary to effectuate the hog cholera eradication program. It is further expected that such action may become necessary not later than January 1, 1970. Therefore, it is important that States not presently at the program level requiring complete and prompt depopulation of infected herds bear this in mind.

Less than 30 percent of the Nation's swine are vaccinated against hog cholera as evidenced by only 22 million doses of vaccine sold in 1967. The use of vaccines is known to interfere with the eradication of hog cholera since 21 percent of all outbreaks in fiscal year 1968 were associated with vaccination. It is evident that as long as the use of vaccines is continued eradication efforts will be adversely affected.

The purpose of the amendments is to facilitate the eradication of hog cholera by eliminating a major source of outbreaks. These amendments do not impose new restrictions on the interstate movement or use of anti-hog-cholera serum or hog cholera antibody concentrate.

The foregoing amendments are the same as the proposals set forth in the notice of rule making except that the effective date prohibiting the interstate movement of vaccines has been changed from March 1 to July 1, 1969, and the effective date prohibiting the interstate movement of swine vaccinated with such vaccines has been changed from September 1, 1969, to January 1, 1970. Also, minor changes in language were made for clarification purposes; the State of Oklahoma was added to the list of States designated as hog cholera eradication States under § 76.2(f); and the States of North Dakota, Utah, Vermont, Wisconsin, and Wyoming were added to the list of States designated as hog cholera free States under § 76.2(g). These States

were added to § 76.2(f) or § 76.2(g) as they now qualify for such designation.

Written comments were received during the period provided for public comment from all segments of the swine industry and others affected by the proposal. A public hearing was held on April 15, 1969, in Washington, D.C. Oral comments were presented by persons in attendance.

It does not appear that further notice and other public procedure with respect to the amendments would make additional information available to the Department. Therfore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that further notice and other public procedure with respect to the amendments are impracticable and unnecessary.

Effective date. The amendments shall become effective July 1, 1969, except those provisions which state that they shall apply on and after January 1, 1970, which shall become effective on said date.

Done at Washington, D.C., this 21st day of May 1969.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 69-6264; Filed, May 23, 1969; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 69-SW-33; Amdt. 39-768]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A Helicopters

Pursuant to recommendations made by the National Transportation Safety Board, a reevaluation of the Bell Model 206A directional control system was conducted by a Federal Aviation Administration multiple expert opinion team. The recommendation followed three fatal accidents of undetermined cause, and two other fatal accidents, and one serious inflight incident involving loss of directional control, as reported by the National Transportation Safety Board.

Based on the findings of the team, the agency determined that the following items are required in the interest of safety for all Bell Model 206A helicopters:

(1) The installation of a directional control adjustable balance spring and a friction clamp.

(2) The proper adjustment of the spring and friction clamp.

(3) The installation of flat head screws in place of protruding head screws on the right and left side of the instrument console adjacent to the pilots' pedals.

Since there are helicopters of the same type design that do not have the spring and friction clamp installed, that do not have the proper adjustment of the spring and friction clamp and that have the protruding head screws in the instrument console adjacent to the pilots' pedals, an airworthiness directive is being issued to require the installation and proper adjustment of the adjustable spring and friction clamp and to replace three protruding head screws with flat head screws on each side of the instrument console on all Bell Model 206A helicopters.

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

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

BELL. Applies to Model 206A helicopters.

Compliance required as indicated.

To balance directional control pedal forces at cruise flight, to prevent pedal creep and to eliminate a possible interference between the pilots' feet and protruding head screws in the instrument console, accomplish the following:

a. Install and adjust the spring, P/N 206-001-721, and friction clamp, P/N 206-001-710, within 50 hours' time in service after the effective date of this AD, unless already accomplished, in accordance with the instructions in Bell Helicopter Co. Service Bulletin No. 206A-5, Revision A, dated May 15, 1969, or later FAA-approved revision or in accordance with instructions approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, FAA.

b. Inspect and adjust, if necessary, the spring, P/N 206-001-721, and friction clamp, P/N 206-001-710, within 50 hours' time in service after the effective date of this AD, unless accomplished within the last 50 hours' time in service, in accordance with Item 4 on Page 2 of Bell Helicopter Co. Service Bulletin No. 206A-5, Revision A, dated May 15, 1969, or later FAA-approved revision, or in accordance with instructions approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, FAA.

c. Replace the three protruding head screws on the right and left side of the instrument panel console that are adjacent to the pilots' pedals and install equivalent flat head screws within 50 hours' time in service after the effective date of this AD, unless already accomplished, in accordance with the instructions in Bell Helicopter Company Service Letter No. 206A-120, dated May 16, 1969, or later FAA-approved revision or in accordance with an equivalent method approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, FAA.

(Bell Helicopter Co. Model 206A Maintenance and Overhaul Instructions Interim Revisions No. 206A-69-20 and No. 206A-69-21 dated May 15, 1969, pertain to this subject.)

This amendment becomes effective May 28, 1969.

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

HENRY L. NEWMAN,
Director, Southwest Region.

Issued in Fort Worth, Tex., on May 16, 1969.

[F.R. Doc. 69-6201; Filed, May 23, 1969; 8:46 a.m.]

[Airworthiness Docket No. 69-SW-35; Amdt. 39-769]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A Helicopters

There has been one improper installation of the cyclic stick balance spring clip, P/N 206-001-391, on the cyclic control system of the Bell Model 206A helicopters that resulted in partial restriction of the cyclic control system. Such restriction of the cyclic control system in flight could result in loss of control of the helicopter. Since this condition is likely to exist in other helicopters of the same type design, an airworthiness directive is being issued to require an inspection for the correct installation of the balance spring clip in the Bell Model 206A cyclic control system.

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

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

BELL. Applies to Bell Model 206A helicopters, Serial Nos. 4 through 408, having the cyclic stick balance spring installed.

Compliance required prior to the next flight after the effective date of this AD, unless already accomplished.

To prevent a possible restriction of the cyclic control system, accomplish the following one-time inspection and readjustment, if necessary:

a. Remove the copilot's seat, P/N 206-031-141, to expose the cyclic control left pivot and yoke.

b. Inspect and readjust, if necessary, the balance spring clip, P/N 206-001-391, for proper mounting on the yoke, left hand, P/N 206-001-322, in accordance with paragraph (c) below.

c. The clip, P/N 206-001-391, must be mounted on the left hand outboard side of the clevis of the yoke, P/N 206-001-322, with the 0.38 by 0.16 inch tang of the clip against the top surface of the yoke pointing inboard.

(Figure 1 in Bell Helicopter Co. Service Letter No. 206A-104, Revision B, dated Jan. 17, 1969, and Bell Helicopter Co. Information Letter dated May 16, 1969, pertain to this subject.)

This amendment becomes effective to all known owners of Bell Model 206A helicopters upon receipt of this AD and to all others on May 28, 1969.

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

Issued in Fort Worth, Tex., on May 16, 1969.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 69-6202; Filed, May 23, 1969; 8:46 a.m.]

[Docket No. 69-WE-9-AD; Amdt. 39-766]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707-300B/300C Series Aircraft

Pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), an airworthiness directive was adopted on April 12, 1969, and made effective immediately by telegram as to all known U.S. operators of Boeing 707-300B/300C series aircraft Serial Nos. 19969, 20017, 20030, 20031, 20033, 20034, 20035, 20123, and 20170. The directive was superseded by an airworthiness directive that was adopted on April 14, 1969, and made effective immediately by telegram as to all known U.S. operators of Boeing Model 707-300B/300C series aircraft Serial Nos. 20170, 20030, 20031, 20033, 20034, 20123, 20035, 19969, 20097, 19866, and Northwest Airlines, World Airways, Pakistan International Airlines, and Executive Jets airplane serial numbers on which rudder power control units purchased as spares from Bertea have been installed. This directive requires replacement of certain Bertea rudder power control units.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Boeing 707-300B/300C series aircraft by individual telegrams dated April 12, 1969, and by superseding telegrams dated April 14, 1969. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

BOEING. Applies to Model 707-300B and 707-300C series airplanes listed as follows, AA Serial No. 20170, PA Serial Nos. 20030, 20031, 20033, and 20034, LU Serial No. 20123, OA Serial No. 20035, TP Serial No. 19969, LY Serial No. 20097, PK Serial No. 19866, NW, RD, PK, and EJ airplane serial numbers on which rudder power control units purchased as spares from Bertea have been installed.

Compliance required as indicated unless already accomplished.

To prevent cracking of the control rod end of the rudder power control unit, accomplish the following:

Prior to next flight, remove any rudder power unit, Boeing Part No. 10-60815, having Bertea Serial Nos. 760 through 818 and replace with a power unit of the same part number but of a different serial number than noted above. Power units Nos. 760 through 818 may be returned to service when the rod end, Bertea Part No. 60043-9 (Schafer Part Number YTD 112A), has been replaced in accordance with FAA-approved instructions from the manufacturer (Bertea). The airplane may not be ferried under the provisions of FAR 21.197 (b) and (c). Airplanes may be ferried after issuance of individual special flight permits under the provisions of FAR 21.197(a)(1) and FAR 21.199 after a pretakeoff determination that the rudder operates normally in the "Boost On" mode. Pursuant to FAR 21.199(a)(6), the limitations in the special flight permit will prohibit flights over congested areas or which may otherwise endanger persons or property on the ground.

This amendment becomes effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated April 14, 1969.

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

Issued in Los Angeles, Calif., on May 15, 1969.

LYNN L. HINK,
Acting Director,
FAA Western Region.

[F.R. Doc. 69-6203; Filed, May 23, 1969; 8:46 a.m.]

[Airworthiness Docket No. 69-SW-31; Amdt. 39-767]

PART 39—AIRWORTHINESS DIRECTIVES

Swearingen Model SA26-T and SA26-AT Airplanes

There have been two failures of cockpit side windows, P/N 26-21288-2, of Swearingen Model SA26-T and SA26-AT airplanes during pressurized flights, one of which resulted in injury to the copilot. Since this condition is likely to exist or develop in other airplanes of the same type design which could result in serious injury to the crew or passengers or in incapacitation of the crew with resultant loss of control of the airplane, an airworthiness directive is being issued to require a reduction in the maximum operating cabin pressure differential and preflight visual inspection of the cockpit side windows.

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

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

SWEARINGEN. Applies to Model SA26-T, S/N T26-2 through S/N T26-99, and Model SA26-AT, S/N T26-100 through S/N T26-142.

Compliance required as indicated.

To prevent failures of cockpit side windows, P/N 26-21288-1 and P/N 26-21288-2, accomplish the following:

(1) After the effective date of this AD:

(a) Operate aircraft with cabin pressure differential not in excess of 5 p.s.i.

(b) Prior to the first flight, install placard in full view of pilot calling out maximum allowable cabin pressure differential of 5 p.s.i.

(c) Prior to each flight, inspect cockpit side windows for cracks, with particular attention to all edges and corners.

(2) If any crack is found, airplanes may be operated unpressurized only.

(3) Upon installation of new cockpit side windows, P/N 26-21383-5 and -6, in accordance with Swearingen Aircraft Service Bulletin No. 26-68 dated April 28, 1969, or later FAA-approved revision or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, FAA, the 5 p.s.i. limiting placard may be removed and the requirements of this AD discontinued.

This amendment becomes effective May 26, 1969.

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

Issued in Fort Worth, Tex., on May 15, 1969.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 69-6204; Filed, May 23, 1969; 8:46 a.m.]

[Airspace Docket No. 69-SW-29]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Clovis, N. Mex., control zone.

The present description of the control zone (34 F.R. 4571) includes the coordinates of the Cannon RBN, although the RBN itself is not specifically mentioned. A southwesterly extension of the control zone is based on the RBN coordinates to provide controlled airspace for aircraft utilizing the RBN to execute instrument approaches to Cannon AFB. Recently submitted surveyed data disclosed that minor corrections of these coordinates are necessary to more accurately describe the exact location of the RBN. Action is taken herein to provide the corrected coordinates.

Since the change is minor in nature and this amendment will impose no undue burden on the public, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (34 F.R. 4571), the Clovis, N. Mex., control zone is amended by deleting "* * * lat. 34°18'48" N., long. 103°25'12" W. * * *" wherever it appears and substituting "* * * lat. 34° 18'45" N., long. 103°24'32" W. * * *" therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on May 15, 1969.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 69-6200; Filed, May 23, 1969; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS

Keyhole Dam and Reservoir, Belle Fourche River, Crook County, Wyo.

Pursuant to the applicable provisions of sections 7 and 9 of the Act of Congress approved December 22, 1944 (58 Stat. 890, 891; 33 U.S.C. 709), the following regulations are hereby prescribed to govern the use of storage capacity for flood control purposes in the Keyhole Reservoir on the Belle Fourche River, Crook County, Wyo., and the operation of the Keyhole Dam for flood control purposes.

§ 208.49 Keyhole Dam and Reservoir, Belle Fourche River, Crook County, Wyo.

The Bureau of Reclamation, Department of the Interior, represented by its appropriate Regional Director, hereinafter referred to as the Regional Director, shall operate the Keyhole Dam and Reservoir in the interest of flood control as follows:

(a) The flood control storage capacity of the reservoir, which presently amounts to 140,200 acre-feet, between elevations 4,099.3 and 4,111.5 shall be regulated to restrict releases insofar as practicable to a maximum of 3,000 cfs, unless otherwise directed by the District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, hereinafter referred to as the District Engineer. Whenever the water surface is in the flood-control storage zone, releases shall be made in accordance with instructions issued to the Regional Director by the District Engineer. Such instructions shall be for achievement of the necessary local flood control below the dam. Oral instructions from the District Engineer to the Regional Director shall be confirmed in writing under date of the day issued.

(b) The discharge characteristics of the outlet tunnel and the spillway (having a combined capacity of about 4,350 c.f.s. with reservoir level at elevation 4,111.5) shall be maintained in accordance with the as-built construction plans (Bureau of Reclamation Drawings Nos. 486-D-28 as revised Oct. 2, 1951, and 486-D-29 as revised Aug. 2, 1950) so as to provide their full design discharge characteristics.

(c) Flood control operations shall not restrict releases necessary for conservation purposes.

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

(e) Whenever the reservoir level rises to elevation 4,099.3, or whenever flood discharges appear imminent, the Regional Director shall report at once to the District Engineer by telephone, telegraph, or radio, and as requested thereafter until the reservoir level falls to elevation 4,099.3 or below, and flood discharges cease.

(f) Nothing in the regulations of this section shall be construed to require that releases shall be made at rates or in a manner inconsistent with requirements for protecting the dam and reservoir from major damage.

(g) All elevations stated in this section are at the Keyhole Dam and are referred to a datum giving 4,099.3 as the elevation of the spillway crest.

[Regs., Apr. 21, 1969, ENGCW-EY] (Secs. 7 and 9, 58 Stat. 890, 891; 33 U.S.C. 709)

For the Adjutant General.

HAROLD SHARON,
Chief, Legislative and Precedent Branch, Management Division, TAGO.

[F.R. Doc. 69-6217; Filed, May 23, 1969; 8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 113—INFORMATION ON POSTAL SERVICE AND RECORDS RELATING TO OPERATION OF THE DEPARTMENT

Inquiries and Schedule of Fees

I. Part 113 is amended to include health officials within the definition of law enforcement agencies as respects the release of address information.

1. In § 113.1, subdivision (viii) of paragraph (e)(1) is amended to read as follows:

§ 113.1 Inquiries.

* * * * *

(e) *Exemptions.* (1) * * *

(viii) The names, addresses, and telephone numbers of post office box holders shall not be disclosed except to a recognized law enforcement agency or in compliance with a subpoena or court order issued after the litigant has made a showing of special need. For the purpose of this subdivision and § 113.5(d)(iv), in addition to generally recognized law enforcement organizations, such as the FBI, State and local police, Federal regulatory agencies, and Federal and State taxing authorities, Federal, State, and local public health officials when such officials state that the person whose name, address, and telephone number they are seeking is a post office box holder and that such person is infected with or was exposed to contagious diseases, are also deemed to be law enforcement agencies.

* * * * * *

NOTE: The corresponding Postal Manual section is 113.15h.

2. In § 113.5, paragraph (d) is amended to read as follows:

§ 113.5 Schedule of fees.

* * * * *

(d) *Waiver of fees.* (1) If it is determined to be in the interest of and for the convenience of the Department to furnish a copy of any particular record, publication, etc., except a copy of a change of address or information in connection therewith, only the Bureau, office or installation head having jurisdiction over such record may waive the fees set out in paragraphs (a) and (b) of this section. In addition the General Counsel may, for good cause shown, permit waiver of said fees.

(2) Specifically, the fee for change of address information requested under § 113.3(a)(3) is waived for:

(i) Telegraph companies when the sender of the telegram is the U.S. Government;

(ii) Federal, State, and local public health officials when such officials state that the persons whose forwarding addresses are being sought are infected with or were exposed to contagious diseases;

(iii) Federal, State, and local law enforcement officials, upon certification by the representatives of such law enforcement organization that the change of address is required for law enforcement purposes (see § 113.1(e)(1)(viii)); and

(iv) Federal agencies, upon certification by the representative of such agency that the change of address is required for official business and all other known sources for obtaining the change of addresses have been exhausted. (Examples of other sources are city directories, telephone books, mailing lists, etc.)

(3) The fees for furnishing authorized information concerning postal savings accounts is waived for news media helping to accelerate the withdrawal of deposits. See § 113.1(e)(1)(xi).

NOTE: The corresponding Postal Manual section is 113.54.

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

DAVID A. NELSON,
General Counsel.

MAY 16, 1969.

[F.R. Doc. 69-6210; Filed, May 23, 1969; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 5A—Federal Supply Service, General Services Administration

RESPONSIBILITY OF SMALL BUSINESS CONCERNS

Instructions for making a determination of "nonresponsibility" of a small business concern based upon lack of integrity, perseverance, or willingness to perform as differentiated from the capacity and credit of the concern.

PART 5A–1—GENERAL

The table of contents for Subpart 5A–1.7 is amended to add the following:

Sec.
5A–1.708 Certificate of competency program.

Subpart 5A–1.3—General Policies

Section 5A–1.310–6 is revised to read as follows:

§ 5A–1.310–6 Determination of responsibility.

(a) Where by virtue of the terms of any invitation for bids, a contractor will be required to meet estimated or stated peak monthly requirements, consideration shall be given, in making determinations of responsibility, to the bidder's ability to meet these peaks, as contrasted with his ability to meet the average monthly requirements.

(b) While poor past performance can form the basis for a finding of nonresponsibility, it should be emphasized that poor performance usually is a symptom of some other difficulty such as a lack of capacity, integrity, perseverance, etc., and the basic cause of the poor performance must be determined. It is also important to bear in mind that when poor performance is the basis for a finding of nonresponsibility, such poor performance must have been experienced in the relatively recent past. Emphasis should not be placed on poor performance which occurred during periods so remote in time as to bear little relationship to the bidders' current capabilities or willingness to perform. Where there have been repeated instances of poor performance on the part of a contractor, debarment is the proper remedy and repeated findings of nonresponsibility should not be used as a substitute for debarment pursuant to §§ 1–1.604 and 5–1.604–1.

