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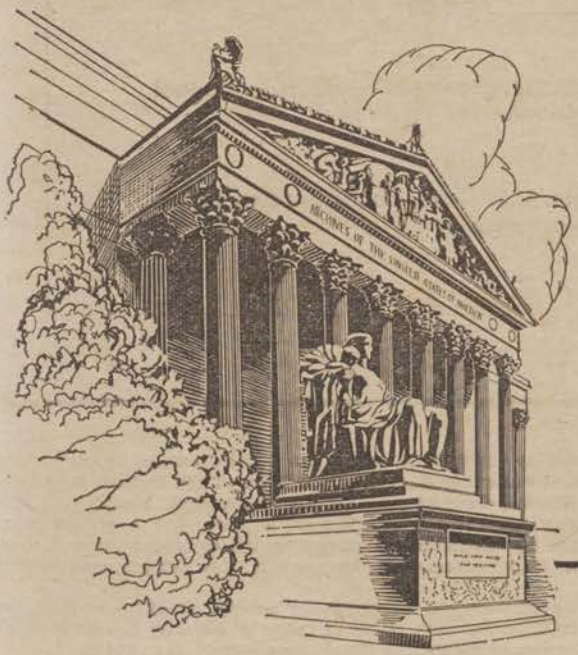

FEDERAL REGISTER

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List of CFR Parts Affected

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1970, and specifies how they are affected.

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3992

WHITE CANE SAFETY DAY, 1970

By the President of the United States of America

A Proclamation

Tragedy is not always the end of something; it can, with courage and faith, be a beginning. Such is the case in the tragedy of blindness. Blind people have their symbol of courage in the white cane.

The white cane is more than an instrument of self-help—it is a familiar reminder to those who can see that any tragedy can be transcended by faith and self-confidence.

It is, therefore, not only the blind who benefit from the white cane, but all men, for it is a symbol of courage and determination that is universal and that speaks to the heart of all mankind.

To make our citizens more fully aware of the significance of the white cane, and of the need for motorists to exercise caution and courtesy when approaching its bearer, the Congress, by a joint resolution, approved October 6, 1964 (78 Stat. 1003), has authorized the President to issue annually a proclamation designating October 15 as White Cane Safety Day.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim October 15, 1970, as White Cane Safety Day.

I urge all Americans to observe this day by increasing their understanding of the problems of the blind, learning more about the accomplishments of the blind, and seeking ways in which the blind may add even more than they already have to their own personal fulfillment and to the progress of our nation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of June, in the year of our Lord nineteen hundred seventy, and of the Independence of the United States of America the one hundred ninety-fourth.

Richard Nixon

[F.R. Doc. 70-8497; Filed, June 30, 1970; 3:07 p.m.]

Proclamation 3993

QUANTITATIVE LIMITATIONS ON THE IMPORTATION OF CERTAIN MEATS INTO THE UNITED STATES

By the President of the United States of America

A Proclamation

WHEREAS section 2(a) of the Act of August 22, 1964 (78 Stat. 594, 19 U.S.C. 1202 note) (hereafter referred to as "the Act"), declares that it is the policy of the Congress that the aggregate quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs)) of the Tariff Schedules of the United States (hereafter referred to as "meat") which may be imported into the United States in any calendar year beginning after December 31, 1964, shall not exceed a quantity as prescribed in that section (hereafter referred to as "adjusted base quantity"); and

WHEREAS section 2(b) of the Act provides that the Secretary of Agriculture for each calendar year after 1964 shall estimate and publish—

(1) before the beginning of each calendar year the adjusted base quantity for such calendar year; and

(2) before the first day of each calendar quarter the aggregate quantity of meat which in the absence of the limitations under the Act would be imported during such calendar year (hereafter referred to as "potential aggregate imports"); and

WHEREAS the Secretary of Agriculture, in compliance with the requirements of sections 2(a) and (b) of the Act, estimated the adjusted base quantity of meat for the calendar year 1970 to be 998.8 million pounds and before the first day of the third calendar quarter of 1970 estimated the potential aggregate imports of meat for 1970 to be 1,140.0 million pounds; and

WHEREAS the potential aggregate imports of meat for the calendar year 1970, estimated before the third calendar quarter of 1970 by the Secretary of Agriculture, exceeds 110 percent of the adjusted base quantity of meat for the calendar year 1970 estimated by the Secretary of Agriculture; and

WHEREAS no limitation under the Act is in effect with respect to the calendar year 1970; and

WHEREAS section 2(c)(1) of the Act requires the President in such circumstances to limit by proclamation the total quantity of meat which may be entered, or withdrawn from warehouse, for consumption, during the calendar year, to the adjusted base quantity estimated for such calendar year by the Secretary of Agriculture pursuant to section 2(b)(1) of the Act; and

WHEREAS section 2(d) of the Act provides that the President may suspend the total quantity proclaimed pursuant to section 2(c) of the Act if he determines and proclaims that such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the Nation of the economic well-being of the domestic livestock industry; and

WHEREAS section 2(d) of the Act further provides that such suspension shall be for such period as the President determines and proclaims to be necessary to carry out the purposes of section 2(d);

NOW, THEREFORE, I, RICHARD NIXON, President of the United States, acting under and by virtue of the authority vested in me as President and pursuant to section 2 of the Act, do hereby proclaim as follows:

(1) In conformity with and as required by section 2(c)(1) of the Act, the total quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs)) of part 2B, schedule 1 of the Tariff Schedules of the United States which may be entered, or withdrawn from warehouse, for consumption during the calendar year 1970, is limited to 998.8 million pounds.

(2) It is hereby determined pursuant to section 2(d) of the Act that the suspension of the limitation proclaimed in paragraph (1) is required by overriding economic interests of the United States, giving special weight to the importance to the Nation of the economic well-being of the domestic livestock industry.

(3) The limitation proclaimed in paragraph (1) is suspended during the balance of the calendar year 1970 unless because of changed circumstances it becomes necessary to take further action under the Act. It is hereby determined necessary that such suspension shall be for such period in order to carry out the purposes of section 2(d) of the Act.

Effective date: June 30, 1970

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

Richard Nixon

[F.R. Doc. 70-8540; Filed, July 1, 1970; 11:23 a.m.]

Executive Order 11539

DELEGATIONS OF AUTHORITY TO NEGOTIATE AGREEMENTS AND ISSUE REGULATIONS LIMITING IMPORTS OF CERTAIN MEATS

By virtue of the authority vested in me by section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The Secretary of State, with the concurrence of the Secretary of Agriculture and the Special Representative for Trade Negotiations, is authorized to negotiate bilateral agreements with representatives of governments of foreign countries limiting the export from the respective countries and the importation into the United States of fresh, chilled, or frozen cattle meat (item 106.10 of the Tariff Schedules of the United States) and fresh, chilled, or frozen meat of goats and sheep, except lambs (item 106.20 of the Tariff Schedules of the United States) which are the products of such countries.

SEC. 2. The Secretary of Agriculture, with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations, is authorized to issue regulations governing the entry or withdrawal from warehouse for consumption in the United States of any such meats to carry out any such agreement.

SEC. 3. The Commissioner of Customs shall take such actions and supply such information to the Secretary of Agriculture with respect to entry or withdrawal from warehouse for consumption in the United States of such meats as the Secretary of Agriculture, with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations, may request to carry out any such agreements or regulations.

SEC. 4. Heads of departments and heads of agencies are hereby authorized to redelegate within their respective departments or agencies the functions herein assigned to them, except that the function of negotiating agreements delegated to the Secretary of State by section 1 and the function of issuing regulations delegated to the Secretary of Agriculture by section 2 of this order may be redelegated only to officials required to be appointed by and with the advice and consent of the Senate, as provided by 3 U.S.C. 301.

Richard Nixon

THE WHITE HOUSE,
June 30, 1970.

[F.R. Doc. 70-8539; Filed, July 1, 1970; 11:23 a.m.]

Executive Order 11540

AMENDING EXECUTIVE ORDER NO. 11248, PLACING CERTAIN POSITIONS IN LEVELS IV AND V OF THE FEDERAL EXECUTIVE SALARY SCHEDULE

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, Executive Order No. 11248 [1] of October 10, 1965, as amended, is further amended as follows:

1. Section 1 of that Order, placing certain positions in level IV of the Federal Executive Salary Schedule, is amended—

(a) by substituting for the words "Assistant Director for Executive Management, Bureau of the Budget, Executive Office of the President", in item (5) thereof, the words "Assistant Director, Office of Management and Budget, Executive Office of the President"; and

(b) by adding thereto the following:

(11) Associate Director, Office of Management and Budget, Executive Office of the President.

2. Section 2 of that Order, placing certain positions in level V of the Federal Executive Salary Schedule, is amended—

(a) by deleting "(22) General Counsel, Office of the Special Representative for Trade Negotiations"; and

(b) by renumbering items (23) and (24) as (22) and (23), respectively.

This order shall be effective July 1, 1970.

Richard Nixon

THE WHITE HOUSE,
July 1, 1970.

[F.R. Doc. 70-8543; Filed, July 1, 1970; 1:06 p.m.]

[1] 30 F.R. 12999; 3 CFR, 1964–1965 Comp., p. 349.

Executive Order 11541

PRESCRIBING THE DUTIES OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE DOMESTIC COUNCIL IN THE EXECUTIVE OFFICE OF THE PRESIDENT

By virtue of the authority vested in me by the Constitution and statutes of the United States, including section 301 of title 3 of the United States Code, and pursuant to Reorganization Plan No. 2 of 1970 (hereinafter referred to as "the Plan"), it is ordered as follows:

SECTION 1. (a) All functions transferred to the President of the United States by Part I of the Plan (including the function vested by section 102(f) of designating the officials of the Office of Management and Budget who shall act as Director during the absence or disability of the Deputy Director or in the event of a vacancy in the office of Deputy Director) are hereby delegated to the Director of the Office of Management and Budget in the Executive Office of the President. Such functions shall be carried out by the Director under the direction of the President and pursuant to such further instructions as the President from time to time may issue.

(b) All outstanding delegations, rules, regulations, orders, circulars, bulletins, or other forms of Executive or administrative action issued or taken by or relating to the Bureau of the Budget or the Director of the Bureau of the Budget prior to the effective date of this order shall, until amended or revoked, remain in full force and effect as if issued or taken by or relating to the Office of Management and Budget or the Director of the Office of Management and Budget.

SEC. 2. (a) Under the direction of the President and subject to such further instructions as the President from time to time may issue, the Domestic Council in the Executive Office of the President shall (1) receive and develop information necessary for assessing national domestic needs and defining national domestic goals, and develop for the President alternative proposals for reaching those goals; (2) collaborate with the Office of Management and Budget and others in the determination of national domestic priorities for the allocation of available resources; (3) collaborate with the Office of Management and Budget and others to assure a continuing review of ongoing programs from the standpoint of their relative contributions to national goals as compared with their use of available resources; and (4) provide policy advice to the President on domestic issues.

(b) The organizations listed herein are terminated, and the functions heretofore assigned to them shall be performed by the Domestic Council:

Council for Urban Affairs (Executive Order No. 11452 of January 23, 1969)

Cabinet Committee on the Environment (Executive Order No. 11472 of May 29, 1969, as amended by Executive Order No. 11514 of March 5, 1970)

Council for Rural Affairs (Executive Order No. 11493 of November 13, 1969)

SEC. 3. This order shall be effective July 1, 1970.

Richard Nixon

THE WHITE HOUSE,
July 1, 1970.

[F.R. Doc. 70-8544; Filed, July 1, 1970; 1:06 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

PART 28—COTTON CLASSING, TESTING, AND STANDARDS

Subpart D—Cotton Classification and Market News Services for Organized Groups of Producers

ISSUANCE OF CLASSIFICATION MEMORANDUMS

Statement of considerations. The revision of § 28.910 of the Regulations for Cotton Classification and Market News Services for Organized Groups of Producers (7 CFR Part 28, Subpart D) hereinafter set forth provides that the owners of cotton for which classification memorandums have been issued under the subpart may request that a new memorandum be issued without the reclassification of the cotton. Classification memorandums issued under this subpart normally represent the classification of one bale of cotton. In assembling bales of cotton for sale or shipment, it is frequently desirable to have the bales from one gin or one warehouse represented by a single classification memorandum. This amendment provides that single-bale memorandums may be combined into a multiple-bale memorandum for the business convenience of owners of cotton. The revision also sets forth the fees prescribed for the issuance of the new memorandum.

Accordingly, pursuant to the statutory authorities cited below, § 28.910 is revised to read as follows:

§ 28.910 Classification of samples and issuance of memorandums.

(a) The samples submitted as provided in this subpart shall be classified by employees of the Division and a classification memorandum showing the grade, staple length, and micronaire reading of each sample according to the official cotton standards of the United States will be mailed or made available to the producer whose name appears on the tag accompanying the sample, or to a representative designated by the producer or the organized group to receive the classification memorandum.

(b) Upon the request of an owner of cotton for which classification memorandums have been issued under this subpart a new memorandum shall be issued for the business convenience of such owner without the reclassification of the cotton. Such rewritten memorandum shall bear the date of its issuance and the date or inclusive dates of the original classification. The fee for a new memorandum shall be 75 cents when the number of bales covered is 10 or less, or $1 per sheet when the number of bales covered by the rewritten memorandum is more than 10.

(Sec. 10, 42 Stat. 1519, sec. 3c, 50 Stat. 62; 7 U.S.C. 61, 473c)

This amendment reflects the availability of this service to the industry and will impose no hardship or advance preparation on the part of the industry. Accordingly under the provisions of 5 U.S.C. 553, it is found that notice and other public procedures with respect to this amendment are impracticable, unnecessary, and contrary to the public interest and good cause is found for making the amendment effective less than 30 days after its publication in the FEDERAL REGISTER.

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

Dated: June 26, 1970.

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

[F.R. Doc. 70-8424; Filed, July 1, 1970; 8:48 a.m.]

Chapter II—Food and Nutrition Service, Department of Agriculture

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

Appendix—Second Apportionment of the Nonfood Assistance Program Funds Pursuant to Child Nutrition Act of 1966, Fiscal Year 1970

Pursuant to section 5 of the Child Nutrition Act of 1966, Public Law 89-642, 80 Stat. 886, nonfood assistance funds available for the fiscal year ending June 30, 1970, are reapportioned among the States as follows:

State	Total apportionment	State agency	Withheld for private schools
Alabama	$332,929	$326,095	$6,834
Alaska	11,300	11,300	----------
Arizona	91,349	91,349	----------
Arkansas	187,629	183,654	3,975
California	388,296	388,296	----------
Colorado	106,241	100,978	5,263
Connecticut	87,717	87,717	----------
Delaware	26,552	26,552	----------
District of Columbia	15,506	15,506	----------
Florida	403,027	403,027	----------
Georgia	466,799	466,799	----------
Guam	9,691	9,691	----------
Hawaii	28,705	25,000	3,705
Idaho	45,930	44,756	1,174
Illinois	296,589	296,589	----------
Indiana	243,987	243,987	----------
Iowa	183,421	164,620	18,801
Kansas	120,215	120,215	----------
Kentucky	289,265	289,265	----------
Louisiana	419,440	419,440	----------
Maine	52,867	52,067	800
Maryland	131,394	128,479	2,915
Massachusetts	244,543	244,543	----------
Michigan	247,187	237,708	9,479
Minnesota	227,686	215,508	12,178
Mississippi	273,532	273,532	----------
Missouri	200,750	200,750	----------
Montana	30,165	28,542	1,623
Nebraska	74,633	68,951	5,682
Nevada	8,866	8,866	----------
New Hampshire	33,182	33,182	----------
New Jersey	135,324	127,242	8,082
New Mexico	77,458	77,458	----------
New York	646,556	646,556	----------
North Carolina	478,958	478,958	----------
North Dakota	49,702	44,603	5,099
Ohio	376,110	365,980	10,130
Oklahoma	137,041	137,041	----------
Oregon	91,592	91,592	----------
Pennsylvania	403,427	361,204	42,223
Puerto Rico	264,807	264,807	----------
Rhode Island	18,587	18,587	----------
South Carolina	299,195	299,195	----------
South Dakota	40,896	40,896	----------
Tennessee	309,341	304,973	4,368
Texas	527,376	511,827	15,549
Utah	92,381	92,381	----------
Vermont	20,604	20,604	----------
Virginia	295,125	291,506	3,619
Virgin Islands	10,434	10,434	----------
Washington	125,564	123,174	2,390
West Virginia	120,227	119,732	495
Wisconsin	177,065	155,150	21,915
Wyoming	16,977	16,977	----------
Samoa, American	5,860	5,860	----------
Total	10,000,000	9,813,701	186,299

(Secs. 2, 5, 6, and 8 through 16, 80 Stat. 885-890; 42 U.S.C. 1771, 1774, 1775, 1777-1785)

Dated: June 29, 1970.

HOWARD P. DAVIS,
Acting Administrator.

[F.R. Doc. 70-8469; Filed, July 1, 1970; 8:52 a.m.]

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

[Valencia Orange Reg. 320]

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

Limitation of Handling

§ 908.620 Valencia Orange Regulation 320.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of

such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges 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 Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on June 30, 1970.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 3, 1970, through July 9, 1970, are hereby fixed as follows:

(i) District 1: 180,000 cartons;

(ii) District 2: 220,000 cartons;

(iii) District 3: 58,204 cartons.

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

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

Dated: June 30, 1970.

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

[F.R. Doc. 70–8536; Filed, July 1, 1970; 11:18 a.m.]

[Lime Reg. 3, Amdt. 15]

PART 944—FRUIT; IMPORT REGULATIONS

Limes

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–675), the provisions of paragraph (a)(2) of § 944.202 (Lime Regulation 3; 34 F.R. 6516, 7959, 11965, 12165, 14880, 17327) are hereby amended to read as follows:

§ 944.202 Lime Regulation 3.

(a) * * *

(2) Such limes of the group known as large-fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grade at least 85 percent U.S. No. 1 quality, except as to color: *Provided,* That an aggregate area of three-fourths of the surface of each fruit shall meet the minimum color requirement for "mixed color": *And provided further,* That stem length shall not be considered a factor of grade, and tolerances for fruit affected by decay and for fruit failing to meet color requirements set forth in the U.S. Standards for Persian (Tahiti) Limes, shall apply;

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions as are being made applicable to domestic shipments of limes under amended Lime Regulation 28 (§ 911.330), which become effective July 6, 1970; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; (d) notice hereof in excess of 3 days, the minimum that is prescribed by section 8e, is given with respect to such regulation; and (e) such notice is hereby determined under the circumstances, to be reasonable.

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

Dated June 29, 1970, to become effective July 6, 1970.

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

[F.R. Doc. 70–8517; Filed, July 1, 1970; 8:52 a.m.]

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA, AND IN ALL COUNTIES IN OREGON, EXCEPT MALHEUR COUNTY

Order Amending Order, as Amended

It is hereby ordered, That, on and after the effective date hereinafter specified, all handling of Irish potatoes grown in the Oregon-California production area, comprised of Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County, shall be in conformity to and in compliance with, the "Order Amending the Order, as Amended, Regulating the Handling of Irish Potatoes Grown in Modoc and Siskiyou Counties in California and in All Counties in Oregon Except Malheur County" which was annexed to and made a part of the decision of the Secretary of Agriculture dated May 22, 1970 (F.R. Doc. 70–6533; 35 F.R. 8286).

§ 947.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order, and all of the said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674) and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Hermiston, Oreg., on January 14, 1970, upon a proposed amendment of Marketing Agreement 114 and Order No. 947 (7 CFR Part 947) regulating the handling of Irish potatoes grown in the Counties of Modoc and Siskiyou in California and in all Counties in Oregon except Malheur County. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act with respect to potatoes produced in the production area (i) by establishing and maintaining such orderly marketing conditions therefor as will tend to establish, as prices to the producers thereof, parity prices, and by protecting the interest of the consumer (*a*) by approaching the level of prices which it is declared in the act to be the policy of Congress to establish by gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and (*b*) by

authorizing no action which has for its purpose the maintenance of prices to producers of such potatoes above the parity level, and (ii) by authorizing the establishment and maintenance of such minimum standards of quality and maturity, and such grading and inspection requirements as may be incidental thereto, as will tend to effectuate such orderly marketing of such potatoes as will be in the public interest.

(2) The said order, as amended, and as hereby further amended, regulates the handling of potatoes grown in the production area in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held;

(3) The said order, as amended, and as hereby further amended, is limited in application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act; and the issuance of the several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to the difference in the production and marketing of potatoes grown in the production area; and

(5) All handling of potatoes grown in the production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found that good cause exists for not postponing the effective date of this amendment beyond the date hereinafter specified and for making it effective on such date (5 U.S.C. 553) in that (1) shipments of production area potatoes are expected to begin on or about July 4, 1970, and the amendment should be made effective as far as possible in advance of such date so that adequate time is afforded for the nomination and selection of new members and alternate members to serve on the Oregon-California Potato Committee and, in addition, so that producers may avail themselves of any benefits that may be derivable from the amendment during the greatest possible portion of the current marketing season; (2) the provisions of the amendment are well known to handlers and other interested persons by reason of the public hearing, the recommended decision, and the final decision thereon; (3) the producer referendum was held during the period June 1-8, 1970, when copies of the amendment were mailed to all known producers; (4) the changes effected by this amendment will not require advance preparation by handlers which cannot be completed prior to the effective date hereof; and (5) no useful purpose will be served by postponing the effective date beyond that hereinafter set forth.

(c) *Determinations.* It is hereby determined that:

(1) Handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping potatoes covered by the said order as hereby amended) who during the period June 1, 1969, through May 31, 1970, handled not less than 50 percent of the volume of potatoes covered by the said order, as hereby amended, have signed the marketing agreement as amended regulating the handling of Irish potatoes grown in Modoc and Siskiyou Counties in California and in all counties in Oregon except Malheur County, and

(2) The issuance of this order, amending the said order, is approved or favored by at least two-thirds of the producers who participated in a referendum held during the period June 1-8, 1970, and who, during the determined representative period (June 1, 1969, through May 31, 1970) were engaged within the production area, as defined in this order, amending the said order, in the production of Irish potatoes for market, such producers having also produced for market at least two-thirds of the volume of such potatoes represented in such referendum.

It is therefore ordered, That, on and after the effective date hereof, all handling of potatoes grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby amended as follows:

(1) Section 947.6 is amended to read as follows:

§ 947.6 Handler.

"Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes or causes potatoes to be shipped.

(2) Section 947.7 is amended to read as follows:

§ 947.7 Handle.

"Handle" is synonymous with "ship" and means to sell, transport, or in any other way to place potatoes, or cause potatoes to be placed in the current of the commerce within the production area or between the production area and any point outside thereof, or from any point in the adjoining States of Idaho and Washington and Malheur County, Oreg., to any other point: *Provided*, That the definition of "handle" shall not include the transportation of ungraded potatoes within the district where they were grown for the purpose of having such potatoes prepared for market, or stored, except that the committee may impose safeguards, pursuant to § 947.55 with respect to such potatoes.

(3) Section 947.8 is amended to read as follows:

§ 947.8 Producer.

"Producer" is synonymous with "grower" and means any person engaged in a proprietary capacity in the production of potatoes for market.

§ 947.13 [Deleted]

(4) Section 947.13 is deleted.

(5) Section 947.15 is amended to read as follows:

§ 947.15 Grade and size.

"Grade" means any one of the officially established grades of potatoes, and "size" means any one of the officially established sizes of potatoes, as defined and set forth in:

(a) The U.S. Standards for Potatoes issued by the U.S. Department of Agriculture (§§ 51.1540 to 51.1556 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(b) U.S. Consumer Standards for Potatoes as issued by the U.S. Department of Agriculture (§§ 51.1575 to 51.1587 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(c) U.S. Standards for Grades of Potatoes for Processing as issued by the U.S. Department of Agriculture (§§ 51.3410 to 51.3424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(d) U.S. Standards for Grades of Peeled Potatoes (§§ 52.2421 to 52.2433 of this title), or amendments thereto, or modifications thereof, or variations based thereon; and

(e) Standards for potatoes issued by the State of Oregon or California, or amendments thereto, or modifications thereof, or variations based thereon.

(6) Paragraph (a) of § 947.25 is amended to read as follows:

§ 947.25 Establishment and membership.

(a) The Oregon-California Potato Committee consisting of 14 members, of whom nine shall be producers and five shall be handlers, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

* * * * *

(7) Paragraph (a) of § 947.26 is amended to read as follows:

§ 947.26 Procedure.

(a) Nine members of the committee shall be necessary to constitute a quorum and nine concurring votes shall be required to pass any motion or approve any committee action.

* * * * *

(8) Paragraph (b) of § 947.27 is amended to read as follows:

§ 947.27 Selection.

* * * * *

(b) The Secretary shall select three producer members of the committee, with their respective alternates, from District No. 1; two producer members, with their respective alternates, from each of Districts No. 2 and No. 4; and one producer member, with his respective alternate, from each of Districts No. 3 and No. 5. The Secretary shall also select one handler member of the committee, with his respective alternate, from each of Districts Nos. 1, 2, 3, 4, and 5.

* * * * *

(9) Paragraph (a) of § 947.28 is amended and a new paragraph (c) is added to read as follows:

§ 947.28 Term of office.

(a) Except as otherwise provided in this section, the term of office of committee members and alternates shall be 2 years beginning June 1 and ending May 31. The terms of office of members and alternates shall be so determined that approximately one-half of the total producer committee membership and approximately one-half of the total handler committee membership shall terminate each May 31.

* * * * *

(c) The initial producer member and his alternate for District No. 5 shall be selected for a period of 2 years beginning with the committee selected for the term of office beginning June 1, 1970, through May 31, 1972. The initial handler member and his alternate for District No. 5 shall be selected for a 1-year term of office beginning June 1, 1970, through May 31, 1971, and thereafter each term of office shall be for 2 years.

(10) Section 947.31 is amended to read as follows:

§ 947.31 Expenses and compensation.

Committee members and their respective alternates when acting on committee business shall be reimbursed for reasonable expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this subpart. In addition, they may receive reasonable compensation at a rate recommended by the committee and approved by the Secretary.

(11) Paragraph (a) of § 947.32 is amended to read as follows:

§ 947.32 Districts.

(a) The following districts of the production area are hereby established as follows:

District No. 1. The counties of Crook, Deschutes, and Jefferson in the State of Oregon;

District No. 2. The counties of Klamath, Lake, Jackson, and Josephine in the State of Oregon;

District No. 3. The counties of Curry, Coos, Douglas, Lane, Lincoln, Benton, Linn, Polk, Marion, Yamhill, Tillamook, Washington, Clatsop, Columbia, Multnomah, Clackamas, and Hood River in the State of Oregon;

District No. 4. The counties of Modoc and Siskiyou in the State of California;

District No. 5. The counties of Wasco, Sherman, Gilliam, Morrow, Umatilla, Wallowa, Union, Baker, Grant, Wheeler, and Harney in the State of Oregon.

* * * * *

(12) Section 947.33 is amended to read as follows:

§ 947.33 Nominations.

The Secretary may select the members of the Oregon-California Potato Committee and their respective alternates from nominations which may be made in the following manner:

(a) A meeting or meetings of producers and handlers shall be held by the committee in each district for which nominees are to be selected, not later than April 1 of each year, to designate nominees for members and alternates to the committee;

(b) At least one nominee shall be designated for each position as member and for each position as alternate member on the committee which is vacant, or which is to become vacant the following June 1;

(c) The names of nominees shall be supplied to the Secretary in such manner and form as he may prescribe, not later than May 1 of each year, or by such other date as may be specified by the Secretary;

(d) Only producers may participate in designating producer nominees and only handlers may participate in designating handler nominees. Any person who operates in more than one district or is engaged in producing and handling potatoes, shall elect the classification (i.e., producer or handler), and the district within which he desires to participate in designating nominees;

(e) Regardless of the number of districts in which a person produces or handles potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives in designating nominees for committee members and alternates. An eligible voter's privilege of casting only one vote as aforesaid shall be construed to permit a voter to cast one vote for each position to be filled in the district in which he elects to vote; and

(f) If nominations are not made within the time and in the manner specified in this section, the Secretary may, without regard to nominations, select the committee members and alternates on the basis of the representation provided for in this subpart.

(13) Section 947.35 is added to read as follows:

§ 947.35 Annual report.

The committee shall prepare and submit to the Secretary, within 2 months following the last day of each fiscal period, an annual report covering such fiscal period, and make a copy available to each handler and producer who requests it. This annual report shall contain at least:

(a) A complete review of the regulatory operations during the fiscal period;

(b) An appraisal of the effect of such regulatory operations upon the potato industry within the production area; and

(c) Any recommendations for changes.

(14) Sections 947.40, and 947.41, are amended to read as follows:

§ 947.40 Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by it during each fiscal period for such purposes as the Secretary may, pursuant to the provisions of this subpart, determine to be appropriate and for the maintenance and functioning of the committee. The committee shall submit to the Secretary a budget for each fiscal period, including an explanation of the items appearing therein, and a recommendation as to the rate of assessment for such fiscal period.

§ 947.41 Assessments.

(a) Each handler shall pay to the committee upon demand his pro rata share of the expenses authorized by the Secretary for each fiscal period. Each handler's pro rata share shall be the rate of assessment per hundredweight fixed by the Secretary times the quantity of potatoes which he handles as the first handler thereof. At any time during or after a fiscal period, the Secretary may increase the rate of assessment as necessary to cover authorized expenses. The payment of expenses for the maintenance and functioning of the committee may be required during periods when no regulations are in effect. If a handler does not pay his assessment within the time prescribed by the committee, the assessment may be increased by a late payment charge or an interest charge, at rates prescribed by the committee with the approval of the Secretary.

(b) Excess funds: At the end of a fiscal period, funds in excess of the year's expenses shall be placed in an operating reserve not to exceed approximately one fiscal period's operational expenses or such lower limits as the committee, with the approval of the Secretary, may establish. Funds in such reserve shall be available for use by the committee for expenses authorized pursuant to § 947.40. Funds in excess of those placed in the operating reserve shall be refunded to handlers. Each handler's share of such excess shall be the amount of assessments he paid in excess of his pro rata share of the actual expenses of the committee and the addition, if any, to the operating reserve.

(c) Accounting of funds upon termination of order: Any money collected as assessments pursuant to this subpart and remaining unexpended in the possession of the committee after termination of this part shall be distributed in such manner as the Secretary may direct: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

§§ 947.42, 947.43, 947.44 [Deleted]

(15) Sections 947.42, 947.43, 947.44 are deleted.

(16) Section 947.52 is amended to read as follows:

§ 947.52 Issuance of regulations.

(a) The Secretary shall limit the shipment of potatoes as set forth in this

subpart whenever he finds from the recommendation and information submitted by the committee, or from other available information, that it would tend to effectuate the declared policy of the act:

(1) To regulate, in any or all portions of the production area, the handling of particular grades, sizes, qualities, or maturities of any or all varieties of potatoes, or any combination of the foregoing, during any period;

(2) To regulate the handling of particular grades, sizes, qualities, or maturities of any or all varieties of potatoes, or any combination of the foregoing during any period, in the States of Idaho and Washington and Malheur County in Oregon which had been shipped from the production area to specified locations therein for grading or storage pursuant to § 947.54.

(3) To regulate the handling of particular grades, sizes, qualities, or maturities of any or all varieties differently, for different portions of the production area, for different uses or outlets, for potatoes for prepeeling to different markets, for different packs, or for any combination of the foregoing, during any period; and

(4) To regulate the shipment of potatoes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity.

(b) The Secretary may amend any regulation issued under this subpart whenever he finds that such amendment would tend to effectuate the declared policy of the act. The Secretary may also terminate or suspend any regulation whenever he finds that such regulation obstructs or no longer tends to effectuate the declared policy of the act.

(c) The Secretary shall notify the committee of any such regulation issued pursuant to this section and the committee shall give reasonable notice thereof to handlers.

(17) Section 947.53 is amended to read as follows:

§ 947.53 Minimum quantities.

The committee, with the approval of the Secretary, may establish, for any or all portions of the production area, minimum quantities below which shipments will be free from regulations issued pursuant to this part.

(18) Section 947.54 is amended to read as follows:

§ 947.54 Shipments for specified purposes.

(a) Whenever the Secretary finds, upon the basis of the recommendations and information submitted by the committee, or from other available information, that it will tend to effectuate the declared policy of the act, he shall modify, suspend, or terminate any or all regulations issued pursuant to this part, in order to facilitate shipments of potatoes for the following purposes:

(1) Livestock feed;
(2) Charity;
(3) Export;
(4) Seed;
(5) Prepeeling;
(6) Canning and freezing;
(7) Processing into other products, including "other processing," pursuant to Public Law 91–196, 91st Cong., second session (Feb. 20, 1970);
(8) Such other purposes as may be specified by the committee, with the approval of the Secretary; and
(9) Grading or storing between the districts within the production area or to and within specified locations in the adjoining States of Idaho and Washington and Malheur County in the State of Oregon.

(b) The Secretary shall give prompt notice to the committee of any modification, suspension, or termination of regulations pursuant to this section, or of any approval issued by him under the provisions of this section.

(19) Section 947.55 is added to read as follows:

§ 947.55 Safeguards.

(a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent shipments pursuant to § 947.54 from entering channels of trade and other outlets for other than the specific purpose authorized therefor.

(b) Safeguards provided by this section may include, but shall not be limited to, requirements that handlers:

(1) Shall obtain the inspection required by § 947.60 or pay the assessment provided by § 947.41 or both, in connection with the potato shipments effected in accordance with § 947.54, and

(2) Shall obtain a Special Purpose Certificate from the committee for shipments of potatoes effected or to be effected under provisions of § 947.54.

(c) The committee, with the approval of the Secretary, shall prescribe rules governing the issuance and the contents of Special Purpose Certificates.

(d) The committee may rescind, or deny to any handler, the Special Purpose Certificate if proof satisfactory to the committee is obtained that potatoes shipped by him for the purpose stated in the certificate were handled contrary to the provisions of the certificate and this section.

(e) The committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of potatoes covered by such applications for such certificates, the number of such applications denied, and certificates granted, the quantity of potatoes shipped under duly issued certificates, and such other information as may be requested by the Secretary.

(20) Section 947.80 is amended to read as follows:

§ 947.80 Reports.

(a) Upon the request of the committee, with the approval of the Secretary, each handler shall furnish to authorized employees of the committee, in such manner, on such forms and at such time as the committee may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part. The Secretary shall have the right to modify, change, or rescind any requests for reports pursuant to this section.

(b) Such reports may include, but are not necessarily limited to, the following: (1) The quantities of potatoes received by a handler; (2) the quantities disposed of by him segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such potatoes; and (4) identification of the inspection certificates relating to the potatoes which are handled pursuant to § 947.52 or § 947.54, or both.

(c) All such reports shall be kept in the custody and under the control of one or more employees of the committee so that the information contained therein, which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers is authorized, subject to the prohibition of disclosure of individual handlers' identities or operations.

(d) Each handler shall maintain and make available on request for at least 2 succeeding years, following his handling of potatoes, such records and documents on potatoes received and potatoes disposed of by him as may be necessary to verify reports required to be submitted to the committee pursuant to this section.

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

Effective date. Issued at Washington, D.C., June 26, 1970, to become effective July 2, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70–8421; Filed, July 1, 1970; 8:48 a.m.]

PART 991—HOPS OF DOMESTIC PRODUCTION

Subpart—Administrative Rules and Regulations

EXEMPTION OF HOPS GROWN OR USED FOR RESEARCH PURPOSES

Notice was published in the June 16, 1970, issue of the FEDERAL REGISTER (35 F.R. 9859) of a proposal based upon the unanimous recommendation of the Hop Administrative Committee, which would authorize the Committee to exempt annually from regulation the handling (not to exceed 200 bales) of hops grown or used for research purposes. This subpart is operative pursuant to Order No. 991, as amended (7 CFR Part 991), regulating the handling of hops of domestic production, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal. None were received within the prescribed time.

After consideration of all relevant matter presented, including that in the

notice, the information and recommendations submitted by the Committee and other available information, it is hereby found that this action is necessary to facilitate the growing of new or experimental varieties of hops and amendment of the administrative rules and regulations, as hereinafter set forth, will tend to effectuate the declared policy of the act.

Therefore, Subpart—Administrative Rules and Regulations is amended as follows:

A new § 991.130 is added reading as follows:

§ 991.130 Exemption of hops grown or used for research purposes.

Pursuant to § 991.30, the Committee may exempt from regulation the handling of hops grown or used for research purposes. Subject to an annual review by the Committee of the applicable research projects, the Committee may grant such an exemption which shall not exceed 200 bales annually. Such exemption, if granted, shall be subject to the requirements of §§ 991.60–991.63, Reports and Records, and shall be given to the Crop Research Division, Agricultural Research Service, U.S. Department of Agriculture, Oregon State University, Corvallis, Oreg. 97331, with authority for such Division to apportion such exemption, to the following research stations: said Crop Research Division; Parma Branch Experiment Station, Parma, Idaho 83660; The Irrigated Agriculture Research and Extension Center, Washington State University, Bunn Road, Prosser, Wash. 99350; Department of Plant Pathology, University of California, Davis, Calif. 95616; and the Department of Botany and Plant Pathology, Oregon State University, Corvallis, Oreg. 97331.

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

Dated: June 26, 1970, to become effective August 1, 1970.

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

[F.R. Doc. 70-8425; Filed, July 1, 1970; 8:48 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 32]

PART 1032—MILK IN THE SOUTHERN ILLINOIS MARKETING AREA

Order Suspending Certain Provision

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Southern Illinois marketing area.

It is hereby found and determined that for the month of July 1970 the following provision of the order no longer tends to effectuate the declared policy of the Act:

In § 1032.14(b)(2) the provision "during the months of May and June and in any other month for not more than 8 days of production of producer milk by such producer."

This suspension action will permit diversion of producer milk to nonpool plants during the month of July 1970 on the same basis as in May and June. An amendment to the order permitting diversions during the month of July on the same basis as in May and June was considered at a public hearing held May 13, 1970, in Peoria, Ill. On the basis of that hearing record a recommended decision was issued June 17, 1970 (35 F.R. 10154), in which it was recommended that this proposed amendment be adopted. There was no opposition to the proposal at the hearing or in briefs following the hearing.

The volumes of excess milk which must be diverted are substantially the same in July as in May and June. Diversion is the most efficient manner for moving this excess milk to manufacturing plants.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that it is necessary to allow diversions during July 1970 on the same basis as now provided for the months of May and June, and there is not sufficient time available to complete amendment procedures by July 1, 1970;

(b) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded an opportunity at a public hearing held May 13, 1970, in Peoria, Ill., to present evidence with respect to a proposal to amend the order in the same manner as the change effected by this suspension. None opposed the proposed amendment.

Therefore, good cause exists for making this order effective July 1, 1970.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for July 1970.

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

Effective date: July 1, 1970.

Signed at Washington, D.C., on June 26, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-8427; Filed, July 1, 1970; 8:48 a.m.]

[Milk Order 50]

PART 1050—MILK IN THE CENTRAL ILLINOIS MARKETING AREA

Order Suspending Certain Provision

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Central Illinois marketing area.

It is hereby found and determined that for the month of July 1970 the following provision of the order no longer tends to effectuate the declared policy of the Act:

In § 1050.14(b)(2) the provision "during the months of May and June and in any other month for not more than 8 days of production of producer milk of such producer".

Statement of consideration. This suspension action will permit diversion of producer milk to nonpool plants during the month of July 1970, on the same basis as in May and June. At a hearing held in Peoria, Ill., on May 13, 1970, concerning the Central Illinois order all parties of interest, both handlers and producers, supported revising the order to permit unlimited diversions during the month of July.

The volumes of reserve milk supplies which must be moved to manufacturing plants in July are substantially the same as in May and June. The most efficient method of handling is movement directly from producers' farms to milk manufacturing plants. This suspension order would allow such handling and assure that the dairy farmers involved retain producer status.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that it is necessary to allow diversions during July 1970 on the same basis as now provided for the months of May and June; and due to other issues involved, there is not sufficient time to complete the amendment procedures by July 1, 1970;

(b) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded opportunity to file written data, views or arguments, concerning this suspension (35 F.R. 9930). None were filed in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective July 1, 1970.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of July 1970.

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

Effective date: July 1, 1970.

Signed at Washington, D.C., on June 26, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-8426; Filed, July 1, 1970; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 and Subsequent Crops Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 and Subsequent Crops Grain Sorghum Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 F.R. 7363 and 7781) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1970 and subsequent crops of grain sorghum by adding §§ 1421.210–1421.218 to read as herein stated. The material previously appearing in §§ 1421.2561–1421.2571 remains in full force and effect as to the 1966 through 1969 crops of grain sorghum.

Sec.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.210 Purpose.

This supplement contains program provisions which, together with the General Regulations Governing Price Support for the 1970 and Subsequent Crops and any amendments thereto or revisions thereof (such regulations are referred to in this subpart as "General Regulations"), and the annual crop year supplement issued with respect to the crop of grain sorghum for which price support is being requested, apply to price support loans and purchases for the 1970 and subsequent crops of grain sorghum.

§ 1421.211 Eligible grain sorghum.

(a) *General.* To be eligible for a loan or purchase, the grain sorghum must be merchantable for food or feed or for other uses, as determined by CCC, and must not contain mercurial compounds or other substances poisonous to man or animals.

(b) *Warehouse stored loan grade requirements.* To be eligible for a warehouse storage loan, the grain sorghum must also meet the following requirements:

(1) The grain sorghum must grade U.S. No. 4 or better, except for moisture, and in addition, may carry the special grade designation "Smutty".

(2) Grain sorghum which grades "Weevily" is not eligible unless the warehouse receipt issued for such grain sorghum is accompanied by a supplemental certificate which provides for the delivery by the warehouseman of grain sorghum which does not grade "Weevily" and which is otherwise of an eligible grade and quality. When the warehouse receipt shows "Weevily", the grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.214(c).

(3) Grain sorghum which contains in excess of 14 percent moisture is not eligible unless the warehouse receipt issued for such grain sorghum is accompanied by a supplemental certificate which provides for the delivery by the warehouseman of grain sorghum containing not over 14 percent moisture and which is otherwise of an eligible grade and quality. The grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.214(c).

§ 1421.212 Determination of quality.

The class, grade, grading factors, and all other quality factors shall be based on the Official Grain Standards of the United States for Grain Sorghum, whether or not such determinations are made on the basis of an official inspection.

§ 1421.213 Determination of quantity.

When the quantity is determined by weight, a hundredweight shall be 100 pounds of grain sorghum free of dockage.

(a) *In warehouse.* The quantity of grain sorghum on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable. If the grain sorghum has been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or the supplemental certificate, if applicable, shall represent the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight excluding dockage of 1.2 times the percentage difference between the moisture content of the grain sorghum, when received, and 14 percent.

(b) *On farm.* The quantity of grain sorghum eligible to be placed under a farm storage loan shall be determined in accordance with § 1421.18. The quantity acquired by CCC from farm storage under a loan or purchase shall be determined by weight.

§ 1421.214 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade and class of grain sorghum.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross and net weight, (2) class, (3) grade (including special grades), (4) test weight, (5) moisture, (6) dockage, (7) any other grading factor(s) when such factor(s) and not test weight determine the grade, (8) whether the grain sorghum arrived by rail, truck or barge and (9) the date the grain sorghum was received or deposited in the warehouse.

(c) *Where warehouse receipt shows "Weevily" or moisture over 14 percent or both.* If a warehouse receipt tendered as security for a loan indicates the grain sorghum grades "Weevily" or contains over 14 percent moisture or both, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.211(b). The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows: (1) When the warehouse receipt shows "Weevily" and the grain sorghum has been conditioned to correct the "Weevily" condition, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt; (2) when the warehouse receipt shows moisture content of over 14 percent and the grain sorghum has been dried or blended, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the grain sorghum to a moisture content of not over 14 percent which shall reflect a drying or blending shrink as specified in § 1421.213(a). The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt. In the case of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipt.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.216.

(e) *Freight certificate requirements.* Warehouse receipts representing grain sorghum which has been shipped by rail, or by barge utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission, from a country shipping point to a designated terminal point or to a storage point and stored intransit to a designated terminal point, must be accompanied by supplemental certificates. These certificates must be representative as to origin and date of movement of the grain sorghum and must reflect the rate of freight paid into

the storage point and the amount of penalty, if any, for out-of-line haul. The form of the certificates will be prescribed by the ASCS commodity office and shall be signed by the warehouseman.

§ 1421.215 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.11.

§ 1421.216 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the grain sorghum represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement (hereinafter called "UGSA") may be subject to liens for warehouse handling and storage charges at not to exceed the UGSA rates from the date the grain sorghum is deposited in the warehouse for storage. In no event shall a warehouseman be entitled to satisfy the lien by sale of the grain sorghum when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges UGSA warehouses.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of grain sorghum stored in an approved warehouse operated under the UGSA. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all the warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the beginning date to be used for computing the storage deduction on grain sorghum stored in warehouses operating under the UGSA shall be the latest of the following: (1) The date the grain sorghum was received or deposited in the warehouse, (2) the date storage charges start, or (3) the day following the date through which storage charges have been paid.

§ 1421.217 Maturity of loans.

Loans mature on demand but not later than the date specified in the annual crop year supplement to the regulations in this subpart.

§ 1421.218 Support rates.

Basic county support rates for grain sorghum and the schedule of discounts will be set forth in the annual crop year supplement to the regulations contained in this subpart. Farm-stored grain sorghum loans will be made at the applicable basic county support rate adjusted only for the Weed Control discount where applicable. The support rate for warehouse-storage loans and for grain sorghum acquired under a loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the discounts in the annual crop year supplement on the basis of quality factors on warehouse receipts or supplemental certificates in the case of grain sorghum stored in or delivered to an approved warehouse or on such other form as CCC may prescribe in the case of grain sorghum delivered to other than an approved warehouse. Settlement of loans and purchases shall be made in accordance with the provisions of § 1421.23.

(a) *Basic support rates for farm-stored grain sorghum.* The applicable basic support rate for farm-storage loans shall be the basic county support rate established for the county in which the grain sorghum is stored.

(b) *Basic support rates for warehouse-stored grain sorghum received by rail or utilizing combination barge-rail rates—*(1) *When shipped by rail and stored in-transit at interior locations.* The applicable basic support rate for warehouse-storage loans on grain sorghum which was received by rail and stored in an approved warehouse at other than a port terminal market shall be determined by adding to the basic support rate established for the county from which the grain sorghum was shipped, the amount of freight charges per hundredweight actually paid in and the UGSA truck receiving and rail loading-out charges in effect at the time the loan is made computed on a hundredweight basis to the nearest one-half cent. The freight rate paid into the storage point shall be the lowest rate which will permit the storage intransit privilege and protect the lowest single car rate applying from origin through point of storage to a terminal market designated in paragraph (c) (2) of this section that would be used in commercial channels of trade. If the grain sorghum is stored in an approved warehouse at a transit point which takes a penalty by reason of backhaul or out-of-line movement when destined to a designated terminal market that would be used in commercial channels of trade, such penalty or cost by reason of such movement shall be deducted from the support rates as determined in this paragraph.

(2) *When shipped by rail and stored at designated port terminal market locations.* The applicable basic support rate for warehouse storage loans on grain sorghum which was received by rail and stored in an approved warehouse at a port terminal market designated in paragraph (c) (2) (iii) of this section shall be determined by adding to the basic support rate established for the county from which the grain sorghum was shipped, the amount of freight charges per hundredweight actually paid in and the UGSA truck receiving and rail loading-out charges in effect at the time the loan is made computed on a hundredweight basis to the nearest one-half cent. The freight rate paid into the storage point shall be the lowest applicable freight rate to the port terminal market that would be used in commercial channels of trade.

(3) *When shipped utilizing combination barge-rail rates.* The applicable basic support rate for warehouse storage loans on grain sorghum which was shipped utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission and stored in an approved warehouse shall be determined by adding to the basic support rate established for the county from which the grain sorghum was shipped, the amount of freight charges per hundredweight actually paid in and the UGSA truck receiving and rail loading-out charges in effect at the time the loan is made computed on a hundredweight basis to the nearest one-half cent. The freight rate paid into the storage point shall be a rate which will permit the storage intransit privilege and protect the lowest single car, or barge freight rate applying from origin through point of storage to one of the interior or port terminal markets designated in paragraph (c) (2) of this section that would be used in commercial channels of trade. If the grain sorghum is stored in an approved warehouse at a transit point which takes a penalty by reason of backhaul or out-of-line movement when destined to the designated interior or port terminal market that would be used in commercial channels of trade, such penalty or cost by reason of such movement shall be deducted from the support rates as determined in this paragraph.

(c) *Basic support rates for warehouse-stored grain sorghum received by truck or non-tariff barge—*(1) *Stored at other than terminal markets.* (i) The applicable basic support rate for warehouse-storage loans on grain sorghum which was received by truck, or by barge not utilizing combination barge-rail freight-rates, and stored in an approved warehouse located outside the switching limits of terminal markets designated in subparagraph 2 of this paragraph shall be the basic county support rate established for the county in which the grain sorghum is stored.

(ii) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities which have the same freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

(2) *Stored within the switching limits of designated terminal markets.* (i) The applicable basic county support rate for warehouse-storage loans on grain sorghum which was received by truck, or by barge not utilizing combination barge-rail freight-rates, and stored in an approved warehouse located within the switching limits of a terminal market designated in subdivision (ii) or (iii) of this subparagraph shall be determined by adding 7 cents per hundredweight to the basic county support rate established for the county (or city) in which the terminal market is located.

(ii) Designated interior terminal markets are as follows:

Interior terminal market	*County in which located*
Atchison, Kans	Atchison.
Cairo, Ill	Alexander.
Council Bluffs, Iowa	Pottawattamie.
East St. Louis, Ill	St. Clair.
Kansas City, Kans	Wyandotte.
Kansas City, Mo	Jackson.
Memphis, Tenn	Shelby.
Omaha, Nebr	Douglas.
St. Joseph, Mo	Buchanan.
St. Louis, Mo	St. Louis.
Sioux City, Iowa	Woodbury.

(iii) Designated port terminal markets are as follows:

Port terminal markets	*County or city in which located*
Ama, La	Saint Charles.
Baton Rouge, La	East Baton Rouge.
Beaumont, Tex	Jefferson.
Brownsville, Tex	Cameron.
Corpus Christi, Tex	Nueces.
Destrahan, La	Saint Charles.
Galveston, Tex	Galveston.
Houston, Tex	Harris.
Long Beach, Calif	Los Angeles.
Los Angeles, Calif	Los Angeles.
New Orleans, La	Orleans.
Oakland, Calif	Alameda.
Port Allen, La	West Baton Rouge.
Port Arthur, Tex	Jefferson.
Sacramento, Calif	Sacramento.
San Diego, Calif	San Diego.
San Francisco, Calif	San Franciso City.
Stockton, Calif	San Joaquin.
Westwego, La	Jefferson.
Wilmington, Calif	Los Angeles.

(d) *Storing warehouseman's responsibilities.* The storing warehouseman in the case of grain sorghum received by rail or utilizing combination barge-rail freight rates which are published and on file with the Interstate Commerce Commission shall be responsible for determining the in-line routes via the storing warehouse that will protect the lowest freight rate to the designated interior or port terminal market designated in paragraph (c)(2)(ii) or (iii) of this section, whichever the case may be, that would be used in commercial channels of trade, and for protecting such routes. The storing warehouseman shall also execute supplemental certificates showing (1) the rate of freight paid into the storage point, (2) amount of penalty, if any, for backhaul or out-of-line movement, (3) the applicable interior or port terminal market that would be used in commercial channels of trade and (4) any other information which may be prescribed by CCC. The warehouseman is responsible to CCC for the accuracy or omission of information on the supplemental certificate. His liability, if any, for his failure to comply with the provisions of this paragraph (d) will be determined in accordance with the provisions of the UGSA after acquisition of the warehouse receipt by CCC.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 26, 1970.

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

[F.R. Doc. 70-8417; Filed, July 1, 1970; 8:48 a.m.]

[CCC Grain Price Support Regs., 1970 Crop Grain Sorghum Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Grain Sorghum Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops, published at 35 F.R. 7363 and 7781, and any amendments thereto, and the 1970 and Subsequent Crops Grain Sorghum Loan and Purchase Program regulations, published at 35 F.R. 10745, and any amendments to such regulations, are further supplemented for the 1970 crop of grain sorghum by adding §§ 1421.235–1421.239 to read as herein stated.

Sec.
1421.235 Availability.
1421.236 Compliance requirements.
1421.237 Warehouse charges.
1421.238 Maturity of loans.
1421.239 Support rates and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

§ 1421.235 Availability.

(a) *Loans.* A producer desiring a price support loan must request a loan on his eligible grain sorghum (1) on or before March 31, 1971, on grain sorghum stored in the following counties in Texas and all counties in Texas south thereof: Austin, Bexar, Caldwell, Colorado, Comal, Galveston, Gonzales, Harris, Hays, Kinney, Lavaca, Medina, Uvalde, Val Verde, and Waller; (2) on or before May 31, 1971, on grain sorghum stored in Oklahoma and in counties in Texas north of those named in subparagragh (1) of this paragraph; and (3) on or before June 30, 1971, on grain sorghum stored in States other than Texas and Oklahoma.

(b) *Purchases.* To obtain price support through sales, a producer must execute and deliver to the appropriate county ASCS office a Purchase Agreement (Form CCC–614), indicating the approximate quantity of 1970 crop grain sorghum he will sell to CCC, on or before the applicable maturity date specified in § 1421.238.

§ 1421.236 Compliance requirements.

To be eligible for a loan or purchase, a producer must qualify for a price support payment under the 1966–70 Feed Grain Program Regulations (31 F.R. 8339), and any amendments thereto, on grain sorghum of the 1970 crop produced on the farm on which the grain sorghum tendered for loan or purchase was produced except that such qualification is not necessary with respect to grain sorghum produced in any area of the United States in which the feed grain program is not in effect.

§ 1421.237 Warehouse charges.

Subject to the provisions of § 1421.216, the schedules of deductions set forth in this section shall apply to grain sorghum stored in an approved warehouse operating under the Uniform Grain Storage Agreement.

(a) *Schedule of deductions for storage charges for maturity date of April 30, 1971.*

Date: [1]	*Deduction (cents per hundredweight)*
Prior to June 7, 1970	21
June 7–June 22, 1970	20
June 23–July 8, 1970	19
July 9–July 24, 1970	18
July 25–Aug. 9, 1970	17
Aug. 10–Aug. 25, 1970	16
Aug. 26–Sept. 10, 1970	15
Sept. 11–Sept. 26, 1970	14
Sept. 27–Oct. 12, 1970	13
Oct. 13–Oct. 28, 1970	12
Oct. 29–Nov. 13, 1970	11
Nov. 14–Nov. 29, 1970	10
Nov. 30–Dec. 15, 1970	9
Dec. 16–Dec. 31, 1970	8
Jan. 1–Jan. 16, 1971	7
Jan. 17–Feb. 1, 1971	6
Feb. 2–Feb. 17, 1971	5
Feb. 18–Mar. 5, 1971	4
Mar. 6–Mar. 21, 1971	3
Mar. 22–Apr. 6, 1971	2
Apr. 7–Apr. 30, 1971	1

[1] Dates storage charges start, all dates inclusive.

(b) *Schedule of deductions for storage charges for maturity dates of June 30, 1971 and July 31, 1971.*

Maturity date of June 30, 1971	Deduction (cents per hundredweight)	Maturity date of July 31, 1971
(1)		(1).
	27	Prior to June 3, 1970.
	26	June 3-June 18, 1970.
Prior to June 4, 1970	25	June 19-July 4, 1970.
June 4-June 19, 1970	24	July 5-July 20, 1970.
June 20-July 5, 1970	23	July 21-Aug. 5, 1970.
July 6-July 21, 1970	22	Aug. 6-Aug. 21, 1970.
July 22-Aug. 6, 1970	21	Aug. 22-Sept. 6, 1970.
Aug. 7-Aug. 22, 1970	20	Sept. 7-Sept. 22, 1970.
Aug. 23-Sept. 7, 1970	19	Sept. 23-Oct. 8, 1970.
Sept. 8-Sept. 23, 1970	18	Oct. 9-Oct. 24, 1970.
Sept. 24-Oct. 9, 1970	17	Oct. 25-Nov. 9, 1970.
Oct. 10-Oct. 25, 1970	16	Nov. 10-Nov.25,1970.
Oct. 26-Nov. 10, 1970	15	Nov. 26-Dec. 11,1970.
Nov. 11-Nov. 26, 1970	14	Dec. 12-Dec. 27, 1970.
Nov. 27-Dec. 12, 1970	13	Dec. 28, 1970-Jan. 12, 1971.
Dec. 13-Dec. 28, 1970	12	Jan. 13-Jan. 28, 1971.
Dec. 29, 1970-Jan. 13, 1971.	11	Jan. 29-Feb. 13, 1971.
Jan. 14-Jan. 29, 1971	10	Feb. 14-Mar. 1, 1971.
Jan. 30-Feb. 14, 1971	9	Mar. 2-Mar. 17, 1971.
Feb. 15-Mar. 2, 1971	8	Mar. 18-Apr. 2, 1971.
Mar. 3-Mar. 18, 1971	7	Apr. 3-Apr. 18, 1971.
Mar. 19-Apr. 3, 1971	6	Apr. 19-May 4, 1971.
Apr. 4-Apr. 19, 1971	5	May 5-May 20, 1971.
Apr. 20-May 5, 1971	4	May 21-June 5, 1971.
May 6-May 21, 1971	3	June 6-June 21, 1971.
May 22-June 6, 1971	2	June 22-July 7, 1971.
June 7-June 30, 1971	1	July 8-July 31, 1971.

[1] Dates storage charges start, all dates inclusive.

§ 1421.238 Maturity of loans.

Loans mature on demand but not later than: (a) April 30, 1971, on grain sorghum stored in the following counties in Texas and all counties in Texas south thereof: Austin, Bexar, Caldwell, Colorado, Comal, Galveston, Gonzales, Harris, Hays, Kinney, Lavaca, Medina, Uvalde, Val Verde, and Waller; (b) June 30, 1971, on grain sorghum stored in Oklahoma and in counties in Texas north of those named in paragraph (a) of this section; (c) July 31, 1971, on grain sorghum stored in States other than Oklahoma and Texas.

§ 1421.239 Support rates and discounts.

(a) *Basic support rates (counties).* Basic county support rates for loan and

settlement purposes are established for grain sorghum No. 2 or better and are as follows:

ALABAMA

County	Rate per cwt.
All counties	$1.62

ARIZONA

County	Rate per cwt.	County	Rate per cwt.
Apache	$1.55	Mohave	$1.70
Cochise	1.76	Navajo	1.55
Coconino	1.55	Pima	1.83
Gila	1.55	Pinal	1.90
Graham	1.65	Santa Cruz	1.80
Greenlee	1.55	Yavapai	1.55
Maricopa	1.90	Yuma	1.96

ARKANSAS

County	Rate per cwt.	County	Rate per cwt.
Arkansas	1.69	Lawrence	1.68
Ashley	1.67	Lee	1.72
Baxter	1.62	Lincoln	1.67
Benton	1.57	Little River	1.65
Boone	1.59	Logan	1.62
Bradley	1.65	Lonoke	1.68
Calhoun	1.65	Madison	1.58
Carroll	1.57	Marion	1.60
Chicot	1.67	Miller	1.67
Clark	1.63	Mississippi	1.73
Clay	1.69	Monroe	1.70
Cleburne	1.65	Montgomery	1.62
Cleveland	1.65	Nevada	1.65
Columbia	1.67	Newton	1.60
Conway	1.63	Ouachita	1.65
Craighead	1.72	Perry	1.63
Crawford	1.60	Phillips	1.71
Crittenden	1.73	Pike	1.63
Cross	1.72	Poinsett	1.72
Dallas	1.63	Polk	1.62
Desha	1.68	Pope	1.62
Drew	1.67	Prairie	1.68
Faulkner	1.65	Pulaski	1.65
Franklin	1.60	Randolph	1.68
Fulton	1.64	St. Francis	1.72
Garland	1.62	Saline	1.63
Grant	1.65	Scott	1.62
Greene	1.71	Searcy	1.62
Hempstead	1.65	Sebastion	1.61
Hot Spring	1.63	Sevier	1.63
Howard	1.63	Sharp	1.66
Independence	1.68	Stone	1.65
Izard	1.65	Union	1.67
Jackson	1.70	Van Buren	1.64
Jefferson	1.67	Washington	1.58
Johnson	1.61	White	1.68
Lafayette	1.67	Woodruff	1.70
		Yell	1.62

CALIFORNIA

County	Rate per cwt.	County	Rate per cwt.
Alameda	2.06	Sacramento	2.06
Amador	2.06	San Benito	2.00
Butte	1.96	San Bernardino	2.03
Calaveras	2.06	San Diego	2.06
Colusa	1.99	San Francisco	2.06
Contra Costa	2.06	San Joaquin	2.06
El Dorado	2.06	San Luis Obispo	1.91
Fresno	1.98	San Mateo	2.06
Glenn	1.97	Santa Barbara	1.96
Humbolt	1.76	Santa Clara	2.06
Imperial	2.03	Santa Cruz	2.00
Inyo	1.85	Shasta	1.81
Kern	2.03	Sierra	1.90
Kings	1.98	Siskiyou	1.77
Lake	1.91	Solano	2.06
Lassen	1.80	Sonoma	1.99
Los Angeles	2.06	Stanislaus	2.06
Madera	2.02	Sutter	2.06
Marin	2.03	Tehama	1.87
Mariposa	2.02	Tulare	1.96
Mendocino	1.85	Tuolumne	2.02
Merced	2.02	Ventura	2.03
Modoc	1.77	Yolo	2.06
Monterey	1.95	Yuba	1.99
Napa	2.00		
Orange	2.06		
Placer	2.00		
Plumas	1.85		
Riverside	2.03		

COLORADO

County	Rate per cwt.	County	Rate per cwt.
Baca	$1.49	All other counties	$1.46

FLORIDA

County	Rate per cwt.
All counties	$1.62

GEORGIA

County	Rate per cwt.
All counties	$1.67

IDAHO

County	Rate per cwt.
All counties	$1.36

ILLINOIS

County	Rate per cwt.	County	Rate per cwt.
Alexander	1.67	All other counties	1.49
St. Clair	1.61		

INDIANA

County	Rate per cwt.
All counties	$1.52

IOWA

County	Rate per cwt.	County	Rate per cwt.
Adair	1.46	Jefferson	1.43
Adams	1.49	Johnson	1.37
Allamakee	1.37	Jones	1.37
Appanoose	1.47	Keokuk	1.42
Audubon	1.47	Kossuth	1.37
Benton	1.37	Lee	1.42
Blawk Hawk	1.37	Linn	1.37
Boone	1.42	Louisa	1.37
Bremer	1.37	Lucas	1.48
Buchanan	1.37	Lyon	1.44
Buena Vista	1.42	Madison	1.46
Butler	1.37	Mahaska	1.43
Calhoun	1.42	Marion	1.44
Carroll	1.46	Marshall	1.39
Cass	1.47	Mills	1.49
Cedar	1.37	Mitchell	1.37
Cerro Gordo	1.37	Monona	1.47
Cherokee	1.44	Monroe	1.45
Chickasaw	1.37	Montgomery	1.49
Clarke	1.48	Muscatine	1.37
Clay	1.42	O'Brien	1.44
Clayton	1.37	Osceola	1.43
Clinton	1.37	Page	1.51
Crawford	1.47	Palo Alto	1.40
Dallas	1.43	Plymouth	1.45
Davis	1.45	Pocahontas	1.41
Decatur	1.49	Polk	1.41
Delaware	1.37	Pottawattamie	1.49
Des Moines	1.40	Poweshiek	1.37
Dickinson	1.41	Ringgold	1.51
Dubuque	1.37	Sac	1.44
Emmet	1.39	Scott	1.37
Fayette	1.37	Shelby	1.48
Floyd	1.37	Sioux	1.45
Franklin	1.37	Story	1.40
Fremont	1.49	Tama	1.37
Greene	1.44	Taylor	1.52
Grundy	1.37	Union	1.49
Guthrie	1.45	Van Buren	1.44
Hamilton	1.40	Wapello	1.45
Hancock	1.37	Warren	1.45
Hardin	1.37	Washington	1.40
Harrison	1.49	Wayne	1.48
Henry	1.41	Webster	1.42
Howard	1.37	Winnebago	1.37
Humboldt	1.40	Winneshiek	1.37
Ida	1.44	Woodbury	1.45
Iowa	1.37	Worth	1.37
Jackson	1.37	Wright	1.38
Jasper	1.40		

KANSAS

County	Rate per cwt.	County	Rate per cwt.
Allen	1.55	Cloud	1.49
Anderson	1.57	Coffey	1.54
Atchison	1.59	Comanche	1.55
Barber	1.56	Cowley	1.57
Barton	1.50	Crawford	1.55
Bourbon	1.56	Decatur	1.44
Brown	1.56	Dickinson	1.51
Butler	1.54	Doniphan	1.56
Chase	1.52	Douglas	1.58
Chautauqua	1.57	Edwards	1.50
Cherokee	1.57	Elk	1.56
Cheyenne	1.44	Ellis	1.47
Clark	1.53	Ellsworth	1.51
Clay	1.49	Finney	1.48

KANSAS—Continued

County	Rate per cwt.	County	Rate per cwt.
Ford	$1.50	Ness	$1.48
Franklin	1.58	Norton	1.44
Geary	1.50	Osage	1.55
Gove	1.44	Osborne	1.47
Graham	1.44	Ottawa	1.49
Grant	1.50	Pawnee	1.49
Gray	1.50	Phillips	1.44
Greeley	1.44	Pottawatomie	1.53
Greenwood	1.54	Pratt	1.52
Hamilton	1.45	Rawlins	1.44
Harper	1.57	Reno	1.52
Harvey	1.53	Republic	1.48
Haskell	1.50	Rice	1.52
Hodgeman	1.48	Riley	1.51
Jackson	1.56	Rooks	1.46
Jefferson	1.58	Rush	1.49
Jewell	1.47	Russell	1.47
Johnson	1.58	Saline	1.51
Kearny	1.45	Scott	1.45
Kingman	1.54	Sedgwick	1.54
Kiowa	1.52	Seward	1.53
Labette	1.57	Shawnee	1.55
Lane	1.46	Sheridan	1.44
Leavenworth	1.59	Sherman	1.44
Lincoln	1.49	Smith	1.46
Linn	1.58	Stafford	1.50
Logan	1.44	Stanton	1.48
Lyon	1.53	Stevens	1.53
McPherson	1.52	Sumner	1.57
Marion	1.52	Thomas	1.44
Marshall	1.51	Trego	1.45
Meade	1.53	Wabaunsee	1.53
Miami	1.58	Wallace	1.44
Mitchell	1.47	Washington	1.48
Montgomery	1.57	Wichita	1.44
Morris	1.52	Wilson	1.55
Morton	1.54	Woodson	1.54
Nemaha	1.53	Wyandotte	1.59
Neosho	1.55		

KENTUCKY

County	Rate per cwt.
All counties	$1.62

LOUISIANA

County	Rate per cwt.
All parishes	$1.62

MICHIGAN

County	Rate per cwt.
All counties	$1.47

MINNESOTA

County	Rate per cwt.
All counties	$1.42

MISSISSIPPI

County	Rate per cwt.
All counties	$1.62

MISSOURI

County	Rate per cwt.	County	Rate per cwt.
Adair	1.49	Dallas	1.55
Andrew	1.58	Daviess	1.56
Atchison	1.53	De Kalb	1.58
Audrain	1.52	Dent	1.61
Barry	1.57	Douglas	1.59
Barton	1.57	Dunklin	1.71
Bates	1.58	Franklin	1.61
Benton	1.56	Gasconade	1.58
Bollinger	1.65	Gentry	1.55
Boone	1.54	Greene	1.56
Buchanan	1.59	Grundy	1.54
Butler	1.68	Harrison	1.52
Caldwell	1.59	Henry	1.58
Callaway	1.52	Hickory	1.55
Camden	1.55	Holt	1.56
Cape Girardeau	1.66	Howard	1.56
Carroll	1.59	Howell	1.61
Carter	1.64	Iron	1.64
Cass	1.59	Jackson	1.59
Cedar	1.56	Jasper	1.57
Chariton	1.56	Jefferson	1.63
Christian	1.57	Johnson	1.59
Clark	1.44	Knox	1.48
Clay	1.59	Laclede	1.57
Clinton	1.59	Lafayette	1.59
Cole	1.52	Lawrence	1.57
Cooper	1.54	Lewis	1.46
Crawford	1.59	Lincoln	1.55
Dade	1.56	Linn	1.55
		Livingston	1.57

MISSOURI—Continued

County	Rate per cwt.	County	Rate per cwt.
McDonald	$1.57	Randolph	$1.53
Macon	1.53	Ray	1.59
Madison	1.65	Reynolds	1.61
Maries	1.56	Ripley	1.66
Marion	1.48	St. Charles	1.58
Mercer	1.51	St. Clair	1.57
Miller	1.55	St. Francois	1.64
Mississippi	1.69	St. Louis	1.61
Moniteau	1.52	St. Genevieve	1.64
Monroe	1.51	Saline	1.58
Montgomery	1.55	Schuyler	1.46
Morgan	1.54	Scotland	1.44
New Madrid	1.69	Scott	1.67
Newton	1.57	Shannon	1.63
Nodaway	1.54	Shelby	1.51
Oregon	1.64	Stoddard	1.69
Osage	1.55	Stone	1.58
Ozark	1.59	Sullivan	1.51
Pemiscot	1.71	Taney	1.58
Perry	1.65	Texas	1.60
Pettis	1.56	Vernon	1.57
Phelps	1.57	Warren	1.58
Pike	1.53	Washington	1.62
Platte	1.59	Wayne	1.67
Polk	1.56	Webster	1.55
Pulaski	1.57	Worth	1.53
Putnam	1.51	Wright	1.57
Ralls	1.51		

NEBRASKA

Adams	1.45	Jefferson	1.50
Antelope	1.44	Johnson	1.52
Arthur	1.44	Kearney	1.44
Banner	1.44	Keith	1.44
Blaine	1.44	Keya Paha	1.44
Boone	1.44	Kimball	1.44
Box Butte	1.44	Knox	1.44
Boyd	1.44	Lancaster	1.51
Brown	1.44	Lincoln	1.44
Buffalo	1.44	Logan	1.44
Burt	1.49	Loup	1.44
Butler	1.48	McPherson	1.44
Cass	1.51	Madison	1.46
Cedar	1.45	Merrick	1.45
Chase	1.44	Morrill	1.44
Cherry	1.44	Nance	1.44
Cheyenne	1.44	Nemaha	1.52
Clay	1.46	Nuckolls	1.46
Colfax	1.49	Otoe	1.51
Cuming	1.49	Pawnee	1.52
Custer	1.44	Perkins	1.44
Dakota	1.45	Phelps	1.44
Dawes	1.44	Pierce	1.46
Dawson	1.44	Platte	1.46
Deuel	1.44	Polk	1.46
Dixon	1.45	Red Willow	1.44
Dodge	1.49	Richardson	1.53
Douglas	1.49	Rock	1.44
Dundy	1.44	Saline	1.51
Fillmore	1.48	Sarpy	1.49
Franklin	1.44	Saunders	1.49
Frontier	1.44	Scotts Bluff	1.44
Furnas	1.44	Seward	1.49
Gage	1.51	Sheridan	1.44
Garden	1.44	Sherman	1.44
Garfield	1.44	Sioux	1.44
Gosper	1.44	Stanton	1.48
Grant	1.44	Thayer	1.48
Greeley	1.44	Thomas	1.44
Hall	1.44	Thurston	1.48
Hamilton	1.45	Valley	1.44
Harlan	1.44	Washington	1.49
Hayes	1.44	Wayne	1.45
Hitchcock	1.44	Webster	1.45
Holt	1.44	Wheeler	1.44
Hooker	1.44	York	1.46
Howard	1.44		

NEVADA

All counties $1.52

NEW MEXICO

Bernalillo	1.55	Colfax	1.55
Catron	1.55	Curry	1.61
Chaves	1.57	De Baca	1.56

NEW MEXICO—Continued

County	Rate per cwt.	County	Rate per cwt.
Dona Ana	$1.55	Rio Arriba	$1.55
Eddy	1.55	Roosevelt	1.58
Grant	1.55	Sandoval	1.55
Guadalupe	1.56	San Juan	1.55
Harding	1.58	San Miguel	1.55
Hidalgo	1.60	Sante Fe	1.55
Lea	1.60	Sierra	1.55
Lincoln	1.55	Socorro	1.55
Luna	1.60	Taos	1.55
McKinley	1.55	Torrance	1.55
Mora	1.55	Union	1.55
Otero	1.55	Valencia	1.55
Quay	1.60		

NORTH CAROLINA

All counties $1.67

NORTH DAKOTA

All counties $1.37

OHIO

All counties $1.52

OKLAHOMA

Adair	1.60	Le Flore	1.65
Alfalfa	1.59	Lincoln	1.65
Alfalfa	1.59	Logan	1.63
Atoka	1.67	Love	1.69
Beaver	1.56	McClain	1.67
Beckham	1.62	McCurtain	1.67
Blaine	1.63	McIntosh	1.64
Bryan	1.69	Major	1.61
Caddo	1.65	Marshall	1.69
Canadian	1.65	Mayes	1.62
Carter	1.69	Murray	1.68
Cherokee	1.62	Muskogee	1.64
Choctaw	1.69	Noble	1.61
Cimarron	1.56	Nowata	1.60
Cleveland	1.67	Okfuskee	1.64
Coal	1.67	Oklahoma	1.65
Comanche	1.68	Okmulgee	1.64
Cotton	1.69	Osage	1.59
Craig	1.61	Ottawa	1.61
Creek	1.64	Pawnee	1.61
Custer	1.63	Payne	1.63
Delaware	1.61	Pittsburg	1.65
Dewey	1.61	Pontotoc	1.67
Ellis	1.58	Pottawatomie	1.65
Garfield	1.61	Pushmataha	1.67
Garvin	1.68	Roger Mills	1.61
Grady	1.67	Rogers	1.62
Grant	1.59	Seminole	1.65
Greer	1.65	Sequoyah	1.63
Harmon	1.65	Stephens	1.68
Harper	1.57	Texas	1.56
Haskell	1.64	Tillman	1.66
Hughes	1.65	Tulsa	1.64
Jackson	1.65	Wagoner	1.63
Jefferson	1.69	Washington	1.60
Johnston	1.68	Washita	1.64
Kay	1.59	Woods	1.59
Kingfisher	1.63	Woodward	1.59
Kiowa	1.66		
Latimer	1.65		

OREGON

All counties $1.51

PENNSYLVANIA

All counties $1.67

SOUTH CAROLINA

All counties $1.67

SOUTH DAKOTA

Aurora	1.42	Charles Mix	1.42
Beadle	1.42	Clark	1.42
Bennett	1.42	Clay	1.45
Bon Homme	1.43	Codington	1.42
Brookings	1.42	Corson	1.42
Brown	1.42	Custer	1.42
Brule	1.42	Davison	1.42
Buffalo	1.42	Day	1.42
Butte	1.42	Deuel	1.42
Campbell	1.42	Dewey	1.42

SOUTH DAKOTA—Continued

County	Rate per cwt.	County	Rate per cwt.
Douglas	$1.42	Marshall	$1.42
Edmunds	1.42	Meade	1.42
Fall River	1.42	Mellette	1.42
Faulk	1.42	Miner	1.42
Grant	1.42	Minnehaha	1.42
Gregory	1.42	Moody	1.42
Haakon	1.42	Pennington	1.42
Hamlin	1.42	Perkins	1.42
Hand	1.42	Potter	1.42
Hanson	1.42	Roberts	1.42
Harding	1.42	Sanborne	1.42
Hughes	1.42	Shannon	1.42
Hutchinson	1.42	Spink	1.42
Hyde	1.42	Stanley	1.42
Jackson	1.42	Sully	1.42
Jerauld	1.42	Todd	1.42
Jones	1.42	Tripp	1.42
Kingsbury	1.42	Turner	1.43
Lake	1.42	Union	1.45
Lawrence	1.42	Walworth	1.42
Lincoln	1.45	Washabaugh	1.42
Lyman	1.42	Yankton	1.45
McCook	1.42	Ziebach	1.42
McPherson	1.42		

TENNESSEE

Shelby	1.73	All other counties	1.62

TEXAS

Anderson	1.77	Culberson	1.55
Andrews	1.62	Dallam	1.58
Angelina	1.80	Dallas	1.72
Aransas	1.88	Dawson	1.62
Archer	1.67	Deaf Smith	1.62
Armstrong	1.63	Delta	1.70
Atascosa	1.80	Denton	1.71
Austin	1.83	DeWitt	1.81
Bailey	1.62	Dickens	1.62
Bandera	1.74	Dimmit	1.66
Bastrop	1.75	Donley	1.63
Baylor	1.66	Duval	1.81
Bee	1.87	Eastland	1.68
Bell	1.73	Ector	1.61
Bexar	1.76	Edwards	1.66
Blanco	1.73	Ellis	1.72
Borden	1.62	El Paso	1.55
Bosque	1.72	Elrath	1.70
Bowie	1.69	Falls	1.74
Brazoria	1.87	Fannin	1.70
Brazos	1.78	Fayette	1.78
Brewster	1.55	Fisher	1.66
Briscoe	1.62	Floyd	1.62
Brooks	1.82	Foard	1.66
Brown	1.69	Fort Bend	1.87
Burleson	1.78	Franklin	1.70
Burnet	1.72	Freestone	1.73
Caldwell	1.75	Frio	1.72
Calhoun	1.85	Gaines	1.62
Callahan	1.67	Galveston	1.91
Cameron	1.91	Garza	1.62
Camp	1.72	Gillespie	1.73
Carson	1.63	Glasscock	1.62
Cass	1.70	Goliad	1.86
Castro	1.62	Gonzales	1.77
Chambers	1.87	Gray	1.63
Cherokee	1.76	Grayson	1.70
Childress	1.66	Gregg	1.72
Clay	1.69	Grimes	1.83
Cochran	1.62	Guadalupe	1.76
Coke	1.66	Hale	1.62
Coleman	1.67	Hall	1.64
Collin	1.70	Hamilton	1.70
Collinsworth	1.66	Hansford	1.58
Colorado	1.80	Hardeman	1.66
Comal	1.76	Hardin	1.87
Comanche	1.69	Harris	1.91
Concho	1.69	Harrison	1.72
Cooke	1.70	Hartley	1.58
Coryell	1.72	Haskell	1.66
Cottle	1.64	Hays	1.73
Crane	1.62	Hemphill	1.61
Crockett	1.60	Henderson	1.73
Crosby	1.62	Hidalgo	1.89
		Hill	1.72

TEXAS—Continued

County	Rate per cwt.	County	Rate per cwt.
Hockley	$1.62	Parker	$1.71
Hood	1.71	Parmer	1.62
Hopkins	1.72	Pecos	1.60
Houston	1.80	Polk	1.83
Howard	1.62	Potter	1.62
Hudspeth	1.55	Presidio	1.55
Hunt	1.70	Rains	1.72
Hutchinson	1.59	Randall	1.62
Irion	1.62	Reagan	1.62
Jack	1.70	Real	1.72
Jackson	1.81	Red River	1.69
Jasper	1.83	Reeves	1.55
Jeff Davis	1.55	Refugio	1.88
Jefferson	1.91	Roberts	1.59
Jim Hogg	1.78	Robertson	1.76
Jim Wells	1.88	Rockwall	1.71
Johnson	1.72	Runnels	1.66
Jones	1.66	Rusk	1.73
Karnes	1.82	Sabine	1.80
Kaufman	1.72	San Augustine	1.80
Kendall	1.75	San Jacinto	1.83
Kenedy	1.86	San Patricio	1.91
Kent	1.64	San Saba	1.70
Kerr	1.74	Schleicher	1.62
Kimble	1.69	Scurry	1.64
King	1.65	Shackelford	1.68
Kinney	1.66	Shelby	1.76
Kleberg	1.88	Sherman	1.58
Knox	1.66	Smith	1.73
Lamar	1.69	Somervell	1.71
Lamb	1.62	Starr	1.84
Lampasas	1.72	Stephens	1.69
La Salle	1.70	Sterling	1.64
Lavaca	1.78	Stonewall	1.66
Lee	1.77	Sutton	1.65
Leon	1.75	Swisher	1.62
Liberty	1.87	Tarrant	1.71
Limestone	1.74	Taylor	1.66
Lipscomb	1.58	Terrell	1.55
Live Oak	1.84	Terry	1.62
Llano	1.70	Throckmorton	1.68
Loving	1.58	Titus	1.70
Lubbock	1.62	Tom Green	1.66
Lynn	1.62	Travis	1.73
McCulloch	1.69	Trinity	1.80
McLennan	1.73	Tyler	1.83
McMullen	1.80	Upshur	1.72
Madison	1.78	Upton	1.62
Marion	1.72	Uvalde	1.72
Martin	1.62	Val Verde	1.61
Mason	1.69	Van Zandt	1.72
Matagorda	1.83	Victoria	1.83
Maverick	1.65	Walker	1.83
Medina	1.75	Waller	1.87
Menard	1.69	Ward	1.61
Midland	1.61	Washington	1.83
Milam	1.76	Webb	1.73
Mills	1.72	Wharton	1.83
Mitchell	1.62	Wheeler	1.63
Montague	1.70	Wichita	1.67
Montgomery	1.87	Wilbarger	1.67
Moore	1.59	Willacy	1.90
Morris	1.70	Williamson	1.73
Motley	1.64	Wilson	1.77
Nacogdoches	1.76	Winkler	1.61
Navarro	1.72	Wise	1.71
Newton	1.83	Wood	1.72
Nolan	1.65	Yoakum	1.62
Nueces	1.91	Young	1.69
Ochiltree	1.58	Zapata	1.73
Oldham	1.62	Zavala	1.66
Orange	1.87		
Palo Pinto	1.70		
Panola	1.73		

UTAH

All counties	$1.49

VIRGINIA

All counties	$1.67

WASHINGTON

All counties	$1.51

WISCONSIN

All counties	$1.42

WYOMING

All counties	$1.41

(b) *Discounts.* The basic support rate shall be adjusted by discounts as follows:

	Cents per hundredweight
(1) Class:	
Mixed grain sorghum	3
(2) Grade:	
No. 3 (not over 14 percent moisture)	3
No. 4 (not over 14 percent moisture)	5
Smutty	5
(3) Weed control law (where required by § 1421.25)	15
(4) Other factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the grain sorghum, such as (but not limited to) moisture, heat damage, test weight, weevily, musty, sour, stones, weathered, discolored. Such discounts will be established not later than the time delivery of grain sorghum to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices.	

NOTE: Discounts are cumulative except only one grade discount shall be applied.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 26, 1970.

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

[F.R. Doc. 70-8462; Filed, July 1, 1970; 8:51 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 14—ADMINISTRATIVE CLAIMS

Miscellaneous Amendments

Statement of considerations. The following amendments are made in Part 14 by this notice of rulemaking:

(a) Paragraph (b) of § 14.2 "Administrative claim; when presented; appropriate Atomic Energy Commission office" is being amended to bring up to date the addresses of the U.S. Atomic Energy Commission's business offices listed therein.

(b) Section 14.6 "Authority to adjust, determine, compromise and settle" is being amended to bring up to date the officials designated therein.

Pursuant to section 2672 of title 28, United States Code, sections 552 and 553 of title 5, United States Code, and Part 14 of Chapter I of Title 28, Code of Federal Regulations, the following amendments of Part 14 of Chapter I of Title 14, Code of Federal Regulations are published as a document subject to codification to be effective upon publication in the FEDERAL REGISTER.

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

§ 14.2 Administrative claim; when presented; appropriate AEC office.

* * * * *

(b) A claimant shall mail or deliver his claim to the office of emloyment of the Commission employee or employees whose negligent or wrongful act or omission is alleged to have caused the loss or injury complained of. Where such office of employment is Atomic Energy Commission Headquarters, or is not known and not reasonably ascertainable, claimant shall file his claim with the Office of the General Counsel, U.S. Atomic Energy Commission, Washington, D.C. 20545. In all other cases claimant shall address his claim to the manager of the appropriate office indicated below, "Attention, Office of Chief Counsel:"

(1) USAEC, Amarillo Area Office, Post Office Box 1086, Amarillo, Tex. 79105.

(2) USAEC, Albuquerque Operations Office, Post Office Box 5400, Abuquerque, N. Mex. 87115.

(3) USAEC, Burlington Area Office, Post Office Box 561, Burlington, Iowa 52601.

(4) USAEC, Chicago Operations Office, 9800 South Cass Avenue, Argonne, Ill. 60439.

(5) USAEC, Cincinnati Area Office, Post Office Box 39188, Cincinnati, Ohio 45239.

(6) USAEC, Dayton Area Office, Post Office Box 66, Miamisburg, Ohio 45342.

(7) USAEC, Grand Junction Office, Post Office Box 2567, Grand Junction, Colo. 81501.

(8) USAEC, Idaho Operations Office, Post Office Box 2108, Idaho Falls, Idaho 83401.

(9) USAEC, Kansas City Area Office, Post Office Box 202, Kansas City, Mo. 64141.

(10) USAEC, Los Alamos Area Office, Los Alamos, N. Mex. 87544.

(11) USAEC, Nevada Operations Office, Post Office Box 14100, Las Vegas, Nev. 89114.

(12) USAEC, New Brunswick Area Office, Jersey Avenue, Post Office Box 150, New Brunswick, N.J. 08903.

(13) USAEC, New York Operations Office, 376 Hudson Street, New York, N.Y. 10014.

(14) USAEC, Oak Ridge Operations Office, Post Office Box E., Oak Ridge, Tenn. 37830.

(15) USAEC, Paducah Area Office, Post Office Box 1213, Paducah, Ky. 42001.

(16) USAEC, Palo Alto Area Office, Post Office Box 2370, Stanford, Calif. 94305.

(17) USAEC, Pinellas Area Office, Post Office Box 11500, St. Petersburg, Fla. 33733.

(18) USAEC, Pittsburgh Naval Reactors Office, Post Office Box 109, West Mifflin, Pa. 15122.

(19) USAEC, Puerto Rico Area Office, Post Office Box BB, Hato Rey, P.R. 00919.

(20) USAEC, Richland Operations Office, Post Office Box 550, Richland, Wash. 99352.

(21) USAEC, Rocky Flats Area Office, Post Office Box 928, Golden, Colo. 80401.

(22) USAEC, San Francisco Operations Office, 2111 Bancroft Way, Berkeley, Calif. 94704.

(23) USAEC, Savannah River Operations Office, Post Office Box A., Aiken, S.C. 29601.

(24) USAEC, Schenectady Naval Reactors Office, Post Office Box 1069, Schenectady, N.Y. 12301.

2. Section 14.6 is amended to read as follows:

§ 14.6 Authority to adjust, determine, compromise, and settle.

The authority to consider, ascertain, adjust, determine, compromise, and settle claims under the provisions of 28 U.S.C. 2672, as provided herein, is delegated to the General Manager, and under his direction and without power of redelegation, to the following Commission officers for their respective offices: The Deputy General Manager and the Assistant General Manager, Headquarters; the Manager and Deputy Manager, Chicago Operations Office, Idaho Operations Office, Oak Ridge Operations Office, New York Operations Office, Richland Operations Office, Savannah River Operations Office, Albuquerque Operations Office, San Francisco Operations Office, Nevada Operations Office; the Manager, Grand Junction Office, Pittsburgh Naval Reactors Office, Schenectady Naval Reactors Office.

Dated at Washington, D.C., this 25th day of June 1970.

W. B. McCool,
Secretary.

[F.R. Doc. 70-8378; Filed, July 1, 1970; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, in paragraph (e)(8) relating to the State of Mississippi, subdivision (i) relating to Copiah, Lauderdale, Newton, Warren, and Yazoo Counties, and subdivision (iii) relating to Holmes and Attala Counties are amended to read:

(8) *Mississippi.* (i) Copiah, Holmes, Lauderdale, Newton, Warren, and Yazoo Counties.

* * * * *

(iii) That portion of Attala County bounded by a line beginning at the junction of the Holmes-Attala County line (also the Big Black River) and State Highway 19; thence, following State Highway 19 in a generally southeasterly direction to State Highway 35; thence, following State Highway 35 in a southerly direction to State Highway 43; thence, following State Highway 43 in a southwesterly direction to State Highway 14; thence, following State Highway 14 in a generally southwesterly direction to the Holmes-Attala County line (also the Big Black River); thence, following the Holmes-Attala County line (also the Big Black River) in a generally northeasterly direction to its junction with State Highway 19.

2. In § 76.2, in paragraph (e)(16) relating to the State of Texas, a new subdivision (x) relating to Ellis County is added to read:

(16) *Texas.* * * *

(x) That portion of Ellis County bounded by a line beginning at the junction of State Highway 34 and the Ellis-Kaufman County line; thence, following State Highway 34 in a southwesterly direction to Interstate Highway 45; thence, following Interstate Highway 45 in a northwesterly direction to the Ellis-Dallas County line; thence, following the Ellis-Dallas County line in an easterly direction to the Ellis-Kaufman County line (also the Trinity River); thence, following the Ellis-Kaufman County line (also the Trinity River) in a generally southeasterly direction to its junction with State Highway 34.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine Holmes County, Miss., and a portion of Ellis County, Tex., because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined areas designated herein.

The amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera and must be made effective immediately to accomplish their purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of June 1970.

F. R. Mangham,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-8416; Filed, July 1, 1970; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 24,186]

PART 531—STATEMENTS OF POLICY

Interest Rates on Advances

JUNE 25, 1970.

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 purpose of increasing from 8 percent per annum to 10 percent per annum the maximum rate at which Federal Home Loan Banks may make advances to members, hereby amends said § 531.9 by revising paragraph (a) thereof to read as follows:

§ 531.9 Interest rates on advances.

* * * * *

(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 10 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 10 percent per annum, calculated as aforesaid;

* * * * *

(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] JACK CARTER,
Secretary.

[F.R. Doc. 70-8450; Filed, July 1, 1970; 8:50 a.m.]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 24,196]

PART 545—OPERATIONS

PART 556—STATEMENTS OF POLICY

Service Corporations

JUNE 25, 1970.

Resolved that, notice and public procedure having been duly afforded (35 F.R. 7981) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration, determines that it is advisable to amend Parts 545 and 556 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 545, 556) by revising § 545.9–1 for the purpose of expanding the authority of Federal savings and loan associations to invest

in service corporations without specific approval of the Federal Home Loan Bank Board and to clarify such investment authority and by rescinding § 556.3, a statement of policy relating to service corporations. Accordingly, said Parts 545 and 556 are amended as follows, effective July 2, 1970:

1. Part 545 is amended by revising § 545.9–1 to read as follows:

§ 545.9–1 Service corporations.

(a) *General service corporations.* Subject to the provisions of this section, a Federal association which has a charter in the form of Charter N or Charter K (rev.) may invest in the capital stock, obligations, or other securities of any service corporation organized under the laws of the State, District, Commonwealth, territory, or possession in which the home office of such association is located if:

(1) The entire capital stock of such service corporation is available for purchase by, and only by, any and all savings and loan associations with a home office in that State, District, Commonwealth, territory, or possession, and the capital stock is owned by more than one savings and loan association;

(2) Not more than 10 percent of the outstanding capital stock of such service corporation is, or may be, owned by any savings and loan association, except that in any State, District, Commonwealth, territory or possession in which the home offices of less than 15 savings and loan associations are located, not more than 33⅓ percent of the outstanding capital stock of such service corporation is, or may be, owned by any savings and loan association;

(3) Every eligible savings and loan association is permitted to own an equal amount of the capital stock of such service corporation or, on such uniform basis as may be fixed by such corporation, each such association is permitted to own an amount of capital stock that is a stated percentage of its assets or savings capital at the time of any purchase by it of such stock, but capital stock outstanding on December 31, 1964, may be disregarded in determining compliance with this requirement; and

(4) Substantially all of the activities of such service corporation, performed directly or through one or more wholly owned subsidiaries, consist of one or more of the following:

(i) Originating, purchasing, selling, and servicing loans, and participations in loans secured by first liens upon real estate and mobile homes, including brokerage and warehousing of such real estate and mobile home loans;

(ii) Originating, purchasing, selling, and servicing educational loans;

(iii) Making any investment of the types specified in §§ 545.9 and 545.9–3;

(iv) Performing the following services, primarily for savings and loan associations with home offices in the same State, District, Commonwealth, territory, or possession:

(*a*) Clerical services, accounting, data processing, and internal auditing;

(*b*) Credit information, appraising, construction loan inspection, and abstracting;

(*c*) Development and administration of personnel benefit programs, including life insurance, health insurance, and pension or retirement plans;

(*d*) Research, studies, and surveys;

(*e*) Purchasing of office supplies, furniture, and equipment;

(*f*) Development and operation of storage facilities for microfilm or other duplicate records;

(*g*) Advertising and other services to procure and retain both savings accounts and loans.

(v) Acquisition of unimproved real estate lots, and other unimproved real estate for the purpose of prompt development and subdivision, principally for construction of housing or for resale to others for such construction, or for use as mobile home sites;

(vi) Development and subdivision of, and construction of improvements (including improvements to be used for commercial or community purposes, when incidental to a housing project) for sale or for rental on, real estate referred to in subdivision (v) of this subparagraph;

(vii) Acquisition of improved residential real estate and mobile homes to be held for rental;

(viii) Acquisition of improved residential real estate for remodeling, rehabilitation, modernization, renovation, or demolition and rebuilding for sale or for rental;

(ix) Maintenance and management of rental real estate referred to in subdivisions (vi), (vii), and (viii) of this subparagraph, and any real estate owned by holders of its capital stock;

(x) Participation in any manner (without regard to the requirement that activities be performed directly or through a wholly owned subsidiary) with any service corporation which meets the requirements of this section, or with any nonprofit organization in any of the activities referred to in subdivisons (v) through (ix) of this subparagraph or activities reasonably incidental thereto;

(xi) Activities reasonably incidental to the activities described in the foregoing subdivisions of this subparagraph (4); and

(xii) Such other activities, including a joint venture in any other activity or in any activity specified in this subparagraph (4), as the Board may approve upon application therefor by any such service corporation or otherwise.

(b) *Other service corporations.* In addition to investment in a service corporation which meets the requirements of paragraph (a) of this section, a Federal association which has a charter in the form of Charter N or Charter K (rev.) may invest in the capital stock, obligations, or other securities of any service corporation organized under the laws of the State, District, Commonwealth, territory, or possession in which the home office of the association is located if:

(1) The entire capital stock of such corporation is held by one or more savings and loan associations or Federal associations with a home office in that State, District, Coommonwealth, territory or possession;

(2) The activities of such corporation, performed directly or through one or more wholly owned subsidiaries, consist solely of one or more of the activities specified in subdivisions (i) through (xi) of paragraph (a)(4) of this section, and such other activities, including acting as insurance agent, or broker, escrow agent, or trustee under deeds of trust, and including a joint venture in any such other activity or any activity specified in said subdivisions (i) through (xi), as the Board may approve upon application therefor by such corporation or otherwise; and

(3) The following limitations are complied with:

(i) If five or more savings and loan associations (including any Federal association) hold capital stock in such corporation and no one such association holds more than 40 percent of such stock, such corporation, including any subsidiary, does not incur or have outstanding at any time unsecured debt, other than to a holder of its capital stock, in excess of an amount equal to 2 percent of the assets of the holders of its capital stock, and does not incur or have outstanding at any time secured debt, other than to a holder of its capital stock, in excess of an amount equal to 4 percent of such assets (secured debt will be deemed to be unsecured for purposes of this subparagraph (3) to the extent that such debt exceeds the market value of any security therefor); and

(ii) If less than five savings and loan associations (including any Federal association) hold capital stock in such corporation or one such association holds more than 40 percent of such stock, such corporation, including any subsidiary, does not incur or have outstanding at any time debt in excess of the following limitations:

(*a*) In the case of unsecured debt, other than to a holder of its capital stock, the lesser of an amount equal to (*1*) 1 percent of the assets of the holder or holders of its capital stock, or (*2*) the investment in the stock, obligations, or other securities of such corporation by the holder or holders of its capital stock, excluding secured debt owed by such corporation to such holder or holders; and

(*b*) In the case of secured debt, other than to a holder of its capital stock, the lesser of an amount equal to (*1*) 4 percent of the assets of the holder or holders of its capital stock, or (*2*) 4 times the investment in the stock, obligations, or other securities of such corporation by the holder or holders of its capital stock, excluding secured debt owed by such corporation to such holder or holders.

(c) *Limitations.* A Federal association may make any investment under this section if its aggregate outstanding investment in the capital stock, obligations,

or other securities of service corporations and subsidiaries thereof (including all loans, secured and unsecured, to service corporations, or any subsidiaries thereof, and to joint ventures of such service corporations or subsidiaries, whether or not the Federal association is a stockholder in such service corporations) would not thereupon exceed 1 percent of the association's assets. For the purposes of this section, the term "aggregate outstanding investment" means the sum of amounts paid for the acquisition of capital stock or securities and amounts invested in obligations of service corporations less amounts received from the sale of capital stock or securities of service corporations and amounts paid to the Federal association to retire obligations of service corporations.

(d) *Examination.* No Federal association may invest in the capital stock, obligations, or other securities of any service corporation unless said service corporation has executed and filed with the Supervisory Agent of the Board at the Federal Home Loan Bank of the district in which such corporation is located a written agreement, in form prescribed by the Board, that:

(1) In the case of a service corporation described in paragraph (a) of this section, such corporation will permit and pay the cost of such examination of the corporation by the Board as the Board from time to time deems necessary to determine the propriety of any investment by a Federal association under this section; and

(2) In the case of a service corporation described in paragraph (b) of this section, such corporation, if not one which meets the requirements of § 545.14–3, will permit and pay the cost of such examination and/or audit by the Board as the Board may from time to time deem necessary.

(e) *Disposal of investment.* Whenever a service corporation, including any subsidiary thereof, engages in an activity which is not permissible for, or exceeds the limitations on, a service corporation in which a Federal association may invest, or whenever the capital stock ownership requirements of this section are not met, a Federal association having an investment in such corporation, including any subsidiary thereof, shall dispose of such investment promptly unless, within 90 days following the date of mailing of written notice by the Board to such investing association, the impermissible activity is discontinued, the limitation is complied with, or the capital stock ownership requirements are met.

(f) *Corporate name.* No Federal association may invest in, or retain any investment in, the capital stock, obligations, or other securities of any service corporation the corporate name of which includes the words "National", "Federal", "United States" or the initials "U.S.".

(g) *Applications.* Any application which is made to the Board under this section shall be in form prescribed by the Board and filed with the Supervisory Agent of the Board at the Federal Home Loan Bank of the district in which the applicant is located. In the case of a proposed service corporation which has not yet been organized, any application provided for in this section may be made by one or more Federal associations which propose investment in such corporation.

(h) *Revision of specified activities and limitations.* The activities and limitations specified in this section for service corporations in which Federal associations may invest are subject to revision from time to time.

(i) *Limitation on activities.* The activities which are specified in this section for service corporations in which Federal associations may invest do not include their use to acquire "scheduled items", as defined in § 561.15 of this chapter, from an "insured institution", as defined in § 561.1 of this chapter.

(j) *Previous approvals.* In the case of any investment by a Federal association in a service corporation which was specifically approved by the Board under paragraph (b) of this section prior to July 2, 1970, said approval is hereby deemed to apply to such investment on and after July 2, 1970, if the activities of such corporation consist only of those activities specifically approved by the Board and any activities described in paragraph (b)(2) of this section, and if the limitations of this section are complied with.

(k) *Definition of "joint venture".* The term "joint venture" as used in this section means any joint undertaking with one or more persons or legal entities in any form, including a joint tenancy, tenancy in common, or partnership and including investment in a corporation other than a wholly owned subsidiary.

§ 556.3 [Rescinded]

2. Part 556 is amended by rescinding § 556.3, a statement of policy relating to service corporations.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–48 Comp., p. 1071)

Resolved further that, since it is in the public interest, in that such amendments are expected to encourage the production of low- and moderate-income housing, that such amendments become effective as soon as possible, the Board hereby finds that publication of such amendments for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date thereof is contrary to the public interest; and the Board hereby provides that such amendments shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 70–8522; Filed, July 1, 1970; 8:52 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 14]

PART 101—ADMINISTRATION

Alteration of Seal

As a declaration of the dedication of the Small Business Administration to a cleaner environment for all, § 101.5–1 of Part 101 of Title 13 of the Code of Federal Regulations is hereby amended by removing the smoke from the smokestack on the seal of the Small Business Administration. The seal, as altered by this amendment, is:

Effective date: May 18, 1970.

HILARY SANDOVAL, JR.,
Administrator.

[F.R. Doc. 70–8439; Filed, July 1, 1970; 8:49 a.m.]

[Rev. 9, Amdt. 6]

PART 121—SMALL BUSINESS SIZE STANDARDS

Method of Establishing Size Standards; Use of Standard Industrial Classification Manual

Section 121.3–1(b)(1) of Part 121 of Chapter I of Title 13 of the Code of Federal Regulations currently provides that the Standard Industrial Classification (SIC) Manual, as amended, prepared and published by the Bureau of the Budget, Executive Office of the President, shall be used by the Small Business Administration (SBA) in defining industries.

SBA intended and consistently has interpreted the above provision to mean that the SIC Manual shall be used by SBA as a general guide rather than to be followed by SBA literally and absolutely.

Although SBA's interpretation of the meaning of the above provision has generally been accepted during its several years use, the Comptroller General of the United States recently ruled that, under the currently effective wording, SBA must follow the Manual absolutely. In order to clarify SBA's rule with respect to the use of the SIC Manual,

§ 121.3–1(b)(1) is hereby revised to read as follows:

§ 121.3–1 Purpose and method of establishing size standards.

* * * * *

(b) *Method of establishing size standards*—(1) *Use of Standard Industrial Classification Manual.* The Standard Industrial Classification (SIC) Manual, as amended, prepared and published by the Bureau of the Budget, Executive Office of the President, will be used by SBA as a guide in defining industries. Its use, therefore, is advisory and not mandatory.

* * * * *

Effective date. Since this amendment is procedural in nature it shall become effective on publication in the FEDERAL REGISTER, but shall apply only to procurements for which invitations for bids or requests for proposals are issued on or after such effective date.

Dated: June 23, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70–8438; Filed, July 1, 1970; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 70–CE–3–AD; Amdt. 39–1017]

PART 39—AIRWORTHINESS DIRECTIVES

Continental Model TSIO–520–C Engines

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring, within 12 months after the effective date of this AD, rework of presently installed Teledyne Continental Motors Part Number 633125 balance tube per Teledyne Continental Motors Service Bulletin M70–5 or installation of a new Teledyne Continental Motors Part Number 635645 balance tube and addition of associated aircraft installation drainage provisions in accordance with Cessna Service Kit SK206–10, was published in the FEDERAL REGISTER on April 4, 1970 (35 F.R. 5593).

Interested persons have been afforded an opportunity to participate in the making of the amendment. The one comment received was from the manufacturer who requested that the provision in the AD permitting rework of existing Teledyne Continental Motors Part Number 633125 balance tube assembly be deleted to preclude improper fabrication which could result in airframe interference. The FAA recognizes the merit of this proposal and accepts the manufacturer's recommendation. Consequently, the AD will be modified accordingly.

Since this amendment in part modifies the original proposal and imposes no additional burden on any person, further notice and public procedure hereon are unnecessary.

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

CONTINENTAL. Applies to Continental Model TSIO–520–C (Serial Numbers 140001 through 140678) engines installed in Cessna Model TU206, TP206 and T210 airplanes.

Compliance: Unless already accomplished, within the next 12 months after the effective date of this AD, accomplish the following:

To prevent hydraulic lock and resulting engine damage and power loss:

Replace the presently installed Teledyne Continental Motors Part Number 633125 balance tube assembly with new Teledyne Continental Motors Part Number 635645 balance tube assembly and install associated aircraft installation drainage provisions in accordance with Cessna Service Kit SK206–10, or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region, Kansas City, Mo. Teledyne Continental Motors Service Bulletin M70–5 dated May 6, 1970, also pertains to this subject.

This amendment becomes effective July 2, 1970.

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

Issued in Kansas City, Mo., on June 23, 1970.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 70–8441; Filed, July 1, 1970; 8:50 a.m.]

[Docket No. 69–CE–30–AD; Amdt. 39–1018]

PART 39—AIRWORTHINESS DIRECTIVES

Continental Models IO–346–A, IO–520–B, –C, and TSIO–B, –E, and –J Engines' Oil Filter Adapter

Amendment 39–905 (35 F.R. 306, 307), AD 69–26–7, effective January 3, 1970, requires repetitive inspections of Continental P/N 631645 oil filter adapter on Continental Models IO–346–A, IO–520–B and –C and TSIO–B, –E and –J engines for evidence of radial cracks inward from the outer edge, the replacement of any cracked adapters with serviceable parts and adherence to existing oil filter installation instructions as covered by Continental Service Bulletin No. M66–6 dated April 28, 1966. After issuing AD 69–26–7 the manufacturer has made available an FAA approved strengthened oil filter adapter P/N 631645 which is not subject to the failures experienced by the original oil filter adapter. The strengthened adapter is identified by a ½-inch tall raised letter "A" located on the adapter between the two bottom adapter holes. Since the requirements of AD 69–26–7 are obviated by the installation of the new adapter, it is necessary to add a paragraph to the AD to exempt those engines on which this adapter has been installed. Action is taken herein to affect this change.

Since this amendment is relieving in nature and imposes no additional burden on any person, compliance with the notice and public procedures provision of the Administrative Procedure Act is impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding paragraph C to read as follows:

(C) The requirements of Paragraph A and B of the AD are no longer applicable when strengthened Teledyne Continental P/N 631645 oil filter adapter identified by ½ inch tall raised letter "A" cast on the adapter between the two bottom attach bolts is installed.

This amendment becomes effective July 2, 1970.

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

Issued in Kansas City, Mo., on June 23, 1970.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 70–8442; Filed, July 1, 1970; 8:50 a.m.]

[Airspace Docket No. 70–SW–42]

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

Designation of Control Zone; Correction

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to correct the time of designation of the Del Rio, Tex., control zone to part-time.

An amended designation of the Del Rio, Tex., control zone appears in the FEDERAL REGISTER (35 F.R. 2054) without specific reference to time of designation. This was and currently is a part-time control zone with the effective dates and times continuously published in the Airman's Information Manual; however, the part-time provision was inadvertently omitted when the control zone was amended. Action is taken herein to restore this provision to the designation.

Since this amendment imposes no additional burden on the public, notice and public procedure thereon are unnecessary and good cause exists for making this amendment effective on less than 30-day notice.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective upon publication in the FEDERAL REGISTER as hereinafter set forth:

In § 71.171 (35 F.R. 2054), the Del Rio, Tex., control zone is amended by adding the following:

This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective

date and time will thereafter be continuously published in the Airman's Information Manual.

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

Issued in Fort Worth, Tex., on June 24, 1970.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 70-8443; Filed, July 1, 1970; 8:50 a.m.]

[Airspace Docket No. 70-SW-30]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a 700-foot transition area at Opelousas, La.

On May 9, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 7303) stating the Federal Aviation Administration proposed to designate a 700-foot transition area at Opelousas, La.

Interested persons were afforded an opportunity to participate in the rule making through 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., August 20, 1970, as hereinafter set forth.

In § 71.181 (35 F.R. 2134), the following transition area is added:

OPELOUSAS, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of St. Landry Parish Airport (lat. 30°33'30" N., long. 92°06'00" W.), and within 2.5 miles each side of the Lafayette VORTAC 347° radial extending from the 5-mile radius area to 22.5 miles north of the VORTAC.

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

Issued in Fort Worth, Tex., on June 24, 1970.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 70-8445; Filed, July 1, 1970; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1749]

PART 13—PROHIBITED TRADE PRACTICES

Occidental Petroleum Corp. and Hooker Chemical Corp.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets.* Subpart—Combining or conspiring: § 13.395 *To control marketing practices and conditions;* § 13.475 *To restrict competition in buying.* Subpart—Cutting off access to customers or market: § 13.540 *Forcing goods.* Subpart—Cutting off supplies or services: § 13.635 *Refusing sales to, or same terms and conditions.* Subpart—Dealing on exclusive and tying basis: § 13.670 *Dealing on exclusive and tying basis.* Subpart—Using patents, rights, or privileges unlawfully: 13.2485 Using patents,-rights, *or privileges unlawfully.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Cease and desist order, Occidental Petroleum Corp. et al., Los Angeles, Calif., Docket C-1749, June 3, 1970]

In the Matter of Occidental Petroleum Corp., a Corporation; and Hooker Chemical Corp., a Corporation

Consent order requiring a Los Angeles, Calif., manufacturer of metal finishing products and its subsidiary, a major producer of industrial chemicals and plastics with headquarters in New York City, to cease refusing to sell, service or guarantee products and/or equipment unless the purchaser also buys or uses other such products and/or equipment, selling a combined quantity of products at a lower unit price than an equivalent total quantity sold singly, unless the difference can be cost justified, distributing its products on an exclusive basis for the next 10 years, acquiring any manufacturer or distributor in the metal finishing industry for 10 years without the prior approval of the Federal Trade Commission, rationing supplies to customers unfairly or inequitably; the order also requires respondents to grant to responsible applicants licenses, for reasonable royalties, to all previously developed processes for preparing plastics for plating, and to make available each year a domestic price list for each of their standard metal finishing products, equipment and services, when the services are separable, and distribute it to any U.S. customer upon request.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered,* That respondent, Occidental Petroleum Corp. ("Occidental"), and respondent, Hooker Chemical Corp. ("Hooker"), and their officers, directors, agents, representatives, employees, subsidiaries, affiliates, successors, and assigns, in connection with the sale or distribution in the United States of metal finishing products or equipment sold by them in the United States, forthwith cease and desist from:

(1) Selling any such product or equipment on the condition, agreement, or understanding, express or implied, that the purchaser will buy any other such product or equipment;

(2) Refusing to sell any such products and/or equipment unless the purchaser purchases or agrees to purchase other such products and/or equipment;

(3) Refusing to service or guarantee any such product or equipment unless the purchaser purchases or uses other such products and/or equipment;

(4) Offering and/or selling any such products and/or equipment in a combined quantity at lower unit prices than an equivalent total quantity of any of the products and/or equipment offered and/or sold singly, unless such difference in price can be cost justified by respondents;

(5) Acting as a distributor of any such products and/or equipment except on a nonexclusive basis for a period of ten (10) years from the effective date of this order.

II. *It is further ordered,* That respondents, Occidental and Hooker, and their subsidiaries, for a period of ten (10) years from the effective date of this order, shall cease and desist from acquiring, directly or indirectly, without the prior approval of the Federal Trade Commission, the whole or any part of the stock, share capital or assets of any concern, corporate or noncorporate, manufacturing, marketing, distributing or selling any product or equipment for or to the metal finishing industry in the United States where the proposed acquisition includes assets used in any such activity in the United States: *Provided,* That, where the proposed acquisition is of nonmetal finishing assets from any concern, corporate, or noncorporate, manufacturing, marketing, distributing or selling any product or equipment for or to the metal finishing industry in the United States, Occidental shall notify the Federal Trade Commission of the proposed acquisition no less than sixty (60) days prior to consummation when the time schedule permits, but if the time schedule does not permit such notice, then notification shall be given as promptly as possible: *Provided, further,* That the prior approval of or notification to the Federal Trade Commission shall not be required in connection with routine purchases in the ordinary course of business of such items as materials, supplies, equipment, and machinery. Nothing in this paragraph shall be construed to sanction any acquisition not subject to prior Commission approval.

III. *It is further ordered,* That in the event that Occidental, Hooker or any of their subsidiaries, during a period of ten (10) years from the effective date of this order, rations any metal finishing product or equipment which it sells in the United States, it will ration such product or equipment on a fair and equitable basis in the United States giving due consideration to each customer's requirements and prior purchases of the product from Occidental, Hooker or any of their subsidiaries, and respondents must establish the fairness and equitableness of such rationing, if required to do so by the Federal Trade Commission.

IV. *It is further ordered,* That Occidental, Hooker and/or their subsidiaries, during a period of ten (10) years from the effective date of this order, shall grant, for reasonable royalties to all financially responsible applicants making written request therefor and not then offering their customers a competitive process (unless willing to cross-license

Occidental, Hooker and/or their subsidiaries for reasonable royalties), a license for the United States to any or all processes conceived or developed by them prior to the effective date of this order for preparing plastics for plating.

V. *It is further ordered,* That Occidental, Hooker and/or their subsidiaries, for a period of ten (10) years from the effective date of this order, shall make available annually a list of prices charged in the United States for each of their standard metal finishing products, equipment and services, when such services are separable from the price of the products and/or equipment, and will distribute a copy of such list to any U.S. customer upon request.

VI. *It is further ordered,* That Occidental and Hooker shall within sixty (60) days from the date of service of this order and annually thereafter on the anniversary date of this order for a period of ten (10) years, and thereafter when requested to do so by the Federal Trade Commission, submit to the Commission a written report setting forth in detail the manner and form in which it has complied and is complying with this order.

VII. *It is further ordered,* That respondent Occidental shall notify the Commission at least thirty (30) days prior to any proposed change in either corporate respondent which may affect compliance obligations arising out of this order, such as dissolution, assignment, or sale resulting in the emergence of a corporate successor, and that this order shall be binding on any such successor.

VIII. *It is further ordered,* That Occidental and Hooker shall forthwith distribute a copy of this order to each of their operating divisions, to each of their metal finishing customers in the United States, and for a period of five (5) years from the effective date of this order to each new metal finishing customer in the United States.

Issued: June 3, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 70-8431; Filed, July 1, 1970; 8:49 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter V—Federal Water Quality Administration, Department of the Interior

PART 601—GRANTS FOR WATER POLLUTION CONTROL

Subpart B—Grants for Construction of Treatment Works

On March 31, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 5346) which set forth the text of regulations, proposed to amend Subpart B relating to basin plans, regional or metropolitan plans, industrial waste treatment, design and inspection of waste treatment facilities.

Pursuant to the above notice, a number of comments have been received from interested persons, and due consideration has been given to all relevant matter presented. In light of the preceding, a number of revisions have been made in the rules as proposed.

In accordance with the statement in the notice of proposed rule making, Subpart B of Part 601, as set forth below, is hereby adopted effective on publication.

Subpart B—Grants for Construction of Treatment Works

Sec.
601.32 Basin control.
601.33 Regional and metropolitan plan.
601.34 Industrial waste treatment.
601.35 Inspections.
601.36 Design.

AUTHORITY: The provisions of this Subpart B issued under section 8 of the Federal Water Pollution Control Act, as amended (70 Stat. 502; 33 U.S.C. 466e) and section 22(a) of the Act, as amended (75 Stat. 204; 33 U.S.C. 466).

§ 601.32 Basin control.

(a) No grant shall be made unless the Commissioner determines, based on information the State, or where appropriate, the interstate agency, for the areas within their respective jurisdictions, furnishes to him pursuant to paragraph (b) of this section that a project is included in an effective current basin-wide plan for pollution abatement consistent with applicable water quality standards.

(b) In reaching such determination, the Commissioner may require information in such manner as he prescribes concerning the total basin plan, or portion thereof, as he deems adequate to evaluate the effectiveness of the project. Such information shall be furnished within one year of the date of the Commission's request for such information. The Commissioner may extend this period for proper cause. For this purpose, the affected river basin waters shall be deemed not to include any waters outside the State in which the project is located but shall include waters in another State if an interstate agency has jurisdiction of the additional affected basin waters. The Commissioner shall consider whether the plan adequately takes into account all, or such as may be appropriate, of the following:

(1) *Sources of pollution.* An identification list of all significant point sources of waste discharges; municipal, industrial, agricultural and others.

(2) *Volume of discharge.* The average daily volume of discharge produced by each waste discharger. Cooling water, or cooling water which is contaminated by industrial waste or sewage shall be reported separately. Storm water and mixed storm water and sewage shall be identified and reported separately in terms of frequency-volume relationships.

(3) *Character of effluent.* The major characteristics of each such waste discharge together with a measurement of their relative strength or concentrations, including but not limited to:

BOD 5	mg/l.
COD	mg/l.
Color	Platinum cobalt scale.
Turbidity	Jackson candle scale.
Solids	mg/l.
Toxic substances	
Metal Ions	mg/l.
Fluorides	mg/l.
Dissolved substances	ppm.
Temperature	C.
pH	
Radioactivity	pCi/l.
Chlorides	mg/l.
Nutrients	mg/l.

(4) *Present treatment.* A brief description of the type of treatment being given by each discharger, together with a statement of the degree of treatment currently being achieved.

(5) *Water quality effect.* A brief description of the effect of discharges and abatement practices upon the quality of the water in the basin, and the anticipated effectiveness of the proposed project in improving the quality of the water.

(6) *Detailed abatement program.* Identify all waste discharges for which present treatment is less than required by standards, or which will degrade water quality below standards. For each such discharge so identified, furnish an abatement schedule containing the following:

(i) Level of treatment to be required expressed in percentage of reduction of BOD and/or any other significant parameters required pursuant to applicable Federal, State and interstate laws, regulations and orders.

(ii) Volume of flow for which waste treatment facilities will be designed.

(iii) Estimated completion dates for preliminary plans, for final design, for construction, and for operation of waste treatment facilities.

(iv) Estimated cost of design and construction if available.

(c) If the proposed project is not included in an effective basin-wide plan for pollution abatement, and the Commissioner determines that such project will nevertheless effectively contribute to the improvement of the quality of the water or prevention of water pollution in the basin, he may waive the limitation of paragraph (a) of this section. In making his determination the Commissioner may require all or a part of the information identified in paragraph (b) of this section.

(d) The Commissioner's discretion in determining the desirability of any project shall not be limited by any provision of any basin-wide abatement plan pursuant to this section.

§ 601.33 Regional and metropolitan plan.

(a) A grant for a project shall not be made unless the Commissioner determines that such project is included in an effective metropolitan or regional plan developed or in the process of development, and certified by the Governor or his designee as being the official pollution

abatement plan developed or in the process of development for the metropolitan area or region within which the project is proposed to be constructed. In the case of an interstate metropolitan or regional area, the plan shall be certified by the respective Governors or their designees.

(b) In reaching such determination the Commissioner shall consider whether such plan adequately takes into account: Anticipated growth of population and economic activity with reference to time and location; present and future use and value of the waters within the planning area for water supplies, propagation of fish and wildlife, recreational purposes, agricultural, industrial and other legitimate uses; adequacy of the waste collection systems in the planning area with reference to operation, maintenance and expansion of such systems; combination or integration of waste treatment facilities into a waste treatment system so as ta achieve efficiency and economy of such treatment; practicality and feasibility of treating domestic and industrial waste in a combined waste treatment facility or integrated waste treatment system; need for and capacity to deal with waste from sewers which carry storm water or both storm water and sewage or other wastes; waste discharges presently in, or anticipated for the planning area; effect of the proposed waste treatment facility upon the quality of the water within the planning area with reference to other waste discharges and to applicable water quality standards.

(c) If the proposed project is not included in an effective metropolitan or regional plan for pollution abatement, and the Commissioner determines that such project will nevertheless effectively contribute to the prevention of pollution or improvement of the quality of the water in the metropolitan area or region, he may waive the limitation of paragraph (a) of this section. In making his determination the Commissioner may require all or a part of the information identified in paragraph (b) of this section.

(d) The Commissioner's discretion in determining the desirability of any project shall not be limited by any provision of any metropolitan or regional plan pursuant to this section.

§ 601.34 Industrial waste treatment.

(a) Where a project will treat industrial wastes, a grant may be made in the discretion of the Commissioner for such project provided that it is included in a waste treatment system treating the wastes of the entire community, metropolitan area or region concerned. For the purposes of the section "waste treatment system" means one or more treatment works which provide integrated, but not necessarily interconnected, waste disposal for a community, metropolitan area or region.

(b) If industrial waste is to be included in the waste treated by the proposed project, the applicant shall assure the Commissioner that such applicant will require pretreatment of any industrial waste which would otherwise be detrimental to the treatment works or its proper and efficient operation and maintenance, or will otherwise prevent the entry of such waste into the treatment plant.

(c) Where industrial wastes are to be treated by the proposed project the applicant shall assure the Commissioner that it has, or will have in effect when the project will be operated, an equitable system of cost recovery. Such system of cost recovery may include user charges, connection fees or such other techniques as may be available under State and local law. Such system shall provide for an equitable assessment of costs whereby such assessments upon dischargers of industrial wastes correspond to the cost of the waste treatment, taking into account the volume and strength of the industrial, domestic, commercial wastes and all other waste discharges treated, and techniques of treatment required. Such cost recovery system shall produce revenues, in proportion to the percentage of industrial wastes, proportionately, relative to the total waste load to be treated by the project, for the operation and maintenance of the treatment works, for the amortization of the applicant's indebtedness for the cost of such treatment works, and for such additional costs as may be necessary to assure adequate waste treatment on a continuing basis. For purposes of this section "industrial waste" shall mean the waste discharges (other than domestic sewage) of industries identified in the Standard Industrial Classification Manual, Bureau of the Budget, 1967, as amended and supplemented, under the category "Division D—Manufacturing," and such other wastes as the Commissioner deems appropriate for purposes of this section.

§ 601.35 Inspections.

No grant shall be made for any project unless the State water pollution control agency assures the Commissioner that the State will inspect the treatment works not less frequently than annually for the 3 years after such treatment works are constructed and periodically thereafter to determine whether such treatment works are operated and maintained in an efficient, economic and effective manner and unless the applicant assures the Commissioner that the treatment works will be maintained and operated in accordance with such requirements as the Commissioner may publish from time to time concerning methods, techniques and practices for economic, efficient and effective operation and maintenance of treatment works.

§ 601.36 Design.

No grant shall be made for any project unless the Commissioner determines that the proposed treatment works are designed so as to achieve economy, efficiency and effectiveness in the prevention or abatement of pollution or enhancement of the quality of the water into which such treatment works will discharge and meet such requirements as the Commissioner may publish from time to time concerning treatment works design so as to achieve efficiency, economy and effectiveness in waste treatment.

Dated: June 24, 1970.

FRED J. RUSSELL,
Acting Secretary of the Interior.

[F.R. Doc. 70-8396; Filed, July 1, 1970; 8:46 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 531—WAGE PAYMENTS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Subpart C—Interpretations

PAYMENTS MADE TO PERSONS OTHER THAN EMPLOYEES

The Federal Wage Garnishment Law (title III of the Consumer Credit Protection Act (Public Law 90-321)), effective July 1, 1970, limits the amount of an individual's disposable earnings which may be garnished, and protects him from discharge by reason of the fact that his earnings had been garnished for one indebtedness. The restriction on garnishment provisions of title III may have a bearing on the status under the Fair Labor Standards Act of 1938 of payments to third persons pursuant to court order.

Pursuant to section 3(m), 52 Stat. 1060, as amended; 29 U.S.C. 203(m) and 5 U.S.C. 301, and section 531.1(a) of Title 29, Code of Federal Regulations, § 531.39 thereof is hereby amended by designating the present text as paragraph (a) and adding a new paragraph (b).

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these are interpretive rules. Such procedure and delay will not serve a useful purpose here. Accordingly, these amendments will become effective July 1, 1970.

Section 531.39 is amended to read as follows:

§ 531.39 Payments to third persons pursuant to court order.

(a) Where an employer is legally obliged, as by order of a court of competent and appropriate jurisdiction, to pay a sum for the benefit or credit of the employee to a creditor of the employee, trustee, or other third party, under garnishment, wage attachment, trustee process, or bankruptcy proceeding, deduction from wages of the actual sum so paid is not prohibited: *Provided*, That neither the employer nor any person acting in his behalf or interest derives any profit or benefit from the transaction. In such case, payment to the third person for the benefit and credit of the employee will be considered equivalent, for the purposes of the Act, to payment to the employee.

(b) The amount of any individual's earnings withheld by means of any legal

or equitable procedure for the payment of any debt may not exceed the restriction imposed by section 303(a), title III, Restriction on Garnishment, of the Consumer Credit Protection Act (82 Stat. 163, 164; 15 U.S.C. 1671 et seq.). The application of title III is discussed in Part 870 of this chapter. When the payment to a third person of moneys withheld pursuant to a court order under which the withholding exceeds that permitted by the CCPA, the excess will not be considered equivalent to payment of wages to the employee for purpose of the Fair Labor Standards Act.

(Sec. 3(m), 52 Stat. 1060, as amended; 29 U.S.C. 203(m))

Signed at Washington, D.C., this 25th day of June 1970.

ROBERT D. MORAN,
Administrator, Wage and Hour Division, U.S. Department of Labor.

[F.R. Doc. 70-8406; Filed, July 1, 1970; 8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 70-19a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

North Channel, Jamaica Bay, N.Y.

1. The city of New York requested the Commander, Third Coast Guard District to amend the operation regulations for their drawbridge across North Channel, Jamaica Bay, N.Y. A public notice dated February 12, 1970, setting forth the proposed revision of the regulations governing these drawbridges was issued by the Commander, Third Coast Guard District and was made available to all persons known to have an interest in this subject. The Commandant also published these proposals in the FEDERAL REGISTER of April 11, 1970 (35 F.R. 6011).

2. No comments were received and after consideration of all other known factors in this case this proposal is accepted. Accordingly, § 117.175 is amended by revising the heading of paragraph (b) and revising paragraph (c) to read as follows:

§ 117.175 Jamaica Bay and connecting waterways, New York.

* * * * *

(b) *City of New York highway bridge at Shellbank Basin At Nolins Avenue.* * * *

(c) *Jamaica Bay North Channel, New York City Transit Authority bridge at Hamilton Beach, and city of New York highway bridge across North Channel (Grassy Bay) at Jamaica Bay Boulevard, Borough of Queens, New York, N.Y.* At least 24 hours' advance notice required. However, the draw shall be opened as soon as possible for the passage of vessels owned, controlled or employed by the United States or by the city of New York.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5))

Effective date. This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: June 24, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 70-8402; Filed, July 1, 1970; 8:47 a.m.]

[CGFR 70-24a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Cheesequake Creek, N.J.

1. The New Jersey Department of Transportation by letter dated January 16, 1970, requested the Commander, Third Coast Guard District to provide special operation regulations for its drawbridge on Route 35 across Cheesequake Creek, Morgan, South Amboy, N.J. A public notice dated February 12, 1970, setting forth the proposed revision of the regulations governing this drawbridge was issued by the Commander, Third Coast Guard District and was made available to all persons known to have an interest in this subject. The Commandant also published these proposals in the FEDERAL REGISTER of April 4, 1970 (35 F.R. 5592).

2. Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. Due consideration has been given to all relevant material presented, both for and against the proposal. After consideration of all other known facts in this case the proposal is accepted. Accordingly, 33 CFR 117.215(j)(4) is added to read as follows:

§ 117.215 Navigable streams flowing into Raritan Bay (except Raritan River and Arthur Kill), the Shrewsbury River and its tributaries, and all inlets on the Atlantic Ocean including their tributaries and canals between Sandy Hook and Bay Head, N.J.; bridges.

* * * * *

(j) * * *

(4) Route 35 drawbridge across Cheesequake Creek at Morgan, South Amboy, N.J.: The draw shall be opened promptly on signal at all times, except that between the hours of 7 a.m. to 7 p.m. from May 15 through October 15 the draw need be opened only on the hour.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5))

Effective date. This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: June 24, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 70-8403; Filed, July 1, 1970; 8:47 a.m.]

[CGFR 70-26a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Sacramento River, Calif.

1. The California Department of Public Works and the Southern Pacific Transportation Co. requested the Commander, 12th Coast Guard District to revise the operation regulations for their drawbridges across the Sacramento River at Knights Landing. A public notice dated December 19, 1969, setting forth the proposed revision was issued by the Commander, 12th Coast Guard District and made available to all persons known to have an interest in the subject. The Commandant also published the proposed revision in the FEDERAL REGISTER of March 31, 1970 (35 F.R. 5348). Included in this document was a proposed revision of § 117.714(h) relating to the operation regulations for the Western Pacific Railroad bridge and the County of Sacramento highway bridge across the Mokelumne River near Thornton, Calif.

2. No comments were received as a result of the notice published in the FEDERAL REGISTER. However, as a result of the public notice dated December 19, 1969, four comments were received regarding the proposed change to § 117.716(a)(3), concerning the two bridges across the Sacramento River at Knights Landing. Three of these comments supported the proposed change. The fourth comment advised that during the grain hauling season, the operations of the submitter would require drawtender attendance 24 hours a day and requested that the proposed regulations be so altered. The Commander, 12th Coast Guard District has recommended that this comment be accepted. The Commandant concurs in this recommendation and the proposal is altered accordingly.

4. Neither the public notice dated December 19, 1969, or the document published in the FEDERAL REGISTER of March 31, 1970, proposed changes to 33 CFR 117.716(a)(3) (i) and (ii). These two subdivisions prescribe special call signals for these two bridges. It is now apparent that these special call signals are not required and that the general signals prescribed in § 117.710(b) for all bridges across navigable waters in California are adequate for these two bridges. Accordingly, this document deletes subdivisions (i) and (ii) and renumbers the special operation regulations previously discussed, as paragraph (a)(3). Since these changes are editorial in nature, notice and public procedure thereon are not necessary.

5. Concerning the proposed change to § 117.714(h) contained in the notice published in the FEDERAL REGISTER, it now appears that a planned long range highway project has rendered a change in the operation regulations impractical at this time. Therefore the proposed revision to § 117.714(h) containing the operation regulations for the two bridges across the Mokelumne River near Thornton, Calif., is hereby withdrawn.

6. Accordingly, § 117.716(a)(3) is revised to read as follows:

§ 117.716 Sacramento River and its tributaries, California.

(a) * * *

(3) *Southern Pacific Co. railroad bridge and State of California highway bridge at Knights Landing.* At least 12 hours' advance notice required, except that drawtenders shall be in constant attendance when the owners are notified by the Commander, 12th Coast Guard District that this will be required, or during a period when 20 or more passages through the bridge will be made in any 30-day period, provided 15 days' written notice of the contemplated traffic is given to the Commander, 12th Coast Guard District.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g)(2); 49 CFR 1.46(c)(5))

Effective date. This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: June 24, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard, Commandant.

[F.R. Doc. 70-8404; Filed, July 1, 1970; 8:47 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter V—Office of Foreign Assets Control, Department of the Treasury

PART 505—REGULATIONS PROHIBITING TRANSACTIONS INVOLVING THE SHIPMENT OF CERTAIN MERCHANDISE BETWEEN FOREIGN COUNTRIES

General License for Offshore Transactions From Certain Countries

The Transaction Control Regulations are being amended by the addition of § 505.31. The section is a general license authorizing shipment of merchandise from certain foreign countries to certain scheduled destinations in cases where the exporting country has authorized the shipment under its regulations.

The following section is hereby added to the Transaction Control Regulations:

§ 505.31 General license for offshore transactions from certain countries.

(a) Except as provided in paragraph (b) of this section, all transactions prohibited by § 505.10 are hereby authorized provided:

(1) Shipment is to a country listed in the schedule of § 505.10, other than China (Communist controlled), North Korea, North Viet Nam, or Tibet; and,

(2) Shipment is made from and licensed by one of the following foreign countries: Belgium, Canada, Denmark, Federal Republic of Germany, France, Greece, Italy, Japan, Luxembourg, The Netherlands, Norway, Portugal, Turkey, or the United Kingdom.

(b) This section does not authorize any transaction prohibited by Part 500, Part 515, or Part 530 of this chapter.

[SEAL] STANLEY L. SOMMERFIELD,
Acting Director, Office of Foreign Assets Control.

[F.R. Doc. 70-8408; Filed, July 1, 1970; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 2—DELEGATIONS OF AUTHORITY

Chief Benefits Director et al.

1. Section 2.87 is revised to read as follows:

§ 2.87 Chief Benefits Director and his designee delegated authority to take any necessary action as to programs of vocational rehabilitation, education, or special restorative training under 38 U.S.C. chapters 31, 34, 35, and 36 for the purpose of securing evidence of voluntary compliance directly or through the agencies to whom the Administrator has delegated responsibility for various schools or training establishments to implement Part 18 of this chapter.

This delegation of authority is identical to §§ 18a.2 and 21.4001(d) of this chapter.

2. Sections 2.90, 2.91, and 2.92 are added to read as follows:

§ 2.90 Chief Benefits Director delegated responsibility for obtaining evidence of voluntary compliance from recognized national organizations whose representatives are afforded space and office facilities in field stations under his jurisdiction.

This delegation of authority is identical to §§ 18a.2 and 21.4001(e) of this chapter.

§ 2.91 Chief Medical Director delegated responsibility for obtaining evidence of voluntary compliance implementing the provisions of Title VI, Civil Rights Act of 1964, in connection with payments to State homes, with State home facilities for furnishing nursing home care, and from recognized national organizations whose representatives are afforded space and office facilities in field stations under his jurisdiction.

This delegation of authority is identical to § 18a.3 of this chapter.

§ 2.92 General Counsel delegated responsibility, upon receipt of information from the Chief Benefits Director, the Chief Medical Director, or the designee of either of them, that compliance cannot be secured by voluntary means, of forwarding to the recipient or other person the notice required by § 18.9(a) of this chapter, and also is delegated responsibility of representing the agency in all proceedings resulting from such notice.

This delegation of authority is identical to § 18a.5 of this chapter.

[SEAL] DONALD E. JOHNSON,
Administrator.

[F.R. Doc. 70-8466; Filed, July 1, 1970; 8:52 a.m.]

PART 18a—DELEGATION OF RESPONSIBILITY IN CONNECTION WITH TITLE VI, CIVIL RIGHTS ACT OF 1964

In Chapter I, Part 18a is added to read as follows:

Sec.
18a.1 Delegations of responsibility between the Administrator and the Secretary, Department of Health, Education, and Welfare.
18a.2 Delegation to the Chief Benefits Director.
18a.3 Delegation to the Chief Medical Director.
18a.4 Duties of the Director, Contract Compliance Service.
18a.5 Delegation to the General Counsel.

AUTHORITY: The provisions of this Part 18a issued under 5 U.S.C. 301, 38 U.S.C. 210(c)(1) and 38 CFR 18.9(d) and Appendix A, Part 18.

§ 18a.1 Delegations of responsibility between the Administrator and the Secretary, Department of Health, Education, and Welfare.

(a) Authority has been delegated to the Administrator of Veterans Affairs by the Secretary, Department of Health, Education, and Welfare to perform responsibilities of the Department of Health, Education, and Welfare and of the responsible HEW official under Title VI of the Civil Rights Act of 1964 and the Department's regulations issued thereunder (45 CFR Part 80) with respect to: proprietary (i.e., other than public or nonprofit) educational institutions, except if operated by a hospital; and post secondary, nonprofit, educational institutions other than colleges and universities, except if operated by a college or university, a hospital, or a unit of State or local government (i.e., those operating such institutions as an elementary or secondary school, an area vocational school, a school for the handicapped, etc.).

(1) The compliance responsibilities so delegated include:

(i) Soliciting, receiving, and determining the adequacy of assurances of compliance under 45 CFR 80.4;

(ii) All actions under 45 CFR 80.6 including mailing, receiving, and evaluating compliance reports under § 80.6(b); and

(iii) All other actions related to securing voluntary compliance, or related to investigations, compliance reviews, complaints, determinations of apparent

failure to comply, and resolutions of matters by informal means.

(2) The Department of Health, Education, and Welfare specifically reserves to itself the responsibilities for the effectuation of compliance under 45 CFR 80.8, 80.9, and 80.10.

(b) Authority has been delegated to the Secretary, Department of Health, Education, and Welfare, to perform responsibilities of the Veterans Administration and of the responsible Veterans Administration official under Title VI of the Civil Rights Act of 1964 and the Veterans Administration regulations issued thereunder (Part 18 of this chapter) with respect to institutions of higher learning, including post-high school institutions which offer nondegree courses for which credit is given and which would be accepted on transfer by a degree-granting institution toward a baccalaureate or higher degree; hospitals and other health facilities and elementary and secondary schools and school systems including, but not limited to, their activities in connection with providing or seeking approval to provide vocational rehabilitation to eligible persons under chapter 31 of title 38, United States Code, or education or training to eligible persons under chapters 34, 35, or 36 of title 38, United States Code.

(1) The compliance responsibilities so delegated include:

(i) Soliciting, receiving, and determining the adequacy of assurances of compliance under § 18.4 of this chapter;

(ii) Mailing, receiving, and evaluating compliance reports under § 18.6(b) of this chapter; and

(iii) All other actions related to securing voluntary compliance or related investigations, compliance reviews, complaints, determinations of apparent failure to comply and resolutions of matters by informal means.

(2) The Veterans Administration specifically reserves to itself responsibilities for effectuation of compliance under §§ 18.8, 18.9, and 18.10 of this chapter. Not included in the delegation to the Secretary, Department of Health, Education, and Welfare and specifically reserved to the Veterans Administration is the exercise of compliance responsibilities with respect to:

(i) Postsecondary schools which do not offer a program or courses leading, or creditable, towards the granting of at least a bachelor's degree, or its equivalent;

(ii) Privately-owned and operated proprietary technical, vocational, and other private schools at the elementary or secondary level; and

(iii) Those institutions of higher learning and elementary and secondary schools and school systems which, as of January 3, 1969, have already been subjected to formal noncompliance proceedings by the Department of Health, Education, and Welfare and have had their right to receive Federal financial assistance from that agency terminated for noncompliance with Title VI of the Civil Rights Act of 1964.

The Veterans Administration also retains the right to exercise delegated compliance responsibilities itself in special cases with the agreement of the appropriate official in the Department of Health, Education, and Welfare.

(c) Any institution of higher learning or a hospital or other health facility which is listed by the Department of Health, Education, and Welfare as having filed an assurance of compliance will be accepted as having met the requirements of the law for the purpose of payment under 38 U.S.C. chapters 31, 34, 35, or 36 and 38 U.S.C. sections 641, 5031–5037, and 5055.

(d) If the Department of Health, Education, and Welfare finds that a school, hospital or other health facility which has signed an assurance of compliance is apparently in noncompliance, action will be initiated by that Department to obtain compliance by voluntary means. If voluntary compliance is not achieved, the Veterans Administration will join in subsequent proceedings.

(e) An institution which is on the Department of Health, Education, and Welfare list of noncomplying institutions will be considered to be in a status of compliance for Veterans Administration purposes if an assurance of compliance is filed with the Veterans Administration and actual compliance is confirmed. Certificates of eligibility may be issued and enrollments approved and other appropriate payments made until such time as the Veterans Administration has made an independent determination that the institution is not in compliance.

§ 18a.2 Delegation to the Chief Benefits Director.

The Chief Benefits Director is delegated responsibility for obtaining evidence of voluntary compliance for vocational rehabilitation, education, and special restorative training to implement Title VI, Civil Rights Act of 1964. Authority is delegated to him and his designee to take any necessary action as to programs of vocational rehabilitation, education, or special restorative training under 38 U.S.C. chapters 31, 34, 35, and 36 for the purpose of securing evidence of voluntary compliance directly or through the agencies to whom the Administrator has delegated responsibility for various schools or training establishments to implement Part 18 of this chapter. The Chief Benefits Director also is delegated responsibility for obtaining evidence of voluntary compliance from recognized national organizations whose representatives are afforded space and office facilities in field stations under his jurisdiction.

§ 18a.3 Delegation to the Chief Medical Director.

The Chief Medical Director is delegated responsibility for obtaining evidence of voluntary compliance implementing the provisions of title VI, Civil Rights Act of 1964, in connection with payments to State homes, with State home facilities for furnishing nursing home care, and from recognized national organizations whose representatives are afforded space and office facilities in field stations under his jurisdiction.

§ 18a.4 Duties of the Director, Contract Compliance Service.

Upon referral by the Chief Medical Director or the Chief Benefits Director, the Director, Contract Compliance Service will:

(a) Investigate and process all complaints arising under title VI of the Civil Rights Act of 1964;

(b) Conduct periodic audits, reviews and evaluations;

(c) Attempt to secure voluntary compliance by conciliatory or other informal means whenever investigation of a complaint, compliance review, failure to furnish assurance of compliance, or other source indicates noncompliance with title VI; and

report to the Chief Medical Director or the Chief Benefits Director, whichever is appropriate, the results of his investigations, audits, reviews and evaluations or the results of his attempts to secure voluntary compliance.

§ 18a.5 Delegation to the General Counsel.

The General Counsel is delegated the responsibility, upon receipt of information from the Chief Benefits Director, the Chief Medical Director, or the designee of either of them, that compliance cannot be secured by voluntary means, of forwarding to the recipient or other person the notice required by § 18.9(a) of this chapter, and also is delegated the responsibility of representing the agency in all proceedings resulting from such notice.

These VA regulations are effective upon publication in the FEDERAL REGISTER.

Approved: June 25, 1970.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,
Acting Deputy Administrator.

[F.R. Doc. 70-8463; Filed, July 1, 1970; 8:51 a.m.]

PART 18b—PRACTICE AND PROCEDURE UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND PART 18 OF THIS CHAPTER

In Chapter I, Part 18b is added to read as follows:

GENERAL RULES

APPEARANCE AND PRACTICE

PARTIES

AUTHORITY: The provisions of this Part 18b issued under 5 U.S.C. 301, 38 U.S.C. 210(c)(1) and 38 CFR 18.9(d) and Appendix A, Part 18.

GENERAL RULES

§ 18b.1 Scope of rules.

The rules of procedure in this part supplement §§ 18.9 and 18.10 of this chapter and govern the practice for hearings, decisions, and administrative review conducted by the Veterans Administration pursuant to title VI of the Civil Rights Act of 1964 (sec. 602, 78 Stat. 252) and Part 18 of this chapter.

§ 18b.2 Reviewing authority.

The term "reviewing authority" means the Administrator of Veterans Affairs, or any person or persons acting pursuant to authority delegated by him to carry out responsibility under § 18.10 of this chapter. The term includes the Administrator with respect to action by him under § 18b.75.

§ 18b.9 Definitions.

The definitions contained in § 18.13 of this chapter apply to this part, unless the context otherwise requires.

§ 18b.10 Records to be public.

All pleadings, correspondence, exhibits, transcripts of testimony, exceptions, briefs, decisions, and other documents filed in the docket in any proceeding may be inspected and copied in the office of the Civil Rights hearing clerk. Inquiries may be made at the Veterans Administration Central Office, 810 Vermont Avenue NW., Washington, D.C. 20420.

§ 18b.11 Use of gender and number.

As used in this part, words importing the singular number may extend and be applied to several persons or things, and vice versa. Words importing the masculine gender may be applied to females or organizations.

§ 18b.12 Suspension of rules.

Upon notice to all parties, the reviewing authority or the presiding officer, with respect to matters pending before them, may modify or waive any rule upon determination that no party will be unduly prejudiced and the ends of justice will thereby be served.

APPEARANCE AND PRACTICE

§ 18b.13 Appearance.

A party may appear in person or by counsel and participate fully in any proceeding. A State agency or a corporation may appear by any of its officers or by any employee it authorizes to appear on its behalf. Counsel must be members in good standing of the bar of a State, territory, or possession of the United States or of the District of Columbia or the Comonwealth of Puerto Rico.

§ 18b.14 Authority for representation.

Any individual acting in any proceeding may be required to show his authority to act in such capacity.

§ 18b.15 Exclusion from hearing for misconduct.

Disrespectful, disorderly, or contumacious language or contemptuous conduct, refusal to comply with directions, or continued use of dilatory tactics by any person at any hearing before a presiding officer shall constitute grounds for immediate exclusion of such person from the hearing by the presiding officer.

PARTIES

§ 18b.16 Parties.

The term party shall include an applicant or recipient or other person to whom a notice of hearing or opportunity for hearing has been mailed naming him as respondent. The agency shall also be deemed a party to all proceedings and shall be represented by the General Counsel.

§ 18b.17 Amici curiae.

(a) Any interested person or organization may file a petition to participate in a proceeding as an amicus curiae. Such petition shall be filed prior to the prehearing conference, or if none is held, before the commencement of the hearing, unless the petitioner shows good cause for filing the petition later. The presiding officer may grant the petition if he finds that the petitioner has a legitimate interest in the proceedings, that such participation will not unduly delay the outcome, and may contribute materially to the proper disposition thereof. An amicus curiae is not a party and may not introduce evidence at a hearing.

(b) An amicus curiae may submit a statement of position to the presiding officer prior to the beginning of a hearing, and shall serve a copy on each party. The amicus curiae may submit a brief on each occasion a decision is to be made or a prior decision is subject to review. His brief shall be filed and served on each party within the time limits applicable to the party whose position he deems himself to support; or if he does not deem himself to support the position of any party, within the longest time limit applicable to any party at that particular stage of the proceedings.

(c) When all parties have completed their initial examination of a witness, any amicus curiae may request the presiding officer to propound specific questions to the witness. The presiding officer, in his discretion, may grant any such request if he believes the proposed additional testimony may assist materially in elucidating factual matters at issue between the parties and will not expand the issues.

§ 18b.18 Complainants not parties.

A person submitting a complaint pursuant to § 18.7(b) of this chapter is not a party to the proceedings governed by this part, but may petition, after proceedings are initiated, to become an amicus curiae.

DOCUMENTS

§ 18b.20 Form of documents to be filed.

Documents to be filed shall be dated, the original signed in ink, shall show the docket description and title of the proceeding, and shall show the title, if any, and address of the signatory. Copies need not be signed but the name of the person signing the original shall be reproduced. Documents shall be legible and shall not be more than 8½ inches wide and 12 inches long.

§ 18b.21 Signature of documents.

The signature of a party, authorized officer, employee, or attorney constitutes

a certificate that he has read the document, that to the best of his knowledge, information, and belief there is good ground to support it, and that it is not interposed for delay. If a document is not signed or is signed with intent to defeat the purpose of this section, it may be stricken as sham and false and the proceeding may proceed as though the document had not been filed. Similar action may be taken if scandalous or indecent matter is inserted.

§ 18b.22 Filing and service.

All notices by a Veterans Administration official, and all written motions, requests, petitions, memoranda, pleadings, exceptions, briefs, decisions, and correspondence to a Veterans Administration official from a party, or vice versa, relating to a proceeding after its commencement shall be filed and served on all parties. Parties shall supply the original and two copies of documents submitted for filing. Filings shall be made with the Civil Rights hearing clerk at the address stated in the notice of hearing or notice of opportunity for hearing, during regular business hours. Regular business hours are every Monday through Friday (legal holidays in the District of Columbia excepted) from 8 a.m. to 4:30 p.m., eastern standard or daylight saving time, whichever is effective in the District of Columbia at the time. Originals only of exhibits and transcripts of testimony need be filed. For requirements of service on amici curiae, see § 18b.76.

§ 18b.23 Service; how made.

Service shall be made by personal delivery of one copy to each person to be served or by mailing by first-class mail, properly addressed with postage prepaid. When a party or amicus has appeared by attorney or other representative, service upon such attorney or representative, will be deemed service upon the party or amicus. Documents served by mail preferably should be mailed in sufficient time to reach the addressee by the date on which the original is due to be filed, and should be airmailed if the addressee is more than 300 miles distant.

§ 18b.24 Date of service.

The date of service shall be the day when the matter is deposited in the U.S. mail or is delivered in person, except that the date of service of the initial notice of hearing or opportunity for hearing shall be the date of its delivery, or of its attempted delivery if refused.

§ 18b.25 Certificate of service.

The original of every document filed and required to be served upon parties to a proceeding shall be endorsed with a certificate of service signed by the party making service or by his attorney or representative, stating that such service has been made, the date of service, and the manner of service, whether by mail or personal delivery.

TIME

§ 18b.26 Computation.

In computing any period of time under the rules in this part or in an order issued hereunder, the time begins with the day following the act, event, or default, and includes the last day of the period, unless it is a Saturday, Sunday, or legal holiday observed in the District of Columbia, in which event it includes the next following business day. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded from the computation.

§ 18b.27 Extension of time or postponement.

Requests for extension of time should be served on all parties and should set forth the reasons for the application. Applications may be granted upon a showing of good cause by the applicant. From the designation of a presiding officer until the issuance of his decision such requests should be addressed to him. Answers to such requests are permitted, if made promptly.

§ 18b.28 Reduction of time to file documents.

For good cause, the reviewing authority or the presiding officer, with respect to matters pending before them, may reduce any time limit prescribed by the rules in this part, except as provided by law or in Part 18 of this chapter.

PROCEEDINGS BEFORE HEARING

§ 18b.30 Notice of hearing or opportunity for hearing.

Proceedings are commenced by mailing a notice of hearing or opportunity for hearing to an affected applicant or recipient, pursuant to §§ 18.9 and 18a.5 of this chapter.

§ 18b.31 Answer to notice.

The respondent, applicant or recipient may file an answer to the notice within 20 days after service thereof. Answers shall admit or deny specifically and in detail each allegation of the notice, unless the respondent party is without knowledge, in which case his answer should so state, and the statement will be deemed a denial. Allegations of fact in the notice not denied or controverted by answer shall be deemed admitted. Matters alleged as affirmative defenses shall be separately stated and numbered. Failure of the respondent to file an answer within the 20-day period following service of the notice may be deemed an admission of all matters of fact recited in the notice.

§ 18b.32 Amendment of notice or answer.

The General Counsel may amend the notice of hearing or opportunity for hearing once as a matter of course before an answer thereto is served, and each respondent may amend his answer once as a matter of course not later than 10 days before the date fixed for hearing but in no event later than 20 days from the date of service of his original answer. Otherwise a notice or answer may be amended only by leave of the presiding officer. A respondent shall file his answer to an amended notice within the time remaining for filing the answer to the original notice or within 10 days after service of the amended notice, whichever period may be the longer, unless the presiding officer otherwise orders.

§ 18b.33 Request for hearing.

Within 20 days after service of a notice of opportunity for hearing which does not fix a date for hearing the respondent, either in his answer or in a separate document, may request a hearing. Failure of the respondent to request a hearing shall be deemed a waiver of the right to a hearing and to constitute his consent to the making of a decision on the basis of such information as is available.

§ 18b.34 Consolidation.

The reviewing authority may provide for proceedings in the Veterans Administration to be joined or consolidated for hearing with proceedings in other Federal departments or agencies, by agreement with such other departments or agencies. All parties to any proceeding consolidated subsequent to service of the notice of hearing or opportunity for hearing shall be served with notice of such consolidation.

§ 18b.35 Motions.

Motions and petitions shall state the relief sought, the authority relied upon, and the facts alleged. If made before or after the hearing, these matters shall be in writing. If made at the hearing, they may be stated orally; but the presiding officer may require that they be reduced to writing and filed and served on all parties in the same manner as a formal motion. Motions, answers, and replies shall be addressed to the presiding officer, if the case is pending before him. A repetitious motion will not be entertained.

§ 18b.36 Responses to motions and petitions.

Within 8 days after a written motion or petition is served, or such other period as the reviewing authority or the presiding officer may fix, any party may file a response thereto. An immediate oral response may be made to an oral motion.

§ 18b.37 Disposition of motions and petitions.

The reviewing authority or the presiding officer may not sustain or grant a written motion or petition prior to expiration of the time for filing responses thereto, but may overrule or deny such motion or petition without awaiting response: *Provided, however,* That prehearing conferences, hearings and decisions need not be delayed pending disposition of motions or petitions. Oral motions and petitions may be ruled on immediately. Motions and petitions submitted to the reviewing authority or the presiding officer, respectively, and not disposed of in separate rulings or in their respective decisions will be deemed denied. Oral arguments shall not be held on written motions or petitions unless the presiding officer in his discretion expressly so orders.

RESPONSIBILITIES AND DUTIES OF PRESIDING OFFICER

§ 18b.40 Who presides.

A hearing examiner assigned under 5 U.S.C. 3105 or 3344 (formerly sec. 11 of the Administrative Procedure Act) shall preside over the taking of evidence in

any hearing to which these rules or procedure apply.

§ 18b.41 Designation of hearing examiner.

The designation of the hearing examiner as presiding officer shall be in writing, and shall specify whether the examiner is to make an initial decision or to certify the entire record including his recommended findings and proposed decision to the reviewing authority, and may also fix the time and place of hearing. A copy of such order shall be served on all parties. After service of an order designating a hearing examiner to preside, and until such examiner makes his decision, motions and petitions shall be submitted to him. In the case of the death, illness, disqualification or unavailability of the designated hearing examiner, another hearing examiner may be designated to take his place.

§ 18b.42 Authority of presiding officer.

The presiding officer shall have the duty to conduct a fair hearing, to take all necessary action to avoid delay, and to maintain order. He shall have all powers necessary to these ends, including (but not limited to) the power to:

(a) Arrange and issue notice of the date, time, and place of hearings, or, upon due notice to the parties, to change the date, time, and place of hearings previously set.

(b) Hold conferences to settle, simplify, or fix the issues in a proceeding, or to consider other matters that may aid in the expeditious disposition of the proceeding.

(c) Require parties and amici curiae to state their position with respect to the various issues in the proceeding.

(d) Administer oaths and affirmations.

(e) Rule on motions, and other procedural items on matters pending before him.

(f) Regulate the course of the hearing and conduct of counsel therein.

(g) Examine witnesses and direct witnesses to testify.

(h) Receive, rule on, exclude or limit evidence.

(i) Fix the time for filing motions, petitions, briefs, or other items in matters pending before him.

(j) Issue initial or recommended decisions.

(k) Take any action authorized by the rules in this part, or in conformance with the provisions of 5 U.S.C. 551–559 (the Administrative Procedure Act).

HEARING PROCEDURES

§ 18b.50 Statements of position and trial briefs.

The presiding officer may require parties and amici curiae to file written statements of position prior to the beginning of a hearing. The presiding officer may also require the parties to submit trial briefs.

§ 18b.51 Evidentiary purpose.

(a) The hearing is directed to receiving factual evidence and expert opinion testimony related to the issues in the proceeding. Argument will not be received in evidence; rather it should be presented in statements, memoranda, or briefs, as determined by the presiding officer. Brief opening statements, which shall be limited to statement of the party's position and what he intends to prove, may be made at hearings.

(b) Hearings for the reception of evidence will be held only in cases where issues of fact must be resolved in order to determine whether the respondent has failed to comply with one or more applicable requirements of Part 18 of this chapter. In any case where it appears from the respondent's answer to the notice of hearing or opportunity for hearing, from his failure timely to answer, or from his admissions or stipulations in the record, that there are no matters of material fact in dispute, the reviewing authority or presiding officer may enter an order so finding, vacating the hearing date if one has been set, and fixing the time for filing briefs under § 18b.70. Thereafter the proceedings shall go to conclusion in accordance with §§ 18b.70 through 18b.76. The presiding officer may allow an appeal from such order in accordance with § 18b.65.

§ 18b.52 Testimony.

Testimony shall be given orally under oath or affirmation by witnesses at the hearing; but the presiding officer, in his discretion, may require or permit that the direct testimony of any witness be prepared in writing and served on all parties in advance of the hearing. Such testimony may be adopted by the witness at the hearing, and filed as part of the record thereof. Unless authorized by the presiding officer, witnesses will not be permitted to read prepared testimony into the record. Except as provided in §§ 18b.54 and 18b.55, witnesses shall be available at the hearing for cross-examination.

§ 18b.53 Exhibits.

Proposed exhibits shall be exchanged at the prehearing conference, or otherwise prior to the hearing if the presiding officer so requires. Proposed exhibits not so exchanged may be denied admission as evidence. The authenticity of all proposed exhibits exchanged prior to hearing will be deemed admitted unless written objection thereto is filed prior to the hearing or unless good cause is shown at the hearing for failure to file such written objection.

§ 18b.54 Affidavits.

An affidavit is not inadmissible as such. Unless the presiding officer fixes other time periods affidavits shall be filed and served on the parties not later than 15 days prior to the hearing; and not less than 7 days prior to hearing a party may file and serve written objection to any affidavit on the ground that he believes it necessary to test the truth of assertions therein at hearing. In such event the assertions objected to will not be received in evidence unless the affiant is made available for cross-examination, or the presiding officer determines that cross-examination is not necessary for the full and true disclosure of facts referred to in such assertions. Notwithstanding any objection, however, affidavits may be considered in the case of any respondent who waives a hearing.

§ 18b.55 Depositions.

Upon such terms as may be just, for the convenience of the parties or of the Veterans Administration, the presiding officer may authorize or direct the testimony of any witness to be taken by deposition.

§ 18b.56 Admissions as to facts and documents.

Not later than 15 days prior to the scheduled date of the hearing except for good cause shown or prior to such earlier date as the presiding officer may order, any party may serve upon an opposing party a written request for the admission of the genuineness and authenticity of any relevant documents described in and exhibited with the request, or for the admission of the truth of any relevant matters of fact stated in the request. Each of the matters of which an admission is requested shall be deemed admitted, unless within a period designated in the request (not less than 10 days after service thereof, or within such further time as the presiding officer or the reviewing authority if no presiding officer has yet been designated may allow upon motion and notice) the party to whom the request is directed serves upon the requesting party a sworn statement either denying specifically the matters of which an admission is requested or setting forth in detail the reasons why he cannot truthfully either admit or deny such matters. Copies of requests for admission and answers thereto shall be served on all parties. Any admission made by a party to such request is only for the purposes of the pending proceeding, or any proceeding or action instituted for the enforcement of any order entered therein, and shall not constitute an admission by him for any other purpose or be used against him in any other proceeding or action.

§ 18b.57 Evidence.

Irrelevant, immaterial, unreliable, and unduly repetitious evidence will be excluded.

§ 18b.58 Cross-examination.

A witness may be cross-examined on any matter material to the proceeding without regard to the scope of his direct examination.

§ 18b.59 Unsponsored written material.

Letters expressing views or urging action and other unsponsored written material regarding matters in issue in a hearing will be placed in the correspondence section of the docket of the proceeding. These data are not deemed part of the evidence or record in the hearing.

§ 18b.60 Objections.

Objections to evidence shall be timely and briefly state the ground relied upon.

§ 18b.61 Exceptions to rulings of presiding officer unnecessary.

Exceptions to rulings of the presiding officer are unnecessary. It is sufficient that a party, at the time the ruling of the presiding officer is sought, makes known the action which he desires the presiding officer to take, or his objection to an action taken, and his grounds therefor.

§ 18b.62 Official notice.

Where official notice is taken or is to be taken of a material fact not appearing in the evidence of record, any party, on timely request, shall be afforded an opportunity to show the contrary.

§ 18b.63 Public document items.

Whenever there is offered (in whole or in part) a public document, such as an official report, decision, opinion, or published scientific or economic statistical data issued by any of the executive departments (or their subdivisions), legislative agencies or committees, or administrative agencies of the Federal Government (including Government-owned corporations), or a similar document issued by a State or its agencies, and such document (or part thereof) has been shown by the offeror to be reasonably available to the public, such document need not be produced or marked for identification, but may be offered for official notice, as a public document item by specifying the document or relevant part thereof.

§ 18b.64 Offer of proof.

An offer of proof made in connection with an objection taken to any ruling of the presiding officer rejecting or excluding proffered oral testimony shall consist of a statement of the substance of the evidence which counsel contends would be adduced by such testimony; and, if the excluded evidence consists of evidence in documentary or written form or of reference to documents or records, a copy of such evidence shall be marked for identification and shall accompany the record as the offer of proof.

§ 18b.65 Appeals from ruling of presiding officer.

Rulings of the presiding officer may not be appealed to the reviewing authority prior to his consideration of the entire proceeding except with the consent of the presiding officer and where he certifies on the record or in writing that the allowance of an interlocutory appeal is clearly necessary to prevent exceptional delay, expense, or prejudice to any party, or substantial detriment to the public interest. If an appeal is allowed, any party may file a brief with the reviewing authority within such period as the presiding officer directs. No oral argument will be heard unless the reviewing authority directs otherwise. At any time prior to submission of the proceeding to him for decision, the reviewing authority may direct the presiding officer to certify any question or the entire record to him for decision. Where the entire record is so certified, the presiding officer shall recommend a decision.

THE RECORD

§ 18b.66 Official transcript.

The Veterans Administration will designate the official reporter for all hearings. The official transcripts of testimony taken, together with any exhibits, briefs, or memoranda of law filed therewith shall be filed with the Veterans Administration. Transcripts of testimony in hearings may be obtained from the official reporter by the parties and the public at rates not to exceed the maximum rates fixed by the contract between the Veterans Administration and the reporter. Upon notice to all parties, the presiding officer may authorize corrections to the transcript which involve matters of substance.

§ 18b.67 Record for decision.

The transcript of testimony, exhibits, and all papers and requests filed in the proceedings, except the correspondence section of the docket, including rulings and any recommended or initial decision shall constitute the exclusive record for decision.

POSTHEARING PROCEDURES; DECISIONS

§ 18b.70 Posthearing briefs; proposed findings and conclusions.

(a) The presiding officer shall fix the time for filing posthearing briefs, which may contain proposed findings of fact and conclusions of law, and, if permitted, reply briefs.

(b) Briefs should include a summary of the evidence relied upon together with references to exhibit numbers and pages of the transcript, with citations of authorities relied upon.

§ 18b.71 Decisions following hearing.

When the time for submission of posthearing briefs has expired, the presiding officer shall certify the entire record, including his recommended findings and proposed decision, to the reviewing authority; or if so authorized he shall make an initial decision. A copy of the recommended findings and proposed decision, or of the initial decision, shall be served upon all parties, and amici, if any.

§ 18b.72 Exceptions to initial or recommended decisions.

Within 20 days after the mailing of an initial or recommended decision, any party may file exceptions to the decision, stating reasons therefor, with the reviewing authority. Any other party may file a response thereto within 30 days after the mailing of the decision. Upon the filing of such exceptions, the reviewing authority shall review the decision and issue his own decision thereon.

§ 18b.73 Final decisions.

(a) Where the hearing is conducted by a hearing examiner who makes an initial decision, if no exceptions thereto are filed within the 20-day period specified in § 18b.72, such decision shall become the final decision of the Veterans Administration, and shall constitute "final agency action" within the meaning of 5 U.S.C. 704 (formerly sec. 10(c) of the Administrative Procedure Act), subject to the provisions of § 18b.75.

(b) Where the hearing is conducted by a hearing examiner who makes a recommended decision or upon the filing of exceptions to a hearing examiner's initial decision, the reviewing authority shall review the recommended or initial decision and shall issue his own decision thereon, which shall become the final decision of the Veterans Administration, and shall constitute "final agency action" within the meaning of 5 U.S.C. 704 (formerly sec. 10(c) of the Administrative Procedure Act), subject to the provisions of § 18b.75.

(c) All final decisions shall be promptly served on all parties, and amici, if any.

§ 18b.74 Oral argument to the reviewing authority.

(a) If any party desires to argue a case orally on exceptions or replies to exceptions to an initial or recommended decision, he shall make such request in writing. The reviewing authority may grant or deny such requests in his discretion. If granted, he will serve notice of oral argument on all parties. The notice will set forth the order of presentation, the amount of time allotted, and the time and place for argument. The names of persons who will argue should be filed with the agency hearing clerk not later than 7 days before the date set for oral argument.

(b) The purpose of oral argument is to emphasize and clarify the written argument in the briefs. Reading at length from the brief or other texts is not favored. Participants should confine their arguments to points of controlling importance and to points upon which exceptions have been filed. Consolidations of appearances at oral argument by parties taking the same side will permit the parties' interests to be presented more effectively in the time allotted.

(c) Pamphlets, charts, and other written material may be presented at oral argument only if such material is limited to facts already in the record and is served on all parties and filed with the agency hearing clerk at least 7 days before the argument.

§ 18b.75 Review by the Administrator.

Within 20 days after an initial decision becomes a final decision pursuant to § 18b.73(a), or within 20 days of the mailing of a final decision referred to in § 18b.73(b), as the case may be, a party may request the Administrator to review the final decision. The Administrator may grant or deny such request, in whole or in part, or serve notice of his intent to review the decision in whole or in part upon his own motion. If the Administrator grants the requested review, or if he serves notice of intent to review upon his own motion, each party to the decision shall have 20 days following notice of the Administrator's proposed action within which to file exceptions to the decision and supporting briefs and memoranda, or briefs and memoranda in support of the decision. Failure of a party to request review under this section shall not be deemed a failure to exhaust administrative remedies for the purpose of obtaining judicial review.

§ 18b.76 Service on amici curiae.

All briefs, exceptions, memoranda, requests, and decisions referred to in §§ 18b.70 through 18b.76 shall be served upon amici curiae at the same times and in the same manner required for service on parties. Any written statements of position and trial briefs required of parties under § 18b.50 shall be served on amici.

POSTHEARING AGENCY ACTIONS

§ 18b.77 Final agency action.

(a) The final decision of the hearing examiner or reviewing authority that a school or training establishment is not in compliance will be referred by the reviewing authority to the Administrator for approval as required by § 18.10(e) of this chapter. The finding will be accompanied by letters from the Administrator to the House Veterans' Affairs Committee and the Senate Committee on Labor and Public Welfare containing a full report on the circumstances as required by § 18.8(c) of this chapter, the reasons for the proposed action and a statement that the proposed action will become the final agency action 30 days after the date of the letter.

(b) A copy of the letters to the congressional committees will be sent to all parties to the proceedings.

JUDICIAL STANDARDS OF PRACTICE

§ 18b.90 Conduct.

Parties and their representatives are expected to conduct themselves with honor and dignity and observe judicial standards of practice and ethics in all proceedings. They should not indulge in offensive personalities, unseemly wrangling, or intemperate accusations or characterizations. A representative of any party whether or not a lawyer shall observe the traditional responsibilities of lawyers as officers of the court and use his best efforts to restrain his principal from improprieties in connection with a proceeding.

§ 18b.91 Improper conduct.

With respect to any proceeding it is improper for any interested person to attempt to sway the judgment of the reviewing authority by undertaking to bring pressure or influence to bear upon him or any officer having a responsibility for a decision in the proceeding, or his decisional staff. It is improper that such interested persons or any members of the Veterans Administration's staff or the presiding officer give statements to communications media, by paid advertisement or otherwise, designed to influence the judgment of any officer having a responsibility for a decision in the proceeding, or his decisional staff. It is improper for any person to solicit communications to any such officer, or his decisional staff, other than proper communications by parties or amici curiae.

§ 18b.92 Ex parte communications.

Only persons employed by or assigned to work with the reviewing authority who perform no investigative or prosecuting function in connection with a proceeding shall communicate ex parte with the reviewing authority or the presiding officer, or any employee or person involved in the decisional process in such proceedings with respect to the merits of that or a factually related proceeding. The reviewing authority, the presiding officer, or any employee or person involved in the decisional process of a proceeding shall communicate ex parte with respect to the merits of that or a factually related proceeding only with persons employed by or assigned to work with them and who perform no investigative or prosecuting function in connection with the proceeding.

§ 18b.93 Expeditious treatment.

Requests for expeditious treatment of matters pending before the reviewing authority or the presiding officer are deemed communications on the merits, and are improper except when forwarded from parties to a proceeding and served upon all other parties thereto. Such communications should be in the form of a motion.

§ 18b.94 Matters not prohibited.

A request for information which merely inquires about the status of a proceeding without discussing issues or expressing points of view is not deemed an ex parte communication. Such requests should be directed to the civil rights hearing clerk. Communications with respect to minor procedural matters or inquiries or emergency requests for extensions of time are not deemed ex parte communications prohibited by § 18b.92. Where feasible, however, such communications should be by letter with copies to all parties. Ex parte communications between a respondent and the responsible agency official or the Administrator with respect to securing such respondent's voluntary compliance with any requirement of Part 18 of this chapter are not prohibited.

§ 18b.95 Filing of ex parte communications.

A prohibited communication in writing received by the Administrator, the reviewing authority, or by the presiding officer, shall be made public by placing it in the correspondence file of the docket in the case and will not be considered as part of the record for decision. If the prohibited communication is received orally, a memorandum setting forth its substance shall be made and filed in the correspondence section of the docket in the case. A person referred to in such memorandum may file a comment for inclusion in the docket if he considers the memorandum to be incorrect.

These VA regulations are effective upon publication in the FEDERAL REGISTER.

Approved: June 25, 1970.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,
Acting Deputy Administrator.

[F.R. Doc. 70-8464; Filed, July 1, 1970; 8:52 a.m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Miscellaneous Amendments

Part 21 is amended as follows:

Subpart D—Administration of Educational Benefits; 38 U.S.C. Chs. 34, 35, and 36

1. In § 21.4001, paragraph (d) is amended and paragraph (e) is added so that the added and amended material reads as follows:

§ 21.4001 Delegations of authority.

* * * * *

(d) The Chief Benefits Director is delegated responsibility for obtaining evidence of voluntary compliance for vocational rehabilitation, education and special restorative training to implement title VI, Civil Rights Act of 1964. Authority is delegated to him and his designee to take any necessary action as to programs of vocational rehabilitation, education or special restorative training under 38 U.S.C. Chs. 31, 34, 35, and 36 for the purpose of securing evidence of voluntary compliance directly or through the agencies to whom the Administrator has delegated responsibility for various schools or training establishments to implement Part 18 of this chapter.

(e) The Chief Benefits Director is delegated responsibility for obtaining evidence of voluntary compliance from recognized national organizations whose representatives are afforded space and office facilities in field stations under his jurisdiction.

Subpart E—Nondiscrimination in Vocational Rehabilitation and Education Programs—Title VI, Civil Rights Act of 1964

2. Immediately preceding § 21.4300, the centerhead "General" is deleted.

3. Section 21.4300 is revised to read as follows:

§ 21.4300 Civil rights assurances; Title VI, Public Law 88-352.

(a) Payments under 38 U.S.C. Chs. 31, 34, 35, and 36 are subject to the provisions of Part 18 of this chapter. See § 21.4001(d). Evidence that a school or training establishment has enrolled or would enroll students without regard to race, color or national origin will be considered as meeting the status of compliance for Veterans Administration purposes. See § 18.4(a) of this chapter.

(b) The national organizations being furnished space and office facilities under the provisions of 38 U.S.C. 3402(a)(2) are subject to the provisions of Part 18 of this chapter. Evidence that such an organization has represented or would represent any person in the preparation, presentation, and prosecution of claims under laws administered by the Veterans Administration without regard to race, color or national origin will be considered as meeting the status of compliance for Veterans Administration purposes. See § 18.4(a) of this chapter.

4. Section 21.4302 is revised to read as follows:

§ 21.4302 Proprietary vocational schools and training establishments.

Each institution and training establishment having veterans enrolled under 38 U.S.C. Chs. 31, 34, or 35 will be requested to sign an assurance of compliance. The Chief Benefits Director or his designee will conduct periodic compliance reviews, receive and investigate complaints, determine whether there is a failure to comply and whether compliance can be obtained by informal means.

5. In § 21.4304, paragraph (c) is amended to read as follows:

§ 21.4304 Assurance of compliance received—institutions of higher learning; elementary and secondary schools; medical facilities.

* * * * *

(c) *Noncompliance.* If the school is found to be in noncompliance for Veterans Administration purposes, the Department of Health, Education, and Welfare will be requested to furnish a copy of their records, including a transcript of hearing reports, leading to the finding of noncompliance by that agency. When this data has been received, action will be taken as prescribed in Part 18b of this chapter.

6. Section 21.4305 is revised to read as follows:

§ 21.4305 Noncompliance; complaints; initial action.

(a) *Veterans Administration action.* If an institution or employer not in a category for which compliance responsibility has been delegated to the Secretary, Department of Health, Education, and Welfare fails or refuses to sign an assurance of compliance or a complaint is received, a Veterans Administration employee will visit the institution and attempt to secure compliance. If the institution or employer is unwilling to sign the assurance of compliance or to remedy the complaint, the Chief Benefits Director will report to the General Counsel that compliance cannot be secured by voluntary means.

(b) *Institutions of higher learning; elementary and secondary schools; medical institutions.* If the institution is unwilling to sign an assurance of compliance or if a complaint indicative of noncompliance is received, the matter will be referred to the Department of Health, Education, and Welfare to initiate procedure to obtain compliance by informal means. This action will not be taken when that Department has previously found the institution to be in noncompliance. If the Department reports that it has been unable to obtain compliance through voluntary means, the action outlined in Part 18b of this chapter will be taken.

7. Section 21.4306 (formerly § 21.4378) is added to read as follows:

§ 21.4306 Payments after final agency action.

When there has been a final agency determination that a school or training establishment is not in compliance:

(a) *Certificates of eligibility.* No new certificates of eligibility will be issued for courses in that institution.

(b) *Enrollments.* For a veteran or eligible person who was pursuing an approved program of education or training on the day before the date the agency decision becomes final, payments may be continued and reenrollment authorized until his program is completed. Initial enrollment may be authorized only if the commencing date of benefits is earlier than the date of final agency action.

(c) *Chapter 31.* Payments under 38 U.S.C. Ch. 31 to a school or training establishment may be authorized only through the date of the enrolled veteran's program.

(d) *Reporting fees.* The annual reporting fee authorized by § 21.4206 is payable to a school which is found not to be in compliance only for those veterans or eligible persons continued to enrollment, as authorized by paragraph (b) of this section, as of October 31 of each year.

8. Section 21.4307 (formerly § 21.4379) is added to read as follows:

§ 21.4307 Posttermination compliance.

When an institution has been found by the Veterans Administration not to be in compliance, and subsequently is found to be in a status of compliance, payments otherwise in order may be authorized commencing the date compliance is certified.

§§ 21.4310–21.4399 [Revoked]

9. Sections 21.4310 through 21.4399 are revoked (see Part 18b of this chapter). Sections 21.4378 and 21.4379 have been redesignated as §§ 21.4306 and 21.4307, respectively.

(5 U.S.C. 301, 38 U.S.C. 210(c)(1) and 38 CFR 18.9(d) and Appendix A, Part 18)

These VA regulations are effective upon publication in the FEDERAL REGISTER.

Approved: June 25, 1970.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,
Acting Deputy Administrator.

[F.R. Doc. 70-8465; Filed, July 1, 1970; 8:52 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18433; FCC 70-668]

PART 15—RADIO FREQUENCY DEVICES

All-Channel Television Broadcast Receivers

Memorandum opinion and order. 1. A notice of proposed rule making in this proceeding was adopted on January 29, 1969 (FCC 69-88, 34 F.R. 1732, Feb. 5, 1969). In the notice, the Commission announced its intention, subject to information received in the proceeding, to adopt regulations which would require the use, in television broadcast receivers, of comparable systems for tuning the VHF and UHF channels. Comments were filed by a number of firms and organizations associated with the television receiver manufacturing industry and the television broadcast industry. The Commission's report and order, prescribing regulations with regard to comparable tuning, was adopted on January 28, 1970 (FCC 70-113, 35 F.R. 2660, Feb. 6, 1970). In principal part, with the exception of certain collateral provisions, the regulations imposed the following requirements:

§ 15.68 *All-channel television broadcast reception: receivers manufactured on or after May 1, 1971.* Television broadcast receivers manufactured on or after May 1, 1971, shall comply with the * * * following requirements:

(a) *Basic tuning mechanism*—(1) *General rule.* The basic tuning mechanism for the UHF television channels (14–83) shall be of the same type (e.g., continuous, detent, pushbutton) as the basic tuning mechanism for the VHF television channels (2–13), and shall be of comparable capability and quality.

(2) *Deferred effective date for smaller receivers.* This requirement shall not apply to receivers manufactured prior to May 1, 1973, which furnish a picture smaller than 9 inches measured diagonally.

(b) *Tuning aids*—(1) *General rule.* If equipment and controls which tend to simplify, expedite or perfect the reception of television signals (e.g., AFC, visual aids, remote control, signal seeking capability) are incorporated into the design of a television broadcast receiver, tuning aids of comparable capability and quality shall be provided for tuning both the VHF television channels (2–13) and the UHF television channels (14–83).

(2) *Deferred effective date for certain tuning aids used in small receivers.* In the case of tuning aids such as memory tuning which can be used effectively only with a detent or pushbutton tuning system, this requirement shall not apply to receivers manufactured prior to May 1, 1973, which furnish a picture smaller than 9 inches measured diagonally.

2. The following firms and organizations associated with the television receiver manufacturing industry and the television broadcast industry now seek reconsideration of the regulations:

Television receiver manufacturing industry:

The Consumer Products Division of the Electronic Industries Association (EIA).[1]
Electronic Industries Association of Japan (EIA-Japan).[2]
Admiral Corp.
Philco-Ford Corp.
Sylvania Electric Products, Inc.[2]
Warwick Electronics.
Zenith Radio Corp.[2]
General Electric Co.[2]

[1] Good cause was shown by EIA for filing a petition for reconsideration in excess of 25 pages. Its motion for leave to file petition for reconsideration is granted.

[2] The General Electric petition, affidavits submitted with the Sylvania and Zenith petitions, and affidavits submitted by EIA-Japan on behalf of six Japanese firms, were received in confidence pursuant to § 0.459 of the rules and regulations.

Magnavox Co.
Motorola, Inc.

Television Broadcast Industry:

Kaiser Broadcasting Corp.
National Association of Educational Broadcasters (NAEB).

The presentation made by the television manufacturing industry centers on the petition filed by EIA. A substantial number of manufacturers join in the EIA petition. Of those who filed separately, a number submitted pro forma petitions supporting the position taken by EIA, together with affidavits detailing the positions of individual firms. General Electric, Warwick, and Zenith filed separate petitions of a substantive nature. EIA and Warwick oppose the petitions filed by Kaiser and NAEB. The All-Channel Television Society (ACTS) opposes the petition filed by EIA.[3] EIA has filed a reply to the ACTS opposition. Warwick has filed a statement supporting the EIA reply.[4]

3. In the notice of proposed rule making in this proceeding, we particularly requested that information and views on tuning regulation be furnished by the receiver manufacturing industry. In this connection, we can only state that the industry now, on reconsideration, has coupled a detailed factual presentation with a cogent statement of its position; that it has endeavored to refute the presentation made by broadcasting interests; and that it has not done so previously in this proceeding. We regret this manner of proceeding and caution against its recurrence. Even at this late stage, however, it is appropriate to consider new data relevant to a public interest judgment and, on the basis of information now before us, it is apparent that substantial changes in the comparable tuning regulations would serve the public interest.

4. In the notice of proposed rule making and the report and order in this proceeding, we dealt at some length with the importance to the public of UHF television, its need for comparable tuning, and the need for Commission regulation to achieve comparable tuning. Nothing has been presented in the pleadings before us which warrants modification of our original conclusions on these basic matters. We are convinced that comparable tuning will contribute measurably to the full development of UHF television and thereby to a television system providing the diversity in programing and in sources of views on public issues which are required in the public interest. And, though EIA now states that the television receiver manufacturing industry favors comparable tuning, there is no basis in the record for concluding that the industry, without regulation, would introduce comparable tuning at any foreseeable future date. To the contrary, the materials before us support the conclusion that individual manufacturers would not proceed promptly toward comparable tuning on a large scale, especially in low-cost receivers, without the support of regulation requiring all manufacturers to follow the same course.[5] The principal questions raised on reconsideration concern the capability of the television receiver industry to comply with the May 1, 1971, effective date; the Commission's authority to require comparable tuning; and the availability and adequacy of suitable UHF detent tuners. These matters warrant our consideration at this time and are discussed below.

5. *Effective date.* EIA states that the receiver manufacturing industry cannot meet the May 1, 1971, effective date. In support of its position, it makes the following factual presentation. On an industry basis, only a small percentage of 1970 model receivers meets the requirement of comparability imposed by the January 28 report and order. The process for redesign of 1971 models is now well-advanced, and few of these models, with the planned changes, will meet the comparable tuning requirement.[6] Major new components, such as a new tuning system, should be introduced at the beginning of the design process, and efforts to design all 1971 models for compliance with the comparable tuning requirement would mean starting again from the beginning on the design of many of them. The redesign of a television receiver, however, is a major undertaking. In the normal course of business, major design changes are said to require from 99–134 weeks, and 70–97 weeks must be allowed even for minor changes. The time period in each instance includes 20–30 weeks for the testing of a new UHF tuning system. Thus, apart from the expense of beginning the design process over, time is not available to redesign a large proportion of 1971 model receivers for compliance with the comparable tuning requirement.

6. EIA states, further, that though compliance with the comparable tuning requirement could begin with 1972 models, full compliance could not be achieved prior to 1974. As a specific date, it suggests July 1, 1974, by which time, it states, the production of year-earlier models would have been phased out. The following factors are cited in support of this position. Each television receiver manufacturer maintains facilities and a staff of technical personnel whose sole or principal function involves the design and re-design of its product line. The cost of maintaining such facilities and personnel, together with other costs associated with the design process,[7] constitute an appreciable capital outlay. Industry economics require that such expenditures be spread over a large number of production units. General industry practice is for each firm to re-design, on an average, a third of its models per year, thereby spreading the design costs over three years production.[8] Manufacturers thus do not maintain the facilities and staff which would be required to re-model their entire product lines in a single year, and would in fact require three years (1972–1974) to achieve full compliance with the comparable tuning requirement.

7. EIA states that the July 1, 1974 date should apply to all receivers of all picture tube sizes, since the regulations will require design changes in larger as well as smaller receivers. It urges, in addition, that the Commission not impose interim requirements for partial compliance, since initial problems (e.g., tuner supply and testing) may make it more difficult for manufacturers to achieve partial compliance at early dates than full compliance by July 1, 1974. Should the Commission nevertheless decide on interim dates for partial compliance, it urges that these be stated as objectives rather than as regulatory requirements and that appropriate objectives would be 25 percent of models by July 1, 1972, 50 percent by July 1, 1973, and 100 percent by July 1, 1974.

8. The position of the receiver manufacturing industry regarding the effective date for a comparable tuning requirement which we have summarized above is support in detail in pleadings submitted by EIA and by individual manufacturers. The industry position is opposed by ACTS, which urges that the comparable tuning requirement apply to 75 percent of television receivers on or after May 1, 1971, and to 100 percent of receivers manufactured on or after May 1, 1972, these percentages to apply to all receiver models. We note that this requirement would involve redesign of all receiver models prior to May 1, 1971, so that 75 percent of each model would comply, and as a practical matter would involve full compliance by that date. In support of its position, ACTS states, in effect, that the receiver manufacturers are exaggerating their difficulties and could meet the May 1, 1971, compliance date without undue difficulty. This conclusion is apparently based on the availability of suitable tuning devices which do not require an increase in the size of receivers. Two devices are mentioned. The first ("an 8-position mechanical UHF tuning device") is neither identified

[3] The ACTS opposition was timely filed on March 23. Its "Motion to Accept Late Filing" was superfluous and need not be acted on.

[4] Though not timely filed, the Warwick statement will be received.

[5] See the report and order in this proceeding at pars. 21–25.

[6] Statements filed by individual firms indicate that a minimum of approximately 5 percent of 1971 models or production (both terms are used) may meet the comparable tuning requirement.

[7] Such other costs include, for example, re-tooling to produce newly designed components and re-aligning production lines for the efficient use of personnel.

[8] Lower-volume producers are said to operate on a four-year product life cycle, redesigning only ¼ of their product lines per year. Only one manufacturer has advised the Commission that it follows this practice, and in that case, the four-year cycle is limited to black and white models.

nor otherwise described. The second device, made by Sarkes-Tarzian, Inc., is said to utilize a tuner which is identical to current UHF tuners. However, this device includes not only a UHF tuner but also a detent mechanism, which is larger than the tuner it controls, and both the tuner and the detent mechanism must be accommodated with the receiver. The statement by ACTS that tuners can be tested in 2 weeks rather than 20 to 30 stands as an expression of its opinion against statements by manufacturers regarding the nature of the tests which are conducted. The arguments presented do not controvert the manufacturers' position that the introduction of a new tuning system involves an extended period of design activity, even when changes in the cabinet or chassis are not required, or that redesign capability is limited to one-third of models per year both by industry design capacity and by the economics of receiver production; and they fail to explain how the industry is to meet the proposed May 1, 1971, effective date. On the basis of the information now before us, we are persuaded that a substantial relaxation of the original effective dates is justified.

9. The regulations set out in the attached appendix specify the following schedule for compliance with the requirement of comparable tuning:

July 1, 1971, 10 percent of models.
July 1, 1972, 40 percent of models.
July 1, 1973, 70 percent of models.
July 1, 1974, 100 percent of models.

Absent a waiver of the percentage requirements (see par. 10, infra.), a manufacturer who failed to meet the schedule would be barred from shipping any receiver which had not been certificated to comply with the comparable tuning regulations. These effective dates apply to receivers of all sizes. The percentages relate to numbers of receiver models rather than numbers of receivers.[9] They require, in effect, that the production of old models be phased out, and that the production of new models be commenced, prior to the July 1 date in each year, so that the total mix of models in production on or after that date will comply with the percentages. Since manufacturers generally phase-in new models on a model-by-model basis over a period of months, it is naturally expected that a number of models with comparable tuning will be introduced well in advance of the July 1 date in each of the 4 years. In selecting these interim compliance percentages, we have been guided by the fact that some 1970 and 1971 models produced by most manufacturers have already been designed to comply wholly or in part with the requirement of comparability, thus easing the problem of compliance in the first year; that, in view of stated limits on redesign capacity, the 50 percent figure suggested for 1973 models would leave too much for the final year; and that the urgency of UHF broadcaster needs for comparable tuning, following years of unnecessary delay, warrants something more than a "business as usual" approach by the receiver manufacturing industry. A statement of objectives rather than regulatory requirements is not considered adequate. The interim schedule requires a special effort in 1971 by manufacturers who have made little or no provision for comparable tuning in the past, holds redesign activity below the stated capacity of 33⅓ percent per year in subsequent years, and avoids what could develop into a serious problem in the final year. In computing the number of models affected in a given year, manufacturers will be permitted to reduce fractional results to the next lowest whole number, a practice which affords some leeway, particularly to smaller manufacturers producing fewer models.[10] The regulations require, in addition, that comparable tuning be included as a feature of any new model receiver first produced in 1972 or in subsequent years. While, in view of the technical and economic considerations recited in pleadings filed by manufacturers, it does not appear likely that any manufacturer would, during this period, go through the extensive redesign process without providing for comparability, we deem it prudent to provide against that possibility. The regulations provide, finally, for periodic reports from manufacturers detailing the progress being made toward compliance with the regulations. Basically, such reports should list the models which comply, or are being modified to comply, by the next interim compliance date; should list those models which will not comply; and should discuss any difficulties anticipated by the manufacturer which may conceivably interfere with his plans for timely compliance. Manufacturers who are encountering, or expect to encounter, difficulties in meeting the requirements on schedule, in addition, are expected to report such difficulties to the Commission at the earliest possible time, detailing both the problems they face and the efforts being made to overcome them.

10. The interim compliance schedule is based on information which is largely industry-wide in character. While we are firmly of the view that the schedule is both reasonably and broadly within the competency of the receiver manufacturing industry, we do recognize that compliance might create unusual and unreasonable hardship on a given manufacturer because of specific and unique circumstances bearing upon his manufacturing operations. In such instances, manufacturers may request waiver of the compliance schedule. We wish it to be clear, however, that waiver will not be granted lightly. Waiver requests shall contain a statement of fact demonstrating past compliance commensurate with the capabilities of the manufacturer and the existence of circumstances creating unusual and unreasonable hardship, together with a clear and unequivocal representation regarding the extent of prospective compliance which is within its capabilities. Requests for waiver of the compliance dates, moreover, will not be considered if the manufacturer has failed to file the reports discussed in paragraph 9 above.

11. *Legal arguments.* Apart from its concern as to the effective date of the comparable tuning requirement, EIA contends that such regulation exceeds the authority granted the Commission under the All-Channel Receiver Law, 47 U.S.C. 303(s) and 330. That law provides, inter alia, that the Commission shall,

> Have authority to require that [television broadcast receivers] be capable of adequately receiving all frequencies allocated by the Commission to television broadcasting * * *. (47 U.S.C. 303(s).)

EIA states that the authority conferred was limited and narrow and was not intended to involve the Commission in the details of television receiver manufacturing. It contends that the words "adequately receiving" limit the Commission's authority to the electrical performance characteristics of receivers. In support of its position, reference is made to a May 11, 1962 letter from the Commission to Senator Pastore, Chairman of the Communications Subcommittee of the Senate Committee on Commerce, containing the following statement:

> It is the Commission's judgment that effective implementation of the all-channel legislation will necessitate authority for the Commission to specify two receiver characteristics. These two characteristics, which we believe are truly essential to insure the "capability" required by this legislation, are (1) receiver noise figure at UHF relative to that at VHF; and (2) receiver sensitivity at UHF relative to that at VHF. (S. Rept. No. 1536, 87th Cong., 2d Sess., May 24, 1962, at p. 21.)

The conclusion is apparently drawn that the Commission's authority is limited, specifically, to the noise figure and sensitivity of receivers.

12. As we have tried repeatedly to make clear, we do not seek, and will actively avoid, involvement in the details of television receiver manufacturing. To

[9] The term "model" is defined generally to include all of a type of television broadcast receiver made (or exported to the United States) by a single manufacturer which combines the same basic chassis with the same size picture tube. Through the important factor for UHF broadcasters is the number of receivers produced and sold rather than the number of models, factual considerations require that the interim compliance schedule be based on models. The percentages are limited by re-design capability, which relates to models rather than units produced. In seeking to comply with an interim schedule, moreover, the manufacturer could not accurately estimate the number of units of any model which could be sold—and which therefore would be produced. We look forward, however, to a good faith effort by receiver manufacturers to achieve interim results for units produced and sold which are comparable to the percentage requirements relating to models. A good faith effort in this and other respects will be an important factor in considering any request for waiver of the compliance schedule which may be submitted. See par. 10, infra.

[10] Example: Assuming that a manufacturer, for 1972, plans to produce 22 models, 40 percent compliance would require comparable tuning in 8.8 models. Compliance with the 40 percent compliance figure is achieved by production of 8 models with the feature of comparable tuning.

quote from Note 16 of the report and order, for example, "the method for achieving comparability is one for the judgment of individual receiver manufacturers." We do not believe, however, that our authority is so limited and narrow as to preclude such regulation as may be needed to fulfill the purposes of the law.

13. The purpose of the All-Channel Receiver Law was to provide the people of the United States with a truly competitive nationwide broadcasting system, by promoting full use of all channels allocated to television broadcasting. The Senate Committee on Commerce put it this way:

> The * * * basic purpose (of this legislation) is to permit maximum efficient utilization of the broadcasting spectrum space, especially that portion of the spectrum assigned to UHF television. S. Rept. No. 1526, supra, at p. 2.

With this purpose in mind, the Congress authorized the Commission to require that television receivers be capable of "adequately" receiving all channels allocated to television broadcasting. As we view it, the obvious place to look for a standard by which to judge the adequacy of receiving capability is in the purposes of the law. Thus reception is adequate at a given point in time if it is encouraging, or at least not deterring, "maximum efficient utilization of the broadcasting spectrum * * * assigned to UHF television."

14. It is argued, however, that receiving capability is itself a narrow term, relating solely to electrical performance and, indeed, that understandings derived from Commission correspondence with the Congress in 1962 limit the Commission's authority to two characteristics of electrical performance, namely the noise figure and sensitivity of receivers. We think this position is untenable, for the reasons set out below. First, to argue that authority delegated by the Congress relates only to electrical performance, one must assume that the Congress was concerned solely with the capability of the receiving apparatus to receive a television signal in some abstract sense, and that the Congress had no concern as to whether the purchaser of the receiver would be able to obtain a television picture. As we stated in our report and order (at par. 7):

> For reception of a television signal, electrical performance potential must be actualized through the tuning process; and if the UHF tuning process is inadequate by comparison with the VHF tuning process, UHF receiving capability is likewise inadequate. Receiving potential which cannot be translated into an audience for UHF programing does not effectuate the purposes of the All-Channel Receiver Law.

The Congress, we think, was concerned with a diversity of programing and point of view that would in fact be made available to the public and not simply captured within the receiver, and could reasonably expect the Commission to exercise the authority delegated to require that the tuning mechanism function in a manner oriented to achieve the purposes of the law. As stated by the House and Senate Committees considering the All-Channel Receiver Law,

> The performance capabilities of [television] sets for receiving UHF signals should be adequate to assure that the purchasers of these sets will in fact get comparable reception from UHF and VHF stations. (H.R. Rept. No. 1559, 87th Cong., 2d Sess., at p. 5; S. Rept. No. 1526, 87th Cong., 2d Sess., at p. 8.)

The legislative history speaks in terms of performance generally—not "electrical" performance—and the tuning process is an important link in furnishing performance to the purchaser.

15. Secondly, the letter quoted above in paragraph 12 simply states the Commission's judgment, as of 1962, that regulation relating to the noise figure and sensitivity of receivers would be required for effective implementation of the All-Channel Receiver Law. This was indeed our judgment at the time, as evidenced by the adoption of regulations dealing with these matters promptly following passage of the law.[11] This contemporaneous judgment was a factor warranting consideration by the Congress in its action on the law, and the legislative history indicates that it was in fact considered. These factors, however, do not support the conclusion that the Commission's authority is limited to regulation of the noise figure and sensitivity of receivers. There is no basis for concluding that the Congress did not intend for the Commission to take subsequent developments into consideration, to alter its judgment accordingly, and to take such measures as might be needed to achieve the purposes of the law. Had it intended to limit the Commission's authority to receiver noise figure and sensitivity, it would have been a simple matter to draft the legislation specifically in those terms. Instead, however, it authorized the Commission to require adequate receiving capability. It would seem to be clear that the Congress, in using this broader term, charged the Commission with the responsibility for determining what regulatory action would be necessary, in the light of subsequent developments, to achieve adequate capability.

16. EIA contends, in addition, that an evidentiary hearing in this proceeding is required by law, that a hearing should in any event be afforded, or that there should at least be oral argument before the full Commission. The legal argument is without foundation. This is a typical rule making proceeding and is properly conducted under procedures set out in section 4 of the Administrative Procedure Act, 5 U.S.C. 553. There is no statute requiring that rules adopted under the All-Channel Receiver Law shall be "made on the record after opportunity for agency hearing." Indeed, the question of providing an "opportunity for oral presentation" is specifically left to the judgment of the agency. The 1903 and 1915 cases cited by EIA delineate the right of a property owner to make an oral presentation in tax assessment proceedings, the latter case limiting that right, and have no apparent application to rule making proceedings conducted under 5 U.S.C. 553. The procedures here have been identical to those followed without question by the receiver manufacturing industry in 1962 on adoption of the original All-Channel Receiver Rules. All persons interested in this proceeding were afforded a full opportunity to comment on the Commission's proposal. The television manufacturing industry did not make the detailed factual presentation it has made on reconsideration, did not avail itself of the opportunity to respond to comments filed by others, and made no request for either a hearing or oral argument. The industry has been afforded the opportunity, since issuance of the report and order, to present its position orally in meetings with a member of the Commission and members of its staff and is now, on reconsideration, availing itself of a second opportunity to argue its position. It is, moreover, a matter of some importance that the Commission's opinion in this proceeding be issued promptly, so that receiver manufacturers may know where they stand. Neither oral argument nor an evidentiary hearing is warranted in these circumstances.

17. *The availability and adequacy of UHF tuning systems required for compliance with the comparable tuning regulations:* On the basis of all of the information available to us, we are satisfied that an ample supply of tuning mechanisms required for compliance with our regulations will be available to receiver manufacturers for use in 1971 and subsequent years. Comparable tuning does not, of course, require the use of any particular tuning system, and a variety of systems are used, or planned for use, in the larger, more expensive receivers. As a practical matter, however, it appears that comparable tuning over the near term will involve widespread use of a 6-position mechnical UHF tuning system. Practical considerations relate to such matters as size, cost, and availability in ample supply. In the report and order, we stated that 6-channel capacity would be considered adequate, and important elements of the receiver and tuner industries, we believe, are planning for use of a 6-channel tuning mechanism.

18. The receiver industry contends that even the 6-channel UHF detent mechanism is not generally available and that it is not a known or proven component. Statements to this effect are open-ended to some extent—in that it is difficult to demonstrate that a device which is not generally available at a given time will in fact be available in the future—but are related primarily to availability of such devices in sufficient quantity for use in all receivers manufactured after May 1, 1971. Discussions with tuner manufacturers lead us to believe that an ample supply of the 6-channel detent mechanism will be available for use in 10 percent of 1971 and 40 percent of 1972 receiver models. It is not reasonable to except tuner manufacturers to mass produce the detent mechanism prior to receiving purchase orders from receiver

[11] 27 F.R. 11698, Nov. 28, 1962.

manufacturers. Both the General Instrument Corp. and Sarkes Tarzian, Inc., each a major tuner manufacturer, have indicated that they are prepared to enter into mass production when purchase orders are received; and both firms are presently furnishing such tuning mechanisms in production-line quantities for use in at least two 1970 model receivers. It seems clear to us that purchase orders and full-scale production will follow promptly upon the adoption of rules requiring comparable tuning. Industry reports indicate, moreover, that other tuner manufacturers will make competitive devices available at an early date.

19. It also would appear to be clear that these tuning devices will prove suitable for use, either with or without modifications specified by the receiver manufacturers. We would assume that these devices are now being, or will soon be, tested by receiver manufacturers. (It seems unlikely in the extreme, with two tuner manufacturers in mass production, that receiver manufacturers are at this stage still experiencing difficulty in obtaining units for this purpose.) Testing relates to such matters as initial performance, durability and reliability in use under varying conditions. No manufacturer has advised the Commission that either device fails to meet its standards in any respect. Indeed, it is our expectation, given the impetus of Commission regulation, that any deficiencies determined by testing will result in modification of the device to remedy the deficiencies rather than rejection of its use.

20. It is important in this respect to appreciate that the devices in question do not embody novel concepts. They are better described as second generation equipment constituting compact, simplified and less costly versions of detent mechanisms which have heretofore been used in some of the more expensive receivers. Their operation is mechanical, and they perform no electrical function. It is clearly important that they be tested for durability and reliability, since they should stand up under extensive use and rough handling over the expected life of the receiver and should provide accurate tuning within this period without frequent recourse to the fine tuning process. We have no reason to believe, however, that tests could produce results which would require more, for example, than that tougher materials be used for particular parts, that spring tensions should be altered, or that tuning rates should be changed. We also have no basis for believing that tuner manufacturers would have any difficulty in meeting the demands of receiver manufacturers in these respects. Should it develop that the devices in question are deficient in important and irremedial respects, the situation would have to be reappraised. Until so advised, however, we have no reason to believe that the testing process will not eventuate in detent mechanisms meeting the standards of receiver manufacturers.

21. We plan for the present to stay with our determination that 6-channel UHF detent capability will meet the regulatory requirement. We would reiterate our previous determination that 6-channel UHF detent capability is all that can be reasonably required at the present time. As indicated above, we are confident that 6-channel detent mechanisms will be available for use and that any problems associated with their use can in fact be overcome within the time periods specified above. Adequate assurances relating to larger-capacity devices are not in hand. There are indications that tuner manufacturers are considering the production of 8-channel devices, for example, but we cannot be certain that they will be available in sufficient quantity for use in meeting the compliance schedule, and we have no data concerning cost, size, or other details. On the other hand, while the capacity of known 6-channel devices could be enlarged, modification would involve some additional time and some increase in the cost and size of the detent mechanism.

22. We are advised by Kaiser and NAEB, on the other hand, that more than six UHF stations are currently serving the Los Angeles and San Francisco market areas and that service from more than six UHF stations is potentially available in the top 10 television markets and in other areas.[12] Clearly, to the extent this is true, each viewer, in initially setting the detent mechanism, would have to select-out one or more stations.[13] In addition, the entry of new UHF stations in excess of six in any area would be discouraged. On the basis of this information, it seems reasonable to conclude that a capacity greater than six channels would be desirable now and that six-channel capability will not be adequate in the future. It is important, however, to make a start. What we have to work with now is a six-channel tuning mechanism. For the present, on a national basis, such a mechanism will serve the interests of practically all viewers and UHF television stations. In a given community in which service from more than six UHF stations is available, each viewer will presumably preset the six channels which most appeal to him and which he views most frequently. Assuming that seven UHF stations are available, each station will presumably lose detented access to some viewers; but the viewers lost to this extent will be those who value the station's programing the least and who view such programing least frequently. It seems reasonable to assume, therefore, that the gross loss in total audience for each station would be slight, if not in each instance totally canceled out by the addition of viewers who would otherwise have tuned the station(s) selected out. Detented tuning, moreover, is expected to work a substantial increase in the total UHF audience and therefore in the share of that audience available to each UHF station. Contrary to the opinion of Kaiser and of NAEB, we see no basis for believing that educational stations, with their distinctive programing, would be selected-out by those who are now attracted to such programing. The principal adverse effect of the six-channel mechanism would appear to be on the establishment of new UHF stations in excess of six and on the individual viewer, who would naturally prefer to have detented access to all available UHF stations.

23. We agree with participants in this proceeding that a six-channel device is "less than optimum." We cannot agree, however, that progress toward comparable tuning should be postponed pending development of the optimum device. This state of perfection is rarely reached. It is apparent that an expanded channel capability is achievable and can be required in the future.[14] However, we are not now in a position to determine what channel capability should, or can reasonably, be prescribed for the future. There are, for example, no settled criteria for determining what stations should be counted, for purposes of receiver regulation, in determining potential UHF service in a community. Future requirements, moreover, must be matched to tuning systems which will be available in quantity and must limit demands on receiver manufacturers to those which can reasonably be imposed. This proceeding will be kept open and a further notice of inquiry or of rule making will be issued

[12] NAEB indicates that service from seven to 10 UHF stations is potentially available in seven major market areas. Kaiser has submitted an engineering study of the top 10 markets indicating that potential service to portions of the cities proper ranges from nine to 19 UHF stations and that potential service to portions of the surrounding areas ranges from seven to 29 UHF stations. These figures rest on the assumption that the service area of each UHF station extends a distance of 63 miles from the antenna location.

[13] "Select-out" is a convenient term. However, it should not be read to mean that viewers are denied access to stations in excess of six. It is unlikely that it will be necessary to tune over any appreciable portion of the UHF television band to reach a seventh station from the nearest detented channel. It can be said, in a sense, that the seventh station shares a detented position with the nearest detented channel.

[14] Once the principle of detented UHF tuning is established, moreover, there is good reason to believe that competitive forces will cause the development and use of larger-capacity detent mechanisms suitable for general use by receiver manufacturers. Developmental work on the six-channel mechanism has been completed. While the resources of tuner manufacturers may for a time be devoted to modifications of that mechanism required to meet the standards of receiver manufacturers and while the resources of receiver manufacturers will for a longer period be concentrated on utilization of new tuning mechanisms, we cannot agree with the contention that regulations which appear now to require use of a six-channel mechanism will retard the development of more sophisticated devices. To the contrary, we expect that tuner manufacturers will be spurred to greater efforts to produce better, smaller, and cheaper tuning mechanisms and that the desire of receiver manufacturers to minimize redesign problems will hasten the development of practicable electronic tuning systems. The regulations create a new and assured demand for such equipment, and it is reasonable to believe that developmental resources will be devoted to meeting that demand.

shortly to obtain additional information regarding these matters and to determine what steps can and should be taken. The scope of the extended proceeding will not be limited to tuning capability but will examine into all aspects of receiving capability, including the adequacy of UHF antennas.

24. Kaiser and NAEB suggest, as a minimum for the present, that manufacturers be required to provide with the six-channel UHF detent mechanism a continuous tuning mechanism capable of providing easy access to all UHF channels. Though access to all channels is provided at each position on the six-channel mechanism, easy access is not provided. As is appropriate for the one-time operation of presetting the mechanism for detented operation, the tuning rate emphasizes accuracy rather than speed. The tuning speed is sufficiently slow to discourage use of the manual tuning control at any position on a day-by-day basis. It is, moreover, necessary to hold in the tuning knob while turning it. In spite of such difficulties, it would not in our judgment be reasonable to require manufacturers to equip each receiver with two UHF control mechanisms. It may, on the other hand, prove feasible for tuner and receiver manufacturers to simplify the manual tuning process on the existing device. We see two possibilities. First, it may be possible to eliminate the need for continuing pressure on the tuning knob while manually tuning additional channels. Secondly, it may be possible to increase the tuning speed sufficiently for practicable manual tuning over the relatively small portion of the UHF band between the station(s) selected out and the nearest detented channel while retaining a degree of tuning accuracy which meets the standards of the receiver manufacturer and the needs of the viewer; and this may, in particular, be possible on black and white receivers. The judgment as to what is feasible is properly left to the receiver and tuner manufacturer. If such modification proves feasible, however, it does not appear that it would involve significant (if any) increases in the cost or size of the tuning mechanism. Since improvements in these respects should increase the appeal of the receiver to the purchaser, moreover, normal competitive endeavor may reasonably be relied upon to encourage their introduction. We appreciate, of course, that such measures fall short of the ideal, even if they prove feasible. The longer range solution involves larger detent capability and use of other (particularly electronic) tuning systems to provide comparable tuning. For the present, however, pending further inquiry, such measures can relieve the limitations inherent in a six-channel tuning mechanism.

25. *The regulations.* The comparable tuning requirements are set out below at § 15.68. Paragraphs (a) and (c) of this section concern the effective date of the receiver requirements and the submission of progress reports, discussed above at paragraph 9. Requirements relating directly to the design and manufacture of receivers are set out in § 15.68(b) and are discussed below.

26. Section 15.68(b) contains a general introductory statement, together with three subparagraphs containing minimum requirements with respect to the basic tuning mechanism, tuning aids, and tuning controls and read-out. The introductory statement reads as follows:

> On a given receiver (after any initial adjustment of a detent mechanism required to receive UHF channels), the use of the UHF and VHF tuning systems shall provide approximately the same degree of tuning accuracy with approximately the same expenditure of time and effort.

If VHF fine tuning is unnecessary or rarely necessary, for example, UHF tuning should meet the same standard. If VHF frequencies stay accurately tuned, the same should be true of UHF. These are judgments we think receiver manufacturers should be able to make. Though the word, "approximately," is meant to indicate that the manufacturer is allowed some flexibility both as to the means and the degree of compliance with this general requirement, we expect a good faith effort by the manufacturer and will reject a request for certification if disparities in UHF tuning capability are obvious and serious. Assuming compliance with the specific requirements of subparagraphs (1)–(3) and a good faith effort to comply with the general requirement, however, the manufacturer can assume that his statement certifying that the receiver meets the requirements of § 15.68 will be accepted by the Commission.

27. The original regulations relating to the basic tuning mechanism simply provided that the UHF mechanism should be of the same type as the VHF mechanism and of comparable capability and quality. In view of uncertainty expressed by receiver manufacturers concerning the meaning of this provision, we have rephrased it in more specific terms. Section 15.68(b)(1) states what is required, as a minimum and for the present, for comparability with a detented VHF tuning system. A minimum of six discrete UHF tuning positions is required. In a system with limited channel capacity, provision must be made for preselecting channels without the use of tools.[15] If 12 or fewer discrete UHF tuning positions are provided, finally, each position must be adjustable to receive any channel allocated to UHF television. If more than 12 UHF tuning positions are provided, the manufacturer, according to his judgment, may provide for access to less than the full television band at each position. These specifics are responsive to the manufacturers' stated need for guidance. They were derived pragmatically from information on hand relating to the capability and design of known tuning mechanisms, and as indicated in the note following § 15.68(b)(1), will accommodate a variety of tuning mechanisms about which information has been furnished. We would again stress that the regulations do not require the use of any particular mechanism for VHF or UHF tuning, provided the UHF and VHF tuning systems "provide approximately the same degree of tuning accuracy with approximately the same expenditure of time and effort." We would also stress the interim nature of these requirements and the limitations on real comparability imposed at this time by uncertainty concerning the development, suitability, and availability of more adequate UHF tuning mechanisms. As indicated, this proceeding is being kept open for the purpose of developing further information concerning these matters.

28. No substantial question has been raised on reconsideration regarding the requirement of comparability between UHF and VHF tuning aids, and that requirement is restated without substantive change in § 15.68(b)(2). New provisions relating to tuning controls and channel read-out are set out in § 15.68(b)(3). First, if a receiver utilizes continuous UHF tuning for any function, it must be equipped to display the approximate UHF channel the tuner has been positioned to receive. This requirement is met by the retention of display mechanisms now typically utilized with UHF tuning systems. On the six-channel mechanism, such a display will simplify the task of presetting UHF detent positions and will be of particular importance in manually tuning available channels in excess of six. Secondly, if the receiver is equipped to provide repeated access to UHF channels at discrete tuning positions, the manufacturer must provide for the display of the precise channel selected or must provide the user with the means of identifying the channel selected without the use of tools. This requirement is met by digital read-out or by furnishing channel number tabs of the manufacturer's design which can be attached to the tuning knob or pushbuttons without the use of tools. Finally, and more generally, the rules require comparability with respect to the size, location, accessibility and legibility of tuning controls and channel read-out. Our concern in this area, however, is limited to gross differences in the controls or read-out which place UHF at a significant disadvantage. We have no intention of prescribing specifications for tuning controls, read-out or other receiver characteristics. Nor do we intend to specify mathematical limits governing the differences between them. What we are asking for is a good faith, common sense approach and effort. The UHF control knob, for example, should not be so different in shape and size from the VHF control knob that it is considerably more difficult to grasp and turn. The UHF and VHF controls should be on the same face of the receiver, and the user should not be required to bend to the floor or uncover a panel to manipulate the UHF controls—unless, of course, the same is true for VHF. The UHF read-out should, of course, be legible. Beyond this, it is obviously desirable for UHF read-out to be approximately as large and as well

[15] The form of instructions for preselecting channels is properly left to the receiver manufacturer.

lighted as the VHF read-out. Assuming basic legibility, however, differences are acceptable which follow directly from the larger number of UHF channels displayed or from good faith efforts to comply with other tuning requirements (e.g., any difficulty associated with lighting channel number tabs attached by the user). It should, we think, be clear from these examples that a good faith effort will assure compliance with this requirement.

29. The EIA petition raises a number of questions concerning the meaning of the Commission's regulations. The questions are set out below, with the answers.

(1) *Question.* Would the regulations permit (as the industry understands that they would) a tuning system in which the VHF Channel 1 position is used to switch to UHF?

Answer. Yes. Though this mode of operation involves "two-step" UHF tuning and is thus intrinsically undesirable, practical considerations preclude its rejection at this time.

(2) *Question.* What do the regulations require with respect to size and legibility of channel read-out?

Answer. See paragraph 28, supra.

(3) *Question.* Would the regulations permit a mixed system—for example, mechanical tuning for VHF and electronic for UHF?

Answer. The regulations permit a mixed mechanical-electronic system provided the controls appear the same to the user and, in use, provide comparable results.

(4) *Question.* Would the regulations permit a system that would provide easier tuning on UHF than on VHF?

Answer. Yes. The purpose of the All-Channel Receiver Law is to promote the full use of all channels allocated to television broadcasting. Under existing circumstances, in which channel usage problems are associated only with the UHF portion of the band, the purpose of the law and the regulations is served by measures which promote the use of UHF channels.

(5) *Question.* Do the regulations require a minimum of six UHF tuning positions?

Answer. Assuming use of a separate UHF detent tuner, a minimum of six positions is required. However, the 5-pushbutton UHF tuner with manual tuning capability now used by Motorola is also, for the present, considered to provide detented access to an adequate number of channels. We are advised, in addition, that some manufacturers contemplate use of 11-position or 13-position all-channel tuning systems in some of their more expensive receivers. These systems utilize a single tuning knob. On the 11-position system, each of the positions can be tuned to receive any UHF or VHF channel. On the 13-position system, VHF channels are received in their usual positions on the dial, and, in addition, each position can be switched to the UHF band and tuned to receive any UHF channel. For the present, such systems are considered to provide detented access to an adequate number of channels. As in the case of separate tuning systems, however, we are not presently in a position to determine what channel capability it will be reasonable to require for the future. This question is among those upon which further information and views will be requested in the next stage of this proceeding.

(6) *Question.* Would the regulations permit the use of a VHF tuning control having channel selection on the inside and fine tuning on the outside, with a UHF tuning control having fine tuning on the inside and channel selection on the outside?

Answer. Yes. The difference outlined in the question is not such as to place UHF at a significant disadvantage. It is, therefore, a matter left to the receiver manufacturer and not controlled by Commission regulation. See paragraph 28, supra.

30. *Accordingly, it is ordered,* Effective August 7, 1970, that the petitions for reconsideration filed by the persons listed in paragraph 2, above, are granted in part, as indicated in the text, and are in other respects denied; and that Part 15 of the rules and regulations is amended as set forth below.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Adopted: June 24, 1970.

Released: June 29, 1970.

FEDERAL COMMUNICATIONS COMMISSION [16]

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

1. In Part 15 of Chapter I of Title 47 of the Code of Federal Regulations, § 15.68 is revised to read as follows:

§ 15.68 All-channel television broadcast reception: receivers manufactured on or after July 1, 1971.

(a) *Effective date.* The requirements of this section, in addition to the requirements of § 15.67, shall apply to 10 percent of the television receiver models produced by any domestic manufacturer, or exported to the United States by any foreign manufacturer, on or after July 1, 1971; 40 percent of the models produced (or exported to the United States) by any manufacturer on or after July 1, 1972; 70 percent of the models produced (or exported to the United States) by any manufacturer on or after July 1, 1973; and to all receivers manufactured (or exported to the United States) on or after July 1, 1974. They shall, in addition, apply to any receiver model manufactured (or exported to the United States) on or after January 1, 1972, and not manufactured prior to that date.

NOTE: The term "model" refers to all of a type of television broadcast receiver made (or exported to the United States) by a single manufacturer which combines the same basic chassis with the same size picture tube. To determine the number of models subject to the requirements on the interim compliance dates, multiply the total number of models by the appropriate percentage and reduce the result to the next lowest whole number.

[16] Commissioners Cox, Johnson, and H. Rex Lee concurring in the result.

(b) *Receiver requirements.* On a given receiver (after any initial adjustment of a detent mechanism required to receive UHF channels), use of the UHF and VHF tuning systems shall provide approximately the same degree of tuning accuracy with approximately the same expenditure of time and effort.

(1) *Basic tuning mechanism.* If any television receiver is equipped to provide for repeated access to VHF television channels at discrete tuning positions, that receiver shall be equipped to provide for repeated access to a minimum of six UHF television channels at discrete tuning positions. Unless a discrete tuning position is provided for each channel allocated to UHF television, each position shall be readily adjustable to a particular UHF channel by the user without the use of tools. If 12 or fewer discrete tuning positions are provided, each position shall be adjustable to receive any channel allocated to UHF television.

NOTE: The combination of detented rotary switch and pushbutton controls is acceptable, provided UHF channels, after their initial selection, can be accurately tuned with an expenditure of time and effort approximately the same as that used in accurately tuning VHF channels. A UHF tuning system comprising five pushbuttons and a separate manual tuning knob is considered to provide repeated access to six channels at discrete tuning positions. A one-knob (VHF–UHF) tuning system providing repeated access to 11 or more discrete tuning positions is also acceptable, provided each of the tuning positions is readily adjustable, without use of tools, to receive any UHF channel.

(2) *Tuning aids.* If equipment and controls which tend to simplify, expedite or perfect the reception of television signals (e.g., AFC, visual aids, remote control, or signal seeking capability, referred to generally as tuning aids) are incorporated into the design of a television broadcast receiver, tuning aids of the same type and of comparable capability and quality shall be provided for tuning both the VHF television channels and the UHF television channels.

(3) *Tuning controls and channel read-out.* UHF tuning controls and channel read-out on a given receiver shall be comparable in size, location, accessibility and legibility to VHF tuning controls and read-out on that receiver. If any television receiver utilizes continuous UHF tuning for any function (e.g., as the basic tuning mode, for presetting a detent mechanism for repeated access at discrete tuning positions, or for tuning a channel which cannot be assigned a discrete tuning position), that receiver shall be equipped to display the approximate UHF television channel the tuner has been positioned to receive. If any television receiver is equipped to provide repeated access to UHF television channels at discrete tuning positions, the manufacturer shall provide for the display of the precise UHF channel selected or shall provide to the user a means of identifying the precise channel selected without the use of tools.

(c) *Progress reports.* Television receiver manufacturers shall file periodic

reports detailing their progress in meeting the requirements of this section. The reports shall be filed regularly, on June 1 and December 1 of each year, beginning on December 1, 1970, and shall be directed to the Office of Chief Engineer, Federal Communications Commission, Washington, D.C. 20554. Any manufacturer who expects to encounter difficulty in meeting the schedule for compliance shall, in addition, at the earliest possible date, file a special report detailing the difficulties encountered and the steps being taken to overcome them.

2. In Part 15 of Chapter I of Title 47 of the Code of Federal Regulations, § 15.69(a)(3) and (e)(10) are revised to read as follows:

§ 15.69 Certification of receivers.

(a) * * *

(3) No television broadcast receiver maufactured on or after July 1, 1971, which has not been certificated to comply with the requirements of § 15.68(b) shall be shipped in interstate commerce or imported from any foreign country, for sale or resale to the public, unless, on the date of shipment, the manufacturer of that receiver is in compliance with the schedule set forth in § 15.68(a). This provision does not apply to carriers which transport television broadcast receivers without trading in them.

* * * * *

(e) * * *

(10) In the case of a television broadcast receiver designed to meet the requirements of § 15.68, a description of the basic mechanism for tuning the VHF and UHF channels; a description of tuning aids provided for tuning VHF and UHF channels; at least two suitable 8" x 10" photographs, one showing the tuning controls on the outside of the cabinet, the other showing the tuning mechanism inside the cabinet; and a statement certifying that the receiver meets the requirements of § 15.68.

* * * * *

[F.R. Doc. 70-8428; Filed, July 1, 1970; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER E—SUPPLY AND PROCUREMENT

PART 101-32—GOVERNMENT-WIDE AUTOMATED DATA MANAGEMENT SERVICES

Procurement of Automatic Data Processing Equipment

This amendment provides a restriction on the consideration of conversion rental credits as an evaluation factor in the award of a new contract for the procurement of automatic data processing equipment (ADPE).

The table of contents for Part 101-32 is amended to add the following:

Sec.
101-32.408-3 Conversion rental credits.

Subpart 101-32.4—Procurement and Contracting

Section 101-32.408-3 is added to read as follows:

§ 101-32.408-3 Conversion rental credits.

Conversion rental credits applicable to installed ADPE during the period of conversion to new equipment shall not be considered as an evaluation factor in the procurement of ADPE. (Conversion rental credits are not the same as, and should not be confused with, purchase option credits. The latter, when applicable, are to be considered in the evaluation.)

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

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

Dated: June 25, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-8432; Filed, July 1, 1970; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Piedmont National Wildlife Refuge, Ga.; Correction

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

In F.R. Doc. 70-806, appearing on page 897 of the issue for Thursday, January 22, 1970, the following subparagraphs should be added to § 33.5:

(5) Fishing is permitted in Allison Lake from July 1 through September 30, 1970 only.

(6) Boats may not be left in any refuge fishing waters overnight.

LAWRENCE S. GIVENS,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

JUNE 22, 1970.

[F.R. Doc. 70-8391; Filed, July 1, 1970; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1036]

[Docket No. AO-179-A32]

MILK IN EASTERN OHIO-WESTERN PENNSYLVANIA MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the eastern Ohio-western Pennsylvania marketing area, which was issued June 9, 1970 (35 F.R. 9888), is hereby extended to July 11, 1970.

The above notice of extension of time for filing exceptions is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Signed at Washington, D.C., on June 26, 1970.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 70-8423; Filed, July 1, 1970; 8:48 a.m.]

[7 CFR Part 1136]

[Docket No. AO 309-A15]

MILK IN GREAT BASIN MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Great Basin marketing area, which was issued June 3, 1970 (35 F.R. 8572), and extended to June 30, 1970 (35 F.R. 9291), is hereby further extended to July 15, 1970.

The above notice of extension of time for filing exceptions is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Signed at Washington, D.C., on June 26, 1970.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 70-8422; Filed, July 1, 1970; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 81]

METROPOLITAN LAS VEGAS INTERSTATE AIR QUALITY CONTROL REGION

Notice of Proposed Designation and Consultation With Appropriate State and Local Authorities

Pursuant to authority delegated by the Secretary and redelgated to the Commissioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate the Metropolitan Las Vegas Interstate Air Quality Control Region (Nevada-Arizona) as set forth in the following new § 81.80 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Parklawn Building, Room 17-82, 5600 Fishers Lane, Rockville, Md. 20852. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the States of Nevada and Arizona and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at 10 a.m., July 14, 1970, in the auditorium, Southwestern Radiological Health Laboratory, U.S. Public Health Service, 944 East Harmon Street, Las Vegas, Nev. 89109.

Mr. Doyle J. Borchers is hereby designated as chairman for the consultation. The chairman shall fix the time, date, and place of later sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Office of the Commissioner, National Air Pollution Control Administration, Parklawn Building, Room 17-82, 5600 Fishers Lane, Rockville, Md. 20852, of such intention at least 1 week prior to the consultation. A report prepared for the consultation is available upon request to the Office of the Commissioner.

In Part 81, a new § 81.80 is proposed to be added to read as follows:

§ 81.80 Metropolitan Las Vegas Interstate Air Quality Control Region.

The Metropolitan Las Vegas Interstate Air Quality Control Region (Nevada-Arizona) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in sec. 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Nevada: Clark County.
In the State of Arizona: Mohave County.

This action is proposed under the authority of sections 107(a) and 301(2) of the Clean Air Act, section 2, Public Law 90-148, 81 Stat. 490, 504, 42 U.S.C. 1857c-2(a), 1857g(a).

Dated: June 25, 1970.

JOHN H. LUDWIG,
Acting Commissioner, National Air Pollution Control Administration.

[F.R. Doc. 70-8395; Filed, July 1, 1970; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGFR 70-79]

ELIZABETH RIVER, ELIZABETH, N.J.

Drawbridge Operation

1. The Commandant, U.S. Coast Guard is considering a request by Union County, N.J., to issue special operation regulations for their drawbridge across the Elizabeth River at South Front Street, Elizabeth, N.J. The draw is presently required to open on signal. The proposed regulations would permit the draw to remain closed to navigation between the hours of 12 midnight and 7 a.m. In addition, this document proposes an editorial change by placing all drawbridges across the Elizabeth River for which

constant attendance of drawtenders is not required in one paragraph (f)(3). By this change the present (f)(3) is renumbered (f)(3)(i), the present (f)(4) is renumbered (f)(3)(ii), and (f)(3)(iii) is added for the special regulations on the South Front Street bridge.

2. Accordingly, it is proposed to amend § 117.225(f) by deleting paragraph (f)(4) and by revising paragraph (f)(3) to read as follows:

§ 117.225 Navigable waters in the State of New Jersey; bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(3) *Elizabeth River.* (i) Central Railroad Company of New Jersey bridge and Union County bridges at Baltic Street, Summer Street, South Street, and Bridge Street, in the city of Elizabeth. The draws need not be opened for the passage of vessels and the special regulations contained in paragraphs (b) to (e) inclusive, of this section shall not apply to these bridges.

(ii) Union County bridge at South First Street in the city of Elizabeth. At least 3 hours' advance notice required.

(iii) Union County bridge at South Front Street, Elizabeth. The draw shall be opened promptly on signal between the hours of 7 a.m. and 12 midnight. At all other times the draw may remain closed to navigation.

* * * * *

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before July 27, 1970. All submissions should be made in writing to the Commander, Third Coast Guard District, Governors Island, New York, N.Y. 10004.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended, the reasons for any recommended change, and the name, address, and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

6. After the time set for the submission of comments by the interested parties, the Commander, Third Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

7. Authority for the proposed action is set forth in section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g)(2) of the Department of Transportation Act (80 Stat. 937, 49 U.S.C. 1655(g)(2)), and 49 CFR 1.46(c)(5).

Dated: June 24, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70-8399; Filed, July 1, 1970; 8:46 a.m.]

[33 CFR Part 117]

[CGFR 70-80]

NASSAU SOUND, FLA.

Drawbridge Operation

1. The Commandant, U.S. Coast Guard is considering a request by the Florida Department of Transportation to revise the special operation regulations for the Fernandina Port Authority (Nassau Sound) Toll Bridge on State Roads A-1-A and 105 across Nassau Sound. Present regulations provide that the draw need not be opened from 1 hour after sunset to 1 hour before sunrise. The proposed revision would provide that the draw need not be opened from 6 p.m. to 6 a.m. and that at least 6 hours' advance notice would be required from 6 a.m. to 6 p.m. Authority for this action is set forth in section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g)(2) of the Department of Transportation Act (49 U.S.C. 1655(g)(2)) and 49 CFR 1.46(c)(5).

2. Accordingly, it is proposed to revise 33 CFR 117.245(h)(22) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

* * * * *

(h) * * *

(22) Nassau Sound, Fla.; Fernandina Port Authority (Nassau Sound) Toll bridge on State Roads A-1-A and 105 between Fernandina and Jacksonville. At least 6 hours' advance notice required from 6 a.m. to 6 p.m. The draw need not be opened from 6 p.m. to 6 a.m.

* * * * *

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before July 27, 1970. All submissions should be made in writing to the Commander, Seventh Coast Guard District, Room 1018, Federal Building, 51 Southwest First Avenue, Miami, Fla. 33130.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended, the reason for any recommended change, and the name, address, and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

6. After the time set for the submission of comments by the interested parties, the Commander, Seventh Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: June 24, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70-8400; Filed, July 1, 1970; 8:46 a.m.]

[33 CFR Part 117]

[CGFR 70-82]

SALEM RIVER, SALEM, N.J.

Drawbridge Operation

1. The Commandant, U.S. Coast Guard is considering a request by the New Jersey Department of Transportation to issue special operation regulations for its drawbridge across Salem River at Route 49, Salem, N.J. Present regulations require the draw to open promptly on signal. The proposed special regulations would require at least 24 hours' advance notice. Authority for this action is set forth in section 5, 28 Stat. 362, as amended (33 U.S.C. 499), section 6(g)(2) of the Department of Transportation Act (49 U.S.C. 1655(g)(2)) and 49 CFR 1.46(c)(5).

2. Accordingly, it is proposed to amend 33 CFR 117.225(f) by adding subparagraph (15-a) to read as follows:

§ 117.225 Navigable waters in the State of New Jersey; bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(15-a) *Salem River, Route 49, Salem, N.J.* At least 24 hours' advance notice required.

* * * * *

3. Interested persons may participate in this proposed rule making by submitting written data, views, arguments, or comments as they may desire on or before July 31, 1970. All submissions should be made in writing to the Commander, Third Coast Guard District, Governors Island, New York, N.Y. 10004.

4. It is requested that each submission state the subject to which it is directed, the specific wording recommended, the reason for any recommended change, and the name, address, and firm or organization, if any, of the person making the submission.

5. Each communication received within the time specified will be fully considered and evaluated before final action is taken on the proposal in this document. This proposal may be changed in light of the comments received. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

6. After the time set for the submission of comments by the interested parties, the Commander, Third Coast Guard District will forward the record, including all written submissions and his recommendations with respect to the proposals and the submissions, to the Commandant, U.S. Coast Guard, Washington, D.C. The Commandant will thereafter make a final determination with respect to these proposals.

Dated: June 24, 1970.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70-8401; Filed, July 1, 1970; 8:46 a.m.]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 70-SW-41]

TRANSITION AREAS

Proposed Designation and Redesignation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a transition area and redesignate a transition area in the Clinton, Okla., terminal area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. 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 amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

(1) In § 71.181 (35 F.R. 2134), the following transition area is added:

CLINTON, OKLA. (CLINTON MUNICIPAL AIRPORT)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Clinton Municipal Airport (Lat. 35°32'15" N., Long. 98°56'00" W.), and within 3.5 miles each side of the 171° bearing from the Clinton RBN (Lat. 35°32'00" N., Long. 98°56'02" W.) extending from the 5-mile radius area to 11.5 miles south of the RBN.

(2) In § 71.181 (35 F.R. 2134, 8475), the Clinton, Okla., transition area is redesignated the Clinton, Okla. (Clinton-Sherman Airport), transition area.

The proposed transition area will provide controlled airspace protection to aircraft executing approach/departure procedures proposed to serve the Clinton Municipal Airport. The Clinton, Okla., transition area which was designated effective July 1, 1970, to serve the Clinton-Sherman Airport will be redesignated the Clinton, Okla. (Clinton-Sherman Airport), transition area to differentiate between the two separate 700-foot transition areas in the Clinton, Okla., terminal area.

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

Issued in Fort Worth, Tex., on June 24, 1970.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 70-8444; Filed, July 1, 1970; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SO-47]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Clinton, N.C., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. 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 amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, Ga.

The Clinton transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Sampson County Airport; within 3 miles each side of the 244° bearing from Clinton RBN (Lat. 34°58'42" N., Long. 78°21'45" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN.

The proposed designation is required to provide controlled airspace protection for IFR operations in climb from 700 to 1,200 feet above the surface and in descent from 1,500 to 1,000 feet above the surface. A prescribed instrument approach procedure to Sampson County Airport, utilizing the Clinton (private) Nondirectional Radio Beacon, is proposed in conjunction with the designation of this transition area.

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

Issued in East Point, Ga., on June 22, 1970.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 70-8446; Filed, July 1, 1970; 8:50 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 70-SO-46]

CONTROL ZONES AND TRANSITION AREAS

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Columbus, Ga. (Columbus Metropolitan Airport and Lawson AAF), control zones and the Columbus, Ga., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, Ga. 30320. 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 amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the

Federal Aviation Administration, Southern Region, Room 724, 3400 Whipple Street, East Point, Ga.

The Columbus control zones described in § 71.171 (35 F.R. 2054 and 7858) would be redesignated as:

COLUMBUS METROPOLITAN AIRPORT

Within a 5-mile radius of Columbus Metropolitan Airport (lat. 32°30'55" N., long. 84°-56'25" W.); within 2.5 miles each side of Coumbus ILS localizer northeast course, extending from the 5-mile radius zone to the intersection of the Columbus VOR 102° radial; within 1.5 miles each side of Columbus VOR 149° radial, extending from the 5-mile radius zone to 1 mile southeast of the VOR; within 2 miles each side of Runway 5 extended centerline, extending from the 5-mile radius zone to 6 miles southwest of the runway end; within 2 miles each side of Runway 12 extended centerline, extending from the 5-mile radius zone to 6 miles northwest of the runway end.

LAWSON AAF

Within a 5-mile radius of Lawson AAF (lat. 32°20'20" N., long 84°59'35" W.); within 2 miles each side of the 213° bearing from Lawson RBN, extending from the 5-mile radius zone to 6.5 miles southwest of the RBN; within 2 miles each side of Lawson VOR 339° radial, extending from the 5-mile radius zone to 1 mile south of the Columbus LOM; excluding the portion within Columbus Metropolitan Airport control zone.

The Columbus transition area described in § 71.181 (35 F.R. 2134 and 7858) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Columbus Metropolitan Airport (lat. 32°30'55" N., long 84°56'25" W.); within a 10-mile radius of Lawson AAF (lat. 32°20'20" N., long. 84°59'35" W.); within 5 miles each side of Columbus ILS localizer northeast course, extending from the 10.5-mile radius area to 18.5 miles northeast of the LOM; within 9.5 miles southwest and 4.5 miles northeast of Lawson AAF ILS localizer southeast course, extending from the 10-mile radius area to 12 miles southeast of Louvale RBN; within 9.5 miles southwest and 4.5 miles northeast of Columbus VOR 149° and 329° radials, extending from the 10.5-mile radius area to 18.5 miles northwest of the VOR; within 4 miles each side of Lawson VOR 339° radial, extending from the 10-mile radius area to 20.5 miles north of the VOR.

The application of Terminal Instrument Procedures (TERPs) and current airspace criteria to the Columbus terminal complex; the redesignation of Restricted Area 3002 to joint-use, with the Atlanta ARTC Center designated as the controlling agency, and the establishment of a localizer (back course) instrument approach procedure to Columbus Metropolitan Airport, require the following actions:

Control zones—1. *Columbus Metropolitan Airport.* a. Reduce the extension predicated on Columbus VOR 149° radial 1 mile in width.

b. Revoke the extension predicated on the 054° bearing from Columbus LOM.

c. Designate an extension predicated on the ILS localizer northeast course 5 miles in width and extending to the intersection of Columbus VOR 102° radial.

d. Designate extensions predicated on Runways 5 and 12 extended centerlines 4 miles in width and 6 miles in length.

e. Delete the proviso "excluding the portion within R–3002."

2. *Lawson AAF.* a. Reduce the extension predicated on the 213° bearing from Lawson RBN 1.5 miles in length.

b. Delete the proviso "excluding the portion within R–3002."

Transition area. 1. Increase Columbus Metropolitan Airport basic radius circle from 8 to 10.5 miles.

2. Increase Lawson AAF basic radius circle from 9 to 10 miles.

3. Increase the extension predicated on Lawson ILS localizer southeast course 1 mile in width.

4. Increase the extension predicated on Columbus VOR 149° and 329° radials 1 mile in width and 6.5 miles in length.

5. Designate an extension predicated on Columbus ILS localizer northeast course 10 miles in width and 18.5 miles in length.

6. Designate an extension predicated on Lawson VOR 339° radial 8 miles in width and 20.5 miles in length.

7. Delete the proviso "excluding the portion within R–3002."

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

Issued in East Point, Ga., on June 22, 1970.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 70–8447; Filed, July 1, 1970; 8:50 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

LIST OF INELIGIBLE SUPPLIERS

The following "List of Ineligible Suppliers" under A.I.D. Regulation 8 is currently in effect. All persons who anticipate A.I.D. financing for a transaction involving any person whose name appears on this list should take special notice of its contents.

SECTION 1. *Purpose of the list.* The List of Ineligible Suppliers implements the provisions of A.I.D. Regulation 8, "Suppliers of Commodities and Commodity-Related Services Ineligible for A.I.D. Financing" (22 CFR Part 208). Subject to the conditions described below A.I.D. will not make funds available to finance the cost of commodities or commodity-related services furnished by any supplier whose name appears on the list. A debarred supplier whose name appears in section 3 of a printed or published list has been placed thereon for the causes specified in § 208.5 of Regulation 8; a suspended supplier whose name appears in section 4 of a printed or published list has been placed thereon for the causes specified in § 208.7 of Regulation 8. A.I.D. has taken such action in accordance with the procedures described in Subpart D of Regulation 8.

With respect to the interest of any U.S. bank which holds an A.I.D. Letter of Commitment, special attention is called to the fact that the List as periodically modified by A.I.D. constitutes a special amendment to every Letter of Commitment to the effect that A.I.D. will not provide reimbursement to a bank for payment to any supplier whose name appears on the List, excepting only (a) a payment made to a supplier on or before the initial date of suspension indicated for that supplier under an A.I.D. Letter of Commitment issued prior to that date, and (b) a payment made to a supplier under an irrevocable Letter of Credit opened or confirmed on or before the initial date of suspension indicated for that supplier under an A.I.D. Letter of Commitment issued prior to that date. A bank which receives copies of the List and the periodic modifications thereto shall be held in its relationship with A.I.D. to the standard of care described in § 201.73(f) of Regulation 1 (22 CFR 201.73(f)) with respect to every transaction governed by an A.I.D. Letter of Commitment issued to that bank.

SEC. 2. *Contents of the List.* The List of Ineligible Suppliers consists of all suppliers and affiliates who have been debarred or suspended by A.I.D. Additions to or deletions from the List are communicated directly to every U.S. bank holding an A.I.D. Letter of Commitment as they occur. A.I.D. endeavors to keep printed and published lists as current as possible by superseding or supplementary issuance. No prejudice whatsoever shall attach to a supplier whose name has been removed from this list.

SEC. 3. *Suppliers debarred from A.I.D. financing.*

NAME, ADDRESS, INITIAL DATE OF SUSPENSION, AND PERIOD OF DEBARMENT

A–Dong Industrial Co., Ltd., Box 1613, Seoul, Korea, March 31, 1967, 4/26/68–4/26/71.

Ando, Mr. Hitachi (aka Chang, Chung Kyun), President, Osaka Koeki Co., Ltd., Dojima Building, 50 Kinugasa-Cho, Kita-Ku, Osaka, Japan, March 31, 1967, 4/26/68–4/26/71.

Cerco, Inc., 1124 Ashford Avenue, Santurce, P.R. 00907, August 5, 1969, 9/12/69–9/12/72.

Chao, Mr. L. Yuan, President-Manager, Yuan Ta Sheung Hong Co., Ltd., 324 Cheng An, West, Taipei, Taiwan, March 4, 1968, 3/29/68–3/29/71.

Cheng Feng Trading Co., Ltd., Chung Shan North Road 18, Lane 11, Sec. 2, Taipei, Taiwan, June 23, 1966, 10/17/67–10/17/70.

Cheng, Mrs. Jean, Secretary-Treasurer, Osborne Engineering Co., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, 12/14/67–12/14/70.

Cheng, Mr. K. K., President, Osborne Engineering Co., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, 12/14/67–12/14/70.

Chin Ui Sae Tan, Mr. (aka Thao Chue), 1024 Songwad Road, Bangkok, Thailand, July 31, 1969, September 8, 1969–September 8, 1972.

China Electrode Manufacturing Co., Ltd., 79–4, Chung Hwa Road, Taipei, Taiwan, January 29, 1968, February 26, 1968–February 26, 1971.

Chung Kum Products, Ltd., Tai-Yang Building, 28 Sokong Dong, Chung-Ku, Seoul, Korea, March 31, 1967, April 26, 1968–April 26, 1971.

Chunusa Co., Ltd., Room 1305, Yau Yue Bank Building, 127 Des Voeux Road C., Hong Kong, British Crown Colony, August 29, 1967, October 17, 1967–October 17, 1970.

DAI Industrial Co., Ltd., Room No. 303–306, Tai-Yang Building, 28 Sokong-Dong, Chung-Ku, Seoul, Korea, March 31, 1967, April 26, 1968–April 26, 1971.

Eagan, Mr. Edward, 101 Maiden Lane, New York, N.Y., 10038, February 14, 1968, February 13, 1969–February 13, 1972.

Eam-Hung, Mr., 1024 Songwad Road, Bangkok, Thailand, July 31, 1969, September 8, 1969–September 8, 1972.

Eastern Tinplate Distributors, 431 60th Street, West New York, N.J. 07093, February 14, 1968, February 13, 1969–February 13, 1972.

En Am Machinery Works, 43–3 Chung Hsiao Street, Feng Yuan, Taichung Hsien, Taiwan, June 23, 1966, October 17, 1967–October 17, 1970.

Ets. L. Richoux, 22 Cite Trevise, 22, Paris 9, France, December 8, 1967, January 20, 1969–January 20, 1972.

Fox, Mr. Arnold M., 431 60th Street, West New York, N.J. 07093, February 14, 1968, February 13, 1969–February 13, 1972.

Han Gook Organ Needle Co., Ltd. (aka Korean Organ Needle Co., Ltd.), Onch'on-dong Tongnae-go, Pusan City, Korea, March 31, 1967, April 26, 1968–April 26, 1971.

Hourcade, Mr. Jean, President, Marocaine D'Appareils de Mesure, 90 Rue Pierre Parent, Casablanca, Morocco, March 8, 1968, April 5, 1968–April 5, 1971.

International Manufacturers Agