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FEDERAL REGISTER

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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—U.S. Standards for Grades of Shelled Pecans [1]

On page 5331 of the FEDERAL REGISTER of March 18, 1969, there was published a notice of proposed rule making to revise these grade standards by up-dating and making them adaptable to the qualities and sizes of pecan kernels being marketed. These grade standards are issued under authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087, as amended; 7 U.S.C. 1621–1627), which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading services are also provided under this act upon request of any financially interested party and upon payment of a fee to cover the cost of such services.

Interested persons were given until April 15, 1969 to submit written data, views, or arguments regarding the proposal. No comments have been received and the proposed revised standards are hereby adopted without change and are set forth below.

These standards shall become effective on July 15, 1969, and will thereupon supersede the U.S. Standards for Shelled Pecans which have been in effect since October 19, 1952 (7 CFR, § 51.1430–51.1453).

Dated: June 10, 1969.

JOHN E. TROMER,
Acting Deputy Administrator,
Marketing Services.

GRADES

COLOR CLASSIFICATIONS

SIZE CLASSIFICATIONS

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

TOLERANCES FOR DEFECTS

APPLICATION OF STANDARDS

DEFINITIONS

METRIC CONVERSION TABLE

AUTHORITY: The provisions of this subpart issued under secs. 203, 60 Stat. 1087, as amended; 1090 as amended; 7 U.S.C. 1622, 1624.

GRADES

§ 51.1430 U.S. No. 1 Halves.

"U.S. No. 1 Halves" consists of pecan half-kernels which meet the following requirements:

(a) For quality:

(1) Well dried;

(2) Fairly well developed;

(3) Fairly uniform in color;

(4) Not darker than "amber" skin color;

(5) Free from damage or serious damage by any cause;

(6) Free from pieces of shell, center wall and foreign material; and,

(7) Comply with tolerances for defects (see § 51.1439); and,

(b) For size:

(1) Halves are fairly uniform in size;

(2) Halves conform to size classification or count specified; and,

(3) Comply with tolerances for pieces, particles, and dust (see § 51.1437).

§ 51.1431 U.S. No. 1 Halves and Pieces.

The requirements for this grade are the same as those for U.S. No. 1 Halves except:

(a) For size:

(1) At least 50 percent, by weight, are half-kernels;

(2) Both halves and pieces will not pass through a 5/16-inch round opening; and,

(3) Comply with tolerances for undersize. (See Table III.)

§ 51.1432 U.S. No. 1 Pieces.

The requirements for this grade are the same as those for U.S. No. 1 Halves except:

(a) For quality:

(1) No requirement for uniformity of color; and,

(b) For size:

(1) No requirement for percentage of half-kernels;

(2) Conform to any size classification or other size description specified; and,

(3) Comply with applicable tolerances for off-size. (See Table III.)

§ 51.1433 U.S. Commercial Halves.

The requirements for this grade are the same as those for U.S. No. 1 Halves except:

(a) For quality:

(1) No requirement for uniformity of color; and,

(2) Increased tolerances for defects (see § 51.1439); and,

(b) For size:

(1) No requirement for uniformity of size.

§ 51.1434 U.S. Commercial Halves and Pieces.

The requirements for this grade are the same as those for U.S. No. 1 Halves and Pieces except:

(a) For quality:

(1) No requirement for uniformity of color; and,

(2) Increased tolerances for defects. (See § 51.1439.)

§ 51.1435 U.S. Commercial Pieces.

The requirements for this grade are the same as those for U.S. No. 1 Pieces except for:

(a) Increased tolerances for defects. (See § 51.1439.)

COLOR CLASSIFICATIONS

§ 51.1436 Color classifications.

(a) The skin color of pecan kernels may be described in terms of the color classifications provided in this section. When the color of kernels in a lot generally conforms to the "light" or "light amber" classification, that color classification may be used to describe the lot in connection with the grade.

(1) "Light" means that the kernel is mostly golden color or lighter, with not more than 25 percent of the surface darker than golden, and none of the surface darker than light brown.

(2) "Light amber" means that the kernel has more than 25 percent of its surface light brown, but not more than 25 percent of the surface darker than light brown, and none of the surface darker than medium brown.

(3) "Amber" means that the kernel has more than 25 percent of the surface medium brown, but not more than 25 percent of the surface darker than medium brown, and none of the surface darker than dark brown (very dark-brown or blackish-brown discoloration).

(4) "Dark amber" means that the kernel has more than 25 percent of the surface dark brown, but not more than 25 percent of the surface darker than dark brown (very dark-brown or blackish-brown discoloration).

(b) U.S. Department of Agriculture kernel color standards, PEC–MC–1, consisting of plastic models of pecan kernels, illustrate the color intensities implied by

the terms "golden," "light brown," "medium brown," and "dark brown" referred to in paragraph (a) of this section. These color standards may be examined in the Fruit and Vegetable Division, C&MS, U.S. Department of Agriculture, South Building, Washington, D.C. 20250; in any field office of the Fresh Fruit and Vegetable Inspection Service; or upon request of any authorized inspector of such Service. Duplicates of the color standards may be purchased from NASCO, Fort Atkinson, Wis. 53538.

SIZE CLASSIFICATIONS

§ 51.1437 Size classifications for halves.

The size of pecan halves in a lot may be specified in accordance with one of the size classifications shown in Table I:

TABLE I

Size classifications for halves	*Number of halves per pound*
Mammoth	250 or less.
Junior mammoth	251–300.
Jumbo	301–350.
Extra large	351–450.
Large	451–550.
Medium	551–650.
Small (topper)	651–750.
Midget	751 or more.

(a) The number of halves per pound shall be based upon the weight of half-kernels after all pieces, particles and dust, shell, center wall, and foreign material have been removed.

(b) In lieu of the size classifications in Table I, the size of pecan halves in a lot may be specified in terms of the number of halves or a range of numbers of halves per pound. For example, "400" or "600–700".

(c) Tolerance for count per pound: In order to allow for variations incident to proper sizing, a tolerance shall be permitted as follows:

(1) When an exact number of halves per pound is specified, the actual count per pound may vary not more than 5 percent from the specified number; and,

(2) When any size classification shown in Table I or a range in count per pound is specified, no tolerance shall be allowed for counts outside of the specified range.

(d) *Tolerances for pieces, particles, and dust.* In order to allow for variations incident to proper sizing and handling, not more than 15 percent, by weight, of any lot may consist of pieces, particles, and dust: *Provided*, That not more than one-third of this amount, or 5 percent, shall be allowed for portions less than one-half of a complete half-kernel, including not more than 1 percent for particles and dust.

§ 51.1438 Size classifications for pieces.

The size of pecan pieces in a lot may be specified in accordance with one of the size classifications shown in Table II.

TABLE II

Size classification	Maximum diameter (will pass through round opening of following diameter)	Minimum diameter (will not pass through round opening of following diameter)
		Inch
Mammoth pieces	No limitation	5/16
Extra large pieces	5/16 inch	7/16
Halves and pieces	No limitation	3/16
Large pieces	5/16 inch	3/16
Medium pieces	3/16 inch	3/16
Small pieces	3/16 inch	3/16
Midget pieces	3/16 inch	1/16
Granules	3/16 inch	1/16

(a) In lieu of the size classifications in Table II, the size of pieces in a lot may be specified in terms of minimum diameter, or as a range described in terms of minimum and maximum diameters expressed in sixteenths or sixty-fourths of an inch.

(b) Tolerances for size of pieces: In order to allow for variations incident to proper sizing, tolerances are provided for pieces in a lot which fail to meet the requirements of any size specified. The tolerances, by weight, are shown in Table III.

TABLE III

Size classification	Total tolerance for offsize pieces	Tolerance (included in total tolerance) for pieces smaller than	
		3/16 inch	1/16 inch
	Percent	*Percent*	*Percent*
Mammoth pieces	15	1	
Extra large pieces	15	1	
Halves and pieces	15	1	
Large pieces	15	1	
Medium pieces	15	2	
Small pieces	15	2	
Midget pieces	15		2
Granules	15		5
Other specified size	15	1	

TOLERANCES FOR DEFECTS

§ 51.1439 Tolerances for defects.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by weight, are provided as specified:

(a) U.S. No. 1 Halves, U.S. No. 1 Halves and Pieces, and U.S. No. 1 Pieces grades:

(1) 0.05 percent for shell, center wall, and foreign material;

(2) 3 percent for portions of kernels which are "dark amber" or darker color, or darker than any specified lighter color classification but which are not otherwise defective; and,

(3) 3 percent for portions of kernels which fail to meet the remaining requirements of the grade, including therein not more than 0.50 percent for defects causing serious damage: *Provided*, That any unused portion of this tolerance may be applied to increase the tolerance for kernels which are "dark amber" or darker color, or darker than any specified lighter color classification.

(b) U.S. Commercial Halves, U.S. Commercial Halves and Pieces, and U.S. Commercial Pieces grades:

(1) 0.15 percent for shell, center wall, and foreign material;

(2) 25 percent for portions of kernels which are "dark amber" or darker color, or darker than any specified lighter color classification, but which are not otherwise defective; and,

(3) 8 percent for portions of kernels which fail to meet the remaining requirements of the grade, including therein not more than 1 percent for defects causing serious damage.

APPLICATION OF STANDARDS

§ 51.1440 Application of standards.

The grade of a lot of shelled pecans shall be determined on the basis of a composite sample drawn at random from containers in various locations in the lot. However, any identifiable container or number of containers in which the pecans are obviously of a quality or size materially different from that in the majority of containers, shall be considered as a separate lot, and shall be sampled and graded separately.

DEFINITIONS

§ 51.1441 Half-kernel.

"Half-kernel" means one of the separated halves of an entire pecan kernel with not more than one-eighth of its original volume missing, exclusive of the portion which formerly connected the two halves of the kernel.

§ 51.1442 Piece.

"Piece" means a portion of a kernel which is less than seven-eighths of a half-kernel, but which will not pass through a round opening two-sixteenths inch in diameter.

§ 51.1443 Particles and dust.

"Particles and dust" means, for all size designations except "midget pieces" and "granules," fragments of kernels which will pass through a round opening two-sixteenths inch in diameter.

§ 51.1444 Well dried.

"Well dried" means that the portion of kernel is firm and crisp, not pliable or leathery.

§ 51.1445 Fairly well developed.

"Fairly well developed" means that the kernel has at least a moderate amount of meat in proportion to its width and length. (See Figure I.)

§ 51.1446 Poorly developed.

"Poorly developed" means that the kernel has a small amount of meat in proportion to its width and length. (See Figure I.)

§ 51.1447 Fairly uniform in color.

"Fairly uniform in color" means that 90 percent or more of the kernels in the lot have skin color within the range of one or two color classifications.

§ 51.1448 Fairly uniform in size.

"Fairly uniform in size" means that, in a representative sample of 100 halves, the 10 smallest halves weigh not less

than one-half as much as the 10 largest halves.

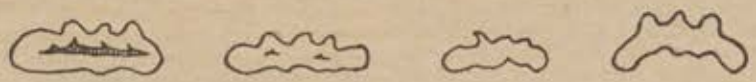
§ 51.1449 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, or any other defect, or any combination of defects, which materially detracts from the appearance or the edible or marketing quality of the individual portion of the kernel or of the lot as a whole. The following defects should be considered as damage:

(a) Adhering material from inside the shell when attached to more than one-fourth of the surface on one side of the half-kernel or piece;

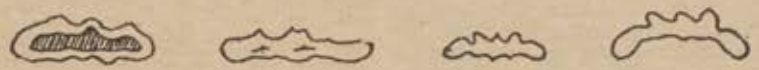
Figure 1

CROSS SECTION ILLUSTRATION



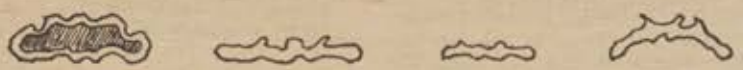
1. WELL DEVELOPED

Lower limit. Kernels having less meat content than these are not considered well developed.



2. FAIRLY WELL DEVELOPED

Lower limit for U. S. No. 1 grade. Kernels having less meat content than these are not considered fairly well developed and are classed as damaged.



3. POORLY DEVELOPED

Lower limit, damaged but not seriously damaged. Kernels having less meat content than these are considered undeveloped and are classed as seriously damaged.

(b) Dust or dirt adhering to the kernel when conspicuous;

(c) Kernel which is not well dried;

(d) Kernel which is "dark amber" or darker color;

(e) Kernel having more than one dark kernel spot, or one dark kernel spot more than one-eighth inch in greatest dimension;

(f) Shriveling when the surface of the kernel is very conspicuously wrinkled;

(g) Internal flesh discoloration of a medium shade of gray or brown extending more than one-fourth the length of the half-kernel or piece, or lesser areas of dark discoloration affecting the appearance to an equal or greater extent; and,

(h) Poorly developed kernel. (See Figure I.)

§ 51.1450 Serious damage.

"Serious damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, or any other defect, or any combination of defects, which seriously detracts from the appearance or the edible or marketing quality of the individual portion of kernel or of the lot as a whole. The following defects shall be considered as serious damage:

(a) Any plainly visible mold;

(b) Rancidity when the kernel is distinctly rancid to the taste. Staleness of flavor shall not be classed as rancidity;

(c) Decay affecting any portion of the kernel;

(d) Insects, web, or frass or any distinct evidence of insect feeding on the kernel;

(e) Internal discoloration which is dark gray, dark brown, or black and extends more than one-third the length of the half-kernel or piece;

(f) Adhering material from inside the shell when attached to more than one-half of the surface on one side of the half-kernel or piece;

(g) Dark kernel spots when more than three are on the kernel, or when any dark kernel spot or the aggregate of two or more spots affect an area of more than 10 percent of the surface of the half-kernel or piece;

(h) Dark skin discoloration, darker than "dark brown," when covering more than one-fourth of the surface of the half-kernel or piece; and,

(i) Undeveloped kernel. (See Figure I.)

METRIC CONVERSION TABLE

§ 51.1451 Metric conversion table.

Inches	*Millimeters (mm)*
32/64	12.7
28/64	11.1
23/64	9.5
20/64	7.9
16/64	6.4
12/64	4.8
8/64	3.2
6/64	2.4
5/64	2.0
4/64	1.6

[F.R. Doc. 69-7052; Filed, June 13, 1969; 8:48 a.m.]

Chapter II—Consumer and Marketing Service (Consumer Food Programs), Department of Agriculture

PART 220—SCHOOL BREAKFAST AND NONFOOD ASSISTANCE PROGRAMS AND STATE ADMINISTRATIVE EXPENSES

Appendix—Third Apportionment of the School Breakfast Program Funds Pursuant to Child Nutrition Act of 1966, Fiscal Year 1969

Pursuant to section 4 of the Child Nutrition Act of 1966, Public Law 89-642, 80 Stat. 886, food assistance funds available for the fiscal year ending June 30, 1969, are reapportioned among the States as follows in order to effect a further apportionment of funds.

State	Total apportionment	State agency	Withheld for private schools
Alabama	$97,412	$95,413	$1,999
Alaska	7,091	7,091	
Arizona	68,929	68,537	392
Arkansas	71,707	71,707	
California	153,880	153,880	
Colorado	52,876	47,227	5,649
Connecticut	57,598	57,598	
Delaware	1,185	1,185	
District of Columbia	53,375	53,375	
Florida	103,930	103,930	
Georgia	180,794	180,794	
Guam	11,769	11,769	
Hawaii	12,776	12,186	590
Idaho			
Illinois	104,236	104,236	
Indiana	100,343	100,343	
Iowa	75,849	70,027	5,822
Kansas	12,192	12,192	
Kentucky	74,867	74,867	
Louisiana	84,473	84,473	
Maine	31,167	29,088	2,079
Maryland	71,031	71,031	
Massachusetts	50,089	50,089	
Michigan	69,664	66,260	3,404
Minnesota	57,721	46,819	10,902
Mississippi	106,440	106,440	
Missouri	21,000	21,000	
Montana	21,535	18,225	3,310
Nebraska	19,742	10,752	8,990
Nevada	10,410	10,410	
New Hampshire	27,729	27,729	
New Jersey	102,364	94,074	8,290
New Mexico	38,529	38,529	
New York	105,837	105,837	
North Carolina	196,975	196,975	
North Dakota	7,597	5,875	1,722
Ohio	207,671	201,988	5,683
Oklahoma	100,039	100,039	
Oregon	14,194	14,194	
Pennsylvania	64,106	54,711	9,395
Puerto Rico	73,693	73,693	
Rhode Island	38,493	38,493	
South Carolina	75,362	75,362	
South Dakota	21,000	21,000	
Tennessee	114,241	114,241	
Texas	202,190	198,137	4,053
Utah	6,954	6,954	
Vermont	12,529	12,529	
Virginia	111,821	111,462	359
Virgin Islands			
Washington	33,000	30,763	2,237
West Virginia	60,229	60,229	
Wisconsin	45,980	38,052	7,928
Wyoming	16,386	16,386	
Samoa, American			
Total	3,500,000	3,417,196	82,804

(Secs. 2, 4, 6, and 8 through 16, 80 Stat. 885–890; 42 U.S.C. 1771, 1773, 1775, 1777–1785)

Dated: June 11, 1969.

WINN F. FINNER,
Acting Administrator.

[F.R. Doc. 69-7070; Filed, June 13, 1969; 8:49 a.m.]

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

[Lemon Reg. 378]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.678 Lemon Regulation 378.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held, the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 10, 1969.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period June 15, 1969, through June 21, 1969, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 325,500 cartons;

(iii) District 3: Unlimited movement.

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

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

Dated: June 12, 1969.

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

[F.R. Doc. 69-7101; Filed, June 13, 1969; 8:50 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Office of Economic Opportunity

Section 213.3273 is amended to reflect a 1-year extension, until June 30, 1970, of the Schedule B exception covering positions at GS–9 through GS–15 in new, experimental programs for which existing civil service lists of eligibles are inadequate. Effective on publication in the FEDERAL REGISTER, paragraph (b) of § 213.3273 is amended as set out below.

§ 213.3273 Office of Economic Opportunity.

* * * * *

(b) Not to exceed 35 positions at GS–9 through GS–15 in new, experimental programs or special projects when it is determined that existing registers are not appropriate or do not permit appointment expeditiously. This authority may not be used after June 30, 1970.

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

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

[F.R. Doc. 69-7043; Filed, June 13, 1969; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that the position of Confidential Assistant to the Assistant Secretary (Manpower and Reserve Affairs) is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (55) is added to paragraph (a) of § 213.3306 as set out below.

§ 213.3306 Department of Defense.

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

(55) One Confidential Assistant to the Assistant Secretary (Manpower and Reserve Affairs).

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

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

[F.R. Doc. 69-7044; Filed, June 13, 1969; 8:47 a.m.]

PART 550—PAY ADMINISTRATION (GENERAL)

Miscellaneous Amendments

Subpart G of Part 550 is amended to lessen the restriction on entitlement to severance pay made by the amendment of section 550.701(b)(2) and the revocation of section 550.705 by F.R. Doc. 69-146, 34 F.R. 123. Section 550.701(b)(2) is amended and section 550.705 is added so that an employee who is separated because he declines to accept an assignment to another commuting area in either a transfer of function or reduction-in-force situation is entitled to severance pay. Effective June 14, 1969.

§ 550.701 Coverage.

* * * * *

(b) *Employees.* * * *

(2) This subpart does not apply to an employee who at the time of separation from the service, is offered and declines to accept an equivalent position in his agency in the same commuting area, including an agency to which the employee with his function is transferred in a transfer of functions between agencies. For purposes of this subparagraph, an equivalent position is a position of like seniority, tenure, and pay other than a retained rate.

* * * * *

§ 550.705 Failure to accept assignment.

When an employee is separated because he declines to accept assignment to another commuting area and the proposed assignment is the result of, or in connection with, a transfer of function or a reduction-in-force situation, the separation is an involuntary separation not by removal for cause on charges of misconduct, delinquency, or inefficiency for purposes of entitlement to serverance pay.

(5 U.S.C. 5595, E.O. 11257; 3 CFR 1964-1965 Comp., p. 357)

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

[F.R. Doc. 69-7179; Filed, June 13, 1969; 10:49 a.m.]

Title 12—BANKS AND BANKING

Chapter VI—Farm Credit Administration

SUBCHAPTER D—FEDERAL INTERMEDIATE CREDIT BANKS AND PRODUCTION CREDIT ASSOCIATIONS

PART 640—FEDERAL INTERMEDIATE CREDIT BANKS

PART 650—PRODUCTION CREDIT ASSOCIATIONS

Maturities

In Chapter VI of Title 12 of the Code of Federal Regulations, Part 640 is amended by revising § 640.223(a) (31 F.R. 16249), and Part 650 is amended by revising § 650.143 (31 F.R. 16252) to read as follows:

§ 640.223 Maturities.

(a) Notes evidencing direct loans to financing institutions, and notes or other obligations discounted or accepted as collateral for loans by an intermediate credit bank usually will be drawn with maturities coinciding with the normal marketing seasons for the crops or livestock from which liquidation is expected, ordinarily not more than 12 months. Any note evidencing an intermediate-term loan may be discounted, or accepted as collateral for direct loans, provided the period from date of discount or acceptance of the note as collateral to its maturity does not exceed 7 years.

* * * * *

§ 650.143 Maturities.

Loans will usually be made with maturities coinciding with the normal marketing seasons for the crops or livestock being financed, ordinarily not more than 12 months. An intermediate-term loan may be made with a maturity not to exceed 7 years from the date of the note, under policies and procedures prescribed by the Bank.

(Sec. 2, 42 Stat. 1459, sec. 6, 47 Stat. 14, as amended, sec. 20, 48 Stat. 259, as amended; 12 U.S.C. 665, 1101, 1131d)

E. A. JAENKE,
Governor,
Farm Credit Administration.

[F.R. Doc. 69-7057; Filed, June 13, 1969; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 17—BAKERY PRODUCTS

Milk Bread, Identity Standard; Confirmation of Effective Date of Order Listing Butter Oil, Dehydrated Butter, and Anhydrous Milk Fat as Optional Ingredients

In the matter of amending the definition and standard of identity for milk bread (21 CFR 17.3) by listing butter oil, dehydrated butter, and anhydrous milk fat as optional ingredients:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of April 15, 1969 (34 F.R. 6479). Accordingly, the amendment promulgated by that order will become effective June 14, 1969.

Dated: June 6, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-7029; Filed, June 13, 1969; 8:46 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

CALCIUM DISODIUM EDTA

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9A2395) filed by Joseph E. Seagram & Sons, Inc., 375 Park Avenue, New York, N.Y. 10022, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of calcium disodium EDTA in distilled alcoholic beverages to promote stability of color, flavor, and/or product clarity. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.1017(b)(1) is amended by alphabetically inserting in the table a new item, as follows:

§ 121.1017 Calcium disodium EDTA.

* * * * *

(b) * * *

(1) * * *

Food	Limitation (parts per million)	Use
* * *	* * *	* * *
Distilled alcoholic beverages.	25	Promote stability of color, flavor, and/or product clarity.
* * *	* * *	* * *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

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

Dated: June 9, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-7030; Filed, June 13, 1969; 8:46 a.m.]

SUBCHAPTER C—DRUGS

PART 148k—NYSTATIN

Tablets

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), § 148k.7(a) is revised to read as follows to provide for certification of film-coated nystatin tablets with up to 8 percent moisture content:

§ 148k.7 Nystatin tablets.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Nystatin tablets are tablets composed of nystatin and suitable and harmless buffer substances, diluents, binders, lubricants, colorings, and flavorings. Each tablet contains 500,000 units of nystatin. If they are plain coated, the moisture content is not more than 5 percent and they shall disintegrate within 2 hours. If they are film coated, the moisture content is not more than 8 percent and they shall disintegrate within 15 minutes. The nystatin used conforms to the standards prescribed by § 148k.1(a)(1). Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

* * * * *

This order provides for certification of nystatin tablets with a different moisture content from that heretofore permitted. Since the manufacturer has supplied data regarding such tablets that the Commissioner finds adequate with respect to stability and disintegration time and since this order is nonrestrictive and noncontroversial in nature, notice and public procedure are not prerequisites to this promulgation.

Effective date: This order shall become effective 30 days after its date of publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: June 9, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-7031; Filed, June 13, 1969; 8:46 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

MISCELLANEOUS AMENDMENTS

In part 200 in the Table of Contents § 200.73 is deleted and §§ 200.72, 200.102, 200.106, and 200.108 are amended as follows:

Sec.
200.72 Director of the Management and Operations Assistance Division and Deputy.
200.102 Assistant Commissioners.
200.106 Assistant Commissioner for Field Operations and Deputy; Directors, Deputy Directors, Assistant Directors, and Administrative Officers and Chief Clerks in FHA Field Offices; and Assistant Commissioner for Administration and Deputy.
200.108 Director of the Management and Operations Assistance Division; Deputy Director of the Management and Operations Assistance Division; and Chief of the Contracting Section.

In § 200.68 paragraph (a) is amended and paragraph (j) is revoked as follows:

§ 200.68 Assistant Commissioner for Administration and Deputy.

* * * * *

(a) To be responsible for administrative-management functions of the Federal Housing Administration; organizational structures and related matters; budget activities; administrative staff planning and coordination of agency operations analysis activities; contracting for the maintenance, alteration, construction, repair, and operation of acquired properties and for credit reports; management surveys, forms and records management; coordination and maintenance of the FHA manual, directives, and other issuances and instructional material; planning and liaison with the Assistant Secretary for Administration on administrative-management matters in general, with the HUD Office of Personnel on personnel policies and procedures and on FHA personnel problems, and with the HUD Office of General Services on general services required for the operation of the Federal Housing Administration; review of departmental compliance cases, referral of such cases to the Inspection Division, HUD, and liaison with the Inspection Division on the disposition of the cases; to approve or direct the approval of overtime work, and to be in charge of the Budget Division, the Management and Operations Assistance Division, the Office of Compliance Coordination, and the Operations Analysis Staff.

* * * * *

In § 200.72 the heading and introductory paragraph are amended and a new paragraph (m) is added to read as follows:

§ 200.72 Director of the Management and Operations Assistance Division and Deputy.

To the position of Director of the Management and Operations Assistance Division and under his general supervision to the Deputy Director of the Management and Operations Assistance Division, and with respect to paragraphs (g), (h), and (i) of this section to the Chief of the Contracting Section there is delegated the following basic authority and functions:

* * * * *

(m) To be responsible for the review and recommendation to the Assistant Commissioner for Home Mortgages of approval, disapproval, or cancellation of approval of financial institutions as approved mortgagees and of firms or individuals as authorized agents for approved mortgagees.

In Part 200 § 200.73 is revoked as follows:

§ 200.73 Director, Audit Division and Deputy [Revoked].

In § 200.85 paragraph (a) is amended to read as follows:

§ 200.85 Executive Board.

(a) *Members.* The committee called the Executive Board is comprised of the following members: Assistant Secretary-Commissioner, Chairman; Deputy Assistant Secretary, Vice Chairman; Executive Assistant Commissioner; Assistant Commissioner for Field Operations; Assistant Commissioner for Home Mortgages; Assistant Commissioner for Multifamily Housing; Assistant Commissioner for Property Improvement; Assistant Commissioner for Technical Standards; Assistant Commissioner for Programs; Assistant Commissioner for Administration; Assistant Commissioner-Comptroller; and Assistant Commissioner for Property Disposition.

* * * * *

In § 200.87 paragraph (a) is amended to read as follows:

§ 200.87 Management Improvement Committee.

(a) *Members.* The Management Improvement Committee is comprised of the following members: Director of the Management and Operations Assistance Division, Chairman; and one designee of each of the following: Assistant Commissioner-Comptroller; Assistant Commissioner for Multifamily Housing; Assistant Commissioner for Property Improvement; Assistant Commissioner for Technical Standards; Assistant Commissioner for Home Mortgages; Assistant Commissioner for Property Disposition; and Director of Budget Division.

* * * * *

In § 200.93 paragraph (a) is amended to read as follows:

§ 200.93 Multifamily Participation Review Committee.

(a) *Members.* The Multifamily Participation Review Committee shall consist of the following officials or their deputies: Assistant Commissioner for Field Operations, Chairman; Assistant Commissioner for Technical Standards; Assistant Commissioner for Multifamily Housing; Director, Compliance Coordination; and such other members as the Assistant Secretary-Commissioner shall designate.

* * * * *

In § 200.102 the heading and introductory text are amended to read as follows:

§ 200.102 Assistant Commissioners.

To the position of Assistant Commissioner, and to each of them, in addition to the authority granted under the provisions of section 204(g) of the National Housing Act, there is delegated the following duties and functions:

* * * * *

In § 200.106 the heading and paragraph (a) are amended to read as follows:

§ 200.106 Assistant Commissioner for Field Operations and Deputy; Directors, Deputy Directors, Assistant Directors, and Administrative Officers and Chief Clerks in FHA Field Offices; Assistant Commissioner for Administration and Deputy.

(a) To the Assistant Commissioner for Field Operations; Deputy Assistant Commissioner for Field Operations; Directors, Deputy Directors, Assistant Directors, Administrative Officers, and Chief Clerks in FHA Field Offices; and the Assistant Commissioner for Administration, pursuant to 5 U.S.C. 16a, there is delegated the authority to administer the oath required by section 1757, Revised Statutes, as amended (5 U.S.C. 16), incident to entrance into the executive branch of the Federal Government, or any other oath required by law in connection with employment therein, such oath to be administered without charge or fee and to have the same force and effect as oaths administered by officers having seals.

* * * * *

In § 200.108 the heading and introductory text are amended to read as follows:

§ 200.108 Director of the Management and Operations Assistance Division; Deputy Director of the Management and Operations Assistance Division; and Chief of the Contracting Section.

To the position of Director of the Management and Operations Assistance Division and under his general supervision to the positions of Deputy Director of the Management and Operations Assistance Division; and Chief of the Contracting Section, and to each of them, there is delegated the following basic authority and functions:

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

Issued at Washington, D.C., June 9, 1969.

[SEAL] WILLIAM B. ROSS,
Acting Federal Housing Commissioner.

[F.R. Doc. 69-7056; Filed, June 13, 1969; 8:48 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER N—GRAZING

PART 151—GENERAL GRAZING REGULATIONS

JUNE 6, 1969.

On pages 15429–31 of the FEDERAL REGISTER of October 17, 1968, there was published a notice of proposed rule making under the authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM2 and pursuant to the authority vested in the Secretary of the Interior by 5 U.S.C. 301 and under various statutes relating to the surface use of Indian lands to revise Part 151, Subchapter N, Chapter 1, Title 25, of the Code of Federal Regulations pertaining to the General Grazing Regulations.

Interested persons were given an opportunity to submit comments, suggestions, or objections with respect to the proposed regulation revisions within 30 days from the publication of the notice in the FEDERAL REGISTER. The period for submitting comments, suggestions, or objections was subsequently extended for an additional 90 days from November 16, 1968. During these periods many comments, suggestions, and objections were received from Indian tribes and associations, tribal attorneys, Members of the Congress, and other interested persons. Careful consideration was given to the comments received, and several revisions were made as a result of them. The most significant changes in the proposed revisions are as follows:

1. A definition of a "tribe" is added to and the definition of "assignment" is eliminated from § 151.1.

2. The references to assignments of tribal land are eliminated from the definitions of "tribal land" in § 151.1.

3. The definition of "Governing body" is expanded to include recognized tribal memberships in § 151.1.

4. Objective, § 151.3(c), is clarified relative to administering grazing privileges and the term "highest return" replaces "fair return."

5. The establishment of range units in § 151.5 is revised to be under the direction of the Superintendent rather than the Area Director and the reference to the Area Director's discretion is eliminated. Government land is added.

6. The responsibility for establishing grazing capacity by the Superintendent and the Area Director and their consideration of nonlivestock uses is clarified in § 151.6.

7. The issuance of permits for grazing on range units in § 151.7 is clarified by accounting for Government land.

8. The conditions for grazing exempt from permit in § 151.8 are clearly declared to be applicable to adult members of any tribe.

9. The authority of the Superintendent to include land in grazing permits is clarified and expanded to include orphaned minors and courts of Indian offenses in § 151.9(a); § 151.9(b) is clarified and the provisions for referendum vote is eliminated.

10. The responsibility to authorize the allocation of grazing privileges in § 151.10 is vested in tribal governing bodies instead of Superintendents, allocation to adult tribal members is clarified, and some of the Area Directors' responsibilities are assigned to Superintendents.

11. The rules for the advertisement and negotiation of grazing privileges in § 151.11 are revised to provide for a 30-day advertisement period, for oral auction at the discretion of the governing body instead of the Area Director, and to clarify Indian bid preference determinations.

12. The designation of the kind of livestock in § 151.12 is revised to vest tribal governing bodies with primary responsibility and Government land is accounted for.

13. The procedures for establishing grazing fees in § 151.13 are clarified and the provision for a referendum vote is eliminated.

14. The determination of grazing permit duration in § 151.14 is revised to vest tribal governing bodies with primary responsibility and Government land is accounted for.

15. The rules for the cancellation and modification of permits in § 151.15 are clarified.

16. The authorization requirements for hay cutting and uses other than grazing in § 151.19 are clarified.

17. All other revisions are primarily editorial in character. The revised Part 151 shall become effective upon the date of publication in the FEDERAL REGISTER, except that any grazing privileges and the rules which provided for their authorization for an established period of time which began prior to the effectiveness of this part shall endure undisturbed by this part through the end of the established period.

AUTHORITY: The provisions of this Part 151 issued pursuant to the authority of the Secretary of the Interior under 5 U.S.C. 301; R.S. 463, 25 U.S.C. sec. 2; R.S. 465, 25 U.S.C. sec. 9; and by sec. 6, 69 Stat. 986, 25 U.S.C. 466. Interpret or apply R.S. 2078, 25 U.S.C. 68; R.S. 2117, 25 U.S.C. 179; sec. 3, 26 Stat. 795, 25 U.S.C. 397; sec. 1, 28 Stat. 305, 25 U.S.C. 402; sec. 4, 36 Stat. 856, 25 U.S.C. 403; sec. 1, 39 Stat. 128, 25 U.S.C. 394; sec. 1, 41 Stat. 1232, 25 U.S.C. 393; C. 158, 47 Stat. 1417, 25 U.S.C. 413; secs. 16, 17, 48, Stat. 987, 988, 25 U.S.C. 476, 477; C. 210, 53 Stat. 840, 25 U.S.C. 68a, 87a; C. 554, 54 Stat. 745, 25 U.S.C. 380; secs. 1, 2, 4, 5, 6, 69 Stat. 539, 540, 25 U.S.C. 415, 415a, 415b, 415c, 415d.

CROSS REFERENCES: For Navajo grazing regulations, see Part 152 of this chapter. For leasing and permitting of restricted Indian lands for farming, farm pasture, and business, see Part 131 of this chapter.

§ 151.1 Definitions.

(a) "Tribe" means a tribe, band, community, group, or pueblo of Indians.

(b) "Governing body" means the general council or the tribal committee, board, or other membership body recognized by the Secretary as having the authority to act for the tribe, band, community, pueblo, or group of Indians.

(c) "Secretary" means the Secretary of the Interior.

(d) "Commissioner" means the Commissioner of Indian Affairs.

(e) "Area Director" means the Director of any established Area of the Bureau of Indian Affairs.

(f) "Superintendent" means the Superintendent of any Agency of the Bureau of Indian Affairs.

(g) "Individually owned land" means land or any interest therein held in trust by the United States for the benefit of individual Indians and land or any interest therein held by individual Indians subject to Federal restrictions against alienation or encumbrance.

(h) "Tribal land" means land or any interest therein held by the United States in trust for a tribe, band, community, group, or pueblo of Indians subject to Federal restrictions against alienation or encumbrance, and includes such land reserved for Indian Bureau administrative purposes when it is not immediately needed for such purposes. The term also includes lands held by the United States in trust for an Indian corporation chartered under section 17 of the Act of June 18, 1934 (48 Stat. 988; 25 U.S.C. § 477).

(i) "Government land" means land, other than tribal land, acquired or reserved by the United States for Indian Bureau administrative purposes which is not immediately needed for the purposes for which it was acquired or reserved and land transferred to or placed under the jurisdiction of the Bureau of Indian Affairs.

(j) "Range unit" means a tract of range land designated as a management unit for administration of grazing. A range unit may consist of tribal, individually owned or Government land or any combination thereof consolidated for grazing administration.

(k) "Permit" means a revocable privilege granted in writing limited to entering on and utilizing forage by domestic livestock on a specified tract of land.

(l) "Adult tribal member," for the purposes of this part, means a member of an Indian tribe, band, community, pueblo, or group, who has attained the age of 21 years.

(m) "Immediate family" means the spouse, brothers, sisters, lineal ancestors, and descendants of an adult tribal member.

(n) "Allocation" means the apportionment of grazing privileges without competitive bidding including the determination of who may graze livestock, the number and kind of livestock, and the place such livestock will be grazed.

§ 151.2 General authority.

It is within the authority of the Secretary to protect individually owned and tribal lands against waste and to prescribe rules and regulations under which these lands may be leased or permitted for grazing. Improper use which threatens destruction of the range and soil resource is properly considered waste. With respect to reservations upon which the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), is applicable, the action of the Secretary must follow the directions in section 6 of that Act which are: "The Secretary of the Interior is directed to make rules and regulations for the operation and maintenance of Indian forestry units on the principle of sustained-yield management, to restrict the number of livestock grazed on Indian range units to the estimated carrying capacity of such ranges, and to promulgate such other rules and regulations as may be necessary to protect the range from deterioration, to prevent soil erosion, to assure full utilization of the range, and like purposes." It is also the Secretary's responsibility to improve the economic well being of the Indian people through proper and efficient resource use.

§ 151.3 Objectives.

It is the purpose of the regulations of this part to:

(a) Preserve, through proper grazing management, the land, water, forest, forage, wildlife, and recreational values on the reservations and improve and build up these resources where they have deteriorated.

(b) Promote use of the range resource by Indians to enable them to earn a living, in whole or in part, through the grazing of their own livestock.

(c) Provide for the administration of grazing privileges in a manner which will yield the highest return consistent with sustained yield land management principles and the fulfillment of the rights and objectives of tribal governing bodies and individual land owners.

§ 151.4 Regulations; scope; exceptions.

The grazing regulations of this part apply to individually owned, tribal, and Government lands under the jurisdiction of the Bureau of Indian Affairs, except as superseded by special written instructions from the Commissioner in particular instances, or by provisions of any tribal constitution, bylaws, or charter, heretofore duly ratified or approved, or by any tribal action authorized thereunder. All forms necessary to carry out the purpose of the regulations of this part shall be approved by the Commissioner. Grazing lands not in range units established under this part may be leased pursuant to Part 131 of this chapter.

§ 151.5 Establishment of range units.

The conservation, development, and effective utilization of the range resource requires consolidation of small individual and tribal ownerships and the organization of the total range area into management units. This shall be done under the direction of the Superintendent, after consultation with the Indians, in a manner which will best meet the requirements of Indian needs, land ownership status, and proper land use. Any contiguous block of Indian and Government rangeland in excess of 2,560 acres shall be designated as one or more range units. Range units smaller than 2,560 acres may also be established under this procedure.

§ 151.6 Grazing capacity.

Subject to approval of the Area Director, the Superintendent shall prescribe the maximum number of livestock which may be grazed on each range unit and the season, or seasons, of use to achieve the objectives cited in § 151.3. The grazing capacity so prescribed will take into consideration the implementation of tribal objectives and programs requiring grazeable land to support wildlife and other nonlivestock uses. Stocking rates shall be reviewed on a continuing basis and adjusted as conditions warrant.

§ 151.7 Grazing on range units authorized by permit.

Grazing on range units authorized by a grazing permit except Indians' use of their own land pursuant to § 151.8. Permits on range units containing trust or restricted land which is entirely tribally owned, or is in combination with Government land, may be issued by the governing body, subject to approval by the Superintendent, or by the Superintendent pursuant to § 151.9(b). The Superintendent shall issue all permits on range units containing trust or restricted land

which is entirely individually owned or is in combination with tribal and or Government land.

§ 151.8 Grazing exempt from permit.

Adult tribal members of any tribe may, without approval of the Superintendent, graze livestock on their own individually owned grazing land or other grazing land for which they are responsible on behalf of those non compos mentis, on behalf of their minor children and on behalf of minor children or others to whom they stand in loco parentis when such children do not have a legal representative. The term "graze livestock" means the grazing of livestock which are either owned by those persons listed above, or if not owned, are under their direct management and supervision. Grazing of livestock under any other arrangement requires approval of the Superintendent.

§ 151.9 Authority of the Superintendent to include land in grazing permits.

(a) The Superintendent may include individually owned land in grazing permits on behalf of: (1) Orphaned minors; (2) persons who are non compos mentis and without legal guardians; (3) undetermined heirs or devisees of a deceased Indian owner; (4) adults whose whereabouts are unknown; (5) heirs or devisees, none of whom are using the land and who have not been able to agree upon the permitting of their land during a 3-month period, and after notice from the Superintendent given by posting a general notice in all Post Offices on the reservation and with the tribal governing body; (6) those Indian land owners listed in § 151.8 who give the Superintendent written authority to grant grazing privileges; and (7) any other Indian minor or person who is non compos mentis or otherwise under legal disability, if that person's guardian, conservator, or other fiduciary, appointed by a State court or by a tribal court or court of Indian offenses operating under an approved constitution or law and order code, gives the Superintendent written authority to grant grazing privileges.

(b) The Superintendent may include tribal land in grazing permits on behalf of governing bodies who given written authority. When timely action is not taken by the governing body to give the Superintendent written authority, or to issue permits pursuant to § 151.7 and the criteria prescribed in § 151.10, the Superintendent may proceed to issue permits on tribal land, subject to veto of the governing body, in order to prevent resource waste or unreasonable economic loss to the tribe or its members. The Superintendent shall notify the governing body in writing of the action he proposes to take and allow a 60-day period during which the tribal veto may be exercised.

(c) The Superintendent may include Government land in grazing permits provided such land is not already under revocable permit to the tribe, in which case, paragraph (b) of this section applies.

§ 151.10 Allocation of grazing privileges.

A tribal governing body may authorize the allocation of grazing privileges without competitive bidding on tribal and tribally controlled Government land to Indian corporations, Indian associations, and adult tribal members of the tribe represented by that governing body. The eligibility requirements for allocations shall be prescribed by the governing body, subject to written concurrence of the Superintendent. Where timely action is not taken by the governing body to prescribe satisfactory requirements, the Superintendent shall notify it in writing that it has a 60-day period during which it may present requirements. Subject to the approval of the Area Director, the Superintendent shall prescribe the eligibility requirements after expiration of the 60-day period in the event satisfactory action is not taken by the governing body.

§ 151.11 Competitive and negotiated sale of grazing privileges.

(a) Grazing privileges not exempt from permit under § 151.8 and not reserved for allocation under § 151.10 shall be advertised for competitive public sale by the Superintendent except as otherwise provided in paragraphs (b) and (c) of this section. Advertisements shall be (1) approved by the Area Director prior to publication; (2) shall be for a 30-day period unless otherwise authorized by the Area Director; (3) shall call for sealed bids; (4) may provide for oral auction subsequent to sealed bid opening at the discretion of the governing body; and (5) shall limit the privilege of meeting high sealed bids of non-Indians to adult tribal members, Indian corporations, and Indian associations, according to preferences determined by the governing body and concurred in writing by the Area Director.

(b) The Area Director may authorize the issuance of grazing permits by negotiation when in his discretion no useful purpose would be served by advertisement. Negotiated permits shall be limited to the grazing capacity established pursuant to § 151.6.

§ 151.12 Kind of livestock.

(a) Tribal governing bodies may determine, subject to the grazing capacity prescribed by the Superintendent and Area Director, the kind of livestock, e.g., cattle, sheep, etc., that may be grazed on range units composed entirely of tribal land or in combination with Government land.

(b) The Superintendent shall designate the same kind of livestock to be grazed on range units composed entirely of individually owned land, or in combination with tribal and or Government land, as that determined by governing bodies pursuant to paragraph (a) of this section, unless the principles of proper land management or efficient permit administration require otherwise.

§ 151.13 Establishment of grazing fees.

(a) Tribal governing bodies may determine the minimum rental rate to be charged for the use of tribal lands (1) included in advertisements for public sale, and (2) by allocation, except that allocated Indian permittees shall be required to pay not less than the reservation minimum rental rate established by the Area Director pursuant to paragraph (b) of this section for all non-Indian owned livestock which they may be authorized to graze on tribal lands. Prior to these determinations, the Superintendent shall provide the tribe with all available information including appraisal data concerning the value of grazing on tribal lands.

(b) The Area Director shall establish a reservation minimum acceptable grazing rental rate. The reservation minimum rate shall apply to all grazing privileges permitted on individually owned lands, to non-Indian owned livestock which allocated permittees may be authorized to graze on tribal lands, and to all tribal lands when the governing body fails to establish a rate pursuant to paragraph (a) of this section. Except as otherwise provided in paragraph (c) of this section, the rate established shall provide a fair annual return to the land owners.

(c) Indian landowners, in giving the Superintendent written authority to grant grazing privileges on their individually owned land, may stipulate a minimum rate above the reservation minimum set by the Area Director if justified because of above average value. They may also stipulate a lower rate than the reservation minimum, subject to approval of the Superintendent when the permittee is a member of the landowner's immediate family.

§ 151.14 Duration of grazing permits.

(a) Tribal governing bodies may determine the duration of grazing permits on range units composed entirely of tribal land or in combination with Government land, subject to a maximum period of 5 years except when substantial development or improvement is required, in which case the maximum period shall be 10 years.

(b) Subject to the same duration limits set forth in paragraph (a) of this section, the Superintendent shall prescribe the same period of duration for permits on range units composed entirely of individually owned land, or in combination with tribal and/or Government land, as that determined by governing bodies pursuant to paragraph (a) of this section unless the principles of proper land management or efficient permit administration require otherwise.

(c) Permits for a period in excess of 5 years shall provide for review of the grazing fees by the Superintendent at the end of the first 5 years and for adjustment as necessary.

§ 151.15 Assignment, modification, and cancellation of permits.

(a) Grazing permits shall not be assigned, subpermitted, or transferred without the consent of the contracting parties, including the surety, and the approval of the Superintendent.

(b) The Superintendent may revoke or withdraw all or any part of a grazing permit by cancellation or modification on 30 days' written notice for violation of the permit or because of termination of trust status of permitted land. In case of cancellation or modification because of trust termination the action shall be effected on the next annual anniversary date of the grazing permit following the date of notice.

(c) The Superintendent may revoke or withdraw all or any part of a grazing permit by cancellation or modification on 180 days' written notice for allocated Indian use or for grazing exempt from permit pursuant to § 151.8. Unless otherwise mutually agreed upon by the interested parties, such actions shall be effected on the next annual anniversary date of the grazing permit following the date of notice except when such timeliness of notice is not possible, in which case deferment of the intended action shall not be required to extend beyond 180 days from the date of the notice. Rental fees for grazing privileges taken for allocation shall not be less than those paid by the preceding permittee.

§ 151.16 Conservation and land use provisions.

Grazing operations shall be conducted in accordance with recognized principles of good range management. Stipulations or management plans necessary to accomplish this may be made a part of the grazing permit.

§ 151.17 Range improvements; ownership.

Improvements placed on the permitted land shall be considered affixed to the land unless specifically excepted therefrom under the permit terms. Written permission to construct and to remove improvements must be secured from the Superintendent. The permit will specify the maximum time allowed for removal of improvements so excepted.

§ 151.18 Payment of tribal fees and taxes.

Fees and taxes exclusive of annual grazing fees, assessed by the tribe in connection with grazing permits and with the approval of the Commissioner or Secretary, shall be billed for by the tribe and paid annually in advance to the designated tribal official. Failure to make payment will subject the grazing permit to cancellation and may disqualify the permittee for future permits.

§ 151.19 Special permit requirements and provisions.

(a) All grazing permits shall contain the following provisions:

(1) While the lands covered by the permit are in trust or restricted status, all of the permittee's obligations under the permit and the obligation of his sureties are to the United States as well as to the owner of the land.

(2) Nothing contained in the permit shall operate to delay or prevent a termination of Federal trust responsibilities with respect to the land by the issuance of a fee patent or otherwise during the term of the permit.

(3) The permittee agrees he will not use, cause, or allow to be used any part of the permitted area for any unlawful conduct or purpose.

(4) The permit authorizes the grazing of livestock only and the permittee shall not utilize the permitted area for hay cutting, hunting, post or timber cutting, or any other use without written authorization from the responsible Indian or Federal authority.

§ 151.20 Bonding and insurance requirements.

(a) A performance bond satisfactory to the Superintendent may be required in an amount that will reasonably assure performance of the contractual obligations. A bond, when required, may be for the purpose of guarantying the estimated construction cost of any improvement to be placed on the land which will become the property of the landowner or to insure compliance with special or additional contractual obligations.

(b) The permittee may be required to provide insurance in an amount adequate to protect any improvements on the permitted premises; and may also be required to furnish appropriate liability insurance and such other insurance as may be necessary to protect the landowner's interest.

§ 151.21 Payment of annual grazing fees.

Annual grazing fees for all grazing permits shall be paid in advance and the date due shall be a provision of the permit. Payment shall be made to the Bureau of Indian Affairs unless otherwise provided by the permit.

§ 151.22 Payment of preparation fees.

Permittees shall pay annually in advance the following fee, in addition to the grazing fee, to cover the cost of work performed in the preparation of grazing permits: *Provided*, That where all or any part of the expenses of the work are paid from tribal funds an alternate schedule of fees may be approved by the Commissioner:

Annual grazing fee	*Preparation fee (percent)*
On the first $500	3
On the next $4,500	2
On all above $5,000	1

In no event shall the fee be less than $2 nor exceed $250.

§ 151.23 On-and-off grazing privileges.

The permittee may be allowed credit for the grazing capacity of other range lands not covered by the permit, but which are owned or controlled by him and grazed in common with the permitted lands as a part of the range unit. The grazing capacity will be determined by the Superintendent and shown on the grazing permit.

§ 151.24 Livestock trespass.

The owner of any livestock grazing in trespass on restricted or trust Indian lands is liable to a penalty of $1 per head for each animal thereof for each day of trespass, together with the reasonable value of the forage consumed and damages to property injured or destroyed. The Superintendent shall take action to collect all such penalties and damages and seek injunctive relief when appropriate. All payments for such penalties and damages shall be credited to the landowners where the trespass occurs. The following acts are prohibited:

(a) The grazing upon or driving across any individually owned, tribal, or Government lands of any livestock without an approved grazing or crossing permit.

(b) Allowing livestock to drift and graze on restricted or trust Indian lands without an approved permit.

(c) The grazing of livestock upon restricted or trust Indian lands within an area closed to grazing of that class of livestock.

(d) The grazing of livestock by permittee upon an area of restricted or trust Indian lands withdrawn from use for grazing purposes to protect it from damage by reason of the improper handling of the livestock, after the receipt of notice from the Superintendent of such withdrawal, or refusal to remove livestock upon instructions from the Superintendent when an injury is being done to the Indian lands by reason of improper handling of livestock.

§ 151.25 Control of livestock diseases.

Whenever livestock on Indian lands become infected with contagious or infectious diseases, or have been exposed thereto, such livestock must be treated and the movement thereof restricted in accordance with applicable Federal and State laws and tribal ordinances.

T. W. TAYLOR,
Acting Commissioner of Indian Affairs.

[F.R. Doc. 69-7036; Filed, June 13, 1969; 8:46 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 511—WAGE ORDER PROCEDURE FOR PUERTO RICO, THE VIRGIN ISLANDS, AND AMERICAN SAMOA

Compensation of Committee Members

Pursuant to authority in section 5 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, as amended; 29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949–1953 Comp., p. 1004), and in Secretary's Order No. 19-67 (32 F.R. 12980), I hereby amend 29 CFR 511.4 to read as set forth below. The purpose of this amendment is to increase the compensation of each member of an industry committee from $70 to $80 for each day spent in the work of the committee.

As this amendment concerns only a rule of agency practice, and is not substantive, notice of proposed rule making, opportunity for public participation,

and delay in effective date are not required by 5 U.S.C. 553. It does not appear that such participation or delay would serve a useful purpose. Accordingly, this revision shall be effective immediately.

As amended, § 511.4 reads as follows:

§ 511.4 Compensation of committee members.

Each member of an industry committee will be allowed a per diem of $80 for each day actually spent in the work of the committee, and will, in addition, be reimbursed for necessary transportation and other expense incident to traveling in accordance with Standard Government Travel Regulations then in effect. All travel expenses will be paid on travel vouchers certified by the Administrator or his authorized representative. Any other necessary expenses which are incidental to the work of the committee may be incurred by the committee upon approval of, and shall be paid upon certification of, the Administrator or his authorized representative.

(Sec. 5, 52 Stat. 1062, as amended; 29 U.S.C. 205)

Signed at Washington, D.C., this 10th day of June 1969.

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

[F.R. Doc. 69-7069; Filed, June 13, 1969; 8:49 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

Sequoia and Kings Canyon National Parks, Calif.

A proposal was published at page 18444 and 18445 of the FEDERAL REGISTER of Thursday, December 12, 1968, to eliminate material on camping, entrance roads, and speed which is now covered in the general regulations of Part 2 of this title; to delete parts of the fishing regulations now covered in the general park regulations; to delete restrictions on eating and drinking establishments and the sale of food and drink now covered by Part 5 of this title; while retaining regulations on dogs and cats and adding new sections on health and sanitation and building construction laws and regulations of § 7.8 of Title 36 of the Code of Federal Regulations.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received and the proposed amendments are hereby adopted without change and is set forth below. These amendments shall take effect 30 days following the date of publication in the FEDERAL REGISTER.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3; 41 Stat. 731; 16 U.S.C. 61; 54 Stat. 41; 16 U.S.C. 80d)

Section 7.8 is revised to read as follows:

§ 7.8 Sequoia and Kings Canyon National Parks.

(a) *Dogs and cats.* Dogs and cats are prohibited on any park land or trail, except within one-fourth mile of developed areas which are accessible by a designated public automobile road.

(b) *Fishing.* (1) In Sequoia National Park the following waters are closed to fishing:

(i) On the watershed of the North Fork of the Kaweah River; Yucca Creek and tributaries from confluence with North Fork to sources from July 1 to close of State's fishing season; Cabin Creek from General's Highway to source.

(ii) On the watershed of the Marble Fork of the Kaweah River; Deer Creek from the foot bridge on the Sunset-Village Trail to source, except that children 10 years of age or younger are exempt from this closure; that section of Wolverton Creek from the dam upstream to the source, except that persons 15 years of age or younger are exempt from this closure at the pond held by the dam; and Silliman Creek from General's Highway to source at outlet of Silliman Lakes.

(iii) On the watershed of the Middle Fork of the Kaweah River: Crescent Creek from source to High Sierra Trail Bridge at lower Crescent Meadow.

(2) In Kings Canyon National Park the following waters are closed to fishing:

(i) On the watershed of the South Fork of the Kings River: Sheep Creek and its tributaries; Lewis Creek downstream from the first trail crossing; and Comb Creek from Lewis Creek upstream to first trail crossing.

(c) *Privately owned lands*—(1) *Water supply, sewage or disposal systems, and building construction or alterations.* The provisions of this paragraph apply to the privately owned lands within Sequoia and Kings Canyon National Parks.

(i) *Facilities.* (a) Subject to the provisions of subdivision (iii) of this subparagraph, no person shall occupy any building or structure, intended for human habitation or use, unless such building complies with standards, prescribed by State and county laws and regulations applicable in the county within whose exterior boundaries such building is located, as to construction, water supply and sewage disposal systems.

(b) No person shall construct, rebuild, or alter any building, water supply or sewage disposal system without the permission of the Superintendent. The Superintendent will give such permission only after receipt of written notification from the appropriate Federal, State, or county officer that the plans for such building or system comply with State or county standards. Any person aggrieved by an action of the Superintendent with respect to any such permit or permit application may appeal in writing to the Director, National Park Service, U.S. Department of the Interior, Washington, D.C. 20240.

(ii) *Inspections.* (a) The appropriate State or county officer, the Superintendent, or their authorized representatives or an officer of the U.S. Public Health Service, may inspect any building, water supply, or sewage disposal system, from time to time, in order to determine whether the building, water supply, or sewage disposal system comply with the State and county standards: *Provided, however,* That inspection shall be made only upon consent of the occupant of the premises or pursuant to a warrant.

(b) Any building, water supply, or sewage disposal system may be inspected without the consent of the occupant of the premises or a warrant if there is probable cause to believe that such system presents an immediate and severe danger to the public health and safety.

(iii) *Defective systems.* (a) If upon inspection, any building, water supply or sewage disposal system is found by the inspecting officer not to be in conformance with applicable State and county standards, the Superintendent will send to the ostensible owner and/or the occupant of such property, by certified mail, a written notice specifying what steps must be taken to achieve compliance. If after 1 year has elapsed from the mailing of such notice the deficiency has not been corrected, such deficiency shall constitute a violation of this regulation and shall be the basis for court action for the vacation of the premises.

(b) If upon inspection, any building, water supply or sewage disposal system is found by the inspecting officer not to be in conformance with established State and county standards and it is found further that there is immediate and severe danger to the public health and safety or the health and safety of the occupants or users, the Superintendent shall post appropriate notices at conspicuous places on such premises, and thereafter, no person shall occupy or use the premises on which the deficiency or hazard is located until the Superintendent is satisfied that remedial measures have been taken that will assure compliance with established State and county standards.

(d) *Stock Driveways.* (1) The present county road extending from the west boundary of Kings Canyon National Park near Redwood Gap to Quail Flat junction of the General's Highway and the old road beyond is designated for the movement of stock and vehicular traffic, without charge, to and from national forest lands on either side of the General Grant Grove section of the park. Stock must be prevented from straying from the right of way.

JOHN S. MCLAUGHLIN,
Superintendent, Sequoia and Kings Canyon, National Parks, Calif.

[F.R. Doc. 69-7038; Filed, June 13, 1969; 8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

MISCELLANEOUS AMENDMENTS TO CHAPTER

The regulations of the Post Office Department are amended as follows:

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

I. In § 113.8 paragraph (a) is revised so as to update the Department's policy statement relative to the release to the public of information respecting employees.

§ 113.8 Information concerning employees.

(a) *Policy.* (1) Prospective employers of a postal employee or a former postal employee may be furnished tenure of employment; Civil Service status; length of service in the postal service and the Federal Government; and when separated, the date and reason for separation shown on Standard Form 50. In addition, employee names, position titles, grades, salaries, and duty stations (which includes the room number, shop designation, or other identifying information regarding the building or place of employment) will be released by installation heads in response to requests unless:

(i) The release is prohibited under law or executive order in the interest of national defense or foreign policy.

(ii) The information is sought for purposes of commercial or other solicitation. Use of this information by an employee organization to increase its membership does not constitute commercial or other solicitation. An employee organization may not furnish or sell this information to others.

(iii) There is reason to believe that the names would be used for purposes which may violate the political activity prohibitions in subchapter III of chapter 73 of title 5, United States Code, or which may violate other law.

(2) In addition to the information to be made available under subparagraph (1) of this paragraph, the home address of an employee shall be made available to a police or court official on receipt of a proper request stating that an indictment has been returned against the employee or that a complaint, information, accusation, or other writ involving nonsupport or a criminal offense, has been filed against him and his address is needed for service of a summons, warrant, subpoena, or other legal process.

(3) Except as provided in subparagraphs (1) and (2) of this paragraph, information required to be included in an official personnel folder by the instructions of the Civil Service Commission is not available to the public.

(4) The Commission makes information available to the public that will assist members of the public in understanding the purpose of, and in preparing for, civil service examinations. It makes information available to the public relative to the types of questions and the categories of knowledge or skill pertinent to a particular examination.

(i) Test material is not available to the public. The test papers of a competitor may be disclosed to him only during his examination. Each employee entrusted with test material has a positive duty to protect the confidentiality of that material and to assure that it is released only as required to conduct an examination authorized by the Commission.

(ii) The names of applicants for civil service positions or eligibles on civil service registers, certificates, employment lists, or other lists of eligibles, or their ratings or relative standings are not information available to the public. However, information of that type may be disclosed to Members of Congress and the press under the specific conditions prescribed in the Administrative Manual of the Commission.

(5) The Commission or other Government agency will disclose to the parties concerned any report of investigation under its control, or an extract of the report, to the extent the report is involved in a proceeding under Part 352, 353, 771, or 772 of the Civil Service Commission regulations and the report of investigation or the written summary thereof in a proceeding under Part 713 of the Civil Service Commission regulations, except when the disclosure would violate the proscription against the disclosure of medical information in § 794.-401 of the Civil Service Commission regulations. For the purpose of this paragraph, the "parties concerned" means the Government employee or former Government employee involved in the proceeding, his representative designated in writing, and the representative of the agency involved in the proceeding.

(6) The Commission or other Government agency does not make a report of investigation or information from a report under its control available to the public, to witnesses, or, except as provided in subparagraph (5) of this paragraph, to the parties concerned in the investigation.

(7) No report of investigation, or an extract of the report, will be disclosed to the parties concerned in the investigation in any proceeding if it would violate a pledge of confidence.

* * * * *

NOTE: The corresponding Postal Manual section is 113.81.

PART 143—METERED STAMPS

II. In § 143.4 paragraph (f) is revised for clarification, and to state that mailing pieces bearing tapes which include only the month and year in the meter postmark may be accepted during the month shown and through the 10th day of the following month.

§ 143.4 Meter stamps.

* * * * *

(f) *Date of mailing.* (1) The actual date of deposit, including month, day, and year must be shown in the meter postmark on all first-class, airmail, and priority mail (heavy pieces), and on all registered, certified, insured, C.O.D., special delivery, and special handling mail, whether the postmark is printed directly on the mailing piece or on a separate tape affixed to the mailing piece.

(2) A date may not be shown in the meter postmark printed directly on a second-, third- or fourth-class mailing piece, but if the meter postmark is printed on a separate tape a date must be shown to lessen the possibility of improper reuse of the tape. The date must include the month and year, but the day may be omitted when the mailer does not definitely know what the actual date of deposit will be. Mailing pieces bearing tapes which include only the month and year in the meter postmark may be accepted during the month shown and through the 10th day of the following month.

* * * * *

NOTE: The corresponding Postal Manual section is 143.46.

PART 172—NONPOSTAL STAMPS AND BONDS

III. Section 172.1 is revised to state that documentary internal revenue stamps are no longer sold at post offices.

§ 172.1 Documentary internal revenue stamps.

The sale of documentary internal revenue stamps at post offices was discontinued at the close of business December 31, 1967. Persons desiring to purchase, exchange, or redeem the documentary stamps shall be referred to the nearest District Collector of Internal Revenue.

NOTE: The corresponding Postal Manual section is 172.1.

IV. In § 172.3 paragraph (b) is amended to reflect that bound books of 10-cent savings stamps have been eliminated.

§ 172.3 U.S. savings stamps.

* * * * *

(b) *Denominations.* Savings stamps are furnished in sheets in denominations of 10, 25, and 50 cents, and $1 and $5. The 25-cent stamps are also available bound in books. "Gift books" of ten 25-cent savings stamps sell for $2.50; and "gift books" of twenty 25-cent stamps for $5. Stamps in these books are not detached and sold separately, but they must be detached and affixed in an album before they may be redeemed at a post office.

* * * * *

NOTE: The corresponding Postal Manual section is 172.32.

V. In § 172.4 paragraphs (a) and (h) are amended, respectively, to provide that postmasters at certain post offices may request authority from their regional controllers to sell savings bonds; and to furnish information on the availability of U.S. savings notes (freedom shares) under the payroll savings plan.

Accordingly, in § 172.4 *U.S. savings bonds*, make the following changes:

Amend that part of paragraph (a) preceding the denomination table and amend paragraph (h) to read as follows:

§ 172.4 United States savings bonds.

(a) *Availability.* The Post Office Department acts as agent of the Treasury Department for the sale of Series E U.S. savings bonds at post offices in communities where no banks sell the bonds or where there are no other issuing agents. At any such office where there is a demand for bonds, the postmaster may request authority from his regional controller to sell them. Savings bonds are available in the following denominations:

* * * * *

(h) *Payroll savings plan*—(1) *Object.* The plan permits employees of the Postal Service to authorize withholding of salary deductions for the purchase of savings bonds and U.S. savings notes (freedom shares). Savings notes are in denominations of $25, $50, $75, and $100 with corresponding purchase prices of $20.25, $40.50, $60.75, and $81, respectively. They are available only with the simultaneous purchase of series E bonds. Savings bonds alone may be purchased through the payroll savings plan, or any combination of savings bonds and savings notes may be purchased providing the face value of the savings bond is equal to or exceeds the face value of the savings note. The availability of the payroll savings plan shall be made known to all employees.

(2) *Authorization.* Standard Form 1192, U.S. Savings Bonds Authorization for Purchase and Request for Change, shall be used by employees who wish to authorize deductions from pay each pay period for bonds only, or to authorize any changes desired in deductions or bonds. Standard Form 1192–A, Authorization for Purchase or Request for Change—U.S. Savings Bonds and Savings Notes (Freedom Shares), shall be used by employees who wish to authorize deductions from pay each pay period for the purchase of the bond and note combination. The form used shall be completed in detail by the employee and forwarded by the postmaster or other official to the postal data center. The minimum deduction for bonds is $3.75 each payday. Larger allotments in multiples of $1.25 may be made. The minimum deduction for the combined bond-and-note purchase is $3.90 each payday. The maximum allotment that can be applied to purchase of savings notes is $40.50 each payday. Deductions must be made in an aliquot amount of the combined purchase price of the bond and note.

(3) *Issuance of bond.* The postal data center will issue bonds and notes and deliver to purchaser when deductions are sufficient to pay for them. Bonds of the $50 and higher denominations will be given an issue date of the first day of the month in which at least half of the purchase price is accumulated, regardless of the number of payroll deductions required to complete the full purchase price of the bonds. Except for a combination containing $25 savings bonds, all bonds and notes issued under the bond-and-note combination will be given an issue date of the first day of the month in which one half or more of the purchase price has been accumulated.

(4) *Refund of deductions.* The postal data center will refund withheld deductions insufficient to purchase a bond or bond-and-note combination if the employee is separated from the service or cancels his withholding authorization.

NOTE: The corresponding Postal Manual sections are 172.41 and 172.48.

PART 173—POSTAL SAVINGS

VI. Part 173 is revised to eliminate instructions for paying postal savings withdrawals at post offices. Information about the discontinuance of the Postal Savings System and payment of withdrawals by the Treasury Department has been added.

Sec.
173.1 System discontinued.
173.2 Records of accounts.
173.3 Withdrawals.
173.4 Inquiries from depositors and claimants.

AUTHORITY: The provsions of this Part issued under 5 U.S.C. 301, 39 U.S.C. 501, 5225, 5228, 5229.

§ 173.1 System discontinued.

The Postal Savings System was discontinued by Public Law 89–377, approved March 28, 1966. The effective date for closing the system was April 27, 1966. After that date no postal savings deposits were accepted. In accordance with the law, all funds remaining on deposit July 1, 1967, were transferred to the Treasury Department to be held there subject to proper claims. Interest ceased to accrue on postal savings certificates on the interest anniversary dates of the individual certificates occurring before April 26, 1967. No interest accrues after that date, but the face value of a certificate and the interest due to anniversary date will be paid whenever the certificate is surrendered.

§ 173.2 Records of accounts.

The records of accounts with outstanding balances, Form PS 600, *Record of Postal Savings Account*, which were established when the accounts were opened, have been transferred to the Treasury Department. They will be maintained there as the official records of the accounts.

§ 173.3 Withdrawals.

All withdrawals will be paid by the Treasury Department. Postmasters will keep on hand a supply of Form 315, Depositor's Application to Withdraw Postal Savings, and other forms which have been used by the Post Office Department in connection with the accounts of deceased depositors. They will supply applicants with Form 315 and any other necessary forms, assist them in completing them, and tell them to mail them with the endorsed certificates to the Treasury Department, Bureau of Accounts, Investments Branch, Washington, D.C. 20226. A legal representative of a depositor should be advised to include a copy of his appointment with his application for payment on Form 315. If uncertain as to the requirements to be met for the Treasury Department to pay an account, the postmaster should advise the claimant to write to the Treasury Department, Bureau of Accounts, for information.

§ 173.4 Inquiries from depositors and claimants.

If a person claims to have a postal savings account, but does not have any certificates evidencing deposits, or requests information about an account as an entitled claimant, the postmaster will tell the person inquiring to write the Treasury Department at the above address for information and assistance.

NOTE: The corresponding Postal Manual Part is Part 173.

To the extent the foregoing amendments are not procedural regulations, they do not substantially affect rights of members of the public. Accordingly, they are effective upon publication in the FEDERAL REGISTER.

(5 U.S.C. 301, 552, 31 U.S.C. 757c, 39 U.S.C. 501, 4052, 4053)

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 69-7048; Filed, June 13, 1969; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4668]

ALASKA

Modification of Public Land Order No. 4582

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), as amended, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 4582 of January 17, 1969, withdrawing all unreserved public lands in Alaska for the determination and protection of the rights of the native Aleuts, Eskimos and Indians of Alaska, is hereby modified to the extent necessary to permit the issuance of rights-of-way for electrical plants, poles, and lines for the generation and distribution of electrical power to serve native villages, under the act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959) and/or the act of March 4, 1911 (36 Stat. 1253; 43 U.S.C. 961).

WALTER J. HICKEL,
Secretary of the Interior.

JUNE 10, 1969.

[F.R. Doc. 69-7049; Filed, June 13, 1969; 8:48 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 131—COLLEGE LIBRARY RESOURCES PROGRAM UNDER TITLE II–A, HIGHER EDUCATION ACT OF 1965, AS AMENDED

Program Purposes

Correction

In F.R. Doc. 69-6580 appearing at page 8916 in the issue of Wednesday, June 4, 1969, § 131.(b)(2) should read as follows:

(2) Meeting special national or regional needs in the library and information sciences (hereinafter referred to as type B); or

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 69-633]

PART 87—AVIATION SERVICES

INTERIM Basic Aeronautical Communications Emergency Plan

In the matter of amendment of Part 87 of the Commission's rules to align them with the INTERIM Basic Aeronautical Communications Emergency Plan (AEROCEP) and with the Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids and revision of the INTERIM Basic Aeronautical Communications Emergency Plan to incorporate provisions for leased intercity private line facilities.

1. The Commission has under consideration a formal recommendation of the National Industry Advisory Committee (NIAC), which was submitted April 2, 1969, for minor revisions of the INTERIM Basic Aeronautical Communications Emergency Plan (AEROCEP) for operation during emergencies, heretofore adopted by the Commission on May 15, 1968.

2. Executive Orders 11092 and 10312 and section 606(c) of the Communications Act of 1934, as amended, places upon the Commission various functions including the development of plans and procedures covering authorization, operation and use of Safety and Special Radio Services facilities and personnel in the national interest in an emergency.

3. To the extent that they are not editorial in nature, the amendments contained in this order reflect Commission policy as established in the approved plans cited above. Moreover, their immediate adoption is justified for reasons of national security. They may therefore be adopted without regard to the notice and effective date provisions of the Administrative Procedure Act (5 U.S.C. 553).

4. *It is ordered*, Pursuant to sections 4(i), 606(c), and 606(d) of the Communications Act of 1934, as amended, and Executive Orders 11092 and 10312, that the revised INTERIM Basic Aeronautical Communications Emergency Plan, corrected to March 20, 1969, which includes new subparagraph 5 of Section F (Attachment 3)[1] and new Annex XIV to the Plan is approved, and

5. *It is further ordered*, That effective June 17, 1969, Part 87 of the Commission's rules is amended as set forth below.

(Secs. 4, 606, 48 Stat., as amended, 1068, 1104; 47 U.S.C. 154, 606; E.O. 11092, 10312)

Adopted: June 4, 1969.

Released: June 11, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

§§ 87.161, 87.163, 87.165 [Deleted]

1. In Subpart A of Part 87, the undesignated center heading National Defense and §§ 87.161, 87.163, and 87.165 are deleted.

2. A new Subpart Q is added to Part 87 to read as follows:

Subpart Q—National Defense

AUTHORITY: The provisions of this Subpart Q issued under section 606, 48 Stat. 1104, as amended, 47 U.S.C. 606; Executive Order 10312, 16 F.R. 12452.

Subpart Q—National Defense

§ 87.601 Scope and objective.

(a) Sections 87.603 through 87.605 establish an Emergency Action Notification System for all Aviation Service licensees of the Federal Communications Commission, and an INTERIM Aeronautical Emergency Communications System (AECS) under the provisions of the approved INTERIM Basic Aeronautical Communications Emergency Plan (AEROCEP). The objectives are to provide an expeditious means for the dissemination of an Emergency Action Notification (with or without an Attack Warning) to Aviation Service licensees of the Federal Communications Commission during conditions of a grave National crisis or war, and to provide for an INTERIM Aeronautical Emergency Communications System (AECS), which would be activated upon release of an Emergency Action Notification by direction of the President of the United States.

(b) Sections 87.606 and 87.607 are for the purpose of providing for continued radio service and operation of facilities to the extent necessary for the safety or control of friendly aircraft during periods of attack or imminent threat thereof or as otherwise specified in these sections. These sections also provide for the security control of selected non-Federal air navigation aids during specified conditions under the provisions of the approved plan for the Security Control of Air Traffic and Air Navigation Aids (SCATANA). In addition, it is the objective to provide for actions to be taken under a Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids (SCATANA), in the interest of national security, to effect control of selected accurate non-Federal air navigation stations (VOR, VORTAC, TACAN, DECCA, and SHORAN) by the Regional Commanders, North American Air Defense Command during periods of Defense Emergency/Air Defense Emergency, or when the NORAD Region is under attack which will provide most effective utilization of such aids by military and civil aircraft, while denying their use to an enemy.

(a) *Accurate Air Naviagation Aids.* Radionavigation stations in the following categories: Very High Frequency Omni-directional Range (VOR), Very High Frequency Omni-directional Range and Tactical Air-Navigation (VORTAC), Tactical Air Navigation (TACAN), Short Range Hyperbolic Navigation System (DECCA) and Short Range Radionavigation (SHORAN).

(b) *Air Defense Emergency.* An emergency condition, declared or confirmed by either Commander-In-Chief, North American Air Defense (CINCNORAD) or Commander-In-Chief, Continental Air Defense (CINCONAD), or higher authority, which exists when attack upon the continental United States, Alaska, Canada, or U.S. installations in Greenland by hostile aircraft or missiles is considered probable, is imminent, or is taking place.

(c) *Defense Emergency.* An emergency condition which exists when a major attack is made upon U.S. forces overseas, or on allied forces in any theater of operations and is confirmed either by the commander of a command established by the Secretary of Defense or higher authority.

(d) *Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids.* A plan to establish the responsibilities, procedures, and general instructions for the security control of selected non-Federal air navigation aids (VOR, VORTAC, TACAN, DECCA, and SHORAN), under the provisions of the SCATANA Plan, during a Defense Emergency/Air Defense Emergency or imminence thereof.

(e) *Emergency Action Condition.* The period of time between the transmission of an Emergency Action Notification and the transmission of the Emergency Action Condition Termination.

(f) *Emergency Action Condition Termination.* The notice to all licensees and regulated services of the Federal Communications Commission, and to the general public, of the termination of an

[1] Attachment B filed as part of the original document.

Emergency Action Condition. The Emergency Action Condition Termination is released upon direction of the President of the United States and is disseminated only via the Emergency Action Notification System.

(g) *Emergency Action Notification.* The notice (with or without an Attack Warning) to all licensees and regulated services of the Federal Communications Commission and to the general public of the existence of an Emergency Action Condition. The Emergency Action Notification is released upon direction of the President of the United States and is disseminated only via the Emergency Action Notification System.

(h) *Emergency Action Notification System.* The System by which all licensees and regulated services of the Federal Communications Commission, and the general public, are notified (with or without an Attack Warning) of the existence of an Emergency Action Condition resulting from a grave national crisis or war. The Emergency Action Notification system and the INTERIM Aeronautical Emergency Communications System (AECS) Implementation System consist only of the following approved facilities, systems and arrangements:

(1) *First method.* From the President of the United States via the White House Communications Agency to the Associated Press (AP) and United Press International (UPI); thence via automatic selective switching and teletype Emergency Action Notification to all standard, FM, and television broadcast and other stations (including Aeronautical stations) subscribing to the AP and UPI Radio Wire Teletype Networks.

(2) *Second method.* From the President of the United States via the White House Communications Agency to specified control points of the nationwide commercial Radio and Television Broadcast Networks, the American Telephone and Telegraph Co. and other specified points via a dedicated teletypewriter network; thence to all affiliates via any available internal commercial radio and television network alerting facilities.

(3) *Third method.* Off-the-air monitoring of specified standard, FM and television broadcast stations by standard, FM, and television broadcast stations and Federal Communications Commission licensees (including Aeronautical licensees) for receipt of the Emergency Action Notification. All broadcast station licensees are required to install, maintain, and operate radio receiving equipment for receipt of the Emergency Action Notification.

(4) *Fourth method.* Off-the-air monitoring of standard, FM, and television broadcast stations by the general public who are listening or viewing or whose receivers can be activated by standardized selective signalling transmitted by said stations.

(i) *Five-minute control time.* The maximum time allowed to start and/or discontinue transmission from an air navigation aid.

(j) *INTERIM Aeronautical Emergency Communications System (AECS).* A plan which provides for operation of aeronautical stations subject to this part, on a voluntary organized basis, to provide the President and the Federal Government as well as State and local governments, and the aeronautical industry with an expeditious means of emergency communications during an Emergency Action Condition.

(k) *National Defense Emergency Authorization (NDEA).* An authorization issued by the Federal Communications Commission to the licensees of aeronautical stations, subject to the provisions of this part, for operation in accordance with the INTERIM Aeronautical Emergency Communications System (AECS), the INTERIM Basic Aeronautical Communications Emergency Plan (AEROCEP), including the annexes and supplements to that plan and the Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids.

(l) *Non-Federal Air Navigation Aids.* VOR, VORTAC, TACAN, DECCA, and SHORAN stations licensed by the Federal Communications Commission.

(m) *NORAD Region.* A geographical subdivision of the area for which NORAD is responsible.

(n) *North American Air Defense Command (NORAD).* An integrated United States-Canadian command. NORAD includes, as component commands, the U.S. Air Force Air Defense Command, U.S. Army Air Defense Command, and the Canadian Forces Air Defense Command.

(o) *SCATANA.* The short title for the Joint Department of Defense/Federal Aviation Administration/Federal Communications Commission plan for the Security Control of Air Traffic and Air Navigation Aids.

(p) *Tactical Air Traffic.* Military flights actually engaged in operational missions against the enemy, flights engaged in immediate development for a combat mission, and predesignated combat and logistical support flights contained in Emergency War Plans.

(q) *United States.* The several States, the District of Columbia, the Commonwealth of Puerto Rico, and the several territories and possessions of the United States (including areas of air, land, or water administered by the United States under international agreement), including the territorial waters and the overlying airspace thereof.

§ 87.603 Aeronautical Emergency Communications System.

The INTERIM Aeronautical Emergency Communications System (AECS) provides for operation of aeronautical stations subject to this part, on a voluntary organized basis, to provide the President and the Federal Government, as well as State and local governments, and the aeronautical industry with an expeditious means of emergency communications during an Emergency Action Condition. Provision is made in the approved INTERIM Basic Aeronautical Communications Emergency Plan (AEROCEP) for the development of an emergency aeronautical communications capability responsive to emergency contingencies on a voluntary organized basis.

§ 87.604 National Defense Emergency Authorization (NDEA).

A National Defense Emergency Authorization will be issued by the Federal Communications Commission to the licensees of aeronautical stations, subject to the provisions of this part, to permit operation of such stations on a voluntary organized basis during an Emergency Action Condition, consistent with the provisions of this subpart, the INTERIM Aeronautical Emergency Communications System (AECS), the INTERIM Basic Aeronautical Communications Emergency Plan (AEROCEP), including the annexes and supplements to that plan and to those licensees of non-Federal air navigation aids designated as Military Necessity Aids in the Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids.

§ 87.605 Notification of emergency action condition.

(a) Authority for release of the Emergency Action Notification rests solely with the President of the United States. This authority has not been delegated, except as set forth in paragraph (b) of this section.

(b) Under the President's responsibility to activate the Emergency Broadcast System (EBS), he has directed that in the event an enemy attack has been detected, the White House Communications Agency shall be authorized to activate the Emergency Broadcast System (EBS) and the Office of Civil Defense shall be authorized to follow with the dissemination of appropriate warning messages.

(c) Upon release of the Emergency Action Notification all provisions of the Basic Emergency Broadcast System (EBS) Plan, Annexes and Supplements thereto, and all approved plans for all other Federal Communications Commission licensed and regulated services, including the Aviation Services, shall become effective for the duration of the Emergency Action Condition.

(d) The Emergency Action Notification will be released by direction of the President and will be disseminated only via the Four Methods of the Emergency Action Notification System in one of the following two forms:

(1) The Emergency Action Notification only (without Attack Warning Message).

(2) The Emergency Action Notification (with Attack Warning Message).

§ 87.606 Termination of emergency action condition.

Upon receipt of an Emergency Action Condition Termination, released upon direction of the President via the Emergency Action Notification System, all stations operating in the INTERIM Aeronautical Emergency Communications System (AECS) will transmit the following Termination Message twice:

This concludes operations under the INTERIM Aeronautical Emergency Communications System.

§ 87.607 Security Control of Air Traffic and Air Navigation Aids (SCATANA).

A plan for the Security Control of Air Traffic and Air Navigational Aids has been promulgated in furtherance of the National Security Act of 1947, as amended, the Federal Aviation Act of 1958, the Communications Act of 1934, as amended, and Executive Order 10312. This plan, defines the responsibilities of the Federal Communications Commission for the security control of accurate non-Federal air navigation aids. SCATANA applies to radio navigation stations authorized by the Commission as follows:

(a) Upon receipt of notification from a Federal Aviation Administration Air Route Traffic Control Center (ARTCC) that an air defense emergency exists, or is imminent, each licensee of a radio range (VOR), VORTAC, TACAN, or DECCA station shall comply with the direction of the ARTCC with regard to beginning or terminating transmissions by the station.

(b) A NORAD Region Commander may impose any or all restrictions contained in the Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids prior to the declaration of Defense Emergency/Air Defense Emergency when his region is under attack.

(c) Termination of the Defense Emergency/Air Defense Emergency declaration will be issued by the NORAD Region Commanders via the Federal Aviation Administration. This notice provides for the removal or reduction of restrictions on the operation of selected non-Federal air navigation aids in accordance with the provisions of the Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids. This action will be taken when an attack phase is considered over. For those accurate non-Federal air navigation aids requiring more than 5 minutes control time, approval for resumption of operation must be obtained from the appropriate NORAD Region Commander before they can be returned to operation.

(d) Licensees of aeronautical radionavigation stations of the types specified in paragraph (a) of this section, may be requested by an ARTCC to participate in SCATANA tests. If such licensees elect to participate, testing procedures shall be in accordance with instructions issued by the Commission. However, the services of such radionavigation stations shall not be interrupted as a part of any SCATANA test.

§ 87.603 Emergency operation.

(a) Upon receipt of the Emergency Action Notification, the INTERIM Aeronautical Emergency Communications System (AECS), including approved and authorized facilities, systems, arrangements, procedures, and interconnecting facilities, will be immediately activated and maintained in an operational status for the duration of the Emergency Action Condition (grave National crisis or war), subject to the following conditions:

(1) *Domestic.* Air/ground communications within the continental United States shall be limited to those involving safety of flight; air/ground and aeronautical fixed communications on HF band frequencies shall be discontinued, except where other facilities are unavailable or inoperative and then only when appropriate security measures are employed. Security measures shall include at least the following: (i) Transmit emergency traffic only, (ii) identify by means other than clear text, and (iii) make transmissions as brief as possible.

(2) *International.* Air/ground communications shall be limited to those involving safety of flight and such communications in the HF band shall be discontinued, except that international air carriers arriving or departing from U.S. gateway airports may use HF band frequencies when VHF and UHF radio are inoperative, not available, or will not provide the range required; international aeronautical fixed communications may be conducted on HF band frequencies only when appropriate security measures are employed. Security measures shall include at least the following: (i) Transmit emergency traffic only, (ii) identify by means other than clear text, and (iii) make transmissions as brief as possible.

(3) *Weather transmission.* The HF band shall not be employed for transmission of clear text weather information except in emergencies; unscheduled weather reports and forecasts (not exceeding 2 hours ahead) may be transmitted in clear text only on VHF or higher frequencies; scheduled weather information may be transmitted in clear text only on frequency bands other than the HF band, and then only when the station involved is 200 miles or more from the nearest coast line.

(b) Upon receipt of the Defense Emergency/Air Defense Emergency declaration, or as directed by the appropriate NORAD Region Commander when his Region is under attack, the licensees of selected non-Federal air navigation aids will comply with the provisions of the Detailed Operational Plan for the Security Control of Non-Federal Air Navigation Aids (SCATANA). Detailed instructions will be provided by the FCC Regional Liaison Officer to those concerned.

[F.R. Doc. 69-7065; Filed, June 13, 1969; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 966]

[Docket No. AO-265-A2]

TOMATOES GROWN IN FLORIDA

Notice of Hearing on Proposed Amendments to Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Auditorium of the Florida Fruit and Vegetable Association, 4401 East Colonial Drive, Orlando, Fla., beginning at 9 a.m., local time, June 30, 1969, with respect to proposed amendments to Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), hereinafter referred to as the "marketing agreement" and "order," respectively, regulating the handling of tomatoes grown in the State of Florida production area. The proposed amendments have not received the approval of the Secretary of Agriculture.

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

The proposed amendments to the marketing agreement and order were submitted by the Florida Tomato Committee, the administrative agency established pursuant to the marketing agreement and order, with a request for a hearing thereon. The proposals are as follows:

1. Amend § 966.7 *Handle* to read:

§ 966.7 Handle.

"Handle" or "ship" means to sell, transport, deliver, or in any other way to place fresh tomatoes in the current of commerce within the production area or between any point in the production area and any point outside thereof, or to cause fresh tomatoes to be so sold, transported or placed in such commerce. Such term shall not include the transportation, sale or delivery within the production area of such tomatoes by the producer thereof to a handler registered with the Committee who has adequate facilities within the production area for grading and packing tomatoes.

2. Amend § 966.12 *Maturity* to read:

§ 966.12 Maturity.

"Maturity" means any of the various degrees of ripeness of tomatoes as established by the committee with approval of the Secretary as determined at the time of the inspection, pursuant to § 966.60(a), performed with respect to the first handling of the tomatoes.

3. Amend § 966.13 *Export* to read:

§ 966.13 Export.

"Export" means shipment of tomatoes beyond the boundaries of the 48 contiguous States (including the District of Columbia) of the United States.

4. Add a new § 966.36 *Shippers Advisory Committee* to read:

§ 966.36 Shippers Advisory Committee.

(a) A Shippers Advisory Committee is hereby established consisting of nine members—two from each district to be selected by the Secretary from nominations made by shippers or from other eligible persons, and the ninth member to be the Chairman of the Florida Tomato Committee who shall serve as Chairman of the Shippers Advisory Committee.

(b) *Eligibility for membership.* Any individual, other than a member or alternate member of the Florida Tomato Committee (not including the member who is Chairman), who is a shipper, or an officer, or employee of a shipper, is eligible for membership on the Shippers Advisory Committee.

(c) *Duties.* As requested by the Florida Tomato Committee, the Shippers Advisory Committee shall consider current and prospective market conditions with respect to production area tomatoes, and with respect to supplies of tomatoes from other producing areas within and outside the United States, and submit its recommendations regarding such considerations as may be applicable to the regulation of tomato shipments and other marketing matters as requested by the Florida Tomato Committee.

(d) *Nomination.* The Secretary may select the members of the Shippers Advisory Committee from nominations which may be made in the following manner:

(1) A meeting or meetings of Shippers shall be held in each district to nominate members of the Shippers Advisory Committee prior to June 15 of each year or by such other date as may be approved by the Secretary pursuant to recommendation of the committee.

(2) At each such meeting, at least one nominee shall be designated for each position as member on the Shippers Advisory Committee.

(3) Nominations for Shippers Advisory Committee members shall be supplied to the Secretary in such manner and form as he may prescribe, not later than July 15 of each year, or by such other date as may be approved by the Secretary pursuant to recommendations of the committee.

(4) Only shippers may participate in designating nominees for members on the Shippers Advisory Committee. In the event a person is engaged in shipping tomatoes in more than one district, such person shall elect the district within which he may participate as aforesaid in designating nominees; and

(5) Regardless of the number of districts in which a person ships tomatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives in designating nominees for Shippers Advisory Committee members. An eligible voter's privilege of casting only one vote as aforesaid shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.

(e) *Failure to Nominate.* If nominations are not made within the time and in the manner specified in § 966.36(d), the Secretary may, without regard to nominations, select the Shippers Advisory Committee members, which selection shall be on the basis of the representation provided for in §§ 966.36 (a) and (b).

(f) *Acceptance.* Any person selected as a Shippers Advisory Committee member shall qualify by filing a written acceptance with the Secretary within 10 days after being notified of such selection.

(g) *Vacancies.* To fill Shippers Advisory Committee vacancies, the Secretary may select such members from unselected nominees on the current nominee list from the district involved, or from nominations made in the manner specified in § 966.36(d). If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, such vacancy may be filled without regard to nominations, which selection shall be made on the basis of the representation provided for in §§ 966.36 (a) and (b).

(h) *Procedure.* (1) Five members of the Shippers Advisory Committee shall be necessary to constitute a quorum and the same number of concurring votes shall be required to pass any motion or approve any action.

(2) The Shippers Advisory Committee may provide for meeting by telephone, telegraph, or other means of communication, and any vote cast at such a meeting shall be promptly confirmed in writing: *Provided*, That if any assembled meeting is held, all votes shall be cast in person.

(i) *Term of office.* (1) The term of office of Shippers Advisory Committee members shall be for one (1) year and shall begin as of August 1 and end as of July 31.

(2) Shippers Advisory Committee members shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which

they qualify during such term of office and continuing until the end thereof, and until their successors are selected and have qualified.

(j) *Reimbursement of expenses.* Members of the Shippers Advisory Committee may be reimbursed for reasonable expenses necessarily incurred by them in the performance of duties upon request of the Florida Tomato Committee.

5. Amend paragraph (d) of § 966.52 to read:

§ 966.52 Issuance of regulations.

* * * * *

(d) Fix the size, weight, capacity, dimensions, markings (including labels and stamps), or pack of the container or containers which may be used in the packaging, transportation, sale, shipment, or other handling of tomatoes.

6. Amend § 966.60 *Inspection and certification* to read:

§ 966.60 Inspection and certification.

(a) During any period in which the handling of tomatoes is regulated pursuant to this subpart no handler shall handle tomatoes unless such tomatoes have been inspected and certified as meeting the requirements of this subpart by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, and such tomatoes are covered by a valid inspection certificate except when relieved from such requirements pursuant to §§ 966.53 or 966.54 or both.

(b) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with the approval of the Secretary.

(c) When tomatoes are inspected in accordance with the requirements of this section a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

7. Make such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform to the amendments which may result from this hearing.

Copies of this notice may be obtained from the Vegetable Branch, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, or from M. F. Miller, Field Representative, Fruit and Vegetable Division, Consumer and Marketing Service, Post Office Box 9, Lakeland, Fla. 33802.

Dated: June 10, 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-7053; Filed, June 13, 1969; 8:48 a.m.]

[7 CFR Part 1138]

[Docket No. AO-335-A14]

MILK IN RIO GRANDE VALLEY MARKETING AREA

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

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held June 24, 1969, at the Holiday Inn Midtown, 2000 Menaul Boulevard NE., Albuquerque, N. Mex., beginning at 10 a.m., local time, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Rio Grande Valley marketing area.

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

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

Proposed by Milk Producers, Inc., Arlington, Tex.:

Proposal No. 1. Continue the credits for specified Class II uses contained in § 1138.55 through August 1970.

Proposal No. 2. Amend § 1138.80 by deleting the words "advance payment" wherever they appear and substituting therefor the words "partial payment."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 3. Make such changes as may be necessary to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Earl C. Born, Post Office Box 8636, 227 San Pedro Northeast, Albuquerque, N. Mex. 87108, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on June 10, 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-7054; Filed, June 13, 1969; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 148n]

ANTIBIOTIC DRUG

Sterility Requirement

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), it is proposed that § 148n.23 be revised to read as follows to make sterility a certification requirement for the subject drug:

§ 148n.23 Oxytetracycline hydrochloride-hydrocortisone acetate ophthalmic and otic suspension.

(a) *Requirements for certification—*

(1) *Standards of identity, strength, quality, and purity.* Oxytetracycline hydrochloride-hydrocortisone acetate ophthalmic and otic suspension is oxytetracycline hydrochloride and hydrocortisone acetate in a suitable and harmless oil base containing aluminum tristearate. Its potency is 5 milligrams of oxytetracycline per milliliter. It contains 15 milligrams of hydrocortisone acetate per milliliter. It is sterile. Its moisture content is not more than 1 percent. The oxytetracycline hydrochloride used conforms to the standards prescribed by § 148n.2(a)(1) (i), (iii), (vi), (vii), (viii), and (ix). Each other ingredient used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter. Its expiration date is 12 months.

(3) *Requests for certification.* In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) Oxytetracycline hydrochloride used in making the batch for potency, toxicity, moisture, pH, absorptivity, crystallinity, and identity.

(*b*) The batch for potency, sterility, and moisture.

(ii) Samples required:

(*a*) Oxytetracycline hydrochloride used in make the batch: 10 packages, each containing approximately 300 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 5 immediate containers.

(*2*) For sterility testing: 20 immediate containers collected at regular intervals throughout each filling operation.

(*c*) In case of an initial request for certification, each other ingredient used in making the batch: One package of each containing approximately 5 grams.

(4) *Fees.* $4 for each immediate container or package in the samples submitted in accordance with subparagraph

(3)(ii)(*a*), (*b*)(*1*), and (*c*) of this paragraph; $12 for all immediate containers in the sample submitted in accordance with subparagraph (3)(ii)(*b*)(*2*) of this paragraph and $24 for all immediate containers in the sample submitted for any repeat sterility test, if necessary, in accordance with § 141.2(f) of this chapter.

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 148n.1 (b)(1) (i) or (ii), except prepare the sample as follows: Place a representative portion of the sample (usually 1.0 milliliter, accurately measured) in a glass blending jar containing 1.0 milliliter of polysorbate 80 and 199 milliliters of 0.1*N* hydrochloric acid. Using a high-speed blender, blend the mixture for approximately 3 minutes and make proper estimated dilutions to the prescribed reference concentration in 0.1*M* potassium phosphate buffer, pH 4.5. The potency is satisfactory if it is not less than 90 percent and not more than 115 percent of the number of milligrams of oxytetracycline that the suspension is represented to contain.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(2) of that section, except use 0.25 milliliter of the sample in lieu of 1 milliliter.

(3) *Moisture.* Proceed as directed in § 141a.8(b) of this chapter.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: June 9, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-7035; Filed, June 13, 1969; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18455]

REMOTE INDICATING PHASE MONITORS AND REMOTELY CONTROLLED DIRECTIONAL STATIONS

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of Part 73 of the Commission's rules and regulations with respect to use of remote indicating phase monitors and the inspection requirements for remotely controlled directional stations, Docket No. 18455, RM-1098.

1. On February 28, 1969, the Commission released a notice of proposed rule making in this proceeding (FCC 69-173) with respect to use of remote indicating phase monitors and the inspection requirements for remotely controlled directional stations. The dates presently designated for the filing of comments and reply comments are June 9, 1969, and July 9, 1969.

2. On June 5, 1969, Columbia Broadcasting System, Inc. (CBS), asked the Commission to extend, for a period of 4 weeks, the dates for filing comments and reply comments. CBS states it has conducted a review of the performance of its directional antenna systems at KCBS, San Francisco, Calif., and WEEI, Boston, Mass., to determine how such performance relates to the proposed rules in this proceeding. It further states the additional time is required in order for it to complete its analysis of these data.

3. We believe that the requested extension of time is warranted and would be in the public interest.

4. *Accordingly, it is ordered,* That the time for filing comments in this proceeding is extended to and including July 9, 1969, and the time for filing reply comments is extended to and including August 8, 1969.

5. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Adopted: June 9, 1969.

Released: June 10, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] JAMES O. JUNTILLA,
Acting Chief, Broadcast Bureau.

[F.R. Doc. 69-7066; Filed, June 13, 1969; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 18471]

DIRECTIONAL ANTENNAS AND PHASE MONITORS

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of Part 73 of the Commission's rules and regulations with respect to the maintenance and monitoring of the relative phases and currents in the elements of directional antennas and to provide for type approval of phase monitors used by standard broadcast stations, Docket No. 18471.

1. On February 28, 1969, the Commission released a notice of proposed rule making in this proceeding (FCC 69-185) inviting comments on a proposal with respect to the maintenance and monitoring of the relative phases of currents in the elements of directional antennas and the provision for type approval of those monitors used by standard broadcast stations. The dates presently designated for the filing of comments and reply comments are June 9, 1969, and July 9, 1969, respectively.

2. On June 5, 1969, Columbia Broadcasting System, Inc. (CBS), asked the Commission to extend, for a period of 4 weeks, the dates for filing comments and reply comments. CBS states it has conducted a review of the performance of its directional antenna systems at KCBS, San Francisco, Calif., and WEEI, Boston, Mass., to determine how such performance relates to the proposed rules in this proceeding. It further states the additional time is required in order for it to complete its analysis of these data.

3. We believe that the requested extension of time is warranted and would be in the public interest.

4. *Accordingly, it is ordered,* That the time for filing comments in this proceeding is extended to and including July 9, 1969, and the time for filing reply comments is extended to and including August 8, 1969.

5. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Adopted: June 9, 1969.

Released: June 10, 1969.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] JAMES O. JUNTILLA,
Acting Chief, Broadcast Bureau.

[F.R. Doc. 69-7067; Filed, June 13, 1969; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGFR 69-59W]

RADIOTELEPHONES ON DRAWBRIDGES

Extension of Time

1. The FEDERAL REGISTER, Volume 34, Wednesday, April 16, 1969, on page 6539 published a proposal for the use of radiotelephones on drawbridges.

2. This notice required submission in writing of data, views, arguments or comments within 60 days of date of publication. The 60-day period will expire on June 15, 1969. The public response to this notice has been such that an extension of time is desirable to assure that all interested parties receive full and adequate opportunity to comment.

3. The time for submission in writing of data, views, arguments, or comments regarding radiotelephones on drawbridges is hereby extended from 15 June 1969 to and including 1 August 1969.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 941; 33 U.S.C. 494 and 499, 14 U.S.C. 85; 49 U.S.C. 1655(g)(2); 49 CFR 1.4(a)(3)(v))

Dated: June 10, 1969.

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

[F.R. Doc. 69-7017; Filed, June 13, 1969; 8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of Alien Property

ELSE SONNTAG

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Mrs. Else Sonntag, Güldenstrasse 43, 3300 Braunschweig, Germany; Claim No. 60976; Vesting Order No. 14957; $5,786.38 in the Treasury of the United States.

Executed at Washington, D.C., on June 11, 1969.

For the Attorney General.

WILLIAM D. RUCKELSHAUS,
Assistant Attorney General, Civil Division, Director, Office of Alien Property.

[F.R. Doc. 69-7068; Filed, June 13, 1969; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

COMMISSIONER

Delegation of Authority Regarding Forestry

JUNE 6, 1969.

Section 3.3 of Part 10 of the Bureau of Indian Affairs Manual, published at 34 F.R. 637 (F.R. Doc. 69-537) is hereby amended by the addition of an exception to the Forestry authorities delegated to the Area Directors. The exception returns to the Commissioner, authority for approval of timber management plans for the major forested reservations (Colville, Flathead, Fort Apache, Hoopa, Makah, Mescalero, Navajo, Quinault, Red Lake, Spokane, Warm Springs, and Yakima). As so amended the part will read as follows:

3.3 *Exceptions.* The authorities redelegated in 3.1 above do not include the following:

* * * * *

D. Forestry.

* * * * *

(5) Approve timber management plans pursuant to 25 CFR 141.4.

T. W. TAYLOR,
Acting Commissioner.

[F.R. Doc. 69-7037; Filed, June 13, 1969; 8:47 a.m.]

Fish and Wildlife Service

OFFICIALS AND EMPLOYEES OF BUREAU OF COMMERCIAL FISHERIES

Delegation of Authority Regarding Federal Aid

The regulations issued herein are based on the authority of the Director, Bureau of Commercial Fisheries, to issue such regulations. The requirements herein set forth apply as a portion of the directive system of the Bureau of Commercial Fisheries.

1. *Delegation.* Under authority delegated to heads of bureaus by the Secretary of the Interior in Departmental Manual, Part 241, General Program Delegations, dated August 26, 1966 (31 F.R. 11685), redelegation of authority to officials and employees of the Bureau of Commercial Fisheries is hereby made.

2. *Exercise of authority.* The redelegation hereby made is of authority on behalf of the United States and the Bureau of Commercial Fisheries to the Regional Directors and the Area Director, Bureau of Commercial Fisheries, to approve Federal Aid project documents including project reports, other project results, and claims for reimbursement under the provisions of the Commercial Fisheries Research and Development Act of May 20, 1964, (78 Stat. 197) as amended, the Anadromous and Great Lakes Fisheries Conservation Act of October 30, 1965 (79 Stat. 1125), and the Jellyfish Act of November 2, 1966 (80 Stat. 1149).

3. *Effective date.* This redelegation shall become effective July 1, 1969.

H. E. CROWTHER,
Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 69-7047; Filed, June 13, 1969; 8:47 a.m.]

National Park Service

CARLSBAD CAVERNS NATIONAL PARK, N. MEX.

Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, of the Act of October 9, 1965, (79 Stat. 969; 16 U.S.C. 20) public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Cavern Supply Co., Inc., authorizing it to continue to provide concession facilities and services for the public at Carlsbad Caverns National Park, N. Mex., for a period of 20 years from January 1, 1970, through December 31, 1989.

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

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

Dated: June 6, 1969.

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

[F.R. Doc. 69-7039; Filed, June 13, 1969; 8:47 a.m.]

[Order No. 34, Amdt. 3]

REGIONAL DIRECTORS

Delegation of Authority

Section 1 of Delegation Order No. 34, approved March 4, 1966, and published in the FEDERAL REGISTER of March 10, 1966, 31 F.R. 4255, as amended, is further amended to revoke subsection (b), which withheld the authority to approve master plans. The authority of Regional Directors to approve master plans under this delegation is conditioned upon prior approval, by the Director, of management objectives for the park area for which approval of the master plan is under consideration. Subsections (c) through (s) of section 1 of the above order are redesignated as subsections (b) through (r), respectively.

Section 2 of the aforesaid delegation order is revised to read as follows:

SEC. *Redelegation.* Except as to master plan approval authority and the authority delegated in paragraphs (e) and (k) of section 1, the regional directors may, in writing, redelegate to any officer or employee the authority delegated in this order, and may authorize written delegations of such authority. Each delegation shall be published in the FEDERAL REGISTER.

(245 DM-1, 27 F.R. 6395; 5 U.S.C. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: June 11, 1969.

GEORGE B. HARTZOG, Jr.,
Director.

[F.R. Doc. 69-7104; Filed, June 13, 1969; 8:50 a.m.]

Office of the Secretary

EDWARD C. GLASS

Report of Appointment and Statement of Financial Interests

JUNE 10, 1969.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished

for publication in the FEDERAL REGISTER:

Name of appointee: Edward C. Glass.

Name of employing agency: Department of the Interior, Defense Electric Power Administration.

The title of the appointee's position: Director, DEPA Area 11.

The name of the appointee's private employer or employers: Northern States Power Co.

The statement of "financial interests" for the above appointee is enclosed.

WALTER J. HICKEL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER.

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on May 23, 1969, as Director, DEPA Area 11, Defense Electric Power Administration, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Northern States Power Co.
Solitron.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

E. C. GLASS.

JUNE 2, 1969.

[F.R. Doc. 69-7040; Filed, June 13, 1969; 8:47 a.m.]

JACK P. LEWIS

Report of Appointment and Statement of Financial Interests

JUNE 10, 1969.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Jack P. Lewis.

Name of employing agency: Department of the Interior, Defense Electric Power Administration.

The title of the appointee's position: Deputy Director, DEPA Area 1.

The name of the appointee's private employer or employers: Hartford Electric Light Co.

The statement of "financial interests" for the above appointee is enclosed.

WALTER J. HICKEL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on May 23, 1969, as Deputy Director, DEPA Area 1, Defense Electric Power Administration, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

American Telephone & Telegraph.
International Business Machines.
Eastman Kodak.
Northeast Utilities.
United Illuminating.
Columbus & Southern Ohio Electric.
Connecticut General Insurance.
Sperry & Hutchinson.
Standard Oil of California.
Southern New England Telephone.
General Motors.
Atlantic Richfield Oil.
Scudder, Stevens & Clark Common Stock Fund.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

JACK P. LEWIS.

JUNE 2, 1969.

[F.R. Doc. 69-7041; Filed, June 13, 1969; 8:47 a.m.]

EVAN W. JAMES

Report of Appointment and Statement of Financial Interests

JUNE 10, 1969.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Evan W. James.

Name of employing agency: Defense Electric Power Administration, Department of Interior.

The title of the appointee's position: Deputy Director, DEPA Area 9.

The name of the appointee's private employer or employers: Wisconsin Public Service Corp.

The statement of "financial interests" for the above appointee is enclosed.

WALTER J. HICKEL,
Secretary of the Interior.

APPOINTEE'S STATEMENT OF FINANCIAL INTERESTS

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on May 23, 1969, as Deputy Director, DEPA Area 9, Defense Electric Power Administration, an officer or director:

Wisconsin Public Service Corp., Vice President—Power Generation and Engineering.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, of other financial interests:

Wisconsin Public Service Corp.
Nekoosa-Edwards Paper Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

EVAN W. JAMES.

JUNE 3, 1969.

[F.R. Doc. 69-7042; Filed, June 13, 1969; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

DR. MAYFIELD LABORATORIES

Notice of Withdrawal of Petition for Food Additive Cobalt Arsenate

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), Dr. Mayfield Laboratories, 1209 South Main Street, Charles City, Iowa 50616, has withdrawn its petition, notice of which was published in the FEDERAL REGISTER of March 8, 1968 (33 F.R. 4343), proposing the issuance of a food additive regulation to provide for the safe use in chicken feed of cobalt arsenate for the removal of large round worms (Ascaridia) in chickens.

Dated: June 6, 1969.

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

[F.R. Doc. 69-7032; Filed, June 13, 1969; 8:46 a.m.]

NORWICH PHARMACAL CO.

Notice of Withdrawal of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Norwich Pharmacal Co., Norwich, N.Y. 13815, has withdrawn its petitions, notices of which were published in the FEDERAL REGISTERS of April 17, 1968 (33 F.R. 5896), and June 1, 1968 (33 F.R. 8234), proposing that the food additive regulations (21 CFR Part 121, Subpart C) be amended to provide for use of the following drug combinations in chicken feed:

A. Buquinolate, chlortetracycline, and arsanilic acid (38-973V).

B. Buquinolate, chlortetracycline, and 3 - nitro - 4 - hydroxy-phenylarsonic acid (38-972V).

C. Buquinolate, chlortetracycline, sodium sulfate, and arsanilic acid (38-656V).

D. Buquinolate, chlortetracycline, sodium sulfate, and 3-nitro-4-hydrophyphenylarsonic acid (38-655V).

Dated: June 9, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-7033; Filed, June 13, 1969; 8:46 a.m.]

UNION CARBIDE CORP.

Notice of Filing of Food Additive Petition

Pursuant to the provisions of the Federal Food Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 9H2418) has been filed by Union Carbide Corp., 270 Park Avenue, New York, N.Y. 10017, proposing the establishment of a food additive tolerance (21 CFR Part 121) of 0.3 part per million for residues of the insecticide aldicarb (2-methyl-2-(methylthio) propionaldehyde *O*-(methylcarbamoyl)oxime) and its cholinesterase-inhibiting metabolites 2 - methyl - 2 - (methylsulfinyl) propionaldehyde *O*-(methylcarbamoyl) oxime and 2-methyl-2-(methylsulfonyl) propionaldehyde *O*-(methylcarbamoyl)oxime in or on cottonseed hulls resulting from application of the insecticide to the growing crop.

Notice was given in the FEDERAL REGISTER of February 18, 1969 (34 F.R. 2329), that the same firm had filed a related pesticide petition (PP 9F0798) proposing the establishment of a tolerance of 0.1 part per million for residues of the insecticide in or on the raw agricultural commodity cottonseed.

Dated: June 9, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-7034; Filed, June 13, 1969; 8:46 a.m.]

Office of the Secretary

FOLLOW THROUGH PROGRAM

Memorandum of Understanding Relating to Administration

CROSS REFERENCE: For a document issued jointly by the Office of Economic Opportunity and the Department of Health, Education, and Welfare relating to the administration of the Follow Through Program, see F.R. Doc. 69-7064, Office of Economic Opportunity, *infra*.

DEPARTMENT OF COMMERCE

Maritime Administration

MOORE-McCORMACK LINES, INC.

Notice of Application for Approval of Cruises

Notice is hereby given that Moore-McCormack Lines, Inc., acting pursuant to section 613 of the Merchant Marine Act, 1936, as amended, has applied to the Maritime Administration for approval of the following cruises:

Ship	Commences 1970	Terminates 1970	Itinerary
Argentina	Jan. 5	Jan. 29	New York, Port Everglades, San Juan, St. Thomas, Antigua, Guadeloupe, Barbados, Trinidad, La Guaira, Cristobal, Kingston, Port Everglades, New York.
Brasil	Jan. 7	Jan. 27	Port Everglades, San Juan, St. Thomas, Antigua, Guadeloupe, Barbados, Trinidad, La Guaira, Cristobal, Kingston, Port Everglades.
Do	Jan. 28	Feb. 4	Port Everglades, La Guaira, St. Thomas, Nassau, Port Everglades.
Do	Feb. 5	Feb. 11	Do.
Do	Feb. 12	Feb. 18	Do.
Do	Feb. 19	Feb. 25	Do.
Do	Feb. 26	Mar. 5	Do.
Do	Mar. 6	Mar. 12	Do.
Do	Mar. 13	Mar. 19	Do.
Do	Mar. 20	Mar. 26	Do.
Do	Mar. 27	Apr. 3	Do.
Do	Apr. 4	Apr. 10	Do.
Do	Apr. 11	Apr. 17	Do.
Do	Apr. 18	Apr. 24	Do.
Do	Apr. 25	May 4	Port Everglades, Philadelphia, Nassau, Kingston, Philadelphia.
Argentina	Apr. 24	July 1	New York, Port Everglades, Cristobal, Balboa, Papeete, Pago Pago, Suva, Bali, Singapore, Hong Kong, Osaka, Yokohama, Honolulu, Acapulco, Balboa, Cristobal, Port Everglades, New York.
Brasil	May 5	May 10	Philadelphia, Norfolk, Bermuda, Norfolk.
Do	May 11	May 16	Norfolk, Baltimore, Bermuda, Baltimore.
Do	May 17	May 24	Baltimore, San Juan, St. Thomas, Baltimore.
Do	May 25	May 31	Baltimore, Freeport, Nassau, Baltimore, Norfolk.
Do	June 1	June 8	Norfolk, San Juan, St. Thomas, Norfolk, New York.
Do	Aug. 20	Aug. 26	New York, Bermuda, New York.
Do	Aug. 27	Oct. 7	New York, Lisbon, Palma, Barcelona, Monaco, Naples, Venice, Dubrovnik, Corfu, Piraeus, Istanbul, Tangier, Funchal, New York, Baltimore, Drydock.
Argentina	Sept. 19	Dec. 14	Baltimore, New York, Port Everglades, Cristobal, Balboa, Acapulco, Honolulu, Yokohama, Kobe, Hong Kong, Bangkok, Singapore, Colombo, Bombay, Mombasa, Durban, Capetown, Santos, Rio de Janeiro, Barbados, St. Thomas, San Juan, Port Everglades, New York.
Brasil	Oct. 8	Oct. 19	Baltimore, Philadelphia, Port-au-Prince, Montego Bay, Nassau, Philadelphia, New York.
		1971	
Argentina	Dec. 15	Jan. 4	New York, Port Everglades, Port-au-Prince, Kingston, Cristobal, Curacao, La Guaira, Trinidad, Barbados, Martinique, St. Thomas, Port Everglades.
Brasil	Dec. 16	Jan. 4	New York, San Juan, St. Thomas, Martinique, Barbados, Curacao, Kingston, Port-au-Prince, Bermuda, New York.

Any person, firm, or corporation having any interest, within the meaning of section 613 of the Merchant Marine Act, 1936, as amended, in the foregoing who desires to offer data, views, or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20235, by close of business on June 25, 1969.

In the event an opportunity to present oral argument is also desired, specific reason for such request should be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: June 10, 1969.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-7073; Filed, June 13, 1969; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20472; Order 69-6-50]

MOHAWK AIRLINES, INC.

Order Regarding Renewal of Certificate of Public Convenience and Necessity

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of June 1969.

On November 18, 1968, Mohawk Airlines, Inc. (Mohawk), filed an application for indefinite renewal of its authority to engage in scheduled air transportation of persons, property, and mail between the terminal point Elmira-Corning, N.Y., and the terminal point Washington, D.C. and between the terminal point Elmira-Corning, N.Y., and the terminal point Philadelphia,

Pa.[1] Its present authority for such operations expires on June 23, 1969.[2]

The Board finds that Mohawk's application in Docket 20472 should be set for hearing. In addition, we have decided to expand the scope of this proceeding to include issues of competitive nonstop service between other major upstate New York points and Philadelphia or Washington. The particular markets in question are:

Rochester, N.Y.—Philadelphia, Pa.[3]
Syracuse, N.Y.—Philadelphia, Pa.[3]
Buffalo, N.Y.—Washington, D.C.

All three of these markets are monopoly markets. United provides the only nonstop service in the Rochester-Philadelphia market; Eastern provides the only nonstop service in the Syracuse-Philadelphia market; and United provides the only nonstop service in the Buffalo-Washington market. These markets are sizeable. They generated, respectively, 144, 129, and 224 passengers per day in 1967. We conclude therefore that these circumstances warrant consideration of the need for additional nonstop authority.

Accordingly, it is ordered:

1. That Mohawk's application, Docket 20472, be and it hereby is set for hearing before an examiner of the Board at a time and place hereafter designated;

2. That the issues in this proceeding be and they hereby are expanded to include the question of whether the public convenience and necessity require the authorization of additional nonstop service between Rochester, N.Y. and Philadelphia, Pa., between Syracuse, N.Y. and Philadelphia, Pa., and between Buffalo, N.Y., and Washington, D.C.;

3. That any authority awarded in this proceeding shall be on a subsidy ineligible basis;

4. That applications, motions to consolidate, and motions or petitions for reconsideration of this order shall be filed no later than 20 days after the date of service of this order, and answers to such pleadings shall be filed no later than 10 days thereafter; and

5. That a copy of this order shall be served upon Eastern Air Lines, Inc., Mohawk Airlines, Inc., United Air Lines, Inc., the Cities and Chambers of Commerce of Buffalo, Rochester, Syracuse, Philadelphia, and Washington, D.C., and the New York State Department of Transportation.

This order shall be published in the FEDERAL REGISTER.

[1] Elmira-Corning, N.Y.-Washington, D.C., is designated as Segment 8 of Mohawk's Route 94; Elmira-Corning, N.Y.-Philadelphia, Pa., is designated as Segment 9 of Mohawk's Route 94.

[2] Mohawk also invokes the provisions of 5 U.S.C. 558(c) to enable it to continue service to these points pending disposition of this application.

[3] By order 69-6-49, June 11, 1969, issued concurrently herewith, we have dismissed Mohawk's Subpart M application to provide nonstop service between these points.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 69-7058; Filed, June 13, 1969; 8:48 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "Deputy Assistant to the Secretary for Congressional Services" to "Deputy Assistant to the Secretary for Congressional Relations".

[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-7045; Filed, June 13, 1969; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. 25]

NATIONAL GENERAL CORP.

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

JUNE 11, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the National General Corp., Los Angeles, Calif., for approval of the latter corporation's acquisition of control of the Harbor Savings and Loan Association, Redondo Beach, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and section 584.4 of the rules and regulations for Savings and Loan Holding Companies, said acquisition to be effected by the purchase of at least 95 percent of the guaranty stock of Harbor Savings and Loan Association by National General Corp. followed by a merger of the Columbia Savings and Loan Association, Los Angeles, Calif., a subsidiary insured institution of National General Corp., into said Harbor Savings and Loan Association. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[F.R. Doc. 69-7062; Filed, June 13, 1969; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

HAWAII/EUROPE RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. David Lindstedt, Hawaii/Europe Rate Agreement, 417 Montgomery Street, San Francisco, Calif. 94104.

Agreement No. 8410-6, between the member lines of the Hawaii/Europe Rate Agreement modifies Article 4 of the basic agreement to provide that rates, charges and changes established under the agreement except changes in the Conference agreement shall be by a three-fourths vote of the parties entitled to vote. Changes in the agreement continue to require the unanimous consent of all parties entitled to vote.

Dated: June 11, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-7127; Filed, June 13, 1969; 8:50 a.m.]

INSTITUTO DE FOMENTO NACIONAL (INFONAC) NORTHBOUND CONTRACT

Notice of a Petition Filed for Approval

Notice is hereby given that the following petition has been filed with the

Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the proposed contract form and of the petition at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed contract form and the petition including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the proposed contract form and of the petition (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application to institute a dual rate system filed by:

Mr. Patrick J. Creegan, Creegan and D'Angelo, Consulting Engineers, 1046 West Taylor Street, San Jose, Calif. 95126.

Notice is hereby given that the Instituto De Fomento Nacional (INFONAC) of Managua, Nicaragua, has filed with the Commission pursuant to section 14b of the Shipping Act, 1916, an application for permission to institute a dual rate system for the movement of cargo northbound from ports on the West Coast of Central America and Mexico to the Pacific Coast ports of the United States of Long Beach Harbor and Los Angeles Harbor. The application provides that noncontract rates shall be 15 percent higher than contract rates as set forth in INFONAC's tariff under terms and conditions described in the contract.

Dated: June 11, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-7128; Filed, June 13, 1969; 8:50 a.m.]

INSTITUTO DE FOMENTO NACIONAL (INFONAC) SOUTHBOUND CONTRACT

Notice of a Petition Filed for Approval

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the proposed contract form and of the petition at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed contract form and the petition including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the proposed contract form and of the petition (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of application to institute a dual rate system filed by:

Mr. Patrick J. Creegan, Creegan and D'Angelo, Consulting Engineers, 1046 West Taylor Street, San Jose, Calif. 95126.

Notice is hereby given that the Instituto De Fomento Nacional (INFONAC) of Managua, Nicaragua, has filed with the Commission pursuant to section 14b of the Shipping Act, 1916, an application for permission to institute a dual rate system for the movement of cargo southbound from the Pacific Coast ports of the United States of Long Beach Harbor and Los Angeles Harbor to ports on the West Coast of Central America and Mexico. The application provides that non-contract rates shall be 15 percent higher than contract rates as set forth in INFONAC's tariff under terms and conditions described in the contract.

Dated: June 11, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-7129; Filed, June 16, 1969; 8:50 a.m.]

NORTH ATLANTIC BALTIC FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Burton H. White, Burlingham, Underwood, Wright, White & Lord, 25 Broadway, New York, N.Y. 10004.

Agreement No. 7670-4 between the member lines of the North Atlantic Baltic Freight Conference amends the Preamble and Article I of the basic agreement to qualify the "common carriers" referred to therein as "vessel-operating." Further amendment of Article I is also proposed to limit the admission to Conference membership to any vessel-operating common carrier by water regularly engaged as such common carrier in the trade covered by this agreement, either by direct sailing, transshipment or transfer with the proviso that transshipment or transfer via ports outside the scope of the agreement shall be accomplished by fully owned or fully chartered feeder vessels, and who evidences an ability and intention in good faith to abide by all the terms and conditions thereof may hereafter become a party to this agreement.

Provision is made to delete from Article III of the basic agreement the word "direct" which appears in the first line thereof between the words "a" and "sailing."

Dated: June 11, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-7130; Filed, June 13, 1969; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI69-801]

CHAMPLIN PETROLEUM CO., ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change to Become Effective Subject to Refund

JUNE 6, 1969.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas

Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.[1]

[1] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 23, 1969.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-801....	Champlin Petroleum Co. (Operator) et al., Post Office Box 9365, Fort Worth, Tex. 76107.	[2] 94	4	Kansas Nebraska Natural Gas Co., Inc. (Hamilton County, Kans.)	$1,775	5-16-69	[3] 6-16-69	[4] 6-17-69	[7] 12.5	[5] [7] 13.5	

[2] Contract dated after Sept. 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1 and the proposed rate does not exceed the initial service ceiling rate of 16 cents for Kansas.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The suspension period is limited to 1 day.
[5] Periodic rate increase.
[6] Pressure base is 14.65 p.s.i.a.
[7] Subject to a downward B.t.u. adjustment.

Champlin Petroleum Co. (Operator) et al. (Champlin), requests that their proposed rate increase be permitted to become effective as of June 15, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Champlin's rate filing and such request is denied.

The contract related to the rate filing of Champlin was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed 13.5 cents per Mcf rate exceeds the area increased rate ceiling of 11 cents per Mcf for Kansas, but does not exceed the initial service ceiling of 16 cents per Mcf for the area involved. We believe, in this situation, Champlin's proposed rate increase should be suspended for 1 day from June 16, 1969, the expiration date of the statutory notice.

[F.R. Doc. 69-6961; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. RI69-701]

STANDARD OIL COMPANY OF TEXAS

Order Amending Order Providing for Hearings on and Suspension of Proposed Changes in Rates to Permit Substitute Rate Filing

JUNE 5, 1969.

On March 24, 1969, Standard Oil Company of Texas, a division of Chevron Oil Co. (Standard Oil) filed with the Commission a proposed change in rate from 16.659 cents to 17.650 cents per Mcf, designated as Supplement No. 6 to Standard Oil's FPC Gas Rate Schedule No. 41, which pertains to Standard Oil's jurisdictional sales of natural gas from the Indian Basin Area, Eddy County, N. Mex. (Permian Basin Area) to Natural Gas Pipeline Company of America. The Commission by order issued April 16, 1969, suspended for 5 months Standard Oil's rate filing in Docket No. RI69-701 until September 24, 1969, and thereafter until made effective in the manner prescribed by the Natural Gas Act.

On May 9, 1969, Standard Oil submitted a proposed superseding notice of change in rate from 16.659 cents to 17.646 cents per Mcf, designated as Supplement No. 1 to Supplement No. 6 to Standard Oil's FPC Gas Rate Schedule No. 41, which reflects the rates shown in the contract. The previous notice of change in rate (from 16.66 cents to 17.65 cents) rounded off the figures to the nearest one-hundred decimal fraction. The proposed substitute rate filing is set forth in Appendix A hereof.

Standard Oil's proposed 17.646 cents per Mcf rate exceeds the just and reasonable area ceiling rates established by the Commission in its Opinion Nos. 468 and 468A as did the previously suspended rate in said docket. Since Standard Oil's rate filing reflects the rates shown in the contract, we believe that it would be in the public interest to accept Standard Oil's corrective rate filing subject to the suspension proceeding in Docket No. RI69-701, with the suspension period of such substitute rate filing to terminate concurrently with the suspension period (Sept. 24, 1969) of the original filing in said docket.

The Commission orders:

(A) The suspension order issued April 16, 1969, in Docket No. RI69-701, is amended only so far as to permit the 17.646 cents per Mcf rate contained in Supplement No. 1 to Supplement No. 6 to Standard Oil's FPC Gas Rate Schedule No. 41 to be filed to supersede the 17.650 cents per Mcf provided in Supplement No. 6 to the aforementioned rate schedule, subject to the suspension proceeding in Docket No. RI69-701. The suspension period for such substitute rate filing shall terminate concurrently with the suspension period (Sept. 24, 1969) of the original rate filing in said docket.

(B) In all other respects, the order issued by the Commission on April 16, 1969, in Docket No. RI69-701, shall remain unchanged and in full force and effect.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-701	Standard Oil Co. of Texas, a division of Chevron Oil Co., Post Office Box 1249, Houston, Tex. 77001.	41	1 to 6 [5]	Natural Gas Pipeline Co. of America (Indian Basin Area, Eddy County, N. Mex.) (Permian Basin Area).	$813	5-9-69	[1] 6-9-69	[2] 9-24-69	16.659	[3 4] 17.646	

[1] The stated effective date is the first day after expiration of the statutory notice.
[2] The end of the suspension period for the previously filed rate in Docket No. RI69-701.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Supersedes filing of Mar. 24, 1969 (Supplement No. 6), which reported a rate change from 16.66 cents to 17.65 cents which was suspended in Docket No. RI69-701 until Sept. 24, 1969.

[F.R. Doc. 69-6962; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. RI69-794 etc.]

TEXACO INC., ET AL.

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

JUNE 6, 1969.

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

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

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

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 23, 1969.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

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

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-794	Texaco, Inc., Post Office Box 2420, Tulsa, Okla. 74102.	167	11	Colorado Interstate Gas Co. (Adams Ranch Field, Meade County, Kans.).	$142 714 2,322 826	5-9-69	[2] 6-9-69	11-9-69	[3 4] 17.46 [7 8] 16.72 [8 9] 16.20 [9 10] 16.19 [6 11] 15.18	[3 4 5 6] 18.72 [3 4 7 8] 17.77 [3 4 8 9] 18.36 [3 4 9 10] 17.20 [3 4 6 11] 17.20	R163-126. R163-126.
	do	224	2	Panhandle Eastern Pipe Line Co. (Northeast Carthage Field, Texas County, Okla.) (Panhandle Area).	429	5-16-69	[2] 6-16-69	11-16-69	15.0	[6 12] 16.0	
RI69-795	Atlantic Richfield Co.[13], Sinclair Oil Bldg., Tulsa, Okla. 74102.	393	9	Texas Gas Transmission Corp. (West Lisbon Field, Claiborne Parish, La.) (North Louisiana Area).	156	5-15-69	[13] 6-15-69	11-15-69	[13] 18.25	[13 14 15 16] 19.75	
	do [13]	394	9	Natural Gas Pipeline Co. of America (Grand Valley Field, Texas County, Okla.).	317	5-15-69	[13] 6-15-69	11-15-69	[13] 17.8	[4 13 17] 18.615	R166-165.
	do [13]	404	7	Northern Natural Gas Co. (Hugoton Field, Finney County, Kans.).	113	5-15-69	[13] 6-15-69	11-15-69	[13] 12.0	[6 13 18] 14.0	
	do [13]	408	8	Northern Natural Gas Co. (Perryton Field, Ochiltree County, Tex.) (RR. District No. 10).	344	5-15-69	[13] 6-15-69	11-15-69	[13 20] 17.5	[6 13 15 20] 18.5	R166-103.
	do [13]	413	3	Northern Natural Gas Co. (East Spearman and Horizon Morrow Fields, Hansford and Ochiltree Counties, Tex.) (RR. District No. 10).	1,468	5-15-69	[13] 6-15-69	11-15-69	[13] 17.5	[6 13 18] 18.5	R166-165.
	do [13]	418	4	Northern Natural Gas Co. (John Creek Field, Hutchinson County, Tex.) (RR. District No. 10).	1,852	5-15-69	[13] 6-15-69	11-15-69	[13] 17.5	[6 13 18] 18.5	R166-165.
	do [13]	424	6	Northern Natural Gas Co. (Ochiltree County, Tex.) (RR. District No. 10), and Beaver County, Okla.) (Panhandle Area).	241 969	5-15-69	[13] 6-15-69	11-15-69	[13] 17.5	[6 13 18 23] 18.5 [6 13 18 23] 18.515	R166-165.
	do [13]	445	4	Michigan Wisconsin Pipe Line Co. (Laverne Area, Harper and Woodward Counties, Okla.) (Panhandle Area).	17,500	5-15-69	[13] 6-15-69	11-15-69	[24 25] 17.8	[6 25 26 27] 22.815	
	do [13]	446	2	Arkansas Louisiana Gas Co. (Calhoun Field, Ouachita and Lincoln Parishes, La.) (North Louisiana Area).	2,175	5-15-69	[13] 6-15-69	11-15-69	[13] 18.75	[13 14 15] 20.25	

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
R169-795	Atlantic Richfield Co.[2], Sinclair Oil Bldg., Tulsa, Okla. 74102.	461	5	Colorado Interstate Gas Co. (Hugoton Field, Grant and Kearny County, Kans.).	$35,630	5-15-69	[3] 6-15-69	11-15-69	[34] 13.5	[4 13 34] 14.5	
	do [39]	466	6	Colorado Interstate Gas Co. (Mocane Field, Beaver County, Okla.) (Panhandle Area).	6,423	5-15-69	[3] 6-15-69	11-15-69	[31 26 39] 18.428	[4 13 31 26 37] 19.447	
	do [39]	471	3	Natural Gas Pipeline Co. of America (Camrick Southeast Gas Pool, Beaver County, Okla.) (Panhandle Area).	1,980	5-15-69	[3] 6-15-69	11-15-69	[31] 17.0	[4 13 31 37] 18.5	
	do [39]	483	5	Lone Star Gas Co. (Knox Field, Stephens County, Okla.) (Carter-Know Area).	173	5-15-69	[3] 6-15-69	11-15-69	17.9	[4 13 37] 19.015	R165-514.
	do [39]	515	3	Panhandle Eastern Pipe Line Co. (East Trail Field, Dewey County, Okla.) (Oklahoma "Other" Area).	512	5-15-69	[3] 6-15-69	11-15-69	[34 25] 19.024	[4 13 34 37 25] 21.111	R168-541.
	Atlantic Richfield Co.	575	3	Northern Natural Gas Co. (Dewey County, Okla. (Oklahoma "Other" Area) and Woodward and Ellis Counties, Okla.) (Panhandle Area).	([30]) 12,934	5-15-69	[3] 6-15-69	11-15-69	[34 31] 15.0 [32 38] 18.547	[4 13 34 37 31] 18.015 [4 13 37 31 38] 19.653	
	Atlantic Richfield Co [33]	436	3	Texas Gas Transmission Corp. (Calhoun Field, Ouachita and Lincoln Parishes, La.) (North Louisiana Area).	6,793	5-15-69	[3] 6-15-69	11-15-69	[11 18] 18.75	[12 14 11 18] 20.25	
R169-796	Atlantic Richfield Co. (Operator) et al.[2]	444	6	Lone Star Gas Co. (East Durant Field, Bryan County, Tex.) (Oklahoma "Other" Area).	3,264	5-15-69	[3] 6-15-69	11-15-69	17.9	[4 13 37] 19.015	R166-166.
	do [39]	487	1	Panhandle Eastern Pipe Line Co. (Spooney Field, Ransford County, Tex.) (RR. District No. 10).	2,096	5-15-69	[3] 6-15-69	11-15-69	17.0	[4 13] 18.5	
	do [39]	427	4	Cimarron Transmission Co. (West Enville Field, Love County, Okla.) (Oklahoma "Other" Area).	3,078	5-15-69	[3] 6-15-69	11-15-69	[34 24] 15.5	[4 13 34 24 37] 17.5175	
	do [39]	432	3	Lone Star Gas Co. (Knox Field, Stephens County, Okla.) (Carter-Knox Area).	577	5-15-69	[3] 6-15-69	11-15-69	17.9	[4 13 37] 19.015	R166-166.
R169-797	Atlantic Richfield Co. (Operator) [2]	479	3	Lone Star Gas Co. (Healdton Gas Plant, Carter County, Okla.) (Oklahoma "Other" Area).	9,980	5-15-69	[3] 6-15-69	11-15-69	17.9	[4 13] 19.0	R165-28.
R169-798	Atlantic Richfield Co. et al.[2]	574	6	Michigan Wisconsin Pipe Line Co. (Putnam Field, Dewey County, Okla.) (Oklahoma "Other" Area).	2,901	5-15-69	[3] 6-15-69	11-15-69	[34 37] 19.56	[4 13 34 37] 21.175	R167-252.
R169-799	Doyle W. Cotton, Jr. (Operator), et al., Parkland Plaza Bldg., 2121 South Columbia, Tulsa, Okla. 74114.	1	1	Arkansas Louisiana Gas Co. (Centrahoma Field, Coal County, Okla.) (Oklahoma "Other" Area).	1,852	5-15-69	[3] 6-18-69	11-18-69	15.0	[4 13 37] 16.015	
R169-800	John C. Oxley et al., 800-A Enterprise Bldg., Tulsa, Okla. 74103.	1	[3] 10	Arkansas Louisiana Gas Co. (Le Flore County, Okla.) (Oklahoma "Other" Area).	6,524	5-16-69	[3] 6-18-69	11-18-69	15.0	[4 13 37] 16.015	

[1] The stated effective date is the first day after expiration of the statutory notice.
[2] Renegotiated rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] For basic acreage (1,160 B.t.u. gas).
[6] Includes base rate of 15 cents before increase and a base rate of 17 cents after increase plus upward B.t.u. adjustment. Base rate subject to upward and downward B.t.u. adjustment.
[7] Additional acreage under Supplement No. 1 (1,045 B.t.u. gas).
[8] Includes base rate of 16 cents before increase and a base rate of 17 cents after increase plus upward B.t.u. adjustment. Base rate subject to upward and downward B.t.u. adjustment.
[9] Additional acreage under Supplement No. 2 (1,080 B.t.u. gas).
[10] Additional acreage under Supplement No. 5 except acreage acquired from Helmerich & Payne, Inc. (1,012 B.t.u. gas).
[11] Additional acreage acquired from Helmerich & Payne, Inc. under Supplement No. 5 (1,012 B.t.u. gas).
[12] The stated effective date is the effective date requested by Respondent.
[13] Periodic rate increase.
[14] Pressure base is 15.025 p.s.i.a.
[15] Subject to a downward B.t.u. adjustment.
[16] Includes 1.75-cent tax reimbursement.
[17] Four-step periodic increase plus 0.015-cent tax reimbursement.
[18] Two-step periodic rate increase.
[19] Filing as successor to Sinclair Oil Corp.
[20] Includes 1 cent for seller relinquishing its rights to process gas.
[21] Texas production.
[22] Oklahoma production.
[23] Two-step periodic increase plus 0.015-cent tax reimbursement.
[24] Base rate subject to upward and downward B.t.u. adjustment.
[25] Includes 17 cents base plus 0.8-cent upward B.t.u. adjustment (1,080 B.t.u. gas) before increase and 22-cent base rate plus 0.8-cent upward B.t.u. adjustment plus 0.015-cent tax reimbursement after increase.
[26] Includes base rate of 17 cents plus 1.428-cent upward B.t.u. adjustment (1,084 B.t.u. gas) before increase and base rate of 18 cents plus 1.432-cent upward B.t.u. adjustment plus 0.015-cent tax reimbursement after increase.
[27] Includes 0.015-cent tax reimbursement.
[28] The rate for the interest acquired from Earl Wakefield is effective subject to refund in Docket No. RI67-317.
[29] Includes base rate of 17 cents plus 2.924-cent upward B.t.u. adjustment (1,172 B.t.u. gas) before increase and base rate of 18 cents plus 3.096-cent upward B.t.u. adjustment plus 0.015-cent tax reimbursement after increase.
[30] No production at present time.
[31] Oklahoma "Other" Area.
[32] Oklahoma Panhandle Area.
[33] Includes base rate of 17 cents plus 1.547-cent upward B.t.u. adjustment (1,091 B.t.u. gas) before increase and base rate of 18 cents plus 1.638-cent upward B.t.u. adjustment plus 0.015-cent tax reimbursement after increase. Base rate subject to upward and downward B.t.u. adjustment.
[34] Includes 0.0175-cent tax reimbursement.
[35] Buyer deducts 0.75 cent from price shown for treating gas.
[36] Filing to initial contract rate plus 0.015-cent tax reimbursement.
[37] Includes base rate of 17.9 cents plus 1.66-cent upward B.t.u. adjustment (1,166 B.t.u. gas) before increase and base rate of 19.5 cents plus 1.66-cent upward B.t.u. adjustment plus 0.015-cent tax reimbursement after increase.
[38] Covers Spradley Unit, sec. 3, 8 N., 27 E., Hardin C Unit, secs. 33 and 34 in 9 N., 27 E.; and secs. 4 and 9, 8 N., 27 E. and sec. 31, 9 N., 27 E.

Texaco, Inc. (Texaco) requests that its proposed rate increases contained in Supplement No. 11 to its FPC Gas Rate Schedule No. 167 be permitted to become effective as of May 9, 1969, and its rate increase contained in Supplement No. 2 to Texaco's FPC Gas Rate Schedule No. 224 be permitted to become effective as of May 16, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Texaco's rate filings and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, section 2.56).

[F.R. Doc. 69-6963; Filed, June 13, 1969; 8:45 a.m.]

[Dockets Nos. CP65-57, CP67-159]

BACA GAS GATHERING SYSTEM, INC.

Notice of Application to Amend

JUNE 9, 1969.

Take notice that on June 2, 1969, Baca Gas Gathering System, Inc. (Applicant), Hartford Building, Dallas, Tex. 75201, filed in Dockets Nos. CP65-57 and CP67-159 a petition to amend the certificate of public convenience and necessity to provide for the deletion of 8,808.69 total net acres from its gas purchase and sales agreement with Panhandle Eastern Pipe Line Co., all as more fully set forth in the application to amend which is on file with the Commission and open to public inspection.

Applicant maintains production has either ceased or gas has never been forthcoming from the acreage and all covering leases have expired and Applicant has amended its agreement with Panhandle Eastern Pipe Line Co. to delete the expired leases and acreage covered thereby.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 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 petitions to intervene in accordance with the Commission's Rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7018; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP69-323]

LAKE SUPERIOR DISTRICT POWER CO., AND NORTHERN NATURAL GAS CO.

Notice of Application

JUNE 9, 1969.

Take notice that on May 27, 1969, Lake Superior District Power Co. (Applicant), 101 West Second Street, Ashland, Wis. 54806, filed in Docket No. CP69-323 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Co. (Respondent) to construct a satellite gas sales station in Barksdale, Wis., at Applicant's expense, to enable Applicant to deliver and sell interruptible or underrun gas available on Applicant's system to E. I. du Pont de Nemours and Co. for use in its Barksdale plant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks an order of the Commission directing Respondent to construct a satellite sales station through which Respondent will deliver to Applicant gas to which Applicant states it is presently entitled under its service agreements with Respondent. Applicant is willing to reimburse Respondent for its estimated $17,200 cost and it will finance said expense from cash on hand or cash generated through operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 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. 69-7019; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP-193 etc.]

NORTHERN NATURAL GAS CO., ET AL.

Order Consolidating Proceedings, Permitting Intervention and Prescribing Procedure

JUNE 9, 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; Wisconsin Gas Co., Applicant, Northern Natural Gas Co., Respondent, Docket No. CP69-272.

On April 18, 1969, Wisconsin Gas Co. (Wisconsin Gas) filed an application pursuant to section 7(a) of the Natural Gas Act seeking an order of the Commission requiring Northern to establish a physical connection with its proposed facilities and to deliver and sell up to 765 Mcf per day of natural gas for resale and distribution to the village of Hager City, Wis. Wisconsin Gas proposes to build approximately 3 miles of 1¼ to 4-inch distribution mains at an estimated cost of $69,027.[1] Northern Natural Gas Co. (Northern) filed its answer opposing the requested order on May 23, 1969. Requests for intervention have been timely filed by the following parties: Public Service Commission of Wisconsin, Metropolitan Utilities District of Omaha, Minnesota Natural Gas Co., and North Central Public Service Corps. The said petitioners indicate sufficient interest in Wisconsin Gas' application in Docket No. CP69-272 to warrant their intervention.

Since Wisconsin Gas anticipates that the requirements for its proposal in Docket No. CP69-272 can be met by Northern out of its as yet unallocated capacity, the proposal is sufficiently related to these consolidated proceedings and should be consolidated therewith.

The expeditions disposition of these consolidated proceedings requires that any further requests for gas service from Northern pursuant to section 7(a) of the Natural Gas Act, in order to be made a part of and considered in these consolidated proceedings, must be filed on or before June 27, 1969.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the matters in Docket No. CP69-272 be consolidated with the above-captioned proceedings for hearing and decision.

(2) It is desirable and in the public interest to allow the above named petitioners to intervene in these consolidated proceedings in order that the petitioners may establish the facts and the law from which the nature and validity of their alleged rights and interest may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The application of Wisconsin Gas in Docket No. CP69-272 is hereby consolidated with these consolidated proceedings for the purpose of hearing and decision.

(B) The above-named petitioners are hereby permitted to intervene in these consolidated proceedings subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene: *And provided, further,* That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(C) Any further request for gas service from Northern pursuant to 7(a) of

[1] Notice of the application was issued on Apr. 23, 1969, and was published in the FEDERAL REGISTER on May 2, 1969 (34 F.R. 7262).

the Natural Gas Act, in order to be made a part of and considered in these consolidated proceedings, must be filed on or before June 27, 1969.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7020; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. E-7475]

SOUTHERN CALIFORNIA EDISON CO. AND NEVADA POWER CO.

Notice of Application

JUNE 9, 1969.

Take notice that on April 3, 1969, Southern California Edison Co. (Edison) and Nevada Power Co., (Nevada Power) on May 27, 1969, have filed applications seeking authority pursuant to section 203 of the Federal Power Act for Edison to sell and Nevada Power to acquire an undivided interest in certain electric transmission facilities located in the State of Nevada.

Edison is incorporated under the laws of the State of California with its principal business office at Los Angeles, Calif., and is engaged in the electric utility business in 14 counties in southern California and in two counties in Nevada.

Nevada Power is incorporated under the laws of the State of Nevada with its principal business office at Las Vegas, Nev., and is engaged in the electric utility business in three counties in Nevada.

Edison, Nevada Power, Salt River Project Agricultural Improvement and Power District (Salt River Project) and the Department of Water and Power of the City of Los Angeles are participating in the construction of a coal-fired steam electric generating plant in southern Nevada known as the Mohave Project, and in the construction of major substation and transmission facilities known as the Eldorado System. Edison presently owns two single circuit 220-kv. a.c. transmission lines extending from Hoover Power Plant near Boulder City, Nev., to its interconnected transmission system in California of which approximately 21.7 circuit miles are to be reconstructed as a part of the Eldorado System.

Pursuant to a sale agreement beween Edison, Nevada Power and Salt River Project, dated December 20, 1967, Edison has agreed to sell to Nevada Power and Salt River Project an undivided 45.300 percent interest in said 21.7 circuit miles of existing transmission facilities. Upon effectuation of the sale agreement, the parties will own such facilities as tenants-in-common with their respective undivided interests therein being as follows:

	Percent
Edison	54.700
Nevada Power	26.425
Salt River Project	18.875

The sale agreement provides that Edison will be paid the sum of $161,268 for the undivided interest in the transmission facilities to be sold subject to certain adjustments.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 25, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7021; Filed, Jun. 13, 1969; 8:45 a.m.]

[Dockets Nos. CP64-314, CP65-81]

SOUTHERN NATURAL GAS CO.

Notice of Application to Amend

JUNE 9, 1969.

Take notice that on June 2, 1969, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala. 35202, filed in Dockets Nos. CP64-314 and CP65-81 applications to amend the certificate of public convenience and necessity authorizing Applicant to install compressors at Gwinville Compressor Station, Thomaston Compressor Station, and McConnells Compressor Station; and pipeline from Griffin Gate to South Atlanta, Ga., and from Rome, Ga., to Chattanooga, Tenn. Applicant requests an amendment to authorize additional or varying facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that requirements varied substantially from estimates of operation and that expenses could be cut by varying the equipment, or in the case of pipeline, the pipeline was to be laid in areas susceptible to increased population density and Applicant thought it prudent to install pipe with a wall thickness variance to their application. Applicant also states that subsequent field surveys indicate that it is advisable for security of operation, to install a dual rather than a single line crossing a river, and a gas scrubber at Bell Mills, neither of which was included in the original cost estimates. Applicant further states that Topograph of the Bell Mills Compressor Station dictated alteration of suction and discharge piping length and size. Also, Applicant states that it is necessary to install a heater in the Chattanooga Measuring Station pressure regulating system and that the regulating station on the Rome lateral and the main line regulating station included in Applicant's application would not be required.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 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 petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-7022; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP63-35]

TEXAS GAS TRANSMISSION CORP.

Notice of Application to Amend

JUNE 9, 1969.

Take notice that on June 2, 1969, Texas Gas Transmission Corp. (Applicant), 3800 Frederica Street, Owensboro, Ky. 42301, filed in Docket No. CP63-35 an application to amend the Commission's order issued January 24, 1963, in said docket by authorizing Applicant to establish an additional point of receipt for gas under its FPC Gas Rate Schedule X-29 of Gas Tariff, Original Volume No. 2, all as more fully set forth in the application to amend which is on file with the Commission and open to public inspection.

The order of January 24, 1963, among other things, authorized Applicant to constuct and operate certain facilities and to transport natural gas, on a high priority interruptible basis, for the account of Gulf Oil Corp. (Gulf). The gas transported is produced by Gulf and delivered to Applicant at the Claiborne Gasoline Plant, Claiborne Parish, La., and redelivered by Applicant to Gulf in Hamilton County, Ohio. Applicant states that the supply of gas at the Claiborne Plant is diminishing and that Gulf desires to connect additional gas reserves from the Church Point Field, Acadia Parish, La. Accordingly, Applicant requests authority to establish a point of receipt in the Church Point Field. Applicant states that no new facilities will be required since there is an existing point of receipt under its FPC Gas Rate Schedule No. X-33.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 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 became a party to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7023; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP66-60]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

JUNE 9, 1969.

Take notice that on June 2, 1969, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP66-60 an application pursuant to section 7 (b) and (c) of the Natural Gas Act for permission and approval to abandon the transportation service being rendered for Gulf Oil Corp. (Gulf), on a high priority basis, in volumes up to 11,500 Mcf of natural gas per day. The above transportation service was to be made pursuant to an agreement dated January 23, 1965, presently on file with the Commission as Applicant's FPC Gas Rate Schedule X-33, Original Volume No. 2 of Applicant's FPC Gas Tariff, and open to public inspection.

Applicant maintains that Gulf no longer requires the transportation service being rendered under Applicant's Rate Schedule X-33 and that pursuant to the terms thereof, Gulf and Applicant have terminated such rate schedule. Applicant further states that no transportation service has been rendered by Applicant under Rate Schedule X-33 since December 27, 1968.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 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 permission and approval for the proposed abandonment 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. 69-7024; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP69-325]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

JUNE 9, 1969.

Take notice that on May 28, 1969, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-325 a "budget-type" application pursuant to section 7(c) of the Natural Gas Act as implemented by § 157.7 of the regulations thereunder for a certificate of public convenience and necessity authorizing the construction during the 12-month period following the authorization and operation of such facilities to allow Applicant to take into its certificated pipeline system natural gas from sources of supply purchased from independent producers and similar sellers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system existing sources of supply, including fields from which Applicant is already authorized to receive gas where it is not possible to construct facilities under the exemption provided by § 2.55(d) of the Commission's rules; to provide necessary booster compressor facilities relating to such supplies; or to attach new supplies which Applicant has not heretofore relied upon.

Applicant requests a waiver of the project cost limitation contained in § 2.58(a)(2) of the Commission's Statements of General Policy and Interpretations under the Natural Gas Act to authorize any onshore project costs of no more than $750,000 and offshore project costs of $500,000, with overall project cost not to exceed $5 million.

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. 69-7025; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP69-327]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

JUNE 9, 1969.

Take notice that on May 29, 1969, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-327 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 to connect additional reserves to Applicant's existing marine system, offshore Texas, 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 12 miles of 16-inch pipeline extending from the terminus of its existing line in the Block 10L Field to a platform to be constructed in Block 52L by Standard Oil Company of Texas, together with approximately 7 miles of 16-inch pipeline loop on its Southwest Louisiana Gathering System and a Block 52L meter and regulator station.

Applicant states the total estimated cost of the proposed project to be $3,096,000, which cost will be financed initially from funds on hand and by bank borrowings. Permanent financing will be through the issuance of long term securities.

Applicant states that no additional markets have been contracted in reliance upon this additional supply of gas, and that said supply is intended merely to augment Applicant's gas reserves.

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. 69-7026; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP69-326]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

JUNE 9, 1969.

Take notice that on May 29, 1969, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP69-326 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 to connect additional reserves to Applicant's existing marine system, offshore Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it proposes to purchase gas produced in the Block 239 Field, Ship Shoal Area, offshore Louisiana, pursuant to an executed gas purchase contract with Kerr-McGee Corp., Aquitane Oil Corp., Cabot Corp., Felmont Oil Co., Murphy Oil Corp., Ocean Drilling and Exploration Co., Southern Burmah Oil Co., and Sun Oil Co.

Specifically, Applicant proposes to construct and operate approximately 5½ miles of 16-inch pipeline extending from its existing facilities in Block 214E to a platform constructed in the Block 239 field by the above-named producers, together with a meter and regulator station to be located on such a platform.

Applicant states the total estimated cost of the proposed project is to be $1,659,000, which cost will be financed initially from funds on hand and by bank loans. Permanent financing will be through the issuance of long-term securities.

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. 69-7027; Filed, June 13, 1969; 8:45 a.m.]

[Docket No. CP69-102]

TRANSWESTERN PIPELINE CO.

Notice of Application to Amend

JUNE 9, 1969.

Take notice that on June 2, 1969, Transwestern Pipeline Co. (Applicant), Post Office Box 2521, Houston, Tex. 77001, filed in Docket No. CP69-102 a petition to amend the certificate of public convenience and necessity issued by the Commission on December 2, 1968, which authorized Applicant to construct during the calendar year 1969, and operate facilities to take into its system deliveries of natural gas, the total cost of such facilities not to exceed $2 million, all as more fully set forth in the application to amend which is on file with the Commission and open to public inspection.

Applicant states that it has now determined that said cost limitation is inadequate to cover its 1969 expenditures and requests an increase of the total authorized expenditures to $3 million.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 7, 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 petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-7028; Filed, June 13, 1969; 8:45 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN BRAZIL

Entry and Withdrawal From Warehouse for Consumption

JUNE 11, 1969.

On June 6, 1969, 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 6(c) thereof relating to nonparticipants, informed the Government of Brazil that it was renewing for an additional 12-month period beginning June 9, 1969, and extending through June 8, 1970, the restraint on imports into the United States of cotton textiles in Category 26 (duck only) produced or manufactured in Brazil. Pursuant to Annex B, paragraph 3, of the Long-Term Arrangement the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to this category for the preceding 12-month period.

There is published below a letter on June 9, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textiles in Category 26 (duck only), produced or maufactured in Brazil, which may be entered or withdraw from warehouse for consumption in the United States for the 12-month period beginning June 9, 1969, be limited to the designated level.

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

SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

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

JUNE 9, 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 June 9, 1969, and for the 12-month period extending through June 8, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles in Category 26 (duck only)[1] produced or manufactured in Brazil, in excess of a level of restraint of 1,736,438 square yards.

In carrying out this directive, entries of cotton textiles in Category 26 (duck only) produced or manufactured in Brazil, which have been exported to the United States from Brazil prior to June 9, 1969, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period June 9, 1968, through June 8, 1969. In the event that the above level of restraint has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 26 (duck only) 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. IV, 1965-68). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 69-7055; Filed, June 13, 1969; 8:48 a.m.]

[1] Only T.S.U.S.A. Nos.:
320....01 through 04, 06, 08
321....01 through 04, 06, 08
322....01 through 04, 06, 08
326....01 through 04, 06, 08
327....01 through 04, 06, 08
328....01 through 04, 06, 08

OFFICE OF ECONOMIC OPPORTUNITY

FOLLOW THROUGH PROGRAM

Memorandum of Understanding Relating to Administration

A. *General.* OEO has, in accordance with section 621 of the EOA, delegated to HEW such of its authorities under the Economic Opportunity Act as are necessary for the administration of the Follow Through program, subject to the understandings contained in this memorandum.

B. *Policies.* The following policies will govern administration of the Follow Through program by HEW:

1. The program will be administered under the authorities included in the Economic Opportunity Act of 1964 as set forth in the existing delegation.

2. Except as provided in section 18 below, HEW shall make grants under section 222(a) of the Economic Opportunity Act to local public educational agencies.

3. HEW may grant funds for activities designed to assist the development of disadvantaged children which do not constitute aid to general education or a part of the basic services already available within the school system. Such activities include, but are not limited to, specialized and remedial teachers or teacher aides and materials, physical and mental health and social services staff and programs, nutritional improvement, culturally and educationally enriching experiences, and parent activities.

4. HEW shall give priority to programs which include a comprehensive range of services developed around identified needs of the children and families to be served.

5. Grants will be awarded by HEW on the basis of priorities to be established by the Commissioner of Education. Prior to the implementation of policies establishing priorities with respect to population groups to be served, and the geographical distribution of programs on a national basis, such policies shall be submitted to OEO for concurrence. In determining eligibility, preference will be given to those organizations having classes with a high proportion of children who have attended a full-year quality comprehensive preschool program for disadvantaged children and then to those classes with high proportions of children who have attended enriched summer preschool programs for disadvantaged children. With rare exceptions, at least 50 percent of the children participating in each grade of the program shall have had such experiences, and shall come from families whose income met Head Start income eligibility criteria at the time of enrollment in Head Start. Normally, the special individual medical or dental treatment, intensive individual psychological treatment and, where feasible, nutritional services shall not be available from Federal funds for any child whose family income is above the Head Start income eligibility criteria.

6. In general, communities participating in a Follow Through program for the first time shall, in that year, conduct the program at one grade level, which shall be the lowest grade of public school (either kindergarten or first grade). Communities participating in a Follow Through program for a second, third, or later consecutive year should each year expand the program to include the next higher grade (through grade 3). Children shall be eligible to participate in a Follow Through program in such higher grades:

(a) Who have been (i) previously included in a Head Start or other quality preschool program and (ii) have also participated in the next lower grade in Follow Through programs (or programs comparable in scope, comprehensiveness, and quality); or

(b) Whose participation in the program is necessary in order to implement adequately the design of the project or to increase its efficiency.

7. In those cases where funds are available to a grantee under title I of the Elementary and Secondary Education Act or other Federal or State statutes, the grantee shall give assurances that it will at least maintain the level of effort for children in the grades to be served that had previously been maintained. In addition, project funds (Federal and non-Federal) must add to existing programs of similar services, and non-Federal share contributions may not be diverted from other assistance to the poor.

8. HEW shall require that grantee agencies involve parents of Follow Through children in the development, conduct, and overall program direction of all projects.

9. Where positions are created for persons with nonprofessional qualifications, the grantee shall be required to give preference to low-income persons, especially parents of Follow Through children, who show promise of being able to carry out the assigned duties.

10. HEW may approve financial assistance in amounts exceeding the percentages set forth in section 225(c) of the EOA only if approval is made pursuant to regulations establishing objective criteria for determining that such approval furthers the purposes of title II of the EOA. No such regulation shall be adopted, revised or abandoned without OEO concurrence.

11. Where the applicant serves an area in which OEO has funded a community action agency, the applicant shall consult with that CAA in the development of its program and the CAA's views shall be a part of the application. In the event that the CAA poses objections which cannot be resolved between the LEA and

the CAA, or after consultation by them with the SEA and State EOO, the appropriate HEW and OEO offices shall jointly consider the views of the respective agencies before HEW makes a final decision.

12. All applications shall be submitted simultaneously to the SEA, State EOO, HEW Regional Office, OEO Regional Office, and OEO and HEW Headquarters. The SEA, State EOO, HEW Regional Office, and OEO Regional Office shall review all applications and forward their recommendations to HEW Headquarters. HEW will make the final decision in accordance with established procedures, after consultation with OEO Headquarters. Copies of all approved grant applications will be accessible to OEO.

13. a. An amount not in excess of 10 percent of the funds transferred to HEW may be used to contract with or provide other financial assistance to SEA's for technical assistance, local training and staff development, and other activities designed to improve the capacity of the SEA to exercise leadership and to monitor Follow Through programs. The SEA shall involve the State EOO in the planning and implementation of activities funded under such grants. The views of the State EOO shall be included in the SEA application. At least 7 percent will be reserved by HEW for research, evaluation, administration, technical assistance, and special project activities, including training. However, in fiscal year 1969 the total percentage reserved for the purposes described in this section shall not exceed 23 percent.

In order to promote program variation, up to an additional 1 percent of Follow Through funds may be used by HEW for technical assistance grants to selected State EOO's and local CAA's to strengthen their abilities to coordinate the various community action programs with Follow Through and allow them to offer appropriate services to the SEA or LEA. HEW will develop annually a coordinated research and evaluation plan for Follow Through. This plan will be concurred in by OEO.

b. In fiscal year 1968 and thereafter, where the SEA is unable or unwilling to accept or carry out a contract or other arrangement to provide for technical assistance, local training and staff development or other activities designed to improve the capacity of the SEA to exercise leadership and to monitor Follow Through programs, HEW may make such a contract or other arrangement with the State EOO.

14. Of the funds available for local grants under section 222(a) of the Economic Opportunity Act, unless otherwise directed by OEO, 78 percent shall be allocated among the States in accordance with the formula contained in section 225 of the Economic Opportunity Act. Two percent shall be available for the territories and the remainder shall be distributed at the discretion of HEW. However, OEO shall retain final authority as to the availability and allocation of such funds in order to ensure compliance with section 225, and, to that end, OEO and HEW shall consult periodically.

15. If the funds available for grants within a State are insufficient to meet the expected demand for programs, HEW will select from projects which meet all requirements on a competitive basis giving equal weight to: (a) Need for the program, and (b) quality of the proposed program. Projects may be preselected upon criteria established by HEW with the concurrence of OEO.

16. Local applicants shall be required to include arrangements for training and staff development in their Follow Through program.

17. Services are to be made available to children in public and private schools in equitable proportions. These proportions shall be based on the numbers of participants in Head Start or similar programs for the community as a whole who are entering the public or private schools in the grades involved in the Follow Through program. Private school officials shall be involved in all stages of the development of plans to serve children enrolled in private schools. Their views on this element of the final proposal shall be included in the application. In developing plans to serve private school children, the local educational agency shall provide for such diversity of program and services as seems appropriate to the needs of the particular children involved, as long as such programs meet the quality criteria for Follow Through programs.

18. Operational grants shall be made directly to local educational agencies except as follows:

Where a local educational agency is unable or unwilling to provide Follow Through services to children in private schools in its district on an equitable basis, or where there is no local educational agency, or where it is determined by the Commissioner to be necessary to accomplish one or more of the pertinent purposes set forth in section 222 of the Economic Opportunity Act, the Commissioner shall arrange with an appropriate community action agency, Head Start agency, or if not with such CAA or HSA, then with a public or appropriate nonprofit, private agency or organization for the provision of Follow Through services. Any such grants made to regional or State agencies or organizations shall require OEO concurrence. The grantee agency providing services for children in private schools shall maintain supervision and administrative control over the provision of such services.

C. *Coordination.*

1. HEW will consult with OEO on policy issuances and guidelines. If during the consultative process OEO raises objections, HEW will formally notify OEO of its intention to proceed at least 10 days before issuing the policy. Departures from the policies enunciated within this agreement will require OEO concurrence. The two agencies will coordinate where necessary through joint task force arrangements on policies and regulations which would affect Operation Head Start as well as Operation Follow Through.

2. OEO will designate a liaison staff within the Community Action program to work with HEW staff in order to assure the full flow of information between the two agencies.

3. HEW will have the principal responsibility for site visits and audit of grantees. HEW may, however, request the assistance of OEO staff members in conducting such audits and site visits. OEO may also initiate, after notification to HEW, such joint or independent site visits as it deems necessary. HEW reports of site visits and audits will be available to OEO and OEO reports will be available to HEW.

4. HEW may request that services be performed by OEO staff on a reimbursable basis whenever it appears to be in the best interests of the program.

5. HEW will make a quarterly report to OEO on its administration of the delegation and will furnish such other information on a routine or special basis as OEO may require to meet its responsibilities. Included in this information will be written financial and program status reports; evaluation data; and program submissions required for the National Anti-Poverty Plan, budget justifications, and congressional presentations.

D. *Administration.*

1. OEO will transfer to HEW the amounts available for the Follow Through program including the amounts necessary for the administration of the program.

2. In accordance with section 621 of the EOA, the Secretary will redelegate authorities to the Commissioner of Education and shall make such administrative arrangements for the programs as required. The Secretary will advise OEO of these arrangements and secure concurrence of OEO on the selection of the program director.

E. *Review of memorandum of understanding.*

1. This memorandum shall be jointly reviewed annually and mutually agreeable changes will be made on the basis of legislative changes and of the experience gained in the program.

Approved: May 26, 1969.

ROBERT H. FINCH,
Secretary, Department of Health, Education, and Welfare.

Approved: May 23, 1969.

ROBERT PERRIN,
Assistant Director for Governmental Relations, Office of Economic Opportunity.

[F.R. Doc. 69-7064; Filed, June 13, 1969; 8:49 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

SUNRAY DX OIL CO.

Notice of Termination of Participation in Voluntary Agreement Relating to Foreign Petroleum Supply

Pursuant to section 702 of the Defense Production Act of 1950, as amended,

notice is hereby given that participation by the Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102, in the voluntary agreement entitled "Voluntary Agreement Relating to Foreign Petroleum Supply," dated May 8, 1956, has been terminated. The list of companies participating in that agreement was published in 32 F.R. 11296, August 3, 1967; a substitute participant was listed in a notice published in 33 F.R. 3657, March 1, 1968; and a termination of participation was listed in a notice published in 34 F.R. 5450, March 20, 1969.

(Sec. 708, 64 Stat. 818, as amended; 50 U.S.C. App. 2158; Executive Order 10480, Aug. 14, 1953, as amended; Reorganization Plan No. 1 of 1958, as amended; Executive Order 11051, Sept. 27, 1962, as amended)

Dated: June 9, 1969.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[F.R. Doc. 69-7046; Filed, June 13, 1969; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 11, 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. 41656—*Bituminous coal from L & N mines in Kentucky and Tennessee.* Filed by O. W. South, Jr., agent (No. A6104), for interested rail carriers. Rates on bituminous coal, in carloads, as described in the application, from L & N mines in eastern Kentucky and Tennessee, to specified points in North Carolina on the Seaboard Coast Line Railroad Co.

Grounds for relief—Rate relationship.

Tariff—Supplement 109 to Southern Freight Association, agent, tariff ICC S-327.

FSA No. 41657—*Rubber and rubber compounds from Addis, La.* Filed by Southwestern Freight Bureau, agent (No. B-38), for interested rail carriers. Rates on rubber, artificial, neoprene or synthetic, crude, loose, or in packages, in carloads, from Addis, La., to points in southern territory.

Grounds for relief—Rate relationship.

Tariff—Supplement 2 to Southwestern Freight Bureau, agent, tariff ICC 4849.

By the Commission

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-7059; Filed June 13, 1969; 8:48 a.m.]

[Notice 849]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 11, 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 76032 (Sub-244 TA), filed June 6, 1969. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: William E. Kenworthy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Rio Rancho Estates near Albuquerque, N. Mex., as an off-route point in connection with carrier's regular-route operations, for 150 days. NOTE: Applicant will tack to all of its existing authority at Albuquerque, N. Mex., and it will also interline with other carriers at Albuquerque, N. Mex. Supporting shippers: Numex Industries, S.S. Star Route, Box 5000, Albuquerque, N. Mex. 87114; West Mesa Manufacturing, Inc., Rio Rancho Industrial Park S.S. Star Route, Box 1, Albuquerque, N. Mex. 87114; Roman Fountains, Inc., Rio Rancho Industrial Park (State Route 528), Post Office Box 10190; Albuquerque, N. Mex. 87114. Send protests to: District Supervisor C. W. Buckner, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 103490 (Sub-No. 65 TA), filed June 9, 1969. Applicant: PROVAN TRANSPORT CORP., 210 Mill Street, Newburgh, N.Y. 12550. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry ammonium nitrate*, in bulk, from Reynolds, Pa., to points in New York, for 180 days. Supporting shipper: Atlas Chemical Industries, Inc., Wilmington, Del. 19899. Send protests to: Charles F. Jacobs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Building, Albany, N.Y. 12207.

No. MC 110264 (Sub-No. 39 TA), filed June 2, 1969. Applicant: ALBUQUERQUE PHOENIX EXPRESS, INC., Post Office Box 3459, Albuquerque, N. Mex. 87110. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, those of unusual value, household goods as defined by the Commission, and those requiring special equipment), (a) between Albuquerque, N. Mex., and Amarillo, Tex., over (1) U.S. Highway 66 (Interstate 40) and return over the same route, serving all intermediate points in New Mexico, serving no intermediate points in Texas; (2) U.S. Highway 66 (Interstate 40) to junction U.S. Highway 84, thence over U.S. Highway 84 to Fort Sumner, N. Mex., thence over U.S. Highway 60 to Amarillo, Tex., and return over the same route serving all intermediate points in New Mexico, serving no intermediate points in Texas; (b) between Albuquerque, N. Mex., and Lubbock, Tex., (3) over route (2) above to Fort Sumner, N. Mex., thence over U.S. Highway 84 to Lubbock, Tex., and return over the same route, serving all intermediate points in New Mexico, serving no intermediate points in Texas; (c) between Amarillo, Tex., and Lubbock, Tex., (4) over U.S. Highway 87, serving no intermediate points and restricted against local service between Lubbock, Tex., and Amarillo, Tex., for operating convenience only; and (d) between Clovis, N. Mex., and Roswell, N. Mex., (5) over U.S. Highway 70 and return over the same route, serving all intermediate points, for 180 days. NOTE: Applicant intends to tack with its present authority at Albuquerque, N. Mex., and Roswell, N. Mex. Supporting shippers: There are approximately 33 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: William R. Murdoch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10515 Federal Building, U.S. Courthouse, Albuquerque, N. Mex. 87101.

No. MC 113678 (Sub-No. 353 TA), filed June 9, 1969. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Stanley Averch (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and pickles*, from Minneapolis, Minn., to Denver, Colo., for 180 days. Supporting shipper: Feinberg Distributing Co., Inc., 1114 Zane Avenue North, Minneapolis, Minn. 55422. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 116702 (Sub-No. 31 TA), filed June 9, 1969. Applicant: THADDEUS A. GORSKI, doing business as GORSKI BULK TRANSPORT, Box 700, Harrow, Ontario, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium sulphide* in bulk, in tank trailers, from Wilmington, Del., and Cincinnati, Ohio, to the international boundary line between the United States and Canada at the port of entry at Detroit, Mich., for 150 days. Supporting shipper: Allied Chemical Corp., 40 Rector Street, New York, N.Y. 10006. Send protests to: Gerald J. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 119988 (Sub-No. 25 TA), filed June 5, 1969. Applicant: GREAT WESTERN TRUCKING CO., INC., 811½ Timberland Drive, Post Office Box 1384, Lufkin, Tex. 75902. Applicant's representative: Bennie W. Haskins (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Newsprint*, from points in Angelina County, Tex., to points in Alabama (except Birmingham and its commercial zone, Blackwell Nursery, Blakely, Blakely Island, Brookley AFB, Brookley Field, Chicasaw, Crishton, Eight Mile, Flowerwood Nursery, Grand Bay, Irvington, Klyono Nursery, Mobala Nursery, Mobile, Navco, Overlook Nursery, Plateau, Prichard, Saint Elmo, Semmes, Spring Hill, Theodore, Theodore Ammo Dump, and Whistler, Ala.); Florida (except Pensacola, Jacksonville, Marianna, Tallahassee, Lake City, and Crestview, Fla.); Kentucky; Mississippi (except Bay St. Louis, Biloxi, Bolton, Bovina, Centreville, Clinton, Edgewater Park, Edwards, Fountainbleau, Gautier, Gulfport, Handsboro, Hilda, International Paper Co. (near Redwood), Jackson, Johnsville, Keesler AFB, Kreole, Long Beach, Magna American Corp. plantsite (near Raymond), Mississippi City, Moss Point, N.A.S.A. (Hancock County), Natchez, Ocean Springs, Pascagoula, Pass Christian, St. Regis Paper Co. plantsite (near Ferguson, Lawrence County), Vicksburg, Waveland, and Woodville, Miss.); and Tennessee (except Bartlett, Benjes, Capleville, Frayser, Germantown, Goodman, Mallory AFB, Memphis, and its commercial zone, Memphis General Dept., Oakville, Raines, Raleigh, West Junction, Whitehaven, and Woodstock, Tenn.), for 150 days. Supporting shipper: Southland Paper Mills, Inc. (Mr. A. Q. Elliott, Traffic Manager), Post Office Box 1328, Lufkin, Tex. 75901. Send protests to: District Supervisor John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 128985 (Sub-No. 2 TA), filed June 5, 1969. Applicant: M. L. WILKERSON, doing business as WILKERSON TRUCKING COMPANY, R.F.D. No. 5, Lenoir City, Tenn. 37771. Applicant's representative: Walter Harwood, Suite 1822, Parkway Towers, 404 James Robertson Parkway, Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exhaust pots and mufflers; exhaust and tail pipe*, with or without fittings, between the plantsite and storage facilities of Maremont Corp., at or near Loudon, Tenn., on the one hand, and, on the other, points in the States which border on the Mississippi River, and points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundary of Itasca and Kochicing Counties, Minn., to the international boundary line between the United States and Canada, for 150 days. Supporting shipper: Maremont Corp., 168 North Michigan Avenue, Chicago, Ill. 60601. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 803, 1808 West End Building, Nashville, Tenn. 37203.

By the Commission.

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

[F.R. Doc. 69-7060; Filed, June 13, 1969; 8:48 a.m.]

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