(c) FSS contracting officers shall submit proposed determinations of nonresponsibility to the appropriate Review Committee in accordance with §§ 5A–75.201(c)(3) and 5A–75.401(e). After review, the letter of rejection shall be issued promptly to the bidder. A memorandum to the Office of Audits and Compliance transmitting a copy of the determination shall then be prepared for the signature of the Regional Director, FSS, or the Director, Procurement Operations Division, as appropriate. Copies of the memorandum and determination shall be distributed to each other FSS buying activity. If the basis for rejection includes lack of financial responsibility, copies shall be furnished to the Chief, Finance Division, in the appropriate regional accounting center or Director, Credit and Finance Division, Office of Finance, OAD, as appropriate.

Subpart 5A–1.7—Small Business Concerns

Section 5A–1.708 is added to read as follows:

§ 5A–1.708 Certificate of competency program.

(a) Section 1–1.708(a)(4) provides that the certificate of competency procedure does not apply where the contracting officer determines that a small business concern is not responsible for reasons other than capacity or credit.

(b) A finding of nonresponsibility on grounds other than lack of capacity and credit may be justified by the conviction of a bidder of a criminal offense which clearly indicates a lack of integrity. A bidder's poor past performance may also form a basis for such a finding. However, substantial evidence of lack of integrity, tenacity, or perseverance is required to support a finding of nonresponsibility for such reasons. Prior unsatisfactory performance, standing alone, will not justify rejection of a small business bidder without reference to SBA since such unsatisfactory performance may well have been the result of a lack of capacity or credit. Where the case is not submitted to SBA for consideration, it is essential that the file contain substantial evidence which does establish that the prior unsatisfactory performance was unrelated to capacity or credit and, therefore, is outside the scope of the certificate of competency program. A mere statement in the finding that the bidder's prior unsatisfactory performance was caused by factors not included within the terms "capacity or credit" will not suffice (see also § 5A–1.310–6). Probative evidence that the poor past performance was caused by factors other than a lack of capacity or credit may consist of a showing of repeated poor performance despite the fact that the bidder possesses adequate capacity, technical know-how, and credit; or a showing that commercial orders were filled while Government orders were delinquent; or a showing that a bidder became delinquent because it delayed production or delivery on orders in order to aggregate a sufficient number to warrant an economic production run or to take advantage of carload or truckload delivery rates.

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

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

Dated: May 15, 1969.

L. E. SPANGLER,
Acting Commissioner,
Federal Supply Service.

[F.R. Doc. 69–6211; Filed, May 23, 1969; 8:47 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER A—GENERAL

BILLINGS, PAYMENTS, ADJUSTMENTS, AND ADVANCES FOR GSA SUPPLIES AND SERVICES

This amendment provides instructions to Government agencies for billings, payments, adjustments, and advances covering reimbursement for GSA supplies and services.

Subchapter A is amended by the addition of a new Part 102–2, as follows:

PART 101–2—PAYMENTS TO GSA FOR SUPPLIES AND SERVICES FURNISHED GOVERNMENT AGENCIES

Subpart 101–2.1—Billings, Payments, and Adjustments

Sec.
101–2.100 Scope of subpart.
101–2.101 Background.
101–2.102 Billing procedures.
101–2.103 Payment procedures.
101–2.104 Adjustments.
101–2.105 Statement of account.

Subpart 101–2.2—Advances

101–2.100 Scope of subpart.
101–2.201 Types of advances.
101–2.201–1 Advance of funds; insufficient capital.
101–2.201–2 Advance for specific purposes.
101–2.201–3 Advance of funds; mutual agreement.

Subpart 101–2.49—Forms and Reports

101–2.4900 Scope of subpart.
101–2.4901 Standard forms.
101–2.4901–1080 Standard Form 1080, Voucher for Transfer between Appropriations and/or Funds.
101–2.4901–1081 Standard Form 1081, Voucher and Schedule of Withdrawals and Credits.
101–2.4902 GSA forms.
101–2.4902–740 GSA Form 740, Invoice for Job Order Work.
101–2.4902–743 GSA Form 743, Invoice for Rent.
101–2.4902–789 GSA Form 789, Statement, Voucher, and Schedule of Withdrawals and Credits.

AUTHORITY: The provisions of this Part 101–2 issued under sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

Subpart 101–2.1—Billings, Payments, and Adjustments

§ 101–2.100 Scope of subpart.

This subpart deals with the procedures and forms used by GSA in billing for supplies and services furnished Government agencies, and the procedures for payment and adjustment of these billings.

§ 101–2.101 Background.

(a) GSA provides supplies, equipment, services, space, communications, motor vehicles, printing, and other miscellaneous items for Government agencies on a reimbursable basis. These supplies and services are financed from revolving,

management, or working funds, and reimbursement from agencies is obtained through periodic billings and collections intended to permit GSA to operate these programs with a minimum amount of appropriated capital.

(b) The General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, title 7, chapter 2, section 8.5, provides that billings of GSA shall be paid in accordance with regulations issued by GSA.

§ 101–2.102 Billing procedures.

(a) Bills are rendered biweekly, monthly, or quarterly after the fact or in advance on approved billing forms. GSA Form 789, Statement, Voucher, and Schedule of Withdrawals and Credits (illustrated at § 101–2.4902–789); GSA Form 743, Invoice for Rent (illustrated at § 101–2.4902–743); and GSA Form 740, Invoice for Job Order Work (illustrated at § 101–2.4902–740), are generally used for this purpose. Certification of such bills by GSA is not required. Except for those bills which are rendered in advance, bills will be forwarded only after there is evidence of actual delivery of material or services, or after receipt of evidence of shipment. In this respect, bills for direct delivery shipments will be rendered based upon payment to the vendor and proof of shipment.

(b) GSA will not normally attach signed receipts to the bills for supporting documentation. Rather, documents or billing cards will generally be furnished which will contain the necessary information to permit the agency to identify its requisition, purchase order, travel order, or other obligating documents.

(c) GSA may, at its discretion, process requisitions of $1 or less without billing. Therefore, any agency having such items unbilled 60 days after receipt of the material may assume that they will not be billed and cancel the obligation accordingly.

§ 101–2.103 Payment procedures.

(a) All GSA invoices or billings, including those representing partial shipments, shall be paid promptly by check or transfer document. This requirement is mandatory to (1) assist GSA in managing its revolving fund operations with a minimum of appropriated capital; (2) reduce the cost of collection in GSA; and (3) reduce the cost of payment for other agencies. In order to expedite reimbursement and reduce the cost of billings and payments, agencies are requested to have GSA bills directed to the office authorized to make payment. This will avoid the costly and time consuming handling of the bills at consignee and intermediary offices.

(b) Since the reimbursements requested are between Government agencies, bills shall be paid as rendered without preaudit or receipt verification, subject only to availability of funds and adjustments for obvious, significant errors in dollar amount. The agencies are responsible for establishing an adequate followup system to ensure that goods and material paid for are received.

(c) Agencies may use GSA Form 789 (illustrated at § 101–2.4902–789) in processing payments to GSA in all cases where disbursing offices can place the credit to the appropriate account without the transmittal of a check to the GSA billing office. Agency accounting stations for which offices of the Department of the Treasury disburse will send the original and two copies of the GSA Form 789 to the Treasury regional office for processing in accordance with the instructions contained in Treasury Department Circular No. 945, Second Revision, Procedures Memorandum No. 1, as amended. Those agencies making payments by check shall arrange for one copy of the GSA Form 789 to be transmitted with the check when it is forwarded to GSA.

§ 101–2.104 Adjustments.

(a) Exceptions noted, either at time of payment or in postaudit (subject to the provisions of automatic adjustment procedures in § 101–2.104(c)), shall be brought to the attention of GSA either by notation on the billing statement or by separate communication. Approved adjustments will be reflected appropriately in subsequent billings.

(b) Agencies are advised to notify GSA immediately of shortages, damaged shipments, or nonreceipt so that appropriate action may be taken.

(c) Adjustments of billings or payments are not required, and should not be requested or made by civilian agencies or GSA, whenever the net difference involved, resulting from over and under deliveries or over or under charges, represents an amount of $10 or less on any one bill. This is not to be construed to eliminate billings and payments for requisitioned items of $10 or less. By interagency agreement between DoD and GSA, no adjustment in billing or payment should be requested when the difference involved represents an amount of $5 or less on any one line item (see § 101–26.307–2). To minimize followup, research, and collection costs on intragovernment transactions, agencies are urged to follow the most liberal policy possible in determining whether or not to request adjustments. To further expedite settlement of accounts between GSA and the billed agencies, such settlement may be made by mutual agreement, regardless of amount, without reference to the General Accounting Office.

(d) Credit adjustments for return sales will be issued by GSA upon receipt of the returned material. The credit will be included on the next bill issued.

§ 101–2.105 Statement of account.

A statement of account is mailed monthly to each agency billed office for unpaid items outstanding on each major revolving fund of GSA. Agencies shall make appropriate notations on the statement regarding the status of each item classified as delinquent and return the statement to GSA.

Subpart 101–2.2—Advances

§ 101–2.200 Scope of subpart.

This subpart prescribes the procedures for providing advances of funds by agencies obtaining supplies and services from GSA to the revolving, management, or working funds operated by GSA.

§ 101–2.201 Types of advances.

§ 101–2.201–1 Advance of funds; insufficient capital.

(a) Whenever GSA determines that the capital in a particular fund is insufficient to finance the general program needs for supplies and services to be requisitioned by agencies supported by a particular fund, the affected agencies will be advised of the amount requested to be deposited to the credit of the fund. Advances will be returned to the agencies by GSA when the need for them no longer exists.

(b) When the amount to be advanced has been determined by mutual agreement, GSA will bill the requisitioning agency by means of Standard Form 1080, Voucher for Transfer Between Appropriations and/or Funds (illustrated at § 101–2.4901–1080), accompanied where appropriate by Standard Form 1081, Voucher and Schedule of Withdrawal and Credits (illustrated at § 101–2.4901–1081), in accordance with the General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, title 7, chapter 2, section 8. Upon receipt in the agency, a cash transfer or payment by check, as appropriate, shall be accomplished in the normal manner.

§ 101–2.201–2 Advance for specific services.

Advance billings are rendered for the following transactions:

(a) Quarterly advance bills are rendered for reimbursable space occupancy and related costs on GSA Form 743, Invoice for Rent (illustrated at § 101–2.4902–743), at fixed rates per square foot based on estimated costs. Itemization of the elements of costs is not shown in the advance bill, nor is the bill adjusted to actual costs.

(b) Bills rendered on GSA Form 740, Invoice for Job Order Work (illustrated at § 101–2.4902–740), are normally based on actual costs after completion of the job, without itemization of the elements of costs. However, in the case of specific jobs of significant dollar size, advance bills may be rendered to avoid impairment of GSA working capital. In such instances, a final settlement will be made at completion of the job to adjust the billing to actual costs.

§ 101–2.201–3 Advance of funds; mutual agreement.

Whenever circumstances are such that the financing of prospective agency transactions through a fund by means of an advance is advantageous, even though the capital of the fund is adequate, the agency concerned and GSA may mutually agree to such financing

of the transactions. This type advance may be necessary to provide financing for specific large dollar value transactions which otherwise may result in a temporary depletion of available cash. In these circumstances, the procedures for effecting payment shall be set forth in a letter of agreement.

(a) The advances may be self-liquidating or for the duration of the circumstances requiring the advance. Self-liquidating advance agreements will generally provide that GSA will apply the amount of billings therefor directly against such advance, and that GSA will periodically render an accounting for the status of the advance to the agency concerned. Upon completion of the transaction, a settlement will be made between the two agencies to close out the transaction.

(b) If the advance is not self-liquidating, the agreement will generally only provide for final settlement between the two agencies and return of all of the unliquidated portion of the advance.

Subpart 101–2.49—Forms and Reports

§ 101–2.4900 Scope of subpart.

This subpart contains illustrations of forms prescribed or available for use in connection with subject matter covered in other subparts of Part 101–2.

§ 101–2.4901 Standard forms.

(a) Standard forms are illustrated in this § 101–2.4901 to show their text, format, and arrangement, and to provide a ready source of reference. The subsection numbers in this section correspond with the Standard form numbers.

(b) Supplies of Standard forms may be obtained from the nearest GSA supply depot.

§ 101–2.4902 GSA forms.

(a) The GSA forms are illustrated in this section to provide a ready source of reference. The subsection numbers in this section correspond with the GSA form numbers.

(b) Supplies of GSA forms may be obtained by addressing requests to the General Services Administration, Region 3, Office of Administration, Printing and Publications Division—3 BRD, Washington, D.C. 20407.

NOTE: The GSA and Standard forms referenced in §§ 101–2.102, 101–2.103, 101–2.201–1, and 101–2.201–2 are filed as part of the original document. Copies of the GSA forms may be obtained from the General Services Administration, Region 3, Office of Administration, Printing and Publications Division—3 BRD, Washington, D.C. 20407. Copies of the Standard forms may be obtained from the nearest GSA supply depot.

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

Dated: May 16, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69–6212; Filed, May 23, 1969; 8:47 a.m.]

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101–26—PROCUREMENT SOURCES AND PROGRAMS

Revision of Billing, Payment, and Adjustments for GSA Supplies and Services

This amendment provides with respect to Government agencies for the direct payment to GSA contractors, increases the adjustment allowance on delivery discrepancies from $5 to $10, and deletes billing and payment instructions which are included in new Part 101–2.

The table of contents for Part 101–26 is amended by the addition of the following new and revised entries:

101–26.102–4 Direct payment to GSA contractors.
101–26.103 [Reserved]

Subpart 101–26.1—General

Section 101–26.102–4 is added and § 101–26.103 is deleted, as follows:

§ 101–26.102–4 Direct payment to GSA contractors.

In instances involving direct delivery, when arrangements have not been made for advance payments to GSA pursuant to Subpart 101–2.2, the requisitioning agency may, by mutual agreement with GSA, elect to make direct payment to the GSA contractor for the items procured under the provisions of this subpart.

§ 101–26.103 [Reserved]

Subpart 101–26.3—Procurement From GSA Supply Depots

Section 101–26.307–2 is revised to read as follows:

§ 101–26.307–2 Adjustments.

GSA will adjust any damage or other discrepancy resulting from over or under deliveries or from over or under charges. For civilian agencies when the difference involved represents an amount of $10 or less on any one shipment manifest, no adjustment should be requested. By interagency agreement between DoD and GSA, no adjustment should be requested when the difference involved represents an amount of $5 or less on any one line item. (See § 101–2.104(c).)

(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: May 16, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69–6213; Filed, May 23, 1969; 8:47 a.m.]

PART 101–26—PROCUREMENT SOURCES AND PROGRAMS

Procurement of Motor Vehicles

This amendment provides for the participation of the Department of Defense in the motor vehicle procurement program. Changes are made to the time schedule for submission of requisitions and instructions relating to the consolidated purchases program are clarified.

The table of contents for Part 101–26 is amended by the addition of new and revised entries as follows:

Sec.
101–26.500 Scope and applicability of subpart.
101–26.501–1 General.
101–26.501–3 Submission of requirements.
101–26.4902–6317 Instructions to Consignee Receiving New Motor Vehicles Purchased by GSA.
101–26.4903 [Deleted]
101–26.4903–195 [Deleted]

Subpart 101–26.5—GSA Procurement Programs

Section 101–26.500 is added and § 101–26.501 and §§ 101–26.501–1 through 101–26.501–6 are revised as follows:

§ 101–26.500 Scope and applicability of subpart.

This subpart prescribes policies and procedures relating to GSA procurement programs other than the GSA supply depot and Federal Supply Schedule programs. They are applicable to executive agencies except as otherwise specifically indicated. Other Federal agencies may participate in these programs and are encouraged to do so.

§ 101–26.501 Purchase of new motor vehicles.

With respect to the procurement of new sedans and station wagons, it shall be the policy to procure Type I, as described in Federal Standard No. 122, unless another type is specifically required. Agencies requiring sedans and station wagons other than Type I shall justify the need for such requirement and shall retain the justification in their files. (Federal Standard No. 122 as used in this section means the latest edition and includes any Interim Standard being used temporarily as a replacement.)

§ 101–26.501–1 General.

Executive agencies shall submit to GSA for procurement their requirements for new passenger and freight carrying motor vehicles to be purchased in the United States as follows:

(a) *Department of Defense.* All commercial passenger carrying vehicles and trucks up to 10,000 pounds gross vehicle weight (GVW) except the following:

Buses, convertible to ambulances.
Trucks, convertible to ambulances.
Trucks, 4 x 4, dump, 9,000 GVW, with cutdown cab.

(b) *Executive agencies other than Department of Defense.* All passenger carrying vehicles and trucks; all trailers not less than 5,000 pounds and not more than 50,000 pounds payload. Specifically included are sedans, station wagons, carryalls, ambulances, and buses.

§ 101–26.501–2 Consolidated purchases program.

(a) To achieve maximum benefits and economies, GSA makes a volume procurement of sedans and station wagons of

the type covered by Federal Standard No. 122 based on requirements received as early as practicable after July 1 but not later than October 1. Another volume procurement of these vehicles is made based on requirements received subsequent to October 1 but not later than February 15. Similarly, a volume procurement of light trucks of the types covered by Federal Standard No. 122 is made on the basis of requirements received as early as practicable after July 1 but not later than August 15. A second volume procurement of these types of trucks is made based on requirements received after August 15 but not later than December 31. A third volume procurement is made based on requirements received not later than April 15. To obtain greatest possible savings, approximately 75 percent of an agency's total annual requirements for these vehicle types should be included in these procurements.

(b) Agency requirements for (1) sedans, station wagons, and light trucks not covered by Federal Standard No. 122 or (2) those covered by that standard but which are received after the final dates shown in (a) above, will be consolidated and procured on a monthly basis.

(c) Requisitions for sedans, station wagons, and light trucks not covered by Federal Standard No. 122 shall conform with the provisions of § 101–26.501–3 (a) and (b).

§ 101–26.501–3 Submission of requirements.

Requirements shall be submitted to the General Services Administration, Federal Supply Service, Office of Procurement, Procurement Operations Division—FPNM, Washington, D.C. 20406, and shall contain consignment and shipping instructions including the names and addresses of persons to receive purchase documents if different from consignees.

(a) Requisitions covering vehicle types not included in Federal Standard No. 122, in a military specification or in an agency specification on file with GSA, shall contain complete descriptions of the vehicles required, the intended use of the vehicle, and terrain where the vehicle will be used.

(b) Requisitions for vehicles within the category of Federal Standard No. 122 but for which deviations from Federal Standard No. 122 are required, unless already waived by the Commissioner, Federal Supply Service, shall include with the requisition a justification supporting each deviation from the Standard and contain a statement of the intended use of the vehicles including a description of the terrain where the vehicles will be used. Prior approval of deviations shall be indicated on the requisition by citing the waiver authorization number.

(c) GSA Form 1781, Motor Vehicle Requisition—Delivery Order—Invoice (illustrated at § 101–26.4902–1781) has been specifically designed for agency use to expedite ordering vehicles covered by Federal Standard No. 122. The form is also used by GSA as a purchase order and an interagency invoice and by the consignee as a receiving report. Agencies are requested to use GSA Form 1781 as a "single-line-item requisition" for standard-type vehicles. Submission of GSA Form 1781, properly completed, will satisfy the requirements regarding submission of requisitions as set forth in § 101–26.501–3(a). If it is not feasible to accomplish the GSA Form 1781 as a purchase authority, agencies may prepare the form as an attachment code sheet, identifying each line item on their request. Whether accomplished as a requisition, or attachment thereto, the GSA Form 1781 permits agencies to eliminate lengthy vehicle descriptions. Instructions for preparation of GSA Form 1781 are printed on the reverse of the form.

(d) Each requisition shall indicate the appropriation to be charged and must be signed by an officer authorized to obligate funds cited.

(e) Separate requisitions shall be submitted for each vehicle category.

§ 101–26.501–4 Procurement time schedules.

(a) *Volume consolidated purchases.* Requisitions covering vehicle types included in Federal Standard No. 122 received within the time frames specified in § 101–26.501–2(a) will be consolidated for volume procurement on the dates shown in the time schedule below unless there is included a statement justifying the need for delivery earlier than the delivery time indicated in § 101–26.501–5. Requisitions containing such statement of justification will be handled on a monthly basis in accordance with paragraph (b)(1) of this § 101–26.501–4.

TIME SCHEDULE

Vehicle category	Volume consolidation dates	
	Passenger vehicles	Trucks
Sedans; station wagons; and trucks of types covered by Federal Standard No. 122.	Oct. 1 Feb. 15	Aug. 15 Dec. 31 Apr. 15

(b) *Monthly consolidated purchases.* (1) Requirements for vehicles not received by GSA in time for inclusion in the volume procurements as indicated in § 101–26.501–2(a) must be received by GSA by the dates indicated in the schedule set forth below in this § 101–26.501–4(b)(1). Requirements received after these dates will be carried over to the following month's purchase urless accompanied by a request that they be retained for inclusion in the next volume procurement. In the interest of timely and orderly preparation of solicitations, ordering agencies are urged to submit each requirement as soon as finalized rather than hold for submission with later requirements. Such requisitions need not specify a delivery date since delivery will be in accordance with delivery schedule shown in § 101–26.501–5. Requests for special handling of other than strictly emergency requirements shall not be submitted.

TIME SCHEDULE

Vehicle category	Monthly consolidation date
(i) Sedans; station wagons; and trucks or types covered by Federal Standard No. 122.	10th of each month.
(ii) Passenger carrying vehicles; light trucks of types not covered by Federal Standard No. 122; and ambulances.	20th of each month.
(iii) Buses; trucks (other than light trucks in category (ii), above); and trailers of not less than 5,000 lbs.	Last day of each month.
(iv) All other categories and types of vehicles.	Last day of each month except June.

(2) Solicitations issued in June for the consolidated purchase of vehicles in categories (i), (ii), and (iii) of § 101–26.501–4(b)(1) will cover only the requirements of those executive agencies whose requisitions are required by § 101–26.501–1 to be placed with GSA. (Submission of requirements for vehicles in categories (i), (ii), and (iii) is mandatory to the extent provided in § 101–26.501–1.)

(3) With respect to categories (i) and (ii) of § 101–26.501–4(b)(1), no assurance can be given as to price and time of delivery of vehicles on requisitions received by GSA after the 15th of April. This is because of industry practice of closing out the production of the current year's model and retooling for new models. Agencies should bear this in mind when programing their last quarter requirements.

(c) *Emergency requirements.* Emergency requirements will receive special handling only when the requisitions are accompanied by adequate justification for individual purchase action. Every effort will be made to meet the delivery date specified in the requisition.

§ 101–26.501–5 Delivery of vehicles.

(a) *Volume consolidated purchases.* Bids will be opened at a date to permit award to be made for delivery of vehicles on the following schedule based on the types and cutoff dates established in § 101–26.501–4(a):

Cutoff date	*Delivery*
Passenger vehicles:	
Oct. 1	January, February, and March.
Feb. 15	June and July.
Trucks:	
Aug. 15	December, January, and February.
Dec. 31	April, May, and June.
Apr. 15	July and August.

(b) *Monthly consolidated purchases.* Bid opening dates normally will be from 40 to 60 days after the dates shown in § 101–26.501–4(b)(1). Delivery will normally range from approximately 120 to 180 days after the bid opening date depending on the type of vehicle. Buses,

ambulances, and special equipment will be delivered within 255 days.

§ 101–26.501–6 Forms used in connection with delivery of vehicles.

(a) *GSA Form 6317; Instructions to Consignee Receiving New Motor Vehicles Purchased by GSA.* These instructions, a copy of which is attached to the consignee copy of the GSA purchase order for the vehicle and a copy of which accompanies the vehicle to its destination, advise the consignee relative to (1) inspection and receipt; (2) corrective action to be taken in the event of damage, abuse, or missing equipment; (3) applicable warranty contract clause; and (4) precautionary measures to be taken prior to use of vehicle. The form is illustrated at § 101–26.4903–6317.

(b) *GSA Form 1398; Motor Vehicle Purchase and Inspection Label.* The contractor is required to (1) perform preshipment inspection and servicing of each vehicle; (2) complete the label, GSA Form 1398 (illustrated at § 101–26.4902–1398); and (3) affix the label to the right side of the dash. The label, which bears the date of final checkout of vehicle by the manufacturer and signature of plant inspector authorizing release of vehicle, should remain in place during life of the warranty to permit prompt identification of vehicles requiring dealer repair pursuant to such warranty.

(c) *GSA Form 1718; Unsatisfactory Equipment Report.* GSA is constantly striving to improve customer service and the quality of motor vehicles for which it contracts. In order to inform contractors of the deficiencies that are noted during the life of the vehicles, GSA Form 1718 (illustrated at § 101–26.4902–1718) should be prepared by the consignee and sent to GSA describing details of vehicle deficiency and action taken for correction. Agencies are urged to report all deficiencies to GSA irrespective of satisfactory corrective action by the manufacturer's authorized dealer. If the dealer refuses to take corrective action on any vehicle within its warranty period, the report should so state and include an explanation of the circumstances. GSA Form 1718 should also be used to report all noncompliance with specifications or other requirements of the purchase order.

Subpart 101–26.49—Illustrations of Forms

Section 101–26.4902–6317 is added, §§ 101–26.4902–1398, 101–26.4902–1718, and 101–26.4902–1781 are revised, and § 101–26.4903 is deleted, as follows:

Sec.

101–26.4902–6317	GSA Form 6317: Instructions to Consignee Receiving New Motor Vehicles Purchased by GSA.
101–26.4902–1398	GSA Form 1398: Motor Vehicle Purchase and Inspection Label.
101–26.4902–1718	GSA Form 1718 (Multi-Carboned): Unsatisfactory Equipment Report.
101–26.4902–1781	Motor Vehicle Requisition-Delivery Order-Invoice.
101–26.4903	[Deleted]
101–26.4903–195	[Deleted]

NOTE: The forms in §§ 101–26.4902–6317, 101–26.4902–1398, 101–26.4902–1718, and 101–26.4902–1781 are filed as parts of the original document. Current editions of the forms are: GSA Form 6317, April 1968; GSA Form 1398, November 1967; GSA Form 1718, January 1965; and GSA Form 1781, March 1969. Prior editions of these forms are obsolete.

(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: May 16, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69–6214; Filed, May 23, 1969; 8:47 a.m.]

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101–45—SALE, ABANDONMENT, OR DESTRUCTION OF PERSONAL PROPERTY

Bedding and Upholstered Furniture

Part 101–45 is amended by the addition of new § 101–45.309–8, previously reserved, to provide procedures and instructions for the sale of surplus bedding and upholstered furniture and for executive agencies to assist State authorities by advising purchasers of such material to comply with State sanitation standards. Part 101–45 is further amended by the addition of new § 101–45.4927 to provide a list of State health agencies to receive information on sales of surplus bedding and upholstered furniture.

The table of contents for Part 101–45 is amended as follows:

Sec.

101–45.309–8	Bedding and upholstered furniture.
101–45.4927	State health agencies.

Subpart 101–45.3—Sale of Personal Property

Section 101–45.309 is amended as follows:

§ 101–15.309–8 Bedding and upholstered furniture.

(a) Requirements under State law placed on the purchase and resale of used bedding and upholstered furniture vary from State to State. Some of the restrictions are: (1) Requirement for sterilization and disinfection of used or second-hand bedding; (2) requirement for an annual license or registration fee as a supply dealer or renovator; (3) option of using stamps or a stamp exemption permit; and (4) requirement for the manufacturer's or vendor's name and address on the tag. Purchasers of Government surplus bedding and upholstered furniture normally are advised to comply with applicable State laws relating to the resale or reuse of such items.

(b) Procedures and instructions are provided herein for selling agencies to assist State health agencies by advising purchasers of surplus bedding and upholstered furniture to comply with State sanitation standards.

(c) The following terms have the meaning set forth in this § 101–45.309–8:

(1) *Bedding.* Any box spring, comforter, cushion, davenport, hammock pad, lounge, mattress, mattress pad, mattress protector, pillow, quilt, quilted pad, sleeping bag, sofa, studio couch, or upholstered spring bed used for sleeping, resting, or reclining purposes.

(2) *Upholstered furniture.* Any article of furniture, wholly or partially stuffed or filled with any concealed material, which is intended for use for sitting, resting, or reclining purposes.

(3) *Filling material.* African fibre, bamboo, cotton, down, excelsior, feathers, felted cotton, fibre, foam rubber, hair, husks, jute, kapok, Louisiana tree moss, sea moss, shoddy, wool, or any other soft material.

(d) Surplus bedding and upholstered furniture which are considered to be detrimental to public health or safety shall be destroyed in accordance with the provisions of Subpart 101–45.5.

(e) Surplus bedding and upholstered furniture will be sold in accordance with §101–45.304 and this § 101–45.309–8.

(f) Sales of surplus bedding material and upholstered furniture shall be processed as follows:

(1) The invitation for bids shall include information advising purchasers of surplus bedding and upholstered furniture to comply with the State laws pertaining to sterilization, resale, and reuse of such items and filling materials as required by State laws.

(2) The invitation for bids shall contain a notice to bidders substantially as follows:

Mattressess, Bedding, or Upholstered Furniture. For any mattresses, bedding, or upholstered furniture offered in this invitation, the purchaser is advised to procure and affix tags, labels, or stamps required by law or otherwise to comply with the State laws pertaining to sterilization, resale, and reuse of such items and filling material as required by State law.

(3) Selling agencies shall be required to provide the State health agency for the State in which a successful bidder maintains its business, with a written notice of such sale to include the name and address of the purchaser and the types, quantities, and locations of the articles sold. A copy of the award document or similar notification would serve the purpose.

(4) A list of State health agencies to receive information on sales of surplus bedding and upholstered furniture is provided in § 101–45.4927.

Subpart 101–45.49—Illustrations

Section 101–45.4927 is added to provide a list of State health agencies to receive information in connection with sales of surplus bedding and upholstered furniture, as follows:

§ 101–45.4927 State health agencies.

STATE HEALTH AGENCIES (FOR BEDDING AND UPHOLSTERED FURNITURE INFORMATION)

ALABAMA

Director, Division of Environmental Health, Alabama State Department of Health, State Office Building, Montgomery, Ala. 36104.

ALASKA

Chief, Branch of Environmental Health, Division of Public Health, Alaska Department of Health and Welfare, Pouch H, Juneau, Alaska 99801.

ARIZONA

Director, Division of Sanitation Environmental Health Services, Arizona State Department of Health, 4019 North 33d Avenue, Phoenix, Ariz. 85017.

ARKANSAS

Director, Bureau of Environmental Engineering, Arkansas State Department of Health, Little Rock, Ark. 72201.

CALIFORNIA

Chief, Bureau of Furniture and Bedding Inspection, Department of Professional and Vocational Standards, 1021 O Street, Room A–198, Sacramento, Calif. 95814.

COLORADO

Senior Sanitarian, Colorado State Department of Health, 4210 East 11th Avenue, Denver, Colo. 80220.

CONNECTICUT

Factory Inspection Deputy Commissioner, State Department of Labor, 200 Folly Brook Boulevard, Wethersfield, Conn. 06109.

DELAWARE

Director, Bureau of Environmental Health, Delaware State Board of Health, Dover, Del. 19901.

DISTRICT OF COLUMBIA

Chief, Bureau of Community Hygiene, District of Columbia Department of Public Health, 801 North Capitol Street, NE., Washington, D.C. 20001.

FLORIDA

Director, Office of Registration and Drug Administration, Florida State Board of Health, Post Office Box 210, Jacksonville, Fla. 32201.

GEORGIA

Director, Industrial Hygiene Service, Georgia Department of Public Health, 47 Trinity Avenue SW., Atlanta, Ga. 30334.

HAWAII

Executive Officer, Environmental Health Division, Hawaii State Department of Health, Post Office Box 3378, Honolulu, Hawaii 96801.

IDAHO

Chief, Sanitation Section, Idaho Department of Health, Statehouse, Boise, Idaho 83707.

ILLINOIS

Chief, Sanitary Engineer, Division of Sanitary Engineering, Illinois State Department of Public Health, Springfield, Ill. 62706.

INDIANA

Chief, Sanitary Bedding Section, Division of Weights and Measures, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Ind. 46206.

IOWA

Secretary, Iowa State Department of Agriculture, State Capitol Building, Des Moines, Iowa 50319.

KANSAS

Director, Food and Drug Division, Kansas State Department of Health, State Office Building, Topeka, Kans. 66612.

KENTUCKY

Director, Environmental Services Program, Division of Environmental Health, Kentucky Department of Health, 275 East Main Street, Frankfort, Ky. 40601.

LOUISIANA

Director, Bedding and Upholstered Furniture Inspection Division, Louisiana State Department of Health, Post Office Box 60630, New Orleans, La. 70160.

MAINE

Director, Division of Bedding, Upholstering, Furniture, and Stuffed Toys, Maine State Department of Labor and Industry, Augusta, Maine 04330.

MARYLAND

Chief, Bedding and Upholstery Section, Consumer Protection Division, Maryland State Department of Health, 2305 North Charles Street, Baltimore, Md. 21218.

MASSACHUSETTS

Director, Division of Food and Drugs, Massachusetts Department of Public Health, Statehouse, Boston, Mass. 02133.

MICHIGAN

Chief, Section of Environmental Health, Division of Engineering, Michigan State Department of Public Health, 3500 North Logan, Lansing, Mich. 48914.

MINNESOTA

Chief, Section of Hotels, Resorts and Restaurants, Minnesota State Department of Health, 435 State Office Building, St. Paul, Minn. 55101.

MISSISSIPPI

Director, Division of Sanitary Engineering, Mississippi State Board of Health, Jackson, Miss. 39205.

MISSOURI

Director, Division of Industrial Inspection, Division of Health of Missouri, Broadway State Office Building, Jefferson City, Mo. 65101.

MONTANA

Director, Division of Environmental Sanitation, Montana State Department of Health, Helena, Mont. 59601.

NEBRASKA

Chief, Environmental Health Services, Nebraska State Department of Health, Statehouse Station, Box 94757, Lincoln, Nebr. 68509.

NEVADA

Chief, Bureau of Environmental Health, Nevada State Department of Health and Welfare, 790 Sutro Street, Reno, Nev. 89502.

NEW HAMPSHIRE

(No need to notify.)

NEW JERSEY

Director, Division of Environmental Health, New Jersey State Department of Health, John Fitch Plaza, Post Office Box 1540, Trenton, N.J. 08625.

NEW MEXICO

Director, Environmental Services Division, New Mexico State Department of Health and Social Services, Post Office Box 2348, Santa Fe, N. Mex. 87501.

NEW YORK

Director, Division of Licensing Services, New York Department of State, 270 Broadway, New York, N.Y. 10007.

NORTH CAROLINA

Chief, Insect and Rodent Control Section, Sanitary Engineering Division, North Carolina State Board of Health, Post Office Box 2091, Raleigh, N.C. 27602.

NORTH DAKOTA

Chief, Environmental Health and Engineering Services, North Dakota State Department of Health, State Capitol, Bismarck, N. Dak. 58501.

OHIO

Chief, Ohio Department of Industrial Relations, Division of Bedding and Upholstered Furniture, 200 Parsons Avenue, Room 200, Columbus, Ohio 43215.

OKLAHOMA

Head, General Sanitation Section, Oklahoma State Department of Health, 3400 North Eastern, Oklahoma City, Okla. 73105.

OREGON

Program Supervisor, Furniture and Bedding Program, Oregon State Board of Health, Post Office Box 231, Portland, Oreg. 97207.

PENNSYLVANIA

Director, Bureau of Inspection, Division of Bedding and Upholstery, Department of Labor and Industry, Seventh and Forster Streets, Harrisburg, Pa. 17120.

PUERTO RICO

Director, Program of Environmental Health, Puerto Rico Department of Health, Ponce de Leon Avenue 1306, Box 9342, Santurce, P.R. 00908.

RHODE ISLAND

Chief, Division of Upholstery, State of Rhode Island Department of Business Regulation, 49 Westminster Street, Room 420, Providence, R.I. 02903.

SOUTH CAROLINA

State Environmental Sanitation Consultant, Division of Environmental Sanitation, South Carolina State Board of Health, J. Marion Sims Building, Columbia, S.C. 29201.

SOUTH DAKOTA

Director, Division of Sanitary Engineering, South Dakota State Department of Health, State Capitol, Pierre, S. Dak. 57501.

TENNESSEE

Director, Workshops and Factories, Tennessee Department of Labor, C1–128 Cordell Hull Building, Nashville, Tenn. 37219.

TEXAS

Director, Bedding—Law Division, Texas State Department of Health, 1100 West 49th Street, Austin, Tex. 78756.

UTAH

Supervisor, Bedding and Upholstering Division, Utah State Department of Agriculture, Room 412, State Capitol Building, Salt Lake City, Utah 84114.

VERMONT

Director, Bureau of Environmental Sanitation, Vermont State Department of Health, 115 Colchester Avenue, Burlington, Vt. 05401.

VIRGINIA

Supervisor, Bedding and Upholstered Furniture, Virginia State Department of Health, 109 Governor Street, Richmond, Va. 23219.

VIRGIN ISLANDS

Director, Division of Environmental Health, Virgin Islands Department of Health, Post Office Box 1442, Charlotte Amalie, V.I. 00801.

WASHINGTON

Chief, Chemical and Physical Hazards Section, Furniture and Bedding Inspection, Washington State Department of Health, 311 Public Health Building, Olympia, Wash. 98501.

WEST VIRGINIA

Director, Consumer Protection, West Virginia Department of Labor, State Capitol, 1800 Washington Street East, Charleston, W. Va. 25305.

WISCONSIN

Director, Department of Industry, Labor and Human Relations, 651 Hill Farms State Office Building, Madison, Wis. 53702.

WYOMING

Director, Division of Markets and Industry, Wyoming State Department of Agriculture, 308 Capitol, Cheyenne, Wyo. 82001.

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

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

Dated: May 16, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69-6216; Filed, May 23, 1969; 8:47 a.m.]

PART 101-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

Utilization and Disposal of Historic or Artistic Items

Subpart 101-43.3 was amended effective November 22, 1968, to add a new paragraph (f) to § 101-43.302 advising of the interest and responsibilities of the Smithsonian Institution in collecting historic items and works of art and requesting agencies having excess personal property with possible historic or artistic value to notify the nearest General Services Administration regional office for instructions concerning their disposition. This revision of Subpart 101-43.3 should preclude the loss to the Government of valuable historic or artistic items of personal property. However, the Government still may lose such historic and artistic items through their disposition as a part of the realty. This amendment of Subpart 101-47.2 is intended to ensure that Federal agencies, including the Smithsonian Institution, are afforded the opportunity of obtaining a transfer of items separately from the real property through personal property procedures in appropriate instances.

New § 101-47.202-2(b)(7) requires the specific identification and description of such items on the Report of Excess Real Property, and revised § 101-47.203-6 gives disposal agencies discretion to designate, for disposal as personal property, certain fixtures and other items that are a part of a structure being demolished.

The table of contents for Part 101-47 is amended by the revision of the following entry:

Sec.
101-47.203-6 Designation as personal property.

Subpart 101-47.2—Utilization of Excess Real Property

1. Section 101-47.202-2(b) is amended by adding new subparagraph (7), as follows:

§ 101-47.202-2 Report forms.

* * * * *

(b) * * *

(7) The specific identification and description of fixtures and related personal property that have possible historic or artistic value.

* * * * *

2. Section 101-47.203-6 is revised to read as follows:

§ 101-47.203-6 Designation as personal property.

(a) Prefabricated movable structures such as Butler-type storage warehouses, quonset huts, and housetrailers (with or without undercarriages) reported to GSA with the land on which they are located may, in the discretion of GSA, be designated for disposition as personal property for off-site use.

(b) Related personal property may, in the discretion of the disposal agency, be designated for disposition as personal property. Consideration of such designation shall be given particularly to items having possible historic or artistic value to ensure that Federal agencies, including the Smithsonian Institution (see § 101-43.302), are afforded the opportunity of obtaining them through personal property channels for off-site use for preservation and display. Fixtures such as murals and fixed sculpture which have exceptional historical or artistic value may be designated for disposition by severance for off-site use. In making such designations, consideration shall be given to such factors as whether the severance can be accomplished without seriously affecting the value of the realty and whether a ready disposition can be made of the severed fixtures.

(c) When a structure is to be demolished, any fixtures or related personal property therein may, at the discretion of the disposal agency, be designated for disposition as personal property where a ready disposition can be made of these items through such action. As indicated in (b), above, particular consideration should be given to designating items of possible historical or artistic value as personal property in such instances.

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

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

Dated: May 16, 1969.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 69-6215; Filed, May 23, 1969; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-12; Amdt. 173-5]

PART 173—SHIPPERS

Shipment of Anhydrous Hydrazine; Correction

Docket No. HM-12 published April 12, 1969 (34 F.R. 6437) was shown as Amendment 173-1. The Amendment number is corrected to read, "173-5."

WILLIAM C. JENNINGS,
Chairman, Hazardous Materials Regulations Board.

[F.R. Doc. 69-6224; Filed, May 23, 1969; 8:48 a.m.]

[Docket No. HM-13; Amdt. 178-4]

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Welded Aluminum Cylinders

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to relax a restriction imposed on the manufacture of DOT Specification 4E welded aluminum cylinders.

On February 15, 1969, the Hazardous Materials Regulations Board issued a notice of proposed rule making, Docket No. 13; Notice No. 69-1 (34 F.R. 2257), requesting public comment on a proposal to amend the Hazardous Materials Regulations to eliminate the word "center" from the "center circumferential weld" requirement for DOT Specification 4E welded aluminum cylinders in § 178.68-2(a).

Two comments were received as a result of this notice. One commenter indicated that the reason for the center circumferential weld requirement was to provide for equalized stresses within the two non-stress-relieved shells and that material strength was obtained through work hardening of the shell rather than through heat treatment. A longer cup would require more working than the shorter cup resulting in a difference in the residual stress between them. The commenter recommended that the test requirements be revised to assure that tests be performed on areas of cylinders which have maximum residual stresses. Section 178.68-14 is amended accordingly to require a more stringent flattening test to be made on sections which

include the circumferential weld when such welds are not located midlength of a cylinder.

Another commenter pointed out that with the "center" requirement removed, without further limitation as to the location of a circumferential weld, there would be no prohibition against the joining of shells in the shoulder area of a cylinder. This commenter recommended a modification of the proposed change that would prohibit the location of a circumferential weld closer to the point of tangency of the cylindrical portion of the cylinder with the shoulder than 20 times the cylinder wall thickness. This restriction is considered necessary and reasonable and therefore is made a part of this amendment.

Interested persons were afforded an opportunity to participate in this rule making and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, 49 CFR Part 178 is amended, effective September 3, 1969. However, compliance with the regulations as amended herein is authorized immediately.

In §§ 178.68–2 and 178.68–14 paragraph (a) is amended to read as follows:

§ 178.68 Specification 4E; welded aluminum cylinders.

§ 178.68–2 Type, size and service pressure.

(a) *Type and size.* Must be constructed of not more than two seamless drawn shells with no more than one circumferential weld. The circumferential weld must not be closer to the point of tangency of the cylindrical portion with the shoulder than 20 times the cylinder wall thickness. Cylinders or shells closed in by spinning process and cylinders with longitudinal seams are not authorized. Authorized for not over 1,000 pounds water capacity (nominal).

* * * * *

§ 178.68–14 Flattening test.

(a) After hydrostatic testing, a flattening test is required on one section of a cylinder, taken at random out of each lot of 200 or less as follows:

(1) If the weld is not at midlength of the cylinder, the test section must be no less in width than 30 times the cylinder wall thickness. The weld must be in the center of the section. Weld reinforcement must be removed by machining or grinding so that the weld is flush with the exterior of the parent metal. There must be no evidence of cracking in the sample when it is flattened between flat plates to no more than 6 times the wall thickness.

(2) If the weld is at midlength of the cylinder, the test may be made as specified in subparagraph (1) of this paragraph or must be made between wedge shaped knife edges (60° angle) rounded to a ½-inch radius. There must be no evidence of cracking in the sample when it is flattened to no more than 6 times the wall thickness.

(Secs. 831–835, title 18, United States Code; sec. 9, Department of Transportation Act (49 U.S.C. 1657); title VI, sec. 902(h), Federal Aviation Act of 1958 (49 U.S.C. 1421–1430, 1472(h)).

Issued in Washington, D.C., on May 19, 1969.

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

F. C. TURNER,
Administrator,
Federal Highway Administration.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.

[F.R. Doc. 69–6223; Filed, May 23, 1969; 8:48 a.m.]

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1009, Amdt. 3]

PART 1033—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 15th day of May 1969.

Upon further consideration of Service Order No. 1009 (33 F.R. 15120, 17178, 18649), and good cause appearing therefor:

It is ordered, That:

Section 1033.1009 *Service Order No. 1009* (Railroad operating regulations for freight car movement) be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1009 Service Order No. 1009.

* * * * *

(e) *Expiration date.* This section shall expire at 11:59 p.m., December 31, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., May 31, 1969.

(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. 69–6220; Filed, May 23, 1969; 8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 69-SW-30]

AIRWORTHINESS DIRECTIVES

Cessna Models 170, 172, and 175 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to certain Cessna Model 170, 172, and 175 series airplanes modified in accordance with Supplemental Type Certificates by incorporating a Piper Muffler Assembly, P/N 10308-00, with the installation of a Lycoming engine. (Airworthiness Directive 68-5-1 applies to the same muffler assembly installed on Piper airplanes.) There have been reports of cracking of the muffler assemblies on some of the modified Cessna airplanes which could result in dangerous concentrations of carbon monoxide entering the cabin or engine compartment fires in flight. Since this condition is likely to exist or develop in other Cessna airplanes similarly modified, the proposed airworthiness directive would require inspection and repair, as necessary, of the muffler assembly involved.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received on or before June 30, 1969, will be considered by the Director, before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Tex.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

CESSNA. Applies to all Cessna Models 170, 172, and 175 series airplanes modified in accordance with Supplemental Type Certificates SA3-13, SA3-126, SA3-571, SA3-672, SA3-674, SA135CE, SA420CE, SA421 CE, or SA424CE, incorporating a Piper Muffler Assembly, P/N 10308-00, with the installation of a Lycoming engine.

Compliance required as indicated.

To detect cracks in the muffler assembly, accomplish the following:

(a) Inspect muffler assemblies with less than 950 hours' time in service on the effective date of this AD, in accordance with paragraph (c) below within the next 50 hours' time in service and thereafter at intervals not to exceed 100 hours' time in service from the last inspection until accumulation 950 hours' time in service, then comply with paragraph (b) below.

(b) Inspect muffler assemblies with more than 950 hours' time in service on the effective date of this AD, in accordance with paragraph (c) below within the next 50 hours' time in service and thereafter at intervals not to exceed 50 hours' time in service from the last inspection.

(c) Inspect the engine exhaust muffler and shroud assembly (including the internal baffle tube and tail pipe), carburetor heat shroud and air duct, support braces, clamps and brackets, exhaust stacks and manifolds. Remove muffler assembly, disconnect air ducts, stacks, and shrouds as necessary, and visually inspect exterior and interior surfaces with a probe light and mirror for signs of cracks, corrosion, burn-throughs, heat damage, collapsed stack, or weld separations. Special attention should be given to the exhaust stack under the carburetor heat shroud. Except for the initial inspection, the muffler assembly need not be removed from the airplane if the shroud is opened for inspection of external portions of the muffler and the internal portions are inspected through the muffler tail pipe outlet and one end of the muffler at the stack connection.

CAUTION: Do not alter these mufflers to remove the internal baffle tube without prior FAA approval.

(Piper Service Letter No. 324B describes the critical areas.)

(d) Replace or repair parts having any of the defects listed in paragraph (c) before further flight, and thereafter comply with the inspection requirements of paragraph (a) or (b), whichever is applicable. Make welding repairs and pressure test in accordance with Advisory Circular AC 43.13-1 or an FAA-approved equivalent. Care should be exercised when reinstalling the exhaust system components to prevent distortion or preloading of parts.

Issued in Fort Worth, Tex., on May 14, 1969.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 69-6205; Filed, May 23, 1969; 8:47 a.m.]

[14 CFR Part 39]

[Airworthiness Docket No. 69-WE-7-AD]

AIRWORTHINESS DIRECTIVES

Douglas Model DC-3, DC-3A, DC-3C, and DC-3D Series Aircraft

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to all Douglas Model DC-3, DC-3A, DC-3C, and DC-3D series aircraft. These model designations include the numerous military aircraft absorbed into the civil aircraft fleet. There have been failures in the wing center section skin in the area between Stations 94.250 and 127.750, left and right sides, and from the lower front spar cap aft to the lower center spar. Cracks or failures have also occurred in the wing stringers in the same area, in both angles forming its lower front spar cap, and in the strap which connects those two angles. If the cracks multiply or grow to critical length, catastrophic failure is possible. Since this condition is likely to exist or develop in other airplanes of the same design, the proposed airworthiness directive would require initial and repetitive inspection, reinforcement and/or repair of the affected area in accordance with the manufacturer's service bulletins and repair manual, or equivalent action approved by the Chief, Aircraft Engineering Division, FAA Western Region.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communication should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Western Region, Attention: Regional Counsel, Airworthiness Rules Docket, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 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)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new Airworthiness Directive:

DOUGLAS. Applies to all DC-3, DC-3A, DC-3C, and DC-3D Series Aircraft.
Compliance required as indicated.

To detect cracks or failures in the center section skin in the vicinity of Stations 94.250 and 127.750, left and right sides, in the wing stringers in the same area, in the angles forming the lower front spar cap, or in the spar cap connecting strap, accomplish the following:

(a) Within 250 hours time in service after the effective date of this AD, unless already accomplished within the last 250 hours time in service, and prior to further flight after each exposure to severe turbulence and after each hard landing, inspect the lower front spar cap and the lower center section skin and stringers back to the lower center spar cap in the vicinity of wing Station 94.250 and wing Station 127.750, left and right sides. After thoroughly cleaning the affected area, inspect all inaccessible portions of the lower front spar cap, the front spar web, the strap connecting the angles forming the lower front spar cap, and the lower wing skin and wing stringers in accordance with the X-ray inspection procedures instructions outlined in paragraph 2A of McDonnell Douglas DC-3 Service Bulletin No. 263, Revision No. 3, dated March 10, 1963, or later FAA-approved revisions, or an equivalent inspection approved by the Chief, Aircraft Engineering Division, FAA Western Region. Inspect visually and by dye penetrant methods all accessible portions of the lower wing skin, the lower front spar cap and the spar web between Stations 94.250 and 127.750. Repair or replace any elements found cracked in the skin, the lower front spar cap, the spar cap connecting strap, the spar web or stringers prior to further flight, as follows:

(1) On wings which have not previously been reinforced or repaired at Station 127.750 per McDonnell Douglas Service Bulletin No. 229, or by an equivalent repair or reinforcement at Station 94.250, repair cracks in the lower wing skin in accordance with Figure 2, Sheets 1 through 6, of McDonnell Douglas DC-3 Service Bulletin No. 263, or later FAA-approved revisions.

(2) On wings which have previously been reinforced or repaired at Station 127.750 per McDonnell Douglas Service Bulletin No. 229, or by an equivalent reinforcement or repair at Station 94.250, repair any crack which has progressed beyond the stop hole drilled per that Service Bulletin or equivalent reinforcement or repair or which has developed and grown to within the last three rows of rivets from the aft end of the doubler installed per that Service Bulletin or equivalent reinforcement or repair. Repair by removing the previously installed doubler and accomplishing the repair instructions described by Figure 2 of McDonnell Douglas Service Bulletin No. 263 or later FAA-approved revision.

(3) Repair or replace cracked stringers in accordance with the McDonnell Douglas DC-3 Structural Repair Manual.

(4) Repair cracked spar caps and spar webs in accordance with the Douglas DC-3 Structural Repair Manual.

(5) Replace cracked spar cap connecting straps.

(6) Repair or replace cracked elements in another manner approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(b) At intervals not to exceed 900 hours time in service after the last inspection, reinspect per (a), above, all wings on which the wing skin at both Stations 94.250 and 127.750 has not been repaired per (a)(1) or has not been reinforced either in accordance with McDonnell Douglas Service Bulletin No. 263 or a combination of Service Bulletin No. 263 and McDonnell Douglas Service Bulletin No. 229 or equivalent. Any crack detected in the wing skin and any new, unrepaired crack found in any element of the lower front spar cap, spar cap connecting strap, spar web or stringer must be repaired or replaced per (a), above, prior to further flight.

(c) Within the next 2,000 hours time in service after the first inspection per (a), above, and at intervals thereafter not to exceed 2,000 hours time in service, reinspect per (a), above, all wings on which the wing skin at both Stations 94.250 and 127.750 was repaired per (a)(1), which has been otherwise reinforced in accordance with Service Bulletin No. 263 or later FAA-approved revision, or which has been otherwise reinforced at Station 127.750 in accordance with McDonnell Douglas Service Bulletin No. 229 and reinforced at Station 94.250 in a manner equivalent to Service Bulletin No. 229 or in accordance with Service Bulletin No. 263 or later FAA-approved revision. Any previously unrepaired cracks detected by these reinspections of spar caps, spar web, spar cap connecting strap or stringers must be repaired or the elements replaced per (a) (3), (4), (5) or (6), above, prior to further flight. Any new crack detected in the wing skin or any crack progression beyond a stop drill hole at a station repaired or reinforced per Service Bulletin 229 or equivalent must be repaired per Service Bulletin No. 263. Any new crack detected in the wing skin or any crack progression beyond a stop drill hole at a station repaired or reinforced per Service Bulletin No. 263, must be repaired prior to further flight in a manner approved by the Chief, Aircraft Engineering Division, FAA Western Region.

(d) An airplane which has been subjected to severe turbulence or to a hard landing may be flown in accordance with FAR 21.197 to a base where X-ray inspection per (a) and repair if necessary, can be performed: *Provided*, That a close visual inspection per (a) shows no evidence of cracking or failure in the front spar elements or other areas that can be inspected visually. An airplane inspected in this manner or by X-ray per (a) and is found to have one or more failed elements, may be flown in accordance with FAR 21.197(a)(1) to a base where repair can be performed, subject to the concurrence of the Chief, Aircraft Engineering Division, FAA Western Region.

Issued in Los Angeles, Calif., on May 15, 1969.

ARVIN O. BASNIGHT,
Director, Western Region.

[F.R. Doc. 69-6206; Filed, May 23, 1969; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Dept. Order 150-70]

COMMISSIONER OF INTERNAL REVENUE

Delegation of Authority To Perform Functions Under Interest Equalization Tax Act

MARCH 20, 1969.

The purpose of this order is to formalize the authority of the Commissioner of Internal Revenue with respect to the administration of the interest equalization tax.

The authority conferred upon the Secretary of the Treasury in the Interest Equalization Tax Act (Public Law 88-563), approved September 2, 1964 (and any extension or amendment thereof), relating to the interest equalization tax, other than the final approval of proposed regulations, is hereby delegated to the Commissioner of Internal Revenue, with the right to redelegate such authority to any officer or employee of the Internal Revenue Service.

To the extent that any action heretofore taken by the Commissioner of Internal Revenue or his delegate consistent with the delegation set forth in the preceding paragraph may require ratification, such action is hereby affirmed and ratified.

Dated: March 20, 1969.

DAVID M. KENNEDY,
Secretary of the Treasury.

[F.R. Doc. 69-6219; Filed, May 23, 1969; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 059360]

MONTANA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

MAY 19, 1969.

Notice of an application, Serial No. M 059360, for withdrawal and reservation of lands was published in F.R. Doc. 63-706 on pages 7569-7570 of the issue for July 25, 1963. The applicant agency has canceled its application. Therefore, the proposed withdrawal is hereby terminated. By Act of Congress, Public Law 89-664, October 15, 1966, most of the lands included in the proposed withdrawal were made part of the Big Horn Canyon National Recreation Area and are not subject to disposal under the public land laws.

The following described lands which were included in the proposed withdrawal are located outside the Big Horn Canyon National Recreation Area:

CARBON COUNTY

PRINCIPAL MERIDIAN, MONTANA

T. 9 S., R. 28 E.,
Sec. 4, W½E½, SE¼SE¼ lying west of the Big Horn National Recreation Area.
Sec. 9, E½E½ lying west of the Big Horn National Recreation Area.
Sec. 10, SW¼SW¼ lying west of the Big Horn National Recreation Area.
Sec. 15, W½NW¼, SW¼NW¼, and E½SW¼ lying west of the Big Horn National Recreation Area.
Sec. 22, E½NW¼ lying west of the Big Horn National Recreation Area.

The area described contains approximately 280 acres.

The above-described lands will not become subject to appropriation under the public land laws until an opening order has been issued by the authorized officer.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 69-6209; Filed, May 23, 1969; 8:47 a.m.]

National Park Service

[Order 6, Amdt. 1]

PARK SUPERINTENDENTS ET AL., NORTHEAST REGION

Delegation of Authority

This amendment adds "finance" to certain sentences in Order No. 6, published in the FEDERAL REGISTER of April 30, 1969, at 7090. The sentences are as indicated below.

The last sentence of section 5 shall read:

SEC. 5. This authority may be exercised by the Regional Chief, Division of Property Management and General Services in behalf of any area or office for which the Northeast Regional Office serves as the field finance office.

The last sentence of section 6 shall read:

SEC. 6. This authority may be exercised by the Supervisory General Supply Specialist in behalf of any area or office for which the Northeast Regional Office serves as the field finance office.

The last sentence of section 7 shall read:

SEC. 7. This authority may be exercised by the Procurement Agent in behalf of any area or office for which the Northeast Regional Office serves as the field finance office.

(National Park Service Order No. 34 (31 F.R. 4255), as amended; 39 Stat. 535; 16 U.S.C. sec. 2)

Dated: May 14, 1969.

LEMUEL A. GARRISON,
Regional Director, Northeast Region.

[F.R. Doc. 69-6192; Filed, May 23, 1969; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 2]

SALES OF CERTAIN COMMODITIES

May Sales List

Item 4 of the Notice to Buyer section of the CCC Monthly Sales List for May (34 F.R. 7291) is amended to read as follows:

The following commodities are currently available for new and existing barter contracts: Oats, cotton (upland and extra long staple), and tobacco. In addition, private stocks of corn, grain sorghum, barley (other than malting barley), oats, wheat and wheat flour, and milled and brown rice, under Announcement PS-1, as amended; tobacco under Announcement PS-3; cottonseed oil and soybean oil under Announcement PS-2; upland and extra long staple cotton under Announcement PS-4; and inedible tallow and grease under Announcement PS-5; are eligible for programing in connection with barter contracts covering procurement for Federal agencies that will reimburse CCC. (However, Hard Red Winter 13 percent protein or higher, Hard Red Spring 14 percent protein or higher, Durum wheats, and flour produced from these wheats may not be exported under barter through west coast ports.) Further information on private-stock commodities may be obtained from the Office of the Assistant Sales Manager, Barter, Export Marketing Service, USDA, Washington, D.C. 20250.

Signed at Washington, D.C., on May 19, 1969.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 69-6226; Filed, May 23, 1969; 8:48 a.m.]

Forest Service

UTAH

Notice of Closure of Wasatch National Forest Lands in Red Butte Canyon to Public Use Except as May Be Authorized

Pursuant to the Secretary of Agriculture's Regulation T-9(1), 36 CFR 261.-11(i), *Occupancy trespass*, it is hereby ordered that the Red Butte Canyon area as described below be closed to all publice use and entry, effective May 1, 1969, except as authorized by the Forest Supervisor or his designee.

All of the National Forest lands within the Red Butte Canyon drainage consisting of 4,750 acres and more particularly described as follows:

Starting at the southwest corner of the northwest quarter of the southwest quarter of sec. 2, T. 1 S., R. 1 E., Salt Lake Meridian; thence northeasterly up the ridge south of George's Hollow and along the main ridge between Red Butte Canyon and Emigration Canyon; thence continuing northerly on the main ridge around the head of Red Butte Canyon; thence following the ridge west along the crest of Black Mountain; thence following southerly and westerly along the main ridge to the north of Red Butte Canyon to the Forest boundary; thence east one-half mile and south one-fourth mile and east one-fourth mile and south one-half mile along the forest boundary to the point of beginning.

Closure is to assure protection of ecological and botanical values and to promote scientific investigations of these natural phenomena.

A. W. GREELEY,
Associate Chief, Forest Service.

[F.R. Doc. 69-6227; Filed, May 23, 1969; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

COMMUNITY TRUST OF SANTA CLARA COUNTY, CALIF.

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00301-33-54500. Applicant: Community Trust of Santa Clara County, Medical Research & Equipment Trust Fund Committee, 1785 Alum Rock Avenue, San Jose, Calif. 95116. Article: Light coagulator, Model 5000. Manufacturer: Carl Zeiss Jena, West Germany. Intended use of article: The article will be used for the following reasons:

1. Surgery within the vitreous (or back portion of the eye).

2. Continuous viewing of the work described in (1).

3. Free both hands to perform intricate maneuvers.

4. Photograph selected sights and actions to illustrate to others what can be seen only by the surgeon.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a light coagulator which provides direct visual control of the photocoagulation process in the vitreous while freeing the surgeon's hands through the use of integrated stereoscopic optics and a xenon arc source. We are informed by the Department of Health, Education, and Welfare (HEW) in a memorandum dated April 3, 1969 that the foreign article's design which permits continuous viewing while freeing both of the surgeon's hands, a controlled xenon arc source and prefocused camera is unique. HEW advises there are no known domestic manufacturers of light coagulators covering the broad visible spectrum according to recognized ophthalmologists in the area of eye research.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6185; Filed, May 23, 1969; 8:45 a.m.]

HARVARD UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00297-33-46500. Applicant: Harvard University, 75 Mount Auburn Street, Cambridge, Mass. 02138. Article: Ultramicrotome, Model Reichert "OmU2". Manufacturer: C. Reichert Optische Werke A. G., Austria. Intended use of article: The article will be used in connection with the following investigations:

a. An examination of differentiating tracheary elements in lignified secondary cell walls of Coleus blumei Benth;

b. A survey of selected ciliated protozoans to obtain illustrations for an atlas of ciliate fine-structure;

c. An examination of sexual morphogenesis of Schizophyllum commune, including information of clamp connections and migration of nuclei;

d. An investigation of the ultrastructural relationships of muscle fibers in the right ventricular muscle of canine hearts at different points in the length-tension curve.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a minimum thickness capability of at least 50 angstroms. The most closely comparable domestic instrument is the Model MT-2 ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 ultramicrotome provides a minimum thickness capability of 100 angstroms. The thinner the section, the greater is the possibility of utilizing the maximum resolving capabilities of the electron microscope for which the sections are being prepared. Therefore, the lower minimum thickness capability of the foreign article is a pertinent characteristic. (2) The applicant's research program requires long series of ultrathin sections which must be consistently uniform and accurate. We are advised by the Department of Health, Education, and Welfare, in its memorandum dated March 18, 1969, that "It has generally been conceded by expert microscopists that only thermal advance ultramicrotomes have performed satisfactorily where long series of ultrathin and uniform sections are required." The foreign article provides a thermal advance, whereas the Sorvall Model MT-2 provides a mechanical advance. For the foregoing reasons, we find that the Sorvall Model MT-2 ultramicrotome is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6186; Filed, May 23, 1969; 8:45 a.m.]

HAWAII TECHNICAL SCHOOL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00328-98-2600. Applicant: Hawaii Technical School, 1175 Manono Street, Hilo, Hawaii 96720. Article: Dr. Clemenz standard construction device for the theory of electricity, Model EG ZA/ZT B a, B b. Manufacturer: Dr. Clemenz, West Germany. Intended use of article: The article will be used in classes of electricity for teaching the basic theory of electricity. This device teaches the student to construct electrical articles. The advantage of this device is that it teaches electricity by actual practice by the student and gives a basic understanding of the theory underlying the experiments. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended to be used for demonstrating the construction and operation of AC and DC generators, three-phase asynchronous slip ring motors, three-phase squirrel cage motors and other three-phase applications of electrical phenomena. We are advised by the National Bureau of Standards (memorandum dated Mar. 21, 1969) that no instrument or apparatus is being manufactured in the United States, which is capable of simulating three-phase electrical applications.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6189; Filed, May 23, 1969; 8:45 a.m.]

PURDUE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00281-60-78010. Applicant: Purdue University, West Lafayette, Ind. 47907. Article: Spectrophotometer, Model MPS-50L. Manufacturer: Shimadzu Seisakusho Ltd., Japan. Intended use of article: The instrument will be used in conjunction with a research program in photosynthetic electron transport and energy conversion. In those experiments it is necessary to measure the absorption spectra of pigments in optically dense highly scattering preparation of whole cells of photosynthetic bacteria and algae, as well as chloroplasts and intact leaves. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a recording spectrophotometer with the capability of absorption measurements of optically dense pigments composed of whole cells of photosynthetic bacteria and algae. We are informed by the Department of Health, Education and Welfare (memorandum dated Mar. 12, 1969), as well as by the National Bureau of Standards (memorandum dated Mar. 18, 1969) that the ability of the foreign instrument to accept placement of the sample to within one centimeter of the detector is a pertinent characteristic of the foreign instrument and they further advise there is no known domestic instrument which is capable of fulfilling the purpose for which the foreign article is intended.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6187; Filed, May 23, 1969; 8:45 a.m.]

SCHOOL DISTRICT NO. 1, MULTNOMAH COUNTY, OREG.

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00311-98-26000. Applicant: School District No. 1, Multnomah County, 546 Northeast 12th Avenue, Portland, Oreg. 97208. Article: Dr. Clemenz standard construction device for the theory of electricity, Model EG ZA/ZT. Manufacturer: Dr. Clemenz, West Germany. Intended use of article: The article will be used in classes of electricity for teaching the basic theory of electricity. This device teaches the student to construct electrical articles as indicated in the brochure. The advantages of this device are that it teaches electricity by actual practice by the student and gives a basic understanding of the theory underlying the experiments. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended to be used for demonstrating the construction and operation of AC and DC generators, three-phase asynchronus slip ring motors, three-base squirrel cage motors and other three-phase applications of electrical phenomena. We are advised by the National Bureau of Standards (memorandum dated Mar. 21, 1969) that no instrument or apparatus is being manufactured in the United States, which is capable of simulating three-phase electrical applications.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6188; Filed, May 23, 1969; 8:45 a.m.]

STANFORD UNIVERSITY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

A copy of each comment filed with the Director of the Scientific Instrument Evaluation Division must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 69-00578-00-10100. Applicant: Stanford University, 820 Quarry Road, Palo Alto, Calif. 94304. Article:

Temperature-jump apparatus accessories. Manufacturer: Messanlagen Studiengesellschaft G.m.b.H., West Germany. Intended use of article: The article will be used to update a temperature-jump apparatus which is used to study the kinetics of fast reactions in solution. Application received by Commissioner of Customs: May 6, 1969.

Docket No. 69-00679-00-10100. Applicant: Stanford University, 820 Quarry Road, Palo Alto, Calif. 94304. Article: Temperature-jump apparatus accessories. Manufacturer: Messanlagen Studiengesellschaft G.m.b.H., West Germany. Intended use of article: The article will be used to update a temperature-jump apparatus which is used to study the kinetics of fast reactions in solution. Application received by Commissioner of Customs: May 6, 1969.

Docket No. 69-00580-00-10100. Applicant: Stanford University, 820 Quarry Road, Palo Alto, Calif. 94304. Article: Temperature-jump apparatus accessories. Manufacturer: Messanlagen Studiengesellschaft G.m.b.H., West Germany. Intended use of article: The article will be used to update a temperature-jump apparatus used to study the kinetics of fast reactions in solution. Application received by Commissioner of Customs: May 6, 1969.

Docket No. 69-00582-00-46040. Applicant: University of Missouri, Rolla, General Services Building, Purchasing Department, Rolla, Mo. 65401. Article: Wide angle tilting device, Model HK-3A. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used as an attachment to an existing electron microscope, Model HU-11A, to study defects in high purity aluminum specimens. Application received by Commissioner of Customs: May 6, 1969.

Docket No. 69-00583-46040. Applicant: Purdue University, Department of Biological Sciences, Lafayette, Ind. 47907. Article: Electron microscopes, Model EM 300 (2 each). Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The articles will be used to educate 700 undergraduate majors, 280 graduate students, and about 24 post-doctorates per year. The main purposes are as follows: (1) To educate teachers for secondary schools, (2) to educate technicians for academic, industrial, governmental, and technical laboratories, (3) to educate scientists at the Ph. D. level for independent positions in universities, industry, and Government and (4) to educate preprofessional (pre-vet, pre-med, pre-dent, and lab technicians) students.

The department is strong in the areas of molecular biology, cell biology, including microbiology, developmental biology, neurobiology and other areas. Application received by Commissioner of Customs: May 6, 1969.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6190; Filed, May 23, 1969; 8:45 a.m.]

UNIVERSITY OF TEXAS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00268-33-46500. Applicant: The University of Texas, M. D. Anderson Hospital and Tumor Institute, 6723 Bertner Avenue, Houston, Tex. 77025. Article: Ultramicrotome, Model LKB 8800 Ultrotome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used in connection with studies of synovial fibroblasts grown in tissue culture, from both normal and rheumatoid patients. A study is currently under way defining the differences between the two groups of cells at the ultrastructural level. For this purpose, very thin sectioning is required for observation under the electron microscope. The fibroblasts must be carefully fixed and embedded so that the ultrathin sections needed must be prepared in long series and sectioned in equal thickness. This work requires changing the cutting thickness readily anywhere between 50 angstrom units to 2 microns. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is intended to produce sections to be used in experiments related to the study of synovial fibroblasts in tissue culture, to determine whether there are detectable differences between tissue taken from rheumatoid patients and tissue taken from those free of this ailment. For this purpose, the applicant requires the thinnest possible sections, consistent with accuracy and uniformity of consecutive sections cut from the same specimen block, because the thinner the section, the greater are the possibilities of utilizing the maximum available resolving capability of the electron microscope under which the specimens will be examined and, consequently, the largest possible amount of attainable information. The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable ultramicrotome being manufactured in the United States is the Ivan Sorvall, Inc. (Sorvall) Model MT-2 which has a guaranteed minimum thickness capability of 100 angstroms. For the purposes for which the foreign article is intended to be used, we find that the lower minimum thickness capability of the article is a pertinent characteristic. For this reason, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-6191; Filed, May 23, 1969; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Order Extending Completion Date

Consolidated Edison Company of New York, Inc., having filed a request dated April 22, 1969, for an extension of the latest completion date specified in Provisional Construction Permit No. CPPR-21 for construction of a 2,758 megawatt (thermal) pressurized water nuclear reactor, designated as the Indian Point Nuclear Generating Unit No. 2, at the applicant's site on the Hudson River in the village of Buchanan, Westchester County, N.Y., and good cause having been shown for extension of said date pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered, That the latest completion date is extended from June 1, 1969, to June 1, 1970.

For the Atomic Energy Commission.

Date of issuance: May 19, 1969.

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

[F.R. Doc. 69-6208; Filed, May 23, 1969; 8:47 a.m.]

PLUTONIUM AND URANIUM ENRICHED IN U^{233}

Charges

1. General: The U.S. Atomic Energy Commission (AEC) hereby announces revisions to the notice entitled "Plutonium and Uranium Enriched in U^{233}; Charges" as published in the FEDERAL REGISTER on May 29, 1963 (28 F.R. 5314), and as amended in 33 F.R. 11685 of August 16, 1968 and 33 F.R. 15353 of October 16, 1968.

2. Paragraph 6 of the notice is revised to read as follows: The standard chemical form of plutonium or of uranium enriched in U^{233} distributed by the AEC or for such material returned to the AEC under lease agreements is the nitrate. If

the AEC is requested and agrees to distribute plutonium or uranium enriched in U^{233} in any other chemical form, the AEC may make a charge for converting the nitrate to that other form. The total charge, including the use charge, for conversion of plutonium nitrate to metal is $1.50 per gram of plutonium metal distributed, plus a charge for loss of an amount of plutonium during conversion equal to 1 percent of the plutonium metal distributed multiplied by the base charge set forth in paragraph 3 or 5 above, as applicable. The total charge, including the use charge, for conversion of plutonium nitrate to the dioxide is $1.20 per gram of plutonium delivered, plus a charge for loss of an amount of plutonium during conversion equal to eight-tenths of 1 percent of the plutonium distributed as dioxide multiplied by the base charge set forth in paragraph 3 or 5 above, as applicable. The charges for supplying uranium enriched in U^{233} in the dioxide and metal form are being developed and, when available, will be supplied on request. In addition to the nitrate, acceptable forms for return to the AEC of leased plutonium or uranium enriched in U^{233} are the dioxide and the metal, but the credit for materials returned in these forms shall be the same as for the nitrate.

3. Paragraph 7 of the notice is revised to read as follows: The specifications for plutonium and uranium enriched in U^{233} distributed by the AEC and for material returned to the AEC under lease agreements are given below. These specifications shall apply to the contents of individual shipping containers.

(a) For plutonium nitrate:

(1) The plutonium shall be in an aqueous nitrate solution containing between 50 and 250 grams of plutonium per liter and having a free nitric acid concentration between 2 and 10 molar.

(2) Total impurities of uranium and other metals (excluding plutonium isotopes) shall not exceed 5,000 parts per million parts of plutonium. Total impurity content shall not exceed the "equivalent boron content" (EBC) of 10 parts per million parts of plutonium.

(3) The insoluble residue remaining after filtering the solution through a 100-micron filter and leaching the solids in 50 percent nitric acid at 25° C. for 1 hour shall not exceed 5,000 parts per million parts of plutonium.

(4) No visible organic phase shall be present.

(5) Chloride and sulfate content shall be minimized consistent with the use of technical grade chemicals. However, total halide content shall not exceed 150 parts per million parts of plutonium and sulfate content shall not exceed 1,000 parts per million parts of plutonium.

(6) The microcuries of gamma emitting fission products whose parent isotopes have half lives of 30 days or greater shall be limited to a maximum of 40 microcuries per gram of plutonium. The contribution of zirconium-niobium-95 shall not exceed 5 microcuries per gram of plutonium.

(b) For plutonium dioxide:

(1) The plutonium shall pass the following reactivity test: A sample of weight 2–5 grams when hydrofluorinated for 2 hours at 450° C. with hydrogen fluoride and a trace of oxygen will convert to greater than 90 percent plutonium tetrafluoride.

(2) The total plutonium content shall be not less than 85 percent by weight.

(3) Metallic impurities shall not exceed 5,000 parts per million parts of plutonium. Total impurity content shall not exceed the "equivalent boron content" (EBC) of 5 parts per million parts of plutonium.

(4) The microcuries of gamma emitting fission products whose parent isotopes have half lives of 30 days or greater shall be limited to a maximum of 8 microcuries per gram of plutonium, of which not more than 2.5 microcuries per gram of plutonium shall be contributed by zirconium-niobium-95.

(c) For plutonium metal:

(1) The plutonium shall be in the form of solid metal buttons, free of slag, reductant, and mold fragments. The buttons shall weigh 2,000 grams plus or minus 200 grams.

(2) The total plutonium content shall be not less than 99.5 percent by weight. The total impurity content shall not exceed the "equivalent boron content" (EBC) of 5 parts per million parts of plutonium.

(3) In any button, the microcuries of gamma emitting fission products whose parent isotopes have half lives of 30 days or greater shall be limited to a maximum of 8 microcuries per gram of plutonium, of which not more than 2.5 microcuries per gram of plutonium shall be contributed by zirconium-niobium-95.

(d) For uranyl nitrate containing uranium enriched in U233:

(1) The uranyl nitrate shall be contained in an aqueous nitrate solution containing between 175 and 225 grams of uranium per liter and having a free nitric acid concentration between 1 and 3 molar.

(2) Nitrate ion shall constitute not less than 98 percent by weight of the total anions in the solution. Chloride and sulfate content shall be minimized consistent with the use of technical grade chemicals.

(3) Total metallic impurities (excluding uranium isotopes) shall not exceed 5,000 parts per million parts of total uranium.

(4) The carbon content shall not exceed 200 parts and the phosphorous content shall not exceed 250 parts, respectively, per million parts of total uranium.

(5) Gamma plus beta activity from fission products shall not exceed 10 microcuries per gram of total uranium. Specifications for uranium metal and dioxide containing U233 will be supplied on request.

4. Paragraph 9 of the notice is revised to read as follows: Any correspondence involving this notice, except as stated at the end of paragraph 5 above, should be addressed as follows:

URANIUM ENRICHED IN U^{233}

AEC Materials Leasing Officer, Oak Ridge Operations Office, U.S. Atomic Energy Commission, Post Office Box E, Oak Ridge, Tenn. 37830.

PLUTONIUM

AEC Materials Leasing Officer, Richland Operations Office, U.S. Atomic Energy Commission, Post Office Box 550, Richland, Wash. 99352.

Effective date. This notice will become effective 180 days after publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 20th day of May 1969.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 69-6183; Filed, May 23, 1969; 8:45 a.m.]

PLUTONIUM AND URANIUM ENRICHED IN U^{233}

Guaranteed Purchase Prices

1. General: The U.S. Atomic Energy Commission (AEC) hereby announces revisions to the notice entitled "Plutonium and Uranium Enriched in U^{233}; Guaranteed Purchase Prices" as published in the FEDERAL REGISTER on March 25, 1965 (30 F.R. 3886) and as amended in 32 F.R. 18119 of December 18, 1967.

2. Paragraph 7 of the notice is revised to read as follows: The specifications for plutonium and uranium enriched in U^{233} for which the above guaranteed purchase prices are applicable are given below. These specifications shall apply to the contents of individual shipping containers. Plutonium and uranium enriched in U^{233} shall be in aqueous nitrate solution or in dioxide or as metal or in such additional forms as AEC may specify from time to time. The AEC may accept material not meeting the applicable specifications and may, in such case, make a charge for the processing of such material to bring it into conformance with specifications or to cover additional costs associated with using material not meeting such specifications.

(a) For plutonium nitrate:

(1) The plutonium shall be in an aqueous nitrate solution containing between 50 and 250 grams of plutonium per liter and having a free nitric acid concentration between 2 and 10 molar.

(2) Total impurities of uranium and other metals (excluding plutonium isotopes) shall not exceed 5,000 parts per million parts of plutonium. Total impurity content shall not exceed the "equivalent boron content" (EBC) of 10 parts per million parts of plutonium.

(3) The insoluble residue remaining after filtering the solution through a 100-micron filter and leaching the solids in 50 percent nitric acid at 25° C. for 1 hour shall not exceed 5,000 parts per million parts of plutonium.

(4) No visible organic phase shall be present.

(5) Chloride and sulfate content shall be minimized consistent with the use of technical grade chemicals. However, total halide content shall not exceed 150 parts per million parts of plutonium and sulfate content shall not exceed 1,000 parts per million parts of plutonium.

(6) The microcuries of gamma emitting fission products whose parent isotopes have half lives of 30 days or greater shall be limited to a maximum of 40 microcuries per gram of plutonium. The contribution of zirconium-niobium-95 shall not exceed 5 microcuries per gram of plutonium.

(b) For plutonium dioxide:

(1) The plutonium shall pass the following reactivity test: A sample of weight 2–5 grams when hydrofluorinated for 2 hours at 450° C. with hydrogen fluoride and a trace of oxygen will convert to greater than 90 percent plutonium tetrafluoride.

(2) The total plutonium content shall be not less than 85 percent by weight.

(3) Metallic impurities shall not exceed 5,000 parts per million parts of plutonium. Total impurity content shall not exceed the "equivalent boron content" (EBC) of 5 parts per million parts of plutonium.

(4) The microcuries of gamma emitting fission products whose parent isotopes have half lives of 30 days or greater shall be limited to a maximum of 8 microcuries per gram of plutonium, of which not more than 2.5 microcuries per gram of plutonium shall be contributed by zirconium-niobium-95.

(c) For plutonium metal:

(1) The plutonium shall be in the form of solid metal buttons, free of slag, reductant, and mold fragments. The buttons shall weigh 2,000 grams plus or minus 200 grams.

(2) The total plutonium content shall be not less than 99.5 percent by weight. The total impurity content shall not exceed the "equivalent boron content" (EBC) of 5 parts per million parts of plutonium.

(3) In any button, the microcuries of gamma emitting fission products whose parent isotopes have half lives of 30 days or greater shall be limited to a maximum of 8 microcuries per gram of plutonium, of which not more than 2.5 microcuries per gram of plutonium shall be contributed by zirconium-niobium-95.

(d) For uranyl nitrate containing uranium enriched in U^{233}:

(1) The uranyl nitrate shall be contained in an aqueous nitrate solution containing between 175 and 225 grams of uranium per liter and having a free nitric acid concentration between 1 and 3 molar.

(2) Nitrate ion shall constitute not less than 98 percent by weight of the total anions in the solution. Chloride and sulfate contents shall be minimized consistent with the use of technical grade chemicals.

(3) Total metallic impurities (excluding uranium isotopes) shall not exceed 5,000 parts per million parts of total uranium.

(4) The carbon content shall not exceed 200 parts and the phosphorus content shall not exceed 250 parts, respectively, per million parts of total uranium.

(5) Gamma plus beta activity from fission products shall not exceed 10 microcuries per gram of total uranium.

Specifications for uranium metal and dioxide containing U^{233} will be supplied on request.

Effective date. This notice is effective 180 days after publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 20th day of May 1969.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 69-6184; Filed, May 23, 1969; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18650; Order 69-5-80]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority on May 19, 1969.

By Order 69-5-37, dated May 9, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. The Board, in deferring action on the agreement, granted 10 days in which interested persons may file petitions in support of or in opposition to the Board's proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-5-37 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 20806, R-16 through R-20, be, and it hereby is, approved; *Provided,* That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL McCART,
Acting Secretary.

[F.R. Doc. 69-6231; Filed, May 23, 1969; 8:49 a.m.]

[Docket No. 18650; Order 69-5-90]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Cargo Matters

Issued under delegated authority on May 20, 1969.

By Order 69-5-13, dated May 5, 1969, action was deferred, with a view toward eventual approval (subject to condition) on certain resolutions adopted by the International Air Transport Association (IATA) as a result of the first meeting of the Cargo Traffic Procedures Committee. The resolutions included amendments intended to clarify charges made for the preparation of air waybills; to clarify the conditions of contract printed on air waybill forms; and to provide for the assessment of a charge, the amount of which was to be determined at the Athens Conference, for the amendment of an air waybill after dispatch of a consignment.

In deferring action on the agreement, 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action. No petitions have been received within the filing period, and the tentative conclusions in Order 69-5-13 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 20884, R-1, R-3, and R-4, be, and it hereby is, approved: *Provided,* That, insofar as air transportation as defined by the Act is concerned, approval shall be subject to the following condition:

Provided, That any agreements as to charges reached pursuant to any of the foregoing resolutions shall be filed with and approved by the Board prior to being placed into effect.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL McCART,
Acting Secretary.

[F.R. Doc. 69-6232; Filed, May 23, 1969; 8:49 a.m.]

[Docket No. 20950]

LUXAIR

Notice of Postponement of Prehearing Conference

By letter dated May 14, 1969, counsel for Luxair, Societe Anonyme Luxembourgeoise de Navigation Aerienne has asked that the prehearing conference scheduled in this proceeding for May 22, 1969, be postponed until a date late in June. The prehearing conference in this proceeding is hereby postponed to June 19, 1969, at 10 a.m., e.d.s.t., in Room 630, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., May 20, 1969.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 69-6228; Filed, May 23, 1969; 8:48 a.m.]

[Docket No. 16606, etc.]

REOPENED OZARK ROUTE REALIGNMENT INVESTIGATION SERVICE TO SEDALIA, MO.

Notice of Prehearing Conference

In order 69-2-97, the Board reopened the record in this case for further hearing to determine whether Sedalia, Mo.,

shall be deleted from Ozark's certificate for route 107. Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 10, 1969, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner E. Robert Seaver.

Information requests, motions, and proposed procedural dates should be filed with the Examiner and served on other parties on or before June 5, 1969.

Dated at Washington, D.C., May 20, 1969.

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

[F.R. Doc. 69-6229; Filed, May 23, 1969; 8:49 a.m.]

[Docket No. 20066]

TEXAS INTERNATIONAL AIRLINES, INC.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on July 8, 1969, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Hyman Goldberg.

Dated at Washington, D.C., May 21, 1969.

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

[F.R. Doc. 69-6230; Filed, May 23, 1969; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI69-754 etc.]

TEXACO INC. ET AL.

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

MAY 16, 1969.

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 July 2, 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.
RI69-754..	Texaco, Inc., Post Office Box 430, Bellaire, Tex. 77401, Attention: Mr. J. L. Sleeper, Jr.	131	9	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (South Deckers Prairie Field, Montgomery County, Tex.) (RR. District No. 3).	$50	4-30-69	[3] 5-31-69	10-31-69	[3] 15.6	[3] [4] 16.6	RI66-233.
	....do	132	8	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Chesterville Field, Colorado County, Tex.) (RR. District No. 3).	2,600	4-30-69	[3] 5-31-69	10-31-69	[3] [4] 15.6	[3] [4] [5] 16.6	RI66-333.
	....do	137	6	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Nelsonville Field, Austin County, Tex). (RR. District No. 3).	2,490	4-30-69	[3] 5-31-69	10-31-69	[3] [4] 15.6	[3] [4] [5] 16.6	RI66-333.
	....do	141	7	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Rock Island Field, Colorado County, Tex.) (RR. District No. 3).	500	4-30-69	[3] 5-31-69	10-31-69	[3] [4] 15.6	[3] [4] [5] 16.6	RI66-333.
	....do	257	14	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Chesterville Field, Colorado County, Tex.) (RR. District No. 3).	3,600	4-30-69	[3] 5-31-69	10-31-69	[3] [4] 15.6	[3] [4] [5] 16.6	RI66-333.
	....do	160	10	Texas Eastern Transmission Corp. (Del Grullo and East White Point Fields, Kleberg and San Patricio Counties, Tex.) (RR. District No. 4).	17,500	4-30-69	[3] 5-31-69	10-31-69	[3] 15.6	[3] [4] 16.6	RI64-229.
	....do	274	10	Texas Eastern Transmission Corp. (Chapman Ranch Field, Nueces County, Tex.) (RR. District No. 4).	20,000	4-30-69	[3] 5-31-69	10-31-69	[3] 15.6	[3] [4] 16.6	RI64-229.
	....do	235	4	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Nelsonville Field, Austin County, Tex.) (RR. District No. 3).	250	4-30-69	[7] 5-31-69	10-31-69	[3] [4] 16.0	[3] [4] [5] 16.5	
	....do	311	3	Natural Gas Pipeline Co. of America (Lundell Field, Duval County, Tex.) (RR. District No. 4).	7,000	4-30-69	[7] 5-31-69	10-31-69	[3] [4] 16.0	[3] [4] [5] 17.0	
RI69-755..	Texaco Inc. (Operator) et al.	170	10	Texas Eastern Transmission Corp. (Hidalgo Field, Hidalgo County, Tex.) (RR. District No. 4).	60,000	4-30-69	[3] 5-31-69	10-31-69	[3] 15.6	[3] [4] 16.6	RI64-230.
	....do	380	2	Lone Star Gas Co. (Danville Field, Rusk and Gregg Counties, Tex.) (RR. District No. 6).	18,000	4-30-69	[3] 5-31-69	10-31-69	15.0	[8] 17.0	
RI69-756..	Bright & Schiff (Operator) et al., 2355 Stemmons Bldg., Dallas, Tex. 75207.	4	2	South Texas Natural Gas Gathering Co. (Monte Christo Field, Hidalgo County, Tex.) (RR. District No. 4).	600	5-1-69	[6] 6-1-69	11-1-69	[3] 15.5	[3] [4] 16.5	RI64-675.

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-757..	Koch Industries, Inc. (Operator), Post Office Box 2256, Wichita, Kans. 67201.	14	2	Arkansas Louisiana Gas Co. (Pontotoc County, Okla.) (Oklahoma "Other" Area).	$675	4-28-69	[2] 5-29-69	10-29-69	15.0	[3] [4] 16.0	
RI69-758..	Union Texas Petroleum, a division of Allied Chemical Corp. et al. (Operator), Post Office Box 2120, Houston, Tex., 77001.	10	9	Lone Star Gas Co. (Sandusky Plant, Grayson County, Tex.) (RR. District No. 9).	51,000	4-30-69	[2] 7-1-69	12-1-69	14.5	[3] [4] 16.0	
RI69-759..	Sun Oil Co., 1608 Walnut St., Philadelphia, Pa. 19103.	235	2	Panhandle Eastern Pipe Line Co. (Tangiers Field, Woodward County, Okla.) (Panhandle Area).	1,912	4-30-69	[2] 5-31-69	10-31-69	[11] [12] 18.069	[4] [11] [12] 19.131	RI68-300.
	do	240	2	Lone Star Gas Co. (Fox-Graham Field, Stephens and Carter Counties, Okla.).	2,200	5-2-69	[2] 6-2-69	11-2-69	16.01	[3] [4] 17.01	RI68-303.
RI69-760..	J. M. Huber Corp., 2401 East Second Ave., Denver, Colo. 80206.	57	3	Panhandle Eastern Pipe Line Co. (Mocane Field, Beaver County, Okla.) (Panhandle Area).	2,068	[13] 4-18-69	[2] 5-19-69	10-19-69	17.0	[3] [4] 18.01	

[1] The stated effective date is the effective date requested by Respondent.
[2] Periodic rate increase.
[3] Pressure base is 14.65 p.s.i.a.
[4] Subject to a downward B.t.u. adjustment.
[5] Subject to 0.21931 cent deduction for dehydration.
[6] The stated effective date is the first day after expiration of the statutory notice.
[7] From settlement rate to contractually provided for periodic.
[8] Settlement rate as approved by Commission order issued Dec. 30, 1963, in Dockets nos. G-8969 et al.
[10] "Fractured" rate increase. Contractually due 17.595 cents (17 cents base rate plus 0.595 cent tax reimbursement).
[11] Includes 17 cents base rate, plus 0.015 cent tax reimbursement, plus 1.054 cents upward B.t.u. adjustment (1,062 B.t.u. gas) before increase and base rate of 18 cents, plus 0.015 cent tax reimbursement, plus 1.116 cents upward B.t.u. adjustment after increase.
[12] Base rate subject to upward and downward B.t.u. adjustment.
[13] Filing completed on Apr. 28, 1969, by correction letter dated Apr. 24, 1969.

Texaco Inc. (Texaco), requests that Supplement Nos. 4 and 3 to its FPC Gas Rate Schedule Nos. 235 and 311, respectively, be permitted to become effective as of April 30, 1969. 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 an earlier effective date for Texaco's aforementioned supplements and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 69-6127; Filed, May 23, 1969; 8:45 a.m.]

[Docket Nos. G-2730 etc.]

HILDA B. WEINERT ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

MAY 16, 1969.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 13, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56 of the Commission's General Policy and Interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed for filing protests or petitions to intervene, the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-2730 ..... E 4-1-69	Hilda B. Weinert and Jane W. Blumberg et al. (successor to H. H. Weinert Estate et al.).	Natural Gas Pipeline Co. of America, LaGloria Field, Jim Wells and Brooks Counties, Tex.	14.0	14.65
		Transcontinental Gas Pipe Line Corp., acreage in LaGloria and Brooks Counties, Tex.	13.0	14.65
G-4598 ..... E 1-3-69	do	United Gas Pipe Line Co., North Petrus Field, Bee et al., Counties, Tex.	[1] 14.0	14.65
G-10571 ..... E 5-5-69	Gulf Oil Corp. (successor to Sparta Oil Co. (Operator) et al.), Post Office Box 1589, Tulsa, Okla. 74102.	Union Texas Petroleum, a division of Allied Chemical Corp., Fannett Field, Jefferson County, Tex.	12.0	14.65
G-11934 ..... D 5-6-69	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., acreage in Colorado County, Tex.	(7)	.....
CI64-1311 ..... C 5-5-69	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	South Texas Natural Gas Gathering Co., McAllen Ranch Field, Hidalgo County, Tex.	17.0	14.65
CI66-304 ..... E 5-5-69	Consolidated Production Corp. (successor to GMC Oil & Gas Corp.), 510 Hightower Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., acreage in Dewey and Woodward Counties, Okla.	[2] 17.0	14.65
CI67-286 ..... C 5-2-69	Monsanto Co. (Operator) et al., 1300 Main St., Houston, Tex. 77002.	Arkansas Louisiana Gas Co., Arkoma Area Sequoyah County, Okla.	15.0	14.65
CI68-1202 ..... D 2-25-69 [4]	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001.	Texas Gas Transmission Corp., North Maurice Field, Lafayette Parish, La.	(5)	.....
CI69-262 ..... A 9-12-68	Humble Oil & Refining Co.,[6] Post Office Box 2180, Houston, Tex. 77001.	Northern Natural Gas Co., West Waha Field, Reeves County, Tex.	16.5	14.65
CI69-1015 ..... A 4-30-69	Victor P. Smith, Operator, 236 Bldg., Post Office Box 2434, Jackson, Miss. 39205.	United Gas Pipe Line Co., Jackson Field, Hinds County, Miss.	15.5	15.025
CI69-1018 (CI62-1184) ..... F 4-28-69	Tenneco Oil Co. (successor to Sinclair Oil Corp.[7]), Post Office Box 2511, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Kinta Field, Le Flore County, Okla.	[8] 16.0	14.65
CI69-1019 ..... A 5-1-69	Curt Weaver (Operator) et al., 934 National Bank of Commerce Bldg., New Orleans, La. 70112.	Florida Gas Transmission Co., Rogers Gully Field, Jefferson Davis Parish, La.	21.25	15.025
CI69-1020 ..... A 5-2-69	Central Equipment Rentals, Inc., Post Office Box 52031, O.C.S., Lafayette, La. 70501.	Michigan Wisconsin Pipe Line Co., North Cecelia Field, St. Martin Parish, La.	21.25	15.025
CI69-1021 ..... A 5-2-69	Mobil Oil Corp.	Arkansas Louisiana Gas Co., Kinta Field, Pittsburg County, Okla.	[9] 15.0	14.65
CI69-1022 ..... B 5-2-69	Sinclair Oil Corp.,[7] Post Office Box 521, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Northwest Morse Field, Hansford County, Tex.	Depleted	.....
CI69-1023 ..... B 5-2-69	Sinclair Oil Corp. (Operator) et al.[7]	Transwestern Pipeline Co., East Wilco Field, Hansford County, Tex.	Depleted	.....
CI69-1024 ..... A 5-1-69	Dansby & Waters, c/o Dewey Waters, agent, 913 North 6th Ave., Wauchula, Fla. 33873.	United Fuel Gas Co., acreage in Floyd County, Ky.	25.0	15.325
CI69-1025 ..... A 5-2-69	Blue Knob Gas Co., c/o Frank Shaver, agent, Heaters, W. Va. 26627.	United Fuel Gas Co., acreage in Clay County, W. Va.	[10] 20.0	15.325
CI69-1026 ..... A 5-5-69	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Michigan Wisconsin Pipe Line Co., Ship Shoal Block 206, Offshore Terrebonne and St. Mary Parishes, La.	21.25	15.025
CI69-1027 ..... A 5-5-69	Forest Oil Corp., 1300 National Bank of Commerce Bldg., San Antonio, Tex. 78205.	United Fuel Gas Co., Block 162 Field, Vermilion Area, Offshore Louisiana.	[11] 21.25	15.025
CI69-1029 ..... B 5-5-69	American Natural Gas Production Co., 1 Woodward Ave., Detroit, Mich. 48226.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., South Crowley Field, Acadia Parish, La.	(12)	.....
CI69-1030 ..... B 5-6-69	Sohio Petroleum Co., 970 First National Bldg., Oklahoma City, Okla. 73102.	Coastal States Gas Producing Co., Tiger Field, Duval County, Tex.	Uneconomical	.....
CI69-1031 ..... A 5-7-69	Cayman Corporation, Ltd., Post Office Box 2099, Palos Verdes Peninsula, Calif. 90274.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Moeane Field, Beaver County, Okla.	[2] 17.0	14.65
CI69-1032 ..... A 5-2-69	Excelsior Oil Corp., Hastings, Nebr. 68901.	Kansas-Nebraska Natural Gas Co., Inc., Buffalo Wallow Field, Hemphill County, Tex.	[3] [13] 19.0	14.65
CI69-1033 ..... A 5-6-69	Two Mile Drilling Co., 6648 Sheridan St., West Hamlin, W. Va. 25571.	United Fuel Gas Co., acreage in Lincoln County, W. Va.	18.0	15.325

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

[1] An increase in rate to 16 cents per Mcf has been suspended in Docket No. R169-473 but has not been made effective.
[2] Acreage released to E. J. Gracey et al.
[3] Subject to upward and downward B.t.u. adjustment.
[4] No permanent certificate issued; temporary authorization granted only.
[5] Leases terminated due to lack of production.
[6] By letter filed Mar. 21, 1969, Applicant agreed to accept certificate conditioned as Opinion No. 468, as modified by Opinion No. 468-A.
[7] Now Atlantic Richfield Co.
[8] Subject to deduction for compression and treating costs.
[9] Subject to deduction for compression, if buyer compresses gas.
[10] Includes 2-cent-per-Mcf transportation charge.
[11] Applicant proposes 21.25 cents per Mcf or area rate, whichever is higher.
[12] Well is no longer capable of producing gas and is now classified as an oil well.
[13] Applicant is willing to accept a permanent certificate conditioned to an initial price of 17 cents per Mcf at 14.65 p.s.i.a., subject to adjustment for B.t.u. content.

[F.R. Doc. 69-6128; Filed, May 23, 1969; 8:45 a.m.]

FEDERAL HOME LOAN BANK BOARD

TRANS-WORLD FINANCIAL CO.

Notice of Receipt of Application for Permission To Acquire Control of Loyalty Savings and Loan Association

MAY 21, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Trans-World Financial Co., Beverly Hills, Calif., for permission to acquire control of Loyalty Savings and Loan Association, Sacramento, Calif., under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)) and §584.4 of the Regulations for Savings and Loan Holding Companies (12 CFR 584.4). The proposed acquisition is to be effected by the exchange of at least 67 percent of the outstanding stock of Loyalty Savings and Loan Association for Trans-World Financial Co.'s stock. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20052, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary,
Federal Home Loan Bank Board.

[F.R. Doc. 69-6218; Filed, May 23, 1969; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 711]

ALASKA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of May, 1969, because of

the effects of certain disasters, damage resulted to residences and business property located in the city of Cordova, Alaska;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid city, suffered damage or destruction resulting from fires occurring on May 10, 1969.

OFFICE

Small Business Administration Regional Office, Suite 450, 632 Sixth Avenue, Anchorage, Alaska 99501.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1969.

Dated: May 15, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 69-6193; Filed, May 23, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

COMMERCIAL FINANCE CORPORATION OF NEW JERSEY

Order Suspending Trading

MAY 20, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Commercial Finance Corporation of New Jersey (a New Jersey corporation), being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 21, 1969, through May 30, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-6196; Filed, May 23, 1969; 8:46 a.m.]

[70-4752]

CONSOLIDATED NATURAL GAS CO. ET AL.

Notice of Proposed Acquisition of Notes and Capital Stock of Subsidiary Companies, Open Account Advances to Subsidiary Companies, Issue and Sale of Commercial Paper and Short-term Notes to Banks, and Extension of Maturity of Construction Bank Loan by Holding Company

MAY 20, 1969.

Notice is hereby given that Consolidated Natural Gas Co. ("Consolidated"), 30 Rockefeller Plaza, New York, N.Y. 10020, a registered holding company, and its subsidiary companies, Consolidated Gas Supply Corp. ("Gas Supply"), The East Ohio Gas Co. ("East Ohio"), The Peoples Natural Gas Co. ("Peoples"), The River Gas Co. ("River"), and West Ohio Gas Co. ("West Ohio"), have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Act and Rules 43, 45, and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are refered to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Consolidated proposes to make loans aggregating up to $50 million to the subsidiary companies set forth below, for the purpose of financing plant construction expenditures. The proposed loans will be initially made in the form of open account advances, payable on or before December 31, 1969, and will bear interest at the lowest prime rate available to Consolidated in the city of New York on the date of the first advance to the respective subsidiary company. Consolidated plans to issue and sell debentures during 1969, and, following such sale, the open account advances outstanding to subsidiary companies at that time will be converted into long-term notes of such subsidiary companies, and, thereafter, Consolidated's loans to subsidiary companies in 1969 for construction will be evidenced by long-term notes of such subsidiary companies. The subsidiary campanies purpose to issue to Consolidated, and Consolidated proposes to acquire, such long-term notes, which will bear interest at a rate substantially equal to the effective cost of money to Consolidated through the issuance and sale of its debentures in 1969, in principal amounts set forth below. The long-term notes will be repaid in equal installments during the years 1974 to 1993, with the remaining notes to mature in 1994.

Consolidated also proposes to issue and sell up to $55 million of short-term notes to 41 banks during 1969. Such notes will bear interest at the prime commercial rate in effect from time to time at The Chase Manhattan Bank, with changes in the interest rate becoming effective on the business day following the corresponding change in the prime rate at that bank. Prepayments may be made in whole or in part, from time to time, upon 5 days' notice, without penalty or premium. The notes will mature not more than 12 months from the date of the first borrowing. The proceeds will be used to finance the seasonal increase in gas storage inventories of subsidiary companies.

Consolidated proposes to make open account advances to its subsidiary companies aggregating up to $55 million for gas storage inventories, payable not more than 12 months from the first advance to each such subsidiary company. The advances to subsidiary companies will bear interest at the same rate as the related borrowings by Consolidated and will be made in amounts as set forth below. Consolidated further proposes to make open account advances of $15 million on similar terms to subsidiary companies for the purpose of supplying them with working capital. The principal amounts of the open account advances are also set forth below.

In addition, Consolidated proposes to extend for a period of 1 year (to Oct. 25, 1970) the maturity of its construction bank loan for $20 million authorized by order of the Commission on June 16, 1966 (Holding Company Act Release No. 15504), and previously extended on October 6, 1967 (Holding Company Act Release No. 15866). Such loan will bear interest at the prime commercial rate in effect from time to time at The Chase Manhattan Bank, with changes in the interest rate becoming effective on the business day following the corresponding change in the prime rate at that bank. Prepayments may be made, in whole or in part, from time to time, upon 5 days' notice, without penalty or premium. In connection with such loan, Consolidated proposes to extend for 1 year the October 25, 1969, maturity of the outstanding balance of open account construction advances made in 1966 pursuant to said order of the Commission to such subsidiary companies at the rate of interest to be paid by Consolidated with respect to the extension of the maturity of its related construction bank loan, as indicated in the table below.

Subsidiary company	Advances for construction purposes to be converted into long-term notes	Advances for seasonal increase in gas storage inventories	Advances for working capital requirements	Outstanding advances for construction purposes
Gas Supply	$34,800,000	$32,000,000	$9,500,000	$8,800,000
East Ohio	4,900,000	17,000,000	2,500,000	5,500,000
Peoples	8,500,000	6,000,000	2,500,000	5,500,000
West Ohio	1,500,000		500,000	
River	300,000			200,000
Total	50,000,000	55,000,000	15,000,000	20,000,000

Consolidated further proposes to acquire, and the subsidiary companies set forth below propose to issue and sell to Consolidated, capital stock up to the following amounts at the par value thereof:

Subsidiary company	Number of shares	Aggregate par value
Gas Supply	27,000 ($100 par)	$2,700,000
East Ohio	62,000 ($50 par)	3,100,000
Peoples	15,000 ($100 par)	1,500,000
Total		7,300,000

The proceeds derived from the proposed sale of stock will be used for construction purposes. Peoples proposes to increase its authorized capital stock from $51,635,000 to $56,635,000 so that after such increase its authorized capital stock will consist of 566,350 shares, par value $100. The subsidiary companies' plant expenditures for the year 1969 are estimated at $66,370,000 for Gas Supply, $26,505,000 for East Ohio, $14,030,000 for Peoples, $610,000 for River, and $1,350,000 for West Ohio.

Consolidated requests, for the period commencing on the granting of this application-declaration and ending May 15, 1970, that the exemption from section 6(a) of the Act afforded to it by section 6(b) thereof, relating to the issue and sale of short-term notes, be increased from 5 percent to 17 percent to permit Consolidated to have outstanding at any one time up to $85 million principal amount of short-term notes. This increase would permit Consolidated to have outstanding the commercial paper and/or bank notes described below plus $60 million of notes to banks previously authorized by the Commission (Holding Company Act Release No. 16090 (June 12, 1968)).

Consolidated proposes to issue and sell commercial paper, in the form of short-term promissory notes payable to bearer, in the aggregate face amount not to exceed $25 million outstanding at any one time to a dealer in commercial paper from time to time up to May 15, 1970. Such commercial paper will have varying maturities of not more than 270 days after the date of issue and will be issued and sold in varying denominations of not less than $50,000 and not more than $1 million directly to the dealer at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and like maturities sold to commercial paper dealers. Consolidated proposes to sell commercial paper only so long as the discount rate or the effective interest cost for such commercial paper does not exceed the equivalent cost of borrowings from commercial banks on the date of sale.

No commission or fee will be payable by Consolidated in connection with the issue and sale of such commercial paper notes. The dealer, as principal, will reoffer such notes at a discount not to exceed one-eighth of 1 percent per annum less than the prevailing discount rate to Consolidated. Such notes will be reoffered to not more than 100 identified and designated customers in a list (nonpublic) prepared in advance by the dealer. It is anticipated that the commercial paper will be held by customers to maturity; however, if any commercial paper is repurchased by the dealer, such paper will be reoffered to others in the group of 100 customers. The issue and sale of commercial paper is to provide up to $15 million for the making of working capital advances to subsidiary companies and up to $10 million for working capital requirements of Consolidated.

Consolidated proposes, to the extent that it becomes impracticable to issue such commercial paper, to borrow, repay, and reborrow from commercial banks, from time to time up to May 15, 1970, an aggregate principal amount not to exceed $15 million outstanding at any one time, at the prime commercial rate of interest in effect on the date of each borrowing, upon the promissory note or notes of Consolidated having a maturity date not more than 90 days from the date of each borrowing, and with the right of prepayment in whole or in part at any time or from time to time without prior notice and without premium. The amount of commercial paper notes and notes payable to commercial banks will not collectively exceed $25 million outstanding at any one time. The issue and sale of such bank notes is subject to further order of the Commission upon receipt of an amendment supplying the names of the lending banks.

Consolidated also requests exemption from the competitive bidding requirements of Rule 50 with respect to the commercial paper, stating that such commercial paper will have maturities of 9 months or less, that current rates for commercial paper for prime borrowers, such as Consolidated, are published daily in financial publications, and that it is not practical to invite competitive bids for commercial paper. In addition, Consolidated proposes that the Rule 24 certificate of notification regarding the issue and sale of the commercial paper be filed on a quarterly basis.

The application-declaration states that the Public Service Commission of West Virginia has jurisdiction over the proposed long-term and short-term borrowings of Gas Supply and that the Public Utilities Commission of Ohio has jurisdiction over the long-term borrowings proposed by East Ohio, River, and West Ohio. It is further stated that the Pennsylvania Public Utility Commission has jurisdiction over the long-term borrowings proposed by Peoples and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be incurred in connection with the proposed transactions are estimated to not exceed $5,750, including $5,000 for service company charges, at cost.

Notice is further given that any interested person may, not later than June 11, 1969, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, as amended, which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 69-6194; Filed, May 23, 1969; 8:46 a.m.]

FEDERAL OIL CO.

Order Suspending Trading

MAY 19, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Federal Oil Co., a Nevada corporation, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 20, 1969, through May 29, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-6198; Filed, May 23, 1969; 8:46 a.m.]

[812-2398]

GENERAL INTERNATIONAL CORP.

Order Postponing Hearing

MAY 20, 1969.

General International Corp. has made application to the Securities and Exchange Commission pursuant to section 3(b)(2) of the Investment Company Act

of 1940, for an order declaring that it has ceased to be an investment company within the meaning of the Act. By order of April 30, 1969 (Release IC-5668), the said application was scheduled for hearing on May 26, 1969. Upon request of company counsel, and without objection:

It is ordered, That the hearing is hereby postponed to June 11, 1969, at the same hour and place.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 69-6197; Filed, May 23, 1969; 8:46 a.m.]

[812-2481]

GRAY LINE CORP.

Notice of and Order for Hearing on Application for Order Declaring That Company Is Not Investment Company

MAY 20, 1969.

Notice is hereby given that Gray Line Corp. ("Applicant"), 111 West Washington Street, Chicago, Ill. 60602, a New York corporation, has filed an application pursuant to section 3(b)(2) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that it is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities, either directly or through majority-owned subsidiaries, or through controlled companies conducting similar types of businesses. The application, which appears to assume that under section 3(b)(2) of the Act the filing of the instant application has resulted in exempting Applicant for a period of 60 days from all provisions of the Act, also requests an order of the Commission extending the period of exemption until the Commission issues an order determining the status of Applicant pursuant to section 3(b)(2). All interested persons are referred to the application on file with the Commission for a statement of the representations set forth therein, which are summarized below.

The Applicant states that it has a "majority stock interest in the Gateway National Bank of Chicago (66.2 percent)" and that its " 'investment securities' (if any) are in Fifth Avenue Coach Lines, Inc., stock." Fifth Avenue Coach Lines, Inc., is registered as a closed-end, nondiversified management investment company under the Act.

The Applicant also states that its only income during the "last fiscal year came completely from dividends paid by Gateway National Bank of Chicago." It appears that Applicant contends that it is primarily engaged, directly or through majority-owned subsidiaries, in the business of a bank.

It appears to the Commission that it is appropriate in the public interest, and in the interest of investors that a hearing be held with respect to said application.

The Commission has been advised by the Division of Corporate Regulation that the Division is of the view that unless an application under section 3(b)(2) is filed in good faith, the 60 day exemption from all provisions of the Act provided by such section does not become operative.

It is ordered, Pursuant to section 40(a) of the Act, that a hearing on the aforesaid application under the applicable provision of the Act and the rules of the Commission thereunder be held on the 16th day of June 1969 at 10 a.m., in the offices of the Commission, 500 North Capitol Street NW., Washington, D.C. 20549. At such time the Hearing Room Clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding or proposing to intervene therein shall file with the Secretary of the Commission, his application as provided by Rule 9 of the Commission's rules of practice, on or before the date provided in said rule, setting forth any issues of law or fact which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application. A copy of such application shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address noted above, and proof of service (by affidavit, or in case of an attorney at law, by certificate) filed contemporaneously with the application.

It is further ordered, That any officer or officers of the Commission designated by it for that purpose shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Act, and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation having advised the Commission that it has made a preliminary examination of the application and that, on the basis thereof, the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether the Applicant is an investment company within the meaning of section 3(a)(3) of the Act.

(2) Whether Applicant is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities either directly or (A) through majority-owned subsidiaries or (B) through controlled companies conducting similar types of businesses.

(3) Whether Applicant, upon the filing of the instant application, became exempt for a period of 60 days from all provisions of the Act and, if so, whether the Commission should extend the period of exemption for an additional period or periods.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this notice and order by certified mail to the Applicant, and that notice to all persons shall be given by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission in respect of such notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

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

[F.R. Doc. 69-6195; Filed, May 23, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 837]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 21, 1969.

The following are notices of filing of applications for temporary authority under section 201a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30844 (Sub-No. 275 TA), filed May 15, 1969. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), from Terre Haute, Ind., to points in Missouri, Kansas, Nebraska, and Colorado, for 180 days. Supporting shipper: HCA Food Corp., 8323 Pulaski Highway, Baltimore, Md. 21237. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 76987 (Sub-No. 6 TA), filed May 15, 1969. Applicant: ORVILLE C. BADGER TRUCKING CO., INC., 15 Lexington Avenue, New Haven, Conn.

06513. Applicant's representative: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. 14202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum products, and building materials*, from the plant of National Gypsum Co. near Clarence Center, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, with *returned shipments* in return movement, for 150 days. Supporting shipper: National Gypsum Co., 325 Delaware Avenue, Buffalo, N.Y. 14202. Send protests to: District Supervisor David J. Kiernan, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 115311 (Sub-No. 100 TA), filed May 14, 1969. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Clyde W. Carver, Suite 527, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, accessories and material, equipment and supplies used in the installation thereof*, from Marrero, La., to points in Georgia, Alabama, Mississippi, Arkansas, Tennessee, Kentucky, South Carolina, North Carolina, Virginia, West Virginia, Missouri, Illinois, Indiana, Ohio, Pennsylvania, Maryland, District of Columbia and Delaware, for 30 days. Supporting shipper: The Celotex Corp., 1500 North Dale Mabry, Tampa, Fla. 33607. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 118159 (Sub-No. 67 TA), filed May 14, 1969. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in *descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lubbock, Tex., to points in Oklahoma, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, and Tennessee, for 180 days. Supporting shipper: Kain Cattle Co., Box 285, Lubbock, Tex. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 121158 (Sub-No. 2 TA), filed April 24, 1969. Applicant: WAGNER FREIGHT LINES, INC., 200 East 28th Street, Chattanooga, Tenn. 37410. Applicant's representative: Walter Harwood, Suite 1822 Parkway Towers, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *General commodities* (except household goods, commodities in bulk, and articles requiring special equipment), between the plantsite of the United States Stove Co. at Bridgeport, Ala., and South Pittsburg, Tenn., said authority to be tacked with applicant's present authority at South Pittsburg, Tenn. (also sought to be converted in this application) for movement to and from Chattanooga, Tenn., and for interchange with other carriers at that point; (2) *General commodities*, between Chattanooga and Palmer, Coalmont, and Tracy City, Tenn., as follows: From Chattanooga over Tennessee Highway 27 to its junction with Tennessee Highway 108 near Whitwell, Tenn., thence over Tennessee Highway 108 to its junction with Tennessee Highway 56, thence over Tennessee Highway 56 to Tracy City, Tenn., serving all intermediate points, and return over same route; also from Tracy City, Tenn., over Tennessee Highway 56 to its junction with U.S. Highway 41 to Chattanooga and return over same route, with closed doors between Monteagle and Chattanooga;

(3) *General commodities*, between Chattanooga and Pikeville, Tenn., as follows: From Chattanooga over Tennessee Highway 27 to its junction with Tennessee Highway 28, thence over Tennessee Highway 28 to Pikeville, and return over same route, serving all intermediate points; (4) *General commodities*, between Chattanooga and Richard City, Tenn., over Tennessee Highway 27, serving all intermediate points; (5) *General commodities* (except liquid commodities in bulk, in tank vehicles, dry cement in bulk, and fertilizer in bulk), over the following routes: a. Between Chattanooga and Sewanee, Tenn., over U.S. Highway 64 serving all intermediate points; b. Between Chattanooga and Jasper, Tenn., over Tennessee Highway 27, serving all intermediate points; c. Between Pikeville and Jasper, Tenn., over Tennessee Highway 28, serving all intermediate points; d. Between Whitwell, Tenn., and Junction of Tennessee Highways 8 and 28, from Whitwell over Tennessee Highway 108 to its junction with Tennessee Highway 27, thence over Tennessee Highway 27 to its junction with Tennessee Highway 28, thence over Tennessee Highway 28 to its junction with Tennessee Highway 8, and return over same route, serving all intermediate points, and operating over unnumbered Highway known as Whitwell-Dunlap Road about 1 mile south of Dunlap, Tenn., serving all intermediate points on said road; e. Between Junction Tennessee Highways Nos. 8 and 27 at or near Valdeau, Tenn., and Junction of Tennessee Highways Nos. 8 and 28 about 5 miles south of Dunlap, Tenn., over Tennessee Highway No. 8, serving all intermediate points; f. Between Junction of Tennessee Highways Nos. 150 and 27 about 1 mile north of Jasper, Tenn., and Tracy City, Tenn., over Tennessee Highway 150, serving all intermediate points;

g. Between Junction of Tennessee Highways Nos. 27 and 108 about 2 miles south of Whitwell, Tenn., and Junction of Tennessee Highways Nos. 56 and 108 about 2 miles west of Gruetli, Tenn., over Tennessee Highway 108, serving all intermediate points; h. Between Junction of Tennessee Highways Nos. 56 and 108 about 2 miles of Gruetli, Tenn., and Tennessee-Alabama State line about 1 mile south of Anderson, Tenn., over Tennessee Highway No. 56, serving all intermediate points; i. Between Junction U.S. Highway 64 and Tennessee Highways Nos. 134 and 156 at or near Guild, Tenn., and South Pittsburg, Tenn., over Tennessee Highway 156, serving all intermediate points; j. Between Junction U.S. Highway 64 and Tennessee Highways 134 and 156 at or near Guild, Tenn., and Tennessee-Georgia State line, about 2 miles east of Whitewise, Tenn., over Tennessee Highways 134 and 156, serving all intermediate points; k. Between Kimball, Tenn., and Tennessee-Alabama State line, over U.S. Highway 72, serving all intermediate points; l. Serving Bennett Lake on West Side of Tennessee River between Tennessee Highways Nos. 28 and 27, and U.S. Highway 64, as an off-route point, for 180 days. NOTE: Authority to be tacked with applicant's present authority at South Pittsburg, Tenn. (also to be converted in this application) for movement to and from Chattanooga, Tenn., and for interchange with other carriers at that point. Supporting shipper: United States Stove Co., South Pittsburg, Tenn. 37380. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commision, Bureau of Operations, 803, 1808 West End Building, Nashville, Tenn. 37203.

No. MC 124078 (Sub-No. 382 TA), filed May 14, 1969. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible beef tallow*, in bulk, from Gastonia, N.C., to Marietta, Ga., for 150 days. Supporting shipper: North Chemical Co., Inc., Post Office Box 769, Marietta, Ga. 30060 (Brantly M. Callaway). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 124679 (Sub-No. 23 TA), filed May 14, 1969. Applicant: C. R. ENGLAND & SONS, INC., 228 West Fifth South Street, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Syracuse, N.Y., to that part of Pennsylvania west of a line drawn from north to south through the towns of Towanda, and Lebanon, Pa., for 180 days. NOTE: Applicant intends to tack with Sub 17. Supporting Shipper: Empire Freezers of Syracuse, Inc., Post Office Box 770, Syracuse, N.Y. 13201 (James Davitt, Vice-President). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 126758 (Sub-No. 3 TA), filed May 14, 1969. Applicant: EUGENE J. GLOSIER AND LEROY F. SOMMER, a partnership doing business as GLOSIER SERVICE CO., Post Office Box 366, St. Charles, Mo. 63302. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Peoria, Ill., and its commercial zone to Springfield, Mo., and its commercial zone, for 180 days. Supporting shipper: Stag Distributing Co., Post Office Box 3593 Glenstone Station, Springfield, Mo. 65804. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 128083 (Sub-No. 2 TA), filed May 15, 1969. Applicant: R. P. CARRIERS, INC., 7551 West 111th Street, Worth, Ill. 60482. Applicant's representative: James R. Madler, Suite 408, 189 West Madison Street, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cabinets*, fom Shelbyville, Ind., to Harvard, Dixon, and Chicago, Ill., and *fiberboard, corrugated containers, and interior packing forms*, from Chicago, Ill., to Shelbyville, Ind., for 180 days. Supporting shipper: Admiral Corp., 3800 Cortland Street, Chicago, Ill. 60647. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 133436 (Sub-No. 1 TA), filed May 14, 1969. Applicant: DUDDEN ELEVATOR, INC., Post Office Box 97, Venango, Nebr. 69168. Applicant's representative: Richard A. Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dehydrated alfalfa and dehydrated alfalfa products*, from points in Nebraska on and west of U.S. Highway 281 to points in Colorado, Wyoming, and Kansas, for 180 days. Supporting shipper: Western Alfalfa Corp., 4800 Main, Kansas City, Mo. 64112. Send protests to: District Supervisor Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 133655 (Sub-No. 1 TA), filed May 15, 1969. Applicant: TRANS-NATIONAL TRUCK INC., 813 Oakwood Drive, Euless, Tex. 76039. Applicant's representative: Jack Ahrens (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged and cartoned new furniture, mirrors and furniture parts*, from Toccoa, Ga., to Atlanta, Ga., for 180 days. Supporting shipper: Western-Stickley, 3757 South Ashland Avenue, Chicago, Ill. 60609. Send protests to: Billy R. Reid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

By the Commission.

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

[F.R. Doc. 69-6221; Filed, May 23, 1969; 8:48 a.m.]

[Notice 350]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 20, 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-71329. By order of May 9, 1969, the Motor Carrier Board approved the transfer to Laidlaw Transport, Ltd., a corporation, Hagersville, Ontario, Canada, of the operating rights in certificates Nos. MC-113784 (Sub-No. 7) and MC-113784 (Sub-No. 16) both issued April 10, 1969, to Canal Cartage (1968), Ltd., Hagersville, Ontario, Canada, authorizing the transportation of scrap metal, in dump-type vehicles, between ports of entry on the United States-Canada boundary line at Buffalo and Niagara Falls, N.Y., on the one hand, and, on the other, points in Chautauqua, Erie, and Niagara Counties, N.Y.; commodities in bulk (other than cement, dry sugar, and liquid commodities), in dump vehicles and in tank vehicles, between the above specified ports of entry, on the one hand, and, on the other, points in New York; urea and ammonium nitrate, cullet, grinding balls, pig iron, and scrap metal, from ports of entry in Michigan and New York, to points in Illinois, Indiana, Ohio, New Jersey, and Pennsylvania, and various other commodities from or to points in Michigan, New York, Illinois, Indiana, Ohio, and Pennsylvania through ports of entry in Michigan and New York. William J. Hirsch, 43 Niagara Street, Buffalo, N.Y. 14202, attorney for applicants.

No. MC-FC-71330. By order of May 13, 1969, the Motor Carrier Board approved the transfer to Western Milk Transport, Inc., Tulare, Calif., of the corrected certificate of registration in No. MC-121626 issued November 12, 1968, to Kings County Truck Lines, a corporation, Tulare, Calif., evidencing a right to engage in transportation in interstate commerce corresponding to the grant of authority in certificate No. 73891, dated March 26, 1968, as amended July 16, 1968, issued by the California Public Utilities Commission. Marvin Handler, Handler, Baker & Greene, 405 Montgomery Street, San Francisco, Calif. 94104, attorney for applicants.

No. MC-FC-71351. By order of May 9, 1969, the Motor Carrier Board approved the transfer to Atlantic Interstate Messengers, Inc., Greenwich, Conn., of the operating rights in certificate No. MC-123797 (Sub-No. 1) issued August 3, 1967, to Theodore Pachios, doing business as Atlantic Interstate Messengers, Greenwich, Conn., authorizing the transportation, over irregular routes, of general commodities in packages or parcels not exceeding 50 pounds each in weight, limited to shipments weighing in the aggregate not more than 100 pounds from one consignor at one location to one consignee at one location at any one time, in express service, between points in Fairfield County, Conn., on the one hand, and, on the other, points in Massachusetts, New Jersey (except Newark, N.J., Airport), Rhode Island, the District of Columbia, and points in those parts of Pennsylvania and New York (except La Guardia Airport and New York International, Kennedy Airport, formerly Idlewild Airport) on and east of U.S. Highway 15, restricted against the transportation of (1) non-negotiable instruments, commercial papers, cash letters, and checks moved therewith on behalf of banks and banking institutions, (2) negotiable instruments, currency, or bullion, and (3) classes A and B explosives. William D. Traub, 10 East 40th Street, New York, N.Y. 10016, representative for applicants.

No. MC-FC-71355. By order of May 12, 1969, the Motor Carrier Board approved the transfer of the stock, and control of the brokerage operations in No. MC-12319, High Adventure Tours, Inc., Mechanicville, N.Y., to Syratour Corp., and TTS Holding Corp., Waterford, N.Y., covering the transportation of passengers and their baggage, and the arrangement of such transportation as a broker, at specified points in New York, and extending between points in New York, Vermont, New Hampshire, Massachusetts, and a portion of Pennsylvania, on the one hand, and, on the other, points in the United States. James H. Glavin III, Post Office Box 40, Waterford, N.Y. 12188, attorney for applicants.

No. MC-FC-71361. By order of May 9, 1969, the Motor Carrier Board approved the transfer to William L. Emmel, doing business as Noyce Transfer Co., 2820 East 4135 South, Salt Lake City, Utah 84117, of the certificate of registration in No. MC-120529 (Sub-No. 1), issued December 20, 1963, to Jack W. Noyce, doing business as Noyce Transfer Co., 736 West Third South, Salt Lake City, Utah 84104, authorizing the transportation of general commodities between points in a described area of Utah.

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

[F.R. Doc. 69-6222; Filed, May 23, 1969; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

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 May

3 CFR

Page

PROCLAMATIONS:
3911 — 7685
3912 — 7895
3913 — 8019

EXECUTIVE ORDERS:
11248 (amended by EO 11468) — 7641
11467 — 7271
11468 — 7641

5 CFR

213 — 7231, 7281, 7282, 7325, 7535, 7607, 7849, 7897, 8118, 8151
338 — 8151
550 — 7798

7 CFR

26 — 7282, 7800
28 — 7959
51 — 7498
52 — 7133, 7860
68 — 7862
301 — 7643, 8043
601 — 7569
718 — 7649
722 — 7231
730 — 7441
792 — 7369
811 — 7325
849 — 7442
862 — 7326
905 — 7897
907 — 7134
908 — 7135, 7442, 7697, 7866, 7959, 8043
909 — 7282
910 — 7283, 7326, 7569, 7607, 7866, 7897, 8151
911 — 7867
912 — 7284, 7443, 7569
917 — 8151
918 — 7649, 8043
932 — 7570
944 — 7898, 7959
945 — 7499
966 — 7135, 8152
980 — 7570, 8043, 8119
1006 — 7898
1079 — 7136
1201 — 7899
1421 — 7370, 7698, 8045
1434 — 7650

PROPOSED RULES:
61 — 7705
102 — 7868
905 — 7168
912 — 7452
913 — 8120
966 — 7170, 7578
980 — 7170, 7578
1003 — 7171, 7705
1004 — 7171, 7705
1005 — 7811
1006 — 7455
1013 — 7173, 7654
1016 — 7171, 7705
1033 — 7811
1034 — 7811
1035 — 7811
1138 — 7248
1041 — 7811

8 CFR

Page

100 — 7327
103 — 7570
204 — 7328
214 — 7571
238 — 7328
242 — 7327, 8037
245 — 7328
299 — 7327
334 — 7571

PROPOSED RULES:
1 — 8047
292 — 8047

9 CFR

73 — 7443
74 — 7444
76 — 8153
78 — 7798
316 — 7607
317 — 7607
328 — 7607

PROPOSED RULES:
317 — 7823

10 CFR

8 — 7273
20 — 7500
150 — 7369

12 CFR

217 — 7899
226 — 7571, 7607
531 — 7651
545 — 8021
555 — 7609
563 — 8021

PROPOSED RULES:
221 — 7823
545 — 7580

13 CFR

102 — 7274
124 — 7274

PROPOSED RULES:
121 — 7386

14 CFR

39 — 7221, 7371, 7500, 7501, 7609, 8157, 8158
71 — 7121–7124, 7221, 7274, 7275, 7371, 7372, 7501, 7572, 7609, 7702, 7849, 7899, 7960, 7961, 8037, 8158
73 — 7444, 7501, 7572
75 — 7702
97 — 7222, 7502, 7763, 8094
123 — 8038
298 — 7124
384 — 7651, 7900
385 — 8038
387 — 7651
399 — 8038

PROPOSED RULES:
21 — 7705
36 — 7705
39 — 7249, 7286, 7579, 8168

14 CFR—Continued

Page

PROPOSED RULES—Continued
71 — 7287, 7288, 7455, 7545, 7579, 7616, 7656, 7706, 7869, 7870, 7915, 7974–7977
73 — 7656
75 — 7545, 7706
103 — 7455
121 — 7175, 7333
135 — 7580
151 — 7455
157 — 7657
241 — 7706
250 — 7915
288 — 7707
298 — 7708

15 CFR

200 — 7144
379 — 7573

PROPOSED RULES:
1000 — 7536

16 CFR

13 — 7232, 7233, 7275–7277, 7609–7612, 7702–7704, 7900–7903
15 — 7145, 7234, 7235, 7278, 7445, 8093
240 — 7235

PROPOSED RULES:
249 — 7581
408 — 7917, 8125
421 — 7661

17 CFR

140 — 8107
231 — 7235, 7613
240 — 7235, 7574, 8039
249 — 8039

PROPOSED RULES:
230 — 7175
239 — 7175
240 — 7250, 7458, 7547
249 — 7662

18 CFR

2 — 7904
3 — 8093
620 — 7800

19 CFR

1 — 7445
16 — 7328, 7445

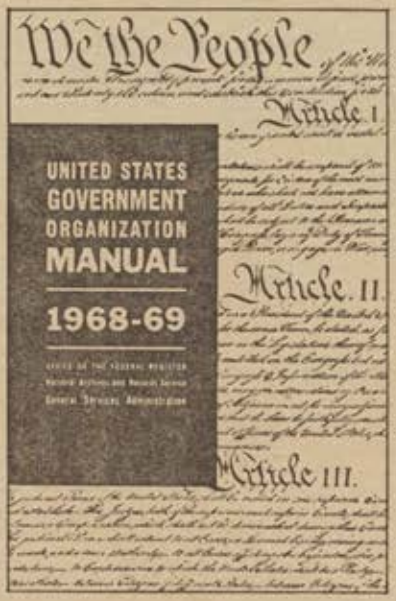
PROPOSED RULES:
19 — 7654

20 CFR

404 — 7236
604 — 7652

21 CFR

1 — 7802
8 — 7445–7447
120 — 7165, 7237, 7279, 7962, 8040
121 — 7165, 7237, 7372, 7447, 7612, 7805, 7850, 7906, 7907
141c — 7687



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