FEDERAL REGISTER

VOLUME 34 • NUMBER 158

Tuesday, August 19, 1969 • Washington, D.C.

Pages 13351–13401

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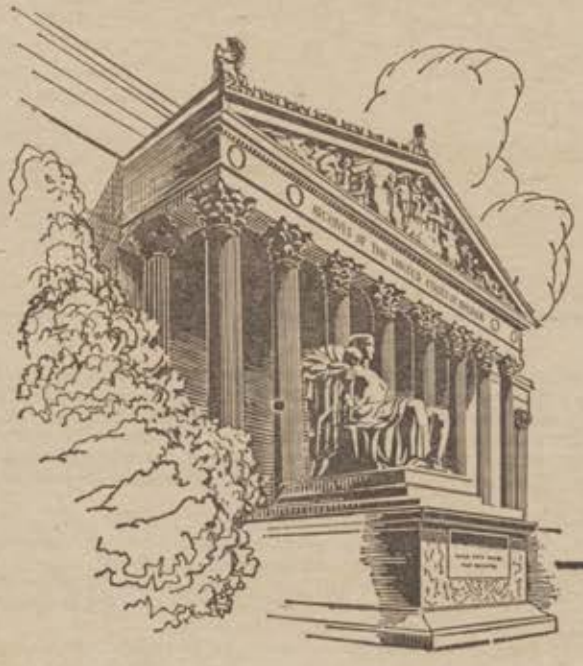

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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Title 3—THE PRESIDENT

Proclamation 3923

WORLD LAW DAY, 1969

By the President of the United States of America

A Proclamation

Economic and social progress bears a direct relationship to the establishment and maintenance of orderly societies and a world community of peaceful nations. Thus, laws which advance economic and social development can bring about essential progress in securing freedom for all men in all nations.

Governments are rightfully concerned about the economic and social progress of people, but much can be done on a private and voluntary basis to supplement government plans and actions. Public programs, embodied in just laws at the local, national, and international levels, can advance the improvement of social and economic conditions in every community and country. Voluntary cooperation of private individuals and groups can help to bring about research, new proposals, and citizen participation which will provide essential public support for enactment of just and needed laws.

The concern and participation of the legal, professional, academic, commercial, and other sectors of the private community in the attack on the root problems of discontent—such as poverty, ignorance, and disease—are vital to the national and international welfare. Fundamentally, it is the human misery and unrest under these conditions which most directly affect man's ability to develop a peaceful and orderly world community. It is essential, therefore, that the public and private sectors of every community join together in cooperative endeavors to develop plans and programs to resolve basic social and economic needs within a framework of law on a local, national, and international basis.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim September 8, 1969, as World Law Day in the United States. I call upon public officials and private leaders, members of the legal profession, public and private organizations, and all men of goodwill to arrange public ceremonies on World Law Day in courts, schools, universities, and other public places in order that we may rededicate ourselves to the observance of international law and to the goals of social and economic progress, so essential to the preservation of world peace.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of August, in the year of our Lord nineteen hundred sixty-nine, and of the Independence of the United States of America the one hundred ninety-fourth.

Richard Nixon

[F.R. Doc. 69-9845; Filed, Aug. 15, 1969; 2:40 p.m.]

Proclamation 3924

UNITED NATIONS DAY, 1969

By the President of the United States of America

A Proclamation

On December 22, 1968, the crew of Apollo Eight transmitted a television picture of the entire planet Earth. The inescapable unity of mankind was dramatically and forcefully presented for all to see.

The realization of this unity has been at the heart of the United Nations since its creation twenty-four years ago. The United Nations has long realized that the world abounds with problems which call for a cooperative international approach: problems of conflict and war and the keeping of peace in troubled areas; the settlements of disputes by peaceful methods; the control and reduction of nuclear and other weapons, and many other problems ranging from hunger to the sharing of the manifold benefits of science and technology.

Yet the history of the last twenty-four years tells us that the realization of mankind's unity is not enough; men must constantly strive to see to it that in international practice, as well as physical fact, mankind realizes its unity.

On United Nations Day, 1969, it should be the resolve of the American people that our Nation, conscious of mankind's growing interdependence on this planet, shall be a steadfast partner with all who strive for the fulfillment of those hopes.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Friday, October 24, 1969, as United Nations Day and I urge the citizens of this Nation to observe that day by means of community programs which will contribute to a realistic understanding of the United Nations and its associated organizations.

I also call upon officials of the Federal and State governments and upon local officials to encourage citizens' groups and agencies of communication—press, radio, television, and motion pictures—to engage in appropriate observance of United Nations Day this year in cooperation with the United Nations Association of the United States of America and other interested organizations.

Moreover, in anticipation of the Twenty-fifth Anniversary Year of the United Nations, I call upon the citizens of this Nation and its citizens' groups to plan such community and organization programs for 1970 as will contribute both to an appreciation of the accomplishments of the United Nations and to a realistic understanding of its aims, its limitations, and its potentialities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of August, in the year of our Lord nineteen hundred and sixty-nine, and of the Independence of the United States of America the one hundred and ninety-fourth.

Richard Nixon

[F.R. Doc. 69-9890; Filed, Aug. 15, 1969; 4:29 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

[Lemon Reg. 387]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.687 Lemon Regulation 387.

(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 regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, 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 regulation 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 August 12, 1969.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period August 17, 1969, through August 23, 1969, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 251,100 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: August 14, 1969.

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

[F.R. Doc. 69-9831; Filed, Aug. 15, 1969; 11:19 a.m.]

PART 967—CELERY GROWN IN FLORIDA

Limitation of Handling

Notice of rule making with respect to a proposed limitation of handling regulation to be made effective under Marketing Agreement No. 149 and Order No. 967, both as amended (7 CFR Part 967), regulating the handling of celery grown in Florida, was published in the FEDERAL REGISTER July 3, 1969 (34 F.R. 11213). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than 15 days after publication. None was filed.

After consideration of all relevant matter presented, including the proposal set forth in the aforesaid notice, the data, views, and recommendations of the Florida Celery Committee and other available information, it is hereby found that the limitation of handling regulation, as hereinafter set forth, including the establishment of the Marketable Quantity, and the determination of the Uniform Percentage, as provided in § 967.38(a) will tend to effectuate the declared policy of the act by establishing and maintaining such orderly marketing conditions for celery as will tend to increase returns to producers of such celery.

The recommendations by the committee reflect its appraisal of the crop and prospective market conditions. The annual production from the celery acreage planted in recent years in Florida and California has readily exceeded the demand capacity of the United States, Canada, and the export market without some type of weather difficulty.

The total amount of Florida celery marketed during the 1966–67, 1967–68, and 1968–69 seasons has been about 7,702,000 crates, 7,248,000, and 7,600,000 crates (estimated), respectively. During these same three seasons approximately 1,615, 1,245, and 972 acres respectively were abandoned for economic reasons, including insufficient demand to return even production costs, and other reasons.

It is estimated Florida celery producers will plant 13,000 acres in 1969–70, about 2 percent above last season's acreage. With an average yield of 670 crates per acre there would be a potential supply of 8,710,000 crates. Under normal conditions Florida cannot reasonably expect to market such an amount economically.

The committee recommended that a Marketable Quantity equal to that of the 1968–69 season should provide the basis for a reasonable return to producers for their efforts and investments, and at the same time afford the industry opportunity to market the greatest number of crates at reasonable prices to consumers. This allows for a small percentage increase over the past season's marketings for anticipated increases in population and economic levels.

Considering the large quantity of celery abandoned during the 1968–69 season and the basis therefor, establishing and distributing a reserve for new or adjusted Base Quantities under such conditions would not increase the demand but would only tend to further reduce the available market for celery of producers generally under their Marketable Allotments. Hence, no provision is made for a reserve for the 1969–70 season.

Based on the aforesaid marketing agreement and order, the committee is required to review, prior to November 1, the marketing policy it has adopted for the 1969–70 season and, as changes are indicated, the committee may recommend appropriate revisions in the Marketable Quantity.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) notice was given of the proposed limitation regulation set forth in this section through publicity in the production area and by publication in the July 3, 1969, FEDERAL REGISTER, (2) as provided in said marketing agreement and order, this regulation applies to celery during the 1969–70 marketing year, (3) compliance with this section will not require any special preparation on the part of handlers which cannot be completed prior to the time actual handling of harvested celery begins approximately the latter part of October, (4) by promptly promulgating this regulation it should afford producers and handlers maximum time to plan their operations accordingly, and (5) no useful purpose will be served by postponing such promulgation.

It is, therefore, ordered as follows:

§ 967.305 Marketable quantity for 1969–70 season; uniform percentage; and limitation on handling.

(a) The Marketable Quantity for the 1969–70 season is established, pursuant to § 967.36(a), as 7,887,375 crates.

(b) As provided in § 967.38(a), the Uniform Percentage for the 1969–70 season is determined as 84.312 percent.

(c) During the 1969–70 season, no handler may handle, as provided in § 967.36(b)(1), any harvested celery unless it is within the Marketable Allotment for the producer of such celery.

(d) No reserve for Base Quantities for the 1969–70 season is established.

(e) Terms used herein shall have the same meaning as when used in the said marketing agreement and order.

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

Dated: August 13, 1969.

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

[F.R. Doc. 69-9747; Filed, Aug. 18, 1969; 8:46 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER B—COOPERATIVE CONTROL AND ERADICATION OF ANIMAL DISEASES

PART 56—SWINE DESTROYED BECAUSE OF HOG CHOLERA

Payment of Indemnities

Pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114, 114a, 114g, 115, 117, 120, 121, 123–126, and 134b), Part 56, Title 9, Code of Federal Regulations relating to the payment of indemnity for swine destroyed because of hog cholera, is hereby amended in the following respects:

1. Section 56.7(b) is amended to read as follows:

§ 56.7 Payment to owners for swine destroyed.

* * * * *

(b) Federal indemnity shall not exceed $50 per head for grade swine or $100 per head for purebred, inbred, or hybrid swine.

* * * * *

(Secs. 3–5, 23 Stat. as amended, sec. 2, 32 Stat. 792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 11, 58 Stat. 734, as amended, 75 Stat. 481, 76 Stat. 129–132; 21 U.S.C. 111–113, 114, 114a, 114g, 115, 117, 120, 121, 123–126, 134b)

The purpose of the foregoing amendment is to authorize an increase in Federal indemnity up to but not exceeding $50 per head for grade swine and $100 per head for purebred, hybrid, and inbred swine as defined in this part.

The amendment will increase the rate of indemnity for grade, purebred, hybrid, and inbred swine destroyed because of hog cholera. It should be made effective promptly in order to be of maximum benefit to the owners of such swine. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

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

Done at Washington, D.C., this 14th day of August 1969.

GEORGE W. IRVING, JR.,
Administrator, Agricultural Research Service.

[F.R. Doc. 69-9791; Filed, Aug. 18, 1969; 8:50 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 1—STATEMENT OF ORGANIZATION, DELEGATIONS, AND GENERAL INFORMATION

PART 2—RULES OF PRACTICE

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS

Atomic Safety and Licensing Appeal Board

On January 18, 1969, the Atomic Energy Commission published in the FEDERAL REGISTER (34 F.R. 869) proposed amendments to its regulations in 10 CFR Parts 1, 2, 50, and 115 which would provide for the establishment of an Atomic Safety and Licensing Appeal Board to perform the review functions which would otherwise be performed by the Commission, and certain functions of the Commission on interlocutory matters, in certain licensing proceedings. All interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. Upon consideration of the material submitted in response to the notice of proposed rule making and other factors involved, the Commission has adopted the amendments set out below, which are identical with the proposed amendments published January 18, 1969.

The Atomic Safety and Licensing Appeal Board established by the amendments which follow will perform the review functions which would otherwise be performed by the Commission, and certain functions of the Commission on interlocutory matters, in (a) such licensing proceedings as the Commission may specify, and (b) those proceedings on applications for licenses or authorizations for facilities in which the Commission has a direct financial interest. Proceedings on applications for licenses or authorizations for facilities in which the Commission has a direct financial interest are (1) proceedings on applications for authorizations under Part 115, "Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Requirements", and (2) proceedings on applications for licenses or construction permits under Part 50, "Licensing of Production and Utilization Facilities", for facilities as to which the Commission has made an arrangement for financial assistance under section 31 of the Act, as amended, or has waived charges for use of special nuclear material or source material under section 53c.(4) or 63c. of the Act. If the proceeding is uncontested, the Appeal Board will perform the customary function of the Commission in deciding whether to review the initial decision on its own motion or allow the decision to become final. If the proceeding is a contested proceeding, the Appeal Board will consider the exceptions to the initial decision and make a decision thereon. In review of proceedings other than those in which the Commission has a direct financial interest, the Appeal Board is authorized, either in its discretion or on the direction of the Commission, to certify to the Commission for its determination, major or novel questions of policy, law or procedure.

The final decision of the Appeal Board in proceedings on applications for licenses or authorizations for facilities in which the Commission has a direct financial interest will constitute the final action of the Commission. In other proceedings, the Commission has reserved the right to review the Appeal Board's decision on its own motion, on the ground

that the Appeal Board's decision (a) is, with respect to an important matter, in conflict with statute, regulation, case precedent, or established Commission policy and (b) (1) could significantly and adversely affect the public health and safety or the common defense and security, or (2) involves an important question or public policy.

The Commission intends to delegate its review function to the Appeal Board in a number of proceedings (both contested and uncontested) sufficient to give the Commission an adequate opportunity to evaluate the new review procedure. In any event, the Commission's review function in licensing proceedings on applications for licenses or authorizations for facilites in which the Commission has a direct financial interest will be delegated to the Appeal Board. The Commission expects thereby to be enabled to devote more of its time and energies to major matters of policy and planning.

The Appeal Board will be composed of the Chairman and Vice Chairman of the Atomic Safety and Licensing Board Panel and a third member of the panel who is technically qualified, designated by the Commission for each proceeding.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments of Title 10, Chapter 1, Code of Federal Regulations, Parts 1, 2, 50, and 115 are published as a document subject to codification to be effective 30 days after publication in the FEDERAL REGISTER.

1. The first sentence of § 1.10(d) of 10 CFR Part 1 is revised to read as follows:

§ 1.10 The Commission.

* * * * *

(d) The Commission appoints the General Manager, the Director of Regulation, the General Counsel, the Director of the Division of Inspection, an Assistant General Manager for Military Application, the directors of other program divisions established under section 25(a) of the Act, 42 U.S.C. 2035(a); the hearing examiners, the Board of Contract Appeals, the Chairman and Vice Chairman and members of the Atomic Safety and Licensing Board Panel, and the members of the Atomic Safety and Licensing Appeal Board.

2. Paragraph (c) of § 1.15a of 10 CFR Part 1 is amended to read as follows:

§ 1.15a Chairman and Vice Chairman of Atomic Safety and Licensing Board Panel.

* * * * *

(c) In addition to performing the functions described in paragraph (a) of this section, the Chairman and Vice Chairman of the Atomic Safety and Licensing Board Panel may serve from time to time as members of atomic safety and licensing boards. The Chairman and Vice Chairman of the Atomic Safety and Licensing Board Panel also serve as members of the Atomic Safety and Licensing Appeal Board. They do not serve as members of atomic safety and licensing boards in proceedings in which exceptions to an initial decision may be taken to the Atomic Safety and Licensing Appeal Board.

3. A new paragraph (f) is added to § 1.240 of 10 CFR Part 1 to read as follows:

§ 1.240 Committees and Boards established by the Atomic Energy Act of 1954, as amended.

* * * * *

(f) The Atomic Safety and Licensing Appeal Board, authorized by the Act of August 29, 1962 (Public Law 87-615), which amended the Atomic Energy Act of 1954 by adding section 191, reviews initial decisions of presiding officers, including atomic safety and licensing boards, in (1) such licensing proceedings under the regulations in this chapter as may be referred to the Appeal Board by the Commission, (2) proceedings on applications for authorizations under Part 115 of this chapter, and (3) proceedings on applications for licenses under Part 50 of this chapter, for facilities as to which the Commission has made an arrangement for financial assistance under section 31 of the Act, or has waived charges for use of special nuclear material or source material under section 53c.(4) or 63c. of the Act. The Atomic Safety and Licensing Appeal Board is composed of the Chairman and Vice Chairman of the Atomic Safety and Licensing Board Panel and a third member of the panel who is technically qualified, designated by the Commission for each proceeding.

4. Paragraph (d) of § 2.704 of 10 CFR Part 2 is amended to read as follows:

§ 2.704 Designation of presiding officer, disqualification, unavailability.

* * * * *

(d) If a presiding officer becomes unavailable during the course of a hearing, the Commission will designate another presiding officer. If he becomes unavailable after the hearing has been concluded, the Commission may:

(1) Designate another presiding officer to make the decision;

(2) Direct that the record be certified to it for decision, except in adjudications in which exceptions to the initial decision may be taken to the Atomic Safety and Licensing Appeal Board; or

(3) Designate another presiding officer.

5. Paragraph (c) of § 2.719 of 10 CFR Part 2 is amended to read as follows:

§ 2.719 Separation of functions.

* * * * *

(c) In any adjudication for the determination of an application for initial licensing, other than a contested proceeding, the presiding officer may consult (1) the regulatory staff, and (2) members of the panel appointed by the Commission from which members of atomic safety and licensing boards are drawn: *Provided, however,* That in adjudications in which exceptions to the initial decision may be taken to the Atomic Safety and Licensing Appeal Board, the presiding officer shall not consult any member of the Atomic Safety and Licensing Appeal Board on any fact in issue.

6. Paragraph (c) of § 2.721 of 10 CFR Part 2 is redesignated paragraph (d) and a new paragraph (c) is added to § 2.721 to read as follows:

§ 2.721 Atomic safety and licensing boards.

* * * * *

(c) In a proceeding in which exceptions to the initial decision may be taken to the Atomic Safety and Licensing Appeal Board, the Commission will not designate any members of the Appeal Board as members or alternates of the atomic safety and licensing board established to preside in such proceeding.

7. A new paragraph (f) is added to § 2.780 of 10 CFR Part 2 to read as follows:

§ 2.780 Ex parte communications.

* * * * *

(f) The provisions and limitations of this section applicable to Commissioners, members of their immediate staffs, and other AEC officials and employees who advise the Commissioners in the exercise of their quasi-judicial functions are applicable to members of the Atomic Safety and Licensing Appeal Board, members of their immediate staffs, and other AEC officials and employees who advise members of the Appeal Board in the exercise of their quasi-judicial functions.

8. An undesignated center head and new §§ 2.785, 2.786, and 2.787 are added to 10 CFR Part 2 following § 2.780 to read as follows:

ATOMIC SAFETY AND LICENSING APPEAL BOARD

§ 2.785 Function of the Atomic Safety and Licensing Appeal Board.

(a) The Commission will establish an Atomic Safety and Licensing Appeal Board to exercise the authority and perform the review functions which would otherwise have been exercised and performed by the Commission, including, but not limited to, those under §§ 2.760-2.771, 2.912, and 2.913, in (1) such licensing proceedings under the regulations in this chapter as the Commission may specify, (2) proceedings on applications for authorizations under Part 115 of this chapter, and (3) proceedings on applications for licenses under Part 50 of this chapter for facilities as to which the Commission has made an arrangement for financial assistance under section 31 of the Act, or has waived charges for use of special nuclear material or source material under section 53c.(4) or 63c. of the Act.

(b) In the proceedings described in paragraph (a) of this section, the Atomic Safety and Licensing Appeal Board will also exercise the authority and perform the functions which would otherwise have been exercised and performed by the Commission under §§ 2.711, 2.717(a), 2.718(i), 2.720(f), 2.730, 2.742(b), 2.743 (b), 2.752 (a) and (c) and Subpart I, except those functions referred to in § 2.905 (c), (g), and (h).

(c) In the proceedings described in subparagraphs (1), (2), and (3) of paragraph (a) of this section, the Atomic Safety and Licensing Appeal Board shall exercise the authority and perform the functions delegated to it subject to the provisions and limitations of the referenced sections and subpart. Except as

provided in § 2.786, any action taken by the Atomic Safety and Licensing Appeal Board pursuant to its delegated authority shall have the same force and effect and shall be made, evidenced, and enforced in the same manner as actions of the Commission.

(d) In the proceedings described in subparagraph (a)(1) of this section, the Atomic Safety and Licensing Appeal Board may, either in its discretion or on direction of the Commission, certify to the Commission for its determination major or novel questions of policy, law or procedure.

§ 2.786 Review of decisions and actions of the Atomic Safety and Licensing Appeal Board.

(a) Within 15 days after the date of a decision or action by the Atomic Safety and Licensing Appeal Board under § 2.785, the Commission, in the proceedings described in subparagraph (a)(1) of § 2.785, may on its own motion direct that the record of the proceeding be certified to it for review on the ground that the decision or action of the Atomic Safety and Licensing Appeal Board (1) is, with respect to an important matter, in conflict with statute, regulation, case precedent, or established Commission policy, and (2)(i) could significantly and adversely affect the public health and safety or the common defense and security, or (ii) involves an important question of public policy. The effect of the Atomic Safety and Licensing Appeal Board's decision or action is then stayed until the Commission's review of the proceeding has been completed.

(b) No petition or other request for Commission review of an Appeal Board's decision or action will be entertained by the Commission.

§ 2.897 Composition of Atomic Safety and Licensing Appeal Board.

The Atomic Safety and Licensing Appeal Board will be composed of the Chairman and Vice Chiarman of the Atomic Safety and Licensing Board Panel and a third member of the panel who is technically qualified, designated by the Commission for each proceeding.

9. Appendix A of 10 CFR Part 2 is amended by adding a new section VII to read as follows:

VII. LICENSING PROCEEDINGS SUBJECT TO APPELLATE JURISDICTION OF ATOMIC SAFETY AND LICENSING APPEAL BOARD

(a) An Atomic Safety and Licensing Appeal Board, designated by the Commission under the authority of section 191 of the Act, reviews initial decisions of presiding officers in (1) such licensing proceedings as the Commission specifies, (2) proceedings on applications for authorizations under Part 115, and (3) proceedings on applications for facility licenses or construction permits as to which the Commission has made an arrangement for financial assistance under section 31 of the Act, or has waived charges for use of special nuclear material or source material under section 53c.~~(4)~~ or 63c. of the Act. In such proceedings, the Atomic Safety and Licensing Appeal Board performs the functions and exercises the authority of the Commission described in sections I(g), III(g)(2) and IV(g), except as their context may require otherwise. The Atomic Safety and Licensing Appeal Board is required to decide each matter before it in accordance with the rules and regulations, case precedent, and established policies of the Commission. It has no responsibility or authority for issuing rules or regulations. The Atomic Safety and Licensing Appeal Board is composed of the Chairman and Vice Chairman of the Atomic Safety and Licensing Board Panel and a third member of the panel who is technically qualified, designated by the Commission for each proceeding.

(b) Two members, being a majority of the Appeal Board, constitute a quorum, if one of those members is the member qualified in the conduct of administrative proceedings. The vote of a majority controls in any decision by the Appeal Board, including orders in interlocutory matters and final decisions. A dissenting member is, of course, free to express his dissent and the reasons for it in a separate opinion for the record.

(c) Consultation between members of the Atomic Safety and Licensing Appeal Board and the staff, in initial licensing proceedings other than contested proceedings, is permitted on the same conditions specified for the Commissioners under 10 CFR § 2.780. However, atomic safety and licensing boards are not permitted under § 2.719 to consult, on any fact in issue, with the Chairman, Vice Chairman or third member of the Atomic Safety and Licensing Appeal Board, in any proceeding in which an appeal from the initial decision may be taken to the Atomic Safety and Licensing Appeal Board, whether contested or not.

10. Paragraph (e) of § 50.57 of 10 CFR Part 50 is amended to read as follows:

§ 50.57 Provisional operating license.

* * * * *

(e) In a case where a hearing has been held in connection with a proceeding under this section the presiding officer may, upon written motion and upon good cause shown, provide that any initial decision issued pursuant to this section shall become effective ten (10) days after issuance subject to (1) the review thereof and further decision by the Commission or the Atomic Safety and Licensing Appeal Board, as appropriate, upon exceptions filed by any party, and (2) such order as the Commission or the Atomic Safety and Licensing Appeal Board may enter upon such exceptions or upon its own motion within forty-five (45) days after the issuance of such initial decision. In the absence of a Commission or an Appeal Board order pursuant to the foregoing, and in the absence of exceptions to the initial decision, the initial decision shall become the final decision of the Commission at the end of such forty-five (45) day period. If any party opposes the motion for expedited effectiveness of the initial decision, the presiding officer may stay its effectiveness pending filing within five (5) days after its issuance of an exception to the provision for expedited effectiveness, and thereafter until decision by the Commission or the Atomic Safety and Licensing Appeal Board on the exception.

11. Paragraph (e) of § 115.45 of 10 CFR Part 115 is revised to read as follows:

§ 115.45 Provisional operating authorization.

* * * * *

(e) In a case where a hearing has been held in connection with a proceeding under this section, the presiding officer may, upon written motion and upon good cause shown, provide that any initial decision issued pursuant to this section shall become effective ten (10) days after issuance subject to (1) the review thereof and further decision by the Atomic Safety and Licensing Appeal Board upon exceptions filed by any party, and (2) such order as the Atomic Safety and Licensing Appeal Board may enter upon such exceptions, or upon its own motion within forty-five (45) days after issuance of such initial decision. In the absence of an Atomic Safety and Licensing Appeal Board order pursuant to the foregoing, and in the absence of exceptions to the initial decision, the initial decision shall become the final decision of the Commission at the end of such forty-five (45) day period. If any party opposes the motion for expedited effectiveness of the initial decision, the presiding officer may stay its effectiveness, pending filing within five (5) days after its issuance of an exception to the provision for expedited effectiveness, and thereafter until decision by the Atomic Safety and Licensing Appeal Board on the exception.

(Secs. 161, 191, 68 Stat. 948; 76 Stat. 409; 42 U.S.C. 2201, 2241)

Dated at Germantown, Md., this 11th day of August 1969.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 69-9724; Filed, Aug. 18, 1969; 8:45 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 23,109]

PART 531—STATEMENTS OF POLICY

Interest Rates on Advances

AUGUST 12, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amending § 531.9 of the regulations for the Federal Home Loan Bank System (12 CFR 531.9) for the purposes of increasing from 7 percent per annum to 8 percent per annum the maximum rate at which Federal Home Loan Banks may make advances to members and eliminating a provision concerning minimum rates which is no longer necessary, hereby amends said § 531.9 by revising it to read as follows:

§ 531.9 Interest rates on advances.

Except as may otherwise be provided from time to time by the Federal Home Loan Bank Board, the following provisions shall apply to advances by the Federal Home Loan Banks to their members:

(a) Notes or other obligations evidencing such advances shall, except as

provided in paragraphs (b) and (d) of this section, be written at an interest rate not exceeding 8 percent per annum, calculated on the unpaid principal balance from time to time outstanding, and interest shall not, except as provided in paragraphs (c) and (d) of this section, be collected by such banks on such advances at a rate exceeding 8 percent per annum, calculated as aforesaid;

(b) Notes or other obligations evidencing such advances made for periods of more than 6 months shall include, and notes or other obligations evidencing such advances made for periods of 6 months or less may include, a provision that the holder of the note or obligation may from time to time decrease the interest rate thereon and may from time to time, on giving to the member, or to the principal obligor at the time such notice is given, a notice for a period which shall be specified in the note or obligation and shall not exceed 30 days, increase the interest rate thereon to a rate not in excess of the maximum rate from time to time permitted by the Federal Home Loan Bank Board to be collected;

(c) Notes or other obligations evidencing such advances shall include a provision for an increase of 1 percent per annum in the then current interest rate on past-due principal and interest;

(d) Notes or other obligations evidencing the refinancing of delinquent advances shall be made under such conditions and written at such interest rates as may from time to time be prescribed by the Federal Home Loan Bank Board.

