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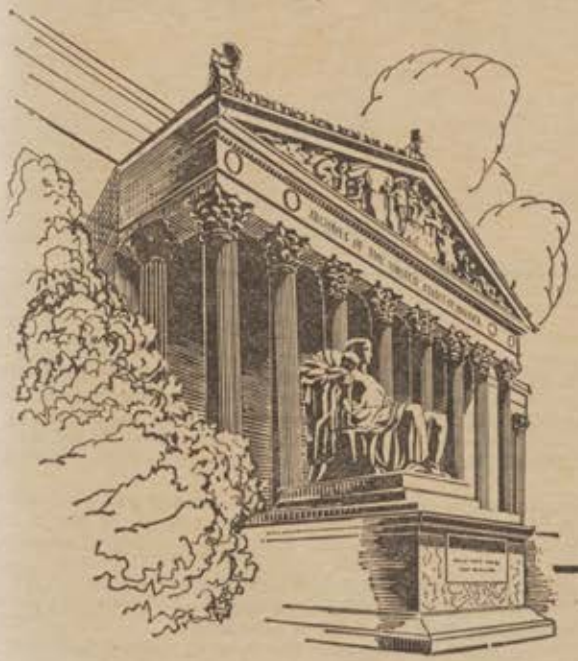
Agencies in this issue—

Agricultural Stabilization and Conservation Service
Atomic Energy Commission
Business and Defense Services Administration
Civil Aeronautics Board
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Foreign Assets Control Office
Indian Affairs Bureau
Interagency Textile Administrative Committee
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
Monetary Offices
Patent Office
Post Office Department
Securities and Exchange Commission
Transportation Department
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



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Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

Tobacco, flue-cured, 1966–67 and subsequent marketing years; miscellaneous amendments ... 9189

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

ATOMIC ENERGY COMMISSION

Proposed Rule Making

Physical protection of special nuclear material ... 9215

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

Notices

Duty-free entry of scientific articles:
- Academy of Natural Sciences of Philadelphia et al ... 9223
- Brown University ... 9224
- Medical College of Ohio at Toledo ... 9224
- Mount Sinai School of Medicine et al ... 9225
- National Institutes of Health ... 9226
- Oak Ridge Associated Universities ... 9226
- Ohio University et al ... 9226
- Stanford University ... 9227
- University of Wisconsin ... 9227

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
- Midwest Airways, Inc ... 9228
- Northern Airlines, Inc ... 9229
- Red Baron Lines, Inc ... 9230
- Trans Central Airlines ... 9230
- Transatlantic supplemental charter authority renewal case ... 9231

COMMERCE DEPARTMENT

See Business and Defense Services Administration; Maritime Administration; Patent Office.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Fruits, vegetables, and other products, fresh; inspection, certification, and standards; basis for charges ... 9188

Tomatoes:
- Importation ... 9191
- Shipment limitation; tomatoes grown in Florida ... 9191

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Airworthiness directive; Bellanca airplanes ... 9157

Standard instrument approach procedures; miscellaneous amendments ... 9158

FEDERAL COMMUNICATIONS COMMISSION

Notices

Canadian standard broadcast stations; list of new stations, proposed changes in existing stations, deletions, and corrections in assignments ... 9251

Chronicle Broadcasting Co.; hearing, etc ... 9249

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations

Current reports by savings and loan holding companies and registration statements by corporate trustees and voting trusts which are savings and loan holding companies ... 9208

Proposed Rule Making

Liquidity, investments in securities, and definitions; withdrawals of proposed rules (3 documents) ... 9216

Notices

Statements of policy:
- Government obligations ... 9232
- Liquidity ... 9232

FEDERAL MARITIME COMMISSION

Notices

F. V. Marotta, Inc.; revocation of independent ocean freight forwarder license ... 9232

FEDERAL POWER COMMISSION

Rules and Regulations

General policy and interpretations; area rate levels for natural gas sales by independent producers; correction ... 9157

Notices

Hearings, etc.:
- Area rate proceeding ... 9232
- Despot, George, et al ... 9233
- Iowa Electric Light and Power Co. and Natural Gas Pipeline Company of America ... 9234
- Lateral Gas Pipeline Co ... 9234
- Manufacturers Light and Heat Co ... 9235
- Mobil Oil Corp ... 9235
- Northern Natural Gas Co. et al ... 9236
- Southeastern Public Service Co. et al ... 9237
- Walton, Kans., city of, and Cities Service Gas Co ... 9237

FEDERAL RESERVE SYSTEM

Rules and Regulations

Credit by banks, brokers, dealers, etc.; miscellaneous amendments (3 documents) ... 9191–9203

FEDERAL TRADE COMMISSION

Rules and Regulations

Fair Packaging and Labeling Act; exemption of certain commodities from full or partial compliance ... 9209

Statements of general policy or interpretation; status of specific items ... 9210

Proposed Rule Making

Labels of consumer commodities:
- Exemptions from certain requirements of Fair Packaging and Labeling Act ... 9218
- Measurement of container type commodities ... 9217
- Required statements ... 9216

FISH AND WILDLIFE SERVICE

Notices

Loan application; William M. Vidos ... 9222

Yellowfin tuna fishing in eastern Pacific Ocean by bait boats; reversion of incidental catch ... 9223

FOOD AND DRUG ADMINISTRATION

Notices

Food additive petitions:
- Elanco Products Co. and Syntex Laboratories, Inc ... 9228
- Whitmoyer Laboratories, Inc.; withdrawal ... 9228

FOREIGN ASSETS CONTROL OFFICE

Rules and Regulations

Foreign assets control regulations; soft dressed goat hair ... 9211

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration.

INDIAN AFFAIRS BUREAU

Notices

Superintendents and Project Engineer, Billings Area Office, Mont.; redelegations of authority ... 9219

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Notices

Certain cotton textile products produced or manufactured in Brazil; entry and withdrawal from warehouse for consumption ... 9238

(*Continued on next page*)

INTERIOR DEPARTMENT

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

INTERNAL REVENUE SERVICE

Notices

Lee J. Treece; grant of relief regarding firearms acquisition, shipment, etc 9219

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section applications for relief 9239
Motor carriers:
Alternate route deviation notices 9239
Applications and certain other proceedings 9240
Intrastate applications 9246
Temporary authority applications 9247
Transfer proceedings (2 documents) 9249

LABOR DEPARTMENT

See Wage and Hour Division.

LAND MANAGEMENT BUREAU

Notices

Proposed withdrawal and reservation of lands:
Colorado 9221
Montana 9222
Wyoming; amendment 9222

MARITIME ADMINISTRATION

Notices

Gulf & South American Steamship Co., Inc.; application 9228

MONETARY OFFICES

Rules and Regulations

Gold medals for public display and antique gold medals 9211

PATENT OFFICE

Rules and Regulations

Secrecy of certain inventions and licenses to file applications in foreign countries; export of technical data 9211

Proposed Rule Making

Issuance of patent to assignee 9213

POST OFFICE DEPARTMENT

Notices

Bureau of Planning and Marketing; establishment 9223

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:
Continental Investment Corp 9238
Electrogen Industries, Inc 9238

TRANSPORTATION DEPARTMENT

See also Federal Aviation Administration.

Proposed Rule Making

Central-mountain standard time zone boundary in Kansas; relocation 9213

TREASURY DEPARTMENT

See also Foreign Assets Control Office; Internal Revenue Service; Monetary Offices.

Notices

Radio and television antenna towers from Canada; tentative negative determination 9219

WAGE AND HOUR DIVISION

Rules and Regulations

Age discrimination in employment; exemption for certain activities designed exclusively to provide or encourage employment of persons with special employment problems 9157

Proposed Rule Making

Peat material production in Modoc County, Calif.; seasonal industry determination 9213

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.

7 CFR

51 9188
725 9189
966 9191
980 9191

10 CFR

PROPOSED RULES:
73 9215

12 CFR

207 9191
220 9196
221 9203
584 9208
PROPOSED RULES:
523 9216
531 9216
545 9216
556 9216
561 9216
571 9216

14 CFR

39 9157
97 9158

16 CFR

501 9209
503 9210
PROPOSED RULES:
500 (2 documents) 9216, 9217
501 9218

18 CFR

2 9157

29 CFR

850 9157
PROPOSED RULES:
526 9213

31 CFR

54 9211
500 9211

37 CFR

5 9211
PROPOSED RULES:
1 9213

49 CFR

PROPOSED RULES:
71 9213

Rules and Regulations

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-358; Order 381]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Area Rate Levels for Natural Gas Sales by Independent Producers; Correction

MAY 29, 1969.

In the order amending § 2.56, rules of practice and procedure, general policy and interpretations under the Natural Gas Act, area rate levels for natural gas sales by independent producers, issued May 12, 1969 and published in the FEDERAL REGISTER May 20, 1969 (34 F.R. 7904), on page 1, first paragraph, line 11: Change "1968" to "1068". Attachment A-2, Table No. 1: After "Texas, Permian Basin RR. District Nos. 7-c and 8: 3," add "3a" and insert footnote "3a" between footnote numbers "3" and "4" to read: "3a Texas Railroad Commission District No. 8, as referred to herein, includes both the present Texas Railroad Commission District Nos. 8 and 8-A (34 FPC 1078)."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6826; Filed, June 10, 1969; 8:46 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER C—AGE DISCRIMINATION IN EMPLOYMENT

PART 850—RECORDS TO BE MADE OR KEPT RELATING TO AGE; NOTICES TO BE POSTED; ADMINISTRATIVE EXEMPTIONS

Exemption for Certain Activities Designed Exclusively To Provide or Encourage Employment of Persons With Special Employment Problems

On April 11, 1969, there was published in the FEDERAL REGISTER notice of a proposal to amend 29 CFR Part 850 to exempt certain activities from the application of the Age Discrimination in Employment Act of 1967 (34 F.R. 6396). After consideration of all relevant matter presented by interested persons, and pursuant to section 9 of the Act (81 Stat. 605; 29 U.S.C. 628) and Secretary's Orders No. 10-68 (33 F.R. 9729) and No. 11-68 (33 F.R. 9690), 29 CFR Part 850 is hereby amended by adding to § 850.15 a new paragraph (c) to read as follows:

§ 850.15 Administrative exemptions.

* * * * *

(c) Pursuant to the authority contained in section 9 of the Act and in accordance with the procedure provided therein and in paragraph (b) of this section, it has been found necessary and proper in the public interest to exempt from all provisions of the Act all activities and programs under Federal contracts or grants, or carried out by the public employment services of the several States, designed exclusively to provide employment for, or to encourage the employment of, persons with special employment problems, including employment activities and programs under the Manpower Development and Training Act of 1962, as amended, and the Economic Opportunity Act of 1964, as amended, for persons among the long-term unemployed, handicapped, members of minority groups, older workers, or youth. Questions concerning the application of this exemption shall be referred to the Administration for decision.

(Sec. 9, 81 Stat. 605; 29 U.S.C. 628)

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

Signed at Washington, D.C., this 5th day of June 1969.

ROBERT D. MORAN,
Administrator,
Wage and Hour and Public Contracts Division.

[F.R. Doc. 69-6845; Filed, June 10, 1969; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 69-CE-8-AD; Amdt. 39-779]

PART 39—AIRWORTHINESS DIRECTIVES

Bellanca Models 14-19-3A and 17-30 Airplanes

There have been failures of the P/N 193101-9 horizontal stabilizer rear strut clevis on Bellanca Models 14-19-3A and 17-30 airplanes. These failures are due to fatigue caused by reversed bending and can result in loss of horizontal tail surfaces when operated at the upper end of the speed range.

Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued requiring within 25 hours' time-in-service after the effective date of this airworthiness directive, either replacement of both P/N 193101-9 rear strut attach clevises with redesigned P/N 193130 rear strut attach clevises, in accordance with instructions contained in Bellanca Service Letter No. 50, dated May 28, 1969, or any other method approved as an equivalent by the Chief, Engineering & Manufacturing Branch, Federal Aviation Administration, Central Region, or a magnetic particle inspection of both rear strut attach clevises for evidence of cracks. If cracks are discovered during the inspection, the airworthiness directive will require replacement of the existing rear strut attach clevises in accordance with the aforementioned service letter instruction. The airworthiness directive will also require recurring magnetic particle inspections every 25 hours' time-in-service after the initial inspection until the P/N 193130 redesigned rear strut attach clevises have been installed.

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

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

BELLANCA. Applies to Models 14-19-3A (Serial Numbers 4229 through 4342) and 17-30 (Serial Numbers 30001 through 30164) Airplanes.

Compliance: Required as indicated.

To prevent failures of the stabilizer rear strut clevises, unless already accomplished, perform either A or B below:

(A) Within 25 hours' time-in-service after the effective date of this airworthiness directive, and thereafter at intervals of not to exceed 25 hours' time-in-service from the date of the last inspection, conduct a magnetic particle inspection of both P/N 193101-9 rear strut attach clevises in the area of the threaded shank. The clevises must be removed from the airplane to perform the inspection. If a crack is found during any inspection, before further flight, perform the replacement required by paragraph B of this airworthiness directive.

(B) Within 25 hours' time-in-service after the effective date of this airworthiness directive, replace both P/N 193101-9 rear strut attach clevises with redesigned P/N 193130 rear strut attach clevises, in accordance with instructions contained in Bellanca Service Letter No. 50, dated May 28, 1969, or any other method approved as an equivalent by the Chief, Engineering & Manufacturing

Branch, Federal Aviation Administration, Central Region.

(C) When the replacement described in paragraph B of this airworthiness directive has been accomplished on both rear strut attach clevises, the inspections required by paragraph A of this airworthiness directive are no longer required.

This amendment becomes effective June 13, 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 Kansas City, Mo., on June 3, 1969.

BROWNING ADAMS,
Acting Director, Central Region.

[F.R. Doc. 69-6829; Filed, June 10, 1969; 8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9618; Amdt. 652]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
AMA VOR	AM LOM	Direct	5000	T-dn	300-1	300-1	300-1
Claude Int	AM LOM	Direct	5000	C-dn	600-1	600-1	600-1½
Canyon Int	AM LOM	Direct	5000	A-dn**	NA	NA	NA
Tower Int	AM LOM	Direct	5300				
Plant Int	AM LOM	Direct	6000				

Radar vectoring.
Procedure turn E side crs, 130° Outbnd, 310° Inbnd, 5000' within 10 miles. Nonstandard due to ATC requirements.
Minimum altitude over facility on final approach crs, 4500'.
Crs and distance, facility to airport, 310°—1.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.6 miles after passing AM LOM, turn left, climb to 6000' within 20 miles on 260° bearing from AM LOM.
CAUTION: Towers 3920', 2 miles NW of airport; 3994', 2 miles NE of airport; 3929', 2 miles NE of airport. 204' AGL grain elevator located ¾ mile SW of Runway 35.
NOTES: No weather service at airport. Air carrier use not authorized. Tradewind MHW is AM LOM.
MSA within 25 miles of facility: 000°-360°—6000'.

City, Amarillo; State, Tex.; Airport name, Tradewind; Elev., 3642'; Fac. Class., H-SAB/LOM; Ident, AM; Procedure No. NDB (ADF)-1, Amdt. 5; Eff. date, 26 June 69; Sup. Amdt. No. 4; Dated, 28 Nov. 68

Salem Int	GON NDB	Direct	2000	T-dn	300-1	300-1	*300-1
Saybrook Int	GON NDB	Direct	2000	C-dn	500-1	500-1	500-1½
Watch Hill Int	GON NDB	Direct	2000	A-dn**	800-2	800-2	800-2
Norwich VOR	GON NDB	Direct	2100				

Radar vectoring.
Procedure turn W side of crs, 230° Outbnd, 050° Inbnd, 1800' within 10 miles.
Minimum altitude over facility on final approach crs, 600'.
Crs and distance, facility to airport, 048°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.9 mile after passing GON NDB, make a right-climbing turn to 1800', direct to GON NDB, hold SW, 050° Inbnd, 1 minute, left turns.
MSA within 25 miles of facility: 000°-090°—2000'; 090°-180°—1500'; 180°-270°—1600'; 270°-360°—2000'.
*200-½ authorized for takeoff Runway 23 only.
**Alternate weather minimums of 800-2 authorized for those who have an approved arrangement for weather service at the airport.

City, Groton; State, Conn.; Airport name, Trumbull; Elev., 10'; Fac. Class., MHW; Ident., Gon; Procedure No. NDB (ADF)-1, Runway 5, Amdt. 2; Eff. date, 26 June 69; Sup. Amdt. No. ADF 1, Amdt. 1; Dated, 7 Sept. 63

Norwich VOR	GON NDB	Direct	2100	T-dn	300-1	300-1	*300-1
Salem Int	GON NDB	Direct	2000	C-dn	600-1	600-1	600-1½
Saybrook Int	GON NDB	Direct	2000	A-dn**	800-2	800-2	800-2
Watch Hill Int	GON NDB	Direct	2000				

Radar vectoring.
Procedure turn N side of crs, 258° Outbnd, 078° Inbnd, 1900' within 10 miles.
Minimum altitude over facility on final approach crs, 900'.
Crs and distance, facility to airport, 048°—0.9 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.9 mile after passing GON NDB, make a right climbing turn to 1900' direct to GON NDB, hold SW, 078° Inbnd, 1 minute, left turns.
MSA within 25 miles of facility: 000°-090°—2000'; 090°-180°—1500'; 180°-270°—1600'; 270°-360°—2000'.
*200-½ authorized for takeoff Runway 23 only.
**Alternate weather minimums of 800-2 authorized only for those who have an approved arrangement for weather service at the airport.

City, Groton; State, Conn.; Airport name, Trumbull; Elev., 10'; Fac. Class., MHW; Ident., GON; Procedure No. NDB (ADF)-2, Runway 5, Amdt. 5; Eff. date, 26 June 69; Sup. Amdt. No. ADF-2, Amdt. 1; Dated, 7 Sept. 63

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots
				T-dn%.....	300-1	300-1	200- $\frac{1}{2}$
				C-d**.....	600-1	600-1	600-1 $\frac{1}{2}$
				C-n**.....	600-2	600-2	600-2
				A-dn.....	800-2	800-2	800-2

Procedure turn E side of crs, 159° Outbnd, 339° Inbnd, 2900' within 10 miles.
Minimum altitude over facility on final approach crs, 2600'.
Crs and distance, facility to airport, 339°—4.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.9 miles after passing VOR, make right-climbing turn to 2900' return to VOR. Hold SE on R 159°, 1-minute right turns, 339° Inbnd.
NOTE: When authorized by ATC, DME may be used to position aircraft for straight-in approach at 3500' between R 104° clockwise to R 271° via 6-mile DME Arc with the elimination of procedure turn.
CAUTION: Runways 9-27 unlighted.
%When weather is less than 1400-2 aircraft taking off Runway 12, climb to 3000' on runway heading prior to turning westbound. Runway 9 or 30 climb to 3000' on runway heading prior to turning northbound or westbound.
Runway 22 make left-climbing turn to 3000' prior to turning westbound. Runway 4 turn right, climb to 3000' prior to turning westbound or northbound due to 2549' TV antenna 3 miles WSW and 1864' tower 3.5 miles N of airport. 1400-2 minimums apply for aircraft taking off on Runway 27.
**Circling not authorized in area W of Wisconsin River.
MSA within 25 miles of facility: 000°-090°—2900'; 090°-180°—2600'; 180°-270°—3600'; 270°-360°—3600'.

City, Wausau; State, Wis.; Airport name, Wausau Municipal; Elev., 1201'; Fac. Class., BVORTAC; Ident., AUW; Procedure No. 1, Amdt. 8; Eff. date, 26 June 69; Sup. Amdt. No. 7; Dated, 18 June 66

2. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Campbellsville, Ky.—Taylor County, ADF 1, Orig., 23 May 1964 (established under Subpart C).
Chattanooga, Tenn.—Lovell Field, NDB (ADF) Runway 20, Amdt. 17, 18 Nov. 1967 (established under Subpart C).
Greensboro, N.C.—Greensboro-High Point-Winston-Salem Regional, NDB (ADF) Runway 14, Amdt. 9, 21 Jan. 1967 (established under Subpart C).
Honolulu, Hawaii—Honolulu International, NDB (ADF) Runway 8, Amdt. 8, 1 July 1967 (established under Subpart C).
Moline, Ill.—Quad City, ADF 1, Amdt. 14, 7 Jan. 1967 (established under Subpart C).
Pittsburgh, Pa.—Greater Pittsburgh, NDB (ADF) Runway 10L, Amdt. 2, 11 Mar. 1967 (established under Subpart C).
Pittsburgh, Pa.—Greater Pittsburgh, ADF 1, Amdt. 7, 19 Nov. 1966 (established under Subpart C).
Pittsburgh, Pa.—Greater Pittsburgh, ADF 4, Amdt. 3, 27 Mar. 1965 (established under Subpart C).
Chattanooga, Tenn.—Lovell Field, VOR 1, Amdt. 8, 5 Mar. 1966 (established under Subpart C).
Decatur, Ala.—Pryor Field, VOR Runway 18, Amdt. 3, 27 Mar. 1967 (established under Subpart C).
Greensboro, N.C.—Greensboro-High Point-Winston-Salem Reginal, VOR Runway 5, Amdt, 4, 23 Dec. 1967 (established under Subpart C).
Honolulu, Hawaii—Honolulu International, VOR Runway 8, Amdt. 5, 1 July 1967 (established under Subpart C).

3. By amending § 97.13 of Subpart B to delete terminal very high frequency omnirange (TerVOR) procedures as follows:

San Jose, Calif.—San Jose Municipal, TerVOR-12R, Amdt. 8, 17 Oct. 1964 (established under Subpart C).
San Jose, Calif.—San Jose Municipal, TerVOR-30L, Amdt. 8, 17 Oct. 1964 (established under Subpart C).

4. By amending § 97.13 of Subpart B to cancel terminal very high frequency omnirange (TerVOR) procedures as follows:

Pittsburgh, Pa.—Greater Pittsburgh, TerVOR-32, Amdt. 2, 27 Mar. 1965, canceled, effective 26 June 1969.

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

Greensboro, N.C.—Greensboro-High Point-Winston-Salem Regional, VOR/DME Runway 23, Amdt. 2, 3 Feb. 1968 (established under Subpart C).
Jefferson, Ga.—Jackson County, VOR/DME Runway 34, Orig., 25 Nov. 1967 (established under Subpart C).

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Lexington VOR	Fayette Int	Direct	2800	T–dn	300–1	300–1	200–½
R 191°, LEX VORTAC (CCW)	LEX LOC (BC) (Centerville Int)	14-mile Arc LEX VORTAC 020° lead radial.	3000	C–dn	400–1	500–1	500–1½
				S–dn–22*	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2
Centerville Int	Fayette Int (NOPT)	Direct	2300				

Procedure turn W side of crs, 042° Outbnd, 222° Inbnd, 2800' within 10 miles of Fayette Int.
Minimum altitude over Fayette Int, 2300'.
Crs and distance, Fayette Int to airport, 222°—4.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing Fayette Int, climb to 2000' on SW crs ILS to Lexington LOM. Hold SW, 1 minute left turns, 042° Inbnd.
NOTE: Procedure authorized only when aircraft equipped to receive ILS and VOR simultaneously.
*400–¾ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights.

City, Lexington; State, Ky.; Airport name, Blue Grass; Elev., 978'; Fac. Class., ILS; Ident., I–LEX; Procedure No. LOC (BC) Runway 22, Amdt. 5; Eff. date, 26 June 69; Sup. Amdt. No. ILS–22 (back crs), Amdt. 4; Dated, 19 June 65

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

Chattanooga, Tenn.—Lovell Field, ILS–2, Amdt. 8, 5 Mar. 1966 (back course) (established under Subpart C).
Chattanooga, Tenn.—Lovell Field, ILS Runway 20, Amdt. 18, 18 Nov. 1967 (established under Subpart C).
Greensboro, N.C.—Greensboro-High Point-Winston-Salem Regional, ILS Runway 14, Amdt. 10, 29 July 1967 (established under Subpart C).
Honolulu, Hawaii—Honolulu International, ILS Runway 8, Amdt. 7, 1 July 1967 (established under Subpart C).
Moline, Ill.—Quad City, ILS–9, Amdt. 14, 7 Jan. 1967 (established under Subpart C).
Moline, Ill.—Quad City, ILS–27, Amdt. 9, 23 Apr. 1966 (back course) (established under Subpart C).
Pittsburgh, Pa.—Greater Pittsburgh, ILS Runway 10L, Amdt. 9, 4 Feb. 1967 (established under Subpart C).
Pittsburgh, Pa.—Greater Pittsburgh, ILS–28L, Amdt. 12, 19 Nov. 1966 (established under Subpart C).
San Jose, Calif.—San Jose Municipal, ILS–12R, Amdt. 4, 14 Nov. 1964 (back course) (established under Subpart C).
San Jose, Calif.—San Jose Municipal, ILS–30L, Amdt. 5, 20 Mar. 1969 (established under Subpart C).

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

Chattanooga, Tenn.—Lovell Field, Radar 1, Amdt. 2, 18 Feb. 1967 (established under Subpart C).
Greensboro, N.C.—Greensboro-High Point-Winston-Salem Regional, Radar 1, Amdt. 1, 18 Sept. 1965 (established under Subpart C).
Honolulu, Hawaii—Honolulu International, Radar 1, Amdt. 6, 19 Mar. 1966 (established under Subpart C).
Pittsburgh, Pa.—Greater Pittsburgh, Radar 1, Amdt. 11, 17 Feb. 1968 (established under Subpart C).
San Jose, Calif.—San Jose Municipal, Radar 1, Amdt. 7, 17 Oct. 1964 (established under Subpart C).

9. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing Aldrich Int.
Oak Grove Int	OKW VOR	OKW, R 360°	2300	Climbing left turn to 2300' to Woodstock Int via OKW R 096° and hold.
OKW VOR	Woodstock Int (NOPT)	Direct	2300	Supplementary charting information: Hold W, 1 minute, right turns, 096° Inbnd. Final approach crs to center of airport. Intensive student jet training S of intermediate/final approach crs, 8000' and above (Craig 1).

Procedure turn not authorized. Approach crs (profile) starts at Woodstock Int.
FAF, Aldrich Int. Final approach crs, 096°. Distance FAF to MAP, 4.8 miles.
Minimum altitude over Woodstock Int, 2300', over Aldrich Int, 2300'.
MSA: 000°–090°—2000'; 090°–180°—2100'; 180°–270°—1900'; 270°–360°—2100'.
NOTES: (1) Authorized only for aircraft equipped with Dual VOR or VOR/ADF. (2) Use BHM APC altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	1240	1	657	1240	1¼	657	NA	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Not authorized.	

City, Alabaster; State, Ala.; Airport name, Shelby County; Elev., 583'; Facility, OKW; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 26 June 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.9 miles after passing CHA VORTAC.
R 262°, CHA VORTAC (CCW)	R 152°, CHA VORTAC	7-mile DME Arc	3000	Climb to 4000' on R 009°, CHA VORTAC within 15 miles or, when directed by ATC, climbing right turn to 4000', direct to CHA VORTAC and hold.
R 080°, CHA VORTAC (CW)	R 152°, CHA VORTAC	7-mile DME Arc	3000	
7-mile DME Arc	CHA VORTAC (NOPT)	CHA, R 152°	2500	
				Hold SE, 1 minute, right turns, 331° inbnd.
				Supplementary charting information:
				VASI, Runway 2.
				HIRL, Runways 2/20.
				ALS, Runway 20.
				Final approach crs to runway threshold.
				Runway 32, TDZ elevation, 671'.

Procedure turn E side of crs, 152° Outbnd, 332° Inbnd, 3500' within 10 miles of CHA VORTAC.
FAF, CHA VORTAC. Final approach crs, 332°. Distance FAF to MAP, 4.9 miles.
Minimum altitude over CHA VORTAC, 2500'.
MSA: 000°-090°—4200'; 090°-180°—5700'; 180°-270°—3000'; 270°-360°—3900'.
NOTE: ASR.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from CHA LMM to 3000' before continuing climb on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-32	1260	1	589	1260	1	589	1260	1	589	1260	1¼	589
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1460	1	778	1460	1¼	778	1460	1½	778	1460	2	778
A	Standard.			T 2-eng. or less—RVR 24', Runway 20; Standard all others.			T over 2-eng.—RVR 24', Runway 20; Standard all others.					

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Facility, CHA; Procedure No. VOR Runway 32, Amdt. 9; Eff. date, 26 June 69; Sup. Amdt. No. VOR 1, Amdt. 8; Dated, 5 Mar. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: DCU VOR.
BSV VOR	DCU VOR	Direct	2600	Climb to 3000' on R 175° DCU VOR to Rountree Int and hold.
				Supplementary charting information:
				Hold S, 1 minute, right turns, 355° Inbnd.
				Runway 18, TDZ elevation, 592'.

Procedure turn W side of crs, 349° Outbnd, 169° Inbnd, 2000' within 10 miles of DCU VOR.
Final approach crs, 169°.
Minimum altitude over Bird Int.1300'.
MSA: 000°-090°—3100'; 090°-180°—2600'; 180°-270°—2300'; 270°-360°—2200'.
NOTE: Use Huntsville APC altimeter setting.
*Alternate minimums authorized for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-18	1300	1	708	1300	1	708	1300	1¼	708	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1300	1	708	1300	1	708	1300	1½	708	NA
	Dual VOR or VOR/NDB Minimums:									
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	
S-18	940	1	348	940	1	348	940	1	348	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1000	1	408	1000	1	408	1000	1½	408	NA
A	Not authorized.*			T 2-Eng. or less—Standard.			T over 2-Eng.—Standard.			

City, Decatur; State, Ala.; Airport name, Pryor Field; Elev., 592'; Facility, DCU; Procedure No. VOR Runway 18, Amdt. 4; Eff. date, 26 June 69; Sup. Amdt. No. 3; Dated, 27 May 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3 miles after passing GSO VORTAC.
R 283°, GSO VORTAC (CCW)	R 210°, GSO VORTAC	7-mile DME Arc	2400	Climb to 2500' on R 029° GSO VORTAC within 15 miles or, when directed by ATC, climb to 2500', right turn, direct to GSO VORTAC and hold. Hold SW, 1 minute, right turns, 041° Inbnd. Supplementary charting information: Final approach crs to runway threshold. HIRL Runways 14-32. Runway 5, TDZ elevation, 900'.
R 103°, GSO VORTAC (CW)	R 210°, GSO VORTAC	7-mile DME Arc	2400	
7-mile DME Fix	GSO VORTAC (NOPT)	GSO, R 210°	1900	
Thomas Inf	GSO VORTAC (NOPT)	Direct	1900	

Procedure turn E side of crs, 210° Outbnd, 030° Inbnd, 2400' within 10 miles of GSO VORTAC.
FAF, GSO VORTAC. Final approach crs, 030°. Distance FAF to MAP, 3 miles.
Minimum altitude over GSO VORTAC, 1900'.
MSA: 000°-090°—3900'; 090°-180°—4100'; 180°-270°—3500'; 270°-360°—5100'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5	1300	1	400	1300	1	400	1300	1	400	1300	1	400
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1300	1	434	1380	1	454	1380	1¼	454	1480	2	554
A	Standard.			T 2-eng. or less—RVR 24', Runway 14; Standard all others.			T over 2-eng.—RVR 24', Runway 14; Standard all others.					

City, Greensboro; State, N.C.; Airport name, Greensboro-High Point-Winston-Salem Regional; Elev., 926'; Facility, GSO; Procedure No. VOR Runway 5, Amdt. 5; Eff. date, 26 June 67; Sup. Amdt. No. 4; Dated, 23 Dec. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing HNL VORTAC.
Southgate Int (CW)	R 258°, HNL VORTAC (NOPT)	13-mile Arc, R 250° lead radial	2200	Climbing right turn to 3000' to Southgate Int via HNL VORTAC R 108°. Supplemental charting information: Hickam water tower, 1.4 miles at 267° from runway threshold, 184'. Depict Barbers Point NAS. Show 4.8-mile DME Fix at MAP. Runway 8, TDZ elevation, 12'.
Breakers Int	13-mile DME Fix, R 258°	Direct	2200	
13-mile DME Fix, R 258°	1.1-mile DME Fix or HN LOM.	R 258°	2200	
R 258°, HNL VORTAC 1.1-mile DME or LOM.	HNL VORTAC	Direct	1900	

Procedure turn S side of crs, 258° Outbnd, 078° Inbnd, 3400' within 10 miles of HNL VORTAC.
FAF, HNL VORTAC. Final approach crs, 078°. Distance FAF to MAP, 4.8 miles.
Minimum altitude over 1.1-mile DME (LOM), 2200', over VOR*, 1900'.
MSA: 000°-180°—5200'; 180°-270°—4000'; 270°-360°—6100'.
NOTE: ASR.
*If 1.1-mile DME Fix or HN LOM not received, maintain 2200' to VOR and circling minimums only authorized.
$Circling not authorized NW of Runways 8/26 and 4L/22R. Circling MDA CAT D Runways 22 is 860' and 2.
%IFR departures runways 4L, 4R, and 8 require climbing right turns to not less than 150°.
CAUTION: Do not descend below 2200' until over HN LOM or 1.1-mile DME Fix due Barbers Point NAS 1500' jet traffic pattern.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-8*	440	¾	428	440	¾	428	440	¾	428	440	1	428
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C$	460	1	447	480	1	467	540	1½	527	580	2	567
A	Standard.			T 2-eng. or less—500-1, Runways 4L and R; Standard all others.%			T over 2-eng.—600-2, Runways 4L and R; Standard all others.%					

City, Honolulu; State, Hawaii; Airport name, Honolulu International; Elev., 13'; Facility, HNL; Procedure No. VOR Runway 8, Amdt. 6; Eff. date, 26 June 69; Sup. Amdt. No. 5; Dated, 1 July 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.6 miles after passing CRL VORTAC.
				Climb to 2400', right turn, return to CRL VORTAC. Supplementary charting information: Final approach crs to intercept runway centerline 2000' from threshold Runway 20. 915' tower 3 miles S of airport. Runway 20, TDZ elevation, 614'.

Procedure turn E side of crs, 352° Outbnd, 172° Inbnd, 2400' within 10 miles of CRL VORTAC.
FAF, CRL VORTAC. Final approach crs, 172°. Distance FAF to MAP, 6.6 miles.
Minimum altitude over CRL VORTAC, 2400'.
MSA: 000°-270°—3100'; 270°-000°—2800'.
NOTES: (1) Radar vectoring. (2) Use Detroit Metropolitan altimeter setting.
*Night minimums not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-20*	1140	1	526	1140	1	526	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C*	1140	1	526	1140	1	526	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.*				T over 2-eng.—Standard.*	

City, Monroe; State, Mich.; Airport name, Custer; Elev., 614'; Facility, CRL; Procedure No. VOR Runway 20, Amdt. Orig.; Eff. date, 26 June 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	Map: SJC VOR.
OSI VOR	Sunnyvale Int	Direct	3500	Climb straight ahead to 1000' then climbing left turn to 1900' direct to SJC VOR and R 302° to Sunnyvale Int and hold. Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbnd. Final approach crs parallel to and between Runways 12R/L. MIRL, Runways 12L/30R. Chart 229' tank 0.7 mile S of airport. Runway 12R, TDZ elevation, 46'. Runway 12L, TDZ elevation, 52'.
SJC VOR	Sunnyvale Int	Direct	2000	
SFO VOR	Sunnyvale Int (NOPT)	SFO, R 095°, and SJC, R 302°.	1900	
OAK VOR	Sunnyvale Int (NOPT)	OAK, R 139° and SJC, R 302°.	1900	

Procedure turn not authorized. One minute holding pattern NW of Sunnyvale Int, 122° Inbnd, right turns, 1900'.
Final approach crs, 122°.
Minimum altitude over Sunnyvale Int, 1900'.
MSA: 000°-180°—5400'; 180°-270°—4500'; 270°-360°—4000'.
NOTE: ASR.
%IFR departures must comply with published San Jose SID's or be radar vectored.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-12R	480	¾	434	480	¾	434	480	¾	434	600	1¼	554
S-12L	480	1	428	480	1	428		NA			NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	540	1	484	540	1	484	580	1¼	524	680	2	624
A	Standard.		T 2-eng. or less.—RVR 24', Runway 30L; Standard all others.%				T over 2-eng.—RVR 24', Runway 30L; Standard all others.%					

City, San Jose; State, Calif.; Airport name, San Jose Municipal; Elev., 56'; Facility, SJC; Procedure No. VOR Runway 12L/R, Amdt. 9; Eff. date, 26 June 69; Sup. Amdt. No. Ter VOR-12R, Amdt. 8; Dated, 17 Oct. 64

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: SJC VOR.
SJC VOR	Lick Int	Direct	4000	Climb to 1900' via R 302° to Sunnyvale Int and hold.
Gilroy Int	Lick Int (NOPT)	Direct	4000	Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbnd. Final approach crs parallel to and between Runway 30L/R Chart 229' tank 0.7 mile S of airport.

Procedure turn N side of crs, 122° Outbnd, 302° Inbnd, 4000' within 10 miles of Lick Int.
Final approach crs, 302°.
Minimum altitude over Lick Int., 4000'; over Edenvale Int, 2700'; over OM, 2300'.
MSA: 000°-180°—5400'; 180°-270°—4500'; 270°-360°—4000'.
NOTE: ASR.
%IFR departures must comply with published San Jose SID's or be radar vectored.
*VOR and Fan Marker receivers required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*	640	1	584	640	1	584	640	1½	584	680	2	624
A	Standard.		T 2-eng. or less—RVR 24', Runway 30L; others.%				Standard all		T over 2-eng.—RVR 24', Runway 30L; others.%			Standard all

City, San Jose; State, Calif.; Airport name, San Jose Municipal; Elev., 56'; Facility, SJC; Procedure No. VOR Runway 30L/R, Amdt. 9; Eff. date, 26 June 69; Sup. Amdt. No. Ter VOR-30L, Amdt. 8; Dated, 17 Oct. 64

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: SYI VOR.
				Climbing left turn to 2500' via SYI R 290° to SYI VOR and hold. Supplementary charting information: Hold W, 1 minute, right turns, 090° Inbnd. LRCO, 122.1, 123.6.

Procedure turn S side of crs, 270° Outbnd, 090° Inbnd, 2000' within 10 miles of SYI VOR.
Final approach crs, 090°.
MSA: 000°-090°—3300'; 090°-270°—2600'; 270°-360°—2400'.
NOTE: Use Nashville altimeter setting when local altimeter setting not available, increase all MDA's 160'.
*Standard alternate minimums authorized operators with approved weather reporting service.
%CAUTION: Due to high terrain NE and SE of airport departing aircraft with limited climb capability should climb to 3000' on a westerly heading before continuing on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C	1340	1	538	1340	1	538	1340	1½	538	NA
A	Not authorized.*		T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%			

City, Shelbyville; State, Tenn.; Airport name, Bomar Field; Elev., 802'; Facility, SYI; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 26 June 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Riegel Int.
Findlay VORTAC	Riegel Int (NOPT)	Direct	2400	Climbing right turn to 2400', return to Riegel Int and hold.* Supplementary charting information: *Hold S Riegel Int, 1 minute, right turns, 074° Inbnd. Runway 6, TDZ elevation, 783'.

Procedure turn S side of crs, 254° Outbnd, 074° Inbnd, 2400' within 10 miles of Riegel Int.
FAF, Riegel Int. Final approach crs, 074°. Distance FAF to MAP, 5 miles.
Minimum altitude over Riegel Int., 2400'.
MSA: 000°-090°—2400'; 090°-180°—2300'; 180°-270°—2500'; 270°-360°—2200'.
NOTE: Use Findlay, Ohio, altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-06	1400	1	617	1400	1¼	617	1400	1½	617	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1400	1	613	1400	1¼	613	1400	1½	613	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Tiffin; State, Ohio; Airport name, Seneca County; Elev., 787'; Facility, FDY; Procedure No. VOR Runway 6, Amdt. Orig.; Eff. date, 26 June 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 20.8-mile DME Fix.
R 240°, BNA VORTAC (CW)	R 023°, BNA VORTAC	15-mile DME Arc	3000	Climb to 2500' direct to Bethpage Int and hold.
R 131°, BNA VORTAC (CCW)	R 023°, BNA VORTAC	15-mile DME Arc	3000	
15-mile Arc	18-mile DME Fix, R 025° (NOPT)	R 025°	1900	Supplementary charting information: Hold N, 1 minute/4 miles, right turns, 205° Inbnd.

Procedure turn not authorized. Approach crs (profile) starts at 15-mile DME Fix.
FAF, 18-mile DME Fix. Final approach crs, 025°.
Minimum altitude over 18-mile DME Fix, 1900'.
MSA: 000°-090°—2500'; 090°-180°—2400'; 180°-360°—3100'.
NOTE: Radar vectoring.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	1180	1	896	1180	1	896	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Gallatin; State, Tenn.; Airport name, Gallatin Municipal; Elev., 584'; Facility, BNA; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 26 June 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	Map: 4.7-mile DME Fix.
R 283°, GSO VORTAC (CW)	R 038°, GSO VORTAC	15-mile DME Arc	2500	Climb to 2500', direct to GSO VORTAC, and hold, or when directed by ATC, climb to 2500' to Thomas Int via GSO R 221° and hold. Hold SW, 1 minute, right turns, 041° Inbnd.
R 103°, GSO VORTAC (CCW)	R 038°, GSO VORTAC	15-mile DME Arc	2500	
15-mile DME Fix	10-mile DME Fix (NOPT)	GSO, R 038°	1900	
GSO VORTAC	10-mile DME Fix	GSO, R 038°	2500	Supplementary charting information: Hold SW, 1 minute, right turns, 041° Inbnd. Final approach crs intercepts centerline 3000' from threshold. HIRL Runways 14-32. Runway 23, TDZ elevation, 822'.

Procedure turn W side of crs, 038° Outbnd, 218° Inbnd, 2500' within 10 miles of 10-mile DME Fix.
FAF, 10-mile DME Fix. Final approach crs, 218°. Distance FAF to MAP, 5.3 miles.
Minimum altitude over 10-mile DME Fix, 1900'.
MSA: 000°-090°—3600'; 090°-180°—4100'; 180°-270°—3500'; 270°-360°—5100'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-23	1260	1	368	1260	1	368	1260	1	368	1260	1	368
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1380	1	434	1380	1	434	1380	1¼	434	1480	2	554
A	Standard.			T 2-eng. or less—RVR 24', Runway 14; Standard all others.			T over 2-eng.—RVR 24', Runway 14; Standard all others.					

City, Greensboro; State, N.C.; Airport name, Greensboro-High Point-Winston-Salem Regional; Elev., 926'; Facility, GSO; Procedure No. VOR/DME Runway 23, Amdt. 3; Eff. date, 26 June 69; Sup. Amdt. No. 2; Dated, 3 Feb. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 17.7-mile DME Fix.
AHN VORTAC, R 238° (CW)	AHN VORTAC, R 319°	7-mile DME Arc	2500	Climbing right turn to 2500', proceed to AHN VORTAC via R 319 and hold.
AHN VORTAC, R 061° (CCW)	AHN VORTAC, R 319°	7-mile DME Arc	2500	
7-mile DME Fix	13.7-mile DME Fix (NOPT)	AHN R 319°	2400	Supplementary charting information: Hold SE, 1 minute, right turns, 319° Inbnd. Final approach crs to runway threshold. Runway 34, TDZ elevation, 948'.

Procedure turn E side of crs, 139° Outbnd, 319° Inbnd, 2500' within 10 miles of AHN VORTAC.
FAF, 13.7-mile DME Fix. Final approach crs, 319°. Distance FAF to MAP, 4 miles.
Minimum altitude over AHN VORTAC, 2400'; over 13.7-mile DME Fix, 2400'.
MSA: 180°–270°—3100'; 270°–180°—2400'.
NOTES: (1) Use Athens, Ga., altimeter setting. (2) No weather reporting. (3) Night operation not authorized Runways 9–27.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-34	1300	1	352	1300	1	352	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1420	1	472	1420	1	472	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Jefferson; State, Ga.; Airport name, Jackson County; Elev., 948'; Facility, AHN; Procedure No. VOR/DME Runway 34, Amdt. 1; Eff. date, 26 June 69; Sup. Amdt. No. Orig.; Dated, 25 Nov. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: R 353°, 24.6-mile DME Fix.
LFK, R 295° (CW)	LFK, R 353°	LFK 15-mile DME Arc R 347° lead radial.	2000	Climb to 2000', left turn, proceed via LFK VORTAC, R 353° Inbnd to Del Rentzel Fix and hold.
LFK, R 079° (CCW)	LFK, R 353°	LFK 15-mile DME Arc R 359° lead radial.	2000	
LFK VORTAC	LFK 15-mile DME Fix	LFK, R 353°	2000	Supplementary charting information: Hold N of Del Rentzel Fix on LFK VORTAC, R 353°, 173° Inbnd, right turns, 1 minute/4 miles.
LFK 15-mile DME Arc	LFK 20-mile DME	LFK, R 353°	1500	

Procedure turn not authorized.
Final approach crs, 353°.
Minimum altitude over 20-mile DME Fix, 1500'.
NOTE: Use Lufkin FSS altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-33	1100	1	728	1100	1	728	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1100	1	728	1100	1	728	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.	

City, Nacogdoches; State, Tex.; Airport name, Del Rentzel; Elev., 372'; Facility, LFK; Procedure No. VOR/DME Runway 33, Amdt. Orig.; Eff. date, 26 June 69

10. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 18-mile DME Fix or 3.8 miles after passing Cedar Creek Int.
JEF VOR	Stephens Int	Direct	2800	Climbing left turn to 2400', return to Stephens Int and hold.*
CBI VOR	Stephens Int	Direct	2400	Supplementary charting information:
Shaw Int	Stephens Int	Direct	2400	Chart holding at Stephens Int.
HLV VORTAC	Stephens Int (NOPT)	Direct	2400	Runway 20, TDZ elevation, 888'.
				*Hold N, left turn, 187° Inbnd.
				Chart Stephens and Cedar Creek Ints, for Dual VOR and DME.

Procedure turn E side of crs, 007° Outbnd, 187° Inbnd, 2400' within 10 miles of Stephens Int.
FAF, Cedar Creek Int. Final approach crs, 187°. Distance FAF to MAP, 3.8 miles.
Minimum altitude over Stephens Int (9-mile DME), 2400'; over Cedar Creek Int (14.2-mile DME), 2000'.
MSA: 000°-090°—2300'; 090°-180°—2800'; 180°-270°—2800'; 270°-360°—2400'.
NOTES: (1) Use Columbia, Mo., altimeter setting, except operators with approved weather reporting service. (2) Inoperative components table does not apply to HIRL. (3) Operators with approved weather reporting service may reduce all MDA's 20'.
‡Dual VOR or VOR/DME required.
*Standard alternate minimums authorized for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20‡	1200	1	312	1200	1	312	1200	1¼	312	1200	1¼	312
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C‡	1240	1	352	1340	1	452	1340	1½	452	1440	2	552
A*	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Columbia; State, Mo.; Airport name, Columbia Regional; Elev., 888'; Facility, HLV; Procedure No. VOR Runway 20, Amdt. 1; Eff. date, 26 June 69; Sup. Amdt. No. Orig.; Dated, 26 Dec. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Bright Int or 10.6-mile DME Fix, R 336°.
GLS VORTAC	Bright Int or 5.6-mile DME Fix GLS, R 336°.	GLS, R 336°, 5.6 miles	1500	Climb to 1500' left turn direct to GLS VORTAC.
				Supplementary charting information: 349' tower 1.2 miles E of airport.
				TDZ elevation, 24'.

Procedure turn not authorized. Approach crs (profile) starts at Bright Int.
FAF, Bright Int. Final approach crs, 336°. Distance FAF to MAP, 5 miles.
Minimum altitude over GLS VORTAC, 1500'; over Bright Int or 5.6-mile DME Fix, R 336°—1500'.
MSA: 000°-270°—1500'; 270°-360°—2200'.
NOTES: (1) Radar vectoring. (2) Use Houston, Tex., altimeter setting when Spaceland Airpark altimeter setting not received and raise straight-in and circling MDA 35'.
#Circling not authorized east of Runways 13/31.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-31	440	1	416	440	1	416	440	1	417	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C#	440	1	416	480	1	456	480	1½	456	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Houston; State, Tex.; Airport name, Spaceland Airpark; Elev., 24'; Facility, GLS; Procedure No. VOR Runway 31, Amdt. 2; Eff. date, 26 June 69; Sup. Amdt. No. 1; Dated, 23 May 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: Within 10 mile of IWD VOR.
				Climb to 3000' on R071° IWD VOR within 10 miles, return to VOR. Supplementary charting information: Final approach crs intercepts runway centerline 3350' from threshold. LRCO 122.1R, 123.6R. TDZ elevation, 1230'.

Procedure turn N side of crs, 251° Outbnd, 071° Inbnd, 2900' within 10 miles of IWD VOR.
Final approach crs, 071°
MSA: 000°–270°—3100'; 270°–360°—2800'.
NOTES: (1) Use Houghton, Mich., altimeter setting when control zone not effective. (2) Circling and straight in MDA increased 360' when control zone not effective, except for operators with approved weather reporting service. (3) Prominent 1700' terrain S of airport.
*Alternate minimums not authorized when control zone not effective, except for operators with approved weather reporting service.
%IFR departure procedures: When weather is below 500–1, takeoffs Runways 9, 27, and 36 maintain runway heading until reaching 2500' prior to departing on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9	2000	1	779	2000	1¼	779	2000	1½	779	2000	1¾	779
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2000	1	754	2000	1¼	754	2000	1½	754	2000	2	754
A*	Standard.		T 2-eng. or less—500-1, Runway 18; Standard all others.%				T over 2-eng.— 500-1, Runway 18; Standard all others.%					

City, Ironwood; State, Mich.; Airport name, Gogebic County; Elev., 1246'; Facility, IWD; Procedure No. VOR Runway 9, Amdt. 3; Eff. date, 26 June 69; Sup. Amdt. No. 2; Dated, 3 Apr. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MM or 1.4-mile DME Fix.$
SCK VOR	Fairway Int	SCK R 215°	6000	Climb to 3000' on SFO VOR R 281° to Olympic Int. Obstructions bordering both sides of the missed approach area require a rate of climb of at least 400 feet per minute/100K, 600 f.p.m./150K, 800 f.p.m./200K, no wind condition.
Dumbarton Int	Foster Int	Direct	2000	
OSI VOR	SF LOM	Direct	4000	
SFO VOR	SF LOM	Direct	2500	
OAK VOR	SF LOM	Direct	2000	
Fairway Int	Dumbarton Int	Direct	4500	
Foster Int	SF LOM (NOPT)	Direct	1600	Supplementary Charting Information:
SJC VOR	Dumbarton Int	Direct	2000	Final approach crs parallel to and between Runways 28L/R. TDZ elevation, Runway 28L, 11'. TDZ elevation, Runway 28R, 9'.

Procedure turn not authorized.
Holding pattern SF LOM, holding fix, 281° Inbnd, 101° Outbnd, left turns, 1 minute, 1900'.
Final approach crs, 281°.
Minimum altitude over Foster Int/DME, 2000'; over SF LOM, 1600'; over 3-mile DME, 580'.
Distance to runway threshold at OM: Runway 28L, 5.3 miles; Runway 28R, 5.8 miles (displaced threshold).
MSA: 000°–090°—4900'; 090°–180°—4300'; 180°–270°—3100'; 270°–360°—3700'.
NOTE: ASR.
*Inoperative table does not apply to HIRL and REIL Runway 28R.
@Circling not authorized S of Runways 10/28 unless following minimums are used: MDA, 1160' and VIS, 2½ miles.
%IFR departure procedures: Departures from Runway 19L/R require left turn be started as soon as practicable due to steeply rising terrain to 2000' immediately S of airport. All departures must comply with published SFO SID's or be radar vectored.
#RVR 18' authorized Runway 28L for Categories A, B, and C. RVR 20' authorized Runway 28L for Category D.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28L	580	RVR 24	569	580	RVR 24	569	580	RVR 24	569	580	RVR 50	569
S-28R*	580	RVR 50	571	580	RVR 50	571	580	RVR 50	571	580	RVR 60	571
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C@	580	1	569	580	1	569	660	1½	649	660	2	649
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28L	440	RVR 24	429	440	RVR 24	429	440	RVR 24	429	440	RVR 50	429
S-28R*	440	RVR 50	431	440	RVR 50	431	440	RVR 50	431	440	RVR 50	431
A	Standard.		T 2-eng. or less—700-1, Runway 19L/R;% Standard all other runways.#				T over 2-eng.—700-1, Runway 19L/R;% Standard all other runways.#					

City, San Francisco; State, Calif.; Airport name, San Francisco International; Elev., 11'; Facility, SFO; Procedure No. VOR Runway 28L/R, Amdt. 9; Eff. date, 26 June 69; Sup. Amdt. No. 8; Dated, 9 Jan. 69

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.6 miles after passing Fort Oglethorpe Int.
CQN NDB	Fort Oglethorpe Int	Direct	3500	Climb to 4000' on NE crs of localizer (016°) within 15 miles or, when directed by ATC, climb to 4000', right turn, direct to CHA VORTAC and hold. Hold SE, 1 minute, right turns, 331° Inbnd. Supplementary charting information: VASI, Runway 2. HIRL, Runways 2/20. ALS, Runway 20. Runway 2, TDZ elevation, 682'.

Procedure turn E side of crs, 196° Outbnd, 016° Inbnd, 3500' within 10 miles of Fort Oglethorpe Int.
FAF, Fort Oglethorpe Int. Final approach crs, 016°. Distance FAF to MAP, 4.6 miles.
Minimum altitude over Fort Oglethorpe Int, 2000'.
NOTES: (1) ASR. (2) If terminal route not made from CQN NDB, radar required for turn on to final approach crs. (3) Inoperative components table does not apply to HIRL Runway 2.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N should request clearance to climb on a track of 016° or 196° from CHA LMM to 3000' before continuing climb on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-2	1100	1	418	1100	1	418	1100	1	418	1100	1	418
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1460	1	778	1460	1¼	778	1460	1½	778	1460	2	778
A	Standard.			T 2-eng. or less—RVR 24', Runway 20; Standard all others. T over 2-eng.—RVR 24', Runway 20; Standard all others.								

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Facility, CHA; Procedure No. LOC (BC) Runway 2, Amdt. 9; Eff. date, 26 June 69; Sup Amdt. No. ILS-2 (BC), Amdt. 8; Dated, 5 Mar. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC (BC)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.3 miles after passing Green River Int.
PLL VORTAC	Donna Int	Direct	2400	Climb to 2300', left turn to MLI VORTAC, or when directed by ATC, climb to 1900' to ML LOM.
BDF VORTAC	Donna Int	Direct	2500	
CVA VOR	Green River Int	Direct	2600	
MLI VORTAC	Green River Int	Direct	2300	Supplementary charting information:
Donna Int	Green River Int (NOPT)	Direct	2300	Steel tower 2.1 miles N of airport, 974'
R 130°, MLI VORTAC (CCW)	MLI LOC (NOPT)	23-mile Arc MLI, R 072° lead radial.	2300	Steel tower 0.7 mile S of airport, 748' Steel tower 6 miles NE of airport, 1049' Runway 27, TDZ elevation, 586'.

Procedure turn N side of crs, 087° Outbnd, 267° Inbnd, 2300' within 10 miles of Green River Int.
FAF, Green River Int. Final approach crs, 267°. Distance FAF to MAP, 5.3 miles.
Minimum altitude over Green River Int, 2300'.
NOTE: Radar vectoring.
%IFR departure procedures: When weather below 1500-3, aircraft departing Runway 4, climbing right turn to 1500' on E heading before proceeding on crs. Runways 9, 27, and 31 departures climb to 1500' on runway heading before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-27	1060	¾	474	1060	¾	474	1060	¾	474	1060	1	474
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	530	1120	1	530	1120	1½	530	1260	2	690
A	Standard.			T 2-eng. or less—RVR 24', Runway 9; Standard all others.%			T over 2-eng—RVR 24', Runway 9; Standard all others.%					

City, Moline; State, Ill.; Airport name, Quad City; Elev., 590'; Facility, MLI; Procedure No. LOC (BC) Runway 27, Amdt. 10; Eff. date, 26 June 69; Sup. Amdt. No. ILS-27 (back crs), Amdt. 9; Dated, 23 Apr. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.4 miles after passing Sunnyvale Int.
OSI VOR	Sunnyvale Int	Direct	3500	Climb straight ahead to 1000', then climbing left turn to 1900' and proceed via the I-SJC localizer crs to Sunnyvale Int and hold.
SJC VOR	Sunnyvale Int	Direct	2000	
SFO VOR	Sunnyvale Int (NOPT)	SFO R 095° and I-SJC LOC NW crs.	1900	
OAK VOR	Sunnyvale Int (NOPT)	OAK R 139° and I-SJC LOC NW crs.	1900	

Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbnd.
Chart 229' tank 0.7 mile S of airport.
MIRL Runways 12L/30R.
Runway 12R, TDZ elevation, 46'.

Procedure turn not authorized. One minute holding pattern NW of Sunnyvale Int, 122° Inbnd, right turns, 1000'.
FAF, Sunnyvale Int. Final approach crs, 122°. Distance FAF to MAP, 5.4 miles.
Minimum altitude over Sunnyvale Int, 1000'.
NOTE: ASR.
%IFR departures must comply with published San Jose SID's or be radar vectored.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-12R	420	¾	374	420	¾	374	420	¾	374	420	1	374
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	540	1	484	540	1	484	580	1½	524	680	2	624
A	Standard.		T 2-eng. or less—RVR 24', Runway 30L; Standard all others.%				T over 2-eng.—RVR 24', Runway 30L; Standard all others.%					

City, San Jose; State, Calif.; Airport name, San Jose Municipal; Elev., 56'; Facility, I-SJC; Procedure No. LOC (BC) Runway 12R, Amdt. 5; Eff. date, 26 June 69; Sup. Amdt. No. ILS-12R (back crs), Amdt. 4; Dated, 14 Nov. 64

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.2 miles after passing Ross Ave Int.
Argyle Int	Fair Park Int	Direct	2200	Climb to 2000' on LOC crs 308° within 20 miles or climb to 2000', right turn, direct to Dallas VORTAC.
Kleberg Int	Fair Park Int (NOPT)	Direct	2000	

Supplementary charting information: Depict DDA NDB as stepdown fix.
TERPs Par. 289 7:1 descent applied to Ross Ave Int and 1049' building 24,800' from threshold, 4800' left of centerline.
TDZ elevation, 485'.

Procedure turn S side of crs, 128° Outbnd, 308° Inbnd, 2000' within 10 miles of Ross Ave Int.
FAF, Ross Ave Int. Final approach crs, 308°. Distance FAF to MAP, 3.2 miles.
Minimum altitude over Fair Park Int, 2000'; over Ross Ave Int, 1500'; over DDA NDB, 1000'.
NOTES: (1) ASR. (2) Facilities inoperative components table does not apply.
*RVR 24', Runways 31L and 13L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31R	1000	1	515	1000	1	515	1000	1	515	1000	1	515
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1000	1	515	1000	1	515	1000	1½	515	1080	2	595
	LOC/NDB minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31R	880	1	395	880	1	395	880	1	395	880	1	395
A	Standard.		T 2-eng. or less—Standard.*				T over 2-eng.—Standard.*					

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Facility, I-DAL; Procedure No. LOC (BC) Runway 31R, Amdt. 15; Eff. date, 26 June 69; Sup. Amdt. No. 14; Dated, 25 July 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing MW LOM.
Liberty Int	MW LOM	Direct	3000	Make right-climbing turn to 2500', return to MW LOM and hold.
HKF NDB	MW LOM	Direct	2500	
Holly Int	MW LOM	Direct	2500	Supplementary charting information:
Lytle Int	MW LOM	Direct	2500	Hold NE, 1 minute, left turns, 230° Inbnd. TDZ elevation, 648'.

Procedure turn S side of crs, 050° Outbnd, 230° Inbnd, 2500' within 10 miles of MW LOM.
FAF, MW LOM. Final approach crs, 230°. Distance FAF to MAP, 4 miles.
Minimum altitude over MW LOM, 2000'.
MSA: 060°–150°—2500'; 150°–240°—2800'; 240°–330°—2500'; 330°–060°—3100'.
NOTES: (1) Radar vectoring. (2) When Middletown altimeter setting is not available, use Dayton altimeter setting and increase straight-in and circling MDA 100'. (3) Inoperative table does not apply to REIL Runway 23.
CAUTION: 895' smoke stack SW of airport, 1485' tower 3 miles E of airport.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S-23	1040	1	392	1040	1	392	1040	1	392	1040	1	392
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1200	1	552	1280	1	632	1280	1½	632	1800	2½	1152
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Middletown; State, Ohio; Airport name, Hook Field Municipal; Elev., 648'; Facility, I-MWO; Procedure No. LOC Runway 23, Amdt. 1; Eff. date, 26 June 69; Sup. Amdt. No. Orig.; Dated, 4 Apr. 68

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: CTC NDB.
Greensburg Int	CTC NDB	Direct	2700	Climb to 2700', right turn, direct to CTC NDB and hold.
EWO VORTAC	CTC NDB	Direct	2700	
				Supplementary charting information: Hold S, 1 minute, right turns, 350° Inbnd.

Procedure turn E side of crs, 170° Outbnd, 350° Inbnd, 2700' within 10 miles of CTC NDB.
Final approach crs, 350°.
MSA: 000°–090°—2600'; 090°–180°—3600'; 180°–270°—2400'; 270°–360°—2400'.
NOTE: Use Fort Knox altimeter setting.
*Night minimums not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C*	1620	1	710	1620	1	710	NA	NA
A	Not authorized.		T 2-eng or less—Standard.				T over 2-eng.—Not authorized.	

City, Campbellsville; State, Ky.; Airport name, Taylor County; Elev., 910'; Facility, CTC; Procedure No. NDB (ADF)-1, Amdt. 1; Eff. date, 26 June 69; Sup. Amdt. No. ADF 1, Orig.; Dated, 23 May 64

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP; 7.7 miles after passing CQN NDB.
Sale Creek Int	CQN NDB (NOPT)	Direct	3000	Climb to 4000' on 196° bearing from CQN
Palmer Int	CQN NDB	Direct	4000	NDB within 15 miles, or when directed
Whitewell Int	CQN NDB	Direct	4000	by ATC, climb to 4000', left turn, direct
Halestown Int	CQN NDB	Direct	4000	to CHA VORTAC and hold.
Bridgeport Int	CQN NDB	Direct	4000	Hold SE, 1 minute, right turns, 331°
Chickamauga Int	CQN NDB	Direct	4000	Inbnd.
CHA VORTAC	CQN NDB	Direct	3000	Supplementary charting information:
Crandall Int	CQN NDB	Direct	3000	VASI, Runway 2.
Georgetown Int	CQN NDB	Direct	3000	HIRL, Runways 2/20.
Riceville Int	CQN NDB	Direct	3000	ALS, Runway 20.
				Final approach crs to runway threshold. Runway 20, TDZ elevation, 673'.

Procedure turn E side of crs, 016° Outbnd, 196° Inbnd, 3000' within 10 miles of CQN NDB.
FAF, CQN NDB. Final approach crs, 196°. Distance FAF to MAP, 7.7 miles.
Minimum altitude over CQN NDB, 3000'; over OM, 1900'.
MSA: 000°-180°—4200'; 180°-360°—4100'.
NOTE: ASR.
#Inoperative components table does not apply to ALS Runway 20.
*Standard minimums for NDB/FM equipped aircraft. For NDB only aircraft all category 1000-2.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from CHA LMM to 3000' before continuing climb on Crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20#	1560	1¼	887	1560	1¼	887	1560	1¼	887	1560	2	887
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1560	1¼	878	1560	1½	878	1560	1¾	878	1560	2	878
	NDB/FM:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20#	1260	RVR 50	587	1260	RVR 50	587	1260	RVR 50	587	1260	RVR 60	587
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1560	1¼	878	1560	1½	878	1560	1¾	878	1560	2	878
A	Standard.*			T 2-eng. or less—RVR 24', Runway 20; Standard all others.			T over 2-eng.—RVR 24', Runway 20; Standard all others.					

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Facility, CQN; Procedure No. NDB (ADF) Runway 20, Amdt. 18; Eff. date, 26 June 69; Sup. Amdt. No. 17; Dated, 18 Nov. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: FEP NDB.
RFD VORTAC	FEP NDB	Direct	2500	Climb to 2500' on 242° from NDB within 10
Lena Int	FEP NDB	Direct	2500	miles, return to NDB.
Polo VORTAC	FEP NDB	Direct	2500	Supplementary charting information:
Davis Int	FEP NDB	Direct	2500	Final approach crs intercepts runway center-
RFD VORTAC	Ridott Int	RFD, R 299°	2500	line 3000' from threshold.
Ridott Int	FEP NDB (NOPT)	Direct	1440	Runway 24 TDZ elevation, 840'.

Procedure turn N side of crs, 062° Outbnd, 242° Inbnd, 2500' within 10 miles of NDB.
Final approach crs, 242°.
MSA: 180°-270°—2300'; 270°-180°—2600'.
NOTE: Use Rockford, Ill., altimeter setting.
CAUTION: Turf Runways 13/31 and 18/36 unlighted.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-24	1440	1	600	1440	1	600	1440	1	600	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1440	1¼	593	1440	1	593	1440	1½	593	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Freeport; State, Ill.; Airport name, Albertus Airport; Elev., 847'; Facility, FEP; Procedure No. NDB (ADF) Runway 24, Amdt. Orig.; Eff. date, 26 June 69

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GHX NDB.
MWL VORTAC	GHX NDB	Direct	2800	Climbing left turn to 2800' direct to GHX NDB and hold.
Chapel Int	GHX NDB	Direct	2800	
Archer Int	GHX NDB	Direct	2800	Supplementary charting information:
Woodson Int	GHX NDB	Direct	2800	Hold N of GHX NDB on bearing 005°, 185° Inbnd, left turns, 1 minute.
				Depict 1360' tower ¾ mile SW of airport.

Procedure turn E side of crs, 005° Outbnd, 185° Inbnd, 2800' within 10 miles of GHX NDB.
Final approach crs, 185°.
Minimum altitude over GHX NDB, 1740'.
MSA: 000°-360°—2800'.
NOTE: Use Mineral Wells FSS altimeter setting.
*Circling not authorized W of airport defined by runway centerlines extended.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C*	1740	1	617	1740	1	617	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.	

City, Graham; State, Tex.; Airport name, Graham Municipal; Elev., 1123'; Facility, GHX; Procedure No. NDB (ADF) Runway 17, Amdt. Orig.; Eff. date, 26 June 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: Within 0 mile of GRM NDB.
Bayport Int	GRM NDB	Direct	3800	Climb to 3800' on 270° within 10 miles of NDB, return to GRM NDB.
				Supplementary charting information: Final approach crs intercepts runway centerline 980' from threshold.
				LRCO 122.3 (HIB FSS).
				Runway 27, TDZ elevation, 1658'.

Procedure turn S side of crs, 100° Outbnd, 280° Inbnd, 3800' within 10 miles of GRM NDB.
Final approach crs, 280°.
MSA: 000°-360°—3400'.
*Use Lakehead altimeter setting. Procedure not authorized when Lakehead control zone not effective.
#Night minimums not authorized.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-27*#	2280	1	622	2280	1	622	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C*#	2400	1	742	2400	1	742	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.#				T over 2-eng.—Not authorized.	

City, Grand Marais; State, Minn.; Airport name, Devils Track Municipal; Elev., 1658'; Facility, GRM; Procedure No. NDB (ADF) Runway 27, Amdt. Orig.; Eff. date, 26 June 69

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.7 miles after passing GS LOM.
Summit Hill Int	GS LOM	Direct	2500	Climb to 2500′ on 138° bearing from GS LOM within 15 miles, or when directed by ATC, climbing left turn to 2500′ on R 054° GSO VORTAC within 15 miles.
Wallburg Int	GS LOM	Direct	2500	
Thomas Int	GS LOM	Direct	2500	
GSO VORTAC	GS LOM	Direct	2500	
Pine Hall Int	GS LOM (NOPT)	Direct	2500	Supplementary charting information: HIRL Runways 14-32. Runway 14, TDZ elevation, 926′.

Procedure turn E side of crs, 318° Outbnd, 138° Inbnd, 2500′ within 10 miles of GS LOM.
FAF, GS LOM. Final approach crs, 138°. Distance FAF to MAP, 5.7 miles.
Minimum altitude over GS LOM, 2500′.
MSA: 000°-090°—3600′; 090°-180°—4100′; 180°-270°—3400′; 270°-360°—5100′.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-14	1320	RVR 40	394	1320	RVR 40	394	1320	RVR 40	394	1320	RVR 50	394
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1360	1	434	1380	1	454	1380	1½	454	1480	2	554
A	Standard.		T 2-eng. or less—RVR 24′, Runway 14; Standard all others. T over 2-eng.—RVR 24′, Runway 14; Standard all others.									

City, Greensboro; State, N.C.; Airport name, Greensboro-High Point-Winston-Salem Regional; Elev., 926′; Facility, GS; Procedure No. NDB (ADF) Runway 14, Amdt. 10 Eff. date, 26 June 69; Sup. Amdt. No. 9; Dated, 21 Jan. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.9 miles after passing HN LOM.
Makapuu Point NDB	HN LOM	Direct	5000	Climbing right turn to 3000′ on 165° bearing from HN LOM, reverse crs and return to HN LOM at 5000′.
				Supplementary charting information: Hickam water tower, 1.4 miles at 297° from runway threshold, 184′.
				Depict Barbers Point NAS.
				Runway 8, TDZ elevation, 12′.

Procedure turn S side of crs, 259° Outbnd, 079° Inbnd, 3400′ within 10 miles of HN LOM.
FAF, HN LOM. Final approach crs, 079°. Distance FAF to MAP, 5.9 miles.
Minimum altitude over HN LOM, 2200′.
MSA: 000°-180°—5200′; 180°-270°—4600′; 270°-360°—6100′.
NOTE: ASR.
‡Circling not authorized NW of Runways 8/26 and 4L/22R. Circling MDA or CAT D Runway 22 is 860′ and 2.
%IFR Departures Runways 4L, 4R, and 8 require climbing right turns to not less than 150°.
CAUTION: Do not descend below 2200′ until over HN LOM due NAS Barbers Point 1500′ jet traffic pattern.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-8	500	¾	488	500	¾	488	500	¾	488	500	1	488
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C‡	500	1	487	500	1	487	540	1¼	527	580	2	567
A	Standard.		T 2-eng. or less— 500-1, Runways 4 L and R; Standard all others.%				T over 2-eng.— 600-2, Runways 4 L and R; Standard all others.%					

City, Honolulu; State, Hawaii; Airport name, Honolulu International; Elev., 13′; Facility, HN; Procedure No. NDB (ADF) Runway 8, Amdt. 9; Eff. date, 26 June 69; Sup. Amdt. No. 8; Dated, 1 July 67

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BRJ NDB.
Henry Int	BRJ NDB	Direct	3000	Climb to 3000', right turn, direct to BRJ NDB and hold.
Leaksville Int	BRJ NDB	Direct	3000	
Mayo Int	BRJ NDB	Direct	3000	Supplementary charting information: Hold S, 1 minute, right turns, 360° Inbnd.
Francisco Int	BRJ NDB	Direct	3700	

Procedure turn E side of crs, 180° Outbnd, 360° Inbnd, 3000' within 10 miles of BRJ NDB.
MSA: 015°–105°—3000'; 105°–195°—2600'; 195°–285°—4300'; 285°–015°—5100'.
NOTE: Use Danville, Va., altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1700	1	772	1700	1¼	772	1700	1½	772	1700	2	772
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Martinsville; State, Va.; Airport name, Blue Ridge; Elev., 928'; Facility, BRJ; Procedure No. NDB (ADF)-1, Amdt. Orig.; Eff. date, 26 June 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.5 miles after passing ML LOM.
CVA VOR	ML LOM	Direct	2600	Climb to 2300' to Green River Int, or when directed by ATC climb to 2300', right turn to ML LOM, or climb to 2300', right turn to MLI VORTAC.
MLI VORTAC	ML LOM	Direct	2300	
CID VORTAC	ML LOM	Direct	3300	
IOW VORTAC	Stockton Int	Direct	2300	
Stockton Int	ML LOM (NOPT)	Direct	1900	Supplementary charting information: Steel tower 2.1 miles N of airport, 974'. Steel tower 0.7 mile S of airport, 748'. Steel tower 6 miles NE of airport, 1649'. Runway 9, TDZ elevation, 586'.

Procedure turn S side of crs, 267° Outbnd, 087° Inbnd, 1900' within 10 miles of ML LOM.
FAF, ML LOM. Final approach crs, 087°. Distance FAF to MAP, 4.5 miles.
Minimum altitude over ML LOM, 1900'.
MSA: 045°–135°—2900'; 135°–225°—2900'; 225°–315°—2100'; 315°–045°—2700'.
NOTE: Radar vectoring.
%IFR departure procedures: When weather below 1500-3, aircraft departing Runway 4, climbing right turn to 1500' on E heading before proceeding on crs. Runways 9, 27, and 31 departures; climb to 1500' on runway heading before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9	1180	RVR 40	594	1180	RVR 40	594	1180	RVR 40	594	1180	RVR 50	594
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1180	1	590	1180	1	590	1180	1¼	590	1280	2	690
A	Standard.		T 2-eng. or less—RVR 24', Runway 9; Standard all others.%				T over 2-eng.—RVR 24', Runway 9; Standard all others.%					

City, Moline; State, Ill.; Airport name, Quad City; Elev., 590'; Facility, ML; Procedure No. NDB (ADF) Runway 9, Amdt. 15; Eff. date, 26 June 69; Sup. Amdt. No. ADF 1, Amdt. 14; Dated, 7 Jan. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.3 miles after passing OCH NDB.
LFK VORTAC	OCH NDB	Direct	2300	Climbing right turn to 2200' direct to OCH NDB and hold. Supplementary charting information: Hold N of OCH NDB on bearing 331°–151° Inbnd, right turns, 1 minute.

Procedure turn W side of crs, 331° Outbnd, 151° Inbnd, 2300' within 10 miles of OCH NDB.
FAF, OCH NDB. Final approach crs, 151°. Distance FAF to MAP, 3.3 miles.
Minimum altitude over OCH NDB, 1400'.
MSA: 090°–270°—2000'; 270°–090°—2100'.
NOTE: Use Lufkin FSS altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-15	900	1	528	900	1	528	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	900	1	528	900	1	528	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.	

City, Nacogdoches; State, Tex.; Airport name, Del Rentzel; Elev., 372'; Facility, OCH; Procedure No. NDB (ADF) Runway 15, Amdt. Orig; Eff. date, 26 June 69

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.9 miles after passing Creek NDB.
Wheeling VORTAC	Hookstown Int	Direct	3000	Make left-climbing turn to 3000' on a 360° crs direct to Ellwood City VORTAC and hold.
Ellwood City VORTAC	Hookstown Int	Direct	3000	
Allegheny County VORTAC	Hookstown Int	Direct	3000	
Hookstown Int	Creek NDB (NOPT)	Direct	3000	Supplementary charting information: Hold N, 1 minute, right turn, 182° Inbnd. Runway 10L, TDZ elevation, 1203'.

Procedure turn S side of crs, 277° Outbnd, 097° Inbnd, 3000' within 10 miles of CRK NDB.
FAF, CRK NDB. Final approach crs, 097°. Distance FAF to MAP, 6.9 miles.
Minimum altitude over CRK NDB, 3000'.
MSA: 000°–090°—3100'; 090°–180°—3100'; 180°–270°—3100'; 270°–360°—2700'.
NOTES: (1) ASR. (2) Terminal routes from EWC HLG and AGC require holding pattern entry for nonradar operation.
#RVR 18' authorized Runways 28L, 28R, 10L, for Categories A, B, C. RVR 20' authorized Runways 28L, 28R, 10L, for Category D.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-10L	1660	RVR 40	457	1660	RVR 40	457	1660	RVR 40	457	1660	RVR 50	457
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1660	1	457	1660	1	457	1660	1¼	457	1760	2	557
A	Standard.		T 2-eng. or less—Standard.#				T over 2-eng.—Standard.#					

City, Pittsburgh; State, Pa.; Airport name, Greater Pittsburgh; Elev., 1203'; Facility, CRK; Procedure No. NDB (ADF) Runway 10L, Amdt. 3; Eff. date, 26 June 69; Sup. Amdt. No. 2; Dated, 11 Mar. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.6 miles after passing River LOM.
Imperial VORTAC	Highland Int	IRL, R 097°	3000	Make left-climbing turn to 3000' on a 180° crs direct to Allegheny County VORTAC and hold.
Ellwood City VORTAC	Highland Int	EWC, R 153°	3000	
Allegheny County VORTAC	Highland Int	AGC, R 027°	3000	
Highland Int	River LOM (NOPT)	Direct	3000	Supplementary charting information: Hold S, 1 minute, right turn, 354° Inbnd. Tower 1350' at 40°29'-80°09'. Runway 28L, TDZ elevation, 1135'.

Procedure turn N side of crs, 097° Outbnd, 277° Inbnd, 3000' within 10 miles of River LOM.
FAF, River LOM. Final approach crs, 277°. Distance FAF to MAP, 5.6 miles.
Minimum altitude over River LOM, 3000'.
MSA: 000°–090°—3100'; 090°–180°—3100'; 180°–270°—3100'; 270°–360°—2700'.
NOTES: (1) ASR. (2) Holding pattern entry required at Highland Int during nonradar operation.
#RVR 18' authorized Runways 28L, 28R, 10L, for Categories A, B, C. RVR 20' authorized Runways 28L, 28R, 10L, for Category D.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28L	1660	RVR 40	525	1660	RVR 40	525	1660	RVR 40	525	1660	RVR 50	525
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1660	1	457	1660	1	457	1660	1¼	457	1760	2	557
A	Standard.		T 2-eng. or less—Standard.#				T over 2-eng.—Standard.#					

City, Pittsburgh; State, Pa.; Airport name, Greater Pittsburgh; Elev., 1203'; Facility, GP; Procedure No. NDB (ADF) Runway 28L, Amdt. 8; Eff. date, 26 June 69; Sup. Amdt. No. ADF 1, Amdt. 7; Dated, 19 Nov. 66

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.9 miles after passing River LOM.
Imperial VORTAC	Highland Int	IRL, R 007°	3000	Make right-climbing turn to 3000' on a 360° crs direct to Ellwood City VORTAC and hold.
Ellwood City VORTAC	Highland Int	EWC, R 153°	3000	
Allegheny County VORTAC	Highland Int	AGC, R 027°	3000	
Highland Int	River LOM (NOPT)	Direct	3000	Supplementary charting information: Hold N, 1 minute, right turn, 182° Inbnd. Tower 1350' at 40°29'-80°09'. Runway 28R, TDZ elevation, 1174'.

Procedure turn N side of crs, 103° Outbnd, 283° Inbnd, 3000' within 10 miles of River LOM.
FAF, River LOM. Final approach crs, 283°. Distance FAF to MAP, 6.9 miles.
Minimum altitude over River, LOM, 3000'.
MSA: 000°-090°—3100'; 090°-180°—3100'; 180°-270°—3100'; 270°-360°—2700'.
NOTES: (1) ASR. (2) Holding pattern required at Highland Int during nonradar operation.
#RVR 18' authorized Runways 28L, 28R, 10L, for Categories A, B, C. RVR 20' authorized Runways 28L, 28R, 10L, for Category D.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAD
S-28R	1720	RVR 50	546	1720	RVR 50	546	1720	RVR 50	546	1720	RVR 60	546
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1720	1	517	1720	1	517	1720	1½	517	1760	2	557
A	Standard.		T 2-eng. or less—Standard.#				T over 2-eng.—Standard.#					

City, Pittsburgh; State, Pa.; Airport name, Greater Pittsburgh; Elev., 1203'; Facility, GP; Procedure No. NDB (ADF) Runway 28R, Amdt. 4; Eff. date, 26 June 69; Sup. Amdt. No. ADF 4, Amdt. 3; Dated, 27 Mar. 65

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ETB NDB.
Belgium Int	ETB NDB	Direct	2600	Climb to 2800' on 315° from ETB NDB within 10 miles, return to NDB.
MKE VOR	ETB NDB	Direct	2700	
Eden Int	ETB NDB	Direct	2700	
Calvary Int	ETB NDB	Direct	2700	Supplementary charting information: Final approach crs intercepts runway centerline 1800' from threshold. 1381 Tower at 43°24'40"/88°10'16". Runway 31, TDZ elevation, 878'.
MWC VOR	ETB NDB	Direct	2600	

Procedure turn E side of crs, 135° Outbnd, 315° Inbnd, 2600' within 10 miles of ETB NDB.
Final approach crs, 315°.
MSA: 000°-090°—2300'; 090°-180°—2800'; 180°-270°—2700'; 270°-360°—2500'.
NOTES: (1) Radar vectoring. (2) Use Milwaukee altimeter setting.
%IFR departure procedures: Takeoffs Runway 31 climb to 1400' on runway heading before turning left. Restriction due to 1381' tower, 1.9 miles SW.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-31	1540	1	662	1540	1	662	1540	1¼	662	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1540	1	652	1540	1	652	1540	1½	652	NA
A	Not authorized.		T 2-eng. or less—500-2, Runway 24; Standard all others.%				T over 2-eng.—500-2, Runway 24; Standard all others.%			

City, West Bend; State, Wis.; Airport name, West Bend Municipal; Elev., 888'; Facility, ETB; Procedure No. NDB (ADF) Runway 31, Amdt. Orig.; Eff. date, 26 June 69

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MWM NDB.
OTG VOR	MWM NDB	Direct	3000	Climb to 3000' on 167° from NDB within 10 miles, return to NDB.
RWF VOR	MWM NDB	Direct	3000	Supplementary charting information: Final approach intercepts runway centerline 1140' from threshold.
FRM VOR	MWM NDB	Direct	3000	Runway 35, TDZ elevation, 1409'.

Procedure turn W side of crs, 347° Outbnd, 167° Inbnd, 3000' within 10 miles of MWM NDB.
Final approach crs, 167°.
MSA: 000°-360°—2800'.
NOTE: Use Redwood Falls altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS
S-35	2020	1	611	2020	1	611	2020	1	611		NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C	2020	1	611	2020	1	611	2020	1¼	611		NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.				

City, Windom; State, Minn.; Airport name, Windom Municipal; Elev., 1409'; Facility, MWM; Procedure No. NDB (ADF) Runway 35, Amdt. Orig.; Eff. date, 26 June 69

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.1 miles after passing DA LOM.
DAL VORTAC	DA LOM	Direct	2200	Climb to 2000' on bearing 128° within 15 miles or climb to 2000' left turn direct to Dallas VORTAC.
GSW VORTAC	DA LOM	Direct	2200	
ADS VOR	DA LOM	Direct	2200	
Fair Park Int	DA LOM	Direct	2200	Supplementary charting information:
Kleberg Int	DA LOM	Direct	2200	TDZ elevation: Runway 13L, 483'. Runway 13R, 475'.

Procedure turn N side of crs, 308° Outbnd, 128° Inbnd, 2200' within 10 miles of DA LOM.
FAF, DA LOM. Final approach crs, 13L—128°, 13R—135°. Distance FAF to MAP, 13L—4.1 miles, 13R—4.2 miles.
Minimum altitude over DA LOM, 1800'.
MSA: 160°-250°—3400'; 250°-160°—2300'.
NOTES: (1) ASR. (2) Facilities inoperative components table does not apply.
*RVR 24', Runways 13L and 31L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13L	880	1	397	880	1	397	880	1	397	880	1	397
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13R	880	1	405	880	1	405	880	1	405	880	1	405
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	920	1	435	1000	1	515	1000	1¼	515	1080	2	595
A	Standard.		T 2-eng. or less—Standard.*				T over 2-eng.—Standard.*					

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Facility, DA; Procedure No. NDB (ADF) Runway 13L/13R, Amdt. 1; Eff. date, 26 June 69; Sup. Amdt. No. Orig.: Dated, 11 July 68

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.6 miles after passing HKF NDB.
Liberty Int	HKF NDB	Direct	3000	Make left-climbing turn to 2700', return to HKF NDB and hold.
Holly Int	HKF NDB	Direct	2500	
MW LOM	HKF NDB	Direct	2500	Supplementary charting information:
Lytle Int	HKF NDB	Direct	2500	Hold S, 1-minute right turns, 052° Inbnd. TDZ elevation, 648'.

Procedure turn S side of crs, 232° Outbnd, 052° Inbnd, 2500' within 10 miles of HKF NDB.
FAF, HKF NDB. Final approach crs, 052°. Distance FAF to MAP, 2.6 miles.
Minimum altitude over HKF NDB, 1500'.
MSA: 000°–090°—3100'; 090°–180°—2800'; 180°–270°—2800'; 270°–360°—2400'.
NOTES: (1) Radar vectoring. (2) When Middletown altimeter setting is not available, use Dayton altimeter setting and all MDA's increased 100' and straight-in visibility increased ¼ mile for CAT C and D.
CAUTION: 895' smoke stack SW of airport. 1485' tower 3 miles E of airport.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S-5	1200	1	552	1200	1	552	1200	1	552	1200	1¼	552
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1200	1	552	1280	1	632	1280	1½	632	1800	2½	1152
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Middletown; State, Ohio; Airport name, Hook Field Municipal; Elev., 648'; Facility, HKF; Procedure No. NDB (ADF) Runway 5, Amdt. 5; Eff. date, 26 June 69; Sup. Amdt. No. 4; Dated, 4 Apr. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing MW LOM.
Liberty Int	MW LOM	Direct	3000	Make right-climbing turn to 2500', return to MW LOM, and hold.
HKF NDB	MW LOM	Direct	2500	
Holly Int	MW LOM	Direct	2500	Supplementary charting information:
Lytle Int	MW LOM	Direct	2500	Hold NE, left turns, 230° Inbnd. TDZ elevation, 648'.

Procedure turn S side of crs, 050° Outbnd, 230° Inbnd, 2500' within 10 miles of MW LOM.
FAF, MW LOM. Final approach crs, 230°. Distance FAF to MAP, 4 miles.
Minimum altitude over MW LOM, 2000'.
MSA: 000°–150°—2500'; 150°–240°—2800'; 240°–330°—2500'; 330°–000°—3100'.
NOTES: (1) Radar vectoring. (2) When Middletown altimeter setting is not available use Dayton altimeter setting and all MDA's increased 100' and straight-in visibility increased ¼ mile for CAT C and D.
CAUTION: 895' smoke stack SW of airport. 1485' tower 3 miles E of airport.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT		VIS	
S-23	1240	1	592	1240	1	592	1240	1	592	1240	1¼	592
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1240	1	592	1280	1	632	1280	1½	632	1800	2½	1152
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Middletown; State, Ohio; Airport name, Hook Field Municipal; Elev., 648'; Facility, MW; Procedure No. NDB (ADF) Runway 23, Amdt. 1; Eff. date, 26 June 69; Sup. Amdt. No. Orig.; Dated, 4 Apr. 68

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 873'; LOC 7.7 miles after passing CQN NDB.
Sale Creek Int	CQN NDB (NOPT)	Direct	3000	Climb to 4000' on S crs of localizer (196°)
Palmer Int	CQN NDB	Direct	4000	within 15 miles, or when directed by
Whitwell Int	CQN NDB	Direct	4000	ATC, climb to 4000', left turn direct to
Halletown Int	CQN NDB	Direct	4000	CHA VORTAC and hold.
Bridgeport Int	CQN NDB	Direct	4000	Hold SE, 1 minute, right turns, 331° Inbnd.
CHA VORTAC	CQN NDB	Direct	3000	Supplementary charting information:
Crandall Int	CQN NDB	Direct	3000	VASI, Runway 2.
Georgetown Int	CQN NDB	Direct	3000	HIRLS, Runways 2/20.
Riceville Int	CQN NDB	Direct	3000	ALS, Runway 20.
Chickamauga Int	CQN NDB	Direct	4000	Runway 20, TDZ elevation, 673'.

Procedure turn E side of crs, 016° Outbnd, 196° Inbnd, 3000' within 10 miles of CQN NDB.
FAF, CQN NDB. Final approach crs, 196°. Distance FAF to MAP, 7.7 miles.
Minimum altitude over CQN NDB, 3000'; over OM, 1900'.
Minimum glide slope interception altitude, 3000'. Glide slope altitude at OM, 1918'; at MM, 900'.
Distance to runway threshold at OM, 4.1 miles; at MM, 0.7 mile.
MSA: 000°-180°—4200'; 180°-360°—4100'.
NOTES: (1) ASR. (2) Glide slope unusable below 873'.
*When ALS is inoperative, increase visibility ¼ mile.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N should request clearance to climb on a track of 016° or 196° from CHA LMM to 3000' before continuing climb on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-20	873	RVR 24	200	873	RVR 24	200	873	RVR 24	200	873	RVR 24	200
LOC:*	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20	1120	RVR 40	447	1120	RVR 40	447	1120	RVR 40	447	1120	RVR 40	447
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1460	1	778	1460	1¼	778	1460	1¼	778	1460	2	778
A	800-2.			T 2-Eng. or less—RVR 24', Runway 20; Standard all others. T over 2-Eng.—RVR 24', Runway 20; Standard all others.								

City, Chattanoogn; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Facility, I-CHA; Procedure No. ILS Runway 20, Amdt. 19; Eff. date, 26 June 69; Sup. Amdt. No. 18; Dated, 18 Nov. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 1176'; LOC 5.7 miles after passing GS LOM.
Summit Hill Int	GS LOM	Direct	2500	Climb to 2500' on 138° bearing from GS
Wallburg Int	GS LOM	Direct	2500	LOM within 15 miles, or when directed
Thomas Int	GS LOM	Direct	2500	by ATC, climbing left turn to 2500' on
GSO VORTAC	GS LOM	Direct	2500	R 054° GSO VORTAC within 15 miles.
Pine Hall Int	GS LOM (NOPT)	Direct	2500	Supplementary charting information:
				HIRL Runways 14-32.
				Runway 14. TDZ elevation, 926'.

Procedure turn E side of crs, 318° Outbnd, 138° Inbnd, 2500' within 10 miles of GS LOM.
FAF, GS LOM. Final approach crs, 138°. Distance FAF to MAP, 5.7 miles.
Minimum altitude over glide slope LOM, 2500'.
Minimum glide slope intereception altitude, 2500'. Glide slope altitude at OM, 2519'; at MM, 1130'.
Distance to runway threshold at OM, 5.7 miles; at MM, 0.6 mile.
MSA: 000°-090°—3600'; 090°-180°—4100'; 180°-270°—3400'; 270°-360°—5100'.
NOTES: (1) ASR. (2) Glide slope unusable below 1126'. (3) LOC back crs unusable.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-14	1176	RVR 24	250	1176	RVR 24	250	1176	RVR 24	250	1176	RVR 24	250
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
LOC:	1280	RVR 24	354	1280	RVR 24	354	1280	RVR 24	354	1280	RVR 40	354
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
	1360	1	434	1380	1	454	1380	1¼	454	1480	2	554
A	Standard.			T 2-eng. or less—RVR 24', Runway 14: Standard all others. T over 2-eng.—RVR 24', Runway 14: Standard all others.								

City, Greensboro; State, N.C.; Airport name, Greensboro-High Point-Winston-Salem Regional; Elev., 926'; Facility, GSO; Procedure No. ILS Runway 14, Amdt. 11; Eff. date, 26 June 69; Sup. Amdt. No. 10; Dated, 29 July 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS, DH 212'; LOC 5.9 miles after passing LOM.
HNL VORTAC	HN LOM	Direct	3400	Climbing right turn to 2000' to Southgate Int., via HNL VORTAC, R 168°.
Southgate Int	R 258°, HNL VORTAC (NOPT)	13-mile DME Arc HNL 250° lead radial.	2200	Supplementary charting information: Antenna (21°19'45" N., 157°57'50" W.) 5300' from threshold on centerline, 112'.
13-mile DME Fix, R 258° HNL VORTAC	HN LOM	Loc crs of ILS	2200	Antenna (21°19'33" N., 157°59'15" W.) 13,920' from threshold near centerline, 150'.
Breakers Int	13-mile DME Fix, R 258° HNL VORTAC.	Direct	2200	Hickam water tower, 1.4 miles at 297° from runway threshold, 184'.
				Depict Barbers Point NAS.
				Runway 8, TDZ elevation, 12'.

Procedure turn S side of crs, 250° Outbnd, 079° Inbnd, 3400' within 10 miles of HN LOM.
FAF, HN LOM. Final approach crs, 079°. Distance FAF to MAP, 5.9 miles.
Minimum glide slope interception altitude, 2200'. Glide slope altitude at OM, 1958'; at MM, 244'.
Distance to runway threshold at OM, 5.9 miles; at MM, 0.5 mile.
MSA: 000°–180°—5200'; 180°–270°—4600'; 270°–360°—6100'.
NOTES: (1) ASR. (2) Glide slope unusable below 190'.
§ Circling not authorized NW of Runways 8/26 and 4L/22R. Circling MDA CAT D Runway 22 is 860' and 2.
%IFR Departures Runways 4L, 4R, and 8 require climbing right turns to not less than 150°.
CAUTION: If glide slope not received, do not descend below 2200' until over LOM or 1.1-mile DME Fix due Barbers Point NAS 1500' jet traffic pattern.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-8	212	½	200	212	½	200	212	½	200	212	½	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-8	400	¾	388	400	¾	388	400	¾	388	400	¾	388
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	460	1	447	480	1	467	540	1½	527	580	2	567
A	Standard.			T 2-eng. or less—300-1, Runways 4 L and R; Standard all others.%			T over 2-eng.—600-2, Runways 4 L and R; Standard all others.%					

City, Honolulu; State, Hawaii; Airport name, Honolulu International; Elev., 13'; Facility, I-HNL; Procedure No. ILS Runway 8, Amdt. 8; Eff. date, 26 June 69; Sup. Amdt. No. 7; Dated, 1 July 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 786', LOC 4.5 miles after passing ML LOM.
R 195°, MLI VORTAC (CW)	MLI LOC	10-mile Arc MLI, R 305° lead radial.	2300	Climb to 2300' to Green River Int, or when directed by ATC, climb to 2300' right turn to MLI VORTAC.
OVA VOR	ML LOM	Direct	2600	Supplementary charting information:
MLI VORTAC	ML LOM	Direct	2300	Steel tower 2.1 miles N of airport, 974'.
CID VORTAC	ML LOM	Direct	3200	Steel tower 0.7 mile S of airport, 748'.
IOW VORTAC	Stockton Int	Direct	2300	Steel tower 6 miles NE of airport, 1640'.
Stockton Int/10-mile Arc	ML LOM (NOPT)	MLI LOC	1900	Runway 9, TDZ elevation, 580'.

Procedure turn S side of crs, 267° Outbnd, 087° Inbnd, 1900' within 10 miles of ML LOM.
FAF, ML LOM. Final approach crs 087°. Distance FAF to MAP, 4.5 miles.
Minimum glide slope intercept altitude, 1900'. Glide slope altitude at OM, 1825'; at MM, 774'.
Distance to runway threshold at OM, 4.5 miles; at MM, 0.5 mile.
MSA: 045°–135°—2900'; 135°–225°—2900'; 225°–315°—2100'; 315°–045°—2700'.
NOTE: Radar vectoring.
%IFR departure procedures: When weather below 1500–3, aircraft departing Runway 4; climbing right turn to 1500' on E heading before proceeding on crs. Runways 9, 27, and 31 departures; climb to 1500' on runway heading before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-9	786	RVR 24	200	786	RVR 24	200	786	RVR 24	200	786	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-9	920	RVR 24	334	920	RVR 24	334	920	RVR 24	334	920	RVR 40	334
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	530	1120	1	530	1120	1½	530	1280	2	690
A	Standard.			T 2-eng. or less— RVR 24', Runway 9; Standard all others.%			T over 2-eng.— RVR 24', Runway 9; Standard all others.%					

City, Moline; State, Ill.; Airport name, Quad City; Elev., 590'; Facility, MLI; Procedure No. ILS Runway 9, Amdt. 15; Eff. date, 26 June 69; Sup Amdt. No. ILS-9, Amdt. 14; Dated, 7 Jan. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 1403'; LOC 6.9 miles after passing CRK NDB.
Wheeling VORTAC	Hookstown Int	Direct	3000	Make left-climbing turn to 3000' on a 360° crs direct to EWC VORTAC and hold.
Ellwood City VORTAC	Hookstown Int	Direct	3000	
Allegheny County VORTAC	Hookstown Int	Direct	3000	Supplementary charting information:
Hookstown Int	CRK NDB (NOPT)	Direct	3000	Hold N, 1 minute, right turn, 182° Inbnd.
				Runway 10L, TDZ elevation, 1203'.

Procedure turn S side of crs, 277° Outbnd, 097° Inbnd, 3000' within 10 miles of CRK NDB.
FAF, CRK NDB. Final approach crs, 097°. Distance FAF to MAP, 6.9 miles.
Minimum glide slope interception altitude, 3000'. Glide slope altitude at OM, 2516'; at MM, 1410'.
Distance to runway threshold at OM, 4.4 miles; at MM, 0.5 mile.
MSA: 000°-090°—3100'; 090°-180°—3100'; 180°-270°—3100'; 270°-360°—2700'.
NOTES: (1) ASR. (2) Terminal routes from EWC HLG and AGC require holding pattern entry for nonradar operation.
#RVR 18' authorized Runways 28L, 28R, 10L, for Categories A, B, C. RVR 20' authorized Runways 28L, 28R, 10L, for Category D.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
ILS:												
S-10L	1403	RVR 18	200	1403	RVR 18	200	1403	RVR 18	200	1403	RVR 20	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-10L	1540	RVR 24	337	1540	RVR 24	337	1540	RVR 24	337	1540	RVR 40	337
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1660	1	457	1660	1	457	1660	1¼	457	1760	2	557
A	Standard.		T 2-eng. or less—Standard.#				T over 2-eng.—Standard.#					

City, Pittsburgh; State, Pa.; Airport name, Greater Pittsburgh; Elev., 1203'; Facility, I-LKB; Procedure No. ILS Runway 10L, Amdt. 10; Eff. date, 26 June 69; Sup. Amdt. No. 9; Dated, 4 Feb. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 1335'; LOC 5.6 miles after passing River LOM.
Imperial VORTAC	Highland Int	IRL, R 097°	3000	Make left-climbing turn to 3000' on a 180° crs, then direct to Allegheny County VORTAC and hold.
Ellwood City VORTAC	Highland Int	EWC, R 153°	3000	
Allegheny County VORTAC	Highland Int	AGC, R 027°	3000	
Highland Int	River LOM (NOPT)	Direct	3000	Supplementary charting information: Hold S, 1 minute, right turn, 354° Inbnd. Tower 1350' at 40°29'-80°09'. Runway 28L, TDZ elevation, 1135'.

Procedure turn N side of crs, 097° Outbnd, 277° Inbnd, 3000' within 10 miles of River LOM.
FAF, River LOM. Final approach crs, 277°. Distance FAF to MAP, 5.6 miles.
Minimum glide slope interception altitude, 3000'. Glide slope altitude at OM, 3013'; at MM, 1384'.
Distance to runway threshold at OM, 5.6 miles; at MM, 0.6 mile.
MSA: 000°-090°—3100'; 090°-180°—3100'; 180°-270°—3100'; 270°-360°—2700'.
NOTES: (1) ASR. (2) Holding pattern entry required at Highland Int during nonradar operation.
#RVR 18' authorized Runways 28L, 28R, 10L, for Categories A, B, C. RVR 20' authorized Runways 28L, 28R, 10L, for Category D.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
ILS:												
S-28L	1335	RVR 18	200	1335	RVR 18	200	1335	RVR 18	200	1335	RVR 20	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28L	1600	RVR 24	465	1600	RVR 24	465	1600	RVR 24	465	1600	RVR 40	465
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1660	1	457	1660	1	457	1660	1¼	457	1760	2	557
A	Standard.		T 2-eng. or less—Standard.#				T over 2-eng.—Standard.#					

City, Pittsburgh; State, Pa. Airport name, Greater Pittsburgh; Elev., 1203'; Facility, I-GPB; Procedure No. ILS Runway 28L, Amdt. 13; Eff. date, 26 June 69; Sup. Amdt. No. ILS-28L, Amdt. 12; Dated, 19 Nov. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS, DH 256'; LOC, 4.6 miles after OM.
SJC VOR	Lick Int	Direct	4000	Climb to 1900' via NW crs I-SJC localizer to Sunnyvale Int and hold.
Gilroy Int	Lick Int (NOPT)	Direct	4000	Supplementary Charting Information: Hold NW, 1 minute, right turns, 122° Inbnd. Chart 229' tank 0.7 mile S of airport. Chart LMM at missed approach point. Runway 30L. TDZ elevation, 56'.

Procedure turn N side of crs, 122° Outbnd, 302° Inbnd, 3000' within 10 miles of Lick Int.
FAF, OM. Final approach crs, 302°. Distance FAF to MAP, 4.6 miles.
Minimum altitude over Edenvale Int, 2280'*; over OM, 1752'.
Minimum glide slope interception altitude, #4000'. Glide slope altitude at Edenvale Int, 2280'; at OM, 1752'; at MM, 286'.
Distance to runway threshold at OM, 5.1 miles; at MM, 0.5 mile.
NOTE: ASR.
#3000' when authorized by ATC.
%IFR departures must comply with published San Jose SID's or be radar vectored.
$Categories A, B, and C: Increase visibility ¼ mile for inoperative ALS Runway 30L.
*2000' glide slope not used.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
ILS:												
S-30L	256	RVR 24	200	256	RVR 24	200	256	RVR 24	200	256	RVR 24	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-30L$	640	RVR 40	584	640	RVR 40	584	640	RVR 40	584	640	RVR 50	584
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	584	640	1	584	640	1¼	584	680	2	624
A	800-2.		T 2-eng. or less—RVR 24', Runway 30L; Standard all others.%				T over 2-eng.—RVR 24', Runway 30L; Standard all others.%					

City, San Jose; State, Calif.; Airport name, San Jose Municipal; Elev., 56'; Facility, I-SJC; Procedure No. ILS Runway 30L, Amdt. 6; Eff. date, 26 June 69; Sup. Amdt. No. ILS-30L, Amdt. 5; Dated, 20 Mar. 69

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 783', LOC 4.1 miles after passing DA LOM.
DAL VORTAC	DA LOM	Direct	2200	Climb to 2000' on LOC (BC) 128° within
GSW VORTAC	DA LOM	Direct	2200	20 miles or climb to 2000', left turn direct
ADS VOR	DA LOM	Direct	2200	to Dallas VORTAC.
Fair Park Int	DA LOM	Direct	2200	Supplementary charting information:
Kleberg Int	DA LOM	Direct	2200	TDZ elevation, 483'.
Argyle Int	Lewisville Int	Direct	2000	
Lewisville Int	DA LOM (NOPT)	Direct	1800	

Procedure turn N side of crs, 308° Outbnd, 128° Inbnd, 2200' within 10 miles of DA LOM.
FAF, DA LOM. Final approach crs, 128°. Distance FAF to MAP, 4.1 miles.
Minimum glide slope interception altitude, 1800'. Glide slope altitude at OM, 1783'; at MM, 711'.
Distance to runway threshold at OM, 4.1 miles; at MM, 0.6 mile.
MSA: 160°-250°—3400'; 250°-160°—2300'.
NOTES: (1) ASR. (2) Glide slope unusable below 677'. (3) Facilities inoperative components table does not apply.
*RVR 24', Runways 13L and 31L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-13L	783	1	300	783	1	300	783	1	300	783	1	300
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13L	840	1	357	840	1	357	840	1	357	840	1	357
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	920	1	435	1000	1	515	1000	1¼	515	1080	2	595
A	Standard.		T 2-eng. or less—Standard.*				T over 2-eng.—Standard.*					

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Facility, I-DAL; Procedure No. ILS Runway 13L, Amdt. 14; Eff. date, 26 June 69; Sup. Amdt. No. 13; Dated, 11 July 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	
SCK VOR	Fairway Int	SCK, R 215°	**6000	MAP: DH 211'. LOC 4.7 miles after passing OM.
Foster Int	SF LOM (NOPT)	Direct	1600	
SFO VOR	SF LOM	Direct	2500	
OSI VOR	SF LOM	Direct	4000	
OAK VOR	SF LOM	Direct	3000	
SJC VOR	Dumbarton Int	Direct	2000	Climb to 3000' on W crs of I-SFO ILS LOC or SFO VOR, R 281° to Olympic Int. Obstructions bordering both sides of the missed approach area require a rate of climb of at least 400' per minute/100K; 600 f.p.m./150K, 800 f.p.m./200K, no wind condition.
Dumbarton Int	Foster Int	Direct	2000	
Fairway Int	Dumbarton Int	Direct	4500	

Supplementary charting information: Cat. II special authorization required.
Runway 28L, TDZ elevation, 11'.
Runway 28R, TDZ elevation, 9'.

Procedure turn not authorized.
Holding pattern SF LOM holding fix, 281° Inbnd, 101° Outbnd, left turns, 1 minute, 1900'.
FAF, SF LOM. Final approach crs, 281°. Distance FAF to MAP, 4.7 miles.
Minimum altitude over Foster Int, 2000'; over SF LOM, 1600'.
Minimum glide slope interception altitude, ##2000'. Glide slope altitude at Dumbarton Int, 4530'; over Foster Int, 2637'; over OM, 1663'; over MM, 231'; over IM, 112'.
Distance to runway threshold at OM, 5.3 miles; at MM, 0.6 mile; at IM, 989'.
MSA: 000°–180°—5000'; 180°–360°—3700'.
NOTE: ASR.
**Maximum authorized altitude 12,000'.
##1900' when intercepting from SF LOM holding pattern.
$ May vary from −2' to +6' with changing tide.
@Circling not authorized S of Runways 10/28 unless following minimums are used; MDA, 1160', and VIS, 2½ miles.
#RVR 18' authorized Runway 28L for Categories A, B, and C. RVR 20' authorized Runway 28L for Category D.
*Inoperative table does not apply to HIRL and REIL Runway 28R.
%IFR departure procedures: Departures from Runways 19L/R require left turn be started as soon as practicable due to steeply rising terrain to 2000' immediately S of airport. All departures must comply with published SFO SID's or be radar vectored.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAA	DH	VIS	HAT
S-28L	211	RVR 18	200	211	RVR 18	200	211	RVR 18	200	211	RVR 20	200
S-28R*	400	RVR 50	391	400	RVR 50	391	600	1¼	591	600	2	591
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28L	440	RVR 24	429	440	RVR 24	429	440	RVR 24	429	440	RVR 40	429
LOC:*	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28R	440	RVR 50	431	440	RVR 50	431	600	1¼	591	600	2	591
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C@	560	1	549	560	1	549	660	1¼	649	660	2	649
	CAT. II Special Authorization Required:											
	DH	VIS	RA	DH	VIS	RA	DH	VIS	RA	DH	VIS	RA
S-28L	161	RVR 16	161$	161	RVR 16	161$	161	RVR 16	161$	161	RVR 16	161$

A 700-2. T 2-eng. or less—700-1 Runways 19 L/R;% Standard all other runways.# T over 2-eng.—700-1 Runways 19 L/R;% Standard all other runways.#

City, San Francisco; State, Calif.; Airport name, San Francisco International; Elev., 11'; Facility, I-SFO; Procedure No. ILS Runway 28L, Amdt. 2; Eff. date, 26 June 69; Sup. Amdt. No. 1; Dated, 9 Jan. 69

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Chattanooga, Tenn., APC ASR minimum altitude vectoring charts.												1. Descend aircraft after passing FAF. 2. Runway 20, FAF 5 miles from threshold. Minimum altitude over FAF, 2000'. TDZ elevation, 673'. 3. Runway 32, FAF 5 miles from threshold. Minimum altitude over FAF, 2000'. TDZ elevation 671'. 4. Runway 2, FAF 5 miles from threshold. Minimum altitude over FAF, 2000'. TDZ elevation, 682. VASI—Runway 2. HIRL—Runways 2/20. Inoperative component table does not apply to HIRL Runways 2 and 20 or ALS Runway 20.

All bearings and distance are from radar site on Lovell Field with sector azimuths progressing clockwise.
CAUTION: Due to high terrain and towers, aircraft with limited climb capability departing on routes W through N, should request clearance to climb on a track of 016° or 196° from CHA LMM to 3000' before continuing climb on ers.
Missed approach:
Runway 20—Climb to 4000' on bearing 196° from CQN NDB within 15 miles.
Runway 32—Climbing right turn to 4000', direct to CQN NDB and hold. Hold N, 1 minute. Right turns, 196° Inbnd.
Runway 2—Climb to 4000' direct to CQN NDB and hold. Hold N, 1 minute, right turns, 196° Inbnd.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20	1180	RVR50	507	1180	RVR50	507	1180	RVR50	507	1180	RVR60	507
S-32	1260	1	589	1260	1	589	1260	1	589	1260	1¼	589
S-2	1180	1	498	1180	1	498	1180	1	498	1180	1	498
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C all runways	1460	1	778	1460	1¼	778	1460	1½	778	1460	2	778

A—Standard. T 2-eng. or less—RVR 24', Runway 20; Standard all others. T over 2-eng.—RVR 24', Runway 20; Standard all others.

City, Chattanooga; State, Tenn.; Airport name, Lovell Field; Elev., 682'; Facility, Chattanooga Radar; Procedure No. Radar-1, Amdt. 3; Eff. date, 26 June 69; Sup. Amdt. No. Radar 1, Amdt. 2; Dated, 18 Feb. 67

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Greensboro, N.C., APC minimum altitude vectoring charts.												1. Descend aircraft after passing FAF. 2. Runway 5, FAF 5 miles from threshold. TDZ elevation, 900'. 3. Runway 14, FAF 5 miles from threshold. TDZ elevation, 926'. 4. Runway 23, FAF 5 miles from threshold. TDZ elevation, 892'. 5. Runway 32, FAF 5 mile from threshold. TDZ elevation, 902'. Inoperative table does not apply to HIRL Runways 14-32. Increase visibility ¼ mile CAT A, B, and C with inoperative ALS Runway 14.

All bearings and distances are from radar site on Greensboro-High Point-Winston-Salem Regional Airport with sector azimuths progressing clockwise.
Missed approach:
Runway 5—Climb to 2500' on R 020°, GSO VORTAC within 15 miles of airport.
Runway 14—Climb to 2500' on 138° bearing from GS LOM within 15 miles of airport.
Runway 23—Climb to 2500' to GSO VORTAC via R 030° and hold. Hold SW, 1 minute, right turns, 041° Inbnd.
Runway 32—Climb to 2500' on NW crs (318°) of GSO LOC within 15 miles.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-14	1280	RVR 40	354	1280	RVR 40	354	1280	RVR 40	354	1280	RVR 50	354
S-5	1300	1	400	1300	1	400	1300	1	400	1300	1	4 0
S-23	1260	1	368	1260	1	368	1260	1	368	1260	1	368
S-32	1260	1	358	1260	1	358	1260	1	358	1260	1	358
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1360	1	434	1380	1	454	1380	1½	454	1480	2	554

A—Standard. T 2-eng. or less—RVR 24'; Runway 14, Standard all others. T over 2-eng.—RVR 24'; Runway 14, Standard all others.

City, Greensboro; State, N.C.; Airport name, Greensboro-High Point-Winston-Salem Regional; Elev, 926'; Facility, Greensboro Radar; Procedure No. Radar-1, Amdt. 2; Eff. date, 26 June 69; Sup. Amdt. No. Radar 1, Amdt. 1; Dated, 18 Sept. 65

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Honolulu ASR minimum altitude vectoring charts.												1. Descend aircraft after passing FAF. 2. Runway 4L, FAF 5 miles from threshold. Minimum altitude over 1-mile Radar Fix 380', TDZ elevation, 10'. 3. Circling not authorized NW of Runways 8/26 and 4L/22R. MDA for CAT D Runway 22 is 860-2. 4. IFR departures Runways 4L, 4R, and 8 require climbing right turns to not less than 150'.

Missed approach: Climbing right turn to 2000' to Southgate Int via HNL VORTAC, R 168°.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
ASR:												
S-4L	380	1	370	380	1	370	380	1	370	380	1	370
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	460	1	447	480	1	467	540	1¼	527	580	2	567
A	Standard.			T 2-eng. or less—500-1, Runways 4 L and R; Standard all others.%			T over 2-eng.—600-2, Runways 4 L and R; Standard all others.%					

City, Honolulu; State, Hawaii; Airport name, Honolulu International; Elev., 13'; Facility, HNL Radar; Procedure No. Radar-1, Amdt. 7; Eff. date, 26 June 69; Sup. Amdt. No. Radar 1, Amdt. 6; Dated, 19 Mar. 66

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
*000°	360°	10	2500	20	3000					40	5000	All runways: Descend aircraft to MDA after passing FAF 6 miles from runway threshold. Supplementary charting information: 1. Hold: EWC VORTAC hold N, 1 minute, right turn, 182° Inbnd. AGC VORTAC hold S, 1 minute, right turn, 354° Inbnd. 2. TDZ elevation: Runway 10L, 1203'; Runway 10R, 1168'; Runway 28L, 1135'; Runway 28R, 1174'; Runway 5, 1126'; Runway 23, 1151'; Runway 32, 1142'; Runway 14, 1148'.
**120°	225°			20	2500							
000°	340°					25	3000	30	4000			
340°	360°					25	4000					

Missed approach:
Runways 10L, 5—Make left-climbing turn to 3000' on a 360° crs direct to EWC VORTAC and hold.
Runways 28R, 32—Make right-climbing turn to 3000' on a 360° crs direct to EWC VORTAC and hold.
Runways 28L, 23—Make left-climbing turn to 3000' on a 180° crs direct to AGC VORTAC and hold.
Runways 10R, 14—Make right-climbing turn to 3000' on a 180° crs direct to AGC VORTAC and hold.
#RVR 18' authorized Runways 28L, 28R, 10L, for Categories A, B, C, RVR 20' authorized Runways 28L, 28R, 10L, for Category D.
*Radar control will provide 1000' clearance within 3 miles of towers; 2049' and 1883' located 9.5 miles E, 1616' located 10 miles ESE and 2042' located 10.5 miles ESE.
**Radar control will provide 1000' clearance within 3 miles of towers, 1575' located 13.5 miles ESE, 1720' stack located 11.5 miles SW.

DAY AND NIGHT MINIMUMS

Cond	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-10L	1560	RVR 24	357	1560	RVR 24	357	1560	RVR 24	357	1560	RVR 50	357
S-10R	1580	¾	412	1580	¾	412	1580	¾	412	1580	1	412
S-28L	1600	RVR 24	465	1600	RVR 24	465	1600	RVR 24	465	1600	RVR 50	465
S-28R	1600	RVR 40	426	1600	RVR 40	426	1600	RVR 40	426	1600	RVR 50	426
S-32	1640	¾	498	1640	¾	498	1640	¾	498	1640	1	498
S-23	1620	1	469	1620	1	469	1620	1	469	1620	1	469
S-05	1620	1	494	1620	1	494	1620	1	494	1620	1	494
S-14	1620	1	472	1620	1	472	1620	1	472	1620	1	472
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1660	1	457	1660	1	457	1660	1½	457	1700	2	527
A	Standard.			T 2-eng. or less—Standard.#			T over 2-eng.—Standard.#					

City, Pittsburgh; State, Pa.; Airport name, Greater Pittsburgh; Elev., 1203'; Facility, Pittsburgh Radar; Procedure No. Radar-1, Amdt. 12; Eff. date, 26 June 69; Sup. Amdt. No. 11; Dated, 17 Feb. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Oakland Tower/Bay TRACON Radar MOCA chart.												Minimum altitude over 7-mile Radar Fix, 2000'. Descend aircraft to MDA after FAF. ASR Runway 30L, FAF 4 miles from threshold, 1600'. % IFR departures must comply with published SJC SID's or be radar vectored. *Categories A, B, and C: Increase visibility ¼ mile for inoperative ALS or HIRL Runway 30L. Supplementary charting information: Runway 30L, TDZ elevation, 56'.

Missed approach: Climb to 1900' on NW crs I-SJC LOC or SJC VOR, R 302° to Sunnyvale Int and hold.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-30L*	660	RVR 40	604	660	RVR 40	604	660	RVR 40	604	660	RVR 60	604
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	660	1	604	660	1	604	660	1½	601	680	2	624
A	Standard.		T 2-eng. or less—RVR 24' Runway 30L; Standard all others.%				T over 2-eng.—RVR 24', Runway 30L; Standard all others.%					

City, San Jose; State, Calif.; Airport name, San Jose Municipal; Elev., 56'; Facility, Oakland Bay TRACON (NUQ ASR-5); Procedure No. Radar-1, Amdt. 8; Eff. date, 26 June 69; Sup. Amdt. No. Radar 1, Amdt. 7; Dated, 17 Oct. 64

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by DAL ASR minimum altitude vectoring chart.												ASR Runways 31L and 31R: Intermediate approach fix 5 miles from threshold 2000'. Descent aircraft to MDA after FAF. ASR Runways 31L and 31R FAF 3 miles from threshold 1500'. Minimum altitude over 1.3-mile Radar Fix on final approach crs, 1000'. TDZ elevation: Runway 31L—475'; Runway 31R—485'.

Missed approach: Climb to 3200' on runway heading within 10 miles or climb to 2000', right turn, direct to DAL VORTAC.
NOTE: Facilities inoperative components table does not apply.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31R	880	1	395	880	1	395	880	1	395	880	1	395
S-31L	880	RVR 40	405	880	RVR 40	405	880	RVR 40	405	880	RVR 40	405
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	920	1	435	1000	1	515	1000	1½	515	1080	2	595
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Facility, DAL ASR; Procedure No. ASR-1, Amdt. 13; Eff. date, 26 June 69; Sup. Amdt. No. 12; Dated, 11 July 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by DAL ASR minimum altitude vectoring chart.												Descend aircraft to MDA after FAF. *ASR Runway 13R. *ASR Runway 13L. FAF 5 miles from threshold 2000'. TDZ elevation: Runway 13R—475'; Runway 13L—483'.

Missed approach: *Climb to 2000' on runway heading within 10 miles or climb to 2000', left turn, direct to DAL VORTAC.
NOTE: Facilities inoperative components table does not apply.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13R	880	¾	405	880	¾	405	880	¾	405	880	1	405
S-13L	880	RVR 50	397	880	RVR 50	397	880	RVR 50	397	880	RVR 50	397
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	920	1	435	1000	1	515	1000	1¼	515	1080	2	595
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Dallas; State, Tex.; Airport name, Dallas Love Field; Elev., 485'; Facility, DAL ASR; Procedure No. ASR-2, Amdt. 2; Eff. date, 26 June 69; Sup. Amdt. No. 1; Dated 28 Nov. 68

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on May 22, 1969.

R. S. SLIFF,
Acting Director, Flight Standards Service.

[F.R. Doc. 69-6433; Filed, June 10, 1969; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—Regulations [1]

BASIS FOR CHARGES

The Agricultural Marketing Act of 1946 authorizes official inspection and certification of fresh fruits and vegetables and other products.[2] Such inspection and certification is voluntary and is made available only upon request of financially interested parties and upon payment of a fee. The Act requires such fees to be reasonable and, as nearly as possible, to cover the cost of rendering the service.

Statement of considerations leading to amendment of regulations. The rising costs of maintaining the inspection service in destination markets have made it necessary to increase inspection fees charged for most categories of inspections. The current fees charged on a unit basis for Farmers stock peanuts (unshelled), for small lots (such as for export to Canada or delivery to institutions), and for overtime work will remain unchanged.

In order to more nearly recover costs of rendering the service the following adjustments have been made in the inspection schedule of fees and charges applicable in destination markets:

1. For quality and condition inspections: Fees are raised from $15 to $17 when more than a half-carlot equivalent is involved, from $12 to $14 for a half-carlot equivalent or less, and the maximum fee per carlot equivalent when more than one kind of product is involved is raised from $30 to $34.

2. For condition only inspections: Fees are raised from $12 to $14 when more than a half-carlot equivalent is involved, from $10 to $12 for a half-carlot equivalent or less, and the maximum fee per carlot equivalent when more than one kind of product is involved is raised from $24 to $28.

3. The hourly rate, where applicable, is increased from $7 to $7.60.

4. The fee for inspection of shelled peanuts, pecans, or other nuts is increased from 60 cents to 90 cents per ton, with the minimum fee per lot remaining at $12.

Fees for regular commercial carlot inspections and for shelled peanuts have not been increased since 1960. Those for regular commercial inspections of a half-carlot or less were last changed in 1962. The hourly rate was raised in 1968, but this was only a stop-gap measure at that time to combat rising costs pending a complete analysis of all fee categories.

The fee schedule as adjusted, based on recent work measurement studies, shows close conformity between the hourly rate and fees charged on a lot basis.

Pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U.S.C. 1621 et seq.), paragraphs (a) through (c) of § 51.38 *Basis for charges* of the Subpart—Regulations governing inspection, certification and standards for fresh fruits, vegetables, and other products, are hereby amended to read as follows:

§ 51.38 Basis for charges.[3]

(a) The fee for each lot of products inspected by an inspector acting exclusively for the Department, except for peanuts, pecans, and other nuts, shall be on the following basis:

(1) Quality and condition inspections:

(i) $17 for each over one-half carlot equivalent of an individual product up to a full carlot.

(ii) $14 for each half-carlot equivalent or less of an individual product.

(iii) $34 maximum for inspection of each carlot equivalent when more than one kind of product is involved.

(2) Condition inspection only:

(i) $14 for each over one-half carlot equivalent of an individual product up to a full carlot.

(ii) $12 for each half-carlot equivalent or less of an individual product.

(iii) $28 maximum for inspection of each carlot equivalent when more than one kind of product is involved.

(3) When any lot involved is in excess of a carlot equivalent, the quantity

[1] None of the requirements in the regulations of this subpart shall excuse failure to comply with any Federal, State, county, or municipal laws applicable to products covered in the regulations in this subpart.

[2] Among such other products are the following: Raw nuts, Christmas trees and evergreens; flowers and flower bulbs; and onion sets.

[3] Carlot equivalent shall be based on the customary quantity of a product loaded in common carrier rail cars.

shall be calculated in terms of carlot and fractions thereof of the customary carlot quantity for such carlots and carlot inspection fee rates: *Provided*, That such fractions shall be calculated in terms of fourths or next higher fourths.

(b) The base fee for peanuts (shelled), pecans or other nuts shall be 90 cents per ton: *Provided*, That the minimum fee shall be $12 per lot, the different grades and varieties of peanuts shall be considered separate lots, and the fee for Farmers stock peanuts (unshelled) shall be $1.65 per ton .

(c) When inspections are made and the products inspected cannot readily be calculated in terms of carlots, or when the services rendered are such that a charge on the carlot or other unit basis would be inadequate or inequitable, charges for inspection may be based on the time consumed by the inspector in connection with such inspections, computed at the rate of $7.60 per hour.

* * * * *

Notice of proposed rule making, public procedure thereon, and the postponement of the effective time of this action later than July 13, 1969 (5 U.S.C. 553) are impracticable, unnecessary, and contrary to the public interest in that (1) the Agriculutral Marketing Act of 1946 provides that the fees charged shall be reasonable and, as nearly as possible, cover the cost of the service rendered; (2) the increases in fee rates set forth herein are necessary to more nearly cover such cost including, but not limited to, Federal employee salary adjustments; (3) it is imperative that these increases in fee rates become effective in time to cover such increased costs; and (4) additional time is not required by users of the inspection service to comply with this amendment.

(Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended, 7 U.S.C. 1622, 1624)

Dated June 6, 1969, to become effective at 12:01 a.m., July 13, 1969.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 69-6884; Filed, June 10, 1969; 8:50 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 10]

PART 725—FLUE-CURED TOBACCO

Subpart—Flue-Cured Tobacco, 1966–67 and Subsequent Marketing Years

MISCELLANEOUS AMENDMENTS

On pages 6785 through 6787 of the FEDERAL REGISTER of April 23, 1969, there was published a notice of proposed rule making to issue an amendment to regulations (31 F.R. 9775, as amended) relating to farm acreage allotments, and farm marketing quotas, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties, and the records and reports incident thereto for flue-cured tobacco effective for the 1969–70 and subsequent marketing years. Interested persons were given 15 days after publication of such notice in which to submit written data, views, and recommendations with respect to the proposed amendment to the regulations. The data, views, and recommendations which were submitted pursuant to said notice were duly considered within the limits of the Agricultural Adjustment Act of 1938, as amended. The proposed regulations are adopted with the following changes:

1. In § 725.72, paragraph (r) has been added to allow owners and operators of flue-cured tobacco farms in Wayne County, N.C., whose land is determined to be unsuitable for the production of tobacco during the 1969-crop year because of excessive rains which have caused flooding of their land, to plant their tobacco allotment on another farm or farms.

2. In § 725.91(h) a change has been made in procedure to cross-reference tobacco-sale bills. The notice provided for cross-referencing tobacco sale bills for tobacco to be sold on same day by same seller. As changed, tobacco sale bills shall be cross-referenced (on all copies) to cover sales the same day covered by the same marketing card. This clarifying change recognizes situations where more than one card is issued for a farm.

3. In § 725.91, paragraph (i) has been added to require producer tobacco which has been purchased by a dealer or buyer and later returned to the warehouse to be identified as resale tobacco when resold.

4. In § 725.92, paragraphs (h) and (i) have been added to include the 1968–69 average market price and the 1969–70 rate of penalty which is required by the Act on marketings of excess tobacco. This is a mere mathematical calculation.

5. A change has been made in § 725.95 (d) regarding penalty not to be assessed where such penalty resulted from action or inaction of a marketing recorder. The notice provided for all such cases to be finally approved by the Deputy Administrator, State and County Operations. As changed, the Deputy Administrator, State and County Operations, will only review those situations amounting to more than $10. Also, the provision has been expanded to recognize action or inaction on the part of an ASCS employee other than the marketing recorder as justifying nonassessment of penalty.

6. In § 725.98(n) there was enumerated the farms for which an MQ–92, Estimate of Production would be obtained. Also added to this group of farms are those where there is an indicated substantial discrepancy between the farmer's certified acreage shown on ASCS–580 and the acreage measured by ASCS during a farm control check.

7. In § 725.101, the data and information to be reported not later than March 1, to Farmer Programs Division by dealers and buyers is expanded to include the applicable U.S. Department of Agriculture registration number of the warehouse where the tobacco was obtained.

8. Citation of authority is added.

9. An effective date provision is added.

The usual final date for planting 1969 crop of flue-cured tobacco on farms in Wayne County, N.C., is the last of May. Because of recent excessive rainfall in the area some farmers will be unable to plant their 1969 tobacco allotments on their farms. A provision is included to permit the owners and operators of affected farms to plant their 1969 tobacco crop on other farms. Also, since the marketing of the 1969 crop of flue-cured tobacco to which these regulations relate will begin in early July 1969, and farmers need to know the provisions of the regulations it is essential that they be made effective at the earliest possible date. Accordingly, the amendments in this document shall become effective upon the date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on June 6, 1969.

CARROLL G. BRUNTHAVER,
Acting Administrator, Agricultural Stabilization and Conservation Service.

1. Section 725.51, paragraph (o) is amended to read as follows:

§ 725.51 Definitions.

* * * * *

(o) *Floor sweepings.* The actual quantity of scraps or leaves of tobacco which accumulate on the warehouse floor in the regular course of business: *Provided*, That, floor sweepings above the pounds determined by multiplying the applicable following listed percentage times the total first sales of tobacco at auction for the season for the warehouse, shall be deemed to be leaf account tobacco:

How sold	*Percentage*
Untied	0.50 (five-tenths of 1 percent).
Tied	0.17 (seventeen-hundredths of 1 percent).

Floor sweeping tobacco shall be kept separate from any other tobacco when sold.

* * * * *

2. Section 725.72, paragraph (r) is added to read as follows:

§ 725.72 Release and transfer of tobacco marketing quotas.

* * * * *

(r) Notwithstanding any other provision of the regulations in this part, the county committee may, upon written application of the farm operator and with the concurrence of the State Committee, approve the transfer, effective only for the 1969 crop of tobacco, to another farm or farms in Wayne County, N.C., or adjoining counties, of any or all of the tobacco-acreage allotment for any farm which the county committee determines cannot be planted to such crop on such farm because excessive rain prevented the timely planting or replanting of flue-cured tobacco. Any allotment transferred under this paragraph shall

be considered for the purpose of determining future allotments to have been planted to tobacco on the farm from which such allotment is transferred.

3. Section 725.87, paragraph (f), subparagraph (1), is amended to read as follows:

§ 725.87 Issuance of marketing cards.

* * * * *

(f) *Farm quota data entered on marketing card and supplemental card.* (1) Any marketing card issued to market tobacco shall show when issued, in the spaces provided on the reverse side, (i) the pounds computed by multiplying 10 percent times the effective farm marketing quota, and (ii) the pounds computed by multiplying 110 percent times the effective farm marketing quota: *Provided,* That if the tobacco available for marketing from the farm is determined by the county committee or the county office manager to be less than the effective farm marketing quota, the pounds determined to be available for marketing, for purposes of issuing a marketing card and showing thereon the farm's 10 percent and 110 percent of quota data, be considered the effective farm marketing quota for the farm: *Provided further,* That if any producer on the farm shows to the satisfaction of the county committee or county office manager that there are available for marketing from the farm pounds of tobacco above the pounds considered as the effective farm marketing quota under the proviso above, the data shown on the marketing card shall be increased accordingly but not to exceed the pounds which were or would have been computed under paragraph (i) of this section.

* * * * *

4. Section 725.91 is amended by adding paragraphs (h) and (i) to read as follows:

§ 725.91 Identification of marketings.

* * * * *

(h) *Cross-reference of tobacco sale bill number to prior tobacco sale bill covering tobacco identified by the same marketing card to be sold the same day.* Each warehouseman shall for each lot of tobacco weighed in on his floor for sale the same day cross-reference the tobacco sale bill to each prior tobacco sale bill for tobacco identified by the same marketing card. To accomplish the cross-reference, each other tobacco sale bill number shall be entered by the warehouseman in the "Remarks" space on the tobacco sale bill, on all copies, at the time he weighs in the tobacco at the warehouse.

(i) *Identification of returned first sale (producer) tobacco.* When resold at auction, tobacco which has been previously sold and returned to the warehouse by the buyer is resale tobacco. When such tobacco is resold by the warehouseman, it shall be identified as leaf account resale tobacco.

5. Section 725.92 is amended by adding paragraphs (h) and (i) to read as follows:

§ 725.92 Rate of penalty.

* * * * *

(h) *Average market price.* The average market price as determined by the Crop Reporting Board for the marketing years specified was:

AVERAGE MARKET PRICE

Marketing year:	Cents per pound
1968–69	66.6

(i) *Rate of penalty per pound.* The penalty per pound upon marketings of excess tobacco subject to marketing quotas during the marketing years specified shall be:

RATE OF PENALTY

Marketing year:	Cents per pound
1969–70	50

6. Section 725.94, paragraph (c) is amended to read as follows:

§ 725.94 Penalties considered to be due from warehousemen, dealers, buyers and others excluding the producer.

* * * * *

(c) *Leaf account tobacco.* If part or all of any marketing of leaf account tobacco (including tobacco from the buyers corrections account) when added to prior leaf account resales is in excess of prior leaf account purchases, such marketing shall be considered to be a marketing of excess tobacco unless and until such warehouseman furnishes proof acceptable to the State committee showing that such marketing is not a marketing of excess tobacco. The actual quantity of floor sweepings which the State executive director determines has been properly identified as floor sweepings and sold and reported as such by the warehouseman shall be considered acceptable proof that such marketings are not marketings of excess tobacco if the amount thereof for the warehouse does not exceed the floor sweepings for the season of: (1) 0.17 percent of producers' sales of tied tobacco, and (2) 0.50 percent of producers' sales where untied tobacco is presheeted in standardized sheets of burlap before marketing.

* * * * *

7. Section 725.95 is amended by changing the section title and adding a new paragraph (d) to read as follows:

§ 725.95 Producers penalties; false identification; failure to account; canceled allotments; overmarketing proportionate share.

* * * * *

(d) *Penalties not to be assessed.* If the farm operator or another producer on the farm markets a quantity of tobacco above 110 percent of the effective marketing quota for the farm and such overage is found to have been caused by the failure to record, or improper recording of tobacco poundage data on the marketing card, that amount of the penalty as was due to such failure to record or improper recording will not be required to be paid by the farm operator or other producer if: (i) For amounts of $10 or less the county committee, with the approval of the State committee, and (ii) for amounts above $10 the county committee, with the approval of the State committee and the Deputy Administrator, determines that each of the following conditions is applicable: (1) The failure to record or incorrect recording resulted from action or inaction of a marketing recorder or another ASCS employee, (2) such failure or error was not so large as to place the farm operator on notice of the failure or error, and (3) the producer relied in good faith on the erroneous entries on the card resulting from such failure or error. Overmarketings for a farm for which the marketing penalty will not be required to be paid pursuant to the provisions of this paragraph (d) shall be determined based upon the correct effective farm marketing quota and correct actual marketings of tobacco from the farm.

8. Section 725.98 is amended by adding a new paragraph (n) to read as follows:

§ 725.98 Producer's records and reports.

* * * * *

(n) *Report on Form MQ–92, Estimate of Production.* In order to provide a basis for a determination under the first proviso in § 725.87(f)(1) and as an aid to discouraging, thwarting, and discovering violations by producers and to enforcing the provisions of the flue-cured tobacco marketing quota program, an estimate of production, Form MQ–92, shall be prepared immediately prior to harvest for each farm (1) producing discount variety tobacco, (2) for which there is an indication of a substantial or total tobacco crop loss, (3) having a producer thereon who is a past violator of the tobacco program, (4) where there is an indicated substantial discrepancy between the farmer's certified acreage shown on ASCS–580 and the acreage measured by ASCS during a farm control check, or (5) for which the county or State ASC committee or a representative of the county or State committee believes that an MQ–92 for the farm would be in the best interests of the program.

9. Section 725.100, paragraph (c), subparagraph (4), is amended to read as follows:

§ 725.100 Dealer's records and reports.

* * * * *

(c) *Record and report of purchases and resales.* * * *

(4) At the end of the dealer's marketing operations but not later than March 1 he shall for each kind of tobacco: (i) Show the word "Final" on his final report, MQ–79, for the season, (ii) report on such final MQ–79 for the season the quantity of tobacco on hand and its location, and (iii) permit its inspection and weighing by a representative of ASCS, and at that time furnish him a certification of the quantity of such tobacco.

* * * * *

10. Section 725.101 and the title thereof are amended to read as follows:

§ 725.101 Dealers exempted from regular records and reports on MQ–79; and season report for exempted dealers.

(a) Any dealer or buyer who acquires tobacco only at auction sales and resells,

in the form in which tobacco ordinarily is sold by farmers, 5 percent or less of any such tobacco shall not be subject to the requirements of § 725.100. Any dealer or buyer is required to report on MQ–79 and on MQ–72–2 nonauction purchases from producers and nonauction purchases from other sources.

(b) For the 1969–70 and subsequent marketing years, each dealer or buyer shall also make a report not later than March 1 of each year to the Director, Farmer Programs Division, showing by States where acquired, source and pounds of all tobacco received by him as a result of auction or nonauction sale, including tobacco received which was not billed to him. The report shall show:

(1) For purchases at auction for each warehouse (i) USDA registration number (warehouse code), (ii) name and address of warehouse, (iii) gross pounds originally billed to the buyer, (iv) gross pounds billed to the buyer for which payment was made, (v) gross pounds from the company correction account deducted for short baskets, short weights and returned baskets and, (vi) gross pounds from the company correction account added for long baskets and long weights.

(2) For purchases at nonauction (i) name and address of seller (dealer or farmer) and, (ii) pounds purchased.

(Secs. 301, 313, 314, 317, 372–375, 52 Stat. 38, as amended, 47, as amended, 48, as amended, 79 Stat. 66, 55 Stat. 65, as amended, 66, as amended; 7 U.S.C. 1301, 1313, 1314, 1314c, 1372–1375)

Effective date. This amendment shall become effective on the date of filing with the Director, Office of the Federal Register.

[F.R. Doc. 69–6881; Filed, June 10, 1969; 8:50 a.m.]

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

[966.306, Amdt. 7]

PART 966—TOMATOES GROWN IN FLORIDA

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Florida Tomato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of tomatoes grown in the production area.

Regulation, as amended. In § 966.306 (33 F.R. 16330, 17310, 19161; 34 F.R. 128, 6326, 7135, 7170, 7578, 8152) paragraphs (a), (b), and (c) are deleted and a new paragraph (a) is added as follows:

§ 966.306 Limitation of shipments.

* * * * *

(a) *Minimum grade.* No person shall handle any lot of tomatoes for shipment outside of the regulation area unless they meet the requirements of U.S. No. 3, or better, grade.

(b) [Deleted]

(c) [Deleted]

* * * * *

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

Dated: June 6, 1969, to become effective June 9, 1969.

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

[F.R. Doc. 69–6882; Filed, June 10, 1969; 8:50 a.m.]

[980.203, Amdt. 7]

PART 980—VEGETABLES; IMPORT REGULATIONS

Tomatoes

Pursuant to the requirements of section 8e–1 of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608e–1), Tomato Import Regulation § 980.203, as amended (33 F.R. 16440, 17310, 19161; 34 F.R. 128, 6326, 7570, 8119), is hereby further amended as set forth below.

Tomato import regulation as amended. In § 980.203, *Tomato import regulation*, paragraph (a) is amended to read as follows:

§ 980.203 Tomato import regulation.

* * * * *

(a) *Minimum grade requirements.* U.S. No. 3, or better, grade.

* * * * *

It is hereby found that good cause exists for not postponing the effective date of this amendment beyond that herein specified (5 U.S.C. 553) in that (1) the requirements of § 8e–1 of the Act make this amendment mandatory; (2) compliance with this amendment will not require any special preparation by importers; (3) this action corresponds with a similar amendment to the regulations on shipments of domestic tomatoes under Marketing Order No. 966 as amended (7 CFR Part 966); and (4) this amendment relieves restrictions on the importation of tomatoes.

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

Dated June 6, 1969, to become effective June 9, 1969.

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

[F.R. Doc. 69–6883; Filed, June 10, 1969; 8:50 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. G]

PART 207—CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS FOR PURPOSE OF PURCHASING OR CARRYING REGISTERED EQUITY SECURITIES

Miscellaneous Amendments

1. Effective July 8, 1969, §§ 207.1 through 207.5 are revised to read as follows:

Sec.
207.1 General rule.
207.2 Definitions.
207.3 Reports and records.
207.4 Miscellaneous provisions.
207.5 Supplement.

AUTHORITY: The provisions of §§ 207.1–207.5 issued under sec. 7, Securities Exchange Act of 1934 (15 U.S.C. 78g), as amended by Public Law 90–437 (82 Stat. 452).

§ 207.1 General rule.

(a) *Registration.* Every person who, in the ordinary course of his business,[1] during any calendar quarter ended after October 20, 1967, extends or arranges for the extension of a total of $50,000 or more or has outstanding at any time during the calendar quarter, a total of $100,000 or more, in credit, secured directly or indirectly,[2] in whole or in part, by collateral that includes any margin securities,[3] unless such person is subject to Part 220 (Regulation T) or Part 221 (Regulation U) of this chapter, is subject to the registration requirements of this paragraph and shall, within 30 days following the end of the calendar quarter during which the person becomes subject to such registration requirements, register with the Board of Governors of the Federal Reserve System by filing a statement in conformity with the requirements of Federal Reserve Form G–1 with

[1] See § 207.2(b).
[2] See § 207.2(i).
[3] See § 207.2(d).

the Federal Reserve Bank of the district in which the principal office of such person is located: *Provided*, That in the case of credit so secured by collateral that includes any OTC margin stock[4] and/or debt securities convertible into OTC margin stock and no other margin security, such date shall be July 8, 1969, instead of October 20, 1967.

(b) *Termination of registration.* Any person so registered who has not, during the preceding 6 calendar months, extended or arranged for the extension or maintenance of or had outstanding any credit secured directly or indirectly, in whole or in part, by collateral that includes any margin securities may apply for termination of such registration by filing Federal Reserve Form G–2 with the Federal Reserve Bank of the district in which the principal office of such person is located. A registration shall be deemed terminated when such application is approved by the Board of Governors of the Federal Reserve System.

(c) *Definition of lender and applicability of margin requirements.* Any person subject to the registration requirements of paragraph (a) of this section who, in the ordinary course of his business, extends or maintains or arranges for the extension or maintenance of any credit for the purpose of purchasing or carrying any margin security (hereinafter called "purpose credit"), if such credit is secured directly or indirectly in whole or in part, by collateral that includes any such security, is a "lender" subject to this part and shall not after February 1, 1968, except as provided in § 207.4(a), extend or arrange for the extension of any purpose credit in an amount exceeding the maximum loan value of the collateral, as prescribed from time to time for margin securities in § 207.5 (the Supplement to Regulation G), or as determined by the lender in good faith for any collateral other than margin securities: *Provided*, That credit extended before July 8, 1969, for the purpose of purchasing or carrying OTC margin stock and/or debt securities convertible into such stock shall not be deemed to be purpose credit: *And provided further*, That any collateral consisting of convertible securities described in paragraph (d) of this section shall have loan value only as provided in that paragraph.

(d) *Credit on convertible debt securities.* (1) A lender may extend credit for the purpose specified in paragraph (c) of this section on collateral consisting of any debt security (i) convertible with or without consideration, presently or in the future, into a margin security or (ii) carrying any warrant or right to subscribe to or purchase such a margin security (such as convertible debt security is sometimes referred to herein as a "convertible security").

(2) Credit extended under this paragraph shall be subject to the same conditions as any other credit subject to this section except: (i) the entire amount of such credit shall be considered a single credit treated separately from the single credit specified in paragraph (g) of this section and all the collateral securing such credit shall be considered in determining whether or not the credit complies with this part, and (ii) the maximum loan value of the collateral shall be as prescribed from time to time in § 207.5(b) (the Supplement to Regulation G).

(3) Any convertible security originally eligible as collateral for credit extended under this paragraph shall be treated as such as long as continuously held as collateral for such credit even though it ceases to be convertible or to carry warrants or rights.

(4) In the event that any margin security other than a convertible security is substituted for a convertible security held as collateral for credit extended under this section, such margin security and any credit extended on it in compliance with this part shall thereupon be treated as subject to paragraph (c) of this section and not to this paragraph and the credit extended under this paragraph shall be reduced by an amount equal to the maximum loan value of the security withdrawn.

(e) *Statements as to purpose of credit.* (1) In connection with any extension of credit secured directly or indirectly, in whole or in part, by collateral that includes any margin security, every person who is subject to the registration requirement of paragraph (a) of this section shall, prior to such extension, obtain a statement in conformity with the requirements of Federal Reserve Form G–3 executed by the customer and executed and accepted in good faith by such person. Such person shall retain such statement in his records for at least 3 years after such credit is extinguished. In determining whether credit is "purpose credit", such person may rely on the statement executed by the customer if accepted in good faith. To accept the customer's statement in good faith, such person must (i) be alert to the circumstances surrounding the credit and (ii) if he has any further information which would cause a prudent man not to accept the statement without inquiry, have investigated and be satisfied that the customer's statement is truthful.

(2) Circumstances which could indicate that such person has not exercised reasonable diligence in so investigating and so satisfying himself would include, but are not limited to, facts such as that (i) the proceeds of the credit were paid to a broker or to a bank in connection with contemporaneous delivery of margin securities, whether or not payment was made against delivery, (ii) there were frequent substitutions of margin securities serving as collateral for the credit, or (iii) the amount of the credit was disproportionate, or the terms inappropriate, to the stated purpose.

(f) *Credit extended to person subject to Regulation T.* (1) No lender shall extend or maintain any credit for the purpose of purchasing or carrying any margin security to any customer who is subject to Part 220 of this chapter (Regulation T) without collateral or on collateral consisting of margin securities (other than exempted securities[5]). Where the credit is to be used in the ordinary course of business of such customer, such credit is presumed to be for the purpose of purchasing or carrying margin securities unless the lender has in his records a statement to the contrary obtained and executed in conformity with the requirements of paragraph (c) of this section.

(2) The prohibition of this paragraph (f) shall not apply to credit which is unsecured or secured by collateral other than margin securities, and which is (i) made to a dealer[6] to aid in the distribution of securities to customers not through the medium of a national securities exchange, or (ii) subordinated to the claims of general creditors by a subordination agreement approved by an appropriate committee of a national securities exchange or by a "satisfactory subordination agreement" as defined in paragraph (e)(7) of Rule 240–15c3–1 of the Securities and Exchange Commission.

(g) *Combining purpose credit extended to the same customer.* For the purpose of this part, except for a credit subject to paragraph (d) of this section and § 207.4(a)(2), the aggregate of all outstanding purpose credit extended to a customer by a lender after February 1, 1968, shall be considered a single credit and, except as provided in paragraphs (d) and (i) of this section, all the collateral securing such a credit, whether directly or indirectly, in whole or in part, shall be considered in determining whether the credit complies with this part.

(h) *Purpose and nonpurpose credit extended to the same person.* No lender shall after February 1, 1968, extend or arrange for the extension of any purpose credit, or maintain or arrange for the maintenance of any purpose credit extended after February 1, 1968, if the credit is secured directly or indirectly, in whole or in part, by collateral that includes any margin security which also secures, directly or indirectly, in whole or in part, any other credit in excess of $5,000 extended to the same customer after February 1, 1968; and no lender shall have outstanding at the same time to the same customer both such purpose credit and any such other credit: *Provided*, That the prohibitions of this paragraph shall not apply to (1) credit extended for the purpose of purchasing, constructing, maintaining, or improving a dwelling which is occupied or to be occupied by the customer as his principal residence when such credit is secured by a first lien on such dwelling; or (2) credit secured by a share account or other claim acquired by the customer from the lender independently of the credit and payable (or entitling the holder to a loan thereon) in a dollar amount determined without regard to

[4] See § 207.2(f). "OTC stock" is stock which is traded "over the counter".

[5] As defined in 15 U.S.C. 78c(a)(12).

[6] As defined in 15 U.S.C. 78c(a)(5).

the market value of the assets supporting the claim.

(i) *Purpose credit secured both by margin securities and by other collateral.* In the case of any purpose credit extended or arranged after February 1, 1968, secured directly or indirectly, in whole or in part, by any margin security, no other collateral shall have any loan value in respect to such credit for the purpose of this part: *Provided, however,* That a share account or other claim acquired by the customer from the lender independently of the credit and payable (or entitling the holder to a loan thereon) in a dollar amount determined without regard to the market value of the assets supporting the claim shall have a maximum loan value as determined by the lender in good faith.

(j) *Withdrawals and substitutions of collateral*—(1) *General rule.* Except as permitted by the next subparagraph and by § 207.4(a), while a lender maintains any purpose credit extended after February 1, 1968, the lender shall not at any time permit any withdrawal or substitution of collateral unless either (i) the credit would not exceed the maximum loan value of the collateral after such withdrawal or substitution, or (ii) the credit is reduced by at least the amount by which the maximum loan value of any collateral deposited is less than the "retention requirement" of any collateral withdrawn. The retention requirement of collateral other than margin securities is the same as its maximum loan value and the retention requirement of collateral consisting of margin securities or debt securities convertible into margin securities is prescribed from time to time in § 207.5 (the Supplement to Regulation G).

(2) *Same-day substitution of collateral.* Except as prohibited by § 207.4(a) a lender may permit a substitution of margin securities effected by a purchase and sale on orders executed within the same day: *Provided,* That (i) if the proceeds of the sale exceed the total cost of the purchase, the credit is reduced by at least an amount equal to the retention requirement in respect to the sale less the retention requirement in respect to the purchase, or (ii) if the total cost of the purchase exceeds the proceeds of the sale, the credit may be increased by an amount no greater than the maximum loan value of the securities purchased less the maximum loan value of the securities sold. If the maximum loan value of the collateral securing the credit has become less than the amount of the credit, the amount of the credit may nonetheless be increased if there is provided additional collateral having maximum loan value at least equal to the amount of increase, or the credit is extended pursuant to § 207.4(a).

§ 207.2 Definitions.

For the purpose of this part, unless the context otherwise requires:

(a) Terms herein have the meanings given them in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(b) The term "in the ordinary course of his business" means occurring or reasonably expected to occur from time to time in the course of any activity of a person for profit or the management and preservation of property or in addition, in the case of a person other than an individual, carrying out or in furtherance of any business purpose.

(c) The "purpose" of a credit is determined by substance rather than form.

(1) Credit which is for the purpose, whether immediate, incidental, or ultimate, of purchasing or carrying a margin security is "purpose credit", despite any temporary application of funds otherwise.

(2) Credit to enable the customer to reduce or retire indebtedness which was originally incurred to purchase a margin security is for the purpose of "carrying" such a security.

(3) An extension of credit provided for in a plan, program, or investment contract offered or sold or otherwise initiated after August 31, 1969, which provides for the acquisition both of any securities described in paragraph (d) of this section and of goods, services, property interests, other securities, or investments, is "purpose" credit.

(d) Margin security: The term "margin security" means any equity security[7] which is (1) a registered equity security, (2) an OTC margin stock, (3) a debt security (i) convertible with or without consideration, presently or in the future, into a margin security, or (ii) carrying any warrant or right to subscribe to or purchase, presently or in the future, a margin security, (4) any such warrant or right, (5) a security issued by an investment company, other than a small business investment company licensed under the Small Business Investment Company Act of 1958 (15 U.S.C. 661), registered pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8), unless at least 95 percent of the assets of such company are continuously invested in exempted securities.[8]

(e) Registered equity security: The term "registered equity security" means any equity security which (1) is registered on a national securities exchange, (2) has unlisted trading privileges on a national securities exchange, or (3) is exempted by the Securities and Exchange Commission from the operation of section 7(c)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78g(c)(2)) only to the extent necessary to render lawful any direct or indirect extension or maintenance of credit on such security.

(f) OTC margin stock: (1) The term "OTC margin stock" means stock not traded on a national securities exchange which the Board of Governors of the Federal Reserve System has determined to have the degree of national investor interest, the depth and breadth of market, the availability of information respecting the stock and its issuer, and the character and permanence of the issuer to warrant subjecting such security to the requirements of this part.

(2) The Board will from time to time publish a list of OTC margin stocks as to which the Board has made the determinations described in subparagraph (1) of this paragraph (f). Except as provided in subparagraph (4) of this paragraph (f), such stocks shall meet the requirements of § 207.5(d) (the Supplement to Regulation G).

(3) The Board shall from time to time remove from the list described in subparagraph (2) of this paragraph (f) stocks that cease to:

(i) Exist or of which the issuer ceases to exist, or

(ii) Meet substantially, the provisions of subparagraph (1) of this paragraph (f), and § 207.5(d) (the Supplement to Regulation G).

(4) The foregoing notwithstanding, the Board may, upon its own initiative, or upon application by any interested party, omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks, if in the judgment of the Board such action is necessary or appropriate in the public interest.

(5) It shall be unlawful for any person to make, or cause to be made, any representation to the effect that the inclusion of a security on such list of OTC margin stocks is evidence that the Board or the Securities and Exchange Commission has in any way passed upon the merits of, or given approval to, such security or any transaction therein. Any statement in an advertisement or other similar communication containing a reference to the Board in connection with such stocks or such list shall constitute such an unlawful representation.

(g) The term "purchase" includes any contract to buy, purchase, or otherwise acquire.

(i) The term "sale" includes any contract to sell or otherwise dispose of.

(h) The term "customer" includes any recipient of the credit to whom credit is extended directly or indirectly for the use of the customer, and also includes any person engaged in a joint venture, or as a member of a syndicate or a group, with the customer with respect to a purpose loan.

(i) The term "indirectly secured" includes, except as provided in § 207.4(a)(3), any arrangement with the customer under which the customer's right or ability to sell, pledge, or otherwise dispose of margin securities owned by the customer is in any way restricted as long as the credit remains outstanding, or under which the exercise of such right, whether by written agreement or otherwise, is or may be cause for acceleration of the maturity of the credit: *Provided,* That the foregoing shall not apply (1) if such restriction arises solely by virtue of an arrangement with the customer which pertains generally to the customer's assets unless a substantial part of such assets consists of margin securities, or (2) if the lender in good faith has not relied upon such securities as collateral

[7] As defined in 15 U.S.C. 78c(a)(11).
[8] As defined in 15 U.S.C. 78c(a)(12).

in the extension or maintenance of the particular credit: *And provided further*, That the foregoing shall not apply to stock held by the lender only in the capacity of custodian, depositary, or trustee, or under similar circumstances, if the lender in good faith has not relied upon such securities as collateral in the extension or maintenance of the particular credit.

(j) The term "stock" includes any security commonly known as a stock; any voting trust certificate or other instrument representing such a security; any security convertible with or without consideration into such security, certificate, or other instrument, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right.

§ 207.3 Reports and records.

(a) Every person who is registered pursuant to § 207.1(a) shall within 30 days following the end of each succeeding calendar quarter file a report on Federal Reserve Form G–4 with the Federal Reserve Bank of the district in which the principal office of the lender is located.

(b) Every person who has registered pursuant to § 207.1(a) shall maintain such records as shall be prescribed by the Board of Governors of the Federal Reserve System to enable it to perform the functions conferred upon it by the Securities Exchange Act of 1934. (15 U.S.C. 78)

§ 207.4 Miscellaneous provisions.

(a) *Stock option and employee stock purchase plans.* In respect to any credit extended and maintained by a corporation, by a lender wholly controlled and (except in the case of a lender formed prior to February 1, 1968, or a trustee) wholly owned by such corporation, or by a lender which is a membership thrift organization whose membership is limited to employees and former employees of such corporation, its subsidiaries, or affiliates (such corporations and such lenders are both sometimes referred to as "plan-lenders"), to an officer or employee of the corporation, subsidiary or affiliate thereof to finance the exercise of rights granted such officer or employee under a stock option plan or employee stock purchase plan adopted by the corporation and approved by a majority of its stockholders to purchase margin securities of such corporation, subsidiary or affiliate;

(1) Section 207.1 (c), (d), (f), (g), (h), (i), and (j) shall not apply (i) to any such credit extended prior to February 1, 1968, to finance the exercise of such rights granted to any named officer or employee and effectively exercised by such officer or employee prior to February 1, 1969 (with respect to credit extended to purchase OTC margin stock or debt securities convertible into such stock, the dates shall be July 8, 1968, and July 8, 1969, respectively), (ii) to any credit extended prior to February 1, 1969, to a plan-lender pursuant to a bona fide written commitment in existence on February 1, 1968, to finance the exercise of such rights and by such plan-lender from the proceeds of such credit to any officer or employee to finance the exercise of rights granted pursuant to a stock purchase plan under which the exercise price does not exceed 50 percent of the market value of the stock subject to purchase, valued as of the offering date thereof, or (iii) to any credit extended by a plan-lender pursuant to a stock purchase plan or stock option which is qualified or restricted under Internal Revenue Code sections 422, 423, and 424, to finance the exercise of such rights granted prior to February 1, 1968.

(2) The restrictions imposed by §§ 207.1 (c) and (d) and 207.5 (the supplement to Regulation G) on the maximum loan value of margin securities serving as collateral for purpose credit shall not apply to securities purchased, and serving as direct or indirect collateral for credit extended, pursuant to such a plan: *Provided*, That,

(i) The entire amount of credit extended to any officer or employee pursuant to this subparagraph (2) in connection with the exercise of rights under such plan or plans shall be considered a single credit;

(ii) At the time when credit is extended in connection with a plan subject to this subparagraph, (*a*) the plan-lender computes the "deficiency"—the amount by which the credit exceeds the maximum loan value of the collateral as prescribed by § 207.5 (the supplement to Regulation G), and (*b*) the agreement under which the credit is extended provides that except as permitted by the proviso in subdivision (iii) of this subparagraph the officer or employee shall, in respect to such deficiency, for at least 3 years from the extension of the credit, make equal repayments to the plan-lender at least quarterly and equivalent to at least 20 percent of such deficiency per annum, or such lesser amount as the Board of Governors of the Federal Reserve System, upon application, may permit;

(iii) The officer or employee is not permitted under such plan or credit agreement to sell, withdraw, pledge, or otherwise dispose of all or any part of such collateral until (*a*) all repayments have been made for at least the 3 year period provided in subdivision (ii) of this subparagraph and the deficiency has been repaid, or (*b*) as a result of the repayments described in subdivision (ii) of this subparagraph, and/or of a change in the current market value of the collateral the maximum loan value of the collateral, as prescribed by § 207.5 (the Supplement to Regulation G), is at least equal to the credit which remains owing from the officer or employee to the plan-lender, whichever shall occur first: *Provided*, That this restriction need not apply where such collateral is required to be sold to meet emergency expenses arising from circumstances not reasonably foreseeable at the time of the extension of the credit (for this purpose such emergency expenses shall include the death, disability, or involuntary termination of employment of the officer or employee or some other change in his circumstances, involving extreme hardship, not reasonably foreseeable at the time the credit is extended. The opportunity to realize monetary gain is not a "change in his circumstances" for this purpose); and

(iv) At such time as either of the conditions with respect to sale, withdrawal, pledge, or other disposition of collateral specified in subdivision (iii) of this subparagraph are satisfied the credit is thereafter treated as a credit subject to all the requirements of this part.

(3) No extension of credit to a plan-lender to finance such a plan shall be deemed to be indirectly secured by a margin security purchased pursuant to the plan: *Provided*, That such security is not repledged by the plan-lender to secure such extension of credit to the plan-lender and in no event does the person extending such credit have recourse to such security: *And provided further*, That the amount of the credit does not exceed the total amount of credit currently extended by such plan-lender pursuant to such plan.

(b) *Extensions and renewals.* The renewal or extension of maturity of a credit need not be treated as the extension of a credit if the amount of the credit is not increased except by the addition of interest or service charges on the credit or of taxes on transactions in connection with the credit.

(c) *Reorganization or recapitalization.* Nothing in this part shall be construed to prohibit withdrawal or substitution of securities to enable a customer to participate in a reorganization or recapitalization.

(d) *Mistakes in good faith.* Failure to comply with this part due to a mechanical mistake made in good faith in determining, recording, or calculating any credit, balance, market price, or loan value, or other similar mechanical mistake, shall not constitute a violation of this part if promptly after discovery of the mistake the lender takes whatever action is practicable to remedy the non-compliance.

(e) *Arranging for credit.* A lender may arrange for the extension or maintenance of credit by any person upon the same terms and conditions as those upon which the lender, under the provisions of this part, may himself extend or maintain such credit, but only upon such terms and conditions, except that this limitation shall not apply with respect to the arranging by a lender for a bank subject to Part 221 of this chapter (Regulation U) to extend or maintain credit on margin securities or exempted securities.

(f) *Combined purchase of mutual funds and insurance.* An extension of purpose credit provided for in a plan, program or investment contract, registered with the Securities and Exchange Commission under the Securities Act of 1933 (15 U.S.C. 77), which provides for the acquisition both of a security issued by an investment company described in paragraph (d)(5) of § 207.2 and an insurance policy or contract, shall be subject to all the provisions of this part except that where the credit is secured

by the security and does not exceed the premiums on such policy (plus any accrued interest), the maximum loan value of such security shall be 40 percent of its current market value, as determined by any reasonable method.

§ 207.5 Supplement.

(a) *Maximum loan value of margin securities.* For the purpose of § 207.1, the maximum loan value of any margin security, except convertible securities subject to § 207.1(d), shall be 20 percent of its current market value, as determined by any reasonable method.

(b) *Maximum loan value of convertible debt securities subject to § 207.1(d).* For the purpose of § 207.1, the maximum loan value of any security against which credit is extended pursuant to § 207.1(d) shall be 40 percent of its current market value, as determined by any reasonable method.

(c) *Retention requirement.* For the purpose of § 207.1, in the case of a loan which would exceed the maximum loan value of the collateral following a withdrawal of collateral, the "retention requirement" of a margin security and of a security against which credit is extended pursuant to § 207.1(d) shall be 70 percent of its current market value, as determined by any reasonable method.

(d) *Requirements for inclusion on list of OTC margin stock.* Except as provided in subparagraph (4) of § 207.2(f), such stock shall meet the requirements that:

(1) The stock is subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 781(g)(1)), or if issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 781(g)(2)(G)) the issuer had at least $1 million of capital and surplus,

(2) Five or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Act of 1934 (15 U.S.C. 78e), as a national securities exchange pursuant to section 5 of the Securities and Exhange Act of 1934 (15 U.S.C. 78e),

(3) There are 1,500 or more holders of record of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer is organized under the laws of the United States or a State* and it, or a predecessor in interest, has been in existence for at least 3 years,

(5) The stock has been publicly traded for at least 6 months, and

(6) Daily quotations for both bid and asked prices for the stock are continuously available to the general public; and shall meet three of the four additional requirements that:

(7) There are 500,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock,

(8) The shares described in subparagraph (7) of this paragraph have a market value in the aggregate of at least $10 million,

(9) The minimum average bid price of such stock, as determined by the Board in the latest month, is at least $10 per share, and

(10) The issuer had at least $5 million of capital, surplus, and undivided profits.

2a. These amendments are promulgated pursuant to section 7 of the Securities Exchange Act of 1934 (15 U.S.C. 78g) as amended by Public Law 90-437 (82 Stat. 452). As indicated in the notice of proposed rule making with respect to these amendments (FEDERAL REGISTER of Feb. 15, 1969; 34 F.R. 2257), they are designed to regulate the amount of credit that may be extended by persons other than banks, brokers, or dealers with respect to certain securities that are not registered on a national securities exchange. The criteria that the Board of Governors will use to select such "over-the-counter" (OTC) stocks that will be subject to the margin and other requirements of this regulation will appear in the supplement to Regulation G (§ 207.5(d)).

b. Proposals published in the notice of proposed rule making that have been revised and the reasons therefor are as follows:

(1) This part has been revised throughout to substitute the phrase "margin security" for "regulated equity security." The change is intended to eliminate any implication that such securities are supervised or have been approved by the Board or by the Securities and Exchange Commission.

(2) Section 207.1(a) has been revised to provide that credit that would otherwise require registration by the person extending the credit under Regulation G will not have that effect if secured by collateral that includes OTC margin stock and/or debt securities convertible into OTC margin stock (but no other margin security), and if extended prior to July 8, 1969, the date these amendments become effective.

(3) Section 207.1(b) has been revised to clarify that a registration pursuant to this part is not terminated until the application has been approved by the Board.

(4) Section 207.1(c) has been revised to provide that the term "purpose credit" shall not include credit extended prior to July 8, 1969, for the purpose of purchasing or carrying OTC margin stock and/or debt securities convertible into such stock.

(5) Section 207.1(g) has been revised to clarify that purpose credit qualifying for exemption from the initial margin requirements pursuant to § 207.4(a)(2) of this part must be combined with other purpose credit extended under the provisions of this part, but not until after such exempt credit satisfies the conditions of § 207.4(a)(2)(iii).

(6) Section 207.2(a) has been revised to clarify that all terms used in this part have the meanings given them in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c), unless otherwise required by the context.

(7) Section 207.2 has been amended to add a new paragraph (c) to include within the definition of "purpose credit" an extension of credit provided for in a plan, program, or investment contract offered or sold or otherwise initiated after August 31, 1969, pursuant to which both margin securities and goods, services, property interests, other securities, or investments would be acquired. Together with the addition of paragraph (f) to § 207.4, which sets a 40 percent maximum loan value on mutual fund shares serving as collateral for credit extended to finance certain plans for the combined purchase of mutual funds and insurance, this change represents a clarification that the Board regards credit available in connection with equity funding plans or programs as being for the purpose of purchasing or carrying margin securities. A proposal to include such plans or programs within the coverage of the regulation was published for comment in the FEDERAL REGISTER on December 17, 1968 (33 F.R. 18629).

(8) Section 207.2(d) has been revised to delete a reference to securities commonly known as equity funding plans or programs in conformity with the changes described above. A further revision indicates that a security issued by a small business investment company licensed under the Small Business Investment Company Act of 1958 (15 U.S.C. 661) is not a margin security.

(9) Section 207.2(f) has been revised by transferring from subparagraph (2) of this section to § 207.5(d) (the supplement to Regulation G) the criteria that will be used by the Board to select stocks for inclusion on the list of OTC margin stock that will be subject to Regulation G. This section has been further revised to clarify that a statement in an advertisement or other similar communication containing a reference to the Board in connection with the list of OTC margin stocks would constitute such an unlawful representation as is referred to in subparagraph (5) of this section.

(10) Section 207.4(a) has been amended to provide that credit extended to finance exercise of options or rights to purchase OTC margin stock or debt securities convertible into such stock, granted to named officers or employees prior to July 8, 1969, will not be subject to initial margin requirements, or to restrictions on withdrawals and substitutions of collateral, provided such rights are exercised prior to July 8, 1970. This section has also been amended to exempt from the regulation credit extended by a "plan-lender" to finance the exercise of rights to purchase margin securities pursuant to stock purchase plans and options that are "qualified" or "restricted" under Internal Revenue Code sections 422, 423, and 424, provided such rights were granted prior to February 1, 1968. In addition the section has been further amended to clarify the Board's original intention to limit the exemption to credit extended by a plan-lender who

*As defined in 15 U.S.C. 78c(a)(16).

is, if not the corporation or its membership thrift organization, wholly owned and controlled by such corporation. Such limitation would, however, not affect credit extended by a trustee, or by a plan-lender not wholly owned which was formed prior to February 1, 1968 (the date after which such credit became subject to Regulation G).

(11) Section 207.5 (the Supplement to Regulation G) has been amended by adding a new paragraph (d) to receive the criteria transferred from § 207.2(f). In addition, the criteria have been revised to include on the list of OTC margin stock only those stocks whose issuer is organized under the laws of the United States, or a State thereof, the District of Columbia, Puerto Rico, the Philippine Islands, the Canal Zone, the Virgin Islands, or any other possession of the United States.

c. With the exception of certain changes in § 207.4(a), relating to the availability of exemption from the margin and other requirements of the regulation for credit extended in connection with stock option and employee stock purchase plans, these amendments were adopted by the Board after consideration of all relevant material that was presented by interested persons. In the Board's view, the effect of such changes in § 207.4(a) is in part, to relax certain restrictions and in part to interpret existing rules. Accordingly, the Board concluded that the notice and public participation procedure contemplated by section 553 of title 5, United States Code, was unnecessary with respect to such changes.

Dated at Washington, D.C., this 2d day of June 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-6862; Filed, June 10, 1969; 8:48 a.m.]

[Reg. T]

PART 220—CREDIT BY BROKERS, DEALERS, AND MEMBERS OF NATIONAL SECURITIES EXCHANGES

Miscellaneous Amendments

1. Effective July 8, 1969, §§ 220.1 through 220.8 are revised to read as follows:

Sec.
220.1 Scope of part.
220.2 Definitions.
220.3 General accounts.
220.4 Special accounts.
220.5 Borrowing by members, brokers, and dealers.
220.6 Certain technical details.
220.7 Miscellaneous provisions.
220.8 Supplement.

AUTHORITY: The provisions of §§ 220.1–220.8 issued under secs. 7 and 8(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78g, 78h(a)).

§ 220.1 Scope of part.

This part is issued by the Board of Governors of the Federal Reserve System (hereinafter called the "Board") pursuant to the Securities Exchange Act of 1934 (called the "Act" in this part), particularly sections 7 and 8(a) thereof (15 U.S.C. 78g, 78h(a), as amended), and applies to every broker or dealer, including every member of a national securities exchange.

§ 220.2 Definitions.

For the purposes of this part, unless the context otherwise requires:

(a) The terms herein have the meanings given them in section 3(a) of the Act (15 U.S.C. 78c(a)).

(b) The term "creditor" means any broker or dealer including every member of a national securities exchange.

(c) The term "customer" (1) includes any person, or any group of persons acting jointly, (i) to or for whom a creditor is extending, arranging, or maintaining any credit, or (ii) who, in accordance with the ordinary usage of the trade, would be considered a customer of the creditor, and (2) includes, but is not limited to (i) in case the creditor is a firm, any partner in the firm who would be considered a customer of the firm if he were not a partner, and (ii) any joint venture in which a creditor participates and which would be considered a customer of the creditor if the creditor were not a participant.

(d) The term "registered security" means any security which (1) is registered on a national securities exchange; or (2) in consequence of its having unlisted trading privileges on a national securities exchange is deemed, under the provisions of section 12(f) of the Act (15 U.S.C. 78*l*), to be registered on a national securities exchange; or (3) is exempted by the Securities and Exchange Commission from the operation of section 7(c)(2) of the Act (15 U.S.C. 78g (c)(2)) only to the extent necessary to render lawful any direct or indirect extension or maintenance of credit on such security or any direct or indirect arrangement therefor which would not have been unlawful if such security had been a security (other than an exempted security) registered on a national securities exchange.

(e) (1) The term "OTC margin stock" [1] means stock, not traded on a national securities exchange, which the Board of Governors of the Federal Reserve System has determined to have the degree of national investor interest, the depth and breadth of market, the availability of information respecting the stock and its issuer, and the character and permanance of the issuer to warrant subjecting such stock to the requirements of this part.

(2) The Board will from time to time publish a list of OTC margin stock as to which the Board has made the determinations described in subparagraph (1) of this paragraph (e). Except as provided in subparagraph (4) of this paragraph (e), such stocks shall meet the requirements of § 220.8(g) (the supplement to Regulation T).

(3) The Board will from time to time remove from the list described in subparagraph (2) of this paragraph (e) stocks that cease to:

(i) Exist or of which the issuer ceases to exist; or

(ii) Meet substantially the provisions of subparagraph (1) of this paragraph (e) and of § 220.8(g) (the supplement to Regulation T).

(4) The foregoing notwithstanding, the Board may, upon its own initiative or upon application by any interested party, omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks if in the judgment of the Board, such action is necessary or appropriate in the public interest.

(5) It shall be unlawful for any creditor to make, or cause to be made, any representation to the effect that the inclusion of a security on such list of OTC margin stocks is evidence that the Board or the Securities and Exchange Commission has in any way passed upon the merits of, or given approval to, such security or any transaction therein. Any statement in an advertisement or other similar communication containing a reference to the Board in connection with such stocks or such list shall constitute such an unlawful representation.

(f) The term "margin security" means any registered security or OTC margin stock.

(g) The term "exempted security" has the meaning given it in section 3(a) of the Act (15 U.S.C. 78c(a)(12)), except that the term does not include a security which is exempted by the Securities and Exchange Commission from the operation of section 7(c)(2) of the Act (15 U.S.C. 78g(c)(2)) only to the extent described in paragraph (d)(3) of this section.

(h) The term "nonequity security" means any security other than an equity security [2] or an exempted security.

§ 220.3 General accounts.

(a) *Contents of general account.* All financial relations between a creditor and a customer, whether recorded in one record or in more than one record, shall be included in and be deemed to be part of the customer's general account with the creditor, except that the relations which § 220.4 permits to be included in any special account provided for by that section may be included in the appropriate special account, and all transactions in commodities, and, except to the extent provided in paragraph (b)(2) of § 220.3, all transactions in non-equity securities, exempted securities, and in other securities having no loan value in a general account under the provisions of §§ 220.3(c) and 220.8 (the supplement to Regulation T) (except unissued securities, short sales and purchases to cover short sales, securities positions to offset short sales, contracts involving an endorsement or guarantee of any put, call, or other option), shall be included in the

[1] "OTC stock" hereinafter refers to stock traded "over the counter."

[2] As defined in 15 U.S.C. 78c(a)(11).

appropriate special account provided for by § 220.4. During any period when such § 220.8 specifies that margin equity securities shall have no loan value in a general account or special convertible debt security account (sometimes referred to herein as "special convertible security account") subject to § 221.4(j), any transaction consisting of a purchase of a security other than a purchase of a security to reduce or close out a short position shall be effected in the special cash account provided for by § 220.4(c) or in some other appropriate special account provided for by § 220.4.

(b) *General rule.* (1) A creditor shall not effect for or with any customer in a general account, special bond account subject to § 220.4(i), or special convertible security account any transaction which, in combination with the other transactions effected in such account on the same day, creates an excess of the adjusted debit balance of such account over the maximum loan value of the securities in such account, or increases any such excess, unless in connection therewith the creditor obtains, as promptly as possible and in any event before the expiration of 5 full business days following the date of such transaction, the deposit into such account of cash or securities in such amount that the cash deposited plus the loan value of the securities deposited equals or exceeds the excess so created or the increase so caused.

(2) Except as permitted in this subparagraph, no withdrawal of cash or exempted or margin securities shall be permissible if the adjusted debit balance of the account (whether the general account, the special bond account, or the special convertible security account) would exceed the maximum loan value of the securities in such account after such withdrawal. The exceptions are available only in the event no cash or securities need to be deposited in such account in connection with a transaction on a previous day and none would need to be deposited thereafter in connection with any withdrawal of cash or securities on the current day. The permissible exceptions are (i) registered nonequity securities or exempted securities held in the general account on March 11, 1968, and continuously thereafter may be withdrawn upon the deposit in the account of cash (or margin equity securities counted at their maximum loan value) at least equal to the "retention requirement" of such withdrawn securities, or (ii) except as provided in subdivision (i) of this subparagraph, securities having loan value in the general account, the special bond account, or the special convertible security account may be withdrawn upon the deposit in such account of cash or securities having loan value in such account counted at the maximum loan value at least equal to the "retention requirement" of those securities, or (iii) cash may be withdrawn upon the deposit in the general account, the special bond account, or the special convertible security account of securities having a maximum loan value in such account at least equal to the amount of cash withdrawn, or (iv) upon the sale (other than the short sale) of securities having loan value in the general account, special bond account, or special convertible security account there may be withdrawn in cash an amount equal to the difference between the current market value of the securities sold and the "retention requirement" of such securities, or (v) upon the sale (other than the short sale) of a registered nonequity security or an exempted security that was held in the general account on March 11, 1968, and continuously thereafter there may be withdrawn in cash an amount equal to the difference between the current market value of the securities sold and the "retention requirement" of those securities as prescribed in § 220.8 (the supplement to Regulation T).

(3) Rules for computing the maximum loan value of the securities in a general account, special bond account, or special convertible security account and the adjusted debit balance of such account are provided in paragraphs (c) and (d) of this section, and certain modifications of and exceptions to the general rule stated in this paragraph are provided in the subsequent paragraphs of this section and in § 220.6.

(c) *Maximum loan value and current market value.* (1) The maximum loan value of the securities in a general account, special bond account, or special convertible security account is the sum of the maximum loan values of the individual securities in such account, including securities (other than unissued securities) bought for such account but not yet debited thereto, but excluding securities sold for such account whether or not payment has been credited thereto.

(2) Except as otherwise provided in this paragraph, the maximum loan value of a security in a general account, special bond account, or special convertible security account shall be such maximum loan value as the Board shall prescribe from time to time in § 220.8 (the supplement to Regulation T). No collateral other than an exempted security or a registered or a registered nonequity security held in such account on March 11, 1968, and continuously thereafter, or margin equity security shall have any loan value in a general account except that a registered equity security eligible for a special convertible security account pursuant to § 220.4(j) shall have loan value in a general account only if held in the account on March 11, 1968, and continuously thereafter.

(3) A warrant or certificate which evidences only a right to subscribe to or otherwise acquire any security and which expires within 90 days of issuance shall have no loan value in a general account, special bond account, or special convertible security account; but, if the account contains the security to the holder of which such warrant or certificate has been issued and such warrant or certificate is held in an appropriate account maintained by the creditor for the customer the current market value of such security (if such security is a margin security) shall, for the purpose of calculating its maximum loan value, be increased by the current market value of such warrant or certificate.

(4) For the current market value of a security throughout the day of its purchase or sale, the creditor shall use its total cost or the net proceeds of its sale, as the case may be, and at any other time shall use the closing sale price of the security on the preceding business day as shown by any regularly published reporting or quotation service. In the absence of any such closing sale price, the creditor may use any reasonable estimate of the market value of such security as of the close of business on such preceding business day.

(d) *Adjusted debit balance.* For the purpose of this part, the adjusted debit balance of a general account, special bond account, or special convertible security account shall be calculated by taking the sum of the following items:

(1) The net debit balance, if any, of such account;

(2) The total cost of any securities (other than unissued securities) bought for such account but not yet debited thereto;

(3) The current market value of any securities (other than unissued securities) sold short in the general account plus, for each security (other than an exempted security), such amount as the Board shall prescribe from time to time in § 220.8 (the supplement to Regulation T) as the margin required for such short sales, except that such amount so prescribed in such § 220.8 need not be included when there are held in the general account the same securities or securities exchangeable or convertible within 90 calendar days, without restriction other than the payment of money, into such securities sold short;

(4) The amount of margin specified by paragraph (h) of this section for every net commitment in such account in unissued securities, plus all unrealized losses on each commitment in unissued securities and minus all unrealized gains (not exceeding the required margin) on each commitment in unissued securities; and

(5) The amount of any margin customarily required by the creditor in connection with his endorsement or guarantee of any put, call, or other option;

and deducting therefrom the sum of the following items:

(6) The net credit balance, if any, of such account; and

(7) The net proceeds of sale of any securities (other than unissued securities) sold for such account but for which payment has not yet been credited thereto.

In case such account is the account of a partner of the creditor or the account of a joint venture in which the creditor participates, the adjusted debit balance shall be computed according to the foregoing rule and the supplementary rules prescribed in § 220.6 (a) and (b).

(e) *Liquidation in lieu of deposit.*[3] In any case in which the deposit required by paragraph (b) of this section, or any portion thereof, is not obtained by the creditor within the 5-day period specified therein, margin nonexempted securities shall be sold (or, to the extent that there are insufficient margin nonexempted securities in the general account, special bond account, or special convertible security account other liquidating transactions shall be effected in such account), prior to the expiration of such 5-day period, in such amount that the resulting decrease in the adjusted debit balance of such account exceeds, by an amount at least as great as such required deposit or the undeposited portion thereof, the "retention requirement" of any margin or exempted securities sold: *Provided*, That a creditor is not required to sell securities or to effect other liquidating transactions specified by this paragraph in an amount greater than necessary to eliminate the excess of the adjusted debit balance of such account over the maximum loan value of the securities remaining in such account after such liquidation.

(f) *Extensions of time.* In exceptional cases, the 5-day period specified in paragraph (b) of this section may, on application of the creditor, be extended for one or more limited periods commensurate with the circumstances (1) by any regularly constituted committee of a national securities exchange having jurisdiction over the business conduct of its members, of which exchange the creditor is a member or through which his transactions are effected, or (2) in instances where the procedure described above is not readily available or appropriate, by a committee of a national securities association: *Provided*, That such committee is satisfied that the creditor is acting in good faith in making the application and that the circumstances are in fact exceptional and warrant such action.

(g) *Transactions on given day.* For the purposes of paragraph (b) of this section, the question of whether or not an excess of the adjusted debit balance of a general account, special bond account, or special convertible security account over the maximum loan value of the securities in such account is created or increased on a given day shall be determined on the basis of all the transactions in the account on such day exclusive of any deposit of cash, deposit of securities, covering transaction, or other liquidation that has been effected on such day, pursuant to the requirement of paragraph (b) or (e) of this section, in connection with a transaction on a previous day. In any case in which an excess so created, or increase so caused, by transactions on a given day does not exceed $100, the creditor need not obtain the deposit specified therefor in paragraph (b)(1) of this section. Any transaction which serves to meet the requirements of paragraph (e) of this section or otherwise serves to permit any offsetting transaction in an account shall, to that extent, be unavailable to permit any other transaction in such account. For the purposes of this part (Regulation T), if a security has maximum loan value under paragraph (c)(1) of this section in a general account, a sale of the same security (even though not the same certificate) in such account shall be deemed to be a long sale and shall not be deemed to be or treated as a short sale.

(h) *Unissued securities.* (1) The amount to be included in the adjusted debit balance of a general account, special bond account, or special convertible security account as the margin required for a net long commitment in unissued securities shall be the current market value of the net amount of unissued securities long minus the maximum loan value which such net amount of securities would have if they were issued margin securities held in such account; and the amount to be so included as the margin required for a net short commitment in unissued securities shall be the amount which would be required as margin for the net amount of unissued securities short if such securities were issued securities and were sold short in such account: *Provided*, That no amount need be included as margin for a net short commitment in unissued securities when there are held in such account securities in respect of which the unissued securities are to be issued, nor for any net position in unissued securities that are exempted securities.

(2) Whenever a creditor, pursuant to a purchase of an unissued security for a customer, receives an issued security which is not a margin or exempted security, the creditor shall treat as the margin required for such purchase, any payment by the customer for such issued security as a transaction (other than a withdrawal) which increases the adjusted debit balance of a general account, special bond account, or special convertible security account by the amount of the payment minus the amount required to be included in the adjusted debit balance of such account, at the time of and in connection with the purchase of the unissued security.

§ 220.4 Special accounts.

(a) *General rule.* (1) Pursuant to this section, a creditor may establish for any customer one or more special accounts.

(2) Each such special account shall be recorded separately and shall be confined to the transactions and relations specifically authorized for such account by the appropriate paragraph of this section and to transactions and relations incidental to those specifically authorized. An adequate record shall be maintained showing for each such account the full details of all transactions in the account.

(3) A special account established pursuant to this section shall not be used in any way for the purpose of evading or circumventing any of the provisions of this part. If a customer has with a creditor both a general account and one or more such special accounts, the creditor shall treat each such special account as if the customer had with the creditor no general account, special bond account subject to § 220.4(i), or special convertible security account subject to § 220.4(j).

(4) The only other conditions to which transactions in such special accounts shall be subject under the provisions of this part shall be such conditions as are specified in the appropriate paragraph of this section and in § 220.2, § 220.6, § 220.7, or § 220.8, except insofar as § 220.3 applies to § 220.4 (i) and (j).

(b) *Special omnibus account.* In a special omnibus account, a member of a national securities exchange may effect and finance transactions for another member of a national securities exchange or a broker or dealer registered with the Securities and Exchange Commission under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) from whom the member receives (1) written notice, pursuant to a rule of the Securities and Exchange Commission concerning the hypothecation of customers' securities by brokers or dealers (Rule 8c-1 (17 CFR 240.8c-1) or Rule 15c2-1 (17 CFR 240.15c2-1)), to the effect that all securities carried in the account will be carried for the account of the customers of the broker or dealer and (2) written notice that any short sales effected in the account will be short sales made in behalf of the customers of the broker or dealer other than his partners. No substitutions of collateral securing credit extended to a broker or dealer not described in the preceding sentence shall be permitted after October 6, 1969, and no such credit shall be maintained after July 8, 1970.

(c) *Special cash account.* (1) In a special cash account, a creditor may effect for or with any customer bona fide cash transactions in securities in which the creditor may:

(i) Purchase any security for, or sell any security to, any customer, provided funds sufficient for the purpose are already held in the account or the purchase or sale is in reliance upon an agreement accepted by the creditor in good faith that the customer will promptly make full cash payment for the security and that the customer does not contemplate selling the security prior to making such payment.

(ii) Sell any security for, or purchase any security from, any customer, provided the security is held in the account or the creditor is informed that the customer or his principal owns the security and the purchase or sale is in reliance upon an agreement accepted by the creditor in good faith that the security is to be promptly deposited in the account.

(2) In case a customer purchases a security (other than an exempted security) in the special cash account and does not make full cash payment for the security within 7 days after the date on which the security is so purchased, the

[3] This requirement relates to the action to be taken when a customer fails to make the deposit required by § 220.3(b), and it is not intended to countenance on the part of customers the practice commonly known as "free-riding," to prevent which the principal national securities exchanges have adopted certain rules. See the rules of such exchanges and § 220.7(e).

creditor shall, except as provided in subparagraphs (3) through (7) of this paragraph, promptly cancel or otherwise liquidate the transaction or the unsettled portion thereof.

(3) If the security when so purchased is an unissued security, the period applicable to the transaction under subparagraph (2) of this paragraph shall be 7 days after the date on which the security is made available by the issuer for delivery to purchasers. If the security when so purchased is a "when distributed" security which is to be distributed in accordance with a published plan, the period applicable to the transaction under subparagraph (2) of this paragraph shall be 7 days after the date on which the security is so distributed. If the security when so purchased is a new security issued or to be issued for the purpose of refunding outstanding securities which mature, or are to be payable upon presentation for redemption, within 35 days of the date on which the new security is made available by the issuer for delivery to purchasers, the period applicable to the transaction under subparagraph (2) of this paragraph shall be 7 days after such maturity or payment date: *Provided*, That this sentence shall apply only to the payment of that portion of the purchase price that does not exceed 103 percent of the amount that will be payable to the purchaser of the new security upon such maturity of, or payment for, securities owned by him at the time of the purchase.

(4) If any shipment of securities is incidental to the consummation of the transaction, the period applicable to the transaction under subparagraph (2) of this paragraph shall be deemed to be extended by the number of days required for all such shipments, but not by more than 7 days.

(5) If the creditor, acting in good faith in accordance with subparagraph (1) of this paragraph, purchases a security for a customer, or sells a security to a customer, with the understanding that he is to deliver the security promptly to the customer, and the full cash payment to be made promptly by the customer is to be made against such delivery, the creditor may at his option treat the transaction as one to which the period applicable under subparagraph (2) of this paragraph is not the 7 days therein specified but 35 days after the date of such purchase or sale.

(6) If an appropriate committee of a national securities exchange or a national securities association is satisfied that the creditor is acting in good faith in making the application, that the application relates to a bona fide cash transaction, and that exceptional circumstances warrant such action, such committee, on application of the creditor, (i) may extend any period specified in subparagraph (2), (3), (4), or (5) of this paragraph for one or more limited periods commensurate with the circumstances, or (ii), in case a security purchased by the customer in the special cash account is a margin or exempted security, may authorize the transfer of the transaction to a general account, special bond account, special convertible security account, or special omnibus account, and the completion of such transaction pursuant to the provisions of this part relating to such an account.

(7) The 7-day periods specified in this paragraph refer to 7 full business days. The 35-day period and the 90-day period specified in this paragraph refer to calendar days, but if the last day of any such period is a Saturday, Sunday, or holiday, such period shall be considered to end on the next full business day. For the purposes of this paragraph, a creditor may, at his option, disregard any sum due by the customer not exceeding $100.

(8) Unless funds sufficient for the purpose are already in the account, no security other than an exempted security shall be purchased for, or sold to, any customer in a special cash account with the creditor if any security other than an exempted security has been purchased by such customer in such an account during the preceding 90 days, and then, for any reason whatever, without having been previously paid for in full by the customer, the security has been sold in the account or delivered out to any broker or dealer: *Provided*, That an appropriate committee of a national securities exchange or a national securities association, on application of the creditor, may authorize the creditor to disregard for the purposes of this subparagraph any given instance of the type therein described if the committee is satisfied that both creditor and customer are acting in good faith and that circumstances warrant such authorization. For the purposes of this subparagraph, the cancellation of a transaction, otherwise than to correct an error, shall be deemed to constitute a sale. The creditor may disregard for the purposes of this subparagraph a sale without prior payment provided full cash payment is received within the period described by subparagraph (2) of this paragraph and the customer has not withdrawn the proceeds of sale on or before the day on which such payment (and also final payment of any check received in that connection) is received. The creditor may so disregard a delivery of a security to another broker or dealer provided such delivery was for deposit into a special cash account which the latter broker or dealer maintains for the same customer and in which account there are already sufficient funds to pay for the security so purchased; and for the purpose of determining in that connection the status of a customer's account at another broker or dealer, a creditor may rely upon a written statement which he accepts in good faith from such other broker or dealer.

(d) *Special arbitrage account.* In a special arbitrage account, a member of a national securities exchange may effect and finance for any customer bona fide arbitrage transactions in securities. For the purpose of this paragraph, the term "arbitrage" means (1) a purchase or sale of a security in one market together with an offsetting sale or purchase of the same security in a different market at as nearly the same time as practicable, for the purpose of taking advantage of a difference in prices in the two markets, or (2) a purchase of a security which is, without restriction other than the payment of money, exchangeable or convertible within 90 calendar days following the date of its purchase into a second security together with an offsetting sale at or about the same time of such second security for the purpose of taking advantage of a disparity in the prices of the two securities.

(e) *Special commodity account.* In a special commodity account, a creditor may effect and carry for any customer transactions in commodities.

(f) *Special miscellaneous account.* In a special miscellaneous account, a creditor may:

(1) With the approval of any regularly constituted committee of a national securities exchange having jurisdiction over the business conduct of its members, extend and maintain credit to meet the emergency needs of any creditor;

(2) (i) Extend and maintain credit, (*a*) to or for any partner of a firm which is a member of a national securities exchange to enable such partner to make a contribution of capital to such firm, or to purchase stock in an affiliated corporation of such firm; or (*b*) to or for any person who is or will become the holder of stock of a corporation which is a member of a national securities exchange to enable such person to purchase stock in such corporation, or to purchase stock in an affiliated corporation of such corporation; provided the lender as well as the borrower is a partner in such member firm or a stockholder in such member corporation, or the lender is a firm or a stockholder in such member corporation, or the lender is a firm or corporation which is a member of a national securities exchange and the borrower is a partner in such firm or a stockholder in such corporation;

(ii) Extend and maintain subordinated credit to another creditor for capital purposes: *Provided*, That,

(*a*) Either the lender or the borrower is a firm or corporation which is a member of a national securities exchange, the other party to the credit is an affiliated corporation of such member firm or corporation, and, in addition to the fact that an appropriate committee of the exchange is satisfied that the credit is not in contravention of any rule of the exchange, the credit has the approval of such committee, or

(*b*) The lender as well as the borrower is a member of such exchange, the credit has the approval of an appropriate committee of the exchange, and the committee, in addition to being satisfied that the credit is not in contravention of any rule of the exchange, is satisfied that the credit is outside the ordinary course of the lender's business, and that, if the borrower's firm or corporation or an affiliated corporation of such firm or corporation does any dealing in securities for its own account, the credit is not for the purpose of increasing the amount of such dealing.

(iii) For the purpose of subdivisions (i) and (ii) of this subparagraph, the term "affiliated corporation" means a corporation all the common stock of which is owned directly or indirectly by the member firm or general partners and employees of the firm, or by the member corporation or holders of voting stock and employees of the corporation and an appropriate committee of the exchange has approved the member firm's or member corporation's affiliation with such affiliated corporation.

(3) Purchase any security from any customer who is a member of a national securities exchange or a broker or dealer registered with the Securities and Exchange Commission under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o), or sell any security to such customer: *Provided*, That the creditor acting in good faith purchases or sells the security for delivery, against full payment of the purchase price, as promptly as practicable in accordance with the ordinary usage of the trade;

(4) Effect and finance, for any member of a national securities exchange who is registered and acts as odd-lot dealer in securities on the exchange, such member's transactions as an odd-lot dealer in such securities, or effect and finance, for any joint venture in which the creditor participates, any transactions in any securities of an issue with respect to which all participants, or all participants other than the creditor, are registered and act on a national securities exchange as odd-lot dealers;

(5) Effect transactions for and finance any joint venture or group in which the creditor participates and in which all participants are dealers (whether such participants be acting jointly or severally), or any member thereof or participant therein, for the purpose of facilitating the underwriting or distributing of all or part of an issue of securities (i) not through medium of a national securities exchange, or (ii) the distribution of which has been approved by the appropriate committee of a national securities exchange;

(6) Effect for any customer the collection or exchange (other than by sale or purchase) of securities deposited by the customer specifically for such purposes, and (subject to any other applicable provisions of law) received from or for any customer, and pay out or deliver to or for any customer, any money or securities;

(7) Effect and carry for any customer transactions in foreign exchange; and

(8) Extend and maintain credit to or for any customer without collateral or on any collateral whatever for any purpose [4] other than purchasing or carrying or trading in securities.

(g) *Specialist's account.* In a special account designated as a specialist's account, a creditor may effect and finance, for any member of a national securities exchange who is registered and acts as a specialist in securities on the exchange, such member's transactions as a specialist in such securities, or effect and finance, for any joint venture in which the creditor participates, any transactions in any securities of an issue with respect to which all participants, or all participants other than the creditor, are registered and act on a national securities exchange as specialists. Such specialist's account shall be subject to the same conditions to which it would be subject if it were a general account except that if the specialist's exchange, in addition to the other requirements applicable to specialists, is designated by the Board of Governors of the Federal Reserve System as requiring reports suitable for supplying current information regarding specialists' use of credit pursuant to this paragraph, the requirements of § 220.6 (b) regarding joint ventures shall not apply to such accounts and the maximum loan value of a registered security in such account shall be as determined by the creditor in good faith.

(h) *Special subscriptions accounts.* In a special subscriptions account a creditor may effect and finance the acquisition of a margin security for a customer through the exercise of a right to acquire such security which is evidenced by a warrant or certificate issued to stockholders and expiring within 90 days of issuance, and such special subscriptions account shall be subject to the same conditions to which it would be subject if it were a general account, except that:

(1) Each such acquisition shall be treated separately in the account, and prior to initiating the transaction the creditor shall obtain a deposit of cash in the account such that the cash deposited plus the maximum loan value of the securities so acquired equals or exceeds the subscription price, giving effect to a maximum loan value for the securities so acquired of 75 percent of their current market value as determined by any reasonable method;

(2) After October 20, 1967, at the time when credit is extended pursuant to this paragraph, the creditor shall compute the amount by which the credit exceeds the maximum loan value of the collateral as prescribed by § 220.8 (the supplement to Regulation T) and the customer shall reduce the credit by an amount equal to at least one-fourth of such sum by the end of each of the four succeeding 3-calendar-month periods or until the credit does not exceed the current maximum loan value of the collateral, whichever shall occur first, and, if the creditor fails to obtain the required quarterly reduction or a portion thereof with respect to a particular acquisition within 5 full business days after such reduction is due, the creditor shall promptly liquidate a portion of the collateral so acquired and apply the proceeds of the sale to reduce the credit, in an amount equal to at least twice the required payment or portion thereof for the first two such liquidations, at least equal to the required payment or portion thereof for the third such liquidation, and at least sufficient so that the remaining credit does not exceed the current maximum loan value of the remaining collateral after the fourth such liquidation: *Provided*, That, no such liquidation need be in an amount greater than is necessary so that the remaining credit does not exceed the maximum loan value of the remaining collateral determined as of the date the credit was extended; and

(3) The creditor shall not permit any withdrawal of cash or securities from the account so long as the remaining credit exceeds the maximum loan value of the remaining collateral in the account, except that when the remaining credit extended in connection with a given acquisition of securities in the account has become equal to or less than the maximum loan value of such securities as prescribed in § 220.8 (the supplement to Regulation T) (or in connection with an acquisition after Oct. 20, 1967, the requirements of subparagraph (2) of this section have been fulfilled), such securities shall be transferred to the general account (or, if eligible, to a special convertible security account pursuant to § 220.4(j)) together with any remaining portion of such credit. In order to facilitate the exercise of a right in accordance with the provisions of this paragraph, a creditor may permit the right to be transferred from a general account to the special subscriptions account without regard to any other requirement of this part.

(i) *Special bond account.* In a special bond account a creditor may effect and finance transactions in exempted securities and registered nonequity securities for any customer.[5]

(j) *Special convertible debt security account.* (1) In a special convertible debt security account a creditor may extend credit on any margin security consisting of a margin debt security (i) convertible with or without consideration, presently or in the future, into margin stock or (ii) carrying a warrant or right to subscribe to or purchase such stock.

(2) A special convertible debt security account shall be subject to the same conditions to which it would be subject if it were a general account except that the maximum loan value of the securities in the account shall be as prescribed from time to time in § 220.8 (the supplement to Regulation T).

(3) Any security which ceases to be an equity security while held in this account shall continue to be treated as an equity security as long as it is continuously held in this account.

(4) In the event any stock is to be substituted for a security held in this account, or if a security held in this account is to be used to offset a short sale in the general account, such security shall thereupon be transferred to the customer's general account against a deposit of cash or margin securities eligible for an extension of credit in this account (counted at their maximum loan value) equal to at least the maximum loan value of the security for which such substitution is made, without regard to the retention requirement of § 220.3(b)(2).

[4] See § 220.7(c).

[5] For maximum loan value of such securities see § 220.8(b), the supplement to Regulation T.

(k) *Special equity funding account.* In a special equity funding account a creditor, who is the issuer or a subsidiary or affiliate of the issuer of a plan, program, or investment contract, registered with the Securities and Exchange Commission under the Securities Act of 1933 (15 U.S.C. 77), that provides for the acquisition both of a security issued by an investment company registered pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8) and of insurance may arrange for the extension or maintenance of credit, not in excess of the premiums on such policy (plus any accrued interest), on a security issued by such an investment company that serves as collateral under such a plan, program, or investment contract: *Provided*, That such credit is extended or maintained by a lender subject to Part 207 of this chapter (Regulation G) or a bank subject to Part 221 of this chapter (Regulation U). A creditor, arranging credit in a special equity funding account shall not extend, arrange, or maintain credit in the general account or any other special account in §§ 220.3 and 220.4.

§ 220.5 Borrowing by members, brokers, and dealers.

(a) *General rule.* It is unlawful for any creditor, directly or indirectly, to borrow in the ordinary course of business as a broker or dealer on any registered security (other than an exempted security) except:

(1) From or through a member bank of the Federal Reserve System; or

(2) From any nonmember bank which shall have filed with the Board an agreement which is still in force and which is in the form prescribed by this part; or

(3) To the extent to which, under the provisions of this part, loans are permitted between members of a national securities exchange and/or brokers and/or dealers, or loans are permitted to meet emergency needs.

(b) *Agreements of nonmember banks.* An agreement filed pursuant to section 8(a) of the Act (15 U.S.C. 78h(a)) by a bank not a member of the Federal Reserve System shall be substantially in the form contained in Form F.R. T–2 if the bank has its principal place of business in a territory or insular possession of the United States, or if it has an office or agency in the United States and its principal place of business outside the United States. The agreement filed by any other nonmember bank shall be in substantially the form contained in Form F.R. T–1. Any nonmember bank which has executed any such agreement may terminate the agreement if it obtains the written consent of the Board. Blank forms of such agreements, information regarding their filing or termination, and information regarding the names of nonmember banks for which such agreements are in force, may be obtained from any Federal Reserve Bank.

(c) *Borrowing from other creditors.* A creditor may borrow from another creditor in the ordinary course of business as a broker or dealer on any registered security to the extent and subject to the terms upon which the latter may extend credit to him in accordance with the provisions of this part, and subject to any other applicable provisions of law.

§ 220.6 Certain technical details.

(a) *Accounts of partners.* In case a general account, special bond account, or special convertible security account is the account of a partner of the creditor, the creditor, in calculating the adjusted debit balance of such account and the maximum loan value of the securities therein, shall disregard the partner's financial relations with the firm as reflected in his capital and ordinary drawing accounts.

(b) *Contribution to joint venture.* In case a general account, special bond account, or special convertible security account is the account of a joint venture in which the creditor participates, the adjusted debit balance of such account shall include, in addition to the items specified in § 220.3(d), any amount by which the creditor's contribution to the joint venture exceeds the contribution which he would have made if he had contributed merely in proportion to his right to share in the profits of the joint venture.

(c) *Guaranteed accounts.* No guarantee of a customer's account shall be given any effect for purposes of this part.

(d) *Transfer of accounts.* (1) In the event of the transfer of a general account, special bond account, or special convertible security account from one creditor to another, such account may be treated for the purposes of this part as if it had been maintained by the transferee from the date of its origin: *Provided*, That the transferee accepts in good faith a signed statement of the transferor that no cash or securities need be deposited in such account in connection with any transaction that has been effected in such account or, in case he finds that it is not practicable to obtain such a statement from the transferor, accepts in good faith such a signed statement from the customer.

(2) In the event of the transfer of a general account, special bond account, or special convertible security account, from one customer to another, or to others, as a bona fide incident to a transaction that is not undertaken for the purpose of avoiding the requirements of this part, each such transferee account may be treated by the creditor for the purposes of this part as if it had been maintained for the transferee from the date of its origin: *Provided*, That the creditor accepts in good faith and keeps with such transferee account a signed statement of the transferor describing the circumstances giving rise to the transfer.

(e) *Reorganizations.* A creditor may, without regard to the other provisions of this part, effect for a customer the exchange of any margin or exempted security in a general account, special bond account or special convertible security account, for the purpose of participating in a reorganization or recapitalization in which the security is involved: *Provided*, That if a nonmargin nonexempted security is acquired in exchange the creditor shall not, for a period of 60 days following such acquisition, permit the withdrawal of such security or the proceeds of its sale from such account except to the extent that such security or proceeds could be withdrawn if the security were a margin security.

(f) *Time of receipt of funds or securities.* For the purposes of this part, a creditor may, at his option (1) treat the receipt in good faith of any check or draft drawn on a bank which in the ordinary course of business is payable on presentation, or any order on a savings bank with passbook attached which is so payable, as receipt of payment of the amount of such check, draft, or order; (2) treat the shipment of securities in good faith with sight draft attached as receipt of payment of the amount of such sight draft; and (3) in the case of the receipt in good faith of written or telegraphic notice in connection with a special omnibus account of a customer not located in the same city that a specified security or a check or draft has been dispatched to the creditor, treat the receipt of such notice as receipt of such security, check, or draft: *Provided, however*, That if the creditor receives notice that such check, draft, order, or sight draft described in subparagraph (1), (2), or (3) of this paragraph is not paid on the day of presentation, or if such security, check, or draft described in subparagraph (3) of this paragraph is not received by the creditor within a reasonable time, the creditor shall promptly take such action as he would have been required to take by the appropriate provisions of this part if the provisions of this paragraph had not been utilized.

(g) *Interest, service charges, etc.* (1) Interest on credit maintained in a general account, special bond account, or special convertible security account, communication charges with respect to transactions in such account, shipping charges, premiums on securities borrowed in connection with short sales or to effect delivery, dividends or other distributions due on borrowed securities, and any service charges (other than commissions) which the creditor may impose, may be debited to such account in accordance with the usual practice and without regard to the other provisions of this part, but such items so debited shall be taken into consideration in calculating the net credit or net debit balance of such account.

(2) A creditor may permit interest, dividends, or other distributions received by the creditor with respect to securities in a general account, special bond account or special convertible security account, to be withdrawn from such account only on condition that the adjusted debit balance of such account does not exceed the maximum loan value of the securities in such account after such withdrawal, or on condition that (i) such withdrawal is made within 35 days after the day on which, in accordance with the creditor's usual practice, such interest, dividends, or other distributions are entered in such account, (ii)

such entry in the account has not served in the meantime to permit in the account any transaction which could not otherwise have been effected in accordance with this part, and (iii) any cash withdrawn does not represent any arrearage on the security with respect to which it was distributed, and the current market value of any securities withdrawn does not exceed 10 percent of the current market value of the security with respect to which they were distributed. Failure by a creditor to obtain in a general account, special bond account, or special convertible security account, any cash or securities that are distributed with respect to any security in such account shall, except to the extent that withdrawal would be permitted under the preceding sentence, be deemed to be a transaction in such account which occurs on the day on which the distribution is payable and which requires the creditor to obtain in accordance with § 220.3(b) a deposit of cash or securities having a maximum loan value at least as great as that of the distribution.

(h) *Borrowing and lending securities.* Without regard to the other provisions of this part, a creditor (1) may make a bona fide deposit of cash in order to borrow securities (whether margin or nonmargin) for the purpose of making delivery of such securities in the case of short sales, failure to receive securities he is required to deliver, or other similar cases, and (2) may lend securities for such purpose against such a deposit.

(i) *Credit for clearance of securities.* The extension or maintenance of any credit which is maintained for only a fraction of a day (that is, for only part of the time between the beginning of business and midnight on the same day) shall be disregarded for the purposes of this part, if it is incidental to the clearance of transactions in securities directly between members of a national securities exchange or through an agency organized or employed by such members for the purpose of effecting such clearance.

(j) *Foreign currency.* If foreign currency is capable of being converted without restriction into U.S. currency, a creditor acting in good faith may treat any such foreign currency in an account as a credit to the account in an amount determined in accordance with customary practice.

(k) *Innocent mistakes.* If any failure to comply with this part results from a mechanical mistake made in good faith in executing a transaction, recording, determining, or calculating any loan, balance, market price, or loan value, or other similar mechanical mistake, the creditor shall not be deemed guilty of a violation of this part if promptly after the discovery of such mistake he takes whatever action may be practicable in the circumstances to remedy such mistake.

§ 220.7 Miscellaneous provisions.

(a) *Arranging for loans by others.* A creditor may arrange for the extension or maintenance of credit to or for any customer of such creditor by any person upon the same terms and conditions as those upon which the creditor, under the provisions of this part, may himself extend or maintain such credit to such customer, but only upon such terms and conditions, except that this limitation shall not apply with respect to the arranging by a creditor for a bank subject to Part 221 of this chapter (Regulation U) to extend or maintain credit on margin securities or exempted securities.

(b) *Maintenance of credit.* Except as otherwise specifically forbidden by this part, any credit initially extended without violation of this part may be maintained regardless of (1) reductions in the customer's equity resulting from changes in market prices, (2) the fact that any security in an account ceases to be margin or exempted, and (3) any change in the maximum loan values or margin requirements prescribed by the Board under this part. In maintaining any such credit, the creditor may accept or retain for his own protection additional collateral of any description, including nonmargin securities.

(c) *Statement of purpose of loan.* Every extension of credit on a margin security (other than an exempted security) shall be deemed to be for the purpose of purchasing or carrying or trading in securities, unless the creditor has accepted in good faith a written statement to the contrary in conformity with the requirements of Form F.R. T–4 executed by the customer and executed and accepted in good faith by the creditor prior to such extension. The creditor shall retain such statement in his records for at least 3 years after such credit is extinguished. To accept the customer's statement in good faith, the creditor must (1) be alert to the circumstances surrounding the extension of credit and (2) if he has any information which would cause a prudent man not to accept the statement without inquiry, have investigated and be satisfied that the customer's statement is truthful. A creditor may rely upon such a written statement if accepted in accordance with this paragraph.

(d) *Reports.* Every creditor shall make such reports as the Board may require to enable the Board to perform the functions conferred upon it by the Act.

(e) *Additional requirements by exchanges and creditors.* Nothing in this part shall (1) prevent any exchange or national securities association from adopting and enforcing any rule or regulation further restricting the time or manner in which its members must obtain initial or additional margin in customer's accounts because of transactions effected in such accounts, or requiring such members to secure or maintain higher margins, or further restricting the amount of credit which may be extended or maintained by them, or (2) modify or restrict the right of any creditor to require additional security for the maintenance of any credit, to refuse to extend credit, or to sell any securities or property held as collateral for any loan or credit extended by him.

§ 220.8 Supplement.

(a) *Maximum loan value for general accounts.* The maximum loan value of securities in a general account subject to § 220.3 shall be:

(1) Of a registered nonequity security held in the account on March 11, 1968, and continuously thereafter and of a margin equity security (except as provided in § 220.3(c) and paragraphs (b) and (c) of this section), 20 percent of the current market value of such securities.

(2) Of an exempted security held in the account on March 11, 1968, and continuously thereafter the maximum loan value of the security, as determined by the creditor in good faith.

(b) *Maximum loan value for a special bond account.* The maximum loan value of an exempted security and of a registered nonequity security pursuant to § 220.4(i) shall be the maximum loan value of the security as determined by the creditor in good faith.

(c) *Maximum loan value for special convertible debt security account.* The maximum loan value of a margin security eligible for a special convertible security account pursuant to § 220.4(j) shall be 40 percent of the current market value of the security.

(d) *Margin required for short sales.* The amount to be included in the adjusted debit balance of a general account, pursuant to § 220.3(d)(3), as margin required for short sales of securities (other than exempted securities) shall be 80 percent of the current market value of each security.

(e) *Retention requirement.* In the case of an account which would have an excess of the adjusted debit balance of the account over the maximum loan value of the securities in the account following a withdrawal of cash or securities from the account, pursuant to § 220.3(b)(2):

(1) The "retention requirement" of an exempted security held in the general account on March 11, 1968, and continuously thereafter shall be equal to its maximum loan value as determined by the creditor in good faith, and the "retention requirement" of a registered nonequity security held in such account on March 11, 1968, and continuously thereafter and of a margin security shall be 70 percent of the current market value of the security.

(2) In the case of a special bond account subject to § 220.4(i), the retention requirement of an exempted security and of a registered nonequity security shall be equal to the maximum loan value of the security.

(3) In the case of a special convertible security account subject to § 220.4(j) which would have an excess of the adjusted debit balance of the account over the maximum loan value of the securities in the account following a withdrawal of cash or securities from the account, the retention requirement of a security having loan value in the account shall be 70 percent of the current market value of the security.

(4) For the purpose of effecting a transfer from a general account to a special convertible security account subject to § 220.4(j), the retention requirement of a security described in § 220.4(j), shall be 70 percent of its current market value.

(f) *Security having no loan value in general account.* No securities other than an exempted security or registered nonequity security held in the account on March 11, 1968, and continuously thereafter, and a margin security shall have any loan value in a general account except that a margin security eligible for the special convertible security account pursuant to § 220.4(j) shall have loan value only if held in the account on March 11, 1968, and continuously thereafter.

(g) *Requirements for inclusion on list of OTC margin stock.* Except as provided in subparagraph (4) of § 220.2(e), OTC margin stock shall meet the requirements that:

(1) The stock is subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), or if issued by an insurance company subject to section 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)), the issuer had at least $1 million of capital and surplus;

(2) Five or more dealers stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Act (15 U.S.C. 78e);

(3) There are 1,500 or more holders of record of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock;

(4) The issuer is organized under the laws of the United States or a State * and it, or a predecessor in interest, has been in existence for at least 3 years;

(5) The stock has been publicly traded for at least 6 months; and

(6) Daily quotations for both bid and asked prices for the stocks are continuously available to the general public;

and shall meet three of the four additional requirements that:

(7) There are 500,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners or more than 10 percent of the stock;

(8) The shares described in subparagraph (7) of this paragraph have a market value in the aggregate of at least $10 million;

(9) The minimum average bid price of such stock, as determined by the Board in the latest month, is at least $10 per share; and

(10) The issuer had at least $5 million of capital, surplus, and undivided profits.

2a. These amendments are promulgated pursuant to sections 7 and 8 of the Securities Exchange Act of 1934 (15 U.S.C. 78g, 78h) as amended by Public Law 90-437 (82 Stat. 452). As indicated in the notice of proposed rule making with respect to these amendments (FEDERAL REGISTER of Feb. 15, 1969; 34 F.R. 2261), they are designed to regulate the amount of credit that may be extended by brokers and dealers with respect to certain securities that are not registered on a national securities exchange. The criteria the Board will use to select such "over-the-counter" (OTC) stocks that will be subject to the margin and other requirements of the regulation will appear in the supplement to Regulation T (§ 220.8(g)).

b. Proposals published in the notice of proposed rule making that have been revised and the reasons therefor are as follows:

(1) This part has been revised throughout to substitute the phrase "margin security" for "regulated security." This change is intended to eliminate any implication that such securities are supervised or have been approved by the Board or by the Securities and Exchange Commission.

(2) Section 220.2(a) has been revised to clarify that all terms used in this part have the meanings given them in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)), unless otherwise required by the context.

(3) Section 220.2(c) has been revised to provide that a person to or for whom a creditor is arranging credit is a "customer" of the creditor, and to clarify that the term customer includes, but is not limited to, the type of persons enumerated therein.

(4) Section 220.2(e) has been revised by transferring from subparagraph (2) of this section to § 220.8(g) (the supplement to Regulation T) the criteria that will be used by the Board to select stocks for inclusion on the list of OTC stock that will be subject to Regulation T. This section has been further revised to clarify that a statement in an advertisement or other similar communication containing a reference to the Board in connection with the list of OTC margin stocks would constitute such an unlawful representation as is referred to in subparagraph (5) of this section.

(5) Section 220.4(b) has been revised to clarify that a member of a national securities exchange may extend exempt credit in connection with wholesale transactions in the special omnibus account only to another such member, and a broker or dealer who is registered with the Securities and Exchange Commission under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78*o*). The proposal's requirement that such member or broker-dealer certify that he is subject to the provisions of Regulation T is thereby eliminated. This section has been further revised to incorporate language from the notice of proposed rule making relating to the period of time after which persons, failing to qualify for additional extensions of credit under this section, would no longer be able to make substitution of collateral nor maintain their credit.

(6) Section 220.4(f) has been revised to add a requirement that "C.O.D." transactions in the special miscellaneous account are available only to members of a national securities exchange or broker-dealers who are registered with the Securities and Exchange Commission under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78*o*).

(7) Section 220.4(h) has been revised to eliminate an obsolete provision relating to the effective date of subparagraph (2) of this section.

(8) Section 220.4(j) has been revised to insert language, inadvertently omitted from the text of the proposed amendments but included in the notice of proposed rule making, which would clarify that for the purpose of this Part 220, it is immaterial whether a debt security is convertible with or without consideration, presently or in the future, into a margin security.

(9) Section 220.4(k) has been added to permit a creditor to arrange for the extension or maintenance of credit in connection with the sale of equity funding plans or programs issued by such creditor, or a subsidiary or affiliate thereof, on mutual fund shares which serve as collateral under the plan or program: *Provided*, That the creditor does not extend, maintain, or arrange for credit in the general account or any other special account.

(10) Section 220.8 (the supplement to Regulation T) is amended by adding a new paragraph (g) to receive the criteria transferred from § 220.2(e). In addition, the criteria have been revised to include only those stocks whose issuer is organized under the laws of the United States or a State thereof, the District of Columbia, Puerto Rico, the Philippine Islands, the Canal Zone, the Virgin Islands, or any other possession of the United States.

c. With the exception of changes in § 220.2(c) relating to the definition of a "customer" of a creditor, these amendments were adopted by the Board after consideration of all relevant material that was presented by interested persons. In the Board's view, the effect of the changes in § 220.2(c) is to interpret an existing rule. Accordingly, the Board concluded that the notice and public participation procedure contemplated by section 553 of title 5, United States Code, was unnecessary with respect to such changes.

Dated at Washington, D.C., this 2d day of June 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-6863; Filed, June 10, 1969; 8:48 a.m.]

[Reg. U]

PART 221—CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING REGISTERED STOCKS

Miscellaneous Amendments

1. Effective July 8, 1969, §§ 221.1 through 221.4 are revised to read as follows:

* As defined in 15 U.S.C. 78c(a)(16).

Sec.
221.1 General rule.
221.2 Exceptions to general rule.
221.3 Miscellaneous provisions.
221.4 Supplement.

AUTHORITY: The provisions of §§ 221.1–221.4 issued under sec. 7, Securities Exchange Act of 1934 (15 U.S.C. 78g).

§ 221.1 General rule.

(a) *Purpose credit secured by stock.* (1) Except as provided in subparagraph (2) of this paragraph (a) and in § 221.3(q) no bank shall extend any credit secured directly or indirectly [1] by any stock [2] for the purpose of purchasing or carrying any margin stock [3] in an amount exceeding the maximum loan value of the collateral, as prescribed from time to time for stocks in § 221.4 (the Supplement to Regulation U) and as determined by the bank in good faith for credit subject to § 221.3(s) for any collateral other than stocks: *Provided*, That unless held as collateral for such credit on October 20, 1967, and continuously thereafter, any collateral other than stock shall have loan value for the purpose of this part only as collateral for a credit which is not secured by stock, as described in § 221.3(s), and any collateral consisting of convertible debt securities described in § 221.3(t) shall have loan value only for the purpose of that section, and not for other credit subject to this part.

(2) Credit extended prior to July 8, 1969, for the purpose of purchasing or carrying any OTC margin stock [4] or any debt security convertible into such stock (and no other margin security) is not purpose credit, except that with respect to any OTC margin stock such date shall be August 7, 1969, if extended to a member of a national securities exchange or a broker or dealer registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o).

(b) *Substitutions and withdrawals.* Except as permitted in paragraph (c) of this section, while a bank maintains any credit subject to this part, whenever extended, the bank shall not at any time permit any withdrawal or substitution of collateral unless either (1) the credit would not exceed the maximum loan value of the collateral after such withdrawal or substitution, or (2) the credit is reduced by at least the amount by which the maximum loan value of any collateral deposited is less than the "retention requirement" of any collateral withdrawn. The "retention requirement" of collateral other than stock is the same as its maximum loan value and the "retention requirement" of collateral consisting of stock is prescribed from time to time in § 221.4 (the Supplement to Regulation U).

(c) *Same-day transactions.* Except as provided in § 221.3(r)(1), a bank may permit a substitution of stock whether margin or nonmargin, effected by a purchase and sale on orders executed within the same day: *Provided*, That (1) if the proceeds of the sale exceed the total cost of the purchase, the credit is reduced by at least an amount equal to the "retention requirement" with respect to the sale less the "retention requirement" with respect to the purchase, or (2) if the total cost of the purchase exceeds the proceeds of the sale, the credit may be increased by an amount no greater than the maximum loan value of the stock purchased less the maximum loan value of the stock sold. If the maximum loan value of the collateral securing the credit has become less than the amount of the credit, the amount of the credit may nonetheless be increased if there is provided additional collateral having maximum loan value at least equal to the amount of the increase.

(d) *Single credit rule.* For the purpose of this part, except for credit subject to § 221.3 (s) or (t), the entire amount of the purpose credit extended to any customer by any bank at any time shall be considered a single credit; and all the collateral securing such credit shall be considered in determining whether or not the credit complies with this part.

§ 221.2 Exceptions to general rule.

Notwithstanding the provisions of § 221.1, a bank may extend and may maintain any credit for the purpose specified in § 221.1, without regard to the limitations prescribed therein, or in § 221.3(t), if the credit comes within any of the following descriptions.

(a) Any credit extended to a bank or to a foreign banking institution;

(b) Any credit extended to a "plan-lender" as defined in § 207.4(a) of Part 207 of this chapter (Regulation G) to finance a plan described therein: *Provided*, That in no event does the bank have recourse to any stock purchased pursuant to such plan;

(c) Any credit extended to a dealer, or to two or more dealers, to aid in the financing of the distribution of securities to customers not through the medium of a national securities exchange;

(d) Any credit extended to a broker or dealer that is extended in exceptional circumstances in good faith to meet his emergency needs;

(e) Any credit extended to a member of a national securities exchange or a broker or dealer registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o) secured by any securities which, according to written notice received by the bank from the broker or dealer pursuant to a rule of the Securities and Exchange Commission concerning the hypothecation of customers' securities (Rule 8c–1 (17 CFR 240.8c–1) or Rule 15c2–1 (17 CFR 240.15c2–1)), are securities carried for the account of one or more customers;

(f) Any credit extended to finance the purchase or sale of securities for prompt delivery which is to be repaid in the ordinary course of business upon completion of the transaction: *Provided*, That the advance is not made to a person described in § 221.3(q): *And provided further*, That it is either (1) extended to a broker or dealer, or (2) extended for a purpose other than to enable the borrower to pay for stock purchased in an account subject to Part 220 of this chapter (Regulation T);

(g) Any credit extended against securities in transit, or surrendered for transfer, which is payable in the ordinary course of business upon arrival of the securities or upon completion of the transfer: *Provided*, That the credit is not extended to a person described in § 221.3(q): *And provided further*, That it is either (1) extended to a broker or dealer, or (2) extended for a purpose other than to enable the customer to pay for stock purchased in an account subject to Part 220 of this chapter (Regulation T);

(h) Any credit which is to be repaid on the calendar day on which it is extended: *Provided*, That the credit is not extended to a person described in § 221.3(q): *And provided further*, That it is either (1) extended to a broker or dealer, or (2) extended for a purpose other than to enable the customer to pay for stock purchased in an account subject to part 220 of this chapter (Regulation T);

(i) Any credit extended outside the States of the United States and the District of Columbia;

(j) Any credit extended to a member of a national securities exchange for the purpose of financing his or his customers' bona fide arbitrage transactions in securities. For the purposes of this paragraph, the term "arbitrage" means (1) a purchase or sale of a security in one market together with an offsetting sale or purchase of the same security in a different market at as nearly the same time as practicable, for the purpose of taking advantage of a difference in prices in the two markets, or (2) a purchase of a security which is, without restriction other than the payment of money, exchangeable or convertible within 90 calendar days following the date of its purchase into a second security together with an offsetting sale at or about the same time of such second security, for the purpose of taking advantage of a disparity in the prices of the two securities; and

(k) Any credit extended to a member of a national securities exchange for the purpose of financing such members' transaction as an odd-lot dealer in securities with respect to which he is registered on such national securities exchanges as an odd-lot dealer.

§ 221.3 Miscellaneous provisions.

(a) *Required statement as to stock-secured credit.* In connection with an extension of credit secured directly or indirectly by any stock, the bank shall obtain and retain in its records for at least 3 years after such credit is extinguished a statement in conformity with the requirements of Federal Reserve Form U–1 executed by the recipient of

[1] As defined in § 221.3(c).
[2] As defined in § 221.3(*l*).
[3] Sometimes referred to as a "purpose credit". See § 221.3(b). The term "margin stock" is defined in § 221.3(v).
[4] As defined in § 221.3(d). "OTC stock" hereinafter refers to stock traded "over the counter."

to such extension: *Provided*, That this referred to as the "customer") and executed and accepted in good faith by a duly authorized officer of the bank prior to such extension: *Provided*, That this requirement shall not apply to any credit described in paragraph (o) or (w) of this section or § 221.2 except for credit described in § 221.2 (f), (g), and (h) extended to persons who are not brokers or dealers subject to Part 220 of this chapter (Regulation T). In determining whether or not an extension of credit is for the purpose specified in § 221.1 or for any of the purposes specified in § 221.2 the bank may rely on the statement executed by the customer if accepted in good faith. To accept the customer's statement in good faith, the officer must (1) be alert to the circumstances surrounding the credit and (2) if he has any information which would cause a prudent man not to accept the statement without inquiry, have investigated and be satisfied that the customer's statement is truthful.

(b) *Purpose of a credit.* The "purpose of a credit" is determined by substance rather than form.

(1) Credit which is for the purpose, whether immediate, incidental, or ultimate, of purchasing or carrying a margin stock is "purpose credit", despite any temporary application of funds otherwise.

(2) Credit to enable the customer to reduce or retire indebtedness which was originally incurred to purchase a margin stock is for the purpose of "carrying" such a security.

(3) An extension of credit provided for in a plan, program, or investment contract offered or sold or otherwise initiated after August 31, 1969, which provides for the acquisition both of any securities described in paragraph (v) of this section and of goods, services, property interests, other securities, or investments, is "purpose credit".

(c) *Indirectly secured.* The term "indirectly secured" includes any arrangement with the customer under which the customer's right or ability to sell, pledge, or otherwise dispose of stock owned by the customer is in any way restricted so long as the credit remains outstanding, or under which the exercise of such right, whether by written agreement or otherwise, is or may be cause for acceleration of the maturity of the credit: *Provided*, That the foregoing shall not apply (1) if such restriction arises solely by virtue of an arrangement with the customer which pertains generally to the customer's assets unless a substantial part of such assets consists of stock, or (2) if the bank in good faith has not relied upon such stock as collateral in the extension or maintenance of the particular credit: *And provided further*, That the foregoing shall not apply to stock held by the bank only in the capacity of custodian, depositary, or trustee, or under similar circumstances, if the bank in good faith has not relied upon such stock as collateral in the extension or maintenance of the particular credit.

(d) *OTC margin stock.* (1) The term "OTC margin stock" means stock not traded on a national securities exchange which the Board of Governors of the Federal Reserve System has determined to have the degree of national investor interest, the depth and breadth of market, the availability of information respecting the stock and its issuer, and the character and permanence of the issuer to warrant subjecting such stock to the requirements of this part.

(2) The Board will from time to time publish a list of OTC margin stocks as to which the Board has made the determination described in subparagraph (1) of this paragraph (d). Except as provided in subparagraph (4) of this paragraph (d) such stocks shall meet the requirements of § 221.4(d) (the Supplement to Regulation U).

(3) The Board will from time to time remove from the list described in subparagraph (2) of this paragraph (d) stocks that cease to:

(i) Exist or of which the issuer ceases to exist, or

(ii) Meet substantially the provisions of subparagraph (1) of this paragraph (d) and of § 221.4(d) (the Supplement to Regulation U).

(4) The foregoing notwithstanding, the Board may, upon its own initiative, or upon application by any interested party, omit or remove any stock that is not traded on a national securities exchange from or add any such stock to such list of OTC margin stocks, if in the judgment of the Board, such action is necessary or appropriate in the public interest.

(5) It shall be unlawful for any bank to make, or cause to be made, any representation to the effect that the inclusion of a security on such list of OTC margin stocks is evidence that the Board or the Securities and Exchange Commission has in any way passed upon the merits of, or given approval to, such security or any transaction therein. Any statement in an advertisement or other similar communication containing a reference to the Board in connection with such stocks or such list shall constitute such an unlawful representation.

(e) *Renewals and extensions of maturity.* The renewal or extension of maturity of a credit need not be treated as the extension of a credit if the amount of the credit is not increased except by the addition of interest or service charges in respect to the credit or of taxes on transactions in connection with the credit.

(f) *Transfers.* A bank may, without following the requirements of this part as to the extension of a credit,

(1) Permit the transfer of a credit from one customer to another, or to others: *Provided*, That a statement by the transferor, describing the circumstances giving rise to the transfer, is accepted in good faith[5] and signed by an officer of the bank as having been so accepted, and kept with each such transferee account, or

(2) Accept the transfer of a credit originally extended in conformity with the requirements of this part directly from another bank: *Provided*, That the statement of purpose, executed by the customer in connection with the original extension of credit and accepted in good faith and signed by an officer of the bank originally extending such credit in conformity with the requirements of § 221.3(a), is obtained and kept with each such transferee account: *And provided further*, That any transfer pursuant to this paragraph is made as a bona fide incident to a transaction not undertaken for the purpose of avoiding the requirements of this part, the amount of the credit is not increased, and the collateral for the credit is not changed; and, after such transfer, a bank may permit such withdrawals and substitutions of collateral as are permitted in respect to a credit it extends subject to this part.

(g) *Reorganizations and recapitalizations.* Nothing in this part shall be construed to prevent a bank from permitting withdrawals or substitutions of securities to enable a customer to participate in a reorganization or recapitalization.

(h) *Mistakes in good faith.* No mistake made in good faith in connection with the extension or maintenance of a credit shall be deemed to be a violation of this part.

(i) *Action for bank's own protection.* Nothing in this part shall be construed as preventing a bank from taking such action as it shall deem necessary in good faith for its own protection.

(j) *Reports.* Every bank, and every person engaged in the business of extending credit who, in the ordinary course of business, extends credit for the purpose of purchasing or carrying margin stock shall make such reports as the Board of Governors of the Federal Reserve System may require to enable it to perform the functions conferred upon it by the Securities Exchange Act of 1934 (15 U.S.C. 78).

(k) *Definitions.* For the purposes of this part, unless the context otherwise requires, the terms herein have the meanings assigned to them in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)), except that the term "bank" does not include a bank which is a member of a national securities exchange.

(l) *Stock.* The term "stock" includes any security commonly known as a stock; any voting trust certificate or other instrument representing such a security; and any security convertible, with or without consideration, presently or in the future, into such security, certificate, or other instrument, or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right.

(m) *Credit subject to § 221.1.* A "credit subject to § 221.1" is a credit which is (1) secured directly or indirectly by any stock (or made to a person described in paragraph (q) of this section), (2) extended for the purpose of purchasing or carrying any margin stock, and (3) not excepted by § 221.1 (a) (2) or § 221.2.

[5] As described in § 221.3(a).

(n) *Segregation of collateral.* (1) The bank shall identify all the collateral used to meet the requirements of § 221.1 (the entire credit being considered a single credit and collatral being similarly considered, as required by § 221.1(d)) and shall not cancel the identification of any portion thereof except in circumstances that would permit the withdrawal of that portion. Such identification may be made by any reasonable method.

(2) Only the collateral required to be so identified shall have loan value for purposes of § 221.1 or be subject to the restrictions therein specified with respect to withdrawals and substitutions; and

(3) For any credit extended to the same customer that is not subject to § 221.1 (other than a credit described in § 221.2 (b), (d), (f), (g), or (h)), the bank shall in good faith require as much collateral not so identified as the bank would require (if any) if it held neither the indebtedness subject to § 221.1 nor the identified collateral. This shall not be construed, however, to require the bank, after it has extended any credit, to obtain any collateral therefor because of any deficiency in collateral already existing at the opening of business on June 15, 1959, or any decline in the value or quality of the collateral or in the credit rating of the customer.

(4) Nothing in this part shall require a bank to waive or forgo any lien, and nothing in this part shall apply to a credit extended to enable the customer to meet emergency expenses not reasonably foreseeable, provided the extension of credit is supported by a statement executed by the customer and accepted in good faith and signed by an officer of the bank as having been so accepted in conformity with the requirements of § 221.3 (a). For this purpose, such emergency expenses shall include expenses arising from circumstances such as the death or disability of the customer, or some other change in his circumstances involving extreme hardship, not reasonably foreseeable at the time the credit was extended. The opportunity to realize monetary gain is not a "change in his circumstances" for this purpose.

(o) *Specialist.* In the case of a credit extended to a member of a national securities exchange who is registered and acts as a specialist in securities on the exchange for the purpose of financing such member's transactions as a specialist in such securities, the maximum loan value of any stock shall be as determined by the bank in good faith: *Provided*, That the specialist's exchange, in addition to other requirements applicable to specialists, is designated by the Board of Governors of the Federal Reserve System as requiring reports suitable for supplying current information regarding specialists' use of credit pursuant to this section.

(p) *Subscriptions issued to stockholders.* An extension of credit need not comply with the other requirements of this part if it is to enable the customer to acquire a stock by exercising a right to acquire such stock which is evidenced by a warrant or certificate issued to stockholders and expiring within 90 days of issuance: *Provided*, That:

(1) Each such acquisition under this paragraph shall be treated separately, and the credit when extended shall not exceed 75 percent of the current market value of the stock so acquired as determined by any reasonable method;

(2) After October 20, 1967, at the time credit is extended pursuant to this paragraph, the bank shall compute the amount by which the credit exceeds the maximum loan value of the collateral as prescribed by § 221.4 and the customer shall reduce the credit by an amount at least equal to one-fourth of such sum by the end of each of the 4 succeeding 3-calendar month periods or until the credit does not exceed the current maximum loan value of the stock, whichever shall occur first, and if the bank fails to obtain the required quarterly reduction or a portion thereof with respect to a particular acquisition within 5 full business days after such reduction is due, the bank shall promptly sell a portion of the collateral so acquired and apply the proceeds of the sale to reduce the credit, in an amount at least equal to twice the required payment or portion thereof for the first 2 such reductions, at least equal to the required payment or portion thereof for the third such reduction, and at least sufficient so that the remaining credit does not exceed the current maximum loan value of the remaining collateral after the fourth such reduction: *Provided*, That no such reduction need be in an amount greater than is necessary so that the remaining credit does not exceed the maximum loan value of the remaining collateral determined as of the date when the credit was extended;

(3) While the customer has any credit outstanding at the bank under this paragraph no withdrawal of cash or substitution or withdrawal of stock used as collateral for such extension of credit shall be permissible, except that when the remaining credit has become equal to or less than the maximum loan value of the remaining stock as prescribed for § 221.1 or § 221.3(t) in § 221.4 (the Supplement to Regulation U) whichever is applicable (or with respect to credit extended after Oct. 20, 1967, the requirements of the preceding clause have been fulfilled) the remaining stock and related credit shall thereafter be treated as subject to § 221.1 or § 221.3(t), whichever is applicable, instead of this paragraph. In order to facilitate the exercise of a right under this paragraph, a bank may permit the right to be withdrawn from a credit subject to § 221.1 without regard to any other requirement of this part.

(q) *Credit to certain lenders.* Any credit extended to a customer not subject to this part or to Part 220 of this chapter (Regulation T) engaged principally, or as one of the customer's important activities, in the business of extending credit for the purpose of purchasing or carrying margin stocks is a credit for the purpose of purchasing or carrying such stocks unless the credit and its purposes are effectively and unmistakably separated and disassociated from any financing or refinancing, for the customer or others, of any purchasing or carrying of such stocks. Any credit extended to any such customer, unless the credit is so separated and disassociated or is excepted by § 221.2, is a credit "subject to § 221.1" regardless of whether or not the credit is secured by any stock; and no bank shall extend any such credit subject to § 221.1 to any such customer, without collateral or without the credit being secured as would be required by this part if it were secured by any stock. Any such credit subject to § 221.1 to any such customer shall be subject to the other provisions of this part applicable to credit subject to § 221.1, including provisions regarding withdrawal and substitution of collateral.

(r) *Convertible securities.* (1) If, after June 15, 1959, and prior to October 21, 1967, credit was extended for the purpose of purchasing or carrying a security convertible into a stock registered on a national securities exchange and the credit was secured by such a security, and after October 20, 1967, there is substituted any stock as direct or indirect collateral for such credit, the credit shall thereupon be treated as subject to § 221.1 or § 221.3(t), whichever is applicable. In any such case, the amount of the outstanding credit, or such amount plus any increase therein to enable the customer to acquire a stock so registered through the conversion of the security pursuant to its terms, shall not be permitted on the date of such substitution to exceed the maximum loan value of the collateral for the credit: *Provided*, That any reduction in the credit or deposit of collateral required on that date to meet this requirement may be brought about within 30 days of such substitution.

(2) Any credit extended after October 20, 1967, for the purpose of purchasing or carrying a security convertible into a stock registered on a national securities exchange, and any credit extended after July 8, 1969, for the purpose of purchasing or carrying a security convertible into margin stock, if the credit is secured, directly or indirectly, by any stock, is a credit subject to § 221.1 or § 221.3(t), whichever is applicable.

(s) *Credit secured by collateral other than stocks.* A bank may extend credit for the purpose of purchasing or carrying a margin stock secured by collateral other than stock, and, in the case of such credit, the maximum loan value of the collateral shall be as determined by the bank in good faith.

(t) *Credit on convertible debt securities.* (1) A bank may extend credit for the purpose specified in § 221.1 on collateral consisting of any debt security (i) convertible with or without consideration, presently or in the future, into a margin stock or (ii) carrying a warrant or right to subscribe to or purchase such a stock (such a debt security is sometimes referred to herein as a "convertible security").

(2) Credit extended under this paragraph shall be subject to the same conditions as if it were subject to § 221.1 except: (i) The entire amount of such

credit shall be considered a single credit treated separately from the single credit specified in § 221.1(d) and all the collateral securing such credit shall be considered in determining whether or not the credit complies with this part, and (ii) the maximum loan value of the collateral shall be as prescribed from time to time in § 221.4 (the Supplement to Regulation U).

(3) Any convertible security originally eligible as collateral for a credit extended under this paragraph shall be treated as such as long as continuously held as collateral for such credit even though it ceases to be convertible or to carry warrants or rights.

(4) In the event that any stock other than a convertible security is substituted for a convertible security held as collateral for a credit extended under this paragraph, the stock and any credit extended on it in compliance with this part shall thereupon be treated as subject to § 221.1 and the credit extended under this paragraph shall be reduced by an amount equal to the maximum loan value of the security withdrawn.

(u) *Arranging for credit.* No bank shall arrange for the extension or maintenance of any credit for the purpose of purchasing or carrying any margin stock, except upon the same terms and conditions on which the bank itself could extend or maintain such credit under the provisions of this part.

(v) *Margin stock.* The term "margin stock" means any stock[6] which is (1) a stock registered on a national securities exchange, (2) an OTC margin stock,[7] (3) a debt security (i) convertible with or without consideration, presently or in the future, into a margin stock, or (ii) carrying any warrant or right to subscribe to or purchase, presently or in the future, a margin stock; (4) any such warrant or right, (5) any security issued by an investment company other than a small business investment company licensed under the Small Business Investment Company Act of 1958 (15 U.S.C. 661) registered pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a–8), unless at least 95 percent of the assets of such company are continuously invested in exempted securities.[8]

(w) *OTC market maker exemption.* (1) In the case of credit extended to an OTC market maker, as defined in subparagraph (2) of this paragraph (w), for the purpose of purchasing or carrying an OTC margin stock in order to conduct the market making activity of such a market maker, the maximum loan value of any OTC margin stock (except stock that has been identified as a security held for investment pursuant to a rule of the Commissioner of Internal Revenue (Regs. sec. 1–1236–1(d)) shall be determined by the bank in good faith: *Provided*, That in respect of each such stock he shall have filed with the Securities and Exchange Commission a notice of his intent to begin or continue such market making activity (Securities and Exchange Commission Form X–17A–12(1)) and all other reports required to be filed by market makers in OTC margin stocks pursuant to a rule of the Commission (Rule 17a–12 (17 CFR 240.17a–12)) and shall not have ceased to engage in such market making activity: *And provided further*, That the bank shall obtain and retain in its records for at least 3 years after such credit is extinguished a statement in conformity with the requirements of Federal Reserve Form U–2, executed by the OTC market maker who is the recipient of such credit and executed and accepted in good faith by a duly authorized officer of the bank prior to such extension. In determining whether or not an extension of credit is for the purpose of conducting such market making activity, a bank may rely on such a statement if executed and accepted in accordance with the requirements of this paragraph (w) and paragraph (a) of this section.

(2) An OTC market maker with respect to an OTC margin stock is a dealer who has and maintains minimum net capital, as defined in a rule of the Securities and Exchange Commission (Rule 15c3–1 (17 CFR 240.15c3–1)) or in the capital rules of an exchange of which he is a member if the members thereof are exempt therefrom by Rule 15c3–1(b)(2) of the Commission (17 CFR 15c3–1(b)(2)) of $25,000 plus $5,000 for each such stock in excess of 5 in respect of which he has filed and not withdrawn the notice on Commission Form X–17A–12(1) (but in no case does this subparagraph (2) require net capital of more than $250,000), who is in compliance with such rule of the Commission or exchange, and who, except when such activity is unlawful, meets all of the following conditions with respect to such stock: (i) He regularly publishes bona fide, competitive bid and offer quotations in a recognized interdealer quotation system, (ii) he furnishes bona fide, competitive bid and offer quotations to other brokers and dealers on request, (iii) he is ready, willing, and able to effect transactions in reasonable amounts, and at his quoted prices, with other brokers and dealers, (iv) he has a reasonable average rate of inventory turnover.

(3) If all or a portion of the credit extended pursuant to this paragraph (w) ceases to be for the purpose specified in subparagraph (1) of this paragraph or the dealer to whom the credit is extended ceases to be an OTC market maker as defined in subparagraph (2) of this paragraph, the credit or such portion thereof shall thereupon be treated as "a credit subject to § 221.1."

(x) *Combined purchase of mutual funds and insurance.* An extension of purpose credit provided for in a plan, program or investment contract, registered with the Securities and Exchange Commission under the Securities Act of 1933 (15 U.S.C. 77), which provides for the acquisition both of a security issued by an investment company described in subparagraph (5) of paragraph (v) of this section and an insurance policy or contract, shall be subject to all the provisions of this part except that where the credit is secured by the security and does not exceed the premiums on such policy (plus any accrued interest), the maximum loan value of such security shall be 40 percent of its current market value, as determined by any reasonable method.

§ 221.4 Supplement.

(a) *Maximum loan value of stocks.* For the purpose of § 221.1, the maximum loan value of any stock, whether or not registered on a national securities exchange, shall be 20 percent of its current market value, as determined by any reasonable method.

(b) *Maximum loan value of convertible debt securities subject to § 221.3(t).* For the purpose of § 221.3(t), the maximum loan value of any security against which credit is extended pursuant to § 221.3(t) shall be 40 percent of its current market value, as determined by any reasonable method.

(c) *Retention requirement.* For the purpose of § 221.1, in the case of a credit which would exceed the maximum loan value of the collateral following a withdrawal of collateral, the "retention requirement" of a stock, whether or not registered on a national securities exchange, and of a convertible debt security subject to § 221.3(t), shall be 70 percent of its current market value, as determined by any reasonable method.

(d) *Requirements for inclusion on list of OTC margin stock.* Except as provided in subparagraph (4) of § 221.3(d), OTC margin stock shall meet the requirements that:

(1) The stock is subject to registration under section 12(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l*(g)(1)), or if issued by an insurance company subject to § 12(g)(2)(G) (15 U.S.C. 78*l*(g)(2)(G)) the issuer had at least $1 million of capital and surplus,

(2) Five or more dealers, stand willing to, and do in fact, make a market in such stock including making regularly published bona fide bids and offers for such stock for their own accounts, or the stock is registered on a securities exchange that is exempted by the Securities and Exchange Commission from registration as a national securities exchange pursuant to section 5 of the Act (15 U.S.C. 78e),

(3) There are 1,500 or more holders of record of the stock who are not officers, directors, or beneficial owners of 10 percent or more of the stock,

(4) The issuer is organized under the laws of the United States or a State[9] and it, or a predecessor in interest, has been in existence for at least 3 years,

(5) The stock has been publicly traded for at least 6 months and

(6) Daily quotations for both bid and asked prices for the stock are continuously available to the general public, and

[6] As defined in § 221.3(*l*).
[7] As defined in § 221.3(d).
[8] As defined in 15 U.S.C. 78c(a)(12).
[9] As defined in 15 U.S.C. 78c(a)(16).

shall meet 3 of the 4 additional requirements that:

(7) There are 500,000 or more shares of such stock outstanding in addition to shares held beneficially by officers, directors, or beneficial owners of more than 10 percent of the stock,

(8) The shares described in subparagraph (7) of this paragraph have a market value in the aggregate of at least $10 million,

(9) The minimum average bid price of such stock as determined by the Board in the latest month, is at least $10 per share, and

(10) The issuer had at least $5 million of capital, surplus, and undivided profits.

2a. These amendments are promulgated pursuant to section 7 of the Securities Exchange Act of 1934 (15 U.S.C. 78g) as amended by Public Law 90-437 (82 Stat. 452). As indicated in the notice of proposed rule making with respect to these amendments (FEDERAL REGISTER of Feb. 15, 1969; 34 F.R. 2268), they are designed to regulate the amount of credit extended by banks with respect to certain securities that are not registered on a national securities exchange. The criteria under which the Board will select such "over-the-counter" (OTC) stocks that will be subject to the margin and other requirements of the regulation will appear in the Supplement to Regulation U (§ 221.4(d)).

b. Proposals published in the notice of proposed rule making that have been revised and the reasons therefor are as follows:

(1) This part has been revised throughout to substitute the phrase "margin stock" for "regulated stock." This change is intended to eliminate any implication that such stock is supervised or has been approved by the Board or by the Securities and Exchange Commission.

(2) Section 221.1(a) has been amended to add a new subparagraph (2), and §§ 221.1(d) and 221.3(m) have been revised accordingly to indicate that credit extended prior to July 8, 1969, the effective date of these amendments, for the purpose of purchasing or carrying any OTC margin stock or any debt security convertible into such stock (but no other margin stock) is not subject to the regulation, except that such date shall be August 7, 1969, with respect to OTC margin stock if extended to a member of a national securities exchange or a broker or dealer registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o).

(3) Section 221.2(e) has been amended to correspond with § 220.4(b) of this chapter (Regulation T) by providing that the exception available under this section applies only to credit extended to a member of a national securities exchange or a broker or dealer registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o).

(4) Section 221.3 has been amended to add a new paragraph (c) to include within the definition of "purpose credit" an extension of credit provided for in a plan, program or investment contract offered or sold or otherwise initiated after August 31, 1969, pursuant to which both margin stock and goods, services, property interests, other securities, or investments would be acquired. Together with the addition of paragraph (x) to this section, which sets a 40 percent maximum loan value on mutual fund shares serving as collateral for credit extended to finance certain plans for the combined purchase of mutual funds and insurance, this change represents a clarification that the Board regards credit available in connection with equity funding plans or programs as being for the purpose of purchasing or carrying margin stock. A proposal to include such plans or programs within the coverage of the regulation was published for comment in the FEDERAL REGISTER on December 17, 1968 (33 F.R. 18629).

(5) Section 221.3(d) has been revised by transferring from subparagraph (2) of this section to § 221.4(d) (the Supplement to Regulation U) the criteria that will be used by the Board to select stocks for inclusion on the list of OTC stock that will be subject to Regulation U. This section has been further revised to clarify that a statement in an advertisement or other similar communication containing a reference to the Board in connection with the list of OTC stocks would constitute such an unlawful representation as is referred to in subparagraph (5) of this section.

(6) Section 221.3(j) has been amended to clarify that the reports referred to in this section relate to credit extended for the purpose of purchasing or carrying all margin stock.

(7) Section 221.3(k) has been revised to clarify that all terms used in this part have the meanings given them in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)), unless otherwise required by the context.

(8) Sections 221.3(l) and (v) have been amended to delete a reference to securities commonly known as equity funding plans or programs.

(9) Sections 221.3(n), 221.3(p), and 221.3(q) have been revised to eliminate certain obsolete provisions relating to effective dates of these sections.

(10) Section 221.3(t) has been revised to insert language inadvertently omitted from the proposed amendments, but included in the notice of proposed rule making, which would clarify that for the purposes of this Part 221, it is immaterial whether a debt security is convertible with or without consideration, presently or in the future, into a margin stock.

(11) Section 221.3(u) has been changed to indicate that a security issued by a small business investment company licensed under the Small Business Investment Company Act of 1958 (15 U.S.C. 661) is not a margin stock.

(12) Section 221.3(w) has been amended to indicate that a bank may rely on Federal Reserve Form U-2 to determine whether an extension of credit is for the purpose of conducting market-making activity described in this section, if obtained in accordance with the requirements of this section, and that such credit will be treated as subject to § 221.1 if no longer for purpose of conducting an OTC market-making activity or if the dealer to whom the credit was extended ceases to be an OTC market maker. In addition, the definition of an OTC market maker for the purposes of this section has been clarified.

(13) Section 221.4(d) is added to receive the criteria transferred from § 221.3(d). In addition, the criteria have been revised to include only those stocks whose issuer is organized under the laws of the United States or a State thereof, the District of Columbia, Puerto Rico, the Philippine Islands, the Canal Zone, the Virgin Islands, or any other possession of the United States.

c. These amendments were adopted by the Board after consideration of all relevant material that was presented by interested persons, in accordance with section 553 of title 5, United States Code.

Dated at Washington, D.C., this 2d day of June 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-6864; Filed, June 10, 1969; 8:48 a.m.]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER F—REGULATIONS FOR SAVINGS AND LOAN HOLDING COMPANIES

[No. 22,932]

PART 584—REGULATED ACTIVITIES

Current Reports by Savings and Loan Holding Companies and Registration Statements by Corporate Trustees and Voting Trusts Which Are Savings and Loan Holding Companies

JUNE 5, 1969.

Whereas notice and public procedure in connection with a proposed amendment prescribing current reports by savings and loan holding companies has been duly afforded (34 F.R. 4895) and all relevant material presented or otherwise available has been considered by the Federal Home Loan Bank Board; and

Whereas the Federal Home Loan Bank Board has also considered the desirability of providing for the filing of registration statements by all corporate trustees which are savings and loan holding companies and voting trusts which are savings and loan holding companies;

Now, therefore, be it resolved that, on the basis of such consideration, the Federal Home Loan Bank Board hereby amends Part 584 of the Regulations for Savings and Loan Holding Companies (12 CFR Part 584) for the purpose of: (1) Prescribing and requiring the filing of a current report designated H-(b)12; (2) prescribing and providing for the filing of registration statement H-(b)3 by all corporate trustees which are savings and loan holding companies; and (3) prescribing and providing for the filing of registration statement H-(b)5 by all voting trusts which are savings

and loan holding companies, as follows, effective June 30, 1969:

1. In paragraph (a) of § 584.1, amend the caption, amend subparagraph (2), add a new subparagraph (3), and designate the closing unnumbered subparagraph as (4) to read as follows:

§ 584.1 Registration, examination and reports.

(a) *Filing of registration statements and other reports.* * * *

(2) *Filing of annual reports.* Each registered savings and loan holding company, including subsidiary savings and loan holding companies, shall file an annual report H–(b)11, except that such report need not be filed by savings and loan holding company that has filed a registration statement H–(b)3, H–(b)4, or H–(b)5, or by a savings and loan holding company which is a trust (other than a business trust). Annual reports shall be filed not later than 120 days after the close of the fiscal year.

(3) *Filing of H–(b)12.* Each registered savings and loan holding company which is required to file report H–(b)11 shall file reports of current information on report H–(b)12. The H–(b)12 shall be filed within 15 days of the end of each month during which any of the events specified in the report occurs, unless the required information has been previously reported by the registrant.

(4) *General.* Registration statements, annual reports, and the H–(b)12 are filed with the Corporation by transmitting the original and two copies thereof to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, and two copies to the Supervisory Agent. Copies of forms to be used in submitting registration statements, annual reports, and the H–(b)12 may be obtained from any Supervisory Agent.

* * * * *

2. In paragraph (a) of § 584.10 amend subparagraphs (1) (i), (ii), and (iv) and (2), and add a new subparagraph (3) to read as follows:

* * * * *

§ 584.10 Statements, reports, and notices to be filed.

(a) *Registration statements and annual reports for savings and loan holding companies under § 584.1*—(1) *Registration statements*—(i) *H–(b)10.* This statement shall be used for registration by every savings and loan holding company, including subsidiary savings and loan holding companies, except trusts (other than a business trust) and savings and loan holding companies which file H–(b)3, H–(b)4, or H–(b)5 registration statements.

(ii) *H–(b)3. Corporation as trustee of a trust.* This statement (rather than H–(b)10) shall be used for registration by any Corporation which is a savings and loan holding company by virtue of its control, in a trustee capacity, of an insured institution.

* * * * *

(iv) *H–(b)5. Voting trust as savings and loan holding company.* This statement (rather than H–(b)10) shall be used for registration by any voting trust which is a savings and loan holding company by virtue of its control of an insured institution or another savings and loan holding company.

(2) *Annual report. H–(b)11.* This report shall be used by every registered savings and loan holding company, including subsidiary savings and loan holding companies, except trusts (other than business trusts) and savings and loan holding companies filing H–(b)3, H–(b)4, and H–(b)5 registration statements.

(3) *H–(b)12.* This report shall be used by every registered savings and loan holding company which is required to file an H–(b)11.

* * * * *

(Sec. 402, 48 Stat. 1256, sec. 408, 48 Stat. 1261, as added by 73 Stat. 691, as amended by 82 Stat. 5; 12 U.S.C. 1725, 1730a. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–1948 Comp., p. 1071)

Be it further resolved that, since notice and public procedure have been provided in connection with amendment of this part to require filing of the current report and since there is currently no provision for registration by holding companies which are voting trusts or holding companies other than Banks which are corporate trustees and since only a few persons will be affected by the registration requirements for voting trusts and corporate trustees, the Board finds that notice and public procedure in connection with that part of this amendment which prescribes registration statements for voting trusts and corporate trustees are unnecessary (5 U.S.C. 553(b)(B), 12 CFR 508.11). For the same reasons the Board finds that delay of the effective date of this amendment for 30 days is unnecessary and the effective date shall be as set forth hereinbefore (5 U.S.C. 553(d)(3), 12 CFR 508.14).

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 69–6872; Filed, June 10, 1969; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER E—RULES, REGULATIONS, STATEMENTS OF GENERAL POLICY OR INTERPRETATION AND EXEMPTIONS UNDER THE FAIR PACKAGING AND LABELING ACT

PART 501—REGULATIONS EXEMPTING CERTAIN COMMODITIES FROM FULL OR PARTIAL COMPLIANCE WITH SECTION 4 FAIR PACKAGING AND LABELING ACT AND THE REGULATIONS THEREUNDER

Miscellaneous Amendments

In the matter of promulgating regulations exempting certain commodities in whole or in part from compliance with section 4 of the Fair Packaging and Labeling Act (Public Law 89–755) and the regulations thereunder (16 CFR Part 500):

In response to the notice of proposed rule making in the above identified matter published in the FEDERAL REGISTER of June 15, 1968 (33 F.R. 8778), numerous comments were submitted by state officials and representatives of industry. These comments have been duly considered. Discussions of the proposals were also held with industry representatives and other Federal officials. Information presented to the Commission from these and other sources has been carefully reviewed and evaluated. The Federal Trade Commission's decisions on the major issues and responses thereto are as follows:

1. Proposed § 501.1 has been deleted. That section proposed a full exemption for plant foods and fertilizers which were labeled in compliance with "the minimum standards of the Model State Regulation for Speciality Fertilizer Labeling as set forth in the Official Publication of the American Fertilizer Control Officials, November 20, 1966–67." Comments received from numerous state weights and measures officials were critical of this proposal in that it would permit the required quantity of contents declaration to be located on a side panel of the package in lieu of the front panel or principal display panel. The Commission is of the opinion that the views of the weights and measures officials are correct. The Commission further believes that interests of uniformity require that all mandatory net quantity statements be located in the lower 30 percent of the principal display panel so that the consumer consistently may look there for such information. Exemptions from this requirement will, therefore, be granted only when a compelling need is shown. It is the opinion of the Commission that such need has not been shown for plant foods and fertilizers and that full compliance for these commodities with the requirements of section 4 of the Fair Packaging and Labeling Act and the regulations issued pursuant thereto is neither impracticable nor unnecessary. Therefore, proposed § 501.1, the rule proposing full exemption for plant foods and fertilizers is ordered deleted.

2. Proposed §§ 501.2 *Shoelaces*, 501.3 *Automotive replacement parts*, 501.4 *Inks and writing fluids*, 501.8 *House fixtures*, and 501.9 *Motor oil and antifreeze*, are republished as final exemptions. No need for changes in the language was indicated by the comments.

3. Proposed § 501.5 *Liquefied petroleum gas*, has been limited to fuel for heating and cooling systems only.

4. Proposed § 501.6 *Wool products and textile products*, has been republished as a proposal. In view of the numerous comments received from representatives of the textile industry pointing up labeling problems not covered by the proposed exemption, a new proposal for such commodities appears elsewhere in this issue of the FEDERAL REGISTER.

5. Proposed § 501.7 *Home appliances,* has been more fully defined by the inclusion of typical examples of home appliances that are exempted.

6. Proposed § 501.10 has been modified to include other sleeping equipment such as mattresses and box springs previously listed under proposed § 501.6.

7. Proposed § 501.11 *Brooms and mops,* has been deleted. A recent policy pronouncement negated the requirement of count as a net quantity statement on a single unit, packaged or labeled and clearly recognizable as a single unit by virtue of the identity statement or visual observation.

Therefore, based on consideration of the comments received, the above-mentioned consultations and other relevant information, the Federal Trade Commission concludes that the previously proposed exemptions should be promulgated as final exemptions with the exception of proposed §§ 501.1 and 501.11 and with the revisions and additions as set forth below. Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 5, 6, 80 Stat. 1298, 1300; 15 U.S.C. 1454, 1455): *It is ordered,* That the exemptions, as amended, be adopted as follows:

§ 501.2 Shoelaces.

Shoelaces bearing labels the principal display panels of which accurately express the net quantity of shoelaces in terms of inches and eyelet number shall be exempt from the dual declaration requirements of § 500.11(b) of this chapter.

§ 501.3 Automotive replacement parts.

Automotive replacement parts shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.4 Inks and writing fluids.

Ink or other writing fluid which is contained in pens, markers, or other writing instruments shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.5 Liquefied petroleum gas.

Liquified petroleum gas, commonly referred to as "bottled gas" sold in cylindrical containers for use within the household for heating and cooling systems only shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.7 Home appliances.

Home appliances shall be exempt from the requirements of the regulations in Part 500 of this chapter. For the purpose of this section, home appliances are devices, apparatus or instruments used to assist in the operation of the house and commonly operated by electricity, e.g., vacuum cleaner, toaster, radio, television, dishwasher, sewing machine, etc.

§ 501.8 House fixtures.

House fixtures shall be exempt from the requirements of the regulations in Part 500 of this chapter. For the purpose of the section, house fixtures are items which are usually intended to become a permanent physical part of the house, e.g., wall and medicine cabinets, ceiling or wall lighting devices, door knobs, towel holders, etc.

§ 501.9 Motor oil and antifreeze.

Motor oil and antifreeze sold in one quart containers and bearing a label expressing quantity in terms of one quart shall be exempt from the requirement in § 500.10(b)(2) of this chapter that the quantity also be expressed in terms of fluid ounces.

§ 501.10 Sleeping equipment.

Beds, cots, hammocks, bed springs, mattresses, and dual purpose sleeping equipment shall be exempt from the requirements of the regulations in Part 500 of this chapter.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Secretary, Federal Trade Commission, Washington, D.C. 20580, written objections thereto, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Objections will be deemed sufficient to warrant the holding of a public hearing only: (1) If they establish that the objector will be adversely affected by the order; (2) if they specify with particularity the provisions of the order to which objection is taken; and (3) if they are supported by reasonable grounds which if valid and factually supported may be adequate to justify the relief sought. Anyone who files objections which are not deemed by the Commission sufficient to warrant the holding of a public hearing will be promptly notified of that determination.

As soon as practicable after the time for filing objections has expired, the Commission will publish a notice in the FEDERAL REGISTER specifying those parts of the order which have been stayed by the filing of objections or, if no objections sufficient to warrant the holding of a public hearing have been filed, stating the fact. This order shall become effective July 15, 1969, except as to any provision that may be stayed by the filing of proposed objections.

Issued: June 6, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-6885; Filed, June 10, 1969; 8:50 a.m.]

PART 503—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Status of Specific Items

The Federal Trade Commission published in the FEDERAL REGISTER of March 19, 1968 (33 F.R. 4723), a policy statement which provided that the Commission would consider requests for findings with respect to coverage of commodities under "consumer commodity" found in the Act. This policy statement was identified as § 503.1.

In the light of § 503.1, the Commission expressed its findings with respect to a number of specific items by the promulgation of § 503.2 in the FEDERAL REGISTER of June 15, 1968 (33 F.R. 8773).

Additional requests for findings with respect to other specific items have been received, and the Commission has concluded that the specific items are "consumer commodities" within the meaning of the Act. The Commission has also concluded that some of these items should be the subject of proposed exemptions, while others do not merit the promulgation of a proposed exemption, although in some instances a proposed exemption was requested.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 4, 6, 10, 80 Stat. 1297, 1299, 1300, 1301; 15 U.S.C. 1453, 1455, 1459), Part 503 is amended as follows:

Section 503.2 is amended by the addition of specific commodities or classes of commodities to paragraphs (a), (b), and (c), and by rearranging the specific commodities or classes of commodities in paragraphs (a), (b), and (c) in alphabetical sequence,[1] as follows:

§ 503.2 Status of specific items under the Fair Packaging and Labeling Act.

* * * * *

(a) * * *

Antifreeze.
Automotive accessories.
Automotive replacement parts.
Brooms and mops.
Cameras.
Cigarette lighters.
Fertilizers of the specialty type.
Furniture.
Home appliances.
House fixtures.
Ink containers.
Liquified petroleum gas.
Luggage.
Metal beds, metal cots, metal springs and dual purpose sleeping equipment.
Motor oil.
Musical instruments.
Shoelaces.
Textile fiber products.
Wearing apparel and accessories, including footwear.

(b) * * *

Aluminum wrap.
Christmas decorations and ornaments.
Cordage.
Elastic fabric (braided, knitted, woven).
Garden tools.
Handicraft and sewing thread.
Inks.
Light bulbs.
Paint, varnishes, and lacquers.
Pencils, pens, and marking devices.
Pressure sensitive tape.
School supplies.
Stationery and other paper products including greeting cards and gift wrappings.

* * * * *

(c) * * *

Ammunition.
Automotive chemical products.
Books, diaries, and calendars.

[1] Commodities previously listed in this section are relisted only to complete the alphabetical sequence and not for the purpose of inviting new or additional exemption requests or changing their status in any way.

Camera supplies.
Chinaware.
Glasses and glassware.
Hand tools.
Hardware.
Household cooking utensils.
Jewelry, compacts, and mirrors.
Lubricants for home use.
Pictures, paintings, and wall plaques.
Plastic flowers and parts.
Plastic table cloths and plastic shelf paper.
Safety flares (for auto and pleasure boating use).
Sewing accessories.
Silverware, stainless steelware, and pewterware.
Solvents and cleaning fluids for home use.
Souvenirs.
Sporting goods.
Toys.
Waxes for home use.
Woodenware.

Issued: June 6, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-6886; Filed, June 10, 1969; 8:50 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 54—GOLD REGULATIONS

Gold Medals for Public Display and Antique Gold Medals

Section 54.4(a)(14)(iii) of the Gold Regulations is being amended to authorize the Director of the Office of Domestic Gold and Silver Operations to license the acquisition, holding, transportation and exportation of gold-plated coins or gold medals which are either antique or are for public display by an institution serving the public. Prior to this amendment, licenses could only be issued for special award medals, designed and struck in small numbers for a specific presentation. Other uses of medals have not heretofore been considered as "customary industrial, professional or artistic use" and the holding of such medals was not licensed. However, the acquisition of old medals, especially those struck over 100 years ago, will now be considered for licensing. In addition, limited numbers of commemorative medals for public display will be considered for licensing upon application by museums, libraries, and other public service institutions. Because the amendments relieve an existing restriction, it is found that notice and public procedure thereon are unnecessary.

Section 54.4(a)(14)(iii) is amended to read:

§ 54.4 **Definitions.**

(a) * * *

(14) * * *

(iii) The acquisition, holding, transportation, importation, or exportation of any gold-plated coins or gold medals other than: Special award medals; antique medals; and commemorative medals for regular public display by a museum or other institution serving the public.

* * * * *

(Sec. 5(b), 40 Stat. 415, as amended, secs. 3, 8, 9, 11, 48 Stat. 340, 341, 342; 12 U.S.C. 95a, 31 U.S.C. 442, 733, 734, 822b, E.O. 6260, Aug. 28, 1933, as amended by E.O. 10896, 25 F.R. 12281, E.O. 10905, 26 F.R. 321, E.O. 11037, 27 F.R. 6967; 3 CFR, 1959-63 Comp. and E.O. 6359, Oct. 25, 1933, E.O. 9193, as amended, 7 F.R. 5205; 3 CFR 1943, Cum. Supp., E.O. 10289, 16 F.R. 9499, 3 CFR, 1949-53 Comp.)

Effective date. These amendments shall become effective on publication in the FEDERAL REGISTER.

Dated: June 5, 1969.

[SEAL] PAUL W. EGGERS, *General Counsel.*

[F.R. Doc. 69-6860; Filed, June 10, 1969; 8:48 a.m.]

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

Soft Dressed Goat Hair

The Foreign Assets Control Regulations are being amended in the following ways:

(1) "Soft dressed goat hair" is being added to the list of commodities specified in § 500.204(a)(2)(ii). Such hair is a prohibited commodity under § 500.204(a)(2)(i), inasmuch as it was imported into the United States principally from mainland China prior to December 17, 1950. It is now being separately listed in view of increased interest in importations. There are no excepted countries for this commodity.

(2) Item 13 of the Appendix to § 500.204 is being amended to publish an interpretation by the Office of Foreign Assets Control that "fur skins" as used in the Regulations includes skins which have been dyed, bleached, trimmed, backed, sewn together, or any combination of the foregoing, but does not include fur scarves, stoles, coats, or other fur garments.

Section 500.204(a)(2)(ii) is hereby amended by the addition of "hair, goat, soft, dressed" to the list of commodities in the subparagraph.

Item 13 of the appendix to § 500.204 is hereby amended to read as follows:

(13) "Fur Skins" includes the fur or hair removed from the skin, e.g., goat hair from goat fur skins, and includes skins which have been bleached, dyed, trimmed, backed, sewn together, or any combination of the foregoing. It also includes fur neck pieces. It does not include fur scarves, stoles, coats, or other fur garments.

[SEAL] MARGARET W. SCHWARTZ, *Director, Office of Foreign Assets Control.*

[F.R. Doc. 69-6858; Filed, June 10, 1969; 8:48 a.m.]

Title 37—PATENTS, TRADEMARKS, AND COPYRIGHTS

Chapter I—Patent Office, Department of Commerce

PART 5—SECRECY OF CERTAIN INVENTIONS AND LICENSES TO FILE APPLICATIONS IN FOREIGN COUNTRIES

Export of Technical Data

Part 5 of Title 37, Code of Federal Regulations, is hereby amended by adding a new § 5.19, as set forth below. The purpose of this amendment is to provide a convenient summary and cross reference to the pertinent regulations of the Bureau of International Commerce.

Since the amendment imposes no burden on any person, notice, and public procedure thereon are deemed unnecessary.

§ 5.19 Export of technical data.

(a) Under regulations established by the U.S. Department of Commerce, a validated export license from the Bureau of International Commerce may be required for the foreign filing of a patent application, under certain conditions. The pertinent regulations are set forth in 15 CFR Parts 370-372 and 379.

(b) A validated export license is required for the foreign filing of patent applications:

(1) Containing certain technical data, unless such foreign filing is in accordance with the regulations of the U.S. Patent Office (15 CFR 379.4 (c), (d)); or

(2) In certain designated countries or areas,[1] if the application contains any unpublished technical data.[2]

(c) A validated export license is not required for the foreign filing of patent applications in any case where:

(1) The data contained in the patent application is generally available to the public in any form (15 CFR 379.3(a)); or

(2) The foreign filing is in accordance with the regulations of the U.S. Patent Office and the patent application has been previously filed abroad in one of the "early publication countries."[3]

[1] Albania, Bulgaria, China (Mainland) [Including Inner Mongolia, the provinces of Tsinghai and Sikang, Sinkiang, Tibet, and Manchuria (includes the former Kwantung Leased Territory, the present Port Arthur Naval Base Area, and Liaoning Province), but excluding Republic of China (Taiwan) (Formosa) and Outer Mongolia], Communist-controlled area of Vietnam, Cuba, Czechoslovakia, East Germany (Soviet Zone of Germany and the Soviet Sector of Berlin), Estonia, Hungary, Latvia, Lithuania, North Korea, Outer Mongolia, Poland (including Danzig), Rumania, Southern Rhodesia, and Union of Soviet Socialist Republics (15 CFR Part 370, Supplement No. 1).

[2] 15 CFR 379.4 (a), (b).

[3] Belgium, Costa Rica, Denmark, Ecuador, Finland, France, Honduras, Iceland, Jamaica, Luxembourg, Netherlands, Nicaragua, Norway, Panama, Portugal, Sweden, Trinidad, Turkey, Republic of South Africa, Uruguay, Venezuela, and West Germany (Federal Republic of Germany) (15 CFR 379.3(c)).

(d) Inquiries concerning the export control regulations for the foreign filing of patent applications should be made to the Office of Export Control, Bureau of International Commerce, Department of Commerce, Washington, D.C. 20230.

(Sec. 1, 66 Stat. 793; 35 U.S.C. 6)

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

WILLIAM E. SCHUYLER, JR.,
Commissioner of Patents.

Approved: June 6, 1969.

MYRON TRIBUS,
Assistant Secretary for Science and Technology.

[F.R. Doc. 69-6832; Filed, June 10, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 526]

PEAT MATERIAL PRODUCTION IN MODOC COUNTY, CALIF.

Proposed Seasonal Industry Determination

Pursuant to section 7(c) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 207(e)), Reorganization Plan No. 6 of 1950 (3 CFR 1949–1953 Comp., p. 1004), and the Secretary's Order No. 19–67 (32 F.R. 12980), and in accordance with § 526.7 of Title 29, Code of Federal Regulations, it is hereby proposed to supplement the finding that the production of peat materials in the northern parts of the United States and in higher altitudes (5 F.R. 4816, Dec. 3, 1940) which is referred to in § 526.10, is an industry of a seasonal nature.

Specifically, on the basis of facts presented by Radel, Inc., it is proposed to supplement the definition of the industry by including therein the production of peat materials in Modoc County, Calif.

The provisions of Part 526 of Title 29, Code of Federal Regulations, shall govern this proceeding and the issue presented is that stated in § 526.2(a); i.e. is the production of peat materials in Modoc County, Calif., an industry of a seasonal nature.

Interested persons are invited to participate by submitting pertinent written data, views, or argument to the Administrator, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington, D.C. 20210 within 30 days after publication of this document in the FEDERAL REGISTER.

Signed at Washington, D.C., this 5th day of June 1969.

ROBERT D. MORAN,
Administrator, Wage and Hour and Public Contracts Divisions.

[F.R. Doc. 69-6846; Filed, June 10, 1969; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Patent Office

[37 CFR Part 1]

RULES OF PRACTICE IN PATENT CASES

Issuance of Patent to Assignee

In view of the comments received from the general public with respect to a notice of proposed rule making published on February 13, 1969, in the FEDERAL REGISTER (34 F.R. 2136), the Patent Office has amended its original proposal dealing with the issuance of a patent to an assignee. Notice is hereby given, therefore, that under the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6), the Patent Office proposes to revise § 1.334 of Title 37, Code of Federal Regulations, as set forth below.

The purpose of this revision is to increase the efficiency of the Patent Office operation by facilitating the more effective utilization of its personnel. Service to the public would be improved by increasing the number of assignments which are reflected in the printed copies of patents distributed by the Patent Office.

§ 1.334 **Issue of patent to assignee.**

In case of an assignment of the entire interest in the invention and application, or of the entire interest in the patent to be granted, the patent will normally issue to the assignee. If the assignee should hold an undivided part interest, the patent will normally issue jointly to the inventor and the assignee. If it is desired that the patent so issue the assignment in either case must first have been recorded, and at a day not later than the date of the payment of the issue fee specified in the notice of allowance. At the time of payment of the issue fee, information must be furnished indicating whether or not an assignment has been filed with the Patent Office. In the event an assignment has been filed, the name of the assignee must be furnished together with a statement indicating whether or not an acknowledgment of a recorded assignment has been received from the Patent Office.

All persons who desire to submit written data, views, arguments, or suggestions for consideration in connection with the proposed revision are invited to forward the same to the Commissioner of Patents, Washington, D.C. 20231, on or before July 31, 1969. An oral hearing will not be scheduled.

WILLIAM E. SCHUYLER, JR.,
Commissioner of Patents.

Approved: June 6, 1969.

MYRON TRIBUS,
Assistant Secretary for Science and Technology.

[F.R. Doc. 69-6833; Filed, June 10, 1969; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[49 CFR Part 71]

[OST Docket No. 8; Notice 69-6]

CENTRAL-MOUNTAIN STANDARD TIME ZONE BOUNDARY IN STATE OF KANSAS

Proposed Relocation

On August 9, 1967, the Department of Transportation published in the FEDERAL REGISTER a notice of proposed rule making (32 F.R. 11479) requesting comments on a proposal to relocate the boundary between the central and mountain time zones on the Kansas-Colorado border. That proposal was based on a Resolution of the Kansas legislature approved by the Governor and transmitted to the Department of Transportation. Interested persons were given a 72-day period within which to comment on the proposal. Because only a few comments were received by the Department, the period was extended for an additional 103 days during which additional comments were solicited (32 F.R. 18062).

Response during the extended period was also limited. Less than 4 percent of the people affected by the proposal commented on it. Of that fraction three out of every four opposed the proposed relocation and favored remaining on mountain time. Consequently, in June 1968, the Department withdrew the proposal (33 F.R. 9262) leaving the time zone boundary as it was defined by the Interstate Commerce Commission in 1919 (51 I.C.C. 273, 555), and amended by the Commission in 1927 (129 I.C.C. 209). The 1927 amendment moved the southern end of the boundary, south of Dodge City, westward to the Colorado border placing in the central zone Stanton, Grant, Haskell, Morton, and Stevens Counties, and portions of Gray, Ford, Seward, Meade, and Clark Counties that had previously been in the mountain zone.

Section 71.6(d) of Title 49, Code of Federal Regulations, describes the current boundary in Kansas (as it has existed since 1927) as follows:

§ 71.6 *Boundary line between central and mountain zones.* • • •

(d) *Kansas.* From the point last described in a southerly direction through Phillipsburg, Stockton, and Plainville to Ellis, crossing in said course the Chicago, Rock Island & Pacific Railway at Phillipsburg, the Missouri Pacific Railroad near Glade, and the Union Pacific Railroad at Plainville and Ellis; thence south along the west line of

Ellis County and the east line of Ness County to the northeast corner of Hodgeman County, crossing in said course the Missouri Pacific Railroad near McCracken and the Santa Fe near Alexander; thence west along the north line of Hodgeman County to the 100° meridian, west; thence south along said meridian to a point north of Dodge City; thence along the north and west boundary of Dodge City to the fifth standard parallel, south; thence westerly along said parallel and the southern boundary lines of Finney, Kearney, and Hamilton Counties to the Kansas-Colorado border; thence south along the border between Kansas and Colorado to the intersection of the boundary between such States with the boundary line of Oklahoma.

* * * * *

- (g) *Points on boundary line.* The following named municipalities located upon the above-described zone boundary line shall be considered as within the U.S. standard central time zone: * * * Phillipsburg, Stockton, Plainville, and Ellis, Kans. All other municipalities located upon the above-described zone boundary line shall be considered as within the U.S. standard mountain time zone.

This boundary was based on "the points at which the more important lines of railroad change[d] from one standard time to another". (See the ICC report, 51 I.C.C. 273, 280.)

Since the Department's withdrawal of the 1967 proposal it has become increasingly apparent that the lack of express public support for the proposed relocation may not have been entirely consistent with the needs and desires of a substantial portion of those 26 western Kansas counties, or parts of counties, now in the mountain time zone. Recent communications from local government officials, businessmen, local residents, and travelers have shown that there has developed a disparity in the pattern of time observance in western Kansas. Believing that there was some confusion and misunderstanding concerning the requirements of the Uniform Time Act of 1966 and the proper location of the time zone boundary, the Department decided to hold two public meetings in western Kansas.

In its invitation to county and local government officials to participate in the meetings, the Department advised them that the purpose of the meetings was to discuss the Uniform Time Act and the law relating to time zone boundaries, and to determine whether there was adequate public interest in the area to warrant the opening, by the Department, of an administrative proceeding concerning the relocation of the time zone boundary in Kansas. It was emphasized that the meetings alone were not intended to produce a final decision in the matter. An invitation for general public participation was announced through the news media.

The meetings on May 22, 1969, in Scott City, Kans., and on May 23, 1969, in Colby, Kans., were attended by approximately 175 and 250 persons, respectively. Representatives from 19 counties and 18 municipal governments were among the participants that also included representatives of service organizations, unified school districts, newspapers, banks, government agencies as well as a number of private businessmen and individual citizens.

Many of those who participated in the Scott City and Colby meetings suggested that any relocation of the boundary should be based on significant considerations that are additional to the railroad time change points. Among those mentioned were the undesirable effects of having a small county split between two time zones; the relationship of a given county, or municipality, to other areas in the same or an adjacent State; the comparative distances from a given county, or municipality, to the median meridians for the time zones being considered; the characteristics of the area concerned; and the location of major trade and commercial areas outside of the area under consideration.

The 1967 proposal, based on the Legislature's Resolution, would have placed the entire State of Kansas in the central time zone. The Scott City and Colby meetings produced some support for renewal of that proposal, however considerable opposition was expressed by a number of county officials and individuals, principally from the westernmost counties of Sherman, Wallace, Greeley, and Hamilton. In general counties, municipalities located in, and individuals residing in, the mountain time zone portion of the State to the east of the named counties expressed a preference for central time. There were, of course, a few areas whose representatives and citizens were divided in their expression of preference.

Under the Time Zone Act originally enacted in 1918 (15 U.S.C. 261), as amended by the Uniform Time Act of 1966 (15 U.S.C. 260 et seq.), the Secretary of Transportation is authorized to modify the limits of time zones having regard to "the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate and foreign commerce".

In consideration of the foregoing, it is evident that the Department should submit a relocation proposal for public comment. Therefore it is proposed that the boundary line between the central and mountain time zones in Kansas be amended so as to place the entire State in the central time zone except for Sherman, Wallace, Greeley, and Hamilton Counties, which would remain in the mountain time zone, by amending § 71.6 (d) and (g) of Title 49, Code of Federal Regulations, to read as follows:

§ 71.6 Boundary line between central and mountain zones.

* * * * *

(d) *Kansas.* From the intersection of the west line of Hitchcock County, Nebr., with the boundary line between Nebraska and Kansas westerly along that boundary to the northwest corner of the State of Kansas; thence southerly along the western boundary of the State of Kansas to the north line of Sherman County, Kans.; thence easterly along the north line of Sherman County to the east line of Sherman County; thence southerly along the east line of Sherman County to the north line of Logan County; thence westerly along the north line of Logan County to the east line of Wallace County; thence southerly along the east line of Wallace County to the north line of Wichita County; thence westerly along the north line of Wichita County to the east line of Greeley County; thence southerly along the east line of Greeley County to the north line of Hamilton County; thence easterly along the north line of Hamilton County to the east line of Hamilton County; thence southerly along the east line of Hamilton County to the south line of Hamilton County; thence westerly along the south line of Hamilton County to the Kansas-Colorado boundary, thence southerly along the Kansas-Colorado boundary to the intersection of that boundary with the north boundary of the State of Oklahoma.

* * * * *

(g) *Points on boundary line.* All municipalities located upon the above-described zone boundary line are in the U.S. standard mountain time zone with the exception of Murdo, S. Dak., which is in the U.S. standard central time zone.

Before taking final action to adopt, deny, or modify the boundary the Secretary of Transportation will consider the timely comments of all interested persons. Commmunications should identify the regulatory docket or notice number (see above) and be submitted to the: Docket Clerk, Office of the General Counsel, Department of Transportation, 800 Independence Avenue SW., Washington, D.C. 20590. The proposal may be changed in the light of the comments received.

Communications received on or before July 28, 1969, will be considered before final action is taken on this proposal. In addition, all communications received before the date of this notice will be so considered and it will not be necessary for persons who have previously commented to comment again. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

This proceeding does not concern adherence to or exemption from advanced (daylight saving) time. The Uniform Time Act of 1966 requires observance of advanced time within each established time zone from 2 a.m. on the last Sunday in April to 2 a.m. on the last Sunday in October of each year, but permits any State to exempt itself from this requirement, by law applicable to the entire State. No political subdivision of a State may prescribe a time that is inconsistent with this requirement. The Department of Transportation has no administrative authority with respect to this matter.

This proposal is issued under the authority of the Act of March 19, 1918, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260–267), section 6(e)(5) of the Department of Transportation Act (49 U.S.C. 1655(e)(5)), and Appendix A to Part 5 of the Regulations of the Office

of the Secretary of Transportation (49 CFR Part 5).

Issued in Washington, D.C., on June 6, 1969.

R. TENNEY JOHNSON,
Acting General Counsel.

[F.R. Doc. 69-6848; Filed, June 10, 1969; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 73]

PHYSICAL PROTECTION OF SPECIAL NUCLEAR MATERIAL

Notice of Proposed Rule Making

The Atomic Energy Commission has under consideration amendments of its regulation, 10 CFR Part 73, "Physical Protection of Special Nuclear Material in Transit," which would provide for the physical protection of special nuclear material by certain licensees while such material is in use or storage.

The proposed amendments of 10 CFR Part 73 revise and supplement the provisions of Part 73, which is now limited to the protection of special nuclear material while in transit. Part 73 was published in the FEDERAL REGISTER as an effective regulation on April 9, 1969 (34 F.R. 6277).

The Commission believes that specific requirements for the protection of special nuclear material while in use and in storage, as well as in transit, should be prescribed in its regulations to assure that special nuclear material is adequately protected in the interest of the common defense and security.

The proposed amendments which follow would prescribe requirements for the physical protection of special nuclear material in use and storage, including:

a. Use only in a protected area and under surveillance of an authorized individual; and

b. Storage in a locked security container or locked building.

In addition, a number of editorial changes of a clarifying nature have been made.

The requirements would apply only to licensees possessing more than 5,000 grams of uranium-235 (contained in uranium enriched to 20 percent or more in the U^{235} isotope), uranium-233, or plutonium, or a combination thereof. The requirements would not apply to:

a. Uranium-235 contained in uranium enriched to less than 20 percent in the U^{235} isotope;

b. Special nuclear material which is not readily separable from other radioactive material and which has a total external radiation dose rate in excess of 100 rems per hour at a distance of 3 feet from any accessible surface without intervening shielding; and

c. Special nuclear material that is protected pursuant to security procedures prescribed by the Commission or another Government agency for classified material.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Part 73 is contemplated. All interested persons who desire to submit written comments or suggestions should send them to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, within sixty (60) days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified. Copies of comments on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

1. The title of 10 CFR Part 73 is amended to read as follows:

PART 73—PHYSICAL PROTECTION OF SPECIAL NUCLEAR MATERIAL

2. Section 73.1 of 10 CFR Part 73 is amended to read as follows:

§ 73.1 Purpose and scope.

This part prescribes requirements for the physical protection of special nuclear material by any person who is licensed pursuant to the regulations in Part 70 of this chapter and who possesses, in any building or buildings on contiguous land subject to control by the licensee, or who ships more than 5,000 grams of uranium-235 (contained in uranium enriched to 20 percent or more in the U^{235} isotope), uranium-233, or plutonium, or a combination thereof.

3. Section 73.3 of 10 CFR Part 73 is revised to read as follows:

§ 73.3 Definitions.

As used in this part:

(a) Terms defined in Part 70 of this chapter have the same meaning when used in this part.

(b) "Authorized individual" means any individual, including an employee, a consultant, or an agent of a licensee, who has been designated in writing by a licensee to have responsibility for surveillance of special nuclear material.

(c) "Guard" means an armed and uniformed individual whose primary duty is the protection of property.

(d) "Intrusion alarm" means a secure electrical, electromechanical, or electronic device capable of detecting intrusion by an individual into a security container, building, or protected area by means of an actuated visible or audible signal sufficient to summon guards or watchmen immediately so that they arrive at the security container, building, or protected area involved within 15 minutes.

(e) "Lock" means a three-position, manipulation resistant, dial type, built-in combination lock or combination padlock. "Locked" means protected by an operable lock.

(f) "Protected area" means a geographical area protected by physical barriers, such as a fence or wall, designed to prevent or impede unauthorized entrance. For purposes of this definition, "fence" means a barrier consisting of No. 11 American wire gauge, or heavier, wire fabric, topped by three or more strands of barbed wire on brackets angled outward, with an overall height of not less than eight feet, including the barbed wire.

(g) "Safe" means a burglar-resistant cabinet or chest with a body of steel at least one-half inch thick and a combination locked steel door at least 1 inch thick, exclusive of bolt and locking device.

(h) "Security cabinet" means a cabinet which is a security container approved by the General Services Administration and which bears a test certification label on the inside of the locking drawer or door and is marked "General Services Administration Approved Security Container" on the outside of the top drawer or door.

(i) "Security container" means a safe, vault, vault-type room, or security cabinet.

(j) "Vault" means a burglar-resistant windowless enclosure with walls, floor and roof of (1) steel at least one-half inch thick, or (2) reinforced concrete or stone at least 8 inches thick, or (3) non-reinforced concrete or stone at least 12 inches thick, and with a built-in lock in a steel door at least 1 inch thick, exclusive of the locking mechanism.

(k) "Vault-type room" means a room with intrusion alarm protection and with one or more locked doors.

(l) "Watchman" means a person, not necessarily uniformed or armed, who provides protection for materials and property in the course of performing other duties.

4. The prefatory language and paragraph (b) of § 73.13 of 10 CFR Part 73 are amended to read as follows:

§ 73.13 Exemptions for certain quantities and kinds of special nuclear material.

A licensee is exempt from the requirements of this part with respect to the following special nuclear material:

* * * * *

(b) Special nuclear material which is not readily separable from other radioactive material and which has a total external radiation dose rate in excess of 100 rems per hour at a distance of 3 feet from any accessible surface without intervening shielding.

* * * * *

5. Section 73.31 of 10 CFR Part 73 is revised to read as follows:

§ 73.31 Physical protection of special nuclear material.

Each licensee shall physically protect special nuclear material in accordance with the following requirements:

(a) Special nuclear material shall be used only in a protected area and under the surveillance of an authorized individual.

(b) Special nuclear material, when not in use or transit, shall be stored in (1) a locked security container, or (2) a

locked building constructed of stone, brick, concrete, steel, or comparable materials which is capable of preventing or impeding unauthorized entrance. Such security container or building, when not under the surveillance of an authorized individual, shall be protected by a guard or watchman who shall patrol at intervals not exceeding four hours, or by intrusion alarms.

(c) Special nuclear material shall be transported (1) in the continuous personal custody of an authorized individual, or (2) under established procedures of a common or contract carrier which provide a system for the physical protection of valuable material in transit and require an exchange of hand-to-hand receipts at origin and destination and at all points en route where there is a transfer of custody.

6. A new § 73.32 is added to 10 CFR Part 73 to read as follows:

§ 73.32 Testing and maintenance.

Each licensee shall test and maintain intrusion alarms, security containers, and protected areas utilized by the licensee pursuant to the requirements of this part as follows:

(a) Intrusion alarms and security containers shall be maintained in operable and effective condition.

(b) Intrusion alarms shall be inspected and tested for operability and required functional performance at intervals not exceeding seven (7) days.

(c) Protected areas shall be inspected at intervals not exceeding thirty (30) days to assure their adequacy in preventing or impeding unauthorized entrance.

7. Section 73.41 of 10 CFR Part 73 is revised to read as follows:

§ 73.41 Records.

Each licensee shall keep the following records:

(a) Names and addresses of all individuals who have been designated as authorized individuals.

(b) Results of all tests, inspections, and maintenance which have been performed on security containers, intrusion alarms and protected areas utilized by the licensee pursuant to the requirements of this part.

(c) Records of all shipments of special nuclear material subject to the requirements of this part, including the means employed to protect such material while in transit.

8. Appendix A of 10 CFR Part 73 is amended by changing the daytime telephone number of District III, Division of Nuclear Materials Safeguards Office to read as follows:

415-841-5121
Ext. 3655

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 28th day of May 1969.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 69-6810; Filed, June 10, 1969; 8:45 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Parts 523, 531]

[No. 22,859]

FEDERAL HOME LOAN BANK SYSTEM

Liquidity Requirements; Withdrawal of Proposed Rule

MAY 29, 1969.

Whereas, by Resolution No. 22,594, dated February 18, 1969, and duly published in the FEDERAL REGISTER on March 8, 1969 (34 F.R. 5022), this Board resolved to propose that Parts 523 and 531 of the regulations for the Federal Home Loan Bank System (12 CFR Parts 523, 531) be amended by amendments the substance of which were set out in said publication, and

Whereas, careful consideration has been given to such proposed amendments;

It is hereby resolved, that this Board determines not to adopt the amendments proposed by said Resolution No. 22,594.

(Sec. 4, Public Law 90-505, 82 Stat. 856, 857, 858; 12 U.S.C. 1425a)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 69-6873; Filed, June 10, 1969; 8:49 a.m.]

[12 CFR Parts 545, 556]

[No. 22,860]

FEDERAL SAVINGS AND LOAN SYSTEM

Liquidity and Investments in Securities; Withdrawal of Proposed Rule

MAY 29, 1969.

Whereas, by Resolution No. 22,595, dated February 18, 1969, and duly published in the FEDERAL REGISTER on March 8, 1969 (34 F.R. 5024), this Board resolved to propose that Parts 545 and 556 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 545, 556) be amended by amendments the substance of which were set out in said publication, and

Whereas, careful consideration has been given to such proposed amendments;

It is hereby resolved, that this Board determines not to adopt the amendments proposed by said Resolution No. 22,595.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 69-6874; Filed, June 10, 1969; 8:49 a.m.]

[12 CFR Parts 561, 571]

[No. 22,861]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Definitions of Terms; Withdrawal of Proposed Rule

MAY 29, 1969.

Whereas, by Resolution No. 22,596, dated February 18, 1969, and duly published in the FEDERAL REGISTER on March 8, 1969 (34 F.R. 5024), this Board resolved to propose that Parts 561 and 571 of the rules and regulations for Insurance of Accounts (12 CFR Parts 561, 571) be amended by amendments the substance of which were set out in said publication, and

Whereas, careful consideration has been given to such proposed amendments;

It is hereby resolved, that this Board determines not to adopt the amendments proposed by said Resolution No. 22,596.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 69-6875; Filed, June 10, 1969; 8:49 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 500]

LABELS OF CONSUMER COMMODITIES

Required Statements

The Federal Trade Commission on March 19, 1968, published its order (33 F.R. 4718-4723) implementing section 4 of the Fair Packaging and Labeling Act. By means of this order, the various regulations were promulgated establishing the requirements for labeling consumer commodities. Section 500.1 of the regulations was revised from its originally proposed form to make clear that in addition to those consumer commodities which are contained in a package, the Act also applies to consumer commodities which are merely labeled. Notwithstanding this intended emphasis, § 500.3 contains wording which can be interpreted to require unlabeled consumer commodities in unpackaged form to be labeled in all instances. The effect of such an interpretation which now appears in § 500.3 would be to apply the regulations to a consumer commodity which is to be neither packaged nor labeled. It is the Commission's opinion that the coverage of the Act is limited to consumer commodities which are either labeled or packaged.

It has also been brought to the Commission's attention that § 500.16 does not provide for thirds as a common fraction which may be contained in a statement

of net quantity, although halves, quarters, eighths, etc. are provided for. Since a yard is a common measure of length, and is commonly converted from feet, it is concluded that § 500.16 should provide for permitted fractions to include thirds.

Therefore, based on various comments received, it is the Commission's conclusion that § 500.3 should be amended to clarify the application of the regulations to packaged and labeled consumer commodities, and § 500.16 should be amended to permit the use of thirds as a common fraction in declaring quantity of contents. Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 4, 6, 80 Stat. 1297, 1299, 1300; 15 U.S.C. 1453, 1455), the Commission proposes to amend Part 500 as follows:

1. Section 500.3 (c) and (d) should be amended by addition of the words "packaged or labeled" immediately after the first word of each paragraph. As proposed, § 500.3 would read:

GENERAL REQUIREMENTS

§ 500.3 **Prohibited acts, coverage, general labeling requirements, exemption procedure.**

* * * * *

(c) Each package or labeled consumer commodity, unless it has been exempted through proceedings under section 5(b) of the Act (15 U.S.C. 1454(b)), shall, upon being prepared for distribution in commerce or for sale at retail, and before being distributed in commerce or offered for sale at retail, be labeled in accordance with the requirements of the Act and the regulations in this part.

(d) Each packaged or labeled consumer commodity, unless it has been exempted through proceedings under section 5(b) of the Act, shall bear a label specifying the identity of the commodity; the name and place of business of the manufacturer, packer, or distributor; the net quantity of contents; and the net quantity per serving, use, or application, where there is a label representation as to the number of servings, uses, or applications obtainable from the commodity.

* * * * *

2. Section 500.16 should be amended by inserting the word "thirds" immediately after "halves" in the second sentence of the section. As proposed, § 500.16 would read:

§ 500.16 **Fractions.**

A statement of net quantity of contents of any consumer commodity may contain common or decimal fractions. A common fraction shall be in terms of halves, thirds, quarters, eighths, sixteenths, or thirty-seconds; except that if there exists a firmly established general consumer usage and trade custom of employing different common fractions in the net quantity declaration of a particular commodity, they may be employed. A common fraction shall be reduced to its lowest terms; a decimal fraction shall not be carried out to more than two places. If a statement includes small fractions, smaller variations in the actual size or weight of the commodity will be permitted, as provided in § 500.22, than in cases where larger fractions or whole numbers are used.

Any interested person may, within 60 days from the date of this publication in the FEDERAL REGISTER, file with the Secretary, Federal Trade Commission, Washington, D.C. 20580, written views on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Issued: June 6, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-6888; Filed, June 10, 1969; 8:50 a.m.]

[16 CFR Part 500]

LABELS OF CONSUMER COMMODITIES

Measurement of Container Type Commodities

Notice is given that the Federal Trade Commission has received petitions proposing that the regulations for the enforcement of the Fair Packaging and Labeling Act (16 CFR Part 500) be amended to clarify the labeling of packages of commodities to be used as containers.

Grounds given in support of the proposals are that:

(1) The total area measurement required by § 500.15 would not in the case of such commodities as plastic bags provide any meaningful information to consumers.

(2) The inclusion of a statement respecting capacity would facilitate value comparisons of such commodities as plastic bags.

The Commission believes that the issues raised go beyond those stated in the petitions and that, among other things, the net quantity statement now required on packages of containers under § 500.7 should include capacity of the containers in certain cases. Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 4(a) and 6 (b), 80 Stat. 1297, 1300, 15 U.S.C. 1453, 1455), it is proposed that Part 500 of the Commission's Rules, Regulations, Statements of General Policy or Interpretation and Exemption under the Fair Packaging and Labeling Act be amended by adding a new section after § 500.15 to read as follows:

§ 500.15.1 **Measurement of container type commodities, how expressed.**

(a) Notwithstanding other provisions of this Part 500 of the regulations pertaining to the expression of net quantity of contents by measurement, commodities designed and sold at retail to be used as containers for other materials or objects such as bags, cups, glasses, boxes, pans, and dishes shall be labeled in accordance with the following paragraphs.

(b) The declaration of net quantity for container commodities shall be expressed as follows:

(1) For bag type commodities, in terms of count followed by linear dimensions of the bag (whether packaged in a perforated roll or otherwise):

(i) When the unit bag is characterized by two dimensions because of the absence of a gusset, the length and height will be expressed in inches, except that a dimension of 2 feet or more will be expressed in feet with any remainder in terms of inches or common or decimal fractions of the foot. (Examples: "25 bags, 17 in. X 20 in.", or "100 bags, 20 in. X 2 ft. 6 in.", or "50 bags, 20 in. X 2½ ft.")

(ii) When the unit bag is gusseted, the dimensions will be expressed as length, height, and width, in terms of inches when no dimension is 2 feet or more. Any dimension of 2 feet or more will be expressed in feet with any remainder in terms of inches or the common or decimal fractions of the foot. (Examples: "25 bags, 17 in. X 20 in. X 4 in.", or "100 bags, 20 in. X 2½ ft. X 12 in.")

(2) For other square, oblong, rectangular or similarly shaped containers, in terms of count followed by length, width, and depth except depth need not be listed when less than 2 inches. (Examples: "2 cake pans, 8 in. X 8 in.", or "roasting pan, 12 in. X 8 in. X 3 in.")

(3) For circular or other generally round shaped containers, except cups, glasses, and the like, in terms of count followed by diameter and depth except depth need not be listed when less than 2 inches. (Examples: "4 pie pans, 8 in. diameter", or "2 cake pans, 8 in. diameter X 4 in.")

(c) When the functional use of the container is related by label references to the capability of holding a defined quantity of a specific substance or class of substances then the net quantity statement shall contain an additional statement in terms of capacity as follows:

(1) Liquid measure for containers which are intended to be used for liquids, semisolids, viscous materials or mixtures of solids and liquids. The expressed capacity will be stated in terms of the largest whole unit (gallon, quart, pint, ounce) with any remainder in terms of the common or decimal fraction of that unit. (Examples: Freezer Boxes: "4 boxes, 1 qt. capacity, 6 in. X 6 in. X 4 in.")

(2) Dry measure for containers which are intended to be used for solids. The expressed capacity will be stated in terms of the largest whole unit (bushel, peck) with any remainder in terms of the common or decimal fraction of that unit. (Example: Leaf Bags: "8 bags, 6 bushel capacity, 4 feet X 5 feet".)

(3) Where containers are used as liners for other more permanent containers, in the same terms as is normally used to express the capacity of the more permanent container. (Examples: "4 garbage can liners, 6 gal. capacity, 3 ft. X 18 in. X 18 in.")

(4) Statements of capacity will be included in the net quantity of contents declaration immediately following the

statement of count. (Examples: "25 bags, 4½ gallon capacity, 17 in. X 19 in.")

(d) Notwithstanding the above requirements, the net quantity statement for containers such as cups and glasses will be listed in terms of count and liquid capacity per unit. (Examples: "24 cups, 6 fl. oz. capacity", or "12 glasses, 8 fluid ounce capacity".)

Any interested person may, within 30 days from the date of this publication in the FEDERAL REGISTER, file with the Secretary, Federal Trade Commission, Washington, D.C. 20580 written views on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Issued: June 6, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-6889; Filed, June 10, 1969; 8:51 a.m.]

[16 CFR Part 501]

LABELS OF CONSUMER COMMODITIES

Exemptions From Certain Requirements of Fair Packaging and Labeling Act

The Federal Trade Commission continues to receive requests that certain commodities and classes of commodities be exempted from one or more of the labeling requirements of section 4 of the Act and regulations thereunder. Paragraph (b) of section 5 of the Act provides for the granting of conditional or unconditional exemptions from otherwise required label statements where "because of the nature, form or quantity of a particular consumer commodity or for other good and sufficient reasons, full compliance with all the requirements otherwise applicable under section 4 of the Act is impracticable or is not necessary for the adequate protection of consumers."

The following commodities or classes of commodities are considered by the Commission to be properly the subjects of proposed exemptions. Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (sections 5, 6; 80 Stat. 1299, 1300; 15 U.S.C. 1454, 1455) the following exemptions are proposed:

PART 501—REGULATIONS EXEMPTING CERTAIN COMMODITIES FROM FULL OR PARTIAL COMPLIANCE WITH SECTION 4 FAIR PACKAGING AND LABELING ACT AND THE REGULATIONS THEREUNDER

§ 501.15 Cameras.

Cameras and camera replacement parts shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.16 Luggage.

Luggage shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.17 Automotive accessories.

Automotive accessories shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.18 Furniture.

Furniture shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.19 Musical instruments.

Musical instruments shall be exempt from the requirements of the regulations in Part 500 of this chapter.

§ 501.20 Cigarette lighters.

Cigarette lighters shall be exempt from the requirements of the regulations in Part 500 of this chapter.

Any interested person may, within 60 days from the date of this publication in the FEDERAL REGISTER file with the Secretary, Federal Trade Commission, Washington, D.C. 20580, written views on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Issued: June 6, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69-6887; Filed, June 10, 1969; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

LEE J. TREECE

Notice of Granting of Relief

Notice is hereby given that Lee J. Treece, doing business as Sportsman's Trading Post, G-1087 East Carpenter Road, Flint, Mich. 48505, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 28, 1943, in the U.S. District Court for the District of Michigan, Eastern Division, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Lee J. Treece because of such conviction to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., Appendix) because of such conviction, it would be unlawful for Mr. Treece to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Lee J. Treece's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by 26 CFR 178.144: *It is ordered*, That Lee J. Treece be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 5th day of June 1969.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 69-6859; Filed, June 10, 1969; 8:48 a.m.]

Office of the Secretary

RADIO AND TELEVISION ANTENNA TOWERS FROM CANADA

Notice of Tentative Negative Determination

JUNE 2, 1969.

Information was received on December 4, 1967, that radio and television antenna towers manufactured by Delhi Metal Products Ltd., Delhi, Ontario, Canada, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of February 10, 1968, on page 2861.

I hereby make a tentative determination that radio and television antenna towers manufactured by Delhi Metal Products Ltd., Delhi, Ontario, Canada, are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. Information developed during the course of the investigation revealed that fabricated and semifabricated components of radio and television towers were imported from Canada by a subsidiary company of the foreign exporter. These components plus components of U.S. manufacture were used by the subsidiary company to produce the antenna towers under consideration.

Assets and manufacturing rights of the U.S. antenna tower manufacturing company were purchased by a nonrelated U.S. firm. As part of sales agreement, parent foreign exporter agreed to make no sales in the United States for a period of 10 years.

Importations of the subject towers have ceased, and it appears likely that no further importations will occur during the specified contractual time period.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)) interested parties may present written views or arguments, or request in writing, that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or request should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[F.R. Doc. 69-6861; Filed, June 10, 1969; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Revision of Billings Area Office Redelegation Order 1]

SUPERINTENDENTS AND PROJECT ENGINEER, BILLINGS AREA OFFICE, MONT.

Redelegations of Authority

MAY 20, 1969.

On page 637 of the FEDERAL REGISTER of January 16, 1969, the Commissioner of the Bureau of Indian Affairs issued a redelegation of authority which substantially changed the authorities and source of authorities of Area Directors. This release revises the Billings Area redelegation of authority to reflect changes in the Commissioner's redelegation as provided in 10 BIAM 3 and Secretarial Order No. 2508. It is a restatement and modification of redelegations previously authorized in Billings Order 1 and amendments thereto, but includes additional redelegations of authority.

The authority of the Assistant Area Directors has been published previously on page 5610 of the FEDERAL REGISTER of March 25, 1969, but is republished to become a part of this redelegation order.

Billings Area Office Redelegation reads as follows:

BILLINGS AREA REDELEGATIONS

PART 1—GENERAL

SECTION 1.1. This order is a revision of Billings Order 1 and amendments thereto and supersedes all previous redelegation orders. Authority to issue this order is contained in 33 BIAM 4.7 and Part 230 Chapter 2 of the Departmental Manual.

SEC. 1.2 *Appeals.* Any action taken by any Superintendent or other officer pursuant to Part 2 of this order shall be subject to the right of appeal. An appeal may be taken from the decision of such Superintendent or other officer to the Area Director, Billings Area Office. An appeal must be filed in writing with such Superintendent or other officer and shall be promptly transmitted by him with the record in the case to the Area Director, Billings Area Office. Any action taken by the Area Director pursuant to this order shall be subject to the right of appeal to the Commissioner of Indian

Affairs. Any action taken by the Commissioner of Indian Affairs pursuant to this order shall be subject to the right of appeal to the Secretary of the Interior, pursuant to section 1(a) of Order 2508, as amended, of the Secretary of the Interior.

SEC. 1.3 *Limitations.* Delegations of authority made by this order are not to be construed as depriving the Area Director of the authority conferred upon him by the Commissioner of Indian Affairs, nor the authority to issue guidelines or instructions for the implementation of the delegated authorities which shall be binding on the Superintendents and Project Engineer.

SEC. 1.4 *Authority of Assistant Area Directors.* The Assistant Area Directors, Bureau of Indian Affairs, Billings Area Office, are authorized to exercise all the power and authority of the Area Director of the Billings Area Office, as delegated by the Commissioner of Indian Affairs in 10 BIAM 3. This redelegation also includes future authorities of the Commissioner to the Area Director. In the absence of the Area Director and the Assistant Area Directors, persons authorized to act in their stead may exercise any and all authority conferred upon the Area Director by the Commissioner of Indian Affairs.

PART 2—AUTHORITY OF SUPERINTENDENTS AND PROJECT ENGINEER

Subject to the provisions of Part 1, Superintendents and Project Engineer may exercise the authority of the Area Director as indicated in this part.

Functions Relating to Lands and Minerals

SEC. 2.1 *Sales, fee patents, and other matters in 25 CFR Part 121.* The taking of action with respect to those matters set forth in 25 CFR Part 121, except:

(a) Approval of mortgages or deeds of trust other than authorized in section 2.42 of this order.

(b) The approval of issuance of patents in fee, or the removal of restrictions from restricted fee patents or deeds.

SEC. 2.2 *Land exchanges.* The approval of exchanges of lands between individual Indians, between individual Indians and Indian tribes, between individual Indians and non-Indians, and between Indian tribes and non-Indians. This authority does not include the approval of issuances of patents in fee, or the removal of restrictions from restricted fee patents or deeds.

SEC. 2.3 *Land acquisitions.* The approval of the purchase of lands for individual Indians and Indian tribes. This authority extends to and includes the acceptance of options for the acquisition of lands and the authorization to disburse restricted individual Indian money to complete the acquisition of lands for individual Indians.

SEC. 2.4 *Sale to Crow Tribe of interests in estates of deceased Crow allottees.* All those matters with respect to lands, improvements and interests therein contained in the act of July 1, 1948 (62 Stat. 1214), titled "To provide for the sale to the Crow Tribe of interests in the estates of deceased Crow Indian allottees."

SEC. 2.5 *Leases and permits.* All those matters set forth in 25 CFR Part 131 except (1) the approval of leases, other than homesite or residential, which provide for a duration in excess of 10 years, inclusive of any provisions for extensions or renewals thereof at the option of the lessee; and (2) modification of any forms approved by the Secretary of the Interior, the Commissioner of Indian Affairs, or the Area Director.

SEC. 2.6 *Allotment applications.* Certification of applications for allotments on the public domain under authority of the act of February 8, 1887 (25 U.S.C., 1946 ed., sec. 334), or the acts of February 28, 1891, and June 25, 1910 (25 U.S.C., 1946 ed., sec. 336), and in the national forests pursuant to the act of June 25, 1910 (25 U.S.C., 1946 ed., sec. 337).

SEC. 2.7 *Mineral leases and permits.* (a) The approval of oil and gas, coal, sand, gravel, pumice, and building stone leases and permits, on forms approved by the Commissioner of Indian Affairs, of tribal lands and of trust or restricted individually owned lands in accordance with advertisements soliciting bids therefor pursuant to 25 CFR Parts 171, 172, 173, and 184.

(b) The Superintendent of the Northern Cheyenne Agency may execute oil and gas leases on lands withdrawn by Executive order for Indian purposes or for the use or occupancy of any Indians or tribe, pursuant to section 1 of the act of March 3, 1927 (44 Stat. 1347, 25 U.S.C. 398a).

(c) The authority conferred by subparagraphs (a) and (b) extends to and includes the approval of, or other appropriate administrative action required on, assignments of leases, whether heretofore or hereafter executed, bonds and other instruments required in connection with such leases or assignments thereof; the acceptance of voluntary surrender of leases by the lessee; the cancellation of leases for violation of the terms thereof; and the approval of agreements for settlement of claims for damage to Indian lands resulting from oil, gas, or other mineral operations.

(d) The authority delegated in section 2.7 (a), (b), and (c) does not include:

(1) Approval of leases on lands purchased or reserved for agency or school purposes.

(2) Approval of leases, assignments, and bonds on any forms except those approved by the Commissioner of Indian Affairs.

(3) Modification of any forms approved by the Commissioner of Indian Affairs.

(4) Approval of amendments to oil and gas leases or to assignments.

(5) Extension of time for drilling.

(6) Approval of instruments providing for the payment of overriding royalty.

(7) Approval of unit and communitization agreements.

(8) Assignment of separate horizons or strata of the subsurface.

(9) Authority to approve royalty rates other than as authorized in 25 CFR for oil, gas, and other minerals, except sand, gravel, pumice, and building stone.

(10) Approval of well-spacing orders.

SEC. 2.8 *Release of mortgages.* The approval of releases of mortgages given as security for loans made from the restricted funds of individual Indians, upon proof of payment of the loan.

SEC. 2.9 *Rights-of-way.* The approval of rights-of-way pursuant to 25 CFR Part 161 on conveyance instruments approved by the Field Solicitor and the Area Director.

SEC. 2.10 *Archeological permits.* The approval of permits, on forms approved by the Commissioner of Indian Affairs, for the evacuation of ruins and archeological sites and the gathering of objects of antiquity on tribal lands and on trust or restricted individually owned lands, pursuant to 25 CFR Part 132.

Functions Relating to Roads

SEC. 2.20 *Roads.* The closing of roads pursuant to 25 CFR 162.6 (Secretarial Order 2508, sec. 28).

Functions Relating to Soil and Moisture Conservation

SEC. 2.30 *Soil and moisture conservation.* Approval of cooperative agreements between the Bureau of Indian Affairs and Soil and Water Conservation Districts and approval of grant or loan of equipment procured with Soil Conservation funds to Indian Soil and Water Conservation Associations or enterprises.

Functions Relating to Credit Matters

SEC. 2.40 *Loan agreements and modifications.* The approval of applications for and modifications of loans to individuals, pursuant to declarations of policy and plans of operation approved by the Commissioner or his authorized representative.

SEC. 2.41 *Release of U.S. interests.* The release of interests of the United States in any trust or restricted property of an Indian, except land.

SEC. 2.42 *Approval of mortgages and deeds of trust.* The approval of mortgages or deeds of trust pursuant to 25 CFR 121.61 given as security for loans made by any corporation, tribe, band, or credit association, pursuant to 25 CFR 91.13 and 91.16 or under a guaranty agreement approved by the Commissioner or his authorized representative.

SEC. 2.43 *Loan security.* The approval of mortgages of trust chattels and crops on trust or restricted land of an Indian, and assignments of income from trust or restricted land of an Indian, as security for a loan by any lender.

SEC. 2.44 *Assignments of trust property.* The approval of assignments of any trust property of an Indian, except land, and authority to act as the Indian's attorney in fact to execute leases on any trust land in which the Indian borrower may have an interest and to apply the rentals on the Indian's indebtedness, for a loan made pursuant to 25 CFR Parts 91, 92, and 93.

SEC. 2.45 *Penalties or default.* All those steps authorized in 25 CFR 91.10 except those in connection with loans to tribes.

Functions Relating to Law and Order

SEC. 2.50 *Appointment, approval, and removal, Judges, Indian Courts and Tribal Courts.* The appointment, suspension and removal for cause of judges of Courts of Indian Offenses, pursuant to the provisions of 25 CFR Part 11, and of judges of Tribal Courts as provided by any law and order code.

SEC. 2.51 *Deputy Special Officers' Commissions.* The issuance of deputy special officers' commissions to persons working in law enforcement on the Indian Reservation under the jurisdiction of the Superintendent issuing the commission. Such commissions shall not extend beyond the end of the fiscal year in which issued.

SEC. 2.52 *Indian Court sentences.* The approval of sentences imposed on Indian employees of the Bureau of Indian Affairs by Courts of Indian Offenses as provided in 25 CFR 11.2(d), and by tribal courts as provided by any law and order code.

Functions Relating to Indian Education

SEC. 2.60 *Vocational training for adult Indians.* The selection of applicants in accordance with 25 CFR 34.3.

SEC. 2.61 *Educational Grants.* Approval of grants authorized in 25 CFR 32.1 except students who reside outside the boundaries of the reservation or who are children of Government employees.

SEC. 2.62 *Handling of Student Funds in Federal School Facilities.* All those matters set forth in 25 CFR 31.7.

Functions Relating to Indian Irrigation Projects

SEC. 2.70 *Operation and Maintenance Orders.* The issuance of irrigation operation and maintenance orders fixing per acre assessment against lands included in Indian irrigation projects to which water can be delivered, under authority of the acts of August 1, 1914 (38 Stat. 583; 25 U.S.C. 385), and March 7, 1928 (45 Stat. 210; 25 U.S.C. 387).

SEC. 2.71 *Designation of nonirrigable lands.* Where the Superintendent finds that any lands are permanently nonirrigable, he may with the consent of the landowner eliminate such lands from the Project.

SEC. 2.72 *Contracts for payment of past due charges.* The taking of action with respect to those matters provided for in section 1 of the act of June 22, 1936 (49 Stat. 1803), to enter into contracts with landowners for the payment of past due charges, but such contracts shall not extend the payment of such charges over a period in excess of 10 years.

SEC. 2.73 *Water sales, Crow townsite lots.* The Superintendent, Crow Agency, is authorized to approve contracts for the sale of water on an annual basis to lot owners in unorganized towns on the Crow Indian Irrigation Project, Mont., operated pursuant to the provisions of 25 CFR Part 193.

SEC. 2.74 *Concessions on reservoir sites and other lands in Indian irrigation projects; leases for agriculture, business or grazing purposes.* The Superintendent of Flathead Indian Agency with the written concurrence of the Flathead Irrigation Project Engineer is authorized to grant concessions on reservoir sites, reserves for canals of flowage areas, and other lands which have been withdrawn or otherwise acquired in connection with the Flathead Irrigation Project, and to permit or lease such lands for agricultural, business, or grazing purposes pursuant to 25 CFR Part 203.

SEC. 2.75 *Operation and maintenance payments, Fort Belknap and Fort Peck Indian Irrigation Projects.* When the Superintendent of the Fort Belknap or Fort Peck Agencies certifies that an Indian landowner, whose land is not under lease to a non-Indian, is financially unable to pay charges, delivery of water may be continued. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

Functions Relating to Forest Management

SEC. 2.80. *Forest Management.* All those matters set forth in 25 CFR Part 141, General Forest Regulations, except:

(a) Approve forest management plans pursuant to 25 CFR 141.4.

(b) Approve the organization and plans of operation of Indian tribal logging or sawmill enterprises pursuant to 25 CFR 141.6.

(c) Issue advertisements and approve timber sale contracts involving estimated stumpage volumes in excess of 1 million feet, b.m., or involving harvest periods in excess of 5 years, pursuant to 25 CFR 141.8, 141.9, 141.13, and 141.17.

(d) Issue and approve Special Allottee Timber Cutting Permits in excess of 250,000 feet, b.m. pursuant to 25 CFR 141.19(c). This authority does not include the authorization to make exceptions to the requirement of sole beneficial interest in an allotment.

(e) Approve cooperative and reciprocal agreements involving fire protection facilities, action, and suppression pursuant to 25 CFR 141.21(4)(b).

(f) Accept payment of damages in full in settlement of civil trespass cases in excess of $2,000 pursuant to 25 CFR 141.22.

Functions Relating to Range Management

SEC. 2.90 *Range management.* All those matters set forth in 25 CFR Part 151, General Grazing Regulations.

Functions Relating to Funds and Fiscal Matters

SEC. 2.100 *Individual funds.* The investment of restricted trust funds of individual Indians in any public debt of the United States, and in bonds, notes, or other obligations which are unconditionally guaranteed as to both principal and interest by the United States, as provided for by the act of June 24, 1938 (52 Stat. 1037). This does not include the designation of depositories of Indian money.

SEC. 2.101 *Payments to tribal attorneys.* The payment of fixed annual fees to attorneys in accordance with the terms of contracts between such attorneys and Indian tribes which have been approved pursuant to 25 U.S.C. 15, 16, 17, and 84, and section 16 of the act of June 18, 1934 (25 U.S.C. 476). This does not include expenses or fees on a quantum meruit basis.

SEC. 2.102 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

Functions Relating to Tribal Programs

SEC. 2.110 *Tribal budgets.* The approval of the annual operating budget and modifications thereof, provided such operating budgets do not exceed anticipated operating income for the budget year. This does not include expenditures for capital improvements or of reserves. For the purpose of this delegation operating income does not include mineral bonuses, judgments, or other income of a nonrecurring nature.

SEC. 2.111 *Tribal officers' surety bonds.* The approval of surety bonds: *Provided*, That in the case of a corporate surety the bonding company has been approved by the Treasury Department.

Functions Relating to General Matters

SEC. 2.120 *Publication in newspapers.* The publication of advertisements, notices, and proposals, in newspapers pursuant to the provisions of section 3827 of the Revised Statutes (44 U.S.C. 324).

SEC. 2.121 *Traders' licenses.* The issuance of licenses to traders with the Indian tribes and the removal and revocation of licenses pursuant to 25 CFR Part 251.

The effective date of this delegation will be the date of signature by the Area Director.

JAMES F. CANAN,
Area Director.

Approved: June 4, 1969.

T. W. TAYLOR,
Acting Commissioner of Indian Affairs.

[F.R. Doc. 69-6822; Filed, June 10, 1969; 8:46 a.m.]

Bureau of Land Management

[C-8880]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 4, 1969.

The Forest Service, U.S. Department of Agriculture, has filed an application, Serial No. C-8880, for the withdrawal of the lands described below, from prospecting, location and entry under the General Mining Laws only, subject to valid existing rights.

The applicant desires the lands for public use for the Chimney Rock Archeological Area.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned

officer of the Bureau of Land Management, Department of the Interior, Colorado Land Office, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo. 80202.

The Department's regulations (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the application agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

SAN JUAN NATIONAL FOREST

Chimney Rock Archeological Area

T. 34 N., R. 4 W., South of Ute Line,
Sec. 8, SE¼;
Sec. 17, E½NE¼, NW¼NE¼, E½SW¼NE¼, NW¼SW¼NE¼, NW¼, W½NE¼SW¼, NW¼SW¼, S½SW¼, E½SE¼, E½NW¼SE¼;
Sec. 19, SW¼NW¼, NE¼, E½NW¼;
Sec. 20, N½, NE¼SW¼, NW¼SE¼;
Sec. 21, W½NW¼.

The area described contains about 1469.56 acres.

J. ELLIOTT HALL,
Land Office Manager.

[F.R. Doc. 68-6847; Filed, June 10, 1969; 8:47 a.m.]

[Montana 12792]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 3, 1969.

The Forest Service, U.S. Department of Agriculture, has filed application M 12792 for the withdrawal of national forest lands described below from mineral location and entry under the mining laws but not from leasing under the mineral leasing laws, subject to existing valid claims.

The applicant desires the lands to develop a public campground easily accessible to Interstate Highway.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 316 North 26th Street, Billings, Mont. 59101.

The Department's regulation (43 CFR 2311.1–3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for the purpose other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

LOLO NATIONAL FOREST

Sohon Campground

T. 19 N., R. 32 W.,
Sec. 5, N½NW¼NE¼, N½S½NW¼NE¼, N½N½N½NW¼, N½S½N½N½NW¼, S½SE¼NE¼NE¼NW¼, NE¼SE¼NE¼NW¼, and S½SW¼NW¼NW¼NW¼;
Sec. 6, those portions of the following subdivision which lie south of St. Regis River: N½NE¼NE¼, NE¼NW¼NE¼, and unpatented portion of S½NW¼NW¼NE¼.

Total area—96 acres.

T. 20 N., R. 32 W., unsurveyed, but which probably will be when surveyed:
Sec. 31, those portions of the following subdivisions which lie south of the St. Regis River: S½SE¼SE¼SW¼SE¼, NE¼SW¼SE¼SE¼SE¼, S½SW¼SE¼SE¼SE¼, and SE¼SE¼SE¼SE¼;
Sec. 32, that portion of the S½S½S½S½SW¼ which lies south of the St. Regis River, S½NE¼SE¼SW¼SW¼, N½SE¼SE¼SW¼SW¼, S½N½SW¼SE¼SW¼, and N½S½SW¼SE¼SW¼.

Total area—19.4 acres.

The above described area aggregates 115.4 acres in Mineral County, Mont.

EUGENE H. NEWELL,
Land Office Manager.

[F.R. Doc. 69-6819; Filed, June 10, 1969; 8:45 a.m.]

[Wyoming 15419]

WYOMING

Notice of Amendment of Proposed Withdrawal and Reservation of Lands

JUNE 3, 1969.

Notice of Bureau of Land Management, U.S. Department of the Interior application, Serial No. Wyoming 15419, for the withdrawal of certain vacant public domain lands, and patented lands with mineral estate owned by the United States, from all forms of appropriation under the public land laws, including the mining laws but not State Selections, the Recreation and Public Purposes Act, 1964 Public Sale Act and the Mineral Leasing Act, pursuant to the authority of Executive Order 10355, was published in F.R. Doc. 68-11660 on pages 14477 and 14478 of the issue for Thursday, September 26, 1968. The Notice was subsequently amended by F.R. Doc. 68-12295, on page 15078 of the issue for October 9, 1968; corrected on page 15883 of the October 26, 1968 issue; and terminated in part by F.R. Doc. 69-1506, on page 1776 of the February 6, 1969 issue. The subject notice is hereby amended to add to the listed vacant public lands the following described land:

SIXTH PRINCIPAL MERIDIAN

T. 47 N., R. 86 W.,
Sec. 9, SE¼NE¼.

The area described contains 40 acres of vacant public lands.

ED PIERSON,
State Director.

[F.R. Doc. 69-6820; Filed, June 10, 1969; 8:45 a.m.]

Fish and Wildlife Service

[Docket No. G-434]

WILLIAM M. VIDOS

Notice of Loan Application

JUNE 5, 1969.

William M. Vidos, 15 Moon Street, Morgan City, La. 70380, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 55.3-foot registered length wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the

contemplated operations of the vessel will or will not cause such economic hardship or injury.

RUSSELL T. NORRIS,
Assistant Director for Resource Development.

[F.R. Doc. 69-6821; Filed, June 10, 1969; 8:46 a.m.]

YELLOWFIN TUNA FISHING IN EASTERN PACIFIC OCEAN BY BAIT BOATS

Reversion of Incidental Catch

Notice of reversion is hereby given pursuant to § 280.6(c)(3), Title 50, Code of Federal Regulations, as follows:

At 0001 hours, on June 12, 1969, the bait boat incidental catch rate of yellowfin tuna will revert to fifteen percent (15%). On the basis of the present catch rate, as of that date the bait boat catch of yellowfin tuna during the closed season will have reached the 1,500 short tons provided for in § 280.6(c)(3), Title 50, Code of Federal Regulations.

Issued at Washington, D.C., and dated June 9, 1969.

WILLIAM M. TERRY,
Acting Director, Bureau of Commercial Fisheries.

[F.R. Doc. 69-6929; Filed, June 10, 1969; 8:51 a.m.]

POST OFFICE DEPARTMENT

BUREAU OF PLANNING AND MARKETING

Establishment

In the daily issue of May 10, 1969 (34 F.R. 7582), the Department announced the establishment of a new Bureau of Planning, Marketing, and Systems Analysis, to be headed by an Assistant Postmaster General. The name of the new Bureau has been changed to the Bureau of Planning and Marketing, pursuant to Post Office Department Headquarters Circular No. 69-20, dated June 5, 1969.

The following are excerpts from the cited Headquarters Circular which established the Bureau of Planning and Marketing and outlined its basic organizational structure.

I. *Purpose.* To establish the Bureau of Planning and Marketing and to outline its organizational structure.

II. *Establishment.* The Bureau of Planning and Marketing is established as an independent Bureau reporting to the Postmaster General through the Deputy Postmaster General.

III. *Organizational components.* The internal structure of the new Bureau will consist initially, of (1) a Deputy Assistant Postmaster General for Planning, who will direct planning and systems analysis functions; (2) a Deputy Assistant Postmaster General for Marketing, who will direct the customer relations, marketing, and performance evaluation functions; and (3) an Executive Assistant to the Assistant Postmaster General.

IV. *Actions.* The positions and personnel of the Office of Planning and Systems Analysis and the Customer Relations Division, Bureau of Operations, are hereby transferred to the new Bureau. Additional transfers will occur at a later date.

* * * * *

VII. *Effective date.* This change becomes effective immediately.

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

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 69-6823; Filed, June 10, 1969; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

ACADEMY OF NATURAL SCIENCES OF PHILADELPHIA 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. 69-576-33-26200. Applicant: The Academy of Natural Sciences of Philadelphia, 1900 Race Street, Philadelphia, Pa. 19103. Article: Electroplan Unit. Manufacturer: Paton Industries Pty. Ltd., Australia. Intended use of article: The article will be used for measuring surface area of leaves for biological research, including studies of water pollution which involves studies of weed and plant progression and the population characteristics of flowing water systems. Application received by Commissioner of Customs: May 6, 1969.

Docket No. 69-00581-33-46500. Applicant: The Ohio State University, Department of Otolaryngology, 190 North Oval Drive, Columbus, Ohio 43210. Article: Ultramicrotome, Model LKB 8800 Ultrotome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections of middle and inner ear tissue for electron microscopic examination in an investigation of the morphology and cytochemistry of ear tissue. It will also be used for survey sectioning for light microscopy. Application received by Commissioner of Customs: May 6, 1969.

Docket No. 69-00585-01-77030. Applicant: Arkansas State University, Office of Finance, State University, Ark. 72467. Article: Nuclear magnetic resonance spectrometer, Model JNM-C-60H. Manufacturer: Japan Electron Optics Laboratory Co., Inc., Japan. Intended use of article: The article will be used for the following:

A. Rates and activation energies of exchange of a magnetic nucleus between two structural sites in a molecule in which it has a different chemical shift in each of the two environments.

B. Kinetic studies of the rates and activation energies of protolysis reactions of various alkylphosphonium ions in solution.

C. Temperature effects of ligand exchange between the solvent and the primary coordination sphere of some complexes of cobalt, chromium, and iron.

D. Studies of the rates and activation energies of addition reactions involving alcohols and boron trifluoride.

E. Determination of the temperature dependence of enzyme catalyzed hydrolysis of polypeptides.

F. Routine determination of the spectra of large numbers of samples of the various extracts of snake venom.

G. Characterization of the fatty acids isolated from fat tissue of animals subjected to different feeding experiments.

H. Determination of the variation of fatty acid types in soybean oils as function of soybean plant growth variables.

I. Instructural use in connection with freshman chemistry, introductory organic, and instrumental analysis.

Application received by Commissioner of Customs: May 7, 1969.

Docket No. 69-00587-98-26000. Applicant: Commonwealth of Pennsylvania, Cheyney State College, Cheyney, Pa. 19319. Article: Dr. Clemenz standard construction device, Model EG ZA/ZT. Manufacturer: Dr. Clemenz, West Germany. Intended use of article: The article will be used for teaching the basic theory of electricity. Application received by Commissioner of Customs: May 8, 1969.

Docket No. 69-00588-99-30050. Applicant: State University of New York at Buffalo, Office of Facilities Planning, 3258 Main Street, Buffalo, N.Y. 14214. Article: Miniflo flow velocity kit, No. 265. Manufacturer: Kent Industrial Instruments, Ltd., United Kingdom. Intended use of article: The article will be used for research purposes to establish lateral

and vertical velocity profiles in hydraulic models of lakes and estuaries where a free surface is involved and where the velocity of flow is often so small that it cannot be measured by conventional means. Application received by Commissioner of Customs: May 8, 1969.

Docket No. 69-00589-01-42900. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Super conducting magnet system. Manufacturer: Oxford Instrument Co., Ltd., United Kingdom. Intended use of article: The magnet system will become a part of a pulsed nuclear magnetic resonance spectrometer system which is being developed. The spectrometer will be employed in high-resolution NMR of solids, a technique invented by the applicant. Application received by Commissioner of Customs: May 8, 1969.

Docket No. 69-00590-33-46040. Applicant: The Milton S. Hershey Medical Center of the Pennsylvania State University, 500 University Drive, Hershey, Pa. 17033. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for research and educational purposes in the Department of Anatomy. Current research efforts include the following:

1. An analysis of the events of the secretion of insulin and glucagon by the pancreatic islets of various subhuman primates and the abnormal secretion in certain secretory tumors of man.

2. A study of the crystal lattice organization in electron micrographs of the insulin-containing granules of the pancreatic islets.

3. A study of the ultrastructure of mechanoreceptors in a variety of mammals.

4. A study of the microtubules found in the supporting cell of the cochlea of certain reptiles.

Application received by Commissioner of Customs: May 8, 1969.

Docket No. 69-00591-01-77040. Applicant: Florida State University, Department of Chemistry, Tallahassee, Fla. 32306. Article: Mass spectrometer, Model MS-902. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article will be used for the following:

1. Studies of the kinetics and energetics of mass spectral reactions.

2. The study of isotopically labeled moleimides obtained by degradation of chlorophylls from organisms cultured in isotopically mixed media.

3. Study of metastable reaction in polynuclear aromatic hydrocarbon ions where energy releases are small.

4. Studies of large and fragile natural products.

5. Studies in other areas of research are planned.

Application received by Commissioner of Customs: May 8, 1969.

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

[F.R. Doc. 69-6834; Filed, June 10, 1969; 8:46 a.m.]

BROWN 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. 69-00428-00-46040. Applicant: Brown University, Wilson Laboratory, Providence, R.I. 02912. Article: Decontamination device for Elmiskop IA electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used as an accessory to an existing electron microscope to eliminate object contamination. 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 an accessory for an electron microscope that had priorily been imported for the use of the applicant institution.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article or can be adopted to the foreign electron microscope with which the article is intended to be used.

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

[F.R. Doc. 69-6835; Filed, June 10, 1969; 8:46 a.m.]

MEDICAL COLLEGE OF OHIO AT TOLEDO

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. 69-00322-33-46040. Applicant: Medical College of Ohio at Toledo 43614. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article will be used for research which includes the following scientific investigations:

1. The events inherent in the immune response, involving penetration and dispersal of antigens, location of natural barriers to antigen dissemination, alteration of barriers by inflammatory processes, analysis of cell population of responding tissue, and hormonal regulation of lymphoid tissue.

2. Electron microscopic study of the uptake of ferritin by the synovial membrane of the rabbit during induced degenerative arthropathy.

3. Electron microscopic investigation of structural expressions of variations of zinc content in the prostate glands of rats.

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, was being manufactured in the United States at the time the applicant placed a bona fide order for the foreign article. Reasons: This application is a resubmission of Docket No. 68-00545-33-46040, which was received by the Bureau of Customs on April 26, 1968. At that time, the only electron microscope being manufactured in the United States was the Radio Corporation of America's (RCA) Model EMU-4. The foreign article has a guaranteed resolving capability of 5 angstroms, whereas the RCA EMU-4 had a resolving capability of 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) For the purposes for which the foreign article is intended to be used, the applicant requires the highest available resolving capability and, therefore, the additional resolving capability of the foreign article is a pertinent characteristic. The foreign article also provides accelerating voltages of 25, 50, 75, and 100 kilovolts, whereas the RCA EMU-4B provided only 50- and 100-kilovolt accelerating voltages. The applicant intends to perform experiments involving unstained negative specimens for which the lower accelerating voltage provides the optimum contrast. In addition, experiments will be conducted with negatively stained

specimens for which the optimum contrast is attained with accelerating voltages intermediate between 50 and 100 kilovolts. For the foregoing reasons, we find that the RCA EMU-4 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 such purposes as this article is intended to be used, which was being manufactured in the United States at the time the applicant placed the order for the foreign article.

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

[F.R. Doc. 69-6836; Filed, June 10, 1969; 8:46 a.m.]

MOUNT SINAI SCHOOL OF MEDICINE 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 Repartment 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. 69-00601-33-46500. Applicant: Mount Sinai School of Medicine, Fifth Avenue and 100th Street, New York, N.Y. 10029. Article: Ultramicrotome, Model LKB 8800 Ultrotome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for thin sectioning of biologic materials for electron microscopy. The studies include cellular immunology, including the study of the distribution and biological properties of isoantigens present on the cell surface of erythrocytes, leukocytes, and platelets; short and long term cultures of human lymphocytes; and peripheral blood and bone marrow from patients with various immunologic and genetic disorders will be examined. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00603-00-61800. Applicant: Tamaqua Area School District, Box 112, Tamaqua, Pa. 18252. Article: Planetarium accessory. Manufacturer: Goto Optical Manufacturing Co., Japan. Intended use of article: The solar-lunar eclipse projector is an attachment designed for use on the existing planetarium. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00604-00-61800. Applicant: Tamaqua Area School District, Box 112, Tamaqua, Pa. 18252. Article: Planetarium accessory. Manufacturer: Goto Optical Manufacturing Co., Japan. Intended use of article: The projection orrery is an attachment designed for use on the existing planetarium. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00605-80-79700. Applicant. University of Washington, Purchasing Department, 3197 University Way NE., Seattle, Wash. 98105. Article: Analytical stereoplotter, Model AP/C. Manufacturer: Ottico Meccanica Italiano, S.P.A., Italy. Intended use of article: The article will be used in the applicant's computer center and applied to the investigation of conventional and exotic imagery, to the development of the art and science of photogrammetry in basic research into the error propogation, the basic geometry, and new and unusual uses of photogrammetry, and for the training of students in photogrammetry. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00606-01-77030. Applicant: William Marsh Rice University, 6100 Main Street, Houston, Tex. 77005. Article: Nuclear magnetic resonance spectrometer, Model HFX-10. Manufacturer: Bruker-Physik AG, West Germany. Intended use of article: The article will be used to serve the general needs of the chemistry department and as a research instrument for the following studies:

1. ^{13}C nmr spectra of peptides and amino acids, peptide sequencing, effect of long range interaction due to tertiary protein structures.

2. ^{13}C nmr of organometallic compounds.

3. ^{19}F and ^{29}Si nmr spectra of novel fluor silane compounds.

4. Structural determination of natural products.

5. ^{19}F, ^{13}C contact interaction shift studies of inorganic complexes.

6. Linkage isomerization in selenocyanate complexes.

7. Studies on the mechanism of the Vitamin B-6 catalyzed formation of tryptophan from serine and indole.

8. Rates of fast reactions.

9. Overhauser effect in ^{13}C spectra caused by irradiation of ^{19}F nuclei bonded to ^{13}C. (C-carbon, F-fluorine, and Si-silicon.)

Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00607-00-61800. Applicant: Tamaqua Area School District, Box 112, Tamaqua, Pa. 18252. Article: Planetarium accessory. Manufacturer: Goto Optical Manufacturing Co., Japan. Intended use of article: The geocentric earth accessory is an attachment designed specifically for use on the existing planetarium. Application received by Commissioner of Customs: May 14, 1969.

Docket No. 69-00610-33-46040. Applicant: State University of New York, Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, N.Y. 11203. Article: Electron microscope, Model AEI EM6B. Manufacturer: Associated Electrical Industries, United Kingdom. Intended use of article: The article will be used for research projects requiring high resolution micrographs and high resolution analysis of long ribbons of serial sections. Investigations are being made on growing oocytes, differentiating and adult nervous tissue, and differentiating adult and aged liver cells. Application received by Commissioner of Customs: May 14, 1969.

Docket No. 69-00611-33-46040. Applicant: Indiana University, Bloomington, Ind. 47401. Article: Electron microscope, Model EM 300, and accessories. Manufacturer: Philips Electronics N.V.D., The Netherlands. Intended use of article: The article will be used in a basic biological study of the genetics and development of subcellular structure. One group of structures to be given special attention are the bacteria-like kappa and related particles in the protozoan Paramecium. A second major area of investigation concerns the origin, development and heredity of cortical structures in Paramecium, a unicellular, eukaryotic animal. A third phase of current investigation attacks the question of the organization of the genetic material in the highly polploid macronucleus. Application received by Commissioner of Customs: May 14, 1969.

Docket No. 69-00613-33-46500. Applicant: University of Cincinnati, Department of Biological Sciences, Cincinnati, Ohio 45221. Article: Ultramicrotome, Model 8800 Ultrotome III. Manufacturer: LKB Produkter, Sweden. Intended use of article: The article will be used to section plastic-embedded tissue for electron microscopy. It will also be used as a research instrument and for teaching a course (advanced undergraduate-graduate level) in electron microscopic techniques. A wide variety of material will be sectioned ranging from very soft tissue such as nervous tissue to very hard tissue such as algae and fungi which have tough cell walls. It is imperative to cut long serial sections of

equal thickness and uniformity from 50 angstroms to 2 microns. Application received by Commissioner of Customs: May 15, 1969.

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

[F.R. Doc. 69-6837; Filed, June 10, 1969; 8:46 a.m.]

NATIONAL INSTITUTES OF HEALTH

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. 69-00292-33-46040. Applicant: National Institutes of Health, Procurement Section, 9000 Rockville Pike, Bethesda, Md. 20014. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used to study the effect of various pesticides on the cell organelles. This will include the localization of the guanine nucleotide at the nucleic acid level to make the guanine portion of the molecule detectable. The instrument will also serve for checks of ultracentrifugation fractions for homogeneity in studies carried out by biochemical and pharmacological oriented scientists of the toxicology laboratory. 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 was being manufactured in the United States at the time the applicant placed a bona fide order for the article. Reasons: The order for the foreign article was placed on June 30, 1967. At that time, the only electron microscope being manufactured in the United States was the Model EMU-4 of the Radio Corporation of America (RCA). The foreign article has a guaranteed resolving capability of 5 angstroms, whereas the RCA Model EMU-4 had a resolving capability of 8 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) For the purposes for which the foreign article is intended to be used, the additional resolving capability of the foreign article is a pertinent characteristic. The foreign article also provides accelerating voltages of 20, 40, 60, 80, and 100 kilovolts, whereas the RCA Model EMU-4 provided only 50- and 100-kilovolt accelerating voltages. The lower accelerating voltages afford optimum contrast for unstained specimens and the voltages intermediate between 50 and 100 kilovolts afford optimum contrast for negatively stained specimens. For the purposes for which the foreign article is intended to be used, the additional accelerating voltages of the foreign article are pertinent characteristics. For the foregoing reasons, we find that the RCA Model EMU-4 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 such purposes as this article is intended to be used, which was being manufactured in the United States at the time the applicant placed a bona fide order for the article.

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

[F.R. Doc. 69-6838; Filed, June 10, 1969; 8:47 a.m.]

OAK RIDGE ASSOCIATED UNIVERSITIES

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. 69-00319-01-07500. Applicant: Oak Ridge Associated Universities, Post Office Box 117, Oak Ridge, Tenn. 37830. Article: Calorimetry assembly, Model 8721-1. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to determine the heats of formation and heats of solution of inorganic compounds to an accuracy of plus or minus 0.01 percent. The proposed system lends itself to such determinations with a degree of relative ease and to a degree of accuracy which cannot be performed with other commercial instrumentation. Comments: No comments were 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 reaction and solution calorimetry assembly which has the capability of high accuracy, ±0.01 percent in determining heats of formation and heats of solution. We are advised by the National Bureau of Standards (NBS) (memorandum dated Mar. 24, 1969) and the Department of Health, Education, and Welfare (HEW) (memorandum dated Apr. 3, 1969) that the accuracy, ±0.01 percent is pertinent to the purposes for which the foreign article is intended to be used and they know of no available domestic instrument or apparatus which could be used for the applicant's intended purposes.

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

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

[F.R. Doc. 69-6839; Filed, June 10, 1969; 8:47 a.m.]

OHIO 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. 69-00592-00-46040. Applicant: Ohio University, Purchasing Department, Athens, Ohio 45701. Article: Electromagnetic shutter/timer and projector tube base, Models 171-048 and 171-460a. Manufacturer: Siemens AG, West Germany. Intended use of article:

The accessories will be used on an existing electron microscope for measurement of exact exposure times. Application received by Commissioner of Customs: May 12, 1969.

Docket No. 69-00593-33-46040. Applicant: The Ohio State University Department of Otolaryngology, 1900 North Oval Drive, Columbus, Ohio 43210. Article: Electron microscope, Model EM 300, and accessories. Manufacturer: N. V. Philips, The Netherlands. Intended use of article: The article will be used for research and education. The areas of research include a study of the morphology and cytochemistry of the ear in normal and pathological conditions; morphological studies on the normal and diseased middle ear mucosa; and a study of cholesteatoma which is a common condition of ear infection and often causes the fatal complication such as brain abscess. At the graduate student level and for resident physicians, the article will be used for teaching knowledge of cell mechanisms involved in the development of cancer, allergy, immune reaction, aging, toxic reaction and infection. Application received by Commissioner of Customs: May 12, 1969.

Docket No. 69-00594-00-46040. Applicant: University of Arizona, Department of Metallurgy, Tucson, Ariz. 85721. Article: Electron microscope accessories (tilting stage, pole piece, specimen holder, protect cylinder, and specimen stage). Manufacturer: Hitachi, Ltd., Japan. Intended use of article: These articles will be used in conjunction with the existing Hitachi electron microscope, Model HU-200E, for research and teaching in the field of metallurgy. Application received by Commissioner of Customs: May 12, 1969.

Docket No. 69-00595-33-46070. Applicant: University of California, Santa Barbara, Calif. 93106. Article: Scanning electron microscope, Model JSM-2. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: The article will be used for instruction and thesis research for graduate students, postdoctorals, and exceptional undergraduate majors in biogeology and related fields, also as a research instrument for geology faculty projects. The following areas of studies will be undertaken:

1. Study of the ultrastructure of pre-Paleozoic nannofossils to attempt to differentiate them morphologically from similar living and more recent fossil microbiota.

2. Study of the morphological relationships of these fossil organisms with presently living genera and families, involving as necessary determination of the ultrastructure of living forms which have not been completely studied by biologists.

3. Search for fossil remains of still smaller unknown life forms (viruses, rikettsias?) that may have inhabited the primitive earth and seek to establish connections between them and known organisms of the primitive and present earth.

4. Study of lunar and Martian rock and debris samples as they become available.

5. Study of nannofossils and other microfossils from subsurface and deep-sea sediments of various ages under investigation by paleontologists in order to identify and correlate such organisms.

Application received by Commissioner of Customs: May 12, 1969.

Docket No. 69-00597-00-43000. Applicant: Geophysical Institute, University of Alaska, College, Alaska 99701. Article: Magnetometer accessory. Manufacturer: Sokkisha, Limited, Japan. Intended use of article: The portable waterproof turn induction coil will be used as sensor (vertical) for an existing three-component induction magnetometer. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00598-33-46500. Applicant: Medical College of Virginia, M.C.V., Post Office Box 902, Richmond, Va. 23219. Article: Ultra microtome, Model OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used in a project in which the origin and function of Langerhans cells in mouse and human skin is to be investigated. These cells are identified by the presence of a distinctive intracellular organelle, not present in all parts of the cell. To identify them and reconstruct their structure in three dimensions, consistent and uniform serial sections of thickness ranging down to 50 angstroms must be obtained. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00599-33-39400. Applicant: Research & Education Foundation, Orange County Medical Center, 101 South Manchester Avenue, Orange, Calif. 92668. Article: Illuminator, Model A 87110. Manufacturer: Drapier Instruments, France. Intended use of article: The article will be used to study the microcirculation of the stomach in the living animal. A fiberoptic light carrier, which is attached to the light source, is introduced into the rat stomach to transilluminate its wall. This method permits the study of the vessel and bloodflow through the microscope. Application received by Commissioner of Customs: May 13, 1969.

Docket No. 69-00600-00-61800. Applicant: Quakertown Community School District, 600 Park Avenue, Quakertown, Pa. 18951. Article: Projection orrery accessory. Manufacturer: Goto Optical Manufacturing Co., Japan. Intended use of article: The article is an attachment designed specifically for use on the existing Goto planetarium. Application received by Commissioner of Customs: May 13, 1969.

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

[F.R. Doc. 69-6840; Filed, June 10, 1969; 8:47 a.m.]

STANFORD UNIVERSITY

Amendment To Notice of Application for Duty-Free Entry of Scientific Article

The following notice of application published in Volume 34, Number 100 of the FEDERAL REGISTER (Saturday, May 24, 1969) pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to read: Docket No. "69-00579-00-10100" instead of Docket No. "69-00679-00-10100."

Docket No.: 69-00579-00-10100. 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.

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

[F.R. Doc. 69-6841; Filed, June 10, 1969; 8:47 a.m.]

UNIVERSITY OF WISCONSIN

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. 69-00427-00-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Anticontamination device for a JEM-7 electron microscope. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used as an accessory to an existing electron microscope to observe specimens for long periods of time. 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 an accessory for an electron microscope that had priorly been imported for the use of the applicant institution.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article or can be adapted to the foreign electron microscope with which the article is intended to be used.

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

[F.R. Doc. 69-6842; Filed, June 10, 1969; 8:47 a.m.]

Maritime Administration

GULF & SOUTH AMERICAN STEAMSHIP CO., INC.

Notice of Application

Notice is hereby given that Gulf & South American Steamship Co., Inc., has applied for permission to remove the restriction on cargoes which it may carry between New Orleans and the Panama Canal Zone in its subsidized service on Trade Route No. 31 (U.S. Gulf/West Coast South America).

Any person, firm, or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1175, should, by the close of business on June 18, 1969, notify the Secretary, Maritime Subsidy Board in writing in triplicate, and file petition for leave to intervene in accordance with the rules of practice and procedure of the Maritime Subsidy Board.

In the event a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel to be operated on a service, route, or line served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of United States registry in such service, route, or line is inadequate, and (2) whether in the accomplishment of the purpose and policy of the Act additional vessels should be operated thereon.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

Dated: June 9, 1969.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, *Jr.*,
Secretary.

[F.R. Doc. 69-6940; Filed, June 10, 1969; 8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ELANCO PRODUCTS CO. AND SYNTEX LABORATORIES, INC.

Notice of Filing of Petitions for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that petitions have been filed by Elanco Products Co., Division of Eli Lilly & Co., Indianapolis, Ind. 46206 (33-834V), and Syntex Laboratories, Inc., Stanford Industrial Park, Palo Alto, Calif. 94304 (37-264V), proposing that § 121.238 • *Chlormadinone acetate* (21 CFR 121.238) be amended to provide for the safe use of chlormadinone acetate in the feed of chickens to delay the onset of egg production.

Dated: June 4, 1969.

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

[F.R. Doc. 69-6879; Filed, June 10, 1969; 8:50 a.m.]

WHITMOYER LABORATORIES, INC.

Notice of Withdrawal of Petition for Food Additives Carbarsone (Not U.S.P.), Penicillin, and Bacitracin

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

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Whitmoyer Laboratories, Inc., Myerstown, Pa. 17067, has withdrawn its petition, notice of which was published in the FEDERAL REGISTER of June 13, 1968 (33 F.R. 8683), proposing that the food additive regulations be amended to provide for the safe use of specified combinations of carbarsone (not U.S.P.), penicillin, and bacitracin in turkey feed as an aid in the prevention of blackhead and for growth promotion and feed efficiency.

Dated: June 4, 1969.

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

[F.R. Doc. 69-6880; Filed, June 10, 1969; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20800; Order 69-6-28]

MIDWEST AIRWAYS, INC.

Order To Show Cause Regarding Establishment of Service Mail Rate

Issued under delegated authority on June 6, 1969.

On March 7, 1969, the Postmaster General filed a notice of intent pursuant to 14 CFR Part 298, petitioning the Board to establish for Midwest Airways, Inc. (Midwest), a final service mail rate of 38.38 cents per great circle aircraft mile for the transportation of mail by aircraft between AMF Twin Cities, Minneapolis, Minn., La Crosse, Madison, and Milwaukee, Wis.

Midwest is currently engaged in business as an air taxi operator under Part 298 of the Board's economic regulations. The Postmaster General states that Midwest proposes to initiate service with Beech, Model D-18-S, twin-engine aircraft and that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in this market.

By Order 69-5-135, dated May 29, 1969, in this docket the Board determined to approve the notice of intent thereby permitting it to become effective pursuant to 14 CFR 298.24(d). Therefore, Midwest may provide the proposed air transportation of mail for the period ending June 30, 1969.[1]

Since no mail rate is presently in effect for this carrier in this market, it is necessary and in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid to Midwest by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order[2] to include the following findings and conclusions:

1. The fair and reasonable final service mail rate to be paid to Midwest Airways, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between AMF Twin Cities, Minneapolis, Minn., La Crosse, Madison, and Milwaukee, Wis., shall be 38.38 cents per great circle aircraft mile;

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and

[1] June 30, 1969, is the termination date of all mail authority granted to air taxis pursuant to § 298.13 of the Board's economic regulations. By notice of proposed rule making (EDR-160) dated Apr. 25, 1969, the Board has proposed to extend to June 30, 1974 the air taxi operators' exemption to engage in the transportation of mail.

[2] As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.14(f):

It is ordered, That:

1. Midwest Airways, Inc., the Postmaster General, North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., United Air Lines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above, as the fair and reasonable rate of compensation to be paid to Midwest Airways, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Midwest Airways, Inc., the Postmaster General, North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., and United Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-6867; Filed, June 10, 1969; 8:49 a.m.]

[Docket No. 21014; Order 69-6-30]

NORTHERN AIRLINES, INC.

Order To Show Cause Regarding Establishment of Service Mail Rate

Issued under delegated authority on June 6, 1969.

By petition filed May 16, 1969, Northern Airlines, Inc. (Northern), requests the Board to establish final multielement service mail rates for the transportation of mail by air between Lima and Cleveland, Ohio. No service mail rates are currently in effect for this service by Northern. Northern states that it is presently operating scheduled services between the aforesaid points as an air taxi operator under Part 298 of the Board's economic regulations; that it uses Beechcraft E-18 and deHavilland DHC-6 aircraft for segments for which rates are requested.

On May 23, 1969, the Postmaster General filed an answer supporting Northern's petition and stating that it is to the Postmaster General's advantage to be provided with the services proposed at the rates requested.[1]

With respect to priority mail, Northern requests the rate for the air transportation of mail established in the Domestic Service Mail Rate Investigation, Docket 16349, by Order E-25610, August 28, 1967, as that rate may be amended. With respect to the air transportation of nonpriority mail, however, owing to the open-rate situation that has existed since April 6, 1967, when the Post Office petitioned for establishment of new nonpriority mail rates in Docket 18381, Northern requests the same compensation as that established by Order E-17255, July 31, 1961, in the Nonpriority Mail Rate Case, Docket 10920, subject to such retroactive adjustment to April 6, 1967, as the final decision in Docket 18381 may provide.

Under these circumstances it appears that the proposed services of Northern will improve the mail services between the points where certificated carrier services are not available. The Board, therefore, finds it in the public interest to fix and determine the fair and reasonable rates of compensation to be paid to Northern by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Lima and Cleveland, Ohio. Upon consideration of the petition and other matters officially noticed, the Board proposes to issue an order[2] to include the following findings and conclusions:

1. The fair and reasonable final service mail rates to be paid to Northern Airlines, Inc., pursuant to section 406 of the Act for the transportation of priority mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Lima and Cleveland, Ohio, shall be the rates established by the Board in Order E-25610, August 28, 1967, as amended, and shall be subject to the other provisions of that order;

2. The fair and reasonable temporary service mail rates to be paid to Northern Airlines, Inc., pursuant to section 406 of the Act for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Lima and Cleveland, Ohio, shall be the rates established by the Board in Order E-17255, July 31, 1961, as amended, as subject to such retroactive adjustment as may be made in Docket 18381;

3. The service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General; and

4. These rates shall apply to described mail services of Northern Airlines, Inc., to the extent it is authorized to provide such mail services as an air taxi operator pursuant to the provisions of Part 298 of the Board's economic regulations and shall not apply to segments served by certificated air carriers.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and pursuant to regulations promulgated in 14 CFR Part 302:

It is ordered, That:

1. All interested persons and particularly Northern Airlines, Inc., and the Postmaster General are directed to show cause why the Board should not publish the final and temporary rates specified above as the fair and reasonable rates of compensation to be paid to Northern Airlines, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days, after the date of service of this order;

3. If notice of objection is not filed within 10 days, or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rates specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable rates shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. Northern Airlines, Inc., is hereby made a party in Docket 18381.

This order shall be served upon Northern Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-6868; Filed, June 10, 1969; 8:49 a.m.]

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[1] The present rates are as follows:
Priority Mail by Air: 24 cents per ton-mile plus 9.36 cents per pound at Lima and 2.34 cents per pound at Cleveland.
Nonpriority Mail by Air: 15.115 cents per ton-mile plus 4.98 cents per pound at Lima and 1.66 cents per pound at Cleveland.

[2] As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14(g).

[Docket No. 21034; Order 69-6-29]

RED BARON LINES, INC.

Order To Show Cause Regarding Establishment of Service Mail Rate

Issued under delegated authority on June 6, 1969.

The Postmaster General filed a notice of intent May 23, 1969, pursuant to 14 CFR Part 298, petitioning the Board to establish for the above captioned air taxi operator, a final service mail rate of 54 cents per great circle aircraft mile for the transportation of mail by aircraft between Bemidji, Brainerd, and AMF Twin Cities, Minneapolis, Minn.

No protest or objection was filed against the proposed services during the time for filing such objections. The Postmaster General states that the Department and the carrier agree that the above rate is a fair and reasonable rate of compensation for the proposed services. The Postmaster General believes these services will meet postal needs in the market. He states the air taxi plans to initiate mail service with twin-engine Beech, Model 18, aircraft equipped for all weather operation.

It is in the public interest to fix, determine, and establish the fair and reasonable rate of compensation to be paid by the Postmaster General for the proposed transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. Upon consideration of the notice of intent and other matters officially noticed, it is proposed to issue an order [1] to include the following findings and conclusions:

The fair and reasonable final service mail rate to be paid to Red Baron Lines, Inc., in its entirety by the Postmaster General pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, shall be 54 cents per great circle aircraft mile between Bemidji, Brainerd, and AMF Twin Cities, Minneapolis, Minn.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302, 14 CFR Part 298, and 14 CFR 385.14(f):

It is ordered, That:

1. Red Baron Lines, Inc., the Postmaster General, North Central Airlines, Inc., and all other interested persons are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final rate specified above for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above as the fair and reasonable rate of compensation to be paid to Red Baron Lines, Inc.;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed herein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

3. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rate specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Red Baron Lines, Inc., the Postmaster General, and North Central Airlines, Inc.

This order will be pubilshed in the FEDERAL REGISTER.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-6869; Filed, June 10, 1969; 8:49 a.m.]

[1] As this order to show cause is not a final action but merely affords interested persons an opportunity to be heard on the matters herein proposed, it is not regarded as subject to the review provisions of Part 385 (14 CFR Part 385). These provisions for Board review will be applicable to final action taken by the staff under authority delegated in § 385.14 (g).

[Docket No. 20991; Order 69-6-22]

TRANS CENTRAL AIRLINES

Order To Show Cause Regarding Establishment of Service Mail Rate

Issued under delegated authority on June 5, 1969.

By petition filed May 12, 1969, Trans Central Airlines (Trans Central), requests the Board to establish final multielement service mail rates for the transportation of mail between Trinidad, Colo., and Albuquerque, N. Mex. No service mail rates are currently in effect for this service by Trans Central. Trans Central states that it is presently operating scheduled services between Trinidad, Colo., and Albuquerque, N. Mex., as an air taxi operator under title IV of the Federal Aviation Act; [1] that it will use Cessna 402 aircraft for this service; and that there are no competing or other certificated carriers operating on the segments for which a rate is requested.

On May 21, 1969, the Postmaster General filed an answer to Trans Central's petition. The Postmaster General supports Trans Central's petition requesting the Board to permit the carriage of airmail according to the rates and other provisions of Order E-25610, as amended.[2] He states further that there are no certificated carriers operating on the segment involved in the petition and that the proposed service will improve airmail service for the points involved.

By Order 68-12-26 the Board fixed final rates permitting the air transportation of mail by Trans Central between Denver and Trinidad, Colo.; Denver, Colo., and Raton, N. Mex.; and Raton and Albuquerque, N. Mex. The present filing petitions the Board to establish the final rates necessary for air transportation of mail by Trans Central between Trinidad, Colo., and Albuquerque, N. Mex. Since certificated air carrier service is available between Denver and Albuquerque, Denver and Pueblo, Denver and Santa Fe, Santa Fe and Pueblo, Santa Fe and Albuquerque, and Pueblo and Albuquerque, Trans Central does not seek to provide mail service between these points, and the service mail rates fixed in Order 68-12-26 and proposed herein shall not be construed by any combination thereof as authorizing Trans Central to engage in the transportation of mail in any market served by an air carrier certificated by the Board.

Under these circumstances it appears that the proposed services of Trans Central will improve airmail services between the points where certificated carrier services are not available. The Board, therefore, finds it in the public interest to fix and determine the fair and reasonable rates of compensation to be paid to Trans Central by the Postmaster General for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Trinidad, Colo., and Albuquerque, N. Mex. Upon consideration of the petition and other matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. That the fair and reasonable final service mail rates to be paid to Trans Central Airlines pursuant to section 406 of the Act for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Trinidad, Colo., and Albuquerque, N. Mex., shall be the rates established by the Board in Order E-25610, as amended, and shall be subject to the other provisions of that order;

2. The final service mail rates here fixed and determined are to be paid entirely by the Postmaster General; and

3. These rates shall apply to described mail services of Trans Central Airlines to the extent it is authorized to provide such mail services as an air taxi operator pursuant to the provisions of Part 298 of the Board's economic regulations and shall not apply to segments served by certificated air carriers.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly

[1] The air taxi mail services contemplated by this request are also subject to Part 298 of the economic regulations of the Board (14 CFR Part 298).

[2] The multielement service mail rate established by the Board in order E-25610 is a line-haul rate of 24 cents per ton-mile plus a terminal charge of 9.36 cents per pound at Trindad, Col., and 2.34 cents per pound at Albuquerque, N. Mex.

sections 204(a) and 406 thereof, and pursuant to regulations promulgated in 14 CFR Part 302:

It is ordered, That:

1. All interested persons and particularly Trans Central Airlines and the Postmaster General are directed to show cause why the Board should not publish the final rates specified above as the fair and reasonable rates of compensation to be paid to Trans Central Airlines for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days, after the date of service of this order;

3. If notice of objection is not filed within ten days, or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rates specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rates shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307); and

5. This order shall be served upon Trans Central Airlines and the Postmaster General.

This order will be published in the Federal Register.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-6866; Filed, June 10, 1969; 8:49 a.m.]

[Docket No. 20569; Order 69-6-25]

TRANSATLANTIC SUPPLEMENTAL CHARTER AUTHORITY RENEWAL CASE

Order Regarding Hearing

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of June 1969.

Our Order 68-12-93 dated December 17, 1968, set for consolidated hearing the applications for renewal of transatlantic charter authority filed by the six supplemental air carriers holding such authority. Motions to consolidate and petitions for reconsideration, amendment, modification, or clarification of this order and answers and replies[1] have been filed.

The filings contain requests in five areas, discussed below:

1. *Transatlantic charter transportation for Alaska and Hawaii.* The authorizations for supplemental air transportation between the United States and all other areas include Alaska and Hawaii along with the 48 contiguous States. However, Alaska and Hawaii had not been admitted as states when the previous transatlantic charter proceeding was instituted. It is appropriate that we consider the inclusion of service to these two states in authorization of any supplemental transatlantic air transportation found to be required herein.

2. *Transportation of property.* The Board considered the question of transportation by supplemental carriers of property in the transatlantic area less than 3 years ago in the Supplemental Air Service Proceeding, Order E-24237 served September 30, 1966. The motions of the parties do not convince us that the present proceeding should be expanded to include a further review of that issue at this time.

3. *Worldwide authorization for all supplemental carriers.* The requested expansion would result in a premature review of the authorizations for other major geographic areas made in the Supplemental Air Service Proceeding for expiration in November 1971. Such a review is not shown to be needed at this time. Contrary to the contentions of American Flyers Airline Corp., our refusal to follow its suggestion to include this issue does not preclude adoption of a program of granting worldwide authority to all supplemental carriers if that course is in the public interest. The applicants herein can contend that all of them should be granted transatlantic authority. The Board will be at liberty to structure proceedings in the future to permit similar contentions by those who participate in the consideration of renewal of the authorizations to serve the remaining areas of the world.

Moreover, the request for expansion proceeds upon the assumption that all carriers should be granted like authority within any given area. The public interest may not require that result but rather may require that different carriers be authorized to serve different regions or points within a broad geographical area such as the one encompassed by this proceeding.[2] In this connection, the parties to this proceeding are requested to direct their evidence and contentions not only to whether any new or renewed certificates for transatlantic supplemental air transportation should be issued in the form of the present ones, but also to whether certificates should be issued providing for transatlantic service (a) between specific areas of the United States and foreign areas, (b) between the United States and specific foreign areas, and (c) between specific areas of the United States and specific foreign areas.

4. *Consolidation of applications of supplemental carriers who do not hold temporary transatlantic authority.* A number of other supplemental carriers have asked that their applications for transatlantic authority be consolidated. We conclude that it is in the interest of the public that all such applicants be heard in the same proceeding. In this way the Board will be afforded a record on which it can best decide the extent of service needed and the carrier or carriers which should provide that service.

5. *Revision of the terms, conditions, and limitations concerning supplemental transatlantic air transportation.* We are asked to clarify or modify our order to make clear that the proceeding includes issues of revision of the terms, conditions, and limitations concerning transatlantic supplemental transportation contained in Parts 295 and 378. While we did not institute this proceeding for the purpose of revising these regulations, we believe that the parties should have opportunity to make appropriate showings of the need for such revision in connection with their presentations concerning the need for supplemental air transportation in the transatlantic area.

Petitions for leave to intervene have been filed by Pan American World Airways, Inc., Seaboard World Airlines, Inc., and Trans World Airlines, Inc. and each has shown an interest in the proceeding which justifies its intervention.

Accordingly, it is ordered, That:

1. Order 68-12-93 dated December 17, 1968, be and it is amended by changing ordering paragraph 1 to read as follows:

The applications of American Flyers Airline Corp., Docket 20389; Capitol International Airways, Inc., Docket 20325; Overseas National Airways, Docket 20438; Saturn Airways, Inc., Docket 20344; Trans International Airlines Corp., Docket 20391, and World Airways, Docket 20387, be and they hereby are set for consolidated hearing in a proceeding to be known as the Transatlantic Supplemental Charter Authority Renewal Case, Docket 20569, to the extent that these applications seek renewal of the transatlantic charter authority presently held by the foregoing carriers and addition of Alaska and Hawaii to the States to be served.

2. The applications of Modern Air Transport, Inc., Docket 20599; Purdue Aeronautics Corp., Docket 20639; Standard Airways, Inc., Docket 20113; and Universal Airlines, Inc., Docket 20627, be and they hereby are consolidated with Docket 20569 to the extent they seek

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[1] We have decided to grant the motions filed Feb. 5, 1969, by Capitol International Airways, Inc., Pan American World Airways, Inc., and Universal Airlines, Inc., for leave to file replies.

[2] The transportation here involved is between any point in any State of the United States or the District of Columbia, on the one hand, and any point in Greenland, Iceland, the Azores, Europe, Africa, and Asia, as far east as (and including) India, on the other hand. See certificates issued according to Order E-24242.

authorizations within the scope of the proceeding.

3. The applications set forth in paragraph 2 be and they hereby are dismissed to the extent not consolidated herein.

4. The parties to this proceeding shall be permitted to show the need for revisions in the terms, conditions, and limitations concerning transatlantic supplemental air transportation and the Board may order such revisions as it finds required.

5. Pan American World Airways, Inc., Seaboard World Airlines, Inc., and Trans World Airlines, Inc., be and they hereby are granted permission to intervene.

6. The motions, petitions, and requests concerning the scope of the proceeding be and they hereby are denied except to the extent granted by this order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-6865; Filed, June 10, 1969; 8:49 a.m.]

FEDERAL HOME LOAN BANK BOARD

[No. 22,862]

LIQUIDITY

Statement of Policy

MAY 29, 1969.

Resolved that the Federal Home Loan Bank Board considers it advisable to adopt and publish, pending revision of its regulations on liquidity, a statement of policy relating to liquidity, as a result of the decision of the Board contained in Resolutions Nos. 22,859 and 22,860 both dated May 29, 1969, not to adopt the amendments proposed in Resolutions Nos. 22,594 and 22,595 (34 F.R. 5022, 5024); accordingly, the Board hereby directs its Secretary to transmit the following statement adopted by the Board to the Office of the Federal Register for publication:

STATEMENT OF POLICY ON INCLUSION OF OBLIGATIONS OF CERTAIN AGENCIES OR INSTRUMENTALITIES OF THE UNITED STATES TO MEET LIQUIDITY REQUIREMENTS; AUTHORITY OF FEDERAL ASSOCIATIONS TO INVEST IN SUCH OBLIGATIONS

Pending the revision of the Board's regulations governing liquidity in implementation of the provisions of section 5A of the Federal Home Loan Bank Act, as amended by section 4 of Public Law 90-505, approved September 21, 1968, the Board has determined, as a matter of policy, that:

1. In addition to "cash" and "obligations of the United States", investments in any obligation of the following agencies or instrumentalities of the United States may be counted as liquidity for the purposes of § 523.12 of the regulations for the Federal Home Loan Bank System, (12 CFR 523.12), and for the purposes of § 545.8-2 of the rules and regulations for the Federal Savings and Loan System, (12 CFR 545.8-2), provided that the unexpired term of such obligation does not exceed 5 years:

(a) A Federal Home Loan Bank or Banks;

(b) The Federal National Mortgage Association;

(c) The Government National Mortgage Association;

(d) A Bank or Banks for Cooperatives, including the Central Bank for Cooperatives;

(e) A Federal Land Bank or Banks;

(f) A Federal Intermediate Credit Bank or Banks;

(g) The Tennessee Valley Authority; or

(h) The Export-Import Bank of the United States.

2. Federal savings and loan associations are authorized to invest in obligations of the above listed agencies or instrumentalities (in addition to making investments otherwise authorized) without regard to the maturity of such obligations. However, only such obligations meeting the above maturity limitation shall be counted as liquidity.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 69-6876; Filed, June 10, 1969; 8:49 a.m.]

[No. 22,863]

GOVERNMENT OBLIGATIONS

Statement of Policy

MAY 29, 1969.

Resolved that the Federal Home Loan Bank Board considers it advisable to adopt and publish a statement of policy relating to the term "Government obligations" as defined in its rules and regulations for insurance of accounts, as a result of the decision of the Board contained in Resolution No. 22,861 dated May 29, 1969, not to adopt the amendments proposed in Resolution No. 22,596 (34 F.R. 5024), and the decision of the Board to issue, simultaneously herewith, a statement of policy concerning liquidity, pending revision of its regulations on that subject; accordingly, the Board hereby directs its Secretary to transmit the following statement adopted by the Board to the Office of the Federal Register for publication:

STATEMENT OF POLICY ON INCLUSION OF OBLIGATIONS OF CERTAIN AGENCIES OR INSTRUMENTALITIES OF THE UNITED STATES AS "GOVERNMENT OBLIGATIONS"

Pending the revision of the Board's regulations governing liquidity, in implementation of the provisions of section 5A of the Federal Home Loan Bank Act, as amended by section 4 of Public Law 90-505, approved September 21, 1968, the Board has determined, as a matter of policy, that in addition to the obligations specified in § 561.19 of the rules and regulations for insurance of accounts, (12 CFR 561.19) obligations of the Government National Mortgage Association, and the Export-Import Bank of the United States are deemed "Government obligations".

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, JR.,
Assistant Secretary.

[F.R. Doc. 69-6877; Filed, June 10, 1969; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License 14]

F. V. MAROTTA, INC.

Order of Revocation

By letter dated June 2, 1969, F. V. Marotta, Inc., New York, N.Y., returned its Independent Ocean Freight Forwarder License No. 14 to the Commission for cancellation and advised that it would terminate voluntarily its business as an independent ocean freight forwarder as of June 30, 1969.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, section 6.03:

It is ordered, That the Independent Ocean Freight Forwarder License No. 14 of F. V. Marotta, Inc., be and is hereby revoked effective June 30, 1969.

It is further ordered, That this cancellation is without prejudice to reapplication at a later date.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon the licensee.

LEROY F. FULLER,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 69-6878; Filed, June 10, 1969; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. AR69-1]

AREA RATE PROCEEDING

Order Deleting Respondents

MAY 23, 1969.

On April 28, 1969, the Columbia Gas System, Inc., filed a request to be deleted as a respondent to this proceeding, alleging that it is a registered holding company which owns the outstanding securities of a number of operating companies. The Columbia Gas System, Inc., itself does not own or operate any producing, gathering, transmission, storage, or distribution facilities.

Pursuant to the order instituing this proceeding, issued March 20, 1969, purchasers of offshore leases, natural gas companies having rate schedules on file for sales within the hearing area, and pipelines operating in the area were made respondents. The respondent list included those subsidiaries of the Columbia Gas System which meet these criteria. Since

the Columbia System subsidiaries are respondents on an individual basis, there appears to be no need to continue the parent corporation, Columbia Gas System, Inc., as a respondent.

A similar request was filed on April 10, 1969, by Cal-Ky Pipe Line Co., a wholly owned subsidiary of Standard Oil Company of California, alleging that it is engaged solely in the business of transporting crude oil. Cal-Ky owns no oil or gas leases, and has filed no rate schedules with the Commission for either the sale or transportation of natural gas. It therefore appears that Cal-Ky Pipe Line Co. should be deleted as a respondent.

The Commission orders: The Columbia Gas System, Inc., and Cal-Ky Pipe Line Co. are hereby deleted as respondents to the proceeding in Docket No. AR69–1.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69–6811; Filed, June 10, 1969; 8:45 a.m.]

[Dockets No. CI65–974, etc.]

GEORGE DESPOT ET AL.

Order Issuing Conditioned Certificates of Public Convenience and Necessity on Settlement, Accepting Related Rate Schedules and Supplements Thereto for Filing, and Severing and Terminating Proceedings

JUNE 5, 1969.

George Despot, agent (Operator) et al., Dockets No. CI65–974, etc.; J. W. Baton (Operator) et al., Docket No. CI66–1169; Harry W. Brennan, Jr. (Operator) et al., Docket No. CI68–597.

J. W. Baton (Operator) et al (Baton), on March 21, 1969, filed with the Commission a motion for approval of settlement proposal. Harry W. Brennan, Jr. (Operator) et al. (Brennan), on March 5, 1969, filed with the Commission a motion for approval of settlement proposal. Baton and Brennan are respondents in the consolidated Despot proceedings pursuant to the Commission order to show cause dated September 14, 1966 (36 FPC 628). Brennan succeeded in part to the interest of International Helium, Inc. (Operator) et al. in the Ferguson Gas unit, covered by the application in Docket No. CI66–564. Baton and Brennan have been engaged in the sale of natural gas to the Lone Star Gas Co. in Texas Railroad District No. 6. Baton's sale commenced in June 1961, pursuant to contractual provisions as an alleged interstate sale, even though the gas is commingled with other gas that is sold in interstate commerce. The gas that is here under consideration is produced from the Danville Field, Gregg County, Tex. This sale commenced at an initial price of 14.49 cents per Mcf, inclusive of tax reimbursement, and escalated to 16.56 cents per Mcf on July 1, 1963, pursuant to contractual provisions.

Brennan's sale commenced in March 1961, pursuant to contractual provisions as an alleged intrastate sale. The gas that is here under consideration is produced from the North Henderson Field, Rusk County, Tex., and commenced at an initial price of 14.49 cents per Mcf inclusive of tax reimbursement, which escalated to 16.56 cents per Mcf on July 1, 1963, pursuant to contractual provisions. The contracts between these two respondents and Lone Star Gas Co. contained restrictions similar to those before the Commission in Lo-Vaca Gathering Co., 26 FPC 606 (1961), affirmed, 379 U.S. 366 (1965).

Because of the restrictions on the use of the gas by Lone Star, respondents treated these sales as not subject to Commission jurisdiction.

On September 14, 1966, the Commission issued an order to show cause as to why these respondents should not be required to apply for and obtain certificates of public convenience and necessity authorizing the sales specified in these respective applications, which they had previously made without authorization and whether the initial prices for such sales should not be fixed at the applicable initial service price prevailing at the time deliveries commenced, and why they should not be required to refund the difference between the initial price determined in accordance therewith and the price actually charged for the related deliveries of gas (36 FPC at 629).

No party to this proceeding objects to the proposed settlements. With exception relating to the method of computing interest on refunds due as specified hereinafter, the Commission conditionally approves respondents' motions for settlement of the proceedings in Dockets Nos. CI66–1169 and CI68–597.

In prior orders approving settlement proposals of other producers in the consolidated Despot proceedings, the Commission has approved the use of the Mobil refund formula for settling these proceedings. (See, e.g., Humble settlement order issued November 22, 1967, Docket No. CI66–591, 38 FPC 1041).

The instant motions of respondents requesting settlement conforms to the formula requiring refunds of 62½ percent of charges in excess of the applicable guideline price between October 23, 1961, and January 17, 1965, and 100 percent of all excess charges collected after January 18, 1965. No refunds are required on the volumes sold prior to October 23, 1961. The Mobil formula requires that interest be paid on refunds, less royalty and overriding royalty interest, at 7 percent per year from the date of collection until date of the order approving settlement. Accordingly, respondents propose to settle the proceedings as to their sales to Lone Star on the basis of the above Mobil formula. Respondents have agreed to make refunds due to Lone Star, or as the Commission may otherwise order. The principal refund amount due through August 1966 is approximately $4,000 from Baton, and refunds plus interest due from Brennan is estimated at $2,900.

At the present time Lone Star is under no flow through obligation as to any Despot proceeding refund which it may receive; therefore, respondents will be required to deposit the retained refunds, inclusive of interest, to special escrow accounts. Issuance of this order approving the settlement proposals will be conditioned upon the requirement that respondents pay 7 percent per year interest upon refunds due from the date of collection of the amount subject to refunding to the date of issuance of this order.

The Commission finds:

(1) The settlement proposals filed by Baton and Brennan on March 21, 1969, and March 5, 1969, respectively, as hereinafter conditioned, are in the public interest, and it is appropriate in the administration of the provisions of the Natural Gas Act that they be approved and made effective as hereinafter ordered.

(2) The sales for which respondents seek authorization together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are subject to the requirements of subsection (c) and (e) of section 7 of the Natural Gas Act.

(3) Respondents are able and willing to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) The sales proposed by respondents together with the construction and the operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public convenience and necessity, and as conditioned herein, are in the public interest.

The Commission orders:

(A) The settlement of these proceedings on the basis of the settlement proposals filed by J. W. Baton (Operator) et al., and Harry W. Brennan (Operator) et al. (Respondents), on March 21, 1969, and March 5, 1969, respectively, as herein conditioned, are approved and made subject to the terms and conditions herein.

(B) Respondents shall refund 62½ percent of the excess amounts collected above 15 cents per Mcf (at 14.65 p.s.i.a.) during the period October 24, 1961, to January 18, 1965, and 100 percent of the sums collected in excess of 15 cents per Mcf during the period January 19, 1965, to the effective date of this order.

(C) Respondents shall compute interest due on the above (paragraph B) refundable amounts which they have collected at the rate of 7 percent per year from the date of collection to the date of issuance of this order, less royalty and overriding royalty interest.

(D) Respondents shall, over the signature of a responsible officer, file with the Commission, within 30 days of the date of this order, an original and one copy of their acceptance or rejection of this order and shall serve a copy of the same on the parties to Docket No. CI65–974 et al.

(E) Respondents shall file with the Commission, within 60 days after the date of this order, a report setting out the principal amount of refunds, computed in accordance with the terms of this order, together with interest thereon, showing details of computations and shall serve a copy of the report on all parties to the proceedings in Docket No. CI65–974 et al. Respondents' report shall contain a statement by the purchaser attesting to the correctness of the refund amounts.

(F) Respondents shall deposit the retained refunds, computed pursuant to ordering paragraphs (B) and (C), in special escrow accounts and respondents shall tender for filing on or before the date of the filing of the refund report, an executed Escrow Agreement, conditioned as set out below, accompanied by a certificate showing service of a copy thereof upon the parties to the proceeding in Docket No. CI65–974 et al. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof, the Escrow Agreement shall be entered into beween respondent and any bank or trust company used as a depositor for funds of the U.S. Government and the agreement shall be conditioned as follows:

(1) Such respondent, the bank or trust company, and the successors and assigns of each shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in a special escrow account, subject to such agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States of any agency thereof or in any form of obligation guaranteed by the United States which is respectively payable within 120 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is fair, reasonable and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be made out to the escrow account.

(5) Such bank or trust company shall report to the Secretary of this Commission quarterly, certifying the amount deposited in the trust account for the quarterly period.

(G) Permanent certificates of public convenience and necessity are issued to respondents upon the conditions herein set forth, authorizing the sales and services proposed.

(H) The certificates issued to respondents by paragraph (G) are conditioned upon acceptance of the certificates issued to them in writing and under oath within 30 days of the issuance of this order.

(I) The certificates issued to respondents by paragraph (G) are conditioned upon the acceptance of the modification of settlement proposals as provided by the terms of this order.

(J) The certificates issued in paragraph (G) are conditioned so that on and after the date of this order, and until lawfully changed in the manner provided by the Natural Gas Act, the rate charged by respondents to Lone Star shall not exceed 15 cents per Mcf (at 14.65 p.s.i.a.) (15.08 cents at 14.73 p.s.i.a.). Within 30 days of the date of this order, respondents shall file supplements to their rate schedules reflecting the conditioned rate in lieu of the rate currently provided therein, and as to such filing, the requirements of § 154.94(f) of the regulations under the Natural Gas Act are waived and upon compliance, the proposed related rate schedules shall be accepted for filing effective as of the date of this order, provided that this order is without prejudice to any action which the Commission may hereafter take pursuant to the provisions of sections 4 and 5 of the Natural Gas Act.

(K) Upon full compliance by respondents with this order, the proceedings in Dockets Nos. CI66–1169 and CI68–597 shall terminate, and such proceedings upon termination are hereby severed from the consolidated proceedings in Docket No. CI65–974, et al.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-6812; Filed, June 10, 1969; 8:45 a.m.]

[Docket No. CP69-320]

IOWA ELECTRIC LIGHT AND POWER CO. AND NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application

JUNE 5, 1969.

Take notice that on May 26, 1969, Iowa Electric Light and Power Co. (Applicant), Post Office Box 351, Cedar Rapids, Iowa 52406, filed in Docket No. CP69–320 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Natural Gas Pipeline Company of America (Respondent) to sell up to 492 Mcf of natural gas per day to Applicant for resale and distribution in the towns of Ladora and Victor, Iowa, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant will construct and operate the necessary distribution facilities to render natural gas service to Ladora and Victor. The application indicates that the total estimated third year peak day and annual natural gas requirements of the two towns are 492 Mcf and 71,516 Mcf, respectively. Lateral Gas Pipeline Co. (Lateral) will transport for and deliver to Applicant the gas necessary to render the proposed service.[1]

Applicant states that the total estimated cost of its proposed project is $143,950, which cost will be financed from cash on hand and cash generated from operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-6817; Filed, June 10, 1969; 8:45 a.m.]

[Docket No. CP69-318]

LATERAL GAS PIPELINE CO.

Notice of Application

JUNE 5, 1969.

Take notice that on May 26, 1969, Lateral Gas Pipeline Co. (Applicant), Post Office Box 351, Cedar Rapids, Iowa 52406, filed in Docket No. CP69–318 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the transportation for the account of Iowa Electric Light and Power Co. (Iowa Electric) of natural gas to be purchased by the latter from Natural Gas Pipeline Company of America (Natural) for distribution and resale in the towns of Ladora and Victor, Iowa,[2] all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate approximately 13

[1] Lateral in Docket No. CP69–318 has pending an application for a certificate authorizing the construction and operation of facilities necessary to transport the gas from Lateral's existing facilities to border stations near two towns.

[2] Iowa Electric in Docket No. CP69–320 has pending an application for an order of the Commission directing Natural to sell gas to Iowa Electric for distribution and resale in the two towns.

miles of 2-inch and 4-inch pipeline extending from Applicant's existing 4-inch transmission facilities in Iowa County, Iowa, to Ladora and Victor.

Applicant states that the total estimated cost of the proposed facilities is $171,800, which cost will be financed from funds currently on hand, advanced by Iowa Electric or acquired through the sale of common stock to Iowa Electric. Applicant is a wholly owned subsidiary of Iowa Electric.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition 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 this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6816; Filed, June 10, 1969; 8:45 a.m.]

[Docket No. CP69-312]

MANUFACTURERS LIGHT AND HEAT CO.

Notice of Application

JUNE 4, 1969.

Take notice that on May 20, 1969, The Manufacturers Light and Heat Co. (Applicant), 800 Union Trust Building, Pittsburgh, Pa. 15219, filed in Docket No. CP69-312 an application pursuant to section 7 (b) and (c) of the Natural Gas Act for permission and approval to abandon certain facilities and for a certificate of public convenience and necessity authorizing the construction, installation, and operation of certain natural gas facilities and the increased sales and deliveries of natural gas to certain existing wholesale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks permission and approval to abandon its existing 225 horsepower Iowa No. 2 Compressor Station in Jefferson County, Pa. Applicant alleges that the facility proposed to be abandoned is no longer used or useful in its operations and that no decrease or abandonment of service will result.

Applicant seeks authorization to construct, install, and operate the following transmission facilities:

(1) An additional 1,080 horsepower centrifugal compressor unit at Smithfield Compressor Station in Wetzel County, W. Va.

(2) Aproximately 6.8 miles of 24-inch pipeline looping Line No. 1570 in Monongalia County, W. Va.

(3) An additional 1,080 horsepower centrifugal compressor unit at Bruceton Mills Compressor Station in Preston County, W. Va.;

(4) An additional 1,080 horsepower centrifugal compressor unit at Salisbury Compressor Station in Somerset County, Pa.; and

(5) A new 3,240 horsepower centrifugal compressor station (Greencastle Compressor Station) in Franklin County, Pa.

Applicant states that the new facilities are necessary to supply the increased market need of its existing wholesale customers commencing November 1, 1969.

The total estimated cost of the proposed facilities is $2,748,000, which will be financed with funds made available by Applicant's parent company, The Columbia Gas System, Inc.

Applicant also requests authorization to increase by 80,250 Mcf the Total Daily Entitlements to certain of existing jurisdictional customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition 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 this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6827; Filed, June 10, 1969; 8:46 a.m.]

[Docket No. RI69-539]

MOBIL OIL CORP.

Order Shortening Suspension Period

MAY 12, 1969.

Mobil Oil Corp. (Mobil), filed on March 3, 1969, a motion for reconsideration of the order issued February 18, 1969, in the above-entitled proceeding insofar as that order suspended for 5 months a proposed increase in rate from 12.3676 cents to 13.3772 cents per Mcf, designated as Supplement No. 9 to Mobil's FPC Gas Rate Schedule No. 276, covering a wellhead sale to Coastal States Gas Producing Co. (Coastal) from the East Mathis Field, San Patricio County, Tex. The gas involved is gathered and resold by Coastal to Natural Gas Pipeline Company of America (Natural) under Coastal's FPC Gas Rate Schedule No. 23 at a rate of 14.5 cents per Mcf which is in effect subject to refund in Docket No. G-17733.[1] In its motion for reconsideration Mobil requests that its proposed increased rate of 13.3772 cents per Mcf be suspended for only 1 day in lieu of 5 months.

The increased rate ceilings set forth in the statement of general policy No. 61-1 apply to sales to pipeline companies. The 14 cents increased rate guideline in this area is thus applicable to the resale by Coastal to Natural, but not to the rate charged by Mobil for its sale to Coastal. It is our general policy to suspend a rate increase filing by the producer making the initial sale for the same 5-month period we would suspend any above ceiling rate increase filing by the purchasing producer with respect to the resale of such gas to a pipeline where the purchasing producer is entitled contractually to an above ceiling rate. We believe, however, that in the present case the issue presented in Docket No. AR64-2 as to whether Coastal should be allowed a rate higher than if it was an independent producer justifies a shorter suspension period for its supplier. Consequently, we

[1] Although Coastal's contract provided for an increase to 15.5 cents on Dec. 1, 1968, Coastal has not yet filed for such increase.

shall modify the suspension order to shorten the suspension period of Mobil's filing so that it will expire as of the date of issuance of this order, and shall authorize Mobil to collect its proposed rate, subject to refund, as of the expiration of the shortened suspension period.[2]

The Commission orders:

(A) The February 18, 1969, order is modified to provide that Supplement No. 9 to Mobil's FPC Gas Rate Schedule No. 276 be suspended until the date of issuance of this order.

(B) Mobil shall charge and collect the increased rate set forth in the above supplement commencing as of the date of this order subject to refund in Docket No. RI69-539.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-6813; Filed, June 10, 1969; 8:45 a.m.]

[2] Mobil filed on Jan. 10, 1969, a general undertaking as permitted by Order No. 377 which was accepted by notice issued Mar. 7, 1969.

[Docket No. CP68-193 (Phase II), etc.]

NORTHERN NATURAL GAS CO. ET AL.

Order To Show Cause, Denying Withdrawal of Application, Consolidating Proceedings and Modifying Procedure

MAY 16, 1969.

Northern Natural Gas Co., Docket No. CP68-193 (Phase II); Midwest Natural Gas, Inc., Applicant, Northern Natural Gas Co., Respondent, Docket No. CP68-339; American Gas Company of Wisconsin, Inc., Applicant, Northern Natural Gas Co., Respondent, Docket No. CP69-32; Iowa Electric Light and Power Co., Docket No. CP69-131; Northern Natural Gas Co., Docket No. CP69-267.

The Applicant, Northern Natural Gas Co. (Northern), by its application at Docket No. CP68-193, as amended, requested authorization to construct and operate facilities necessary to expand the capacity of its mainline system by 175,000 Mcf per day[1] in order to serve the increasing needs of its existing customers and to initiate service to 60 communities in Iowa, Minnesota, and Wisconsin.[2] In addition, the application contained a request for authorization to construct and operate the necessary branchlines to enable Northern to sell and deliver the required volumes to the new communities.

Northern also sought to have certain of the proposed mainline facilities, necessary to increase the capacity of its system by 100,000 Mcf per day, authorized in order to meet the increased requirements of its existing customers for the pending 1968-69 winter heating season. Since none of the interveners were opposed, on June 14, 1968 and October 21, 1968, certificates of public convenience and necessity were issued to Northern authorizing the increase in mainline transmission capacity to sell and deliver an additional 81,417 Mcf of contract demand volumes to existing customers.

Subsequently, with the approach of the 1969-70 winter, Northern further proposed that the remainder of its application at Docket No. CP68-193 be heard in two separate phases. Phase I would cover the additional mainline expansion of 75,000 Mcf per day necessary to meet the growing needs of existing customers (21,711 Mcf/d) and, together with the facilities previously authorized, provide the mainline capacity to support the proposed initial service for the 60 new communities (17,445 Mcf/d). The unallocated capacity totaling approximately 54,000 Mcf requested by Northern at Docket No. CP68-193 would be available for the future growth of system requirements. Northern felt that the mainline expansion was noncontroversial and could be more expeditiously processed if not heard together with the proposed new town service for which a hearing would obviously be required. Furthermore, the early authorization of the Phase I facilities would permit the timely completion of the additional mainline capacity on the most economical basis.

Phase II would primarily concern the proposed branchline facilities necessary to extend Northern's system to the new communities and initiate the proposed service. The interveners had raised several issues with respect to the new service but did not oppose the proposal to hear the remainder of Northern's application in two separate phases.

In order to expedite the noncontroversial aspects of Northern's application, the Commission agreed to Northern's proposed procedure; the Phase I facilities were thereby authorized[3] and Phase II was set for formal hearing consolidated with certain section 7(a) requests for initial service from Northern.[4]

On April 14, 1969, 2 days prior to the date set for the service of testimony in these proceedings, Northern filed a notice of withdrawal of that portion of its application in Phase II, Docket No. CP68-193, involving the construction and operation of the branchlines necessary to initiate the proposed service to the 60 new communities. For all practical purposes, Northern seeks to withdraw the entire Phase II.

Northern contends that the construction and financing costs have significantly increased since the filing of its proposal on January 10, 1968, and as a result substantial additional contributions in aid of construction will now be required for many of the proposed branchlines so that the economic viability of the new town proposal as a whole has significantly diminished. In addition, Northern maintains that if its rates which are now in effect under bond were to be lowered, the resultant reduction in anticipated revenues from the proposed new town service would also increase the need for contributions in aid of construction. The Applicant also claims that the situation presently existing in its traditional gas supply areas relating to the discovery of new gas supplies is such that Northern is not now in a position to support further expansion of its system from these traditional sources.

On April 15, 1969, Northern filed an application at Docket No. CP69-267 requesting authorization to utilize some of the capacity authorized by the previously issued certificates in Docket No. CP68-193 in order to sell and deliver 35,000 Mcf per day of additional contract demand to Northern Illinois Gas Co. (Northern Illinois), an existing customer which obtains a portion of its gas supply from Northern.[5]

The Commission authorized the increase in mainline capacity as requested by Northern, no opposition having been filed, to avoid the necessity of a formal hearing on the noncontroversial aspects of the proposed project and thereby provide for the increased requirements of the existing customers. However, such action was not intended to and did not in fact vitiate the interrelationship of the various aspects of the proposal. Northern requested authorization for the new town service and the mainline facilities as integral parts of one related project as set forth in a single application at Docket No. CP68-193. In Phase I Northern did not request authorization for the branchlines necessary to sell and deliver the required volumes to the communities but the proposed system expansion was in part essential to render service to the new towns when and if authorized in Phase II. Admittedly, no mainline facilities or gas supply was earmarked for a specific service or particular customers; nevertheless, mainline capacity was certificated in anticipation of service to the proposed new towns and, consequently, we do not believe that the withdrawal of the proposed service should be permitted without a more thorough scrutiny of the underlying causes.

It is not clear from Northern's notice of withdrawal whether all of the proposed branchlines will now require contributions as a result of the increase in costs and the possible reduction in revenues or, even if contributions are required, whether the distributors would be unwilling to pay them. The precise extent of any contributions would have to be calculated before any meaningful

[1] Northern originally requested an increase of 300,000 Mcf per day in the capacity of its system, but deleted 125,000 Mcf by the second amendment to its application at Docket No. CP68-193 filed Oct. 16, 1968.

[2] The number of new communities proposed for initial service in the original application was reduced from 61 to 60 to reflect the deletion of Centerville, Minn., since service to that town was provided by the expansion of the existing system of North Central Public Service Co., the distribution Company which was proposing the initial service from Northern.

[3] Order issued Mar. 10, 1969, at Docket No. CP68-193.

[4] Order issued Mar. 21, 1969, at Docket No. CP68-193, et al.

[5] Notice issued Apr. 25, 1969, 34 F.R. 7049.

decision could be made. Indeed, we believe that the towns themselves should be contacted and apprised by Northern in writing of the impact on each branchline and the resultant contributions required, if any, because of the alleged change in circumstances and Northern should then inform the Commission as soon as possible as to whether the towns and the respective distributors want Northern to pursue the request for service. See Northern Natural Gas Co., 26 FPC 922 (1961).

Northern's application at Docket No. CP69–267 to utilize part of the capacity already certificated at Docket No. CP68–193 to serve an additional 35,000 Mcf of contract demand to Northern Illinois appears to be inconsistent with Northern's allegation in its notice of withdrawal that the situation in its existing supply areas does not permit the expansion of its system at this time to serve 17,445 Mcf per day to the new towns. Since at least 35,000 Mcf of gas appears to be available and the mainline capacity has been certificated for the new towns, Northern is directed to show cause why the proposed new town service, as well as the service requested by the section 7(a) applicants, should not be made out of this 35,000 Mcf in lieu of the full 35,000 Mcf of contract demand requested for Northern Illinois. These applications are obviously related and should be heard upon a consolidated record.

In order to make a realistic determination of the contributions required, if any, Northern should include in its direct presentation branchline feasibility studies, similar to those included in its application, clearly setting forth the details of the calculations, together with the cost and other underlying assumptions, for each branchline involved.

The prehearing conference required by our order of March 21, 1969, in these consolidated proceedings must be canceled and the procedure set forth therein modified as hereinafter provided.

The Commission finds:

(1) For the foregoing reasons, Northern Natural Gas Co.'s request to withdraw that portion of its application in Phase II, Docket No. CP68–193, involving the initiation of service to 60 communities in Iowa, Minnesota, and Wisconsin, should be denied.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the matters in Dockets Nos. CP68–193 (Phase II), CP 68–339, CP69–32, CP69–131, and CP69–267 be consolidated for hearing and decision.

(3) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Northern Natural Gas Co. be required to show cause why the proposed new town service, as well as the service requested by the section 7(a) applicants, should not be made in lieu of the full 35,000 Mcf of contract demand requested for Northern Illinois in Docket No. CP69–267.

(4) The expeditious disposition of these proceedings will be effectuated by providing for the filing of Northern's direct presentation in support of its applications in Dockets Nos. CP68–193 and CP69–267, as well as its position with respect to the 7(a) applications in Dockets Nos. CP68–339, CP69–32, and CP69–131, prior to a prehearing conference.

The Commission orders:

(A) Northern Natural Gas Co.'s request to withdraw that portion of its application in Phase II, Docket No. CP68–193, involving the initiation of service to 60 communities in Iowa, Minnesota, and Wisconsin, is hereby denied.

(B) The application at Docket No. CP69–267 is hereby consolidated with these proceedings for the purpose of hearing and decision.

(C) The prehearing conference set for May 20, 1969, in these consolidated proceedings is canceled and the procedure established by the Commission's order of March 21, 1969, is hereby modified.

(D) Northern Natural Gas Co. is hereby directed to contact and apprise in writing the appropriate official for each of the 60 towns involved in Docket No. CP68–193 of the impact on each branchline and the resultant contributions required, if any, because of the alleged change in circumstances and inform the Commission on or before June 2, 1969, whether the towns and the respective distributors want Northern to pursue the new town service and to what extent, if any.

(E) Northern Natural Gas Co. is hereby directed to show cause on or before June 9, 1969, why the proposed new town service, as well as the service requested by the section 7(a) applicants herein, should not be made in lieu of the full 35,000 Mcf of contract demand requested for Northern Illinois in Docket No. CP69–267.

(F) The Applicant, Northern Natural Gas Co., shall file with the Commission and serve on all parties and the examiner on or before June 9, 1969, its direct presentation, which shall include, but is not limited thereto, updated branchline feasibility studies as more fully set forth, supra.

(G) Pursuant to the provisions of § 1.18 of the Commission's rules of practice and procedure, a prehearing conference shall be held before a hearing examiner of the Commission to be designated by the chief examiner, in order to consider the means by which the conduct of the consolidated proceedings may be facilitated and in order to determine further procedures including the date for the commencement of cross-examination. Such conference will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., commencing at 10 a.m. e.d.s.t., on June 18, 1969.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69–6814; Filed, June 10, 1969; 8:45 a.m.]

[Docket No. RI 69–445, etc.]

SOUTHEASTERN PUBLIC SERVICE CO. ET AL.

Order Shortening Suspension Period

MAY 12, 1969.

Southeastern Public Service Co. (Operator) et al., Docket No. RI69–445 etc.; Skelly Oil Co., Docket No. RI69–448.

By order issued January 10, 1969, in the above-entitled proceedings a proposed increase from 12.3676 cents to 13.3772 cents per Mcf, designated as Supplement No. 7 to Skelly Oil Co.'s FPC Gas Rate Schedule No. 9, covering a wellhead sale to Coastal States Gas Producing Co. (Coastal) from the East Mathis Field, San Patricio County, Tex., was suspended for 5 months in Docket No. RI69–448. The gas involved is gathered and resold by Coastal to Natural Gas Pipeline Company of America (Natural) under Coastal's FPC Gas Rate Schedule No. 23 at a rate of 14.5 cents per Mcf which is in effect subject to refund in Docket No. G–17733.[1]

The situation presented here is the same as that discussed in our order issued today in Mobil Oil Corp., Docket No. RI69–539. For the reasons set forth therein, we shall on our own motion shorten the suspension period in Docket No. RI69–448 so that it will expire as of the date of issuance of this order and shall authorize Skelly to collect its proposed rate, subject to refund, as of expiration of the shortened suspension period.[2]

The Commission orders:

(A) The January 10, 1969, order is modified to provide that Supplement No. 7 to Skelly's FPC Gas Rate Schedule No. 9 be suspended until the date of issuance of this order.

(B) Skelly shall charge and collect the increased rate set forth in the above supplement commencing as of the date of issuance of this order, subject to refund in Docket No. RI69–448.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69–6815; Filed, June 10, 1969; 8:45 a.m.]

[Docket No. CP69–322]

CITY OF WALTON, KANS., AND CITIES SERVICE GAS CO.

Notice of Application

JUNE 5, 1969.

Take notice that on May 27, 1969, city of Walton, Kans., 67151 (Applicant), filed in Docket No. CP69–322 an application pursuant to section 7(a) of the

[1] Although Coastal's contract provided for an increase to 15.5 cents on Dec. 1, 1968, Coastal has not yet filed for such increase.

[2] Skelly filed on Jan. 6, 1969, a general undertaking as permitted by Order No. 377 which was accepted by notice issued Mar. 7, 1969.

Natural Gas Act for an order of the Commission directing Cities Service Gas Co. (Respondent) to establish physical connection of its transmission facilities with the proposed facilities of Applicant and to sell and deliver up to 209 Mcf of natural gas per day to Applicant for resale and distribution in Walton and along Applicant's proposed lateral transmission line, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the necessary distribution facilities and approximately 6½ miles of 2-inch pipeline connecting Respondent's main transmission line to the Walton town border. The application indicates that Walton's estimated third year peak day and annual natural gas requirements are 209 Mcf and 17,200 Mcf, respectively.

Applicant states that the total estimated cost of its proposed project is $80,000, which cost will be financed by the issuance of Gas Revenue Bonds and General Obligation Bonds.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 3, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest 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. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-6818; Filed, June 10, 1969; 8:45 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN BRAZIL

Entry and Withdrawal From Warehouse for Consumption

JUNE 6, 1969.

On March 27, 1969, the U.S. Government requested the Government of Brazil to enter into consultations concerning exports to the United States of cotton textile products in Categories 31 and 64, produced or manufactured in Brazil. In that request the U.S. Government indicated specific levels at which it considered that exports in these categories from Brazil should be restrained for the 12-month period beginning March 27, 1969, and extending through March 26, 1970. Since no solution has been mutually agreed upon, the U.S. Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 3, paragraph 3, and Article 6(c) which relates to nonparticipants, is establishing restraints at the levels indicated in that request for the 12-month period beginning March 27, 1969, and extending through March 26, 1970. These restraints do not apply to cotton textile products in Categories 31 and 64, produced or manufactured in Brazil and exported to the United States prior to the beginning of the designated 12-month period.

There is published below a letter of June 6, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Categories 31 and 64, produced or manufacured in Brazil, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning March 27, 1969, be limited to the designated levels.

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

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

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

JUNE 6, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning March 27, 1969 and extending through March 26, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 31 and 64, produced or manufactured in Brazil, in excess of the following levels of restraint:

Category		*12-month levels of restraint* [1]
31	units	1,500,000
64	pounds	80,000

In carrying out this directive, entries of cotton textile products in Categories 31 and 64, produced or manufactured in Brazil and which have been exported to the United States from Brazil prior to March 27, 1969, shall not be denied entry under this directive.

Cotton textile products which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

A detailed description of Categories 31 and 64, in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

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

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

Sincerely,

MAURICE H. STANS,
Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[1] These levels have not been adjusted to reflect any entries made on or after Mar. 27, 1969.

[F.R. Doc. 69-6849; Filed, June 10, 1969; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

CONTINENTAL INVESTMENT CORP.

Order Suspending Trading

JUNE 5, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Investment Corp. (an Arizona 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 June 6, 1969, through June 11, 1969, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 69-6824; Filed, June 10, 1969; 8:46 a.m.]

ELECTROGEN INDUSTRIES, INC.

Order Suspending Trading

JUNE 5, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Electrogen Industries, Inc. (formerly Jodmar Industries, Inc.) (may be known as American Lima Corp.), being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities

otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 6, 1969, through June 15, 1969, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F.R. Doc. 69-6825; Filed, June 10, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 6, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41648—*Caustic soda (sodium hydroxide) to Franklin, Va.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2947), for interested rail carriers. Rates on sodium (soda), caustic (sodium hydroxide), as described in the application, in tank carloads, subject to Rule 35, except as to minimum weight shall be 196,000 pounds per car, from specified points in Michigan, New York, Ohio, and West Virginia, to Franklin, Va.

Grounds for relief—Market competition and rate relationship.

Tariffs—Supplements 71 and 239 to Traffic Executive Association—Eastern Railroads, agent, tariffs ICC C-611 and C-334, respectively.

FSA No. 41649—*Newsprint paper from St. John, New Brunswick, Canada.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2944), for interested rail carriers. Rates on newsprint paper, in carloads, as described in the application, from St. John, New Brunswick, Canada, to Alexandria, Va.

Grounds for relief—Water competition.

Tariff—Supplement 66 to Canadian Pacific Railway Co. tariff ICC E.2631.

FSA No. 41650—*Newsprint paper from St. John, New Brunswick, Canada.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2945), for interested rail carriers. Rates on newsprint paper, in carloads, as described in the application, from St. John, New Brunswick, Canada, to Richmond, Va.

Grounds for relief—Water competition.

Tariff—Supplement 66 to Canadian Pacific Railway Co. tariff ICC E.2631.

FSA No. 41651—*Newsprint paper from Corner Brook, Newfoundland, Canada.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2946), for interested rail carriers. Rates on newsprint paper, in carloads, as described in the application, from Corner Brook, Newfoundland, Canada, to Chicago, Ill.

Grounds for relief—Water competition.

Tariff—Supplement 35 to Canadian National Railways tariff ICC E.543.

By the Commission.

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

[F.R. Doc. 69-6850; Filed, June 10, 1969; 8:47 a.m.]

[Notice 554]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 6, 1969.

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

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 10872 (DEVIATION NO. 12), BE-MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, Mo. 63147, filed May 29, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) Between St. Louis, Mo., and Oklahoma City, Okla., over Interstate Highway 44, and (2) between St. Louis, Mo., and Chicago, Ill., over Interstate Highway 55, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) Between St. Louis, Mo., and Oklahoma City, Okla., via Vinita, Okla., over U.S. Highway 66, and (2) between St. Louis, Mo., and Chicago, Ill., over U.S. Highway 66.

No. MC 59680 (Deviation No. 77), STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex. 75222, filed May 29, 1969. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cleveland, Ohio, over U.S. Highway 21 to the Ohio Turnpike, thence over the Ohio Turnpike to Exit 14 and Ohio Highway 82, thence over Ohio Highway 82 to junction Ohio Highway 7 near Brookfield, Ohio, thence over Ohio Highway 7 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction U.S. Highway 422, thence over U.S. Highway 422 to junction U.S. Highway 119 at Indiana, Pa., thence over U.S. Highway 119 to junction Pennsylvania Highway 56 at Homer City, Pa., thence over Pennsylvania Highway 56 to junction U.S. Highway 22, thence over U.S. Highway 22 to Harrisburg, Pa., thence over access roads to the Pennsylvania Turnpike, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Cleveland, Ohio, over U.S. Highway 21 to the Ohio Turnpike, thence over the Ohio Turnpike to junction Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to junction New Jersey Turnpike, thence over the New Jersey Turnpike to Newark, N.J., and (2) from Philadelphia, Pa., over U.S. Highway 1 to Newark, N.J., and return over the same routes.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Deviation No. 522) (Cancels Deviation Nos. 260 and 385), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif. 94106, filed May 29, 1969. Carrier's representative: W. L. McCracken, 371 Market Street, San Francisco, Calif. 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From junction Idaho Highway 25 and Interstate Highway 80N (West Jerome Junction), over Interstate Highway 80N to junction Idaho Highway 25 (South Rupert Junction), (2) from West Jerome Junction over Interstate Highway 80N to junction U.S. Highway 93 (West Twin Falls Junction), (3) from Jerome over Idaho Highway 79 to junction Interstate Highway 80N, thence over Interstate Highway 80N to junction Idaho Highway 25 (South Rupert Junction), (4) from Jerome over Idaho Highway 79 to junction Interstate Highway 80N, thence over Interstate Highway 80N to junction U.S. Highway 93 (North Twin Falls Junction), (5) from junction U.S. Highway 30 and Idaho Highway 50 (Kimberly Junction) over Idaho Highway 50 to junction Interstate Highway 80N (East Twin Falls Junction), thence over Interstate Highway 80N to junction Idaho Highway 27 (North Burley Junction), thence over Idaho Highway 27 to Burley, (6) from junction U.S. Highway 30N, Idaho Highway 24 and Interstate Highway 80N (East Burley Junction) over Interstate Highway 80N to junction Idaho Highway 25 (South Rupert Junction), and (7) from junction Interstate Highways

15W and 80N (North Cotterell Junction), over Interstate Highway 80N to junction U.S. Highway 30S (Cotterell), and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Boise, Idaho, over U.S. Highway 30 to Burley, Idaho, (2) from Bliss, Idaho, over Idaho Highway 25 to junction U.S. Highway 93, thence over U.S. Highway 93 to Twin Falls, Idaho, (3) from Burley over U.S. Highway 30S to the Idaho-Utah State line (Connects with Utah route 5), and (4) from Burley over U.S. Highway 30N to junction Idaho Highway 24 (North Burley Junction), thence over Idaho Highway 24 to Rupert, thence over Idaho Highway 25 to junction Interstate Highway 80N (South Rupert Junction), thence over Interstate Highway 80N to junction Interstate Highway 15W (North Cotterell Junction), thence over Interstate Highway 15W to junction U.S. Highway 30N (Raft River Junction), thence over U.S. Highway 30N to Pocatello, and return over the same routes.

By the Commission.

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

[F.R. Doc. 69-6851; Filed, June 10, 1969; 8:47 a.m.]

[Notice 1302]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 6, 1969.

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

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 108207 (Sub-No. 261), filed May 16, 1969. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except frozen foods), from Austin, Minn., to points in Louisiana, and Texas, and Memphis, Tenn., and (2) *foodstuffs*, from Mitchell and Huron, S. Dak., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Texas, and Memphis, Tenn. (Restricted to traffic originating at plantsite and/or warehouse facilities of Geo. A. Hormel and Co., and destined to the States and point named above.)

HEARING: June 23, 1969, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 108207 (Sub-No. 262), filed May 16, 1969. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative. J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except frozen foods and fresh meats) from Fort Dodge, Iowa, and Fremont, Nebr., to Memphis, Tenn. (2) *Foodstuffs* (except meat, meat products, meat byproducts, and articles distributed by meat packinghouses as described in sections A and C of appendix I to the *Report in Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766), when transported with meats, meat products, meat byproducts, and articles distributed by meat packinghouses in the same vehicle from plantsites and/or warehouse facilities of Geo. A. Hormel & Co., from Fort Dodge, Iowa, and Fremont, Nebr., to points in Louisiana and Texas. (Restricted to traffic originating at plantsites and/or warehouse facilities of Geo. A. Hormel & Co., and destined to the States and point named above.)

HEARING: June 23, 1969, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 11220 (Sub-No. 111) (Republication), filed September 9, 1968, published in the FEDERAL REGISTER issue of September 26, 1968, and republished this issue. Applicant: GORDONS TRANSPORTS, INC., 185 West McLemore Avenue, Memphis, Tenn. 38102. Applicant's representative: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. 38103. In the above-entitled proceeding, as amended, the joint board recommended the granting to applicant of a certificate of public convenience and necessity authorizing operation in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment) between Kansas City, Mo., and St. Louis, Mo., over Interstate Highway 70, as an alternate route for operating convenience only, in connection with applicant's regular-route operations in MC-11220 and subs, serving no intermediate points and serving St. Louis, Mo., and points in its commercial zone for purposes of joinder only, restricted against the transportation of any traffic moving between a point in Missouri and a point in Illinois, and further restricted to the transportation of traffic moving to, from, or through points in Tennessee. A decision and order of the Commission, Review Board No. 3, dated May 22, 1969, and served May 29, 1969, as modified, finds that operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Kansas City, Mo., and St. Louis, Mo., over Interstate Highway 70, as an alternate route for operating convenience only in connection with applicant's presently authorized regular-route operations, serving no intermediate points, and serving St. Louis, Mo., and points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission for purposes of joinder only; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 61825 (Sub-No. 33) (Republication), filed January 16, 1969, published FEDERAL REGISTER issue of February 6, 1969, and republished this issue. Applicant: ROY STONE TRANSFER CORPORATION, V.C. Drive, Collinsville, Va. 24078. Applicant's representative: J. C. Wilson, Post Office Box 385, Collinsville, Va. 24078. By application filed January 16, 1969, applicant seeks a certificate of public convenience and necessity authorizing operations, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes of (1) containers and devices used in shipping thereof, from Huntington, W. Va., to points in Maryland; and (2) mineral wood and mineral wood products, from points in Wood County, W. Va., to points in North Carolina and Virginia. An order of the Commission, Operating Rights Board, dated May 16, 1969, and served May 28, 1969, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) glass containers and devices used in the shipping thereof, from Huntington, W. Va., to points in Maryland; and (2) mineral wool and mineral wood products, from points in Wood County, W. Va., to points in North Carolina and Virginia; that applicant is fit, willing, and able to properly perform such service and to conform to the requirements of the Interstate Commerce

Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 133191 (Republication), filed September 27, 1968, published in the FEDERAL REGISTER issue of October 17, 1968, and republished this issue. Applicant: MERIDIAN TRUCKING COMPANY, INC., 913 C Street, Meridian, Miss. 39301. Applicant's representative: Phineas Stevens, 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205. By report and order entered in the above-entitled proceeding the examiner recommended the issuance to applicant a permit, authorizing the operation, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes of, the commodities, to and from points substantially as indicated below. An order of the Commission, Division 1, served April 23, 1969, and effective May 23, 1969, finds that operation by applicant in interstate or foreign commerce, as a *contract carrier* by motor vehicle, over irregular routes, of (1) *iron and steel articles* (except those used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines including the stringing and picking up thereof) from the site of the plant of Tuckers Steel Division of U.S. Industries, Inc., at or near Meridian, Miss., to points in the United States, except those in Alaska and Hawaii; (2) *iron and steel articles* from points in Alabama, Louisiana, Tennessee, and Texas to the site of the plant of Tucker Steel Division of U.S. Industries, Inc., at or near Meridian, Miss.;

(3) *Machinery* used in steel fabrication from points in Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, and Tennessee to the site of the plant of Tucker Steel Division of U.S. Industries, Inc., at or near Meridian, Miss.; and (4) *Paint*, except in bulk, from Birmingham, Ala., Kansas City, Mo., Knoxville, Tenn., and Slidell, La., to the plantsites of Tucker Steel Division of U.S. Industries, Inc., at or near Meridian, Miss.; with the operating authorities specified in (1), (2), (3), and (4) above restricted to the transportation of traffic originating at, or destined to, the named plantsite, and a continuing contract with Tucker Steel Division of U.S. Industries, Inc., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other persons, who relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC-35045 (Notice of Filing of Petitions Under Section 1100.102 of the General Rules of Practice for Extraordinary Relief, for Reopening, Waiver of Rule 1100.101(e), Modification of Certificate, and Inclusion With Nos. MC-111545 (Sub-No. 75) and MC-113963), filed February 27, 1969. Petitioner: HORNE HEAVY HAULING, INC., Atlanta, Ga. Petitioner's representatives: Paul M. Daniell and Bill R. Davis, Suite 1600, First Federal Building, Atlanta, Ga. 30303. Petitioner holds authority in No. MC-35045 to transport machinery, equipment, and supplies used in the maintenance and operation of industrial plants, over irregular routes, between points within 175 miles of Chattanooga, Tenn., including Chattanooga. In the instant petition, petitioner states, among other things, that it, and its predecessors-in-interest have engaged in bona fide operations, in interstate or foreign commerce as common carriers by motor vehicle, of commodities which because of size or weight require the use of special equipment or handling, between points within 175 miles of Chattanooga, Tenn., including Chattanooga; and, that a certificate authorizing a continuance of such operation, in substitution for that heretofore authorized, should be granted to petitioner. Any interested person desiring to participate may file an original and six copies of his written representations, views, or arguments in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 127614 (Notice of Filing of Petition for Modification of Permit by the Addition of a Shipper), filed May 28, 1969. Petitioner: TANNERS TRANSPORTATION, INC., New York, N.Y. Petitioner's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Petitioner holds authority in MC 127614 to conduct operations as a motor contract carrier transporting, over irregular routes, hides and skins, from Chester, Fort Plain, Buffalo, and New York, N.Y., Newark and Trenton, N.J., West Chester, Boyertown, and Philadelphia, Pa., Wilmington, Del., Baltimore, Md., and Springfield, Mass., to Girard, Ohio, Chicago, Ill., Racine, Milwaukee, South Milwaukee, Sheboygan, and Fond du Lac, Wis., St. Louis, Mo., and Grand Rapids and Grand Haven, Mich., with no transportation for compensation on return except as otherwise authorized, under a continuing contract, or contracts, with the following shippers: H. Elkan & Co., Inc., New York, N.Y., John E. Andresen, Inc., Boston, Mass., A. F. Gallun & Sons Corp., M. Aschheim Co., Inc., New York, N.Y., Kent Trading, Inc., New York, N.Y. and Remis Co. of New Jersey, Inc., Newark, N.J. By the instant petition, petitioner seeks to modify its permit in MC 127614 by deleting therefrom the name of H. Elkan & Co., Inc., as a contracting shipper, and, in lieu thereof, adding the name of Western Hide Co., Inc., as a contracting shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

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

No. MC 8515 (Sub-No. 10) (Amendment), filed April 10, 1969, published in the FEDERAL REGISTER issue of May 7, 1969, and republished, as amended, this issue. Applicant: H. J. TOBLER TRANSFER, INC., 1012 Peoria Street, Peru, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, high explosives, livestock, household goods, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between the following points in Illinois; all points in Henry, Bureau, Knox, Peoria, Stark, Marshall, and Woodford Counties; that part of Rock Island County on and east of U.S. Highway 67; that part of Whiteside County on and south of Illinois Highway 2; that part of Lee County bounded by U.S. Highway 30 on the north and U.S. Highway 52 on the east, including all points on said highways; that part of La Salle County bounded by U.S. Highway 34 on the north and Illinois Highway 23 on the east, serving all points on said highways, but excluding Ottawa, Ill., and points in its commercial zone, those parts of Mercer and Warren Counties on and east of U.S. Highway 67; all points in Tazewell County on and north of Illinois Highway 122; and that part of Fulton County located on and north of a line beginning at the McDonough-Fulton County line, thence extending in an easterly direction over Illinois Highway 9 to junction with Illinois Highway 97, thence southerly over Illinois Highway 97 to junction with U.S. Highway 24, thence northeasterly over U.S. Highway 24 to the Fulton-Tazewell County line, serving all points on said highways, (2) between points in the Illinois territory described in (1) above, on the one hand, and, on the other, points in Illinois, restricted to traffic originating at or destined to points in

Illinois within the area described in (1) above. NOTE: Applicant states it does not intend to tack, and is apparently willing to accept a restriction against tacking, if warranted. This application is a matter directly related to MC–F 10449, published in the FEDERAL REGISTER issue of April 23, 1969. Applicant seeks to convert the certificate of registration of Graves Transfer Co., Inc., under MC 99710 (Sub-No. 1) into a certificate of public convenience and necessity. The purpose of this republication is to reflect "that part of Whiteside County, on and *south* of Illinois Highway 2", in No. (1) above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 57254 (Sub-No. 11), filed April 28, 1969. Applicant: ASSOCIATED FREIGHT LINES, a corporation, 1700 24th Street, Oakland, Calif. 96407. Applicant's representative: Marvin Handler, 405 Montgomery Street, Suite 1401, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, used household goods as described in 17 M.C.C. 467, wood chips and shavings), between points in California, as follows, serving all intermediate points in Nos. (1) through (136) below: (1) From Los Angeles over U.S. Highway 101 to Laytonville, inclusive. (2) From San Ysidro over Interstate Highway 5 to Los Angeles, inclusive. (3) From Carlsbad over California Highway 78 to Santa Ysabel, inclusive. (4) From Los Angeles over U.S. Highway 99 to Sacramento, inclusive. (5) From Los Angeles over Interstate Highway 5 to its junction with Interstate Highway 580 near Tracy, inclusive. (6) From Santa Maria over California Highway 166 to its junction with U.S. Highway 99 at a point approximately 23 miles east of Maricopa, inclusive. (7) From Paso Robles over California Highway 46 to its junction with U.S. Highway 99 at a point approximately 6 miles east of Wasco, inclusive.

(8) From Pomona over California Highway 71 to its junction with California Highway 91 at a point approximately 5 miles west of Corona. (9) From Watsonville over California Highway 152 to its junction with U.S. Highway 99 at a point approximately 4 miles south of Chowchilla, inclusive. (10) From Castorville over California Highway 156 to its junction with California Highway 152 at a point approximately 8 miles north of Hollister, inclusive. (11) From Oxnard over California Highway 1 to Capistrano Beach, inclusive. (12) From Las Cruces over California Highways 1 and 135 to Santa Maria, inclusive. (13) From Orcutt over California Highway 1 to Pismo Beach, inclusive. (14) From Corona over California Highway 71 to Murrieta Hot Springs, inclusive. (15) From San Juan Capistrano over California Highway 74 to Hemet, inclusive. (16) From Ventura over California Highways 126 and 118 to San Fernando, inclusive. (17) From Ventura over California Highway 126 to its junction with Interstate Highway 5 near Saugus, inclusive. (18) From Santa Paula over California Highway 150 to its junction with U.S. Highway 101 near Carpinteria, inclusive. (19) From San Bernardino over California Highway 91 to Hermosa Beach, inclusive. (20) From Beaumont over California Highway 60 to Los Angeles, inclusive. (21) From San Bernardino over U.S. Highway 66 to Glendale, inclusive. (22) From Pasadena over California Highway 11 to San Pedro, inclusive.

(23) From Pasadena over California Highway 7 to Long Beach, inclusive. (24) From Long Beach over California Highway 19 to its junction with U.S. Highway 66 near Pasadena, inclusive. (25) From San Fernando over Interstate Highway 405 to its junction with Interstate Highway 5 near El Toro, inclusive. (26) From Newport Beach over California Highway 55 to its junction with California Highway 91 near Fullerton, inclusive. (27) From Oceanside over California Highway 76 to Santa Ysabel, inclusive. (28) From California Highway 1 at its junction with California Highway 39 near Huntington Beach over California Highway 39 to Whittier, inclusive. (29) From Inglewood over California Highway 42 to Norwalk, inclusive. (30) From Maricopa over California Highway 33 to its junction with California Highway 152 at a point approximately 5 miles north of Dos Palos, inclusive. (31) From Los Banos over California Highway 33 to its junction with U.S. Highway 50 near Tracy, inclusive. (32) From Taft over California Highway 119 to its junction with U.S. Highway 99 at a point approximately 10 miles south of Bakersfield, inclusive. (33) From McKittrick over California Highway 58 to Bakersfield, inclusive. (34) From Selma over California Highway 43 to its junction with California Highway 119 at a point approximately 17 miles east of Taft, inclusive. (35) From Santa Margarita over California Highway 58 to McKittrick, inclusive. (36) From Woodlake over California Highway 65 to its junction with U.S. Highway 99 near Bakersfield, inclusive. (37) From Coalinga over California Highway 198 to Three Rivers, inclusive.

(38) From Visalia over California Highway 216 to its junction with California Highway 198 near Lemoncove, inclusive. (39) From Corcoran over California Highway 137 to Lindsay, inclusive. (40) From Porterville over California Highway 190 to its junction with California Highway 43 at a point approximately 4 miles south of Corcoran, inclusive. (41) From Orosi over California Highway 69 to Woodlake, inclusive. (42) From Kingsburg over California Highway 201 to its junction with California Highway 69 at a point approximately 3 miles north of Woodlake, inclusive. (43) From Tulare over California Highway 63 to its junction with California Highway 180 at a point approximately 8 miles north of Orange Cove, inclusive. (44) From Fresno over California Highway 180 to its junction with California Highway 63 at a point approximately 8 miles north of Orange Cove, inclusive. (45) From San Lucas over California Highway 198 to Coalinga, inclusive. (46) From Fresno over California Highway 180 to Mendota, inclusive. (47) From Kerman over California Highway 145 to Madera, inclusive. (48) From Ventura over California Highway 33 to its junction with California Highway 166 at a point approximately 6 miles east of Cuyma, inclusive. (49) From Delano over California Highway 155 to Woody, inclusive. (50) From California Highway 180 at its junction with California Highway 168 at a point approximately 5 miles east of Fresno over California Highway 168 to its junction with California Highway 145 at a point approximately 7 miles east of Academy, inclusive. (51) From Madera over California Highway 145 to its junction with California Highway 168 at a point approximately 7 miles east of Academy, inclusive.

(52) From Cholame over California Highway 41 to Oakhurst, inclusive. (53) From Madera over unnumbered county road via Raymond to Coarsegold, inclusive. (54) From Firebaugh over California Highway 145 to Madera, inclusive. (55) From Madera over unnumbered county road to Avenal, inclusive. (56) From Merced over California Highway 59 to Red Top, inclusive. (57) from Merced over California Highway 140 to Gustine, inclusive. (58) From Sebastopol over California Highway 12 to San Andreas, inclusive. (59) From Geyserville over California Highway 128 to Davis, inclusive. (60) From Merced over California Highway 140 to Mariposa, inclusive. (61) From Oakhurst over California Highway 49 to Auburn, inclusive. (62) From Los Banos over unnumbered county road to Turlock, inclusive. (63) From Pacific Grove over California Highway 68 to Salinas, inclusive. (64) From Santa Cruz over California Highway 1 to Carmel, inclusive. (65) From Santa Cruz over California Highway 17 to San Rafael, inclusive. (66) From Watsonville over California Highway 129 to its junction with U.S. Highway 101 at a point approximately 9 miles south of Gilroy, inclusive. (67) From Castroville over California Highway 183 to Salinas, inclusive. (68) From Santa Cruz over California Highway 9 to Saratoga, inclusive. (69) From Los Gatos over California Highway 85 to its junction with Interstate Highway 280 near Sunnyvale, inclusive. (70) From San Jose over Interstate Highway 280 to San Francisco, inclusive. (71) From Menlo Park over California Highway 84 to its junction with U.S. Highway 50 near Livermore, inclusive. (72) From San Mateo over California Highway 92 to Hayward, inclusive. (73) From San Jose over Interstate Highway 680 to Vallejo, inclusive.

(74) From Vernalis over California Highway 132 to Coulterville, inclusive. (75) From Pinole over California Highway 4 to Angels Camp, inclusive. (76) From San Francisco over Interstate Highway 80 to Auburn, inclusive. (77) From Sacramento over California Highway 160 to its junction with California Highway 4 at a point approximately 4 miles east of Antioch, inclusive. (78) From Dixon over California Highway 113 to Collinsville, inclusive. (79) From

Stockton over California Highway 26 to Valley Springs, inclusive. (80) From Concord over unnumbered county road to Byron, inclusive. (81) From San Francisco over California Highway 82 to San Jose, inclusive. (82) From Oakland over California Highway 24 to Walnut Creek, inclusive. (83) From Oakland over Interstate Highway 580 to its junction with Interstate Highway 5 near Tracy, inclusive. (84) From San Lorenzo over U.S. Highway 50 to Stockton, inclusive. (85) From Hayward over California Highway 238 to Fremont, inclusive. (86) From Vallejo over California Highway 29 to Upper Lake, inclusive. (87) From Hopland over California Highway 175 to Middletown, inclusive. (88) From Calpella over California Highway 20 to its junction with California Highway 53 at a point approximately 4 miles east of Clearlake Oaks, inclusive. (89) From California Highway 20 at its junction with California Highway 53 approximately 4 miles east of Clearlake Oaks over California Highway 53 to Lower Lake, inclusive. (90) From Potter Valley over unnumbered county road to its junction with California Highway 20 at a point approximately 5 miles east of Calpella, inclusive. (91) From Jenner over unnumbered county road and California Highway 116 to Cotati, inclusive.

(92) From Guerneville over unnumbered county road to Calistoga, inclusive. (93) From Jenner over California Highway 1 to San Francisco, inclusive. (94) From Vallejo over California Highway 37 to its junction with U.S. Highway 101 at a point approximately 2 miles south of Novato, inclusive. (95) From Bodega Bay over unnumbered county road to Sebastopol, inclusive. (96) From Monte Rio over unnumbered county road to Valley Ford, inclusive. (97) From Valley Ford over unnumbered county road to Petaluma, inclusive. (98) From Tomales over unnumbered county road to Petaluma, inclusive. (99) From Point Reyes Station over unnumbered county road to Petaluma, inclusive. (100) From Olema over unnumbered county road to San Rafael, inclusive. (101) From Petaluma over California Highway 116 to its junction with California Highway 121 at a point approximately 5 miles south of Sonoma, inclusive. (102) From Sacramento over U.S. Highway 50 to Placerville, inclusive. (103) From Sacramento over California Highway 16 to its junction with California Highway 49 at a point approximately 1 mile north of Drytown, inclusive. (104) From Stockton over California Highway 88 to Martell, inclusive. (105) From Ione over California Highway 104 to its junction with U.S. Highway 99 at a point approximately 3 miles north of Galt, inclusive. (106) From Napa over California Highway 121 to its junction with California Highway 128 at a point approximately 15 miles north of Napa, inclusive. (107) From Manteca over California Highway 120 to Oakdale, thence over California Highway 108 to its junction with California Highway 49 at a point approximately 4 miles west of Sonora, inclusive.

(108) From Salida over California Highway 219 to Oakdale, inclusive. (109) From Roseville over California Highway 65 to Lincoln, inclusive. (110) From Sacramento over California Highway 70 to Rio Oso, inclusive. (111) From Nicolaus over U.S. Highway 99 to its junction with California Highway 70 at a point approximately 4 miles south of Nicolaus, inclusive. (112) From Nicolaus over unnumbered county road to Lincoln, inclusive. (113) From Nicolaus over unnumbered county road to Verona, inclusive. (114) From Verona over unnumbered county road to Roseville, inclusive. (115) From Sacramento over California Highway 16 to Capay, inclusive. (116) From Vacaville over Interstate Highway 505 to its junction with Interstate Highway 5 at a point approximately 4 miles north of Zamora, inclusive. (117) From Interstate Highway 80 at its junction with Interstate Highway 5 at a point approximately 2 miles west of Davis over Interstate Highway 5 to its junction with Interstate Highway 505 at a point approximately 5 miles north of Zamora, inclusive. (118) From Robbins over California Highway 113 to its junction with California Highway 128 near Davis, inclusive. (119) From Roseville over unnumbered county road to Rancho Cordova, inclusive. (120) From Lincoln over California Highway 65 to Auburn, inclusive. (121) From San Fernando over California Highway 118 to Pasadena, inclusive. (122) From Corona over California Highway 31 to its junction with California Highway 60 at a point approximately 2 miles west of Mira Loma, inclusive.

(123) From Santa Monica over Interstate Highway 10 to Beaumont, inclusive. (124) From Redlands over California Highway 38 to its junction with unnumbered county road at a point approximately 4 miles north of Yucaipa, thence over unnumbered county road by way of Yucaipa to Calimesa, inclusive. (125) From Beaumont over California Highway 79 to Hemet, inclusive. (126) From Temecula over California Highway 71 and California Highway 79 to Aguanga, inclusive. (127) From Hemet over unnumbered county road to its junction with California Highway 71 and California Highway 79 at a point approximately 4 miles north of Aguanga, inclusive. (128) From Valley Center over unnumbered county road to its junction with California Highway 76 at a point approximately 3 miles south of Bonsall, inclusive. (129) From Escondido over unnumbered county road by way of Valley Center to its junction with California Highway 76 near Pauma Valley, inclusive. (130) From Escondido over unnumbered county road to Solano Beach, inclusive. (131) From Raumona over California Highway 67 to El Cajon, inclusive. (132) From San Diego over Interstate Highway 8 to its junction with San Diego County Road S17 at a point approximately 3 miles east of El Cajon, thence over San Diego County Road S17 to Chula Vista, inclusive. (133) From San Diego over California Highway 94 to its junction with Interstate Highway 8 at a point approximately 2 miles east of La Mesa, inclusive.

(134) From San Diego over California Highway 75 to Palm City, inclusive. (135) From San Diego over U.S. Highway 395 to Riverside, inclusive. (136) From National City over California Highway 103 to its junction with U.S. Highway 395 at a point approximately 7 miles north of San Diego, with service to all off-route points situated in the counties of Alameda, Contra Costa, Fresno, Kings, Lake, Los Angeles, Marin, Merced, Monterey, Napa, Orange, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, Ventura, Yola; and service to all off-route points situated west of California Highway 49 in the counties of Amador, Calaveras, El Dorado, Madera, Mariposa, Placer, Tuolumne; and service to all off-route points in Kern County situated west of California Highway 14; and service to all off-route points in San Bernardino County situated south of California Highway 18 and west of California Highway 38; and service to all off-route points situated west of California Highway 79 in the counties of Riverside and San Diego; any and all highways and roads between the areas described above may be used for operating convenience only. NOTE: This application is a matter directly related to MC-F-10465, published in the FEDERAL REGISTER issue of May 7, 1969, wherein applicant seeks to convert the certificate of registration of Las Vegas Tank Lines, Inc., under MC 116427 into a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 58946 (Sub-No. 4), filed May 16, 1969. Applicant: P. WAJER & SONS EXPRESS CO., INC., Post Office Box 460, Webster, Mass. 01570. Applicant's representative: Martin Werner, 2 West 45th, Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Massachusetts. NOTE: By this instant application applicant seeks to convert the certificate of registration No. MC-57779 Sub 1 of Daley Trucking Co., Inc., to a certificate of public convenience and necessity as a matter directly related to applicant's acquisition of said certificate of registration pursuant to concurrently filed application under section 5 of the Act. Applicant states that it would tack at points in Massachusetts which it presently serves under its certificate No. MC 58946 and Sub 2, to and from points in Connecticut, Rhode Island, and Massachusetts. This application is a matter directly related to Docket No. MC-F-10480, published FEDERAL REGISTER issue of May 28, 1969. If a hearing is deemed necessary, applicant requests it be held at Boston or Worcester, Mass.

No. MC 123956 (Sub-No. 4), filed May 19, 1969. Applicant: T. T. BROOKS TRUCKING COMPANY, INCORPORATED, 66 South Miller Road, Akron, Ohio 44313. Applicant's representative:

John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, air conditioning and heating equipment, building materials and contractors equipment, structural steel, lumber, concrete blocks, concrete sewer pipe, tar and asphalt, machinery and implements and musical instruments), between Cincinnati, Ohio, on the one hand, and, on the other, points in Ohio; and (2) *general commodities* (except those of unusual value, commodities in bulk, and those requiring special equipment), between Akron, Ohio, and points within 5 miles of Akron, on the one hand, and, on the other, points in Ohio. NOTE: Applicant states joinder with its existing authority will take place at Akron and Cincinnati, Ohio, to enable service between Ohio points on the one hand, and, on the other, applicant's southern territory. This is a matter directly related to MC-F-10452, published in the FEDERAL REGISTER issue of April 23, 1969, wherein applicant seeks to control and merge All-Ohio Express, Inc., MC 97796 Sub 3. The operating authority of All-Ohio Express, Inc., consists of a certificate of registration and, accordingly, the within section 207 application is submitted for conversion thereof to a certificate of public convenience and necessity. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

MOTOR CARRIERS OF PROPERTY

No. MC-F-10369 (Correction) (WARREN TRANSPORT, INC.—Purchase (Portion)—ACE-ALKIRE FREIGHT LINES, INC.), published in the January 29, 1969, issue of the FEDERAL REGISTER, on page 1421. This notice to show WARREN TRANSPORT, INC., seeks also to purchase a portion of LINDSAY TRANSFER, INC., Post Office Box 384, Sutton, Nebr. 68979. (This authority in Docket No. MC-F-10236, published in the Sept. 5, 1968, issue of the FEDERAL REGISTER, on page 12605, is presently being sought by ACE-ALKIRE FREIGHT LINES, INC.). Authority of LINDSAY TRANSFER, INC., sought to be transferred: *Agricultural machinery, implements, and parts thereof, and binder twine*, as a *common carrier*, over irregular routes, from certain specified points in Illinois to certain specified points in Nebraska, from certain specified points in Illinois to certain specified points in Kansas and Nebraska.

No. MC-F-10473. (Correction) (P. LIEDTKA TRUCKING, INC.—Purchase (Portion)—PROSPECT TRUCKING CO., INC.), published in the May 14, 1969, issue of the FEDERAL REGISTER, on page 7673. This notice to show (1) Applicants' attorneys: V. Baker Smith and Alfred N. Lowenstein, both of 123 South Broad Street, Philadelphia, Pa. 19109; and (2) additional route description which was inadvertently omitted from the authority sought. The additional routes should read: "Between Philadelphia, Pa., and Burlington, N.J., between Philadelphia, Pa., and Moorestown, N.J., serving all intermediate points, and the off-route points of Bridgeboro and Cooperstown, N.J., between Trenton, N.J., and Hopewell, N.J., serving all intermediate points, and certain off-route points, between Trenton, N.J., and Lambertville, N.J., serving all intermediate points; over one alternate route for operating convenience only".

No. MC-F-10484 (Correction) (WM. McCULLOUGH TRANSPORTATION CO., INC.—Purchase (Portion)—ANDREW McDERMOTT, INC.), published in the May 28, 1969, issue of the FEDERAL REGISTER, on page 8261. This correction to include one county which was inadvertently omitted from prior notice. Operating rights routes sought to be transferred should read: "from points in Essex, Union, Hudson, Monmouth, and Passaic Counties, N.J., to Newark, N.J., and points in that part of New Jersey within 150 miles of Newark; from points in New Jersey within 150 miles of Newark, N.J. to points in Essex, *Union*, Hudson, Monmouth, and Passaic Counties, N.J." in lieu of the prior notice.

No. MC-F-10495. Authority sought for purchase by ROSS NEELY EXPRESS, INC., 1500 Pratt Highway, Birmingham, Ala. 35214, of the operating rights of DOUGLAS KALLAM, Post Office Box 854, Demopolis, Ala., and for acquisition by ROSS NEELY, JR., also of Birmingham, Ala., of control of such rights through the purchase. Applicant's attorney: John W. Cooper, 1301 City Federal Building, Birmingham, Ala. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-121541, covering the transportation of general commodities, as a common carrier, in intrastate commerce, within the State of Alabama. Vendee is authorized to operate under certificates of registration, as a common carrier, in the State of Alabama. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10496. Authority sought for purchase by BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorhead, Minn., of the operating rights of WILLIAM PERKINS, doing business as MOBILE HOMES SERVICE COMPANY, 203 19th Street, SW., Post Office Box 3863 Fairview Station, Birmingham, Ala., and for acquisition by JOHN C. BARRETT, also of Moorhead, Minn., of control of such rights through the purchase. Applicants attorneys: Robert G. Tessar, 1329 E Street NW., Washington, D.C. 20004, and C. Eugene Fowler, 2645 G Lane Park Road, Birmingham, Ala. 35223. Operating rights sought to be transferred: *Mobile home trailers*, in secondary movements, in truckaway service, as a *common carrier*, over irregular routes, from Birmingham, Ala., and points within 15 miles thereof, to points in Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Oklahoma, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, those in that portion of Minnesota, bounded by a line beginning at Moorhead, Minn., and extending along U.S. Highway 10 to Motley, Minn., thence along U.S. Highway 210 to Carlton, Minn., thence along Minnesota Highway 39 to and including Duluth, Minn., thence along the Minnesota-Wisconsin State line to the Minnesota-Iowa State line, thence along the Minnesota-South Dakota State line, thence along the Minnesota-South Dakota and Minnesota-North Dakota State lines to the point of beginning, including points on those portions of the highways indicated, and those in New Mexico on and east of U.S. Highway 85, from points in Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Arkansas, Louisiana, and Missouri to Birmingham, Ala., and points within 15 miles thereof. Vendee is authorized to operate as a *common carrier* in all points in the United States (except Hawaii). Application has not been for temporary authority under section 210a(b).

No. MC-F-10497. Authority sought for purchase by CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. 28021, of the operating rights and certain property of WESTERN NEW YORK STATE LINES, INC., 344 Sixth Street North, Syracuse, N.Y. 13208, and for acquisition by C. G. BEAM, also of Cherryville, N.C., of control of such rights and property through the purchase. Applicants' attorneys: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006, Norman M. Pinsky and Herbert M. Canter, both of 345 South Warren Street, Syracuse, N.Y. 13202. Operating rights sought to be transferred: *General commodities*, except livestock, explosives, loose bulk freight, articles the nature of which would endanger lives or impair equipment, and household goods as defined by the Commission, as a *common carrier*, over irregular routes, from Buffalo, N.Y., to certain specified points in New York, from Rochester, N.Y., to certain specified points in New York, from Syracuse, N.Y., to certain specified points in New York, from Wolcott, N.Y., to Rochester, N.Y., from certain specified points in New York, to Buffalo, N.Y., from Clinton and Kenmore, N.Y., to Syracuse, N.Y.; and under a certificate of registration, in No. MC-58106 Sub 3, covering the transportation of general commodities as a common carrier in intrastate commerce within the State of New York. (NOTE: The authority under MC-58016 Sub 3, presently is being sought to be converted

to a certificate of public convenience and necessity, under MC-58016 Sub 4. This authority has been granted pursuant to order in MC-F-10094 as a matter directly related. The Commission has not received consummation of the transaction approved in these cases by Review Board No. 5, therefore no certificate has yet been issued.) Vendee is authorized to operate as a *common carrier* in North Carolina, Georgia, South Carolina, Alabama, Florida, New York, Ohio, Massachusetts, Connecticut, West Virginia, Rhode Island, New Jersey, Maryland, Virginia, Pennsylvania, Delaware, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10498. Authority sought for purchase by SCHUSTER'S EXPRESS, INC., 48 Norwich Avenue, Colchester, Conn., of the operating rights and property of CENTRAL NEW YORK FREIGHTWAYS, INC., 344 Sixth North Street, Syracuse, N.Y. 13208, and for acquisition by PAUL SCHUSTER, BERNARD B. SCHUSTER, and ISRAEL SCHUSTER, all % Schuster's Express, Inc., also of Colchester, Conn., of control of such rights and property through the purchase. Applicants' attorneys: Herbert Burstein, 160 Broadway, New York, N.Y. 10038, S. Harrison Kahn, 1511 K Street NW., Washington, D.C. 20005, Norman M. Pinsky and Herbert M. Canter, 345 South Warren Street, Syracuse, N.Y. 13202. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between certain specified points in New Jersey, and points in the New York, N.Y., commerical zone, as defined by the Commission, on the one hand, and, on the other, certain specified points in New York, with restriction; from points in Wayne, and Broome Counties, N.Y., to points in New York, N.Y., from points in New York, N.Y., to certain specified points in New York, between points in Onondaga, and Jefferson Counties, N.Y., on the one hand, and, on the other, points in New York, between New York, N.Y., and points in Nassau County, N.Y., on the one hand, and, on the other, certain specified points in New Jersey, between points in that portion of the New York, N.Y., commercial zone as defined in the fifth supplemental report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided by section 203(b)(8) of the Interstate Commerce Act (the exempt zone) and points in Bergen County, N.J., on the one hand, and, on the other, certain specified points in New York. Vendee is authorized to operate as a *common carrier* in Connecticut, Massachusetts, New York, New Jersey, Rhode Island, Delaware, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10500. Authority sought for purchase by SHIPPERS TRANSPORTS, INC., 2000 Wheeler Street, Post Office Box 6406, Memphis, Tenn., West Memphis, Ark. 72301, of a portion of the operating rights of BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. 23502, and for acquisition by L. BUFORD WRIGHT, also of West Memphis, Ark., of control of such rights through the purchase. Applicants' attorneys: Edward G. Grogan, Suite 2020, First National Bank Building, Memphis, Tenn. 38103, Ames, Hill and Ames, 529 Transportation Building, Washington, D.C. 20006. Operating rights sought to be transferred: *Canned goods*, as a *common carrier*, over irregular routes, from Cheriton and Hopeton, Va., points in Delaware, and points in Worcester, Wicomico, Somerset, Dorchester, Carolina, Talbot, and Queen Annes Counties, Md., to points in Delaware, Maryland, and the District of Columbia. Vendee is authorized to operate as a *common carrier* in Maryland, Delaware, Alabama, Arkansas, Louisiana, Mississippi, and Tennestemporary authority under section 210a see. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10501. Authority sought for purchase by HI-BALL TRUCKING, INC., Post Office Box 1117, Billings, Mont. 59103, of the operating rights and certain property of B. A. FISHER, doing business as HI-BALL CONTRACTORS, Post Office Box 1117, Billings, Mont. 59103, and for acquisition by HAROLD J. LOHRENZ, 2123 Second Avenue North, Billings, Mont. 59101, of control of such rights and certain property through the purchase. Applicants attorneys: Robert S. Stauffer, 3539 Boston Road, Cheyenne, Wyo. 82001, and Jerome Anderson, Post Office Box 1215, Billings, Mont. 59101. Operating rights sought to be transferred: *Oilfield equipment and supplies*, as a *common carrier*, over irregular routes between points in Montana: *oilfield machinery, equipment, and supplies*, in truckloads, between points in Colorado, Idaho, North Dakota, and Wyoming, between points in the above-described territory, on the one hand, and, and on the other, points in Montana: *commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and *related machinery parts* and *related contractors' materials and supplies* when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, between certain specified points in Montana, on the one hand, and on the other, the Missouri River Canyon Ferry Dam Site (approximately 18 miles east of Helena, Mont.); *machinery or machines and parts thereof, and materials, equipment, and supplies in connection therewith*, used in the operation, repair, servicing, maintenance, and dismantling of bakeries, dairy, creamery and cheese-manufacturing plants, ice-manufacturing or refrigeration plants, laundry and dry-cleaning establishments (other than household) and milling operations, all in truckloads, requiring special equipment;

Forest products, lumber and lumber products, iron and steel products, airplane engines and parts, wrecked motor vehicles, railroad equipment, materials and supplies, refrigeration and cooling equipment, and safes, vaults and parts thereof, all in truckloads, requiring special equipment; and *buildings, fabricated or portable, electrical appliances, materials, and parts, electrical poles, telephone and telegraph poles and pole line equipment, elevating and hoisting machinery and equipment, mining, ore-milling and smelting machinery and equipment, road-building equipment, material, and supplies, rock and stone crushers and parts*, and *telephone, telegraph, and electric lines, cables, appliances, equipment, and parts*, including the stringing and picking up thereof, all in truckload, between points in Montana, between points in Colorado, Idaho, North Dakota, and Wyoming, between points in Colorado, Idaho, North Dakota, and Wyoming, on the one hand, and, on the other, points in Montana, between certain specified points in Montana, on the one hand, and, on the other, the Missouri River Canyon Ferry Dam Site (approximately 18 miles east of Helena, Mont.), *machinery, equipment, materials, and supplies* used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, and *machinery, materials, equipment, and supplies* used in or in connection, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, except the stringing or picking up of pipe in connection with main or trunk pipelines, between points in Washington and Oregon, on the one hand, and, on the other, points in Idaho, Montana, North Dakota, Wyoming, and Colorado;

Clay products, from Belle Fourche, S. Dak., to points in Wyoming, Montana, and Nebraska within 300 miles of Belle Fourche, S. Dak. (but not including points in Montana and Wyoming within 200 miles of Belle Fourche); *commodities* (except machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, and *machinery, material, equipment, and supplies* used in, or in connection with, the construction, operation, servicing, maintenance, and dismantling of pipelines, including the stringing and picking-up thereof), the transportation of which, because of their size or weight, require the use of special equipment, and *related contractors' materials and supplies*, when their transportation is incidental to the transportation of commodities, the transportation of which, by reason of size or weight require special equipment, between points in South Dakota, Wyoming, Montana, and North Dakota, within 300 miles of Belle Fourche, S. Dak., including Belle Fourche (except between Belle Fourche, S. Dak.,

and points in South Dakota, Wyoming, and Montana, within 50 miles of Belle Fourche), between points in South Dakota, Wyoming, Montana, and North Dakota, within 300 miles of Belle Fourche, S. Dak., including Belle Fourche (except between Belle Fourche, S. Dak., and points in South Dakota, Wyoming, and Montana within 50 miles of Belle Fourche), on the one hand, and, on the other, Belle Feurche, S. Dak., and points in South Dakota, Wyoming, and Montana within 50 miles of Belle Fourche, S. Dak., with restriction; *raw and processed bentonite and baroid*, in bulk or in packages, from points in Montana, South Dakota, and Wyoming, to points within 300 miles of Belle Fourche, S. Dak., including Belle Fourche, with exception, with restriction;

Clay products, including bentonite, from Belle Fourche, S. Dak., to points in that part of Montana and Wyoming within 200 miles of Belle Fourche; *coal*, from Gillette and Sundance, Wyo., to Belle Fourche, S. Dak., and points within 150 miles thereof; *commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and *related contractors materials and supplies* when their transportation is incidental to the transportation of such commodities, between points in Montana, South Dakota, and Wyoming within 50 miles of Belle Fourche, S. Dak., including Belle Fourche; *groceries*, from Belle Fourche, S. Dak., to certain specified points in Montana, *livestock*, between Belle Fourche, S. Dak., and points within 150 miles thereof, on the one hand, and, on the other, Sioux City, Iowa, and certain specified points in South Dakota, from certain specified points in South Dakota, and Crook County, Wyo., to Denver Colo.; and *livestock and mill feed*, from Denver, Colo., to certain specified points in South Dakota and Crook County, Wyo.; *mill feed, hay, heavy hardware, cotton, cake, grain, salt, fencing materials, and building materials*, from Belle Fourche, S. Dak., to points within 150 miles thereof; *rough lumber, and logs*, from Hulett, Wyo., and points within 10 miles thereof, and Sundance, Wyo., and points within 20 miles thereof, to Rapid City, S. Dak., and points within 5 miles thereof; *building materials, hardware, cement, livestock, poultry, feeds, seeds, and grain*, from Rapid City, S. Dak., and points within 5 miles thereof, to the Wyoming origin points specified immediately above; and *wool hides and pelts*, from points in that part of Montana and Wyoming within 150 miles of Belle Fourche, S. Dak., to Belle Fourche, S. Dak. HI-BALL TRUCKING, INC., holds no authority from this Commission. However, its controlling stockholders control LOHRENZ TRUCKING CO., INC., 2123 Second Avenue North, Billings, Mont. 59101, which is authorized to operate as a *common carrier* in Wyoming and Montana. Application has been filed for temporary authority under section 210a(b).

By the Commission.

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

[F.R. Doc. 69-6852; Filed, June 10, 1969; 8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 6, 1969.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. 3876-M, filed May 15, 1969. Applicant: WOOTTEN TRANSFER COMPANY, INC., 337 South Jackson Street, Americus, Ga. Applicant's representative: Robert E. Hicks, 310 Fulton Federal Building, Atlanta, Ga. 30303. Certificate of public convenience and necessity sought to operate a freight service as follows: (1) *Iron or steel products*, viz: *Plate, sheet, and coils*, galvanized, coated or not coated; structural; *pipe; nails and spikes;* coated or not coated; (2) *aluminum products*, viz; *plate, sheet, blanks, circles, stampings and shapes;* between Savannah, Port Wentworth, and Garden City, Ga., on the one hand, and all points in Georgia, on the other hand, over no fixed route. Both intrastate and interstate authority sought.

HEARING: Tuesday, July 8, 1969, at 10 a.m., 177 State Office Building, 244 Washington Street SW., Atlanta, Ga. 30334. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Georgia Public Service Commission, 244 Washington Street, Atlanta, Ga. 30334, and should not be directed to the Interstate Commerce Commission.

State Docket No. M-5010 (Correction), filed May 6, 1969, published in FEDERAL REGISTER issue of May 28, 1969, corrected June 2, 1969, and republished as corrected this issue. Applicant: MIDWAY MOTOR FREIGHT LINES, INC., 822 East Sixth Street, Little Rock, Ark. 72201. Applicant's representative: Charles J. Lincoln, Tower Building, Little Rock, Ark. 72201. Certificate of public convenience and necessity sought to operate a freight service as follows: *General commodities*, over regular routes, between Hot Springs, Ark., and Y City, Ark.; U.S. Highway 270, Hot Springs, Ark., to Y City, Ark., and return over the same route serving all intermediate points; and between Mena, Ark., and Waldron, Ark.; U.S. Highway 71, Mena, Ark., to Waldron, Ark., and return over the same route, serving all intermediate points. Both intrastate and interstate authority sought.

HEARING: Wednesday, July 2, 1969, at 10 a.m., Hearing Room, Arkansas Commerce Commission, Justice Building, Little Rock, Ark. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark. 72201, and should not be directed to the Interstate Commerce Commission. The purpose of this republication is to correctly set forth authority sought.

State Docket No. 10476, filed May 16, 1969. Applicant: KAVANAUGH MOTOR FREIGHT, Post Office Box 63, Ruston, La. 71270. Certificate of public convenience and necessity sought to operate a freight service as follows: *Freight*, over and along Louisiana State Highway No. 171 and between the following named points: Shreveport, La., and De Ridder, La., serving all intermediate points, along U.S. 80, Monroe, La., to Delta Point, La., serving all intermediate points. Both intrastate and interstate authority sought.

HEARING: Not yet assigned. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Louisiana Public Service Commission, Baton Rouge, La., and should not be directed to the Interstate Commerce Commission.

State Docket No. (Unknown) filed May 26, 1969. Applicant: JAMES M. STOOS, Geraldine, Mont. Applicant's representatives: Leo Graybill, Jr., Graybill, Graybill and Ostren, Attorneys at Law, 710 First National Bank Building, Great Falls, Mont. 59401. Certificate of public convenience and necessity sought to operate a freight service as follows: *General commodities, merchandise, hardware, feed, seed, baggage, and express*, subject to the following limitation: Transportation of petroleum or petroleum products in bulk, in tank truck is excluded; as a class A carrier, serving Coffee Creek over Montana 230 and 235, Denton over Montana 235, Highwood over county roads from Geraldine to Highwood, Carter and Fort Benton over U.S. 87. Applicant operates present Certificate MRC 3011 issued in Docket MC 1523, between Great Falls and Geraldine over U.S. 87 and Montana 230. Applicant seeks to remove present limitations on service of Fort Benton from Great Falls

over U.S. 87. Both intrastate and interstate authority sought.

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

State Docket No. (Unknown), filed May 28, 1969. Applicant: REESE, REESE & SHERMAN, INC., 1007 Mullowney Lane, Billings, Mont. 59102. Applicant's representative: R. F. Hibbs, Post Office Box 1321, Billings, Mont. 59103. Certificate of public convenience and necessity sought to operate a freight service as follows: *Meats*, fresh, salted, cooked, cured, or preserved, by motor vehicles, over irregular routes, between Billings, Mont., on the one hand and points and places in Montana on the other. Both intrastate and interstate authority sought.

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

By the Commission.

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

[F.R. Doc. 69-6853; Filed, June 10, 1969; 8:48 a.m.]

[Notice 846]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 6, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 8973 (Sub-No. 16 TA), filed June 2, 1969. Applicant: METROPOLITAN TRUCKING, INC., 2424 95th Street, North Bergen, N.J. 07047. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles, hardware, building materials, equipment and supplies* (except in bulk), from the warehouse and plant facilities of Alcan Aluminum Corp., located at Woodbridge, N.J., to points in that part of New York, Connecticut, and New Jersey within 150 miles of Columbus Circle, New York, N.Y., with no transportation for compensation on return except as otherwise authorized, for 150 days. Supporting shipper: Alcan Aluminum Corp., 100 Erieview Plaza, Mail address: Box 6977, Cleveland, Ohio 44101. Send protests to: Walter J. Grossmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 970 Broad Street, Newark, N.J. 07102.

No. MC 108460 (Sub-No. 40 TA), filed June 4, 1969. Applicant: PETROLEUM CARRIERS COMPANY, 5104 West 14th Street, Post Office Box 762, Sioux Falls, S. Dak. 57101. Applicant's representative: Stanley Mundhenke (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from Fremont, Nebr., to points in Minnesota and South Dakota, for 180 days. Supporting shipper: Central Farmers Fertilizer Co., 100 South Wacker Drive, Chicago, Ill. 60606, Anthony J. Skul, Manager Rail-Truck Traffic. Sent protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 111401 (Sub-No. 279 TA), filed June 2, 1969. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, and C of appendix I to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Great Bend, Kans., to points in Alabama, Florida, Georgia, Kentucky, Missouri, Nebraska, Oklahoma, North Carolina, South Carolina, and Tennessee (except Memphis), for 180 days. Supporting shipper: Thies Packing Co., Inc. (J. M. Thies, Pres.), Post Office Box 49, Great Bend, Kans., 67530. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 114789 (Sub-No. 24 TA), filed May 27, 1969. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: M. James Levitus (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Toys, hobby horses, juvenile furniture, playground apparatus and equipment, plastic products* for industrial and domestic use, and *luggage shells*, from Maple Plain, Minn., to points in the United States (except Chicago, Ill., and points in Chicago, Ill., commercial zone as defined by the Interstate Commerce Commission, and the State of Minnesota); (2) *powdered polyethylene*, from points in New Jersey, Texas, Illinois, North Carolina, West Virginia, and Ohio to Maple Plain, Minn.; (3) *tubing, iron or steel* from points in Illinois, West Virginia, and Ohio to Maple Plain, Minn., for 180 days. Supporting shipper: Moulded Products, Inc., Maple Plain, Minn. 55359. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, Minneapolis, Minn. 55401.

No. MC 115022 (Sub-No. 16 TA), filed June 4, 1969. Applicant: CHAMBERLAIN MOBILEHOME TRANSPORT, INC., 64 East Main Street, Thomaston, Conn. 06787. Applicant's representative: Reubin Kaminsky, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction equipment, namely; cement mixing and cement spraying machinery*, mounted on wheeled undercarriages, designed to be drawn by passenger automobiles, from points in Nassau County, N.Y., to points in the United States, except Alaska and Hawaii, with return of *refused, damaged, and rejected shipments*, from the above points of destination to the above named points of origin, for 180 days. Supporting shipper: MI-CON, Inc., 990 Brush Hollow Road, Westbury, N.Y. 11590. Send protests to: District Supervisor David J. Kiernan, Interstate Commerce Commission, Bureau of Operations, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 115838 (Sub-No. 5 TA), filed June 2, 1969. Applicant: COMMODITY HAULAGE CORPORATION, 146-92 New York Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk and commodities requiring special equipment), between La Guardia Airport and John F. Kennedy International Airport, N.Y., on the one hand, and on the other, points in Suffolk County, N.Y., east on New York Highway 11 (except Calverton, N.Y.); between Newark Municipal Airport, Newark, N.J., on the one hand, and on the other, points in Nassau and Suffolk Counties, N.Y.; between Westchester County Airport, N.Y., on the one hand, and on the other, points in Nassau and Suffolk Counties, N.Y.; restricted to shipments having an immediately prior or subsequent movement by air, for 150

days. Supporting shippers: There are approximately 12 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 119777 (Sub-No. 152 TA), filed June 2, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: Theodore Polydoroff, 1140 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets and lumber*, from Strongsville, Ohio, to points in Michigan and Indiana and to Erie and Pittsburgh, Pa.; Buffalo and Rochester, N.Y.; Louisville and Frankfort, Ky.; and Chicago, Ill., for 180 days. Supporting shipper: Donald B. Phillips, Vice President-Sales, Hinchcliff Products Co., 20784 Westwood Drive, Strongsville, Ohio 44136. Send protests to: Wayne L. Merilatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 123490 (Sub-No. 11 TA), filed June 2, 1969. Applicant: CHIP CARRIERS, INC., 927 32d Avenue, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chips, twists, or puffs; fried porkskins; potato chips, and bakery goods*, between plants and warehouses of Frito-Lay, Inc., in Oklahoma and Texas on the one hand, and, plants and warehouses of Frito-Lay, Inc., in Kansas, Missouri, Iowa, Nebraska, Colorado on the other hand; and between plants and warehouses in Oklahoma, for 180 days. Supporting shipper: Frito-Lay, Inc., Post Office Box 35034, Dallas, Tex. Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 125788 (Sub-No. 2 TA), filed June 2, 1969. Applicant: RAYMOND A. HARSCH, INC., 53 Evans Avenue, Elmont, N.Y. 11003. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New furniture parts*, from Odenton and Savage, Md., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, District of Columbia, and Virginia. *Returned shipments* in the opposite direction. Under contract with National Industries, Inc., for 180 days. Supporting shipper: National Industries, Inc., Odenton, Md. 21113. Send protests to: Anthony Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 128791 (Sub-No. 7 TA), filed June 4, 1969. Applicant: L & S BOAT TRANSPORTATION COMPANY, INC., 3356 53d Avenue North, St. Petersburg, Fla. 33714. Applicant's representative: Dale E. Lewis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats, boat parts, equipment and supplies* in connection therewith, from Pinellas County, Fla., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, Kentucky, Ohio, Michigan, Indiana, Illinois, Wisconsin, Louisiana, Texas, California, Washington, and Minnesota, for 180 days. Supporting shippers: Morgan Yacht Corp., Post Office Box 13247, St. Petersburg, Fla. 33733; Dolphin Products, Inc., 1975 Carroll Street, Clearwater, Fla. 33518; Pittman Enterprises, 519 Commerce Drive, Largo, Fla. 33540; and Bosworth Marine Corp., 1301 Bay Street SE., St. Petersburg, Fla. 33701. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 133700 (Sub-No. 1 TA), filed June 2, 1969. Applicant: DUCKETT TRANSFER COMPANY, INC., 74 Meadow Road, Asheville, N.C. 28803. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Assorted beauty and household cleaning supplies and goods*, from Charlotte and Asheville, N.C., to points in Avery, Buncombe, Cherokee, Clay, Burke, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, and Yancey Counties, N.C., and Spartanburg and Cherokee Counties, S.C., for 180 days. Supporting shipper: Stanley Home Products, Inc., Post Office Box 2–H, Richmond, Va. 23203. Send protests to: Jack K. Huff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 316 East Morehead, Suite 417 (BSR Building), Charlotte, N.C. 28202.

No. MC 133766 TA, filed June 2, 1969. Applicant: T. L. R. EXPRESS CO., INC., 202 Old Farm Road, Levittown, N.Y. 11756. Applicant's representative: Thomas LaRussa (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Beverages* (except malt, except in bulk), from Bronx, N.Y., to Carlstadt and Totowa, N.J.; (2) *Empty glass bottles*, from Orangebury, N.Y., and Wharton, N.J., to Bronx, N.Y., under continuing contract with Nedick's N.Y. Bottling Co., Bronx, N.Y., for 150 days. Supporting shipper: Nedicks New York Bottling Corp., 800 St. Anns Avenue, Bronx, N.Y. 10456. Send protests to: District Supervisor Anthony Chiusano, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 133767 TA, filed June 2, 1969. Applicant: LAWTON MOVING AND STORAGE, INC., 1602 F Avenue, Post Office Box 382, Lawton, Okla. 73502. Applicant's representative: Glenn A. Roe (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Comanche County, Okla., on the one hand, and points in the following counties of Oklahoma on the other: Comanche, Cotton, Jefferson, Stephens, Grady, Washita, Kiowa, Jackson, and Tillman; restricted to shipments having a prior or subsequent out of State movement, for 180 days. Supporting shippers: Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif. 94801; Astron Forwarding Co., Post Office Box 161, Oakland, Calif. 94604; Empire Household Shipping Co. of New York, Inc., 160 Broadway, New York, N.Y. 10038. Send protests to: Billy R. Reid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 133768 TA, filed June 2, 1969. Applicant: CONSCO DENVER, INC., 3106 Brighton Boulevard, Denver, Colo. 80216. Applicant's representative: Howard L. Jones (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: *Slaughterhouse chemicals and components*, between points in Colorado, Kansas, Nebraska, Iowa, Texas, and New Mexico, for 180 days. Supporting shipper: Birko Chemical Corp., 5600 Brighton Boulevard, Post Office Box 1315, Denver, Colo. 80201. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 133697 (Sub-No. 1 TA), filed June 2, 1969. Applicant MARCHAND TRANSFER, INC., 736 Avenue B, Port Allen, La. 70767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery* (other than oilfield) and parts to be used in connection with the operation between points in Ascension, East Baton Rouge, West Baton Rouge, Iberville, Pointe Coupee, East Feliciana, and West Feliciana Parishes, on the one hand, and, on the other, points on and east of U.S. Highway 77 in Texas, for 180 days. Supporting shippers: Famco Service Corp., Port Allen, La.; H. B. Fowler Corp., Baton Rouge, La.; Houston Contracting Co., Belle Chasse, La. (Houston, Tex.); Pointe Coupee Electric Membership Co-op, New Roads, La.; The Princeville Canning Co., St. Francisville, La. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T–4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

By the Commission.

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

[F.R. Doc. 69–6854; Filed, June 10, 1969; 8:48 a.m.]

[Notice 360]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 9, 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–71042. By order of May 29, 1969, the Motor Carrier Board, on reconsideration, approved the transfer to Reefer Transit Line, Inc., a Minnesota corporation, Chicago, Ill., of all of the operating rights in certificates Nos. MC–119170, MC–119170 (Sub-No. 3), MC–119170 (Sub-No. 4), and MC–119170 (Sub-No. 10), and portions of the operating rights in certificates Nos. MC–119170 (Sub-No. 1), MC–119170 (Sub-No. 2), and MC–119170 (Sub-No. 6), issued July 5, 1961, May 27, 1966, October 28, 1964, February 6, 1968, August 19, 1960, December 6, 1962, and January 27, 1969, respectively, to Reefer Transit Line, Inc., an Illinois corporation, Chicago, Ill., authorizing the transportation of cheese, petroleum products in containers, iron and steel products, tinplate, packinghouse products, packinghouse supplies, dressed poultry, dairy products, as defined by the Commission, equipment and supplies useful in meat packinghouses, fresh meat, lubricating oils and greases, in containers, empty containers; edible animal fats, animal oils, vegetable oils, and oleomargarine, from and to specified points in Delaware, Illinois, Indiana, Iowa, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, and the District of Columbia. Margaret Jones, 55 East Washington Boulevard, Room 2018, Chicago, Ill. 60602, representative for applicants.

No. MC–FC–71223. By order of April, 15, 1969, the Motor Carrier Board approved the transfer to Harry Henery, Inc., Ottawa, Kans., of certificate No. MC–30980 (Sub-No. 2) issued July 24, 1961, to Southamption Hauling, Co., St. Louis, Mo., authorizing the transportation of: *Heavy machinery*, between points in Cole County, Mo., on the one hand, and, on the other, points in Arkansas, Kansas, Iowa, and Illinois. A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215, Ernest A. Brooks III, 1301 Ambassador Building, St. Louis, Mo. 63101, attorneys for applicants.

No. MC–FC–71346. By order of May 29, 1969, the Motor Carrier Board approved the transfer to Felson Interstate, Inc.; New York, N.Y.; of certificate in No. MC–105822 (Sub-No. 1), issued August 17, 1966, to Goff Transport, Inc., New York, N.Y., authorizing the transportation of: General commodities, with the usual exceptions, between points in Morris, Passaic, and Bergen Counties, N.J., on the one hand, and, on the other, New York, N.Y., and, tile and tile products, between points in Hudson and Essex Counties, N.J. James J. Farrell, 206 North Boulevard, Belmar, N.J. 07719, representative for applicants.

No. MC–FC–71382. By order of May 28, 1969, the Motor Carrier Board approved the transfer to Kerek Air Freight Corp., Lancaster, Pa., of the operating rights in certificate No. MC–127219 (Sub-No. 1), issued November 18, 1968, to Stephen R. Kerek, doing business as Kerek's Air Freight Service, Lancaster, Pa., authorizing the transportation of general commodities, with the usual exceptions, having a prior or subsequent movement by air, between the Philadelphia, Pa., and the Lancaster Airport, located in Manheim Township, Lancaster County, Pa., on the one hand, and, on the other, points in Lancaster, York, Dauphin, Cumberland, Franklin, and Lebanon Counties, Pa.; and between Middletown, Pa., on the one hand, and, on the other, points in Lancaster, York, Dauphin, Cumberland, Franklin, Lebanon, Adams, Centre, Clinton, Columbia, Lackawanna, Lycoming, Mifflin, Montour, Northumberland, Berks, Perry, Schuylkill, and Snyder Counties, Pa. Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101, attorney for applicants.

No. MC–FC–71394. By order of May 29, 1969, the Motor Carrier Board approved the transfer to Fox Valley Truck Lines, Inc., Carpentersville, Ill., of the certificate in No. MC–106813, issued January 11, 1950, to Fred Capocasa, doing business as Fox Valley Truck Lines, Carpentersville, Ill., authorizing the transportation of various specified commodities from, to, and between points and areas in Illinois, Iowa, Wisconsin, Michigan, and Indiana. Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

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

[F.R. Doc. 69–6855; Filed, June 10, 1969; 8:48 a.m.]

[Notice 360A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 6, 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–70921. By order of June 2, 1969, Division 3 approved the transfer to Equipment Transport, Inc., West Columbia, S.C., of the operating rights in certificate No. MC–110592 issued November 17, 1950, to Linwood R. T. Garrett, doing business as Garrett & Co., Richmond, Va., authorizing the transportation of construction and road building materials, supplies, and equipment, which because of size or weight require the use of special equipment, between Richmond, Va., and points in Hanover, Chesterfield, and Henrico Counties, Va., on the one hand, and, on the other, points in North Carolina, South Carolina, Tennessee, Georgia, West Virginia, Pennsylvania, New Jersey, and New York. Henry P. Willimon, Post Office Box 1075, Greenville, S.C. 29602, attorney for applicants.

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

[F.R. Doc. 69–6856; Filed, June 10, 1969; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18500; FCC 69R–255]

CHRONICLE BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In re applications of Chronicle Broadcasting Co., San Francisco, Calif., for renewal of licenses of Station KRON–FM, Station KRON–TV, Docket No. 18500, File No. BRH–926, File No. BRCT–94.

1. This proceeding involves the applications of Chronicle Broadcasting Co. (Chronicle) for renewal of the licenses of its two broadcast stations, KRON–FM and KRON–TV, San Francisco, Calif. By memorandum opinion and order, FCC 69–262, 16 FCC 2d 882, released March 20, 1969, the Commission designated these applications for hearing on the following issues:

(1) Whether Chronicle Publishing Co., the parent of the licensee, has an undue concentration of control of the media of mass communications in the San Francisco Bay area;

(2) Whether the Chronicle Publishing Co. has engaged in anticompetitive or monopolistic practices in the newspaper field in the San Francisco Bay area;

(3) Whether the licensee has used the facilities of Stations KRON–FM and KRON–TV to "manage" or slant the news and public affairs for the purpose of advancing the interests of the Chronicle Publishing Co.;

(4) Whether in the light of the evidence adduced pursuant to the foregoing issues, a grant of the above-captioned applications would serve the public interest, convenience, and necessity.

Presently before the Review Board is a motion to amend or to clarify issues,[1] filed April 10, 1969, by Chronicle, which seeks modification or, in the alternative, clarification of existing Issue 4 (the conclusionary public interest issue) to permit the introduction of evidence with respect to the past performance of its broadcast stations. Subsequent to the issuance of the specification order herein[2] (FCC 69-376, 17 FCC 2d 245, released Apr. 23, 1969), Chronicle filed reply comments revising the nature of the relief sought by seeking a broader inquiry than initially requested.[3] Petitioner now seeks to amend Issue 4 as follows:

(4) Whether in light of the evidence adduced pursuant to the foregoing issues and with respect to the past performance of the stations and newspaper, a grant of the above-captioned applications would serve the public interest, convenience, and necessity.

2. Citing the Report on Uniform Policy as to Violation by Applicants of Laws of the United States, 1 RR Part 3, 91:495 (1951), Chronicle argues that resolution of the specified issues against the licensee should not be conclusive since "there may be other favorable facts and considerations that outweigh the record of unlawful conduct and qualify the applicant to operate a station in the public interest." Thus, Chronicle contends that the Commission has renewed licenses without a hearing after balancing serious violations of antitrust laws against excellent broadcast service of long duration.[4] Referring to the Commission's specification order, petitioner avers that the specified issues call for an inquiry into practically every aspect of the operation of Chronicle's broadcast and newspaper interests, and that therefore the licensee should be permitted to adduce evidence with respect to the past performance of such enterprises.

3. The Broadcast Bureau, in its comments and opposition, argues that, except for the issues specified by the Commission, Chronicle's past performance is not at issue; and that therefore, the modification sought by Chronicle is too broad in scope. The Bureau supports the addition of an issue similar to that specified in Wagoner Broadcasting Co., 12 FCC 2d 978, 13 RR 2d 114 (1968), which would enable Chronicle to offer evidence of past meritorious public service programing in mitigation of an unfavorable resolution of the specified "program management and slanting" issue (Issue 3).[5] However, the Bureau is of the view that past performance evidence cannot go to mitigate unfavorable findings with respect to concentration of control (Issue 1) and anticompetitive conduct (Issue 2). Chronicle, in reply, characterizes the addition of a Wagoner issue as a "milksop", and requests assurance that it will be permitted to adduce evidence as to all aspects of its operations, "* * * not only those alleged to be contrary to the public interest."

4. The petitioner is not entirely clear as to the particular aspects of its past performance it seeks to introduce into evidence. Thus, petitioner seeks permission to examine "all facets of its operations" and "all relevant and material public interest factors." As examples of the evidence it seeks authorization to adduce, Chronicle (citing the Commission's concern with such matters as location and ownership of Chronicle's office space, the suspension of a newspaper columnist and similarity of editorial treatment of public affairs by Chronicle's broadcast and newspaper interests) argues that evidence as to dissimilarity of editorial treatment and "evidence of any possible relevance should likewise be admitted." In the Board's view, the Commission's specification of matters with respect to location and ownership of office space, suspension of the columnist and similarity of editorial treatment would entitle Chronicle to adduce relevant evidence with respect to these circumstances without modification of the specified issues. To the extent that Chronicle seeks authority to adduce evidence as to all aspects of its past performance, such request will be denied as excessively broad in scope and lacking in decisional relevance. Thus, as noted by the Bureau, except for those matters specifically placed in issue by the Commission, Chronicle's past operations are presumed to be satisfactory and are not the subject of the present inquiry.[6] Furthermore, as the Bureau points out, under the modified issue sought by petitioner, evidence that its stations did not "double bill", properly maintained their logs, made correct sponsorship identifications and paid their employees on time, could be introduced; and clearly such matters would be decisionally insignificant in this proceeding.

5. Despite the imperfections of Chronicle's instant request, the Board is nonetheless persuaded that the public interest would best be served if this licensee is permitted to make a showing as to its past broadcast record in mitigation of any adverse findings which may result from an unfavorable resolution of the issues cited hereinafter. An issue to determine whether a licensee's programing has been meritorious, particularly with regard to public service programs, has been previously specified in Bluegrass Broadcasting Co., Inc., 14 FCC 2d 788, 14 RR 2d 448 (1968), and Wagoner Radio Co., supra, and will be specified in the instant case.[7] However, no consideration will be given to alleged meritorious programing instituted after the licensee received notice that action against it was being contemplated by the Commission, and the issue specified herein will be added without prejudice to the rights of the parties to argue, subsequently, regarding the weight which should be accorded the evidence adduced.

6. The evidence of meritorious programing adduced under the issues specified herein would be relevant and would tend to mitigate unfavorable findings under existing Issues 2 and 3 in this proceeding. Issue 3 calls for a determination of whether the licensee has used its broadcast stations to "manage" or slant the news and public affairs for the purpose of advancing the interests of the Chronicle Publishing Co. The Board agrees with the Bureau's view that evidence which would tend to demonstrate that Chronicle's broadcast stations have consistently offered meritorious, public service programing may be used to mitigate unfavorable findings with respect to ascertained broadcast improprieties. The Board, however, cannot accept the Bureau's contention that such evidence would not be relevant to Issue 2—whether the Chronicle Publishing Co. has engaged in anticompetitive or monopolistic practices in the newspaper field in the San Francisco Bay area. The Commission has traditionally recognized that unfavorable findings with respect to

[1] Also under Board consideration are: (a) Comments, filed Apr. 23, 1969, by the Broadcast Bureau; (b) reply comments, filed Apr. 29, 1969, by Chronicle; and (c) opposition to reply comments, filed May 13, 1969, by the Broadcast Bureau.

[2] In the designation order the Commission indicated that a further opinion would particularize the specification of facts and matters in issue in this proceeding; such particularization is contained in the cited specification order.

[3] The instant specification order provides for the filing of motions addressed to the issues under Rule 1.229, within 20 days from the release of that order. Thus, Chronicle's "reply comments" are timely filed, and the new requests contained therein may be properly considered.

[4] Petitioner cites Westinghouse Broadcasting Co., Inc., FCC 62-243, 22 RR 1023 (1962), and General Electric Co., FCC 64-641, 2 RR 2d 1038 (1964), as examples of such Commission action.

[5] The Bureau contests the applicability of Westinghouse Broadcasting Co., Inc., supra, and General Electric Co., supra, to the instant case. The Bureau submits that, unlike the circumstances of those cases, anticompetitive and monopolistic practices alleged herein involve the operation of a business closely related to broadcasting (newspaper publishing).

[6] Contrary to petitioner's assertion, the Commission's specification order does not call for a general inquiry into all aspects of Chronicle's operations. Thus, for example, in specifying Issue 3 in this proceeding the Commission states:

These allegations and the licensee's responses leave substantial unresolved fact questions with respect to the issue of whether the licensee has attempted to slant news and public affairs programs to serve its business interests. It should be emphasized to the parties that this issue has been designated not to institute a generalized examination of the station's program to determine whether they are "unfair" but because of the presence of outside business interests and specific allegations that the preparation of programs has been deliberately made compatible with those interests. See, Letter to National Broadcasting Co. regarding Chet Huntley Broadcast, 14 FCC 2d 713; Letter to Networks regarding Democratic National Convention, 16 FCC 2d 650. For this reason, we have omitted certain allegations by Mr. Kihn that appear to raise only questions of licensee news judgment.

[7] While Chronicle's initial request contemplated modification or, in the alternative, clarification of an existing issue, the Board has held that the addition of an issue is a prerequisite to the programing inquiry specified herein. Wagoner Radio Co., supra.

antitrust practices of a licensee can be mitigated by a showing of a history of broadcast excellence. See Westinghouse Broadcasting Co., Inc., supra, and General Electric Co., supra.* While the Bureau would distinguish these cases from the instant facts on the grounds that the anticompetitive practices involved in the Westinghouse and General Electric cases were related to nonbroadcast enterprises, the Board finds no precedent or basis for drawing such a distinction in determining the relevance, as opposed to the weight, of such mitigating evidence. To the contrary, it appears that the Commission has found evidence of meritorious programing relevant where anticompetitive practices in the broadcasting field were demonstrated. See National Broadcasting Co., Inc., 37 FCC 427 (1964). Thus mitigating evidence of meritorious broadcasting may be used to mitigate unfavorable findings under existing Issue 2.*

7. *Accordingly, it is ordered,* That the motion to amend or to clarify, filed April 10, 1969, by Chronicle Broadcasting Co., is granted to the extent indicated below, and is denied in all other respects; and

8. *It is ordered,* That the issues in this proceeding are enlarged as follows:

(4) Whether the past programing of Stations KRON–FM and KRON–TV, particularly with regard to public service programing was of such high quality as to constitute a countervailing factor in the resolution of this case insofar as it relates to Issues (2) and (3), above.

and existing Issue 4 is redesignated as Issue 5; and

9. *It is further ordered,* That the burdens of proceeding with the introduction of evidence and proof on the issue added herein shall be on Chronicle Broadcasting Co.

Adopted: June 3, 1969.

Released: June 5, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-6870; Filed, June 10, 1969; 8:49 a.m.]

*See also Report on Uniform Policy as to Violation by Applicants of Laws of the United States, supra.

*The Board finds no precedent for receiving evidence as to the meritorious past performance of Chronicle's newspaper enterprises; and in the Board's view such evidence would be irrelevant in the instant proceeding. In addition, the Board agrees with the Bureau's contention, which has not been specifically disputed by petitioner, that evidence of meritorious broadcast performance is not relevant to existing Issue 1 (concentration of control).

[Canadian List No. 256]

CANADIAN STANDARD BROADCAST STATIONS

List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments

MAY 16, 1969.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcast Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Antenna height (feet)	Ground system: Number of radials	Ground system: Length (feet)	Proposed date of commencement of operation
		580 kilocycles							
CJLS (PO: 1340 kc/s 0.25 kw ND)...	Yarmouth, Nova Scotia, N. 43°47'40", W. 66°04'15".	1	DA-2	U	III				5-15-70.
		860 kilocycles							
CHAK (correction of geographical co-ordinates only).	Inuvik, Northwest Territory, N. 68°20'41", W. 133°40'59".	1	ND-185	U	II	190	120	458	
		920 kilocycles							
CKWL (PO: 1240 kc/s 0.25 kw ND).	Williams Lake, British Columbia, N. 52°06'29", W. 122°10'27".	1	DA-N ND-D-182	U	III				5-15-70.
		1250 kilocycles							
CHQR (assignment of call letters).	Castlegar, British Columbia, N. 49°18'4.8", W. 117°36'50".	0.25N/1D	DA-D ND-N-121	U	IV	415	120	320	
		1320 kilocycles							
CHFC (addition of geographical co-ordinates).	Fort Churchill, Manitoba, N. 58°45'48", W. 94°04'42".	0.25	ND-150	U	IV	70			
		1350 kilocycles							
CHWO (correction of night power in accordance with Notification List No. 244).	Oakville, Ontario, N. 43°26'10", W. 79°43'06".	10D/5N	DA-2	U	III				
		1340 kilocycles							
CFYK (addition of geographical co-ordinates).	Yellowknife, Northwest Territory, N. 62°25'55", W. 114°25'05".	1	ND-175	U	IV	140	120	294	
		1450 kilocycles							
New	Jasper, Alberta, N. 52°52'51" W. 118°04'26".	0.1	ND-150	U	IV	80	120	60-160	5-15-70.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Assistant Chief, Broadcast Bureau.

[F.R. Doc. 69-6871; Filed, June 10, 1969; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

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 June

3 CFR

Page

PROCLAMATIONS:

3914 — 8689
3915 — 8691
3916 — 9055
3917 — 9117

EXECUTIVE ORDERS:

11278 (revoked by EO 11472) — 8693
11359A (revoked by EO 11472) — 8693
11402 (revoked by EO 11472) — 8693
11472 — 8693

5 CFR

213 — 8697, 9025, 9057

7 CFR

17 — 8963
51 — 9188
68 — 8963
354 — 9025
722 — 9057
725 — 9189
811 — 9119
908 — 8964
909 — 8895
910 — 9059
915 — 8964
944 — 8895
966 — 9191
980 — 9191
1002 — 9120
1421 — 8897, 9059

PROPOSED RULES:

301 — 8923
Ch. IX — 8705
911 — 9124
915 — 9124
917 — 9078
919 — 8969
929 — 9035
1001 — 8709, 9035
1002 — 8709, 9035
1003 — 8709, 9035
1004 — 8709, 9035
1015 — 8709, 9035
1016 — 8709, 9035
1075 — 8972

8 CFR

212 — 9061
238 — 9061
316a — 9061

9 CFR

97 — 8697

10 CFR

30 — 9025
32 — 9025

PROPOSED RULES:

50 — 8712
70 — 9125
73 — 9215
150 — 9125

12 CFR

207 — 9121, 9191
220 — 9196
221 — 9203
226 — 8698

12 CFR—Continued

Page

545 — 8903, 8904
563 — 8905
584 — 9208

PROPOSED RULES:

204 — 9092
523 — 9216
531 — 9216
545 — 8973, 9091, 9216
556 — 8973, 9216
561 — 9216
571 — 9216

13 CFR

101 — 8699
103 — 8699
104 — 8699
106 — 8700
107 — 8700
108 — 8700
109 — 8700
110 — 8700
113 — 8700
120 — 8700
121 — 8700
122 — 8700
123 — 8700
124 — 8700
125 — 8700
126 — 8700
127 — 8700
128 — 8700

PROPOSED RULES:

107 — 8927
121 — 9092

14 CFR

39 — 8700, 9027, 9029, 9157
71 — 8701, 8702, 8907, 8966, 9030–9032, 9119
97 — 9158

PROPOSED RULES:

39 — 9124
61 — 9080
71 — 8710, 8711, 8925, 9035, 9036

15 CFR

368 — 8802
369 — 8805
370 — 8806
371 — 8811
372 — 8818
373 — 8827
374 — 8840
375 — 8842
376 — 8852
377 — 8857
378 — 8861
379 — 8862
385 — 8868
386 — 8869
387 — 8879
388 — 8882
389 — 8886
390 — 8887
399 — 8889
1000 — 9061, 9071

16 CFR

501 — 9209
503 — 9210

16 CFR—Continued

Page

PROPOSED RULES:

500 — 9216, 9217
501 — 8925, 8926, 9218

17 CFR

PROPOSED RULES:

231 — 9035
271 — 9035

18 CFR

2 — 9157

19 CFR

16 — 9121

21 CFR

3 — 8704
19 — 8908
120 — 8909, 8967
121 — 8910, 8911

PROPOSED RULES:

1 — 9078
19 — 8925, 9079
121 — 8973

24 CFR

1907 — 9121

26 CFR

194 — 8911

29 CFR

2 — 9033, 9122
850 — 9157

PROPOSED RULES:

60 — 8972
526 — 9213

31 CFR

54 — 9211
500 — 9211

32 CFR

719 — 9123
756 — 9123

33 CFR

117 — 8967

36 CFR

7 — 9072

37 CFR

5 — 9211

PROPOSED RULES:

1 — 9213
6 — 9124

38 CFR

2 — 8703
3 — 8703
19 — 8703

39 CFR

134 — 9072, 9123

41 CFR

	Page
3-1	9033

42 CFR

	Page
73	8914, 9072
78	8952
PROPOSED RULES:	
78	8953

43 CFR

	Page
1720	8915
PUBLIC LAND ORDERS:	
4567 (revoked in part by PLO 4664)	8915
4664	8915
4665	9075
4666	9075
4667	9075
PROPOSED RULES:	
2240	9077

45 CFR

	Page
131	8916
1070	8919

46 CFR

	Page
2	9010
42	9011
43	9018
45	9019
46	9019
527	9075
528	9076
537	9076
PROPOSED RULES:	
401	8923

47 CFR

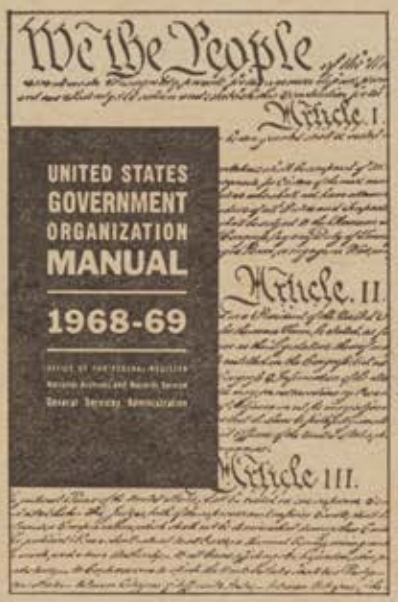
	Page
73	8919
81	8968

47 CFR—Continued

	Page
87	8703
91	8968
93	8968
PROPOSED RULES:	
21	9126
63	9089
73	9090
74	9090

49 CFR

	Page
1033	8920, 8921, 9033
PROPOSED RULES:	
71	9213
371	8711
391	9080
392	9087
393	9088
1002	8927



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