All forms of notes or other obligations used to evidence such advances shall be submitted to the Federal Home Loan Bank Board for approval with the opinion of Bank counsel as to their validity in the jurisdiction or jurisdictions where they are to be used.

(Secs. 10, 17, 47 Stat. 731, 736, as amended; 12 U.S.C. 1430, 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 69-9781; Filed, Aug. 18, 1969; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69-CE-44]

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

Alteration of Federal Airways

On June 28, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9998) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a standard east alternate to V–11 between Paducah, Ky., and Evansville, Ind.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 16, 1969, as hereinafter set forth.

Section 71.123 (34 F.R. 4509, 5928) is amended as follows:

In V–11, "Evansville, Ind.;" is deleted and "Evansville, Ind., including an east alternate;" is substituted therefor.

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

Issued in Washington, D.C., on August 13, 1969.

LYLE H. DITZLER,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-9741; Filed, Aug. 18, 1969; 8:46 a.m.]

[Airspace Docket No. 69-WE-17]

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

Alteration of Federal Airway

On June 12, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9287) stating that the Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter VOR Federal airway No. 8 south alternate segment from Grand Junction, Colo., to Kremmling, Colo., by lowering the floor of the airway segment between the Crystal, Colo., intersection and the Glenwood Springs, Colo., intersection from 13,000 feet MSL to 12,000 feet MSL.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 16, 1969, as hereinafter set forth.

In § 71.123 (34 F.R. 4509), V–8 is amended by deleting "130 MSL INT Grand Junction 074°" and substituting therefor "120 MSL INT Grand Junction 074°."

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

Issued in Washington, D.C., on August 13, 1969.

LYLE H. DITZLER,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-9742; Filed, Aug. 18, 1969; 8:46 a.m.]

[Airspace Docket No. 69-CE-35]

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

Designation and Modification of Federal Airways

On June 19, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9620) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would accomplish the following:

1. Designate V–239 from Forney, Mo., to Hallsville, Mo., via the Forney 358° and Hallsville 183° true radials.

2. Extend V–132 from Springfield, Mo., to the Lenox intersection via the Springfield 058° and Forney 266° and 086° true radials.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

Although not mentioned in the notice, Restricted Area R–4501A should be excluded from the extension to V–132. Accordingly, action is taken herein to show this exclusion in the description of V–132.

Since this action is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 16, 1969, as hereinafter set forth.

Section 71.123 (34 F.R. 4509) is amended as follows:

1. V–239 is added as follows:

V–239 From Forney, Mo., INT Forney 358° and Hallsville, Mo., 183° radials; Hallsville.

2. V–132 is amended to read:

V–132 From Cheyenne, Wyo.; Akron, Colo.; 17 miles, 49 miles, 59 MSL, Goodland, Kans.; 50 miles, 97 miles, 92 MSL, Hutchinson, Kans.; INT Hutchinson 078° and Chanute, Kans., 294° radials; Chanute; INT Chanute 100° and Springfield, Mo., 276° radials; Springfield; INT Springfield 058° and Forney, Mo., 266°; Forney; INT Forney 086° and Maples, Mo., 052° radials, excluding that portion within R–4501A.

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

Issued in Washington, D.C., on August 13, 1969.

LYLE H. DITZLER,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-9743; Filed, Aug. 18, 1969; 8:46 a.m.]

[Airspace Docket No. 69-CE-29]

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

Alteration of Control Zone and Transition Area

On pages 8710 and 8711 of the FEDERAL REGISTER dated June 3, 1969, the Federal

Aviation Administration published a notice of proposed rule making which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Rapid City, S. Dak. (Municipal Airport), Rapid City, S. Dak. (Ellsworth Air Force Base), control zones and the Rapid City, S. Dak., transition area.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendments.

No objections have been received and the amendments as so proposed are hereby adopted, subject to the following changes:

(1) The Ellsworth Air Force Base coordinates recited in the Rapid City, S. Dak., control zone and transition area alterations as "latitude 44°08'40" N., longitude 103°06'10" W." are changed to read "latitude 44°08'45" N., longitude 103°06'15" W.".

(2) The longitude coordinate recited in the Rapid City, S. Dak., Municipal Airport, control zone alteration as "longitude 103°03'25" W." is changed to read "longitude 103°03'20" W.".

These amendments shall be effective 0901 G.m.t., October 16, 1969.

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

Issued in Kansas City, Mo., on July 31, 1969.

EDWARD C. MARSH,
Director, Central Region.

(1) In § 71.171 (34 F.R. 4557) the following control zones are amended to read:

RAPID CITY, S. DAK. (ELLSWORTH AFB)

Within a 5-mile radius of Ellsworth AFB (latitude 44°08'45" N., longitude 103°06'15" W.); and within 2½ miles each side of the Ellsworth AFB TACAN 322° radial, extending from the 5-mile radius zone to 7 miles northwest of the TACAN, excluding the portion which overlies the Rapid City, S. Dak. (Municipal Airport) control zone.

RAPID CITY, S. DAK. (MUNICIPAL AIRPORT)

Within a 5-mile radius of Rapid City Municipal Airport (latitude 44°02'30" N., longitude 103°03'20" W.); within 3 miles each side of the Rapid City VOR 156° and 335° radials, extending from the 5-mile radius zone to 8 miles southeast of the VOR; and within 3 miles each side of the Ellsworth AFB TACAN 129° radial, extending from the Rapid City, S. Dak. (Ellsworth AFB), 5-mile radius zone to 8 miles southeast of the TACAN, excluding the portion north of a line between the INTs of the 5-mile radius zone and the Rapid City, S. Dak. (Ellsworth AFB), 5-mile radius zone.

(2) In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

RAPID CITY, S. DAK.

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Ellsworth AFB TACAN; and within 4½ miles southwest and 10½ miles northeast of the Rapid City VOR 155° radial, extending from the 14-mile radius area to 19 miles southeast of the VOR; and that airspace extending upward from 1,200 feet above the surface within a 53-mile radius of Ellsworth AFB (latitude 44°08'45" N., longitude 103°06'15" W.).

[F.R. Doc. 69-9757; Filed, Aug. 18, 1869; 8:47 a.m.]

[Airspace Docket No. 69-SO-81]

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

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Albany, Ga. (Municipal Airport), control zone and the Albany, Ga., transition area.

The Albany (Municipal Airport) control zone is described in § 71.171 (34 F.R. 4557), and the Albany transition area is described in § 71.181 (34 F.R. 4637 and 6038). The control zone title is designated as "Albany, Ga. (Municipal Airport)." In both descriptions, reference is made to the "Albany Municipal Airport."

Because the name of this airport has been changed to "Albany-Dougherty County Airport," it is necessary to alter the control zone title and both descriptions to reflect this change.

Since these amendments are editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to amend the control zone and transition area accordingly.

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

In § 71.171 (34 F.R. 4557), the Albany, Ga. (Municipal Airport), control zone is revoked and the following control zone is added:

ALBANY, GA. (ALBANY-DOUGHERTY COUNTY AIRPORT)

Within a 5-mile radius of Albany-Dougherty County Airport (lat. 31°32'08" N., long. 84°11'34" W.); within 2 miles each side of the Albany VORTAC 145° radial, extending from the 5-mile radius zone to 1 mile southeast of the VORTAC.

In § 71.181 (34 F.R. 4637), the Albany, Ga., transition area (34 F.R. 6038) is amended as follows: "* * * Albany Municipal Airport * * *" is deleted and "* * * Albany-Dougherty County Airport * * *" is substituted therefor.

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

Issued in East Point, Ga., on August 8, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-9758; Filed, Aug. 18, 1969; 8:47 a.m.]

[Airspace Docket No. 69-CE-33]

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

Alteration of Transition Area

On page 8925 of the FEDERAL REGISTER dated June 4, 1969, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Albert Lea, Minn.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., October 16, 1969.

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

Issued in Kansas City, Mo., on July 30, 1969.

EDWARD C. MARSH,
Director, Central Region.

In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

ALBERT LEA, MINN.

That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Albert Lea Municipal Airport (latitude 43°40'50" N., longitude 93°22'05" W.); and within 3 miles each side of the 343° bearing from Albert Lea Municipal Airport, extending from the 5½-mile radius area to 8 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles east and 9½ miles west of the 163° and 343° bearings from Albert Lea Municipal Airport, extending from 6 miles south to 18½ miles north of the airport, excluding the portion which overlies the Hope, Minn., transition area.

[F.R. Doc. 69-9759; Filed, Aug. 18, 1969; 8:47 a.m.]

[Airspace Docket No. 69-SO-53]

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

Alteration of Transition Area

On July 1, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 11102), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Gadsden, Ala., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice, the geographic coordinate (lat. 33°58'25" N., long. 86°05'14" W.) for Gadsden Municipal Airport was obtained from Coast and Geodetic Survey. It is necessary to alter the description by appropriately inserting the geographic coordinate for the airport.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 16, 1969, as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the Gadsden, Ala., transition area is amended to read:

GADSDEN, ALA.

That airspace extending upward from 700 feet above the surface within an 11.5-mile radius of Gadsden Municipal Airport (lat. 33°58'25" N., long. 86°05'14" W.).

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

Issued in East Point, Ga., on August 7, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-9760; Filed, Aug. 18, 1969; 8:47 a.m.]

[Airspace Docket No. 69-CE-69]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition area at Roscommon, Mich.

U.S. Standard for Terminal Instrument Procedures (TERPS) became effective November 18, 1967, and was issued only after extensive consideration and discussion with Government agencies concerned and affected industry groups. TERPS updates the criteria for the establishment of instrument approach procedures in order to meet the safety requirements of modern day aviation and to make more efficient use of the airspace possible. As a result, the criteria for designation of controlled airspace for the protection of these procedures were modified to conform to TERPS. The new criteria requires minor alteration of the Roscommon, Mich., transition area. Action is taken herein to reflect this change.

Since changes in most, if not all, existing airspace designations are required in order to achieve the increased safety and efficient use of the airspace that TERPS is designed to accomplish and since these changes are minor in nature, notice and public procedure hereon have been determined to be both unnecessary and impracticable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., October 16, 1969, as hereinafter set forth:

In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

ROSCOMMON, MICH.

That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Roscommon County Airport (latitude 44°21'30" N., longitude 84°40'15" W.); and within 3 miles each side of the 082° bearing from Roscommon County Airport, extending from the 5½-mile radius area to 8 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles south and 9½ miles north of the 082° and 262° bearings from Roscommon County Airport, extending from 5 miles west to 18½ miles east of the airport; and within 5 miles each side of the 256° bearing from Roscommon County Airport, extending from the airport to the Lake City, Mich., transition area.

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

Issued in Kansas City, Mo., on July 30, 1969.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 69-9761; Filed, Aug. 18, 1969; 8:47 a.m.]

[Airspace Docket No. 69-CE-71]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the transition area at O'Neill, Nebr.

U.S. Standard for Terminal Instrument Procedures (TERPS) became effective November 18, 1967, and was issued only after extensive consideration and discussion with Government agencies concerned and affected industry groups. TERPS updates the criteria for the establishment of instrument approach procedures in order to meet the safety requirements of modern day aviation and to make more efficient use of the airspace possible. As a result, the criteria for designation of controlled airspace for the protection of these procedures were modified to conform to TERPS. The new criteria require minor alteration of the O'Neill, Nebr., transition area. Action is taken herein to reflect this change.

Since changes in most, if not all, existing airspace designations are required in order to achieve the increased safety and efficient use of the airspace that TERPS is designed to accomplish and since these changes are minor in nature, notice and public procedure hereon have been determined to be both unnecessary and impracticable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., October 16, 1969, as hereinafter set forth:

In § 71.181 (34 F.R. 4637), the following transition area is amended to read:

O'NEILL, NEBR.

That airspace extending upward from 700 feet above the surface within a 5½-mile radius of O'Neill Municipal Airport (latitude 42°28'10" N., longitude 98°41'15" W.); and within 3½ miles each side of the O'Neill VORTAC 315° radial, extending from the 5½-mile radius area to 12 miles northwest of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within the arc of an 18½-mile radius circle centered on the O'Neill VORTAC, extending from the O'Neill VORTAC 228° radial clockwise to the O'Neill VORTAC 049° radial; and within the arc of a 9-mile radius circle centered on the O'Neill VORTAC, extending from the O'Neill VORTAC 049° radial clockwise to the O'Neill VORTAC 228° radial.

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

Issued in Kansas City, Mo., on July 30, 1969.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 69-9762; Filed, Aug. 18, 1969; 8:47]

[Airspace Docket No. 69-SO-56]

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

Designation of Transition Area

On June 28, 1969, a notice of proposed rule making was published in the FEDERAL REGISTER (34 F.R. 9997), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Marks, Miss., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to the publication of the notice, the geographic coordinate (lat. 34°13'50" N., long. 90°17'25" W.) for Riverside Industries Airport was obtained from Coast and Geodetic Survey. It is necessary to alter the description by appropriately inserting the geographic coordinate for the airport.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the description accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 16, 1969, as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the following transition area is added:

MARKS, MISS.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Riverside Industries Airport (lat. 34°13'50" N., long. 90°17'25" W.); within 3 miles each side of the 197° bearing from Marks, Miss., RBN (lat. 34°13'50" N., long. 90°17'28" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN.

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

Issued in East Point, Ga., on August 8, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-9763; Filed, Aug. 18, 1969; 8:47 a.m.]

Title 20—EMPLOYEES' BENEFITS

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

[Regs. No. 4, further amended]

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

Subpart E—Deductions; Reductions; Nonpayments; Increases

ALIEN NONPAYMENTS

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

1. In § 404.460, paragraphs (a) and (b) (2) and (7) are revised and paragraph (c) is added to read as follows:

§ 404.460 Nonpayment of monthly benefits of aliens outside the United States.

(a) *Nonpayment of monthly benefits to aliens outside the United States more than 6 months.* Except as described in paragraph (b) and subject to the limitations in paragraph (c) of this section, after December 1956 no monthly benefit may be paid to any individual who is not a citizen or national of the United States, for any month after the sixth consecutive calendar month during all of which he is outside the United States, and before the first calendar month for all of which he is in the United States after such absence. (See § 404.380 regarding special payments at age 72.)

(1) For nonpayment of benefits under this section, it is necessary that the beneficiary be an alien and while an alien be outside the United States for more than six full consecutive calendar months. In determining whether at the time of a beneficiary's initial entitlement to benefits he has been outside the United States for a period exceeding six full consecutive calendar months, not more than the six calendar months immediately preceding the month of initial entitlement may be considered. For the purposes of this section, "outside the United States" means outside the territorial boundaries of the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands of the United States, Guam, and American Samoa.

(2) Effective with 6-month periods beginning after January 2, 1968, after an alien has been outside the United States for any period of 30 consecutive days, he is deemed to be outside the United States continuously until he has returned to the United States and remained in the United States for a period of 30 consecutive days.

(3) Payments which have been discontinued pursuant to the provisions of this section will not be resumed until the alien beneficiary has been in the United States for a full calendar month. A full calendar month includes 24 hours of each day of the calendar month.

(4) Nonpayment of benefits to an individual under this section does not cause nonpayment of benefits to other persons receiving benefits based on the individual's earnings record.

Example. R, an alien, leaves the United States on August 15, 1967, and returns on February 1, 1968. He leaves again on February 15, 1968, and does not return until May 15, 1968, when he spends 1 day in the United States. He has been receiving monthly benefits since July 1967.

R's first 6-month period of absence begins September 1, 1967. Since this period begins before January 2, 1968, his visit (Feb. 1, 1968, to Feb. 15, 1968) to the United States for less than 30 consecutive days is sufficient to break this 6-month period.

R's second 6-month period of absence begins March 1, 1968. Since this period begins after January 2, 1968, and he was outside the United States for 30 consecutive days, he must return and spend 30 consecutive days in the United States prior to September 1, 1968, to prevent nonpayment of benefits beginning September 1968. If R fails to return to the United States for 30 consecutive days prior to September 1, 1968, payments will be discontinued and will not be resumed until R spends at least 1 full calendar month in the United States.

(b) *When nonpayment provisions do not apply.* The provisions described in paragraph (a) of this section do not apply, subject to the limitations in paragraph (c) of this section, to a benefit for any month if:

* * * * *

(2) (i) The individual upon whose earnings the benefit is based, before that month, has resided in the United States for a period or periods aggregating 10 years or more or has earned not less than 40 quarters of coverage;

(ii) Except that, effective with the month of July 1968, the provisions of subdivision (i) of this subparagraph do not apply if (*a*) the beneficiary is a citizen of a country having a social insurance or pension system which meets the conditions described in subparagraph (7) (i), (ii), and (iii) of this paragraph but does not meet the condition described in subparagraph (7) (iv) of this paragraph, or (*b*) the beneficiary is a citizen of a country that has no social insurance or pension system of general application if at any time within 5 years prior to January 1968 (or the first month after December 1967 in which his benefits are subject to suspension pursuant to paragraph (a) of this section) payments to individuals residing in such country were withheld by the Treasury Department under the first section of the Act of October 9, 1940 (31 U.S.C. 123) (see paragraph (c) of this section);

(iii) For purposes of this subparagraph a period of residence begins with the day the insured individual arrives in the United States with the intention of establishing at least a temporary home here; it continues so long as he maintains an attachment to an abode in the United States, accompanied by actual physical presence in the United States for a significant part of the period; and ends with the day of departure from the United States with the intention to reside elsewhere; or

* * * * *

(7) The individual is a citizen of a foreign country that the Secretary determines has in effect a social insurance or pension system (see § 404.463) which meets all of the following conditions:

(i) Such system pays periodic benefits or the actuarial equivalent thereof; and

(ii) The system is of general application; and

(iii) Benefits are paid in this system on account of old age, retirement, or death; and

(iv) Individuals who are citizens of the United States but not citizens of the foreign country and who qualify for such benefits are permitted to receive benefits without restriction or qualification, at their full rate, or the actuarial equivalent thereof, while outside of the foreign country and without regard to the duration of their absence therefrom.

(c) *Nonpayment of monthly benefits to aliens residing in certain countries—*(1) *Benefits for months after June 1968.* Notwithstanding the provisions of paragraphs (a) and (b) of this section, no monthly benefit may be paid for any month after June 1968 to any individual who is not a citizen or national of the United States for any month such individual resides in a country to which payments to individuals in such country are being withheld by the Treasury Department pursuant to the first section of the Act of October 9, 1940 (31 U.S.C. 123).

(2) *Benefits for months before July 1968.* If any benefits which an individual who is not a citizen or national of the United States was entitled to receive under title II of the Social Security Act are, on June 30, 1968, being withheld by the Treasury Department pursuant to the first section of the Act of October 9, 1940 (31 U.S.C. 123), upon removal of the restriction such benefits, payable to such individual for months after the month in which the determination by the Treasury Department that the benefits should be so withheld was made, shall not be paid—

(i) To any person other than such individual, or, if such individual dies before such benefits can be paid, to any person other than an individual who was entitled for the month in which the deceased individual died (with the application of section 202(j)(1) of the Social Security Act) to a monthly benefit under title II of such Act on the basis of the same wages and self-employment income as such deceased individual; or

(ii) In excess of an amount equal to the amount of the last 12 months' benefits that would have been payable to such individual.

(3) *List of countries under Treasury Department alien nonpayment restriction.* Pursuant to the provisions of the first section of the Act of October 9, 1940 (31 U.S.C. 123) the Treasury Department is currently withholding payments to individuals residing in the following countries. Further additions to or deletions from the list of countries will be published in the FEDERAL REGISTER.

Albania.
Communist-controlled China.
Cuba.
North Korea.
North Vietnam.
Russian Zone of Occupation of Germany.
Russian Sector of Occupation of Berlin, Germany.

2. In § 404.463, paragraph (a)(7) is revised to read as follows:

§ 404.463 Nonpayment of benefits of aliens outside the United States; "foreign social insurance system," and "treaty obligation" exceptions defined.

(a) *"Foreign social insurance system" exception.* * * *

(7) *List of countries which meet the social insurance or pension system exception in section 202(t)(2) of the Act.* The following countries have been found to have in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Act. Unless otherwise specified, each country meets such requirements effective January 1957. The effect of these findings is that beneficiaries who are citizens of such countries and not citizens of the United States may be paid benefits regardless of the duration of their absence from the United States unless for months beginning after June 1968 they are residing in a country to which payments to individuals are being withheld by the Treasury Department pursuant to the first section of the Act of October 9, 1940 (31 U.S.C. 123). Further additions to or deletions from the list of countries will be published in the FEDERAL REGISTER.

Austria (except from January 1958 through June 1961).
Barbados (effective July 1968).
Bolivia.
Brazil.
Canada (effective January 1966).
Chile.
Congo (Kinshasa) (effective July 1961).
Costa Rica (effective May 1962).
Cyprus (effective October 1964).
Czechoslovakia (effective July 1968).
Denmark (effective April 1964).
Ecuador.
Finland (effective May 1968).
France (effective June 1968).
Ivory Coast.
Jamaica (effective July 1968).
Luxembourg.
Malta (effective September 1964).
Mexico (effective March 1968).
Monaco.
Netherlands (effective July 1968).
Norway (effective June 1968).
Panama.
Philippines (effective June 1960).
Poland (effective March 1957).
Portugal (effective May 1968).
San Marino (effective January 1965).
Spain (effective May 1966).
Sweden (effective July 1966).
Switzerland (effective July 1968).
Turkey.
United Kingdom.
Upper Volta (effective October 1960).
Yugoslavia.

(Secs. 202(t), 205, 1102, 70 Stat. 835, as amended, 81 Stat. 871, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 402, 405, 1302)

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

Dated: July 29, 1969.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: August 13, 1969.

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

[F.R. Doc. 69-9776; Filed, Aug. 18, 1969; 8:49 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 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

2,4-Dichlorophenyl p-Nitrophenyl Ether

A petition (PP 9F0799) was filed with the Food and Drug Administration by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa. 19105, proposing the establishment of tolerances for residues of the herbicide 2,4-dichlorophenyl *p*-nitrophenyl ether in or on the raw agricultural commodities: Onions, garlic, leeks, and shallots (green or in dry bulb form) at 0.75 part per million; and horseradish at 0.05 part per million (negligible residue). Subsequently, the petitioner amended the petition by withdrawing the request for tolerances regarding garlic, leeks, and shallots.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.223 is revised to read as follows to establish tolerances regarding onions and horseradish:

§ 120.223 2,4-Dichlorophenyl *p*-nitrophenyl ether; tolerances for residues.

Tolerances for residues of the herbicide 2,4-dichlorophenyl *p*-nitrophenyl ether in or on raw agricultural commodities are established as follows:

0.75 part per million in or on broccoli, brussels sprouts, cabbage, carrots, cauliflower, celery, kohlrabi, onions (green or in dry bulb form), and parsley.

0.05 part per million (negligible residue) in or on horseradish and sugar beets (roots and tops).

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. 408(d)(2) 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: August 11, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-9729; Filed, Aug. 18, 1969; 8:45 a.m.]

Title 29—LABOR

Chapter XIV—Equal Employment Opportunity Commission

PART 1604—GUIDELINES ON DISCRIMINATION BECAUSE OF SEX

Sex as a Bona Fide Occupational Qualification

By virtue of the authority vested in it by section 713(b) of the Act, 42 U.S.C. § 2000e-12(b), the Commission hereby amends Title 29, Chapter XIV, § 1604.1(a)(3), (b), and (c) of the Code of Federal Regulations by revoking said paragraphs and substituting in lieu thereof a new § 1604.1(b).

Because the provisions of the Administrative Procedure Act (5 U.S.C. 1003) requiring notice of proposed rule making, opportunity for public participation, and delay in effective date, are inapplicable to these interpretative rules, the

amendment shall become effective immediately and shall be applicable with respect to charges presently before or hereafter filed with the Commission.

§ 1604.1 Sex as a bona fide occupational qualification.

(a) * * *

(3) [Revoked]

(b)(1) Many States have enacted laws or promulgated administrative regulations with respect to the employment of females. Among these laws are those which prohibit or limit the employment of females, e.g., the employment of females in certain occupations, in jobs requiring the lifting or carrying of weights exceeding certain prescribed limits, during certain hours of the night, or for more than a specified number of hours per day or per week.

(2) The Commission believes that such State laws and regulations, although originally promulgated for the purpose of protecting females, have ceased to be relevant to our technology or to the expanding role of the female worker in our economy. The Commission has found that such laws and regulations do not take into account the capacities, preferences, and abilities of individual females and tend to discriminate rather than protect. Accordingly, the Commission has concluded that such laws and regulations conflict with Title VII of the Civil Rights Act of 1964 and will not be considered a defense to an otherwise established unlawful employment practice or as a basis for the application of the bona fide occupational qualification exception.

(c) [Revoked]

(Sec. 713, 78 Stat. 265, 42 U.S.C. 2000e-12)

This amendment is effective upon publication.

Signed at Washington, D.C., this the 15th day of August 1969.

[SEAL] WILLIAM H. BROWN III,
Chairman.

[F.R. Doc. 69-9840; Filed, Aug. 18, 1969; 8:50 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Order M-11A, Direction 2, Amdt. 2]

M-11A—COPPER AND COPPER-BASE ALLOYS

Dir. 2, Amdt. 2—Domestic Refined Copper Set-Aside

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended direction, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

This amendment affects Direction 2 to BDSA Order M-11A, as amended February 25, 1969, and May 8, 1969, by changing the base period for determining the average monthly production of domestic refined copper from July-December 1968 to July 1968-June 1969, as provided in section 2(i) of that direction, and by changing the reserved portion of production, as provided in section 8 of that direction, from 19 percent to 16 percent.

1. Section 2(i) of Direction 2 to BDSA Order M-11A of February 25, 1969, is hereby amended to read as follows:

Sec. 2 Definitions.

(i) "Average monthly production of domestic refined copper" means the monthly average quantity of domestic refined copper produced by a producer of domestic refined copper in the last 6 months of calendar year 1968 and the first 6 months of calendar year 1969, including any domestic refined copper produced for his account by another person under toll arrangements.

* * * * *

2. Section 8 of Direction 2 to BDSA Order M-11A of February 25, 1969, and as amended May 8, 1969, is hereby further amended to read as follows:

Sec. 8 Reserved portion of production (set-aside).

From the date of opening his books in any month for the acceptance of rated orders for domestic refined copper, each producer of domestic refined copper shall reserve at least 16 percent of his average monthly production of domestic refined copper (as defined in section 2(i) of this direction) for the acceptance of such rated orders calling for delivery in the immediately following month until the quantity of domestic refined copper for which he has accepted such rated orders is equal to at least the quantity thereof he is required to reserve, as indicated above; however, he need not accept such orders after the 10th day of that month even though he may not have accepted rated orders equivalent to the reserved quantity by that date: *Provided, however,* That DX rated orders must be accepted in accordance with the provisos contained in section 6 (2) and (5) above.

(Sec. 704, 64 Stat. 816, as amended, 50 U.S.C. App. 2154; sec. 1, Public Law 90-370, 82 Stat. 279)

This amendment shall become effective August 19, 1969.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
FORREST D. HOCKERSMITH,
Acting Administrator.

[F.R. Doc. 69-9748; Filed, Aug. 18, 1969; 8:46 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 1—GENERAL PROVISIONS

Release of Information From Veterans Administration; Claimant Records

1. Section 1.514 is revised to read as follows:

§ 1.514 Disclosure to private physicians and hospitals other than Veterans Administration.

(a) When a beneficiary elects to obtain medical attention as a private patient from a private practitioner or in a hospital other than a Veterans Administration hospital, there may be disclosed to such private practitioner or head of such hospital (Federal, State, municipal, or private), such information as to the medical history, diagnosis, findings, or treatment as is requested, including the loan of original X-ray films, whether Veterans Administration clinical X-rays or service department entrance and separation X-rays, provided there is also submitted a written authorization from the beneficiary or his duly authorized representative. The information will be supplied without charge directly to the private physician or hospital head and not through the beneficiary or representative. In forwarding this information, it will be accompanied by the stipulations that it is released with consent of or on behalf of the patient and that the information will be treated as confidential, as is customary in civilian professional medical practice.

(b) Such information may be released without charge and without consent of the patient or his duly authorized representative when a request for such information is received from:

(1) The superintendent of a State hospital for psychotic patients, a commissioner or head of a State department of mental hygiene, or head of a State, county, or city health department; or

(2) Any fee basis physician or institution in connection with authorized treatment of the veteran as a Veterans Administration beneficiary; or

(3) Any physician or medical installation treating the veteran under emergency conditions.

2. Section 1.514a is added to read as follows:

§ 1.514a Disclosure to private psychologists.

When a beneficiary elects to obtain therapy or analysis as a private patient from a private psychologist, such information in the medical record as may be pertinent may be released. Generally, only information developed and documented by Veterans Administration psychologists will be considered pertinent, although other information from the medical record may be released if it is determined to be pertinent and will serve

a useful purpose to the private psychologist in rendering his services. Information will be released under this section upon receipt of the written authorization of the beneficiary or his duly authorized representative. Information will be forwarded to private psychologists directly, not through the beneficiary or representative, without charge and with the stipulation that it is released with consent of or on behalf of the patient and must be treated as confidential as is customary in regular professional practice.

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

These VA regulations are effective the date of approval.

Approved: August 11, 1969.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[F.R. Doc. 69-9765; Filed, Aug. 18, 1969; 8:48 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

[General Order 12, Rev., Supp. 3, Amdt. 3]

PART 281—INFORMATION AND PROCEDURE REQUIRED UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

Sailing Schedules, Routes etc.

Paragraph (a) of § 281.1 of this part is hereby amended to read as follows:

§ 281.1 Information and procedure required under the operating-differential subsidy agreement.

* * * * *

(a) *Sailing schedules, routes, etc.* (1) One copy of a list of sailings is required to be submitted not later than the 5th day of each month, listing each outbound sailing during the preceding month. Such list shall show for each such sailing: (i) Vessel name; (ii) voyage number; (iii) last continental U.S. port; (iv) sailing date; and (v) the service on which the sailing took place.

(2) A "Final Report" in five copies shall be submitted not later than 15 days after the end of the month in which the voyage is terminated and shall show: (i) The time and ports at which the voyage commenced and terminated; (ii) the arrival and sailing dates of the vessel at and from each United States and foreign port, including ports of call for bunkering and/or mail only; (iii) explanation of any delay in excess of 2 days at a United States or foreign port; (iv) appropriate notation of official authorization for any deviations from the service described in the applicable contract.

(3) The procedures outlined in subparagraphs (1) and (2) of this paragraph shall be effective on the first of the month following publication in the FEDERAL REGISTER.

(4) The sailing schedules and lists of sailings specified in this paragraph shall be sent to the Division of Trade Studies, Office of Subsidy Administration, Maritime Administration, Washington, D.C. 20235.

* * * * *

The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Sec. 204, 49 Stat. 1987, as amended, 46 U.S.C. 1114)

Dated: August 13, 1969.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-9794; Filed, Aug. 18, 1969; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter III—Federal Highway Administration

[Docket No. 2-16]

PART 371—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Door Locks and Door Retention Components—Passenger Cars, Multipurpose Passenger Vehicles, and Trucks

Federal Motor Vehicle Safety Standard No. 206 (49 CFR 371.21), as amended (34 F.R. 1151), specifies strength requirements for door locks and door retention components on passenger cars, multipurpose passenger vehicles, and trucks.

Paragraph S4. of Standard 206 exempts components of detachable doors for vehicles manufactured for use without doors from the requirements of the standard. This was done because such doors are provided not for the purpose of retaining the driver and passengers in case of collision but only as protection from inclement weather.

One manufacturer has noted that strength requirements are equally inapplicable to components of folding and roll-up doors and has petitioned for an amendment which would treat such doors in the same manner as detachable doors. It has been determined that the petition has merit. Accordingly, the standard is amended to remove folding and roll-up doors from the requirements of the standard.

1. In consideration of the foregoing, paragraph S4. of Federal Motor Vehicle Safety Standard No. 206 is amended to read as follows:

S4. *Requirements.* Side door components referred to herein shall conform to this standard if any portion of a 90-percentile two-dimensional manikin as described in SAE Practice J826, when positioned at any seating reference point, projects into the door opening area on the side elevation or profile view. Components on folding doors, roll-up doors, and doors that are designed to be easily attached to or removed from motor vehicles manufactured for operation without doors need not conform to this standard.

2. Correction: The paragraph title "S5.2.3 *Sliding Doors*" of Federal Motor Vehicle Safety Standard No. 206 is changed to read "S5.3 Sliding doors".

S5.3 *Sliding doors.*

Since this amendment relaxes a requirement and imposes no additional burden on any person, notice and opportunity to comment thereon are unnecessary, and it becomes effective on publication in the FEDERAL REGISTER. This notice of amendment is issued under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1392, 1407) and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, 49 CFR 1.4(c).

Issued on August 14, 1969.

F. C. TURNER,
Federal Highway Administrator.

[F.R. Doc. 69-9744; Filed, Aug. 18, 1969; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

White River National Wildlife Refuge, Ark.

The following special regulations are issued and are effective on the date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

ARKANSAS

WHITE RIVER NATIONAL WILDLIFE REFUGE

Public hunting on the White River National Wildlife Refuge, Ark., is permitted only on the areas designated by signs as open to hunting. These open areas are delineated on maps available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Hunting shall be in accordance with the applicable State regulations and subject to the following special conditions:

(1) Species permitted to be taken: White-tailed deer, bobcat, and feral hogs.

(2) Open Season: Archery—October 17-31; Gun—November 21-22 and 28-29, 1969.

(3) Bag Limits: One deer of either sex. No limit on hogs and bobcats.

(4) Weapons: (A) Gun—in accordance with State regulations. (B) Archery—Long bows only with a minimum pull of 40 pounds and arrows with a minimum width of seven-eighths inches.

(5) Shooting is not allowed from boats, vehicles, or roadways used by vehicles. Dogs and horses are not allowed.

and all vehicles including Jeeps, Scouts, Tote Goats, Hondas, etc., must stay on roads and trails. Shooting hours are 30 minutes before sunrise to 30 minutes after sunset. Camping is permitted in designated areas. Hunters may enter the open hunting area at noon on the date preceding each hunt. Fires can only be built in the campsites.

(6) Deer killed during the 4 days of gun hunting must be tagged immediately upon possession with the State and Federal tags and also checked at one of the designated check stations between 7:30 a.m. and 7 p.m.

(7) Hunters may not return to hunt hogs or bobcats after they have killed a deer.

(8) No permit required for archery hunt. On the gun hunts, a $2 user fee will be charged for each 2-day hunt. Permits will be issued on a first come, first served basis, by mail only, being postmarked no earlier than October 20, 1969, and continuing until November 3d or until the limited number of permits per hunt are issued.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

(1) Species to be taken: Squirrel, rabbit, bobcat, and feral hogs by gun and turkey by archery only.

(2) Open Season: Gun Hunt—October 1–15; Archery only—October 17–31.

(3) Bag Limit: One turkey of either sex, rabbits—8, and squirrels—8. No limit on bobcat and hogs.

(4) Weapons: (A) Gun—shotguns and rimfire rifles are legal. Rifles larger than .22 caliber are prohibited. (B) Long bows only with a minimum pull of 40 pounds and arrows with ⅞-inch minimum width blades.

The provisions of these special regulations supplement the regulations which govern hunting on National Wildlife Refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32 and are effective through November 29, 1969.

W. L. Towns,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

August 11, 1969.

[F.R. Doc. 69-9786; Filed, Aug. 18, 1969; 8:49 a.m.]

PART 32—HUNTING

Imperial National Wildlife Refuge, Arizona and California

The following special regulation is issued and is effective on date of publication in the Federal Register.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

Arizona and California

IMPERIAL NATIONAL WILDLIFE REFUGE

Public hunting of deer and bighorn sheep on the Imperial National Wildlife Refuge, Arizona and California is permitted only on the area designated by signs as open to hunting. This area, comprising 16,500 acres, is delineated on maps available at refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Arizona—deer, September 5 through September 21, 1969, inclusive, and October 31 through November 16, 1969, inclusive; bighorn sheep, December 6 through December 21, 1969, inclusive. California—deer, September 20 through November 9, 1969, inclusive; bighorn sheep, no open season in California. Hunting shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 22, 1969.

Claude F. Lard,
Refuge Manager, Imperial National Wildlife Refuge, Yuma, Ariz.

July 31, 1969.

[F.R. Doc. 69-9750; Filed, Aug. 18, 1969; 8:46 a.m.]

PART 32—HUNTING

Imperial National Wildlife Refuge, Arizona and California

The following special regulation is issued and is effective on date of publication in the Federal Register.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

Arizona and California

IMPERIAL NATIONAL WILDLIFE REFUGE

Public hunting of quail, cottontail, and jackrabbits on the Imperial National Wildlife Refuge, Arizona and California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 16,500 acres, is delineated on maps available at refuge headquarters, Yuma, Ariz., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting seasons are as follows: Arizona—quail, October 1, 1969, through January 31, 1970, inclusive; cottontail and jackrabbits, September 1, 1969, through January 31, 1970, inclusive. California—quail, October 22, 1969, through January 11, 1970, inclusive; cottontail and jackrabbits, September 1, 1969, through January 11, 1970, inclusive.

Hunting shall be in accordance with all applicable State and Federal Regulations covering the hunting of quail and rabbits subject to the following special conditions:

(1) Use of shotguns only.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1970.

Claude F. Lard,
Refuge Manager, Imperial National Wildlife Refuge, Yuma, Ariz.

July 31, 1969.

[F.R. Doc. 69-9751; Filed, Aug. 18, 1969; 8:47 a.m.]

PART 32—HUNTING

Browns Park National Wildlife Refuge, Colo.

The following special regulation is issued and is effective on date of publication in the Federal Register.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

Colorado

BROWNS PARK NATIONAL WILDLIFE REFUGE

Public hunting of deer is permitted on the Browns Park National Wildlife Refuge, Colo., for the 1969 archery and rifle seasons except in those areas designated by signs as closed to hunting. Archery deer season is August 16 through September 14, 1969, inclusive. Rifle deer season is October 18 through November 6, 1969, inclusive.

Hunting will be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplements the regulations which govern hunting of wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 6, 1969.

H. J. Johnson,
Refuge Manager, Browns Park National Wildlife Refuge, Vernal, Utah.

August 7, 1969.

[F.R. Doc. 69-9752; Filed, Aug. 18, 1969; 8:47 a.m.]

PART 32—HUNTING

Flint Hills National Wildlife Refuge, Kans.

The following special regulation is issued and is effective on date of publication in the Federal Register.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

Kansas

FLINT HILLS NATIONAL WILDLIFE REFUGE

The public hunting of squirrels, cottontail rabbits, bobwhite quail, and greater prairie chickens on the Flint Hills National Wildlife Refuge, Kans., is permitted from September 1, 1969, through August 30, 1970, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 5,165 acres, is delineated on maps available at refuge headquarters, Burlington, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife,

Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations governing the hunting of squirrels, cottontail rabbits, bobwhite quail, and greater prairie chickens.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 1, 1970.

LYLE A. STEMMERMAN,
Refuge Manager, Flint Hills National Wildlife Refuge, Burlington, Kans.

AUGUST 8, 1969.

[F.R. Doc. 69-9753; Filed, Aug. 18, 1969; 8:47 a.m.]

PART 32—HUNTING

Quivira National Wildlife Refuge, Kans.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

KANSAS

QUIVIRA NATIONAL WILDLIFE REFUGE

Public hunting of cottontail rabbits, squirrel, and crows on the Quivira National Wildlife Refuge, Kans., is permitted during the early Teal Season from September 13 through September 21, 1969, inclusive, but only in the areas designated by signs as open to hunting. These open areas, comprising 7,990 acres, are delineated on maps available at refuge headquarters, Stafford, Kans., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103.

Hunting shall be in accordance with all applicable State regulations governing the hunting of cottontail rabbits, squirrel, and crows subject to the following special conditions:

(1) The use of rifles is prohibited for taking rabbits, squirrel, and crows.

(2) The hunting of any species after sunset is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 21, 1969.

CHARLES R. DARLING,
Refuge Manager, Quivira National Wildlife Refuge, Stafford, Kans.

AUGUST 4, 1969.

[F.R. Doc. 69-9754; Filed, Aug. 18, 1969; 8:47 a.m.]

PART 32—HUNTING

National Elk Refuge, Wyo.

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WYOMING

NATIONAL ELK REFUGE

Public hunting of elk on the National Elk Refuge, Wyo., is permitted from October 11 through November 7, 1969, inclusive, only on the area designated by signs as open to hunting. This open area, comprising 18,247 acres, is delineated on maps available at refuge headquarters, Jackson, Wyo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Hunting shall be in accordance with all applicable State regulations covering the hunting of elk subject to the following special conditions:

(1) A special permit is required in addition to a valid 1969 State elk hunting license. Sixty special permits shall be issued to applicants by drawing at refuge headquarters at 12:30 p.m. on Friday, October 10, 1969, and every Friday thereafter through November 1, 1969. Permits are good for 1 week only.

(2) Access to the refuge shall be only through the main gate east of refuge headquarters in Jackson.

(3) Motorized vehicle travel in the hunting area is restricted to the roads designated by appropriate signs and delineated on maps available at refuge headquarters. This is interpreted to mean that motor vehicles may not leave designated roadways for the purpose of loading or picking up a kill.

(4) Persons without permits may accompany special permit holders in the same vehicle but only permit holders are allowed to possess a firearm.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 7, 1969.

DON E. REDFEARN,
Refuge Manager, National Elk Refuge, Jackson, Wyo.

AUGUST 6, 1969.

[F.R. Doc. 69-9755; Filed, Aug. 18, 1969; 8:47 a.m.]

PART 32—HUNTING

Ouray National Wildlife Refuge, Utah

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

UTAH

OURAY NATIONAL WILDLIFE REFUGE

Public hunting of deer is permitted on the Ouray National Wildlife Refuge, Utah, for the 1969 archery and rifle seasons except in those areas designated by signs as closed to hunting. This open area, comprising 9,500 acres, is delineated on maps available at refuge headquarters, Vernal, Utah, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Archery deer season is August 23 through September 7, 1969, inclusive. Rifle deer season is October 18 through October 28, 1969, inclusive.

Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions:

(1) Hunting on Indian lands east of Green River, as posted, requires the possession of a Ute Tribal Permit.

(2) Every deer killed must be checked out at refuge subheadquarters before hunters leave the area.

The provisions of this special regulation supplements the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 28, 1969.

H. J. JOHNSON,
Refuge Manager, Ouray National Wildlife Refuge, Vernal, Utah.

AUGUST 7, 1969.

[F.R. Doc. 69-9756; Filed, Aug. 18, 1969; 8:47 a.m.]

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER C—AQUATIC MAMMALS OTHER THAN WHALES

PART 215—ADMINISTRATION OF THE PRIBILOF ISLANDS

A notice of proposed rule making was published (May 2, 1969, 34 F.R. 7247) to amend Part 215, Title 50, Code of Federal Regulations, which are the regulations governing the administration of the Pribilof Islands.

Interested persons were given the opportunity to participate through written comments. Comments were received and are reflected in the amendments adopted.

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

Sec.
215.1 Visits to seal rookeries.
215.2 Dogs prohibited.
215.3 Importation of birds and mammals.
215.4 Reindeer and foxes.
215.5 Walrus and Otter Islands.
215.6 Local regulations.
215.7 Penalties.

AUTHORITY: The provisions of this Part 215 issued under secs. 101, 201, 207, and 403 of the Fur Seal Act of 1966 (80 Stat. 1091; 16 U.S.C. 1151).

§ 215.1 Visits to seal rookeries.

From June 1 to October 15 of each year no person, except those authorized by the Bureau of Commerical Fisheries, or accompanied by an authorized employee of the Bureau of Commercial Fisheries, shall approach any fur seal rookery or hauling grounds nor pass beyond any posted sign forbidding passage.

§ 215.2 Dogs prohibited.

In order to prevent molestation of the fur seal herds, the landing of any dogs at the Pribilof Islands is prohibited.

§ 215.3 Importation of birds and mammals.

No mammals or birds, except household cats, canaries and parakeets, shall be imported to the Pribilof Islands without the permission of the Bureau of Commercial Fisheries.

§ 215.4 Reindeer and foxes.

The reindeer herd on St. Paul Island is Government-owned. When it is determined that a surplus exists, hunting will be allowed to the extent of the surplus. A drawing will be held under local rules. Foxes may be hunted or trapped when prime during the months of December and January by holders of State trapping licenses.

§ 215.5 Walrus and Otter Islands.

By Executive Order 1044, dated February 27, 1909, Walrus and Otter Islands were set aside as bird reservations. All persons are forbidden to land on these Islands except those authorized by the Bureau of Commercial Fisheries.

§ 215.6 Local regulations.

Local regulations will be published from time to time and will be brought to the attention of local residents and persons assigned to duty on the Islands by posting in public places and brought to the attention of tourists by personal notice.

§ 215.7 Penalties.

Any person who violates or fails to comply with the regulations relating to the use and management of the Pribilof Islands or to the conservation and protection of the fur seals or wildlife or other natural resources located thereon shall be fined not more than $500 or be imprisoned not more than 6 months, or both. Any person who violates the provisions of Title I of the Fur Seal Act of 1966, which relate to the protection of fur seals, shall be fined not more than $2,000 or be imprisoned not more than 1 year, or both.

Issued at Washington, D.C., pursuant to authority delegated to me by the Secretary of the Interior on August 26, 1966 (31 F.R. 11685) and dated August 7, 1969.

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

[F.R. Doc. 69-9749; Filed, Aug. 18, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 13]

WILDLIFE OR EGGS THEREOF

Importation

Notice is hereby given that pursuant to the authority contained in section 42, title 18, United States Code (62 Stat. 687), as amended, it is proposed to revise Part 13, Title 50, Code of Federal Regulations, for the reasons set forth below. The purpose of this revision is to prescribe regulations which will govern the importation into the United States of live specimens of those species of live fish and the eggs thereof, which have been determined to be injurious or potentially injurious to human beings, to the interests of agriculture, forestry, horticulture, or to the native wildlife or wildlife habitat of the United States.

Investigations by the Secretary of the Interior have determined that the walking catfish, *Clarias batrachus* of the family Clariidae, competes with native fish for food and space. Clarias are virtually drought resistant due to their ability to estivate, hibernate, or to migrate overland to find water. Further, present fish management practices have been ineffective in controlling the spread of Clarias in the fresh waters of the State of Florida.

Based on the findings aforesaid and other scientific data, notice is hereby given that the importation, transportation, or acquisition of live fish or viable eggs of the family Clariidae will be restricted after December 31, 1969. Importation, transportation, or acquisition of live fish or viable eggs of the family Clariidae after December 31, 1969, will be only as authorized by permits issued by the Director, Bureau of Sport Fisheries and Wildlife, under the terms and conditions set forth in sections 13.10 through 13.11.

It is the policy of the Department of the Interior whenever practicable to afford the public an opportunity to participate in the rule-making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, within 90 days of the date of publication of this notice in the FEDERAL REGISTER.

JOHN S. GOTTSCHALK,
Director.

AUGUST 15, 1969.

[F.R. Doc. 69-9639; Filed, Aug. 18, 1969; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 729]

PEANUTS

Notice of Proposed Proclamation With Respect to 1970 National Marketing Quota, National Acreage Allotment, Apportionment of National Acreage Allotment to States

The Secretary of Agriculture is required by section 358(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1358(a)), to proclaim, between July 1 and December 1 of each calendar year, the amount of the national marketing quota for peanuts for the crop produced in the next succeeding calendar year. The amount of such quota is the total quantity of peanuts which will make available for marketing a supply of peanuts from the crop with respect to which the quota is proclaimed equal to the average quantity of peanuts harvested for nuts during the five years immediately preceding the year in which such quota is proclaimed, adjusted for current trends and prospective demand conditions.

Section 358(a) of the act further provides that the national marketing quota for peanuts shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre of peanuts for the United States determined by the Secretary on the basis of the average yield per acre of peanuts in the 5 years preceding the year in which the quota is proclaimed, with such adjustment as may be found necessary to correct for trends in yields and for abnormal conditions of production affecting yields.

Section 358(a) of the act also requires that the national marketing quota be a quantity of peanuts sufficient to provide a national acreage allotment of not less than 1,610,000 acres.

Section 358(c)(1) of the act (7 U.S.C. 1358(c)(1)) provides that the national acreage allotment for any year, less the acreage to be allotted to new farms under section 358(f) of the act (7 U.S.C. 1358(f)), shall be apportioned among the States on the basis of their shares of the national acreage allotment for the most recent year in which such apportionment was made. Pursuant to this provision of the act, the national acreage allotment for the 1970 crop of peanuts will be apportioned to States on the basis of their shares of the 1969 national acreage allotment.

The subjects and issues involved in the proposed determinations are:

1. The amount of the national marketing quota.

2. The amount of the national acreage allotment.

3. The amount of acreage to be reserved from the national acreage allotment for new farms.

Consideration will be given to data, views, and recommendations pertaining to the proposed determinations covered by this notice which are submitted in writing to the Director, Oilseeds and Special Crops Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)). All submissions must, in order to be considered, be postmarked not later than 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 12, 1969.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-9792; Filed, Aug. 18, 1969; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 75]

[Airspace Docket No. 69-CE-59]

JET ROUTE SEGMENT

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 75 of the Federal Aviation Regulations that would alter Jet Route No. 34 segment between Ephrata, Wash., and Helena, Mont.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 30 days after publication of this notice in the FEDERAL

REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

At present J-34 is aligned from Ephrata via Mullan Pass, Idaho, to Helena. J-34, J-70, and J-90 converge at Mullan Pass. Radar vectoring of aircraft south of Mullan Pass is required due to the numerous flights meeting at this point.

To alleviate the radar vectoring problem, the FAA proposes the realignment of J-34 from the Ephrata VOR direct to the Helena VORTAC.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on August 12, 1969.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-9764; Filed, Aug. 18, 1969; 8:48 a.m.]

Hazardous Materials Regulations Board

[49 CFR Parts 173, 178]

[Docket No. HM-23; Notice 69-11]

NEW SPECIFICATION 8BW CYLINDER FOR ACETYLENE

Withdrawal of Notice of Proposed Rule Making

On April 23, 1969, the Hazardous Materials Regulations Board published in the FEDERAL REGISTER (34 F.R. 6797) a notice of proposed rule making (Notice No. 69-11) proposing to authorize the transportation of acetylene in a new specification 8BW cylinder.

Based on an evaluation of the comments received the Board has concluded that further study of this proposal is necessary before further rule making action can be taken. Accordingly, Notice No. 69-11 is withdrawn. Withdrawal of this notice does not preclude the Hazardous Materials Regulations Board from issuing another notice in the future on the same or a similar subject if conditions warrant such action.

This action is taken under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657), and title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on August 15, 1969.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

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

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

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

[F.R. Doc. 69-9846; Filed, Aug. 18, 1969; 8:50 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

RALPH R. HOLLINGSWORTH

Notice of Granting of Relief

Notice is hereby given that Ralph R. Hollingsworth, trading as Ralph's Sport Shop and Locksmith, 205 Allen Street, Kelso, Wash. 98626, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on June 26, 1936, by the U.S. District Court for the Western District of Oklahoma, of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Ralph R. Hollingsworth, because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Hollingsworth to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Ralph R. Hollingsworth's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Ralph R. Hollingsworth be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 12th day of August 1969.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 69-9787; Filed, Aug. 18, 1969; 8:49 a.m.]

HARVEY A. JACOBITZ

Notice of Granting of Relief

Notice is hereby given that Harvey A. Jacobitz, 5070 Tahquamenon Trail, Flushing, Mich. 48433, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on March 14, 1941, by the Ottawa County, Michigan Circuit Court of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Harvey A. Jacobitz, because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. Jacobitz to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Harvey A. Jacobitz's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Harvey A. Jacobitz be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 7th day of August 1969.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 69-9788; Filed, Aug. 18, 1969; 8:50 a.m.]

GRADY E. McBRIDE, JR.

Notice of Granting of Relief

Notice is hereby given that Grady E. McBride, Jr., 705 Lay Street, East Gadsden, Ala. 35903, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on September 30, 1944, by a General Court-Martial of the Army of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Grady E. McBride, Jr., because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Mr. McBride to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Grady E. McBride, Jr.'s application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the relief would not be contrary to the public interest.

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Grady E. McBride, Jr. be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 12th day of August 1969.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 69-9789; Filed, Aug. 18, 1969; 8:50 a.m.]

MICHAEL JOSEPH RAYNER

Notice of Granting of Relief

Notice is hereby given that Michael Joseph Rayner, 426 Northwest 50th

Street, Oklahoma City, Okla., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on April 17, 1964, in the District Court of Oklahoma County, Okla., of an offense punishable by imprisonment for a term exceeding 1 year, as defined in 18 U.S.C. 921(a)(20). Unless relief is granted, it will be unlawful for Michael Joseph Rayner, because of such conviction, to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., Appendix) it would be unlawful for Mr. Rayner to receive, possess, or transport in commerce or affecting commerce a firearm. Notice is hereby further given that I have considered Michael Joseph Rayner's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to Michael Joseph Rayner from disabilities incurred by reason of his conviction would not be contrary to the public interest.

It is ordered, Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by the regulations in Title 26, Part 178, Code of Federal Regulations, that Michael Joseph Rayner be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 12th day of August 1969.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

[F.R. Doc. 69-9790; Filed, Aug. 18, 1969; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CHIEF, BRANCH OF LANDS, ET AL.

Redelegation of Authority by Land Office Manager

AUGUST 12, 1969.

1. Pursuant to section 2.1, Bureau Order No. 701 of July 23, 1964, as amended, the following authority is hereby delegated to the Branch and Section Chiefs of the Division of Lands and Minerals Program Management and Land Office, to become effective immediately upon publication in the FEDERAL REGISTER.

(a) Chief, Branch of Lands, and Chief, Lands Adjudication Section, authority to take action for the Manager in matters listed in § 2.2(b) only as to relinquished leases issued pursuant to authority delegated in §2.9, §2.2(d) only to the extent set out in 43 CFR 1825.1-7(a), § 2.5(b)(c), and § 2.9 of Part II of Bureau Order No. 701 supra.

(b) Chief, Branch of Minerals, and Chief, Minerals Adjudication Section, authority to take action for the Manager in matters listed in § 2.2(b) only as to relinquished oil and gas leases pursuant to section 30(b) of the Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 187(b)), § 2.2(d) only to the extent set out in 43 CFR 1852.1-7(a), and § 2.6 of Part II of Bureau Order 701 supra.

(c) Chief, Branch of Title and Records, authority to take action for the Manager in matters listed in §§ 2.2(c), 2.2(k), 2.3(c), and 2.4(a)(4).

2. The authority delegated in paragraph 1 above may not be redelegated.

3. This redelegation of authority supersedes the redelegations of November 9, 1965 (30 F.R. 14444).

R. E. MCCARTHY,
Manager.

Approved:

J. R. PENNY,
State Director, California.

[F.R. Doc. 69-9730; Filed, Aug. 18, 1969; 8:45 a.m.]

[New Mexico PEC-2-1]

NEW MEXICO

Notice of Proposed Classification of Lands

AUGUST 12, 1969.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through exchange, under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, for lands within Catron County, N. Mex.

The District Advisory Board, local governmental officials and other interested parties have been notified of this application. Information derived from discussions and other sources indicate that these lands meet the criterion of 43 CFR 2410.1-3(c)(4), which authorizes classification of lands "for exchanges under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest for exchange proponents, for exchange for other lands which we need for the support of a Federal program." Information concerning the lands, including the record of public discussions, is available for inspection and study in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501; and Socorro District Office, 200 Neel Avenue NW., Socorro, N. Mex. 87801.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Socorro District Office.

The lands affected by this proposal are located in Catron and Valencia Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 8 N., R. 3 W.,
Sec. 4;
Sec. 6, lots 4, 5, 6, 7, S½NE¼, SE¼NW¼, E½SW¼, and SE¼;
Sec. 22.
T. 2 S., R. 9 W.,
Sec. 20, N½ and NE¼SE¼;
Sec. 21, S½NW¼, N½S½, and SE¼SW¼;
Sec. 22, S½SW¼ and SW¼SE¼.
T. 2 S., R. 10 W.,
Sec. 14, NE¼, NE¼NW¼, NE¼SW¼, and SE¼.
T. 3 S., R. 10 W.,
Sec. 34, SW¼ and NW¼SE¼.
T. 4 S., R. 10 W.,
Sec. 4, lots 1, 2, 3, 4, and S½N½;
Sec. 5, lots 1, 2, 3, 4, and S½N½;
Sec. 6, lots 1, 2, 3, 4, 5, S½NE¼, and SE¼NW¼.
T. 4 S., R. 11 W.,
Sec. 11, SW¼, NE¼SE¼, and W½SE¼;
Sec. 14, N½NW¼ and SW¼NW¼;
Sec. 15, N½, SW¼, N½SE¼, and SW¼SE¼;
Sec. 20, NE¼;
Sec. 21, N½;
Sec. 22, N½NW¼ and SW¼NW¼.
T. 5 S., R. 11 W.,
Sec. 6, lots 14 and 15.
T. 6 S., R. 11 W.,
Sec. 22, NE¼;
Sec. 35.
T. 4 S., R. 12 W.,
Sec. 24, NE¼, SE¼NW¼, and S½;
Sec. 25;
Sec. 26, S½;
Sec. 27, S½;
Sec. 28, SW¼.
T. 5 S., R 12 W.,
Sec. 18, lots 1, 2, W½NE¼, and E½NW¼.
T. 6 S., R. 12 W.,
Sec. 11, lots 1 to 8, inclusive;
Sec. 12, lots 1 to 6, inclusive.
T. 4 S., R. 13 W.,
Sec. 25, NE¼SE¼ and S½S½;
Sec. 26, S½S½;
Sec. 27, E½, SE¼NW¼, and NE¼SW¼;
Sec. 28, NW¼NE¼, S½NE¼, NW¼, and S½;
Sec. 29, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 31, NW¼NE¼ and SE¼NE¼;
Sec. 32, W½NW¼ and SE¼NW¼;
Sec. 35, NE¼.
T. 4 S., R. 14 W.,
Sec. 29, S½;
Sec. 32, N½.

The areas described aggregate 12,288.75 acres.

W. J. ANDERSON,
State Director.

[F.R. Doc. 69-9736; Filed, Aug. 18, 1969; 8:46 a.m.]

[New Mexico 9594]

NEW MEXICO

Notice of Proposed Classification

AUGUST 12, 1969.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412),

notice is hereby given of a proposal to classify the lands described below for disposal through exchange under the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended, for lands within New Mexico.

This proposal has been discussed with the District Advisory Board, local and State governmental officials and other interested parties. Information derived from discussions and other sources indicates that these lands meet the criterion of 43 CFR 2410.1-3(c)(4), which authorizes classification of lands "for exchanges under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which are needed for the support of a Federal program." Information concerning the lands, including the record of public discussions, is available for inspection and study in the Roswell District Office, 1902 South Main Street, Roswell, N. Mex. 88201, and in the Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501. For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager of the Roswell District.

The lands affected by this proposal are located in De Baca County and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 1 S., R. 20 E.,
Sec. 11, S½;
Sec. 15;
Sec. 22, N½;
Sec. 23, N½, SW¼, and W½SE¼;
Sec. 24, NW¼NE¼, S½NE¼, and SE¼;
Sec. 25, E½;
Sec. 26, W½;
Sec. 27, E½;
Sec. 28, S½S½;
Sec. 34, E½NE¼, S½SW¼, and SE¼;
Sec. 35, W½.
T. 2 S., R. 20 E.,
Secs. 1 and 3;
Sec. 10, E½ and E½W½;
Secs. 11 and 12;
Sec. 13, S½N½ and S½;
Sec. 14, S½NE¼, NW¼, and S½;
Sec. 15, E½ and E½W½;
Sec. 24, N½ and N½S½.
T. 2 S., R. 21 E.,
Sec. 11, E½SW¼;
Sec. 14, E½NW¼;
Sec. 17, SW¼SW¼;
Sec. 19, lot 4;
Sec. 30, lots 1, 2, 3, and S½SE¼.
T. 2 S., R. 21 E.,
Sec. 4, E½SW¼;
Sec. 5, N½SW¼ and W½SE¼;
Sec. 6;
Sec. 7, lots 1, 2, NE¼, and E½NW¼;
Sec. 8, NW¼NE¼;
Sec. 11, N½S½;
Sec. 17, E½E½ and W½NW¼;
Sec. 18, lots 1, 2, 3, 4, N½NE¼, and E½W½;
Sec. 19, lots 1, 2, 3, NE¼, E½NW¼, NE¼SW¼, and N½SE¼;
Sec. 20, N½;
Sec. 21, N½.

The areas described aggregate 12,406.09 acres.

W. J. ANDERSON,
State Director.

[F.R. Doc. 69-9737; Filed, Aug. 18, 1969; 8:46 a.m.]

Fish and Wildlife Service

NATIONAL WILDLIFE REFUGES OF THE FLORIDA KEYS, FLA.

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m. on October 31, 1969, at the Board of Education Building, 310 Flemming Street, Key West, Monroe County, Fla., on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the Florida Keys Wilderness proposal within the National Wilderness Preservation System. The wilderness proposal consists of approximately 4,740 acres within National Key Deer Refuge, Great White Heron, and Key West National Wildlife Refuges; and is located in Monroe County, State of Florida.

A brochure containing a map and information about the Florida Keys Wilderness proposal may be obtained from the Refuge Manager, National Key Deer Refuge, Post Office Box 385, Big Pine Key, Fla. 33040, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by December 15, 1969.

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 14, 1969.

[F.R. Doc. 69-9740; Filed, Aug. 18, 1969; 8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE SOCIALIST REPUBLIC OF ROMANIA

Entry or Withdrawal From Warehouse for Consumption

On August 12, 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 Socialist Republic of Romania that it was renewing for an additional 12-month period beginning August 14, 1969, and extending through August 13, 1970, the restraint on imports into the United States of cotton textile products in Category 34, produced or manufactured in Romania. 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 Category 34 for the preceding 12-month period.

There is published below a letter of August 12, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 34, produced or manufactured in Romania, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning August 14, 1969, be limited to the designated level.

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

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

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

AUGUST 12, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective as soon as possible, and for the 12-month period beginning August 14, 1969, and extending through August 13, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 34, produced or manufactured in Romania, in excess of a level of restraint for the period of 154,350 pieces.

In carrying out this directive, entries of cotton textile products in Category 34, produced or manufactured in Romania, which have been exported to the United States from Romania prior to August 14, 1969, shall, to the extent of any unfilled balance be charged against the level of restraint established for such goods during the period August 14, 1968, through August 13, 1969. In the event that the level of restraint established for such goods for that period has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 34 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 the Socialist Republic of Romania and with respect to imports of cotton textiles and cotton textile products from Romania 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,

ROBERT A. PODESTA,
Acting Secretary of Commerce, Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 69-9745; Filed, Aug. 18, 1969; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-192]

THE UNIVERSITY OF TEXAS

Notice of Issuance of Amendment to Facility License

The Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 5 to Facility License No. R-92 dated August 2, 1963. The license authorizes The University of Texas to possess, use, and operate the TRIGA Mark I nuclear reactor located on the University's campus at Austin, Tex., at power levels up to 250 kilowatts (thermal). The amendment increases from 2.500 kilograms to 5.600 kilograms the total quantity of uranium-235 which the licensee may receive, possess, and use under this license. It also authorizes the licensee to possess and use small quantities of fissile and fertile materials as foils for experimental purposes.

By letter dated June 25, 1969, The University of Texas requested authorization to receive, possess, and use additional special nuclear material in the form of new stainless steel fuel elements to be used in connection with the operation of the reactor. The additional fuel elements will be used for replacing the present aluminum clad fuel elements which, when removed from the core, will be stored in storage racks in the reactor pool in accordance with procedures which have previously been reviewed and approved by the Commission. The addition of new fuel to the core will be controlled by specified limits on the excess reactivity of the core set forth in the Technical Specifications for Facility License No. R-92.

The Commission has found that the application for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended ("the Act"), and the Commission's regulations published in 10 CFR Chapter I. The Commission has made the findings (relating to its review of the application) which are set forth in the amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen (15) days from the date of publication of the notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated June 25, 1969, and (2) the amendment to facility license, which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. Copies of item 2 above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 11th day of August 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 69-9725; Filed, Aug. 18, 1969; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

HUMANELY SLAUGHTERED LIVESTOCK

Identification of Carcasses; List of Establishments

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904), and the statement of policy thereunder in 9 CFR 381.1, the following table lists the establishments operated under Federal inspection pursuant to the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) which were officially reported on July 1, 1969, as humanely slaughtering and handling on that date the species of livestock respectively designated for such establishments in the table. Additions to and deletions from this list will be made from time to time as the facts may warrant, by notices published in the FEDERAL REGISTER. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods.

ESTABLISHMENTS SLAUGHTERING HUMANELY

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Armour & Co.	2C	(*)						
Do.	2H	(*)	(*)	(*)		(*)		
Do.	2W					(*)		
Do.	2AT	(*)		(*)	(*)	(*)		
Do.	2HT	(*)						
Do.	2SA			(*)	(*)			
Do.	2SD	(*)				(*)		
Do.	2SI	(*)						
Do.	2WN	(*)	(*)					
Swift & Co.	3D	(*)						
Do.	3E	(*)	(*)	(*)		(*)		
Do.	3F	(*)		(*)	(*)	(*)		
Do.	3G	(*)						
Do.	3H	(*)	(*)	(*)		(*)		
Do.	3L					(*)		
Do.	3N	(*)				(*)		
Do.	3R	(*)				(*)		
Do.	3S					(*)		
Do.	3W	(*)						
Do.	3Y	(*)						
Do.	3Z	(*)	(*)					
Do.	3AE	(*)				(*)		
Do.	3AF	(*)	(*)					
Do.	3AN	(*)	(*)	(*)		(*)		
Do.	3CC			(*)				
D. E. Nebergal Meat Co.	3DE	(*)	(*)					
Swift & Co.	3GI	(*)						
Do.	3GW					(*)		
Do.	3TA	(*)						
Lykes Bros., Inc., of Georgia	8	(*)				(*)		
Lykes Bros., Inc.	8B	(*)						
Pauly Packing Co., Inc.	10	(*)						
The Vans Packing Co.	11	(*)	(*)			(*)		
Hygrade Food Products Corp.	12A					(*)		
Do.	12C	(*)				(*)		
Do.	12P	(*)						
Do.	12T	(*)						
Do.	12FW	(*)						
Mickelberry's Food Products Co.	16					(*)		
John Morrell & Co.	17	(*)				(*)		
Do.	17A	(*)				(*)		
Do.	17D	(*)		(*)		(*)		
Do.	17E	(*)				(*)		
Do.	17U	(*)						
C. Finkbeiner, Inc.	18	(*)				(*)		
Wilson & Co., Inc.	20A	(*)				(*)		
Do.	20H					(*)		
Do.	20I	(*)				(*)		
Do.	20L					(*)		
Do.	30N	(*)	(*)	(*)		(*)		
Do.	20Q	(*)	(*)			(*)		
Do.	20U			(*)				
Do.	20Y	(*)	(*)	(*)		(*)		
Do.	20AI	(*)		(*)	(*)			

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Swift & Co., Inc.	23	(*)		(*)				
Brander Meat Co.	25	(*)	(*)					
Patrick Cudahy, Inc.	28					(*)		
Kreinberg & Krasny, Inc.	30	(*)						
Superior's Brand Meats, Inc.	31	(*)	(*)			(*)		
Roegelein Provision Co.	32					(*)		
Do.	32A	(*)						
Valleydale Packers, Inc.	34	(*)	(*)	(*)		(*)		
Kenton Packing Co.	36	(*)	(*)	(*)				
Pocomoke Provision Co.	39	(*)	(*)	(*)				
Sunnyland Packing Co.	43	(*)				(*)		
Stark Wetzel & Co., Inc.	44	(*)						
Do.	44A					(*)		
Idaho Meat Packers	46	(*)						
Consolidated Dressed Beef Co., Inc.	47	(*)						
Midwestern Beef Inc.	53	(*)						
Sunnyland Packing Co. of Alabama	56	(*)						
Do.	56A					(*)		
Glover Packing Co. of Amarillo	60	(*)						
Glover Packing Co.	60A	(*)	(*)	(*)	(*)	(*)		
Gooch Packing Co., Inc.	61	(*)				(*)		
Sunflower Beef Packers of Nebraska	62	(*)						
Sandusky Dressed Beef Co.	63	(*)						
Selkirk Realty Co.	65					(*)		
The Quaker Oats Co.	E67						(*)	(*)
Meat Quality Laboratory	68	(*)	(*)	(*)		(*)		
Auburn University Meats Laboratory	71	(*)				(*)		
Minch's Wholesale Meats, Inc.	72	(*)	(*)					
Brown Thompson & Sons	73					(*)		
Armour & Co.	75			(*)				
Miller Packing Co., Inc.	76	(*)	(*)					
The Eckert Packing Co.	79A	(*)				(*)		
Do.	79B	(*)				(*)		
The Cudahy Co.	81					(*)		
Riviana Foods, Inc.—Hill's Division	E83						(*)	
Edgar Packing Co.	84			(*)				
Oakwood Farms Packing Corp.	85	(*)						
Excel Packing Co., Inc.	86	(*)						
Utica Veal Co., Inc.	88	(*)						
The E. Kahn's Sons Co.	89	(*)	(*)			(*)		
Laredo Packing Co.	91	(*)	(*)			(*)		
Sugardale Foods, Inc.	92	(*)				(*)		
Shenyo Packing, Inc.	93	(*)	(*)	(*)	(*)			
The Val Decker Packing Co.	95	(*)				(*)		
Central Packing Co., Inc.	96	(*)	(*)					
Cleve Farm Packing Co., Inc.	97A					(*)		
A. Koch's Sons	98	(*)	(*)					
Armour & Co.	100	(*)		(*)				
Liberty Packing Co.	101	(*)	(*)					
I. Kaplan, Inc.	102	(*)						
H. Graver Co.	103	(*)						
J. Lynn Cornwell, Inc.	107					(*)		
Confris Packing Co., Inc.	110					(*)		
Wilson & Co., Inc.	111	(*)		(*)	(*)	(*)		
Morris Beef Co.	112	(*)						
The Morris Packing Co.	113	(*)						
Producers Packing Co.	114	(*)						
The Merchants Co.	116	(*)				(*)		
West Coast Meat Co., Inc.	117	(*)	(*)	(*)		(*)		
Marhoefer Packing Co., Inc.	121	(*)				(*)		
E. J. Arehle & Sons, Inc.	122	(*)						
City Dressed Beef	125	(*)						
John Morrell & Co.	126	(*)						
Cash Bros. Packing Co., Inc.	127	(*)	(*)			(*)		
John Roth & Son, Inc.	130	(*)						
Tobin Packing Co., Inc.	133					(*)		
Ferrara Meat Co., Inc.	134	(*)	(*)					
Kluener Packing Co.	142	(*)						
R. B. Rice Sausage Co., Inc.	144					(*)		
Silver Falls Packing Co., Inc.	153	(*)	(*)					
Dallas City Packing, Inc.	156	(*)	(*)					
Cornland Dressed Beef, Inc.	157	(*)						
Missouri Farmers Association Packing Division.	159	(*)				(*)		
Kansas Packing Co.	164	(*)						
New York State College of Agriculture	165	(*)	(*)	(*)	(*)	(*)		
Swift & Co.	166A	(*)	(*)	(*)		(*)		
Felix Healy, Inc.	170					(*)		

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Bub Davis Packing, Inc.	171	(*)						
Lee's Sausage Co., Inc.	173					(*)		
Montrose Beef Co.	181	(*)						
The Rath Packing Co.	186					(*)		
Do.	186F					(*)		
Kent Provision Co., Inc.	187	(*)						
Carl's Sausage Co.	188					(*)		
Cudahy Co.	191	(*)				(*)		
Krey Packing Co.	192	(*)				(*)		
John Morrell & Co.	196					(*)		
Hynes Packing Co.	197	(*)	(*)					
United Fryer and Stillman, Inc.	198	(*)						
George A. Hormel & Co.	199	(*)				(*)		
Do.	199A	(*)						
Do.	199D					(*)		
Do.	199H	(*)						
Do.	199I					(*)		
Do.	199N	(*)				(*)		
Watkins Packing Co.	200	(*)	(*)					
Cudahy Co.	202					(*)		
Platte Valley Packing Co.	203	(*)						
Emge Packing Co., Inc.	205	(*)				(*)		
National Beef Packing Co.	208	(*)						
Heinz's Riverside Abattoir, Inc.	210	(*)						
Penn Packing Co.	212					(*)		
E. W. Kneip, Inc.	213	(*)						
Marshall Meat Products, Inc.	215	(*)						
Lincoln Meat Co.	217	(*)						
York Packing Co., Inc.	220					(*)		
Gwaltney, Inc.	221A					(*)		
Armour & Co.	222	(*)				(*)		
De Jong Packing Co.	223	(*)	(*)					
Hygrade Food Products Corp.	224	(*)				(*)		
Do.	224B	(*)	(*)					
Safford Packing Co.	226	(*)						
Contris Packing Co.	227					(*)		
Gold Merit Packing Co., Inc.	232	(*)						
John Morrell & Co.	234	(*)						
Wahl Schilling & Co., Inc.	235	(*)						
Animal Husbandry Department Texas Technological College.	236	(*)	(*)	(*)	(*)	(*)		
Ruskin Packing Co.	237	(*)						
P. D. & J. Meats	240	(*)	(*)					
Greenwood Packing Plant	242	(*)	(*)	(*)		(*)		
I. Klayman & Co.	243					(*)		
Blue Ribbon Beef Pack, Inc.	244	(*)						
Iowa Beef Packers, Inc.	245	(*)						
Do.	245A	(*)						
Do.	245B	(*)						
Do.	245C	(*)						
Do.	245D	(*)						
John Morrell & Co.	246	(*)				(*)		
Harget Realty Corp.	247	(*)				(*)		
Federal Packing Co., Inc.	249	(*)	(*)					
Frosty Morn Meats, Inc.	250	(*)				(*)		
Prairie Packing Co.	253					(*)		
Magic Valley Packing Co.	258	(*)						
Hyplains Dressed Beef, Inc.	262	(*)						
The Jones Dairy Farm	263					(*)		
Farm Pac Kitchens, Inc.	266	(*)				(*)		
Pacific Meat Co., Inc.	267	(*)	(*)	(*)		(*)		
Golden Valley Packing Co.	271	(*)						
Tog Packing Co., Inc.	273	(*)						
Elliott Packing Co.	274	(*)	(*)	(*)		(*)		
Acme Markets, Inc.	279	(*)		(*)				
San Angelo Packing Co.	281	(*)		(*)	(*)			
Monmouth Pork Packers Co.	282					(*)		
Parnett Packing Co.	283	(*)						
Solano Meat Co.	285	(*)	(*)	(*)				
Western Packing Co.	288	(*)						
Arbogast and Bastian Co.	289					(*)		
The H. H. Meyer Packing Co.	290					(*)		
San Jose Meat Co.	291	(*)						
Armour & Co.	292					(*)		
Iowa Beef Packers, Inc.	292A	(*)						
Gus Juengling & Son, Inc.	298	(*)						
Waldock Packing Co.	299					(*)		
Great Falls Meat Co.	301	(*)				(*)		

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Commercial Packing Co., Inc.	302	(*)						
Union Packing Co.	305	(*)						
Do.	305A	(*)						
Star Packing Co.	306	(*)						
Kaufman Meat Packers, Inc.	310	(*)	(*)					
Melton Provision Co.	311	(*)		(*)	(*)			
Ideal Packing Co., Inc.	312	(*)						
Rudy's Farm Co.	315					(*)		
Dutterer's of Manchester, Inc.	316A	(*)				(*)		
Estes Packing Co.	319	(*)						
Stadler Packing Co., Inc.	320	(*)				(*)		
Rudnick Packing Co., Inc.	325	(*)	(*)					
Frisco Packing Co.	327	(*)						
C&M Meat Packing Corp.	329	(*)	(*)					
Royal Packing Co.	331A	(*)						
Shapiro Packing Co., Inc.	332	(*)	(*)					
Great Western Packing Co., Inc.	334	(*)						
Noble's Meat Co.	335	(*)						
Chino Valley Meat Packing Co., Inc.	336	(*)						
Sam Kane Beef Co.	337	(*)	(*)					
Green & Oliver Sausage Co.	338					(*)		
Midland Empire Packing Co., Inc.	339	(*)						
Des Moines Packing Co.	340	(*)						
Peters Packing Co., Inc.	341	(*)				(*)		
Puckett Packing Co.	343	(*)						
State Packing Co., Inc.	344	(*)						
Anza Packing Co.	345	(*)	(*)	(*)				
Union Packing Co.	351	(*)						
Samuels E-Tex Packing Co.	353	(*)						
Fresno Meat Packing Co.	354	(*)	(*)					
Hernando Packing Co., Inc.	355	(*)	(*)					
St. Paul Dressed Beef, Inc.	357	(*)						
Clougherty Packing Co.	360					(*)		
Meyer's Packing Co.	363	(*)						
Montebello Meat Packing Co.	364	(*)						
James Allan & Sons	365	(*)		(*)		(*)		
Arrow Meat Co., Inc.	369	(*)						
Fischer Packing Co.	374	(*)	(*)			(*)		
Cross Bros. Meat Packers, Inc.	376	(*)	(*)	(*)				
Beeville Packing Co.	377	(*)	(*)			(*)		
Salinas Meat Co.	378	(*)	(*)	(*)		(*)		
Emge Packing Co., Inc.	380	(*)				(*)		
Smithfield Packing Co., Inc.	382					(*)		
Acme Markets, Inc.	384	(*)						
City Custom Packing Co., Inc.	387	(*)		(*)	(*)	(*)		
Liebmann Packing Co.	388	(*)	(*)					
Dugdale Packing Co.	390	(*)						
Oldham's Farm Sausage Co., Inc.	392					(*)		
Robert L. Bunts, Inc.	395	(*)	(*)					
Dubuque Packing Co.	396	(*)	(*)	(*)		(*)		
Logan Packing Co.	397	(*)						
Watsonville Dressed Beef, Inc.	398	(*)						
Los Banos Abattoir Co.	400	(*)	(*)					
Oakridge Smokehouse	401	(*)				(*)		
Owens Country Sausage, Inc.	403					(*)		
Williston Packing Co.	405	(*)						
Neuhoff Bros.	406	(*)	(*)			(*)		
English Packing Co., Inc.	410	(*)						
Alpine Packing Co.	412	(*)	(*)					
The Lundy Packing Co.	413					(*)		
The Lundy Packing Co.	413A					(*)		
Frosty Morn Meats	414	(*)	(*)			(*)		
Minden Beef Co.	417	(*)						
S. Bonsecurso & Sons, Inc.	418	(*)	(*)	(*)				
Murray Packing Co., Inc.	421	(*)						
E. W. Knelp, Inc. of Iowa	422	(*)						
The Collins Packing Co.	423					(*)		
Kenosha Packing Co., Inc.	425	(*)						
Fineberg Packing Co.	428	(*)	(*)					
Schneider Packing Co.	430	(*)						
Omaha Dressed Beef Co., Inc.	441	(*)						
Del Curto Meat Co.	445	(*)	(*)	(*)		(*)		
A. Dirillo & Sons, Inc.	448	(*)						
Mankato Packing Co.	455	(*)						
Dewitt Packing Corp.	456	(*)	(*)					
Morris Elfkin & Sons, Inc.	460	(*)						
Pioneer Boneless Beef, Inc.	461	(*)						
Lancaster Packing Co.	462	(*)						

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Litvak Packing Co.	465	(*)						
Beewar Packing Co.	467	(*)	(*)			(*)		
Cornhusker Packing Co.	468	(*)						
Dunn Packing Co., Inc.	470	(*)						
Oriskany Beef and Veal Corp.	472	(*)						
Missouri Beef Packers, Inc.	473	(*)						
Frisco Packing Co.	473A	(*)						
Mid-States Packers, Inc.	476	(*)						
Armour & Co.	477	(*)						
Virgin Islands Packing Plant	482	(*)		(*)	(*)	(*)		
River Packing Co., Inc.	483	(*)	(*)					
St. Cloud Meat Packing Co.	485	(*)						
East Tennessee Packing Co.	487	(*)				(*)		
Memphis Butcher Association, Inc.	488	(*)	(*)	(*)	(*)	(*)		
E. W. Knelp, Inc.	489	(*)						
Goldring Packing Co., Inc.	490		(*)	(*)				
Fairbank Farms, Inc.	492	(*)	(*)					
Mid-State Meat Packers, Inc.	494	(*)	(*)					
Roberts Packing Co.	495					(*)		
Bartel's Meat Co.	497	(*)	(*)	(*)		(*)		
Heim Bros. Packing Co., Inc.	499	(*)				(*)		
Greenlee Packing Co.	501	(*)						
Tae Hull & Dillon Packing Co.	510	(*)				(*)		
Shen-Valley Meat Packers, Inc.	511	(*)	(*)			(*)		
Snider Bros., Inc.	512	(*)	(*)					
Capitol Packing Co.	513	(*)						
Fletcher's Food Service, Inc.	515	(*)						
Charles Miller & Co.	517					(*)		
Illinois Packing Co.	521	(*)						
Pearl Packing Co., Inc.	524	(*)	(*)	(*)		(*)		
Meat Laborstory-Oklahoma State University	526	(*)	(*)	(*)		(*)		
Sebastopol Meat Co., Inc.	527	(*)	(*)	(*)		(*)		
Armour & Co.	528	(*)						
Smallwood Packing Co., Inc.	529	(*)						
Marysville Meat Packing Co.	533	(*)	(*)					
Pepper Packing Co.	536	(*)						
Oscar Mayer & Co., Inc.	537A	(*)				(*)		
Do.	537B					(*)		
Do.	537C					(*)		
Do.	537E					(*)		
Midwest Packing Co.	538	(*)						
Greendell Packing Co.	542	(*)	(*)					
United Dressed Meat, Inc.	546	(*)				(*)		
Pride Packing Co., Inc.	549	(*)	(*)					
Pirate Packing Co.	550	(*)						
Slater Packing Co.	551	(*)						
Black Hills Packing Co.	554	(*)				(*)		
Mid-South Packers, Inc.	557	(*)				(*)		
The Cudahy Co.	559	(*)				(*)		
D & W Packing Co.	560	(*)	(*)			(*)		
Emery Land Co.	561	(*)	(*)					
Packerland Packing Co., Inc.	562	(*)						
John Morrell & Co.	564					(*)		
Texas Meat Packers, Inc.	565	(*)	(*)					
Do.	565C	(*)						
Elmer Bender & Son, Inc.	569		(*)	(*)				
Perretta Packing Co., Inc.	571	(*)						
David Davies, Inc.	575					(*)		
Do.	575A	(*)						
Frosty Morn Meats, Inc.	576	(*)				(*)		
Armour & Co.	579	(*)				(*)		
Kingsford Packing Co., Inc.	581	(*)						
Ceffeyville Packing Co., Inc.	583	(*)						
Stoppenbach Sausage Co.	585					(*)		
Frederick Packing Co., Inc.	586					(*)		
Dawson-Baker Packing Co., Inc.	588	(*)	(*)	(*)				
Swift & Co.	591	(*)		(*)		(*)		
Elk Grove Meat Co.	601	(*)						
San Antonio Packing Co.	602	(*)		(*)	(*)			
Wright Packing Co.	603	(*)	(*)					
I. D. Packing Co., Inc.	606					(*)		
Eastern Oregon Meat Co., Inc.	611	(*)		(*)		(*)		
National Tea Co.	613	(*)				(*)		
Donner Packing Co.	614	(*)						
Kummer Meat Co., Inc.	617	(*)	(*)	(*)		(*)		
Doskocil Sausage, Inc.	623					(*)		
Star Provision Co.	626					(*)		

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Big Foot Packing Co., Inc.	627	(*)						
E. A. Miller & Sons Packing Co.	628	(*)	(*)					
H. H. Keim Co.	630	(*)		(*)		(*)		
Ebner Bros. Packers	633	(*)						
United Packing Co., Inc.	635	(*)						
Auburn Packing Co., Inc.	636	(*)						
Finery Meat, Inc.	643	(*)						
Coast Packing Co.	645	(*)						
Trans-Continent Packing Co.	E646						(*)	
Bird Provision Co.	647					(*)		
Spencer Packing Co.	648	(*)						
Schlunderberg-Kurkle Co., Inc.	649	(*)	(*)	(*)		(*)		
John Morrell & Co.	650					(*)		
Nagle Packing Co.	653		(*)					
Wilson & Co., Inc.	655	(*)		(*)				
Baum's Bologna, Inc.	657	(*)						
Loeb & Gottfried, Inc.	658	(*)						
McCook Packing Corp.	660	(*)						
Quality Meat Packing Co.	661	(*)	(*)					
Western Meat Packers, Inc.	662	(*)	(*)	(*)	(*)	(*)		
Globe Packing Co.	663	(*)						
Thorp's Meats, Inc.	664	(*)	(*)	(*)		(*)		
Webber Sausage Co., Inc.	665					(*)		
Crown Packing	666					(*)		
Scottsbluff Packing Co.	667	(*)						
Central Coast Meats	671	(*)						
Union Packing Co., Inc.	673	(*)						
Cavitess Packing Co., Inc.	675	(*)						
Jacob Bauer's Sons, Inc.	678	(*)	(*)					
Armour & Co.	680	(*)	(*)	(*)		(*)		
William Taaffe & Co., Inc.	681	(*)	(*)	(*)				
Haas-Davis Packing Co., Inc.	682	(*)				(*)		
Caldwell Packing Co., Inc.	683	(*)						
The William Focke's Sons Co.	685					(*)		
The Stuber Packing Co.	689	(*)				(*)		
Pierce Packing Co.	691	(*)				(*)		
Silver State Beef Co., Inc.	692	(*)						
Bryan Meat Co.	693	(*)						
Animal Husbandry Department, Kansas State University.	694	(*)	(*)	(*)		(*)		
Kramer Beef Co.	695	(*)						
Gulf Packing Co.	696	(*)						
Carter Packing Co.	698	(*)						
Central Nebraska Packing Co.	E713						(*)	
Davenport Packing Co., Inc.	716	(*)						
Farmbest, Inc.	717					(*)		
Do.	717A					(*)		
A. Darlington Strode	718					(*)		
K-M Co.	719	(*)				(*)		
The Lohrey Packing Co.	721					(*)		
Swift & Co.	726	(*)	(*)	(*)		(*)		
Decker & Son	727					(*)		
Goode Packing Co., Inc.	729	(*)						
Frosty Morn Meats	731	(*)				(*)		
Eiler & Son, Inc.	732	(*)	(*)	(*)		(*)		
Western Packers	733	(*)						
The Quaker Oats Co.	E734						(*)	(*)
Ohio Packing Co.	736	(*)	(*)			(*)		
Parnell's Packing Co.	738	(*)	(*)	(*)		(*)		
The Jacob Schlachter's Sons Co.	739	(*)	(*)					
Mid-State Meat Co.	741	(*)	(*)					
Highland Packing Co.	746	(*)						
Rughti Bros.	749	(*)	(*)					
Monroe Packing Co., Inc.	755	(*)						
Seitz Packing Co., Inc.	756A	(*)				(*)		
The American Meat Packing Corp.	760					(*)		
Schaake Packing Co., Inc.	761	(*)						
Kaeler Packing Co.	767	(*)						
Sheridan Meat Co., Inc.	768	(*)	(*)	(*)		(*)		
Earl C. Gibbs, Inc.	770	(*)						
Cudwell Martin Meat Co.	773	(*)						
Atlas Packing Co.	775	(*)						
Central Packing Co.	777	(*)						
The Cudahy Co.	779	(*)	(*)			(*)		
Bryan Bros. Packing Co.	780	(*)	(*)	(*)	(*)	(*)		
Diamond Meat Co., Inc.	783	(*)	(*)					
Granite State Packing Co.	785	(*)						
M. Jacobson Sons Co., Inc.	786	(*)	(*)	(*)	(*)			

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Aurora Packing Co., Inc.	788					(*)		
Hatfield Packing Co.	791					(*)		
Baum's Meat Packing	792	(*)	(*)					
Rod Barnes Packing Co.	798	(*)						
Western Iowa Pork	806					(*)		
American Beef Packers, Inc.	807	(*)						
Do.	807A	(*)						
Amco-Pac Corp.	809	(*)						
The G. Erhardt Sons, Inc.	810	(*)	(*)					
Great Western Packing Co. of Nebraska	811			(*)				
Floyd Valley Packing Co.	812					(*)		
Castle Brands, Inc.	816					(*)		
Rochester Independent Packer, Inc.	817	(*)						
J. H. Routh Packing Co.	818					(*)		
The Sidney Avenue Beef Co.	822	(*)	(*)					
Sterling Colorado Beef Co.	823	(*)						
Foremost Packing Co.	824					(*)		
Superior Packing Co., Inc.	825			(*)				
Bristol Packing Co.	828	(*)				(*)		
Bercheim's Meat Co.	830	(*)						
John Morrell & Co.	836	(*)						
Nat Buring Packing Co. of Arkansas.	837B	(*)				(*)		
Frederick County Products, Inc.	838	(*)	(*)					
Beelfoot Packing Co.	840	(*)				(*)		
G. Bartusch Packing Co.	843	(*)						
Arena Dressed Beef Co.	853	(*)						
Sioux City Dressed Beef	857	(*)						
Siouxland Dressed Beef Co.	857F	(*)						
Sioux Beef Co.	857-0	(*)						
Jordan Meat and Livestock Co., Inc.	858	(*)	(*)	(*)		(*)		
Wells and Davies, Inc.	860	(*)				(*)		
Sierra Meat Co.	862	(*)						
Tennessee Dressed Beef Co.	865	(*)						
Genesee Packing Co.	868	(*)						
Hardy and Co., Inc.	869	(*)	(*)					
Long Creek Meat Co.	870	(*)						
Santa Ana Packing Co.	874	(*)						
Pahler Packing Corp.	880	(*)						
Swanton Packing Corp.	883	(*)						
Alco Packing Co.	885	(*)	(*)	(*)		(*)		
Walden Packing Co., Inc.	886	(*)						
J. F. O'Neill, Packing Co.	889	(*)						
City Packing Co.	891	(*)	(*)	(*)		(*)		
Sambol Packing Co.	892	(*)						
Tobin Packing Co., Inc.	893					(*)		
Vernon Calhoun Packing Co.	897	(*)						
Meat, Inc.	899	(*)						
Sigman Meat Co., Inc.	901	(*)						
Do.	901B					(*)		
Party Packing Corp.	902	(*)						
Kane's Dressed Beef.	907	(*)						
B. Constantino & Sons Co.	918	(*)						
Alies Packing Co.	921	(*)						
Valleydale Packers, Inc. of Briston.	922	(*)	(*)			(*)		
South Philadelphia Willowbrook, Inc.	923	(*)						
Wisconsin Packing Co.	924	(*)						
Peoples Packing Co.	925	(*)	(*)					
Kerber Packing Co.	929					(*)		
Turpoff Packing Co.	931	(*)						
Parsons Beef Co., Inc.	932	(*)						
E. B. Manning & Son	934	(*)						
Blue Ribbon Beef Pack, Inc.	935	(*)						
Voltz Packing Co.	938	(*)						
Cappellino Abattoir, Inc.	939	(*)						
Gentner Packing Co., Inc.	941	(*)						
Hillcrest Packing Co.	943	(*)				(*)		
M. Briner & Co.	948	(*)						
Joe Doctorman & Son Packing Co., Inc.	949	(*)	(*)	(*)		(*)		
Kennedy's Sausage Co.	950					(*)		
Bob Evans Farms Michigan, Inc.	952					(*)		
Armour & Co.	956					(*)		
Thompson Farms Co.	959					(*)		
Greater Omaha Packing Co. Inc.	960	(*)						
Potter Sausage Product, Inc.	961					(*)		
Virginia Packing Co. Inc.	963	(*)	(*)	(*)				
Interstate Meats, Inc.	965	(*)						
Lay Packing Co.	967	(*)				(*)		
Monfort Packing Co	969	(*)		(*)				

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Hawaii Meat Co., Ltd.	979	(*)						
Longhorn Meat Packers, Inc.	976	(*)						
National Food Stores Inc.	981	(*)						
Reitz Meat Products Co.	983	(*)				(*)		
Hospers Packing Co.	985	(*)						
Everett C. Horlein & Son, Inc.	988	(*)						
Sunflower Packing Co., Inc.	992	(*)						
Johnson Meat Products Co., Inc.	994					(*)		
Kister of Kentucky, Inc.	995	(*)						
Do.	995C					(*)		
The Home Pride Provisions, Inc.	1029	(*)						
Armour & Co.	1085	(*)	(*)					
Landy Packing Co.	1171	(*)						
The Harris Packing Co.	1175					(*)		
Wayne Packing Co.	1303	(*)						
A. F. Moyer & Sons, Inc.	1311	(*)						
McCabe Packing Plant	1312	(*)						
H & H Packing Co.	1315	(*)				(*)		
Nebraska Iowa Dressed Beef Co.	1318	(*)						
Associated Meat Packers, Inc.	1472	(*)	(*)	(*)		(*)		
Stevens Meat Co., Inc.	1485	(*)						
James Sausage Co.	1718					(*)		
Greensboro Packing Co., Inc.	1825	(*)				(*)		
C & C Packing Co.	2033	(*)	(*)					
De Luca Packing Co.	2054	(*)	(*)					
Odom Sausage Company of Kentucky, Inc.	2094					(*)		
Jesse Jones Sausage Co., Inc.	2103					(*)		
P & H Packing Co., Inc.	2211	(*)	(*)					
Hardy Packing Co., Inc.	2215	(*)		(*)	(*)	(*)		
Yonkum Packing Co., Ltd.	2216	(*)				(*)		
Burlison Packing Co.	2224	(*)				(*)		
Pace Packing Co.	2228	(*)				(*)		
Ridley Packing Co.	2229	(*)				(*)		
South Texas Packers, Inc.	2230	(*)						
George Braun Packing Co., Inc.	2239	(*)						
Tiny Packing Co.	2254	(*)						
Loveland Packing Co., Inc.	2259	(*)	(*)			(*)		
Broadway Packing Co., Inc.	2264	(*)						
Ridley Packing Co.	2265	(*)	(*)			(*)		
L. A. Frey & Sons, Inc.	2266A	(*)				(*)		
Panhandle Packing Co.	2267	(*)						
Wright Packing Co.	2269	(*)	(*)			(*)		
Lamesa Meat Co.	2272	(*)						
Amarillo Packing Co.	2273	(*)						
Pinkney Packing Co.	2274	(*)						
Valley Packing Co.	2280	(*)				(*)		
Husband Bros. Packing Co.	2284	(*)		(*)				
Rollins Packing Co.	2285	(*)	(*)	(*)		(*)		
Wells Meat Co.	2289	(*)				(*)		
Payne Packing Co., Inc.	2293	(*)	(*)	(*)	(*)	(*)		
Dunkworth Packing Co.	2296	(*)				(*)		
Amana Society Meat Department	2357	(*)						
Theis Packing Co., Inc.	2367	(*)				(*)		
Grote Meat Co.	2369	(*)	(*)	(*)				
Wuestling Packing Co.	2370	(*)						
Clayton Packing Co.	2373		(*)					
Smit & Son, Inc.	2376	(*)				(*)		
Schuyler Packing Co.	2379	(*)				(*)		
Partin Sausage Co.	2385							
Marshall Packing Co., Inc.	2386	(*)				(*)		
Clinton Packing Co.	2387							
Gustav B. Nissen & Son Packing Co.	2388	(*)						
United Meat Co., Inc.	2396	(*)				(*)		
Pony Express Ranch	2398	(*)						
Johnsville Packing Co.	2402	(*)						
South Side Packing Co., Inc.	2424	(*)						
Quality Packinghouse, Inc.	2435					(*)		
New Butte Butchering Co.	2439	(*)	(*)	(*)		(*)		
M. Luck, Inc.	2443	(*)						
John R. Daily, Inc.	2450	(*)	(*)	(*)	(*)	(*)		
Rocky Mountain Packing Co., Inc.	2455	(*)						
Cimpl Packing Co.	2460	(*)						

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Wenning Packing Co., Inc.	2533	(*)						
Springfield Dressed Beef, Inc.	2590	(*)	(*)					
Margolin Packing Co., Inc.	2592	(*)	(*)					
Bartlow Bros., Inc.	2595	(*)					(*)	
The Teeters Packing Co.	2598						(*)	
Du Quoin Packing Co.	2599	(*)	(*)					
J. W. Treuth & Sons, Inc.	2612	(*)	(*)					
Manassas Frozen Foods	2621A	(*)	(*)	(*)	(*)			
H. P. Beale & Sons, Inc.	2682						(*)	
Wagner Provision Co., Inc.	2770	(*)	(*)					
Stoeven Bros.	2800	(*)		(*)				
Blue Mountain Meats	2825	(*)		(*)			(*)	
Lewis & McDermott	2847	(*)						
Granite Meat and Livestock Co.	2856	(*)	(*)	(*)	(*)			
Zweigart Packing Corp.	2863	(*)	(*)	(*)			(*)	
Fort Plain Packing Co., Inc.	5004	(*)	(*)					
Double A Meat Packing, Inc.	5162	(*)	(*)	(*)			(*)	
Ralph Packing Co., Inc.	5228	(*)						
Johnston Dressed Beef & Veal Co., Inc.	5300	(*)	(*)	(*)	(*)			
Maple Brook Packing House	5301	(*)	(*)	(*)				
Morris Mendel & Co.	5309	(*)	(*)	(*)	(*)	(*)		
Klinch & Schaller, Inc.	5319	(*)	(*)	(*)				
Eichlmer Meat Products, Inc.	5516	(*)						
William C. Parke & Sons Co.	6003	(*)						
O.K. Meat Packing Co., Inc.	6001	(*)	(*)	(*)		(*)		
Hobener Meat Co., Inc.	6011	(*)	(*)	(*)		(*)		
L. & B. Meat Co., Inc.	6016	(*)	(*)	(*)	(*)	(*)		
Chico Dressed Meat Co.	6035	(*)	(*)	(*)	(*)	(*)		
Mount Vernon Meat Co., Inc.	6039	(*)	(*)					
Pasco Meat Packers, Inc.	6040	(*)	(*)	(*)		(*)		
Weber, Inc.	6041	(*)	(*)	(*)				
McRae Pack, Inc.	6042	(*)	(*)			(*)		
Florence Packing Co., Inc.	6043	(*)	(*)					
Davis Meat Co.	6044	(*)		(*)		(*)		
Avila Meat Co.	6046	(*)	(*)					
Schenk Packing Co.	6056	(*)	(*)					
Arizona Meat Packers	6062	(*)	(*)	(*)	(*)	(*)		
Tulare Meat Co.	6063	(*)	(*)	(*)		(*)		
Redwood Meat Co.	6066	(*)	(*)					
Klubnikin Packing Co.	6071	(*)	(*)					
Prime Meat Products Co.	6079	(*)	(*)	(*)	(*)	(*)		
Grandview Packing Co.	6083	(*)	(*)	(*)		(*)		
Arnopole Meat Co.	6084	(*)	(*)	(*)	(*)	(*)		
Kratzig Meat Co.	6110	(*)	(*)	(*)	(*)	(*)		
Atwater Meat Co.	6113	(*)				(*)		
Mid-Cave Meat Packing Co.	6114	(*)	(*)			(*)		
Cuyamaca Meat Co.	6126					(*)		
Green Hill, Inc.	6513	(*)				(*)		
George H. Meyer Sons, Inc.	6521	(*)	(*)	(*)		(*)		
Guard Hill Meats, Inc.	6526	(*)			(*)			
Portsmouth Dressed Beef, Inc.	6538	(*)	(*)	(*)				
Gunnoe Sausage Co., Inc.	6542					(*)		
Odom Sausage Co., Inc.	6544							
C. Rice Packing Co., Inc.	6545	(*)	(*)					
Suffolk Packing Co.	6546	(*)	(*)	(*)				
Martin's Abattoir & Wholesale Meats	6547	(*)		(*)	(*)	(*)		
Penn Haven Meats, Inc.	6559	(*)				(*)		
Whiteville Packing Co., Inc.	6563	(*)				(*)		
Edwards Sausage Co., Inc.	6579					(*)		
Ledford's Livestock Farm Slaughter Plant.	6591A	(*)	(*)	(*)		(*)		
White Packing Co.	6595	(*)	(*)	(*)		(*)		
Primeat Packing Co.	6758	(*)						
Star Meat Co.	6780					(*)		
Walter Packing, Inc.	6796	(*)						
Calihan & Co.	6775	(*)	(*)	(*)		(*)		
Jones Packing Co.	7000	(*)				(*)		
Deming Packing Co., Inc.	7005	(*)				(*)		
Chaparral Packing Co.	7010	(*)				(*)		
Jimmy Dean Meat Co.	7012					(*)		
Beard Packing Co.	7017	(*)	(*)	(*)		(*)		
Hsteh Packing Co., Inc.	7021	(*)	(*)	(*)		(*)		

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses	Mules
Sixty Six Packing Co.	7023	(*)	(*)	(*)	.....	(*)	.....	.....
Western Meat Packers, Inc.	7028	(*)	(*)	.....	.....	(*)	.....	.....
Brown's Meat Locker	7055	(*)	(*)	(*)	(*)	(*)	.....	.....
Interstate Packing Co.	7056	(*)	(*)	(*)	(*)	(*)	.....	.....
Coleman Sausage Co.	7401	.....	.....	.....	.....	(*)	.....	.....
Henry W. Stapf	7402	.....	(*)	(*)	.....	.....	.....	.....

Done at Washington, D.C., on August 8, 1969.

G. H. WISE,
Deputy Administrator
Consumer Protection.

[F.R. Doc. 69-9638; Filed, Aug. 18, 1969; 8:45 a.m.]

Federal Crop Insurance Corporation

[Notice 45]

CITRUS—FLORIDA

Extension of the Closing Date for Filing of Applications for the 1969 Crop Year

Pursuant to the authority contained in § 410.22 of Title 7 of the Code of Federal Regulations, and pursuant to paragraph 1 of the resolution adopted by the Board of Directors of the Federal Crop Insurance Corporation on March 19, 1954, the time for filing applications for citrus crop insurance for the 1969 crop year in all counties in Florida where such insurance is otherwise authorized to be offered is hereby extended until the close of business on August 29, 1969. Such applications received during this period will be accepted only after it is determined that no adverse selectivity will result.

RICHARD H. ASLAKSON,
Manager, Federal
Crop Insurance Corporation.

[F.R. Doc. 69-9793; Filed, Aug. 18, 1969; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Dockets Nos. 20946, 20978]

HARLLEE BRANCH, JR., ET AL., AND UNITED STATES STEEL CORP.

Notice of Prehearing Conference

Applications of Harllee Branch, Jr., et al., and United States Steel Corp., for disclaimer of jurisdiction or approval of control and interlocking relationships under sections 408 and 409 of the Federal Aviation Act of 1958, as amended.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on September 8, 1969, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Milton H. Shapiro.

Dated at Washington, D.C., August 13, 1969.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-9779; Filed, Aug. 13, 1969; 8:49 a.m.]

[Dockets Nos. 18078, 21150; Order No. 69-8-78]

TRANSATLANTIC AND TRANSPACIFIC PRIORITY MAIL

Order To Show Cause Regarding Service Mail Rates

Service Mail Rates for Transatlantic and Transpacific Priority Mail, Docket No. 18078; Service Mail Rates for Military Ordinary Mail, Docket No. 18078; Service Mail Rates for Trans World Airlines, Inc., Docket No. 21150.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of August 1969.

By Order 69-4-90, dated April 15, 1969, Trans World Airlines, Inc. (TWA), was awarded a certificate of public convenience and necessity authorizing it to engage in overseas and foreign air transportation with respect to persons, property, and mail over a transpacific route (Route 164). No service mail rates are currently in effect for transpacific mail services by TWA. By petition filed July 1, 1969, TWA has requested that the service mail rates in effect for U.S. transpacific air carriers be made applicable to its newly authorized transpacific operations.

TWA requests that the outstanding service mail rate orders for transpacific priority mail (Order 68-9-9) and military ordinary mail (Order 68-9-8) be amended to make the rates established therein for Pan American World Airways, Inc., Northwest Airlines, Inc., and The Flying Tiger Line Inc., applicable to the transpacific operations of TWA.

On July 9, 1969, the Postmaster General filed a reply supporting TWA's petition with the provision that Bombay, India, be designated as the dividing point between the applicability of transpacific and transatlantic rates.

Since an overlap of TWA's transatlantic and transpacific routes is created by its new transpacific route authorization, TWA's request that the mail rates of other transpacific carriers to be made applicable to its similar services in effect opens its transatlantic mail rate for the purpose of eliminating the conflict in TWA's mail rates created by this overlap. Accordingly, we propose to amend TWA's transatlantic priority mail rate order to provide that the transatlantic rate will not apply east of Bombay, India.

In order that TWA's service mail rates may be the same as those applicable to other carriers providing competitive services, the Board proposes to issue an order including the following findings and conclusions:

(1) On and after July 1, 1969, the fair and reasonable final service mail rates to be paid to Trans World Airlines, Inc., for the transportation of mail over its transpacific routes, the facilities used and useful therefor, and the services connected therewith shall be as follows:

(a) For priority mail, the current service mail rate established for transpacific services by Order 68-9-9, September 4, 1968, as amended, and as it shall be further amended to establish standard mileages applicable to services of Trans World Airlines, Inc.;

(b) For military ordinary mail, the current final mail rate established for military ordinary mail by Order 68-9-8, September 4, 1968, as amended.

(2) On and after July 1, 1969, the fair and reasonable final service mail rates to be paid to Trans World Airlines, Inc., for the transportation of mail over its transatlantic routes west of Bombay, India, the facilities used and useful therefor, and the services connected therewith shall be the current service mail rate established for transatlantic services by Order 68-9-9, September 4, 1968, as amended.

(3) The foregoing findings and conclusions shall be implemented by the following amendments to Board orders:

(a) Order 68-9-9, dated September 4, 1968, as amended, shall be further amended as follows:

(i) By deleting footnote 1 and substituting the following footnote:

[1] "Transatlantic service" as used herein is defined as those services performed by Pan American, Seaboard, and TWA over their respective routes, as authorized by certificates of public convenience and necessity or exemptions:

(1) Between points in the United States, on the one hand, and points in Bermuda, Europe, Africa, and Asia (but in the case of TWA not east of Bombay, India), on the other hand, via the Atlantic; and

(2) Between points in Bermuda, Europe, Africa, and Asia (but in the case of TWA not east of Bombay, India).

(ii) By amending the introductory sentence in footnote 2 to read as follows:

[2] "Transpacific service" as used herein is defined as those services performed by Pan American, Northwest, Flying Tiger, and TWA over their respective routes:

(iii) By inserting the following sentence before the last sentence of paragraph 1.c. on page 2 thereof: "On and after July 1, 1969, the transpacific services of Trans World Airlines, Inc., shall be compensated at the rate of 28.8 cents per ton-mile."

(b) Order 68-9-8, dated September 4, 1968, as amended, shall be further amended as follows:

(i) By amending the introductory sentence in footnote 3 to read as follows:

[3] "Transpacific service" as used herein is defined as those services performed by Pan American, Northwest, Flying Tiger, and TWA over their respective routes:

(ii) By inserting the following sentence at the end of the paragraph on page 2 thereof: "On and after July 1, 1969, the rate of compensation for the transpacific services of Trans World Airlines, Inc., for this class of mail shall be 21.84 cents per ton-mile."

(4) The service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and pursuant to regulations promulgated in 14 CFR Part 302,

It is ordered, That:

1. All interested persons, and particularly Trans World Airlines, Inc., and the Postmaster General, are directed to show cause why the Board should not publish the final rates specified above as the fair and reasonable rates of compensation to be paid to Trans World Airlines, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days, after the date of service of this order;

3. If notice of objection is not filed within 10 days, or if notice is filed and answer is not filed within 30 days, after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final rates specified herein;

4. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable rates shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

This order shall be served upon Trans World Airlines, Inc., and the Postmaster General.

This Order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-9780; Filed, Aug. 18, 1969; 8:49 a.m.]

[Docket No. 21305; Order 69-8-75]

AIR TRAFFIC CONFERENCE OF AMERICA

Order of Approval, Disapproval, and Deferral

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of August 1969.

On July 10, 1969, the members of the Air Traffic Conference of America (ATC) filed with the Board for approval under section 412 of the Federal Aviation Act of 1958, as amended (the Act), a resolution relating to increased commission payments to travel agents, and to amendments to its procedures for the selection and retention of travel agents. The resolution is reproduced in its entirety in Appendix A.[1]

New Commission Structure. A summary of the new commission structure is as follows:

Point-to-point sales for a single passenger ticket priced:

$70 or lower	5%
$70 and up to and including $140	6%
Over $140	7%

No change was made in the level of commissions (3%) for point-to-point tickets sold at in-plant agency locations.

Discover America and Family Travel Sales. Rates for "Discover America" and "family travel" tickets were increased from 7 to 8 percent. This new commission rate has been extended to cover all "family travel," instead of just travel under the family plan tariff fares, as heretofore. As before, the "family travel" commission level will not apply to intra-Hawaiian travel.

Tour Commission Levels. Commission rates paid for Advertised and Independent Air Tours have been increased from 10 percent to 11 percent, excepting those portions of these tours involving intra-Hawaiian transportation which continue at the 10 percent level. Convention and Incentive tours also will continue to be commissionable at 10 percent.

Commission Level for Sales of Tickets Under Universal Air Travel Plan. The commission rates applicable to "Discover America," "family travel," and "tours" will also be applicable in the sales made by travel agents under the Universal Air Travel Plan.

A minimum commission of $1 will apply to any travel agent sale of commissionable air transportation at other than "in-plan" agency locations.

Supporting Information Supplied by ATC. ATC estimates that the increases in commission rates will raise travel agency industry revenue by at least $20 million the first year, an increase of almost 29 percent over the agency industry income from domestic air sales as reported in the "Domestic Air Travel Marketing Cost Study"; and believes that as travel agency sales expand as a result of the incentives provided by the new program and with the general growth of air travel, future travel agency industry revenue will grow proportionately. Moreover, ATC believes that well over half of the value of travel agency ticket sales will fall into the "over $70" category, and thus will receive a minimum commission boost of 20 percent; and points out that airline analysis of actual "point-to-point" tickets sold by travel agents shows that there is a significant weighting of sales in the "over $140" bracket, tickets on which the new 40 percent higher commission rate of 7 percent will apply. It believes that the incentive clearly has been provided under this approach for the travel agent to "sell" more air travel; i.e., to convince his client to buy a round-trip ticket, to encourage him to visit another city, and so forth. Thus, ATC believes that the travel agent is given an incentive to seek out the discretionary traveler in the "point-to-point" category and to convince him to use more air transportation.

ATC points out that commission rates on tickets sold under the "Discover America" excursion tariff and those tickets sold for families have been increased by 14 percent—from 7 percent of the ticket price to 8 percent. But equally significant, ATC submits, is the fact that the 8 percent commission now will also apply to family groups (as defined in the Family Fares tariff) who are traveling during periods in which specific Family Fares are not available, representing a 60 percent increase over the current 5 percent commission level for such sales. Thus, ATC believes that travel agents are given the opportunity to take advantage of another significant increase to sell actively more discretionary air travel—in this case, travel by accompanying family members.

According to ATC, a brand new market is to be opened for the first time to the travel agents by the payment of the new standard commission rate on "Discover America" and "family travel" tickets sold against the Universal Air Travel Plan Travel Cards. This market, it states, has an estimated $100 million potential, one that is limited only by the salesmanship capabilities of the agents.

Other Changes in the Agency Resolution. Numbered paragraphs 2 through 6 in the attached resolution contain amendments to the ATC Agency Resolution (Resolution 80.10) with corollary amendments to the ATC Sales Agency Agreement (Resolution 80.15), which amendments, according to ATC, are an integral part of the unified program adopted by ATC. The carriers believe that these amendments not only strengthen the overall ATC agency program, but also are designed to function with the commission increases to improve the economic position of the travel agency industry.

(1) Numbered paragraph 2 which becomes effective 90 days after Board approval, establishes new criteria for the addition of new locations to the approved ATC agency list. In summary, no new locations would be added to the list in areas in which 25 percent or more of those existing locations which have been in business 2 or more years have not sold at least $150,000 in air passenger transportation on Standard agent's tickets during the most recent calendar year. An exception is provided when there is only one location in a given area. Paragraph 22 of the ATC Sales Agency Agreement (Resolution 80.15) is amended to prevent moving an existing authorized agency location into an area which would not be available for new locations.

ATC states that the existing agency program attracts hundreds of new applicants each year and with the newly adopted commission levels, it is expected that even greater numbers will desire to try their hand in the travel agency field.

[1] Filed as part of the original document.

The carriers point out that supplementary cost study report shows that 85 percent of locations doing less than $100,000 in total air sales annually operate at an overall loss and 62 percent of locations selling less than $200,000 in total air sales operate at a loss. Therefore, it is alleged that about three-fourths of those locations with total air sales of $150,000 or less are losing money from their business as a whole; and that if 25 percent of the locations in an area are not selling $150,000 or more, the market potential for that area is saturated and further dilution of such markets by the introduction of new locations is not justified.

ATC emphasizes that the $150,000 figure is based upon total sales under the Area Settlement Plan and thus includes domestic and international sales made by the agent on virtually all scheduled airlines, both United States and foreign flag. It states that based upon area bank figures for the calendar year 1968, a total of 398 areas would not be available for additional locations while 1,568 areas would remain available. In addition, the thousands of areas throughout the United States where there now is no agency represenation would also be available. The list of nonavailable areas, according to ATC, will be revised annually based upon the previous calendar year's sales and an area will become available for new locations when the sales of existing agents increase sufficiently. In this regard, ATC believes these provisions should be considered in conjunction with the annual productivity review provided for in paragraph 3 of the resolution, discussed below, for the annual review will result in the eventual removal of most locations producing less than $150,000 annually in air sales. Hence, the nonavailability of any area will be of a temporary nature.

(2) The amendments in numbered paragraph 3, which become effective January 1, 1971, subject to prior Board approval, represent a companion to the area productivity standard. According to ATC, the amendment adds an objective minimum standard to the long existing provision that agents are expected to produce an adequate amount of business in order to remain on the Agency List. This standard has been established as $150,000 in total annual sales on scheduled certificated U.S. airlines or foreign air carriers, including sales under the Area Settlement Plan, sales on the ticket stock of individual carriers, whether or not a participant in the Area Settlement Plan, and all credit card sales (credit card sales are not currently included in area bank figures). ATC believes that with the inclusion of all such sales in the annual productivity review standard, it is reasonable to require that any agent which purports to represent the air carriers in the promotion and sale of air transportation must achieve annual sales of $150,000—an average of only $12,500 each month.

ATC notes that since all sales on scheduled certificated U.S. airlines or foreign air carriers are included in the annual productivity standard of $150,000, that figure has the effect of being lower than the same dollar amount, defined in terms of Area Settlement Plan sales alone, in the new entry standard discussed in connection with paragraph 2 of the resolution. Agency locations which have been on the agency list for at least 2 full calendar years and which do not meet the annual productivity standard of $150,000 will be removed from the agency list.

ATC states that, as previously noted, the annual productivity review works with the area productivity standard to assure the temporary nature of any area being closed to additional locations; that it cannot be assumed that growth in air transportation or other marketing factors alone would serve to assure the ultimate availability of any area for new agency location; and that the annual review and removal of low-producing locations is a necessary additional vehicle whereby areas not available because of economic conditions among existing agents will be opened.

(3) The amendments in numbered paragraph 4 of the attached resolution, which are to become effective upon Board approval, clarify the existing requirements that travel agency locations are expected to be separated from any other type of business which may be conducted on the premises, to be identified clearly as a travel agency and to be adequate in dimensions and appearance to conduct the business of a travel agency representing the carriers.

(4) The amendment in numbered paragraph 5, which is to become effective 90 days after Board approval, will remove the contractual bar which now exists in the Sales Agency Agreement to the collection of service charges by agents, while still maintaining the necessary requirement that agents comply with the provisions of the Act and regulations of the Board. According to ATC, the amendment establishes that ATC members have no objection to the collection of service charges so long as any service charge is consistent with statutory and Board requirements, is not included in the fare nor shown in any manner on the airline tickets or exchange orders, and is separately stated in writing to the customer.

(5) The amendment in numbered paragraph 6, which becomes effective 90 days after Board approval, removes from the ATC Sales Agency Agreement the contractual requirement that the agent must sell any air transportation services provided by the carriers. According to ATC, many agents have stated that they prefer not to sell certain types of tickets and, in fact, it is reported that some agents refuse certain sales. This amendment would permit that practice by enabling the agent to elect to limit his representation of the carrier to certain specific product lines so long as the agent limits its representation of all carriers' services alike and so notifies the Executive Secretary in writing.

Preliminary comments have been received from the so-called Travel Agent Unity Committee, composed of representatives of the American Society of Travel Agents, Association of Retail Travel Agents, Association of Bank Travel Bureaus, American Automobile Association, and American Express Co.[3] The Committee urges temporary Board approval of the commission aspects of the resolution pending full scale investigation by the Board of the entire agency compensation question.

Upon consideration of the foregoing, the Board has decided to grant temporary approval of the commission aspects of the resolution and to defer action on the remaining features of the resolution pending public comment on all aspects of the agreement. In reaching these conclusions the Board believes in the light of the long pendency of the issue of adequate agency compensation[4] it would be inappropriate to delay modification of the existing commission rate structure pending resolution of any issues which might arise as to the adequacy of such new commission levels of those issues which might be raised by the modified appointment and retention standards. Thus, we conclude that immediate approval of the new commission structure in the form agreed to by the members of ATC for a temporary period, is required by the public interest. In keeping with that objective, the Board is withdrawing its approval of the existing commission structure as presently set forth in Agreement CAB 5044, as amended.[4]

In determining to grant temporary approval of the new commission rates, the Board finds such rates to be reasonable on a temporary basis from the standpoint of the air carriers and the agents, as witnessed by the carriers' acquiescence to them, the conclusions in the "Domestic Air Travel Marketing Cost Study," and the measure of relief afforded to the ticket agents. Although we note that the carriers' proposal to establish the new rates contemplates Board approval of the entire agreement, no showing has been made, and we are unable to conclude, that the remainder of the agreement is so related to the commission rates as to preclude our temporary approval of the new rates and a deferral of action on the remainder of the agreement.

The balance of the agreement raises new issues not heretofore considered by the Board which may be of significance not only to existing approved agents, but also to persons who might seek ATC agency approval in the future. In addition, the matters of service charges and selective selling would appear to have an impact on the general public and before acting on these proposals we believe the general public should have an opportunity to comment. For these reasons as previously stated, the Board has decided to defer action temporarily on the new

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[3] The letter states that the unity committee is preparing more detailed comments on the matter which will be filed with the Board in the near future.

[3] See Order E-22553, Aug. 17, 1965.

[4] We note that under the terms of the resolution the revised commission rates are to be effective the first day of the calendar month falling at least 10 days after the date of approval by the Board. Our disapproval of the existing commission rates, therefore, will become effective the same date.

appointment and retention standards and allow interested persons to file comments in support of or in opposition to approval of the proposals. In this connection, information on the questions listed in Appendix B would be desirable, but comments should not necessarily be limited to these items.[5]

In conclusion, the Board finds (1) that temporary approval of paragraph numbered 1 of Agreement CAB 5044–A144 is not adverse to the public interest or in violation of the Act; (2) that continued approval of Agreement CAB 5044, as amended, to the extent that it establishes commission rates payable to travel agents different from those set forth in Agreement CAB 5044–A144 is adverse to the public interest and should be disapproved; and (3) that action on paragraphs numbered 2 through 6 of Agreement CAB 5044–A144 should be deferred.

Accordingly, it is ordered:

1. That paragraph numbered 1 of Agreement CAB 5044–A144 be and it hereby is approved pending final decision in this proceeding; [6]

2. That Agreement CAB 5044, as amended, to the extent that it establishes commission rates payable to travel agents for sale of the same product lines different from those set forth in Agreement CAB 5044–A144 be and it hereby is disapproved;

3. That action on paragraphs numbered 2 through 6 of Agreement CAB 5044–A144 be and hereby is deferred;

4. That interested persons are afforded a period of 30 days from the date of this order to file comments in support of or in opposition to Agreement CAB 5044–A144; [7]

5. That this order shall become effective immediately, except that the disapproval set forth in ordering paragraph 2, hereof, shall become effective the first day of the calendar month falling at least 10 days after the date of this order, i.e., the same date upon which the new commission rates dealt with in ordering paragraph 1 become effective; and

6. That this proceeding be assigned Docket 21305.

This order will be served upon all scheduled certificated air carriers, ATC, the American Society of Travel Agents, the Association of Retail Travel Agents, the Association of Bank Travel Bureaus, the American Automobile Association, the American Express Co., and the Department of Justice and shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-9778; Filed, Aug. 18, 1969; 8:49 a.m.]

[5] The Board will also consider such evidence as may be submitted regarding future procedural steps it should undertake in this proceeding.

[6] In this connection it would be desirable that comments on the commission structure include, but not necessarily be limited to, information on the questions listed in Appendix B.

[7] An original and 19 copies should be filed with the Board's Docket Section.

CIVIL SERVICE COMMISSION

DEPARTMENT OF AGRICULTURE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under the authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Agriculture to fill by noncareer executive assignment in the excepted service the position of Associate Director of Science and Education, Office of the Secretary.

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

[F.R. Doc. 69-9767; Filed, Aug. 18, 1969; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Director of Juvenile Delinquency, Office of the Administrator, Social and Rehabilitation Service.

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

[F.R. Doc. 9768; Filed, Aug. 18, 1969; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Legislation (Health), Office of the Assistant Secretary for Legislation, Office of the Secretary.

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

[F.R. Doc. 69-9769; Filed, Aug. 18, 1969; 8:48 a.m.]

DEPARTMENT OF JUSTICE

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 "Confidential Assistant, Internal Security Division" to "Staff Assistant, Internal Security Division".

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

[F.R. Doc. 69-9770; Filed, Aug. 18, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Deputy Under Secretary.

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

[F.R. Doc. 69-9771; Filed, Aug. 18, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Deputy Administrator, Federal Railroad Administration.

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

[F.R. Doc. 69-9772; Filed, Aug. 18, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Administrator, Urban Mass Transportation Administration.

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

[F.R. Doc. 69-9773; Filed, Aug. 18, 1969; 8:48 a.m.]

TREASURY DEPARTMENT

Notice of Title Change in Noncareer Executive Assignments

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 "Director, Office of Tax Legislation, Office of the Secretary" to "Director, Office of Tax Legislative Counsel".

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

[F.R. Doc. 69-9774; Filed, Aug. 18, 1969; 8:48 a.m.]

TREASURY DEPARTMENT

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Treasury Department to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Secretary (Secret Service).

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

[F.R. Doc. 69-9775; Filed, Aug. 18, 1969; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18500; FCC 69R-337]

CHRONICLE BROADCASTING CO.

Memorandum Opinion and Order Enlarging Issues

In regard applications of Chronicle Broadcasting Co., San Francisco, Calif., for renewal of licenses of Station-KRON FM, Station-KRON TV, San Francisco, Calif.

1. The applications of Chronicle Broadcasting Co. (KRON), for renewal of licenses were designated for hearing by the Commission on issues to ascertain whether KRON has obtained an undue concentration of control of the mass media i nthe San Francisco Bay area; whether KRON has engaged in monopolistic or anticompetitive practices; and whether KRON has used its facilities to manage or slant news and public affairs programing (16 FCC 2d 883, 15 RR 2d 1020 (1969)). Albert Kihn and Blanche Streeter, whose complaints formed the bases for designating the proceeding for hearing, were named parties. Now before the Review Board is a motion to amend or add issue,[1] filed July 3, 1969, by Kihn and Streeter jointly. The crux of the petitioners' request is their assertion that KRON has engaged private investigators, who, by their conduct both towards Kihn and Streeter personally and towards persons well known to Kihn and Streeter, have sought to intimidate, coerce, and harass the petitioners because of their involvement in this proceeding.

2. In support of this assertion, petitioners submit an affidavit by Mr. Kihn, in which he recites several of the alleged incidents of harassment. Specifically, Kihn alleges, in late March 1969, he was followed by two radio equipped cars during the course of a drive through a remote mountain area; when he stopped at an ocean beach, one of the cars also stopped; when Mr. Kihn resumed his drive, the car continued to follow him. Disturbed, Mr. Kihn claims to have reported the matter to the local police from whom he learned, the affidavit states, that he was being investigated by private detectives. "I * * * believe", Mr. Kihn recites in his affidavit, that the named investigators have been employed from time-to-time by KRON. Mr. Kihn further alleges in his affidavit he has been informed by both his former wife and his present wife's ex-husband that they have been approached by private investigators, posing as bonding agents, and that these agents asked certain highly personal questions about Mr. Kihn. According to the affidavit, Mr. Kihn's ex-wife was asked such questions as: Did Mr. Kihn belong to any group trying to get KRON's license; could he belong to a "conspiracy" to obtain the license; did he belong to any organization "espousing the overthrow of the Establishment"? Similar questions were, the affiant asserts, asked of Mr. Kihn's present wife's former husband: Is Kihn a hippie; what about his moral character; where did he stay after the separation from his first wife; what about his political leanings; what about marijuana? Finally, the affidavit recites, Mr. Kihn was informed by his neighbors that a man in an automobile had been parked in front of his home—stationed so that Mr. Kihn's coming and going could be observed without the car itself being observed—for a period of 2 weeks, until the neighbors indicated that they would report the matter to the police. These incidents, the affidavit concludes, "were intended to harass and intimidate me." No affidavit by Mrs. Streeter is submitted; the petitioners aver, however, that her former husband and former mother-in-law were approached by investigators and asked questions similar to those described by Mr. Kihn. Further, the petitioners contend, she was informed by Mr. Dale Champion, an employee of the San Francisco Chronicle,[2] in the presence of witnesses, that she was being followed by an investigator; that Mr. Kihn was also being followed; and that KRON "would stop at nothing" to secure renewal of its licenses.

3. The petitioners contend that they only recently established that it was investigators employed by KRON who were involved in the alleged incidents of harassment and attempted intimidation; that the conduct in question occurred as recently as 3 weeks ago; and that, for these reasons, the petition could not have been filed earlier. KRON's responsibility for the coercion, harassment, and intimidation of the petitioners, it is urged, raises a serious question as to whether renewal of its license would be in the public interest and warrants imposition of an appropriate issue.[3]

4. KRON opposes the request for an issue, contending that the conduct complained of does not constitute harassment or intimidation. KRON states that, through local counsel, it hired investigators to inquire into the background of Kihn and Streeter, preparatory to the hearing in this proceeding. Because the hearing is adversarial in nature, KRON asserts, it is entitled to "use all customary and legitimate methods" of obtaining information regarding its adversaries, Kihn and Streeter; this information, KRON insists, was acquired in the "customary manner." The petitioners' complaint, KRON alleges, is not addressed to any improper use of the information obtained by the investigators, but rather to the fact of the investigation itself. However, KRON contends there was nothing improper in the investigation itself and, it stresses, the information obtained has not and will not be used except at "a proper proceeding." Further, KRON asserts that Kihn and Streeter's adversarial posture is not confined to the present proceeding. Mrs. Streeter, it is noted, is also the plaintiff in a civil antitrust suit against Chronicle Publishing and has appeared before the Senate Antitrust and Monopoly Committee at hearings relating to KRON. Mrs. Streeter's claim that she was threatened by Mr. Dale Champion of the San Francisco Chronicle, KRON contends, was originally made before that Senate subcommittee and was flatly denied by Mr. Champion.[4] As to Mr. Kihn, KRON alleges that he "embarked on a vendetta against KRON in particular and broadcasting in general"; that, while employed as a KRON cameraman, he used his position in what "appears to KRON to be a preconceived plan to destroy the station"; that he has filed numerous complaints against the station with this Commission and with the

[1] Related pleadings before the Board are: Affidavit of Albert Kihn in support of motion to amend or add issue, filed July 11, 1969; Broadcast Bureau comments, filed July 14, 1969; opposition, filed July 15, 1969, by KRON; and reply, filed July 23, 1969, by Kihn and Streeter.

[2] The newspaper and broadcast facilities are under common ownership.

[3] Alternatively, the petitioners ask that the existing issues be clarified to permit adduction of evidence with respect to the claimed coercion, intimidation, and harassment.

[4] A copy of Mr. Champion's letter to the subcommittee is submitted with the opposition.

House Interstate Commerce Committee and the Senate Antitrust Subcommittee; and that he has sought to publicize his activities through appearances before the Senate subcommittee and on nationwide television and through cooperation with the editor of the San Francisco Bay Guardian. Further, KRON charges, Kihn and Streeter are represented by common counsel who also represents a corporation which, according to KRON, seeks KRON's license.

5. Finally, KRON claims, the petition to enlarge issues is procedurally defective in that it was not filed within the time limits prescribed by Rule 1.229(b) and "good cause" for such untimely filing has not been shown. In this respect, KRON claims that the petitioners first complained of harassment at a deposition held May 7, 1969. The identical complaint was made before the Senate subcommittee on June 12, 1969, KRON points out, but the petition to enlarge issues was not filed until July 11, and no adequate explanation of the delay is offered. In the last analysis, KRON contends that its investigations of "the background, past activities and connections" of the petitioners were no more than "customary and necessary steps" in defending itself against "false and unfair charges." If there is any substance to petitioners' complaint, KRON suggests that the Department of Justice is the agency to make that determination,[5] and, KRON concludes, the petition to enlarge issues should be denied. The Broadcast Bureau also points to certain alleged procedural defects in the petition to enlarge issues. Asserting that the petitioners have raised "a serious question as to possible harassment," the Bureau claims that the allegations are based principally upon hearsay statements by persons—i.e., Kihn's ex-wife, Streeter's ex-husband—who are not parties to the proceeding; hearsay, the Bureau contends, does not provide a proper foundation for the enlargement of issues.

6. In reply, petitioners argue that KRON has, in its opposition, conceded for the first time that it had hired the detectives whose conduct is complained of; and that, had such concession been made earlier the petition to enlarge would have been earlier filed.[6] The detectives' conduct, the petitioners claim, may well constitute a violation of 18 U.S.C. section 1505, which prohibits attempts, by force, corruption, or threatening communications, to influence, impede, or intimidate witnesses before Federal agencies; the provision, it is asserted, applies to proceedings before the Commission and to witnesses, such as Kihn and Streeter, who are also parties. Petitioners further allege that KRON, in its opposition, "has again attempted to vilify Mr. Kihn" and that these charges are both untrue and irrelevant to the matters at issue, it is contended that, among other things, Mr. Kihn appeared on nationwide television by invitation and appeared before the Senate subcommittee, at the subcommitee's expense, and at its request. The Bureau's objection that the request is predicated on hearsay, the petitioners claim, is vitiated by KRON's concession that it hired the detectives; according to the petitioners, the assertions of the person interviewed by the detectives are not challenged by KRON and will be proved at hearing. The gist of the matter, the petitioners conclude, is that KRON is responsible for the activities of the investigators; and that such conduct "cannot possibly lead to relevant information," may violate Federal laws and is no more than an attempt to harass, coerce, and intimidate Kihn and Streeter. Therefore, the petitioners insist, the requested issue is warranted.

7. The petition to enlarge issues clearly does not comply with the time limitations set forth in Rule 1.229(b); nor, in the Review Board's opinion, has good cause for the delayed filing been shown. Granting petitioners' need to establish that the investigators were acting on behalf of KRON, the delay in filing the petition is still not adequately explained: the complaint about the investigators' conduct was first raised at a deposition in May, and was reiterated before the Senate subcommittee in early June; yet the instant petition was not filed until July 11, 1969. Nevertheless, the petition does raise a question of substantial magnitude in the public interest, and enlargement will not unduly disrupt the hearing which has not yet begun. Accordingly, the petition has been considered on its merits, e.g., Medford Broadcasters, Inc., 69R–309 (released July 23, 1969); Edgefield-Saluda, 5 FCC 2d 148, 8 RR 2d 611 (1965); and the Review Board has concluded that addition of an appropriate issue is warranted.

8. KRON does not oppose the instant petition on the grounds that it is supported largely by a hearsay affidavit of Kihn and no affidavit as to Mrs. Streeter. Rather, KRON concedes that it hired private detectives to investigate the backgrounds of Kihn and Streeter. Stripped to essentials, its position is that it had a "right" to investigate its adversary and that this investigation was conducted in the "customary manner" and does not constitute harassment or intimidation. KRON does not deny that the investigation took the form claimed by the petitioners; it does not challenge the assertion that Kihn was followed by the investigators; it does not deny or comment upon the scope of the questions put to Kihn's ex-wife, his wife's ex-husband or Streeter's ex-husband and ex-mother-in-law.[7] Therefore, we do not regard this deficiency as fatal to the instant request. Cf. Beamon Advertisers, Inc., FCC 63R–467, 1 RR 2d 285, pet. for rev. dismissed, FCC 63–1182; and John A. Egle, FCC 62R–67, 24 RR 484b.

9. We have no dispute with the validity of KRON's major premise, that it has some "right" to investigate Kihn and Streeter's backgrounds. Cf. U.S. v. Herron, 267 F. 97 (8th Cir. 1920). By voluntarily placing themselves in an adversarial posture, the petitioners have exposed themselves to a reasonable and proper search of their credentials. They have not, however, thereby laid themselves open to attempts to harass, intimidate, and coerce them to discontinue their involvement in the proceeding. Harassment occurs, in our view, not only when a witness or party is directly threatened with reprisal for his involvement in a Commission proceeding, see Sioux Empire, 9 FCC 2d 850, 11 RR 2d 112 (1967); but also conduct, including unnecessary, unreasonable, and abusive investigation, bringing social and economic pressures to bear upon the witness and reasonably and seriously calculated to dissuade the witness from continuing his involvement in a proceeding, constitutes harassment as fully as a direct threat of reprisal. Thus, there are limits to the permissible scope of an investigation of adversaries; carried too far, the investigation becomes a method of harassment and attempted intimidation. Indeed, this concept is scarcely novel: The Courts have recognized for at least 50 years that an unreasonable and obtrusive investigation of an adversary intended to disturb the sensibility of an ordinary person constitutes harassment and a corruption of the judicial process, see, e.g., Schultz v. Frankfort Ins. Co., 151 Wisc. 537, 139 NW 386 (1916); Souder v. Pendleton Detectives, Inc., 88 So. 2d 716 (1956); Pinkerton Nat'l Detective Agency, Inc. v. Stevens, 108 Ga. Apps. 159, 132 SE 2d 119 (1963). It should be readily apparent that harassment and abuse of parties and witnesses to Commission proceedings similarly cannot be tolerated; individuals having legitimate grievances would, manifestly, be quickly discouraged from expressing such grievances to the Commission; thus, the Commission would be cut off from the public it serves, and the proper discharge of the Commission's functions would be thwarted. Sioux Empire, supra; cf. United Church of Christ v. FCC, Case No. 19,940 (June 20, 1969). It follows that attempts to harass and intimidate Commission witnesses would raise serious questions concerning the character qualifications of the perpetrators of such conduct.

10. KRON insists that its conduct cannot be considered harassment because it has not made, and does not threaten to make improper use of the information obtained through investigation. We cannot agree. Whether an investigation is subverted to an instrument of harassment and intimidation is not determined solely by the use made of the information ferreted out. Rather, the totality of circumstances surrounding the investigation enter into a determination of whether the search is proper

[5] KRON asserts that when allegations of harassment were made before the Senate subcommittee, its Chairman stated that he did not believe there had been any violation of law, but referred the complaints to the Department of Justice.

[6] Petitioners insist that they only recently determined that KRON is responsible for the commencement of the allegedly harassing investigation and assert that the petition is therefore timely.

[7] KRON does deny the alleged conversation between Mrs. Streeter and Mr. Champion; the petitioners' other allegations go unchallenged, and the alleged Champion-Streeter conversation is not of such import as to alter our conclusions.

and permissible or has been distorted to undesirable ends: The manner in which the investigation is conducted, i.e., through "shadowing" and "stake outs", the persons to whom inquiry is made, and the questions put to these persons, bear on whether the investigation is reasonable and proper. So, too, do the purposes for which the investigation is instituted. We do not accept petitioners' contention that the investigation must be strictly confined to a search for evidence directly relevant and material to the issues in the proceedings; in appropriate circumstances, the credibility of the witnesses is a factor affecting the proceeding itself and therefore may be appropriately searched. By the same token, however, the search to ascertain credibility is not unlimited: By placing himself in a litigative context, an individual does not thereby expose his entire background and living habits to the scrutiny of his adversary. The purpose of the investigation, as the manner of the investigation, must, in short, be reasonably related to the objectives of the proceeding itself.

11. KRON asserts that its investigation of Streeter and Kihn was carried out in the "customary manner" and was, it implies, therefore within the permissible bounds of investigation. However, in the opinion of the Board, petitioners' uncontroverted allegations raise a substantial question as to whether the manner, scope, and purpose of KRON's investigation was confined to its proper objectives or was intended to harass, intimidate, and coerce the petitioners. Thus, for example, KRON does not attempt to explain why the manner in which the "shadowing" of Kihn was carried out would be likely to lead to information having some reasonable relation to this proceeding; cf. Foster v. Manchester, 410 Pa. 192, 189 A 2d 147 (1963). Similarly, there is no apparent basis for, or relationship between a number of questions posed by the investigators (see paragraph 2, supra) and the objectives of the proceeding. It is these unexplained circumstances which give rise to an issue. In reaching this conclusion, we must stress that the mere fact that an investigation has taken place does not, of itself, warrant addition of an issue. Rather, the investigation of adversaries in a litigative context is presumptively permissible and a question is presented only because of the apparent misuse of the investigative procedures; indeed, in view of the gravity of the charge made, it is our view that a serious abuse of the investigative procedure must be alleged. Further, we have given no credence to Kihn's assertions that he has, in fact, been harassed. Our interest is not in the witness' subjective reaction to the investigation; it is whether a substantial question has been raised that the investigation itself went beyond the reasonable and permissible bounds. Finally, we need not, and have not passed upon the petitioners' contention that KRON's investigation may contravene the federal Obstruction of Justice Statute (18 U.S.C. 1505). Our concern is primarily with the effect of the licensee's conduct upon its qualifications to be a Commission licensee, "insofar as it may relate to conduct entrusted to the Commission." Uniform Policy on Violations of Law, 1 RR (PT 3) 91:495, 499 (1951). Nonetheless, we conclude that in this case a substantial question affecting the public interest is raised, see Western North Carolina Broadcasting, 8 FCC 2d 126, 10 RR 2d 78 (1967), and that an appropriate issue should be added. Consistent with Commission practice and the court's decision in United Church of Christ, supra, the burden of proceeding with the introduction of the evidence will be placed upon the petitioners and the burden of proof under the issue upon the licensee.

12. *Accordingly, it is ordered*, That the motion to amend or add issue, filed July 3, 1969, by Albert Kihn and Blanche Streeter is granted to the extent indicated and is denied in all other respects; and

13. *It is further ordered*, That the issues in this proceeding are enlarged by the addition of the following issues:

a. To determine the facts and circumstances relating to and surrounding the investigation of Albert Kihn and Blanche Streeter by Chronicle Broadcasting Co.;

b. To determine whether the conduct of such investigations constituted attempts to harass, coerce, and intimidate such persons and, if so, what effect such conduct has upon the qualifications of Chronicle Broadcasting Co. to be a Commission licensee;

and

14. *It is further ordered*, That the burden of proceeding under issue (a), above, shall be upon Albert Kihn and Blanche Streeter and the burden of proof thereunder shall be upon Chronicle Broadcasting Co.

Adopted: August 12, 1969.

Released: August 13, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-9766; Filed, Aug. 18, 1969; 8:48 a.m.]

[1] Dissenting statement of Board Member Nelson filed as part of the original document.

FEDERAL POWER COMMISSION

[Docket No. RI70-111 etc.]

CONTINENTAL OIL CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

AUGUST 8, 1969.

The Respondents named herein have filed proposed changes in 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: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, 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 Respondents shall each 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 copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.[2]

(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 October 1, 1969.

By the Commission.[3]

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

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

[2] 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.

[3] This order was adopted before Chairman White left the Commission.

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.
RI70-111..	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001, Attention: Mr. Paul Cato.	346	[2] 1	Michigan Wisconsin Pipe Line Co. (Block 208, Eugene Island Area, Offshore Louisiana).	$534	7-17-69	[4] 8-17-69	[5] 8-18-69	[6] [10] 18.5	[7] [8] 20.0	
.....do.....		347	[11] 1	Michigan Wisconsin Pipe Line Co. (Block 200, Ship Shoal Area, Offshore Louisiana).	1,350	7-17-69	[4] 8-17-69	[5] 8-18-69	[6] [10] 18.5	[7] [8] 20.0	
RI70-112..	The Preston Oil Co., [12] Post Office Box 1350, Houston, Tex. 77001.	37	[13] 2	United Fuel Gas Co. (Block 272 and 297 Fields, Eugene Island Area, Offshore Louisiana).	246,375	7-16-69	[4] 8-16-69	[5] 8-17-69	[6] [10] 18.5	[7] [8] 20.0	

[2] Contract dated Oct. 7, 1968.
[4] The stated effective date is the first day after expiration of the statutory notice period, or the date of initial delivery, whichever is later.
[5] The suspension period is limited to 1 day.
[6] Pursuant to paragraph (A) of Opinion No. 546-A issued Mar. 20, 1969.
[7] Pressure base is 15.025 p.s.i.a.
[8] Subject to quality adjustments.
[9] Initial rate as conditioned by temporary certificate issued July 3, 1969, in Docket No. CI69-420.
[10] Area base rate for gas well gas sold under contracts dated after Oct. 1, 1968 as established in Opinion No. 546.
[11] Contract dated Mar. 21, 1969.
[12] Initial rate as conditioned by temporary certificate issued July 3, 1969, in Docket No. CI69-1092.
[13] The Preston Oil Co. and United Fuel Gas Co. are divisions of Columbia Gas System Service Corp.
[14] Contract dated Feb. 2, 1969.
[15] Initial rate as conditioned by temporary certificate issued June 24, 1969, in Docket No. CI69-802.

These three proposed rate increases from 18.5 cents to 20 cents per Mcf involve sales of third vintage gas well gas in offshore Louisiana and were filed pursuant to the Commission's orders issued in Opinion No. 546-A which lifted the indefinite moratorium imposed in Opinion No. 546 as to certificated sales of offshore gas well gas under contracts entitled to a third vintage price (18.5 cents as adjusted for quality) and permitted such producers to file for contractually authorized increases up to the price established in Opinion No. 546 for onshore gas well gas of the same vintage.

The producers involved herein were issued conditioned temporary certificates [16] in dockets as set forth below authorizing the collection of the offshore third vintage prices established in Opinion No. 546.[17] Deliveries of gas have not as yet commenced under the subject authorizations.

The acceptance for filing and suspension of the rate increase filed by The Preston Oil Co. (Preston), an affiliate of the purchaser, United Fuel Gas Co. (United Fuel)[18] is without prejudice to any action the Commission may take in any future rate proceeding involving either Preston or United Fuel.

We conclude that these producers' proposed rate increases should be suspended for 1 day from the date shown in the "Effective Date Column" on Appendix A hereof, or for 1 day from the date of initial delivery, whichever is later. Thereafter, the proposed increased rates may be placed in effect subject to refund under the provisions of section 4(e) of the Natural Gas Act pending the outcome of the Area Rate Proceeding in Docket No. AR69-1.

[F.R. Doc. 69-9669; Filed, Aug. 18, 1969; 8:45 a.m.]

[16] Such certificates were accepted by the Respondents as issued.
[17] Dockets Nos. CI69-420 and CI69-1092, Continental Oil Co. Docket No. CI69-802, The Preston Oil Co.
[18] Both Preston and United Fuel are divisions of the Columbia Gas System Service Corp.

[Docket No. G-6447 etc.]

GRAHAM STUART CORP. ET AL.

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

AUGUST 8, 1969.

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

Any person desiring to be heard or to make any protest with reference to said applications should on or before September 5, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Acting Secretary.

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

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-6447..... E 7-18-69	The Graham Stuart Corp. (successor to Rip C. Underwood), 631 First Wichita National Bank Bldg., Wichita Falls, Tex. 76301.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Keyes Dome Field, Texas and Cimarron Counties, Okla.	[1] 17.0	14.65
G-9366..... D 7-25-69	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Seven Sisters Field, Duval County, Tex.	(7)	.....
G-9489..... E 7-16-69	Maguire Oil Co. (Operator), et al. (successor to Estate of Russell Maguire (Operator) et al.) 4200 First National Bank Bldg., Dallas, Tex. 75202.	Texas Eastern Transmission Corp., Aloo-Mag Field, Harris County, Tex.	[2] 16.2	14.65
G-9802..... D 7-16-69	The Superior Oil Co., Post Office Box 1521, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Chess and La Sara Field, Willacy County, Tex.	Assigned	.....
G-11264..... E 7-16-69	Maguire Oil Co. (Operator) et al. (successor to Estate of Russell Maguire (Operator) et al.).	Cities Service Gas Co., Whiterock Field, Noble County, Okla.	11.0	14.65
G-11276..... E 7-16-69	do	Texas Eastern Transmission Corp., Barb-Mag Field, Fort Bend County, Tex.	[3] 15.4	14.65
G-11941..... E 7-18-69	Buttes Gas & Oil Co. (successor to Mobil Oil Corp.), c/o Daryl Baxter, Division Landman, 522 Southwest Tower, Houston, Tex. 77002.	Trunkline Gas Co., Hurricane Creek Field, Beauregard Parish, La.	[2] 18.25	15.025
G-12521..... E 7-18-69	The Graham Stuart Corp. (successor to Rip C. Underwood (Operator) et al.).	Northern Natural Gas Co., North Hansford Field, Hansford County, Tex.	[3] 17.5	14.65
G-14548..... C 7-23-69	American Petrofina Co. of Texas, c/o Walker W. Smith, attorney, Post Office Box 2159, Dallas, Tex. 75221.	El Paso Natural Gas Co., Blanco Pictured Cliffs Field, Rio Arriba and San Juan Counties, N. Mex.	13.0	15.025
G-19627..... E 7-16-69	Maguire Oil Co. (Operator) et al. (successor to Estate of Russell Maguire (Operator) et al.).	Valley Gas Transmission, Inc., Good Friday Field, Duval County, Tex.	[7] 15.0	14.65
G-19837..... E 7-16-69	do	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	[1] 17.0	14.65
CI61-159..... E 7-16-69	do	Natural Gas Pipeline Co. of America, Gladys-Mag Field, Jack County, Tex.	[3] 14.0	14.65
CI61-530..... E 7-16-69	do	South Texas Natural Gas Gathering Co., McAllen Field, Hidalgo County, Tex.	15.0	14.65
CI61-1429..... C 7-25-69	Texas Pacific Oil Co., Inc.,[10] 1700 One Main Pl., Dallas, Tex. 75250.	El Paso Natural Gas Co., South Leonard Queen Field, Lea County, N. Mex.	[11] 10.0	14.65
CI62-570..... E 7-16-69	Maguire Oil Co. (Operator) et al. (successor to Estate of Russell Maguire (Operator) et al.).	Oklahoma Natural Gas Gathering Corp., Ringwood Field, Major County, Okla.	12.0	14.65
CI62-1251..... C 7-24-69	Texas Pacific Oil Co., Inc.[10]	Arkansas Louisiana Gas Co., Ranger Antiline Field, Yell County, Ark.	[12] 16.015	14.65
CI62-1305 [13] E 7-16-69	Maguire Oil Co., agent (Operator), et al. (successor to Estate of Russell Maguire, agent (Operator) et al.).	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	[14] 17.01	14.65
CI62-1384..... E 7-23-69	Petrodynamics, Inc. (Operator), et al. (successor to Jas. F. Smith (Operator), et al.), Post Office Box 10006, Amarillo, Tex. 79106.	Michigan Wisconsin Pipe Line Co., Mocane-LaverneGas Area, Beaver County, Okla.	[15] 17.0	14.65
CI63-277..... E 7-16-69	Maguire Oil Co. (Operator) et al. (successor to Estate of Russell Maguire (Operator) et al.	Panhandle Eastern Pipe Line Co., Floris Southeast Field, Beaver County, Okla.	[16] 17.0	14.65
CI63-723..... E 7-23-69	Petrodynamics, Inc. (Operator), et al. (successor to Jas. F. Smith (Operator), et al.).	Northern Natural Gas Co., Mocane-Laverne Gas Area, Beaver County, Okla.	[17] 17.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI63-1212..... E 7-22-69	Petrodynamics, Inc. (Operator), et al. (successor to Jas. F. Smith).	Northern Natural Gas Co., Panhandle Field, Hansford County, Tex.	17.0	14.65
CI64-933..... E 7-16-69	Maguire Oil Co. (Operator) et al. (successor to Estate of Russell Maguire (Operator) et al.).	Natural Gas Pipeline Co. of America, Ann-Mag Field, Brooks County, Tex.	16.0	14.65
CI65-461..... C 7-22-69	Atlantic Richfield Co	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI65-466..... C 6-30-69	Gulf Oil Corp. (Operator) et al.,[20] Post Office Box 1589, Tulsa, Okla. 74102.	Transwestern Pipeline Co., Waha Field, Reeves and Pecos Counties, Tex.	[21] 17.4	14.65
CI66-123..... E 7-22-69	Petrodynamics, Inc. (Operator) et al. (successor to Jas. F. Smith, et al.).	Northern Natural Gas Co., Mocane-Laverne Gas Area, Beaver County, Okla.	[17] 17.0	14.65
CI66-653..... D 7-24-69	Austral Oil Co., Inc., et al., 2700 Humble Bldg., Houston, Tex. 77002 (partial abandonment).	Arkansas Louisiana Gas Co., acreage in Le Flore County, Okla.	Uneconomical	.....
CI66-735..... E 6-30-69	Genevera Harris Bradley, individually and as independent executrix of the Estate of Palmer Bradley, deceased et al. (successor to Palmer Bradley, et al.), c/o Robert L. Bradley, attorney, 25th Floor, Humble Bldg., Houston, Tex. 77002.	United Gas Pipe Line Co., Burnell-North Pettus Field, Bee, Goliad, and Karnes Counties, Tex.	[22] 14.0	14.65
CI67-837..... E 7-22-69	Petrodynamics, Inc. (Operator) et al. (successor to Jas. F. Smith).	Northern Natural Gas Co., Kiowa Creek Field, Lipscomb County, Tex.	[17] 17.0	14.65
CI67-1542..... E 7-24-69	Horn Silver Mines Co. (successor to McWilliams-Moffett Corp. (Operator) et al., c/o Jacob Goldberg, attorney, 816 Pennsylvania Bldg., Washington, D.C. 20004.	Florida Gas Transmission Co., West Addis Field, Iberville Parish, La.	17.0	15.025
CI67-1626..... (CI69-574) 6-25-69 [23]	Newman Brothers Drilling Co. (Operator) et al., 1413 Milam Bldg., San Antonio, Tex. 78205.	Montana-Dakota Utilities Co., Manderson West Field, Big Horn County, Wyo.	13.6154	15.025
CI68-55..... (CI65-1145) C 7-18-69 [24]	Atlantic Richfield Co	Arkansas Louisiana Gas Co., West Wilburton Area, Pittsburg County, Okla.	[25] 15.0	14.65
CI68-156..... D 7-25-69	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, Northeast Custer City Field, Custer County, Okla.	Assigned	.....
CI68-533..... E 7-22-69	Petrodynamics, Inc. (Operator) et al. (successor to Jas. F. Smith (Operator) et al.).	Northern Natural Gas Co., Elmwood Southwest Field, Beaver County, Okla.	[17] 17.0	14.65
CI68-1285..... E 7-18-69	Petro-Lewis Corp. (successor to Border Exploration Co.), 1224 Denver Club Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., East Boundary Butte Field, Apache Country, Ariz.	[26] 18.7	15.025
CI69-42..... E 7-18-69	The Graham Stuart Corp. (successor to Rip C. Underwood (Operator) et al.).	Phillips Petroleum Co., West Panhandle Field, Hutchinson County, Tex.	[27] 14.0	14.65
CI69-60..... E 7-18-69	do	do	[28] 14.0	14.65
CI69-806 [29] E 7-22-69	Imperial-American Management Co. (successor to John H. Hill), c/o Gordon L. Llewellyn, attorney, 905 Southland Center, Dallas, Tex. 75201.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	[1] [17] 17.0	14.65
CI69-1222..... (CI63-30) F 6-23-69 [30]	Southwest Oil Industries, Inc. (successor to Humble Oil & Refining Co.), 801 First National Bldg., Oklahoma City, Okla. 73102.	Arkansas Louisiana Gas Co., Kinta Field, Haskell County, Okla.	[31] 15.0	14.65
CI70-3..... B 7-3-69	W. R. Hughey Operating Co., agent (Operator) et al.	Lone Star Gas Co., North Henderson Field, Rusk County, Tex.	Depleted	.....
CI70-58..... B 7-17-69	Texaco Inc., Post Office Box 52332, Houston, Tex. 77052.	Montana-Dakota Utilities Co., Pavillion Field, Fremont County, Wyo.	(27)	.....
CI70-59..... (G-12083) F 7-18-69	Corpus Christi Leaseholds, Inc. (successor to Mobil Oil Corp.), Post Office Box 779, Corpus Christi, Tex. 78403.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., La Reforma Field, Starr County, Tex.	[32] 15.6	14.65
CI70-61..... A 7-30-69	W. H. Meissner, 1627 East Third St., Tulsa, Okla. 74120.	Panhandle Eastern Pipe Line Co., South Bishop Pool, Ellis County, Okla.	[17] 17.0	14.65

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI70-62..... A 7-22-69	J. L. Trittipo and N. G. Clark, d.b.a. Trittipo and Clark, 600 Commerce Square, Charleston, W. Va. 25306.	Equitable Gas Co., Otter District, Braxton County, W. Va.	27.0	15.325
CI70-63..... A 7-22-69	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Trunkline Gas Co., South Timbalier Block 172 Field, Offshore (Zone 4), Louisiana.	21.25	15.025
CI70-65..... A 7-22-69	Investors Royalty Co.,[29] 1309 Thompson Bldg., Tulsa, Okla. 74103.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	[17] 19.5	14.65
CI70-66..... A 7-22-69	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112.	Texas Gas Transmission Corp., Coon Point Field, Ship Shoal Area, La.	[17] 21.25	15.025
CI70-67..... B 7-22-69	Mobil Oil Corp.....	Mountain Fuel Supply Co., Little Snake Field, Sweetwater County, Wyo., and Moffat County, Colo.	Depleted	.....
CI70-68..... B 7-22-69	Union Oil Co., of California, Union Oil Center, Los Angeles, Calif. 90017.	Mountain Fuel Supply Co., Little Snake Unit Area, Moffat County, Colo., and Sweetwater County, Wyo.	Depleted	.....
CI70-69..... B 7-22-69	Husky Oil Co., of Delaware, Post Office Box 380, Cody, Wyo. 82414.	.....do.....	Depleted	.....
CI70-70..... B 7-22-69	Champlin Petroleum Co., Post Office Box 9365, Fort Worth, Tex. 76107.	.....do.....	Depleted	.....
CI70-71..... A 7-23-69	Sanford E. McCormick et al., 1204 Tenneco Bldg., Houston, Tex. 77002.	United Fuel Gas Co., Elk and Union Districts, Kanawha County, W. Va.	28.0	15.325
CI70-72..... A 7-22-69	An-Son Corp., 3614 North Santa Fe, Oklahoma City, Okla. 73118.	Northern Natural Gas Co., South Parnell Field, Ochiltree County, Tex.	[17] 17.0	14.65
CI70-73..... A 7-22-69	Chandler & Associates, Inc., 1401 Denver Club Bldg., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., Emerald Field, Logan County, Colo.	[30] 10.0	16.4
CI70-74..... A 7-22-69	Anadarko Production Co., Post Office Box 9317, Fort Worth, Tex. 76101.	Panhandle Eastern Pipe Line Co., Panoma Council Grove Field, Grant and Stevens Counties, Kans.	[17] 16.0	14.65
CI70-75..... (CI67-1166) F 7-22-69	Clinton Oil Co. (successor to Haas Bros.), 217 North Water St., Wichita, Kans. 67202.	United Gas Pipe Line Co., Blanconia Field, Bee County, Tex.	14.0	14.65
CI70-76..... A 7-22-69	Clifford Mills, Post Office Box 65, Wayne, W. Va. 25570.	United Fuel Gas Co., acreage in Wayne County, W. Va.	23.0	15.325
CI70-77..... A 7-24-69	Edwin L. Cox, Operator, 38th Floor, First National Bank Bldg., Dallas, Tex. 75202.	Michigan Wisconsin Pipe Line Co., Cheyenne Valley Field, Major County, Okla.	[31] 20.3	14.65
CI70-78..... A 7-25-69	The California Co., a Division of Chevron Oil Co.	Sea Robin Pipeline Co., Block 41, South Marsh Island Area, Offshore Louisiana.	[17] 21.25	15.025
CI70-79..... A 7-23-69	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020.	Sea Robin Pipeline Co., South Marsh Island Blocks 27 and 30, Vermilion Block 190, Offshore Louisiana.	21.25	15.025
CI70-80..... A 7-25-69	Cities Service Oil Co. (Operator) et al., Post Office Box 300, Tulsa, Okla. 74102.	Northern Natural Gas Co., acreage in Edwards County, Kans.	[17] 16.0	14.65
CI70-81..... A 7-28-69	Meridian Exploration Co., Suite 904, Milam Bldg., San Antonio, Tex. 78205.	Transcontinental Gas Pipe Line Corp., Vidauri Area, Refugio County, Tex.	16.0	14.65
CI70-82..... A 7-28-69	Petrodynamics, Inc. (Operator) et al.	Northern Natural Gas Co., acreage in Beaver County, Okla.	[17] 17.0	14.65
CI70-83 A 7-28-69	Wayne J. Spears, 804 Ouachita Bank Bldg., Monroe, La. 71201.	Humble Gas Transmission Co., Richland Field Area, Richland Parish, La.	16.0	15.025
CI70-84..... B 7-25-69	Mobil Oil Corp.....	Montana-Dakota Utilities Co., Garland Field, Big Horn County, Wyo.	[32]	.....
CI70-85..... (CI64-902) F 7-24-69	King Resources Co. (successor to Delta Drilling Co. (Operator) et al.), c/o William P. Greve, Jr., attorney, Security Life Bldg., Denver, Colo. 80202.	Northern Natural Gas Co., Ozona Area, Crockett County, Tex.	17.0	14.65
CI70-86..... A 7-25-69	Troy A. Brady, Jr., et al., Post Office Box 371, Buckhannon, W. Va. 26201.	Equitable Gas Co., Skin Creek District, Lewis County, W. Va.	27.0	15.325
CI70-87 A 7-24-69	G. L. Meabon, 2610 Callis Ave., Huntington, W. Va.	United Fuel Gas Co., acreage in Lincoln County, W. Va.	16.0	15.325
CI70-88..... A 7-24-69	Brooks Hall Oil Corp. and C. F. Braun & Co., 1704 Liberty Bank Bldg., Oklahoma City, Okla. 73102.	Panhandle Eastern Pipe Line Co., acreage in Woods County, Okla.	[17] 17.0	14.65
CI70-89..... (CI66-381) A&F 7-25-69	May Petroleum, Inc. (successor to Texaco Inc.) 1435 Republic National Bank Bldg., Dallas, Tex. 75201.	Michigan Wisconsin Pipe Line Co., Selling Field, Woodward County, Okla.	[17] [33] 19.5	14.65
		Panhandle Eastern Pipe Line Co., Selling Field, Woodward County, Okla.	[17] [34] 17.0	14.65

See footnotes at end of table.

[1] Rate in effect subject to refund in Docket No. RI66-4. Subject to upward and downward B.t.u. adjustment.
[2] Acreage released to Lessor.
[3] Rate in effect subject to refund in Docket No. RI67-109. An increase in rate to 16.6 cents per Mcf has been suspended in Docket No. RI69-128 but not yet made effective.
[4] Rate in effect subject to refund in Docket No. RI63-138.
[5] Rate in effect subject to refund in Docket No. RI67-348.
[6] Rate in effect subject to refund in Docket No. RI63-41.
[7] Rate in effect subject to refund in Docket No. RI65-279.
[8] Rate in effect subject to refund in Docket No. RI62-454.
[9] An increase in rate to 15 cents per Mcf has been suspended in Docket No. RI69-136 but not yet made effective.
[10] Formerly Joseph E. Seagram & Sons, Inc. d.b.a. Texas Pacific Oil Co.
[11] Acceptable price for residue gas pursuant to Opinion No. 468, as modified by Opinion No. 468-A.
[12] Subject to deduction for compression if Buyer compresses gas.
[13] No permanent certificate issued; temporary authorization granted only.
[14] Includes 2 cents upward B.t.u. adjustment.
[15] Subject to upward B.t.u. adjustment.
[16] An increase in rate to 18 cents per Mcf has been suspended in Docket No. RI69-136 but not yet made effective.
[17] Subject to upward and downward B.t.u. adjustment.
[18] Applicant has agreed to accept certificate conditioned as Opinion No. 468, as modified by Opinion No. 468-A.
[19] An increase in rate to 15.485 cents per Mcf has been suspended in Docket No. RI66-123 but not yet made effective.
[20] Applicant requests that its certificate be terminated and that its sale be covered by the Operator's (Mobil Oil Corp.) certificate in Docket No. CI69-574. Mobil succeeded Applicant as Operator of subject properties effective Jan. 1, 1969.
[21] Adds acreage acquired from Pan American Petroleum Corp., Docket No. CI65-1145.
[22] Rate in effect subject to refund in Docket No. RI67-169.
[23] Rate in effect subject to refund in Docket No. RI69-169.
[24] Pending certificate application.
[25] Pending certificate application.
[26] Predecessor's current rate is 16.01536 cents per Mcf (including tax reimbursement) effective subject to refund in Docket No. RI69-346. Applicant proposes rate of 15 cents per Mcf, including tax reimbursement.
[27] Application previously noticed July 18, 1969 in Docket No. G-3072 et al., to cover initial service portion of application only.
[28] Well no longer produces in commercial quantities.
[29] Rate in effect subject to refund in Docket No. RI67-273.
[30] Applicant states its willingness to accept certificate at 17 cents per Mcf, plus B.t.u. adjustment.
[31] 7 cents per Mcf is retained by Buyer until recovery of total investment of facilities constructed by it.
[32] Includes upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
[33] Buyer has relinquished claim to purchase gas.
[34] Applicable to new acreage.
[35] Applicable to acreage acquired from Texaco Inc.

[F.R. Doc. 69-9670; Filed, Aug. 18, 1969; 8:45 a.m.]

[Docket No. G-3072 etc.]

HUMBLE OIL & REFINING CO.

Notice of Application for Certificates, Abandonment of Service and Petitions To Amend Certificates

AUGUST 13, 1969.

PetroDynamics, Inc. (Operator), et al., successor to Jas. F. Smith (Operator), et al. Docket No. CI62-1384.

In the notice of application for certificates, abandonment of service and petitions to amend certificates, issued July 18, 1969, and published in the FEDERAL REGISTER, July 29, 1969, 34 F.R. 12413, on page 12414, Docket No. CI62-1384: Make the following changes: Column 1: Change Docket No. CI62-1384 to read CI62-417 and delete footnote 7 thereto. Column 2: Change predecessor's name to read "Smith Development Co.

(Operator) et al." in lieu of "Jas. F. Smith (Operator) et al."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-9727; Filed, Aug. 18, 1969; 8:45 a.m.]

[Docket No. CP68-220]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Petition To Amend and Motion To Extend Time

AUGUST 11, 1969.

Take notice that on August 1, 1969, Mississippi River Transmission Corp. (Petitioner), 9900 Clayton Road, St. Louis, Mo. 63124, filed in Docket No. CP68-220 a petition to amend the orders issued to it in said docket on July 31, 1968, and April 24, 1969, by requesting that said orders be amended to conform the authorizations contained therein with certain modifications and improvements which were made in the design and construction of a portion of the new facilities installed for use in transporting gas from the Columbia Control Station to the Arlee Street Delivery Station serving Laclede Gas Co.

Specifically, Petitioner seeks to have the aforementioned orders amended to conform with the modified design followed in constructing the facilities. Instead of connecting new segments of 30-inch pipeline by means of headers on the east and west sides of the Mississippi River to six existing 10-inch river crossing lines, each approximately 0.54 mile in length, portions of the 10-inch river crossing lines, each 0.49 mile in length, were left connected on the east bank to four existing 12-inch pipelines, each approximately 0.53 mile in length, and these in turn were connected to a new 30-inch header. On the west bank, the six 10-river lines were connected to four new 16-inch pipelines, each approximately 0.12 mile in length. It is stated in the petition that these changes avoided the possibility that the valves on the river lines would be located in such position as to be inaccessible in the event of flooding. In addition, approximately 0.03 mile of higher strength 24-inch pipe was installed at the terminus of the line, rather than the 30-inch pipe originally proposed. The petition states that the estimated cost of the modified facilities were not materially different from the estimated cost of the facilities as originally proposed and that there was no appreciable change in design capacity.

The petition states that no increase in the total estimated cost of the facilities authorized in Docket No. CP68-220 is required as a result of the above mentioned modifications.

Petitioner further requests that the time within which the subject facilities should be completed be further extended to November 1, 1969.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 8, 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.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-9728; Filed, Aug. 18, 1969; 8:45 a.m.]

[Docket No. RI69-858 etc.]

UNION OIL COMPANY OF CALIFORNIA

Order Providing for Hearing on and Suspension of Proposed Changes in Rates; Correction

AUGUST 7, 1969.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued June 30, 1969, and published in the FEDERAL REGISTER, July 10, 1969, 34 F.R. 11443, in Appendix A, page 11443, Docket No. RI69-858, Union Oil Company of California: Under column headed "Supp. No." change "1" to read "2". Under column headed "Proposed Increased Rate" substitute Footnote "17" in lieu of Footnote "7". In Appendix A, page 3 under Footnotes: Add a new footnote to read: "[17] Pressure base is 15.025 p.s.i.a."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-9726; Filed, Aug. 18, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File 24S-2178]

BLACK SANDS METALS, INC.

Notice and Order for Hearing

AUGUST 12, 1969.

I. Black Sands Metals, Inc. (issuer), 580 State Street, Salem, Oreg., incorporated in the State of Oregon on February 4, 1969, filed with the Commission on March 12, 1969, a notification on Form 1-A relating to a proposed offering of 42,500 shares of common stock at $3 a share for an aggregate offering of $127,500, for the purpose of obtaining an exemption from the registration provisions of the Securities Act of 1933, as amended, pursuant to section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission, on June 23, 1969, issued an order pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, temporarily suspending the issuer's exemption under Regulation A, and affording to any person having any interest in the matter an opportunity to request a hearing. The Commission on July 24, 1969, received two requests for a hearing in the matter, one signed by Bernard F. Bednarz, Esquire, counsel for the issuer and the other by Jack Largent, President of the issuer.

The Commission deems it necessary and appropriate that a hearing be held for the purpose of determining whether it should vacate the temporary suspension or enter an order of permanent suspension in this matter.

It is hereby ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that a hearing be held at 10 a.m., September 29, 1969, at the Seattle Regional Office, 900 Hoge Building, Seattle, Wash., with respect to the matters set forth in the Commission's order of June 23, 1969, which temporarily suspended the Regulation A exemption of Black Sands Metals, Inc., without prejudice, however, to the specification of additional issues which may be presented in these proceedings.

III. *It is further ordered*, That an officer or officers, to be appointed by the Commission for that purpose, shall preside at the hearing; that any officer or officers so designated to preside at such hearing are hereby authorized to exercise all the powers granted to the Commission under sections 19(b), 21, and 22(c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by certified mail on Black Sands Metals, Inc., that notice of the entering of this order shall be given to all other persons by a general release of the Commission and by publication in the FEDERAL REGISTER. Any person who desires to be heard, or otherwise wishes to participate in the hearing, shall file with the Secretary of the Commission on or before August 20, 1969, a written request relative thereto as provided in Rule 9(c) of the Commission's rules of practice, and an answer to the allegations contained in the temporary suspension order of June 23, 1969, as provided in Rule 7 of the Commission's rules of practice. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That Black Sands Metals, Inc., pursuant to Rule 7 of the rules of practice of the Commission (17 CFR 201.7) shall file an answer to the allegations set forth in the Commission's temporary suspension order dated June 23, 1969. Such answer shall be filed in the manner, form, and within the time prescribed by 17 CFR 201.7.

Notice is hereby given that if Black Sands Metals, Inc., fails to file an answer pursuant to 17 CFR 201.7 within 15 days after service upon it of this notice and order for hearing, the proceedings may be determined against Black Sands Metals, Inc., by the Commission upon consideration of this notice and order for hearing and the allegations in the Commission's temporary suspension order dated June 23, 1969, which may be deemed to be true.

By the Commission.

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

[F.R. Doc. 69-9732; Filed, Aug. 18, 1969; 8:45 a.m.]

[70-4780]

NEW ENGLAND POWER CO.

Notice of Proposed Issue and Sale of Bonds and Preferred Stock at Competitive Bidding

AUGUST 13, 1969.

Notice is hereby given that New England Power Co. ("NEPCO"), 441 Stuart Street, Boston, Mass. 02116, an electric utility subsidiary company of New England Electric System, a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rules 42(b)(2) and 50 as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

NEPCO proposes to issue and sell, subject to the competitive bidding requirements of Rule 50, $15 million principal amount of first mortgage bonds, Series P, ------ percent. The bonds will be dated as of the first day of the month in which they are issued. The proposed series of bonds will bear a single maturity date within the range of from 5 to 30 years. Prior to the time designated for the submission of bids, NEPCO will determine a maturity date for the bonds and whether or not the bonds shall be redeemable during the first 5 years of their term or any part thereof in connection with a refunding at a lesser effective interest cost. The interest rate (which shall be a multiple of one-eighth of 1 percent), and the price, exclusive of accrued interest (which shall be not less than 100 percent nor more than 102¾ percent of the principal amount thereof), will be determined by the competitive bidding. The bonds will be issued under an indenture of trust and first mortgage dated November 15, 1936, between NEPCO and New England Merchants National Bank of Boston (successor to The New England Trust Co.), trustee, as heretofore supplemented and as to be further supplemented by a 15th supplemental indenture to be dated September 1, 1969.

NEPCO also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 100,000 shares of its authorized but unissued ------ percent cumulative preferred stock par value $100 per share. The dividend rate (which will be a multiple of 0.04 percent) and the price to be paid to NEPCO (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding.

The proceeds (estimated at $25 million) from the issue and sale of the bonds and preferred stock will be applied to the payment of NEPCO's short-term notes evidencing borrowings made to pay for capitalizable expenditures or to reimburse the treasury therefor. Such notes are presently outstanding in the amount of $27,900,000.

The fees and expenses to be paid in connection with the proposed transactions are estimated at $75,000 for the bonds and $35,000 for the preferred stock, including $30,200 and $16,800, respectively, for legal, accounting and other services to be rendered at cost by the system service company. The fees and expenses of independent counsel for the underwriters for the bonds and for preferred stock for each, are to be supplied by amendment.

It is stated that the Massachusetts Department of Public Utilities, the New Hampshire Public Utilities Commission, and the Vermont Public Service Board have jurisdiction over the proposed issuance and sale of bonds and preferred stock and the use of proceeds therefrom, and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 9, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 69-9731; Filed, Aug. 18, 1969; 8:45 a.m.]

[File 24W-2931]

SCHROTT, WHITAKER AND DOUGLAS, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

AUGUST 13, 1969.

I. Schrott, Whitaker and Douglas, Inc. (Issuer), 3910 North Fairfax Drive, Arlington, Va. 22203, a Virginia corporation incorporated on October 2, 1967, with principal offices at 3910 North Fairfax Drive, Arlington, Va., filed with the Washington Regional Office of the Commission on June 30, 1969, Form 1-A Notification, as amended, and an offering circular, as amended, relating to an offering of 30,000 shares of common stock (5 cents par value) at $10 per share for an aggregate offering of $300,000, in order to obtain an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission, on the basis of information provided by the staff, has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The Issuer was incorporated more than 1 year prior to the filing herein and it has not had a net income from operations, of the character in which the Issuer intends to engage, for at least 1 year of its last 2 fiscal years; and the aggregate offering price of $300,000 is exceeded since 800,000 shares of the Issuer's common stock owned by Issuer's officers and directors are not subject to escrow arrangements, as required by Rule 253;

2. An alternate use of $30,000 proceeds, in the event no broker-dealer participates in this offering, is not disclosed in the Offering Circular, as required by paragraph 6(a) of Schedule 1;

3. The Issuer has failed to file pursuant to Rule 258(c) copies of a brochure used by the Issuer which was in effect incorporated by reference in the Offering Circular; and

4. The Issuer intends to offer for sale securities of an Investment Company required to be registered under the Investment Company Act of 1940 and the Issuer has failed to show the availability of any exemption from such registration.

B. The Offering Circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading concerning, among other things:

1. Statements in a brochure currently used by the Issuer and in effect incorporated by

reference in the Offering Circular, which refer to Issuer's president as a "well-known investment adviser" and to Issuer's "professional" investment management.

2. Newspaper and magazine articles referred to in the Offering Circular which state that:

(a) The Issuer's president has parlayed $600 into $1 million;

(b) The Issuer's president has built a flourishing investment counseling career from an initial sum of $600 to a personal worth now reportedly greater than $1 million;

(c) The Issuer deals with institutional investors;

(d) The Issuer's president has been offered a substantial sum of money for his investment firm;

3. The failure to disclose that a hypothetical model portfolio used in issuer's brochure from May 1968 to October 1968 falsely reflected a gain of 70 percent.

4. The financial statements contained in the Offering Circular were not prepared in accordance with generally accepted accounting principles and practices in that:

(a) The financial statements include as assets unregistered shares of Unitec Industries, Inc., common stock acquired by Issuer from one of its directors and values such stock at market price and not at cost to the transferor;

(b) The financial statements fail to apportion Issuer's income over a 12-month period and, in the alternative, fail to provide an allowance for Issuer's expenses regarding such income.

5. The Offering Circular refers to certain transactions as stock dividends when, at the time of such transactions, Issuer had not earned net income.

6. The Offering Circular fails to disclose that there is presently no market for the Issuer's securities.

7. The Offering Circular fails to disclose adequately the risk to public investors regarding the need for a substantial increase in Issuer's net income before public investors' equity appreciates to the amount invested.

C. The offering, if made, would be in violation of sections 5 and 17 of the Securities Act, as amended, and section 7 of the Investment Company Act, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any persons having any interest in this matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested, and none ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless, or until, it is modified or vacated by the Commission and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

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

[F.R. Doc. 69-9733; Filed, Aug. 18, 1969; 8:45 a.m.]

UNITED AUSTRALIAN OIL, INC.

Order Suspending Trading

AUGUST 13, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of United Australian Oil, Inc., and all other securities of United Australian Oil, Inc., Dallas, Tex., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 14, 1969, through August 23, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-9735; Filed, Aug. 18, 1969; 8:46 a.m.]

[812-2529]

UNITED VARIABLE ANNUITY LIFE INSURANCE CO. AND UNITED VARIABLE ANNUITY FUND A

Notice of Application

AUGUST 13, 1969.

Notice is hereby given that United Variable Annuity Life Insurance Co. ("Insurance Company") and United Variable Annuity Fund A ("Fund") Post Office Box 2398, Little Rock, Ark. 72203 (herein collectively called "applicants"), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting applicants from certain provisions of section 27(c)(2) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Insurance Company was organized in January 1968 as a stock life insurance company under the laws of the State of Arkansas. It is authorized to engage in the insurance business only in the State of Arkansas and had total capital and surplus at December 31, 1968, of $237,599. The only business of Insurance Company is the issuance and servicing of variable annuity contracts, which it proposes to offer to the public.

Fund is a separate account established by Insurance Company as a facility for the setting aside and investment of assets attributable to variable annuity contracts offered by Insurance Company. Fund is registered under the Act as an open-end, nondiversified investment company. The net assets of Fund are not chargeable with liabilities arising out of any other business of Insurance Company.

Section 27(c)(2) of the Act requires that the proceeds, after deduction of sales load, of all payments on a periodic payment plan certificate issued by a registered investment company be deposited with a bank having the qualifications prescribed by section 26(a)(1) and be held by the bank as trustee or custodian under an indenture or agreement containing, in substance, the provisions required by section 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities, cash, and other property of the trust, places restrictions on charges which may be made against the trust income and corpus and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, or any affiliated person thereof, other than a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign.

Fund proposes to enter into a custodian agreement with a bank, Brown Brothers Harriman & Co., for the safekeeping of the assets of the Fund. Applicants represent that this agreement will comply with the requirements of section 27(c)(2) except to the extent that exemption therefrom is granted pursuant to the application. Applicants request exemption from the provisions of section 26(a)(2), as incorporated in section 27(c)(2), to the extent necessary to permit payments from the assets of the Fund to meet the charges for investment advisory services, administrative services, and mortality undertakings provided for in the contracts between the Fund and Insurance Company and to permit the payment of the direct expenses of the Fund, other than expenses which Insurance Company has agreed to absorb.

Fund proposes to pay to Insurance Company charges aggregating, on an annual basis, 1.75 percent of the current value of the Fund, as follows: 0.5 percent for investment advisory services, 0.5 percent for mortality undertakings, and 0.75 percent for administrative services.

In return for the charge for administrative services, Insurance Company will furnish facilities and personnel for handling the day-to-day affairs of the Fund and will pay all expenses of the fund except taxes; fees of independent

actuaries in connection with reserve certification; and audit, custodial, legal, and interest expenses. Insurance Company has undertaken also, for a period of at least 1 year, to absorb any portion of the expenses of the Fund excluding taxes and interest expense, which, together the charges aggregating 1.75 percent referred to above, exceed in the aggregate the lesser of (1) the investment income of the Fund on an annual basis, or (2) 2 percent, on an annual basis, of the average value of the Fund.

Applicants represent that the charges for mortality undertakings will be credited to a special contingency reserve for mortality losses and not removed from such contingency reserve except in compliance with the Arkansas Insurance Code and that all amounts credited to the special contingency reserve for mortality undertakings will remain in the reserve until the next examination and determination of reserves by the Arkansas Insurance Commissioner.

Applicants consent that the requested exemption may be made subject to the conditions: (1) That charges for administrative services under variable annuity contracts funded by United Variable Annuity Fund A shall not exceed such reasonable amount as the Commission shall prescribe, the Commission reserving jurisdiction for such purpose: (2) that the payment of sums and charges out of the trusteed assets, other than such charges for administrative services, shall not be deemed to be exempted from regulation by the Commission by reason of the granting of the requested exemption, provided that the applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of the trusteed assets other than charges for administrative services, and applicants reserve the right, in any proceeding before the Commission or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges; and (3) that the Commission may reserve jurisdiction over all the terms of the custodian agreement with Brown Brothers Harriman & Co.

Section 6(c) of the Act authorizes the Commission to exempt, conditionally or unconditionally, any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provisions of the act or the rules promulgated thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the act.

Notice is further given that any interested person may, not later than September 3, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

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

[F.R. Doc. 69-9734; Filed, Aug. 18, 1969; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 994; ICC Order 32]

ANN ARBOR RAILROAD

Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Ann Arbor Railroad is unable to transport traffic over car ferries at Menominee, Mich., because of damage to its ferry and breakwater at Menominee, Mich.

It is ordered, That:

(a) Rerouting traffic: The Ann Arbor Railroad, being unable to transport traffic over car ferries at Menominee, Mich., because of damage to its ferry and breakwater, that line and its connections are hereby authorized to reroute or divert such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted or diverted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 10:30 a.m., August 13, 1969.

(g) Expiration date: This order shall expire at 11:59 p.m., September 5, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 13, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 69-9783; Filed, Aug. 18, 1969; 8:49 a.m.]

[S.O. 994; Corrected ICC Order 32]

ANN ARBOR RAILROAD

Rerouting or Diversion of Traffic

In the opinion of R. D. Pfahler, agent, the Ann Arbor Railroad is unable to transport traffic over car ferries at Menominee, Mich., because of damage to its ferry and breakwater at Menominee, Mich.

It is ordered, That:

(a) Rerouting traffic: The Ann Arbor Railroad, being unable to transport traffic over car ferries at Menominee, Mich., because of damage to its ferry and breakwater, is hereby authorized to reroute or divert such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted or diverted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroad desiring to divert or reroute traffic under this order shall receive the concurrence of other railroads to which such traffic is to be

diverted or rerouted, before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic is deemed to be due to carrier disability, the rates applicable to traffic diverted or rerouted by said agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 10:30 a.m., August 13, 1969.

(g) Expiration date: This order shall expire at 11:59 p.m., September 5, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 13, 1969.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 69-9782; Filed, Aug. 18, 1969; 8:49 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

AUGUST 14, 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. 41718—*Sulphuric acid from Coosa Pines, Ala.* Filed by O. W. South, Jr., agent (No. A6122), for interested rail carriers. Rates on sulphuric acid, in tank carloads, as described in the application, from Coosa Pines, Ala., to Atlanta and East Point, Ga., also Charlotte, N.C.

Grounds for relief—Market competition.

Tariff—Supplement 85 to Southern Freight Association, agent, tariff ICC S-671.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-9784; Filed, Aug. 18, 1969; 8:49 a.m.]

[Notice 887]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 14, 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 protests 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 field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 17211 (Sub-No. 10 TA), filed August 5, 1969. Applicant: JESCO MOTOR EXPRESS, INC., 162 Columbus Road, Mount Vernon, Ohio 43050. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plumbing fixtures and supplies*, from Perrysville, Ohio, and points in Ripley Township, Holmes County, Ohio, to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and (2) *materials and supplies* used in the manufacture of plumbing fixtures and supplies, from the above-specified destination points to Perrysville, Ohio, and points in Ripley Township, Holmes County, Ohio, for 180 days. Supporting shipper: Mansfield Sanitary, Inc., Perrysville, Ohio 44864. Send protests to: A. M. Culver, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 255 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 19945 (Sub-No. 30 TA), filed August 5, 1969. Applicant: BEHNNKEN TRUCK SERVICE, INC., Route 13, New Athens, Ill. 62264. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer, in containers*, from the plantsite and warehouse facilities of Miller Brewing Co., at Milwaukee, Wis., to Mascoutah, Ill., and *empty beer containers*, on return, for 180 days. Supporting shipper: Robert (Chick) Friz, Inc., Mascoutah, Ill. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 32882 (Sub-No. 46 TA), filed August 7, 1969. Applicant: MITCHELL BROS. TRUCK LINES, 3841 North Columbia Boulevard, Portland, Oreg. 97217. Applicant's representative: Russell M. Allen, 1200 Jackson Tower, Portland, Oreg. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Helium*, in shipper-owned trailers, from Otis, Kans., to Portland, Oreg., for 150 days. Supporting shipper: Industrial Air Products Co., 3200 Northwest Yeon Avenue, Portland, Oreg. 97210. Send protests to: District Supervisor, W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg. 97204.

No. MC 35072 (Sub-No. 3 TA), filed August 5, 1969. Applicant: EDWIN L. ELLOR & SON, INC., Mountain Boulevard, Warren, N.J. 07060. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hydrants, valves, tapping machines, and commodities*, used in the installation thereof, between East Orange, N.J., on the one hand, and, on the other, points in Massachusetts, Rhode Island, Ohio, Delaware, Virginia, New York, New Jersey, Maryland, District of Columbia, under continuing contract with Valve & Hydrant, Division of United States Pipe & Foundry Co., East Orange, N.J., for 150 days. Supporting shipper: United States Pipe & Foundry Co., Burlington, N.J. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 81818 (Sub-No. 9 TA), filed August 8, 1969. Applicant: MARSH TRUCKING COMPANY, INC., 16621 Broadway, Maple Heights, Ohio 44137. Applicant's representative: John A. Marsh (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Caskets, uncrated*, from Woodland, N.C., to Cleveland, Ohio, for 180 days. Supporting shipper: F. H. Hill Co., Inc., 2274 St. Clair Avenue, Cleveland, Ohio 44114. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operation, 181 Federal Office Building,

1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 95540 (Sub-No. 760 TA), filed August 7, 1969. Applicant: WATKINS MOTOR LINES, INC., 1120 West Griffin Road, Lakeland, Fla. 33801. Applicant's representative: Paul E. Weaver (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat, suspended*, from St. Joseph, Mo., to Salem, Va., for 150 days. Supporting shipper: Dugdale Packing Co., 11th and Belle Streets, St. Joseph, Mo. Send protests to: District Supervisor, Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 102982 (Sub-No. 16 TA), filed August 7, 1969. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Akron, Ohio 44312. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clay and refractory products and materials and supplies* used in the installation thereof (except commodities in bulk), from Carol Stream and Streator, Ill., and the commercial zones thereof to points in Ohio, Pennsylvania, New Jersey, Maryland, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine, for 180 days. Supporting shipper: Clow Corp., Streator Division, 300 South Gary Avenue, Carol Stream, Ill., Post Office Box 825, Wheaton, Ill. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 110525 (Sub-No. 926 TA), filed August 1, 1969. Applicant: CHEMICAL LEAMAN TRANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Edwin H. van Deusen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum treating compounds, water treating compounds, and corrosion inhibitors*, in bulk, in tank vehicles; from: Webster Groves, Mo., to: Houston, Corpus Christi, Kamay, Bigfoot, Borger, Sunray, Kilgore, Beaumont, Port Arthur, a point 9½ miles east of Odessa on FM Road 1788, and to a point 9½ miles northeast of Odessa on FM Road 1788, Tex., for 180 days. Supporting shipper: Petrolite Corp., Tretolite Division, 369 Marshall Avenue, St. Louis, Mo. 63119. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 111594 (Sub-No. 45 TA), filed August 5, 1969. Applicant: C W TRANSPORT, INC., 610 High Street, Wisconsin Rapids, Wis. Applicant's representative: G. R. Richmond, 1970 South Broadway, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent ferric chloride*, in bulk, in tank vehicles, from Indianapolis, Ind., to Chicago, Ill., for 180 days. Supporting shipper: Philip A. Hunt, Chemical Corp., Palisades Park, N.J. 07650. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 111812 (Sub-No. 387 TA), filed August 8, 1969. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: R. H. Jinks (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Duluth, Minn., to points in South Dakota, for 180 days. Supporting shipper: Jeno's Inc., Frozen Foods Division, 525 Lake Avenue South, Duluth, Minn. 55801, R. A. Archambault, Traffic Manager. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 116077 (Sub-No. 271 TA), filed August 7, 1969. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: J. C. Browder (address same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum oils and greases*, in bulk, in tank vehicles, from Texaco, Inc., Refineries, Port Arthur and Port Neches, Jefferson County, Tex., to points in Pennsylvania, Ohio, Michigan, Illinois, Indiana, North Carolina, Missouri, and West Virginia. NOTE: Applicant does not intend to tack authority with presently authorized routes; for 180 days. Supporting Shipper: Texaco, Inc. (Mr. George H. Cady, Assistant Traffic Manager), Post Office Box 52332, Houston, Tex. 77052. Send protests to: District Supervisor, John C. Redus, Bureau of Operations, Interstate Commerce Commission, Post Office Box 61212, Houston, Tex. 77061.

No. MC 119777 (Sub-No. 157 TA), filed August 5, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Box L, Madisonville, Ky. 42431. Applicant's representative: William G. Thomas (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Guard rail, guard rail posts, and accessories*, from the plantsite of Anderson Safeway Guard Rail Corp., Lima, Ohio, to points in North Dakota, South Dakota, Nebraska, Kansas, Colorado, and New Mexico, and all States east thereof, except points in New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, and South Carolina, for 180 days. Supporting shipper: Barry Shapiro, Executive Vice President, Anderson Safeway Guard Rail Corp., Lima, Ohio. Send protests to: Wayne L. Merilatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 123476 (Sub-No. 9 TA), filed August 8, 1969. Applicant: CURTIS TRANSPORT, INC., 1334 Lonedell Road, Arnold, Mo. 63010. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Expanded plastic panels*, laminated with aluminum or wood from Cape Girardeau, Mo., to points in Massachusetts, Connecticut, Rhode Island, Pennsylvania, West Virginia, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, and Washington, D.C., for 180 days. Supporting shipper: The Dow Chemical Co., 10 South Brentwood Boulevard, St. Louis, Mo. 63105. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 125409 (Sub-No. 4 TA), filed August 7, 1969. Applicant: R & R TRUCKING CO., INC., R.F.D. 5, Hammonton, N.J. 08037. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal cabinets and vanities*, under continuing contract with Palace Metal Products, Inc., from Brooklyn, N.Y., to points in Connecticut, District of Columbia, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Maine, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia, for 150 days. Supporting shipper: Palace Metal Products, Inc., 975 Essex Street, Brooklyn, N.Y. 11208. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 126859 (Sub-No. 4 TA), filed August 5, 1969. Applicant: MARCEL HURLIMAN AND CONSTANCE HURLIMAN, a partnership, doing business as HURLIMAN TRUCKING, Post Office Box 17204, Portland, Oreg. 97217. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobile and truck parts and accessories*, from Romulus, Mich.; Quincy, Ill.; and Akron, Ohio, to Grants Pass and Portland, Oreg., under contract with Auto Wheel Service, Inc., Portland, Oreg., for 180 days. Supporting shipper: Auto Wheel Service, Inc., 1400 Northwest Raleigh Street, Portland, Oreg. 97209. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 126859 (Sub-No. 5 TA), filed August 5, 1969. Applicant: MARCEL HURLIMAN AND CONSTANCE HURLIMAN, a partnership doing business as HURLIMAN TRUCKING, Post Office Box 17204, Portland, Oreg. 97217. Applicant's representative: Earle V. White,

2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Automobile and truck parts and accessories*, from Whitehouse, Ohio; Madison and Elkhart, Ind.; Flora, Ill.; and Dallas, Tex., to Grants Pass and Portland, Oreg., under contract with Auto Wheel Service, Inc., Portland, Oreg., for 180 days. Supporting shipper: Auto Wheel Service, Inc., 1400 Northwest Raleigh Street, Portland, Oreg. 97209. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 127689 (Sub-No. 30 TA), filed August 5, 1969. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., 705 East Pine Street, Hattiesburg, Miss. 39401. Applicant's representative: H. E. West (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particle board*, from the plantsite and warehouses of Kroehler Manufacturing Co. located in Meridian, Miss., and its commercial zone, to points in Indiana, Kansas, Kentucky, Missouri, North Carolina, Tennessee, and Virginia, for 180 days. Supporting shipper: Kroehler Manufacturing Co., Post Office Box 4176, West Station, Meridian, Miss. 39304. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 127689 (Sub-No. 31 TA), filed August 8, 1969. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., 705 East Pine Street, Hattiesburg, Miss. 39401. Applicant's representative: H. E. West (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bottles, carboys, demijohns or jars, and closures*, from the plantsite and warehouses of Brockway Glass Co., Inc., located within the commercial zone of Montgomery, Ala., to points in Arkansas, Louisiana, Mississippi, and Tennessee, for 180 days. Supporting shipper: Brockway Glass Co., Inc., Post Office Box 8038, Montgomery, Ala. 36110. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, Jackson, Miss. 39201.

No. MC 127952 (Sub-No. 11 TA), filed August 7, 1969. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Avenue, South Gate, Calif. 90280. Applicant's representative: Warren N. Grossman, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty glass containers*, from Los Angeles, Calif., to Las Vegas, Nev., under a continuing contract with Owens-Illinois, for 180 days. Supporting shipper: Owens-Illinois, 1700 South El Camino Real, San Mateo, Calif. 94402. Send protests to: District Supervisor John E. Nance, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 129631 (Sub-No. 5 TA), filed August 7, 1969. Applicant: PACK TRANSPORT, INC., Post Office Box 17233, Salt Lake City, Utah 84117. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Building materials, feed, seed, salt, machinery, and agricultural commodities*, serving Burley, Idaho, as an off-route point for interline only, in connection with carrier's presently authorized regular route authority between Idaho Falls, Idaho, and Salt Lake City, Utah, for 180 days. NOTE: Applicant states it does not intend to tack the authority here applied for at Burley, Idaho, to its present authorities under MC 129631. Supporting shippers: Shoemaker Trucking Co., 8624 Franklin Road, Boise, Idaho (Ralph Shoemaker); Eby Brothers, 2622 Regan, Boise, Idaho (Eugene Eby, Partner); and Warberg's Moving & Storage, 156 Fourth Avenue South, Post Office Box 45, Twin Falls, Idaho 83301 (Robert M. Warberg). Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 133851 (Sub-No. 1 TA), filed August 5, 1969. Applicant: MATS, INC., Post Office Box 2799, Baltimore, Md. 21225. Applicant's representative: William J. Little, Fidelity Building, Baltimore, Md. 21201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, from Baltimore, Md., to points in Delaware, Pennsylvania, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: E. Stewart Mitchell, Post Office Box 2799, Baltimore, Md. 21225. Send protests to: William L. Hughes, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1125 Federal Building, Baltimore, Md.

MOTOR CARRIER OF PASSENGERS

No. MC 29854 (Sub-No. 33 TA), filed August 5, 1969. Applicant: THE HUDSON BUS TRANSPORTATION CO., INC., 437 Tonnele Avenue, Jersey City, N.J. 07306. Applicant's representative: Virden A. Rittgers (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between points in Secaucus, N.J., serving all intermediate points: From junction County Avenue with Secaucus Road, over County Avenue to junction New County Road, thence over New County Road to its southerly terminus; and return over the same route, for 150 days. NOTE: Applicant proposes to tack the authority here sought at junction County Avenue with Secaucus Road in Secaucus, a service point on its existing authority in Docket MC-29854, Sub 30. Supporting shippers: Sue Brett, Inc., 1400 Broadway, New York, N.Y. 10018; Carlton Paper Corp., 650 New County Road, Secaucus, N.J. 07094. Send protests to: District Supervisor W. J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

By the Commission.

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

[F.R. Doc. 69-9785; Filed, Aug. 18, 1969; 8:49 a.m.]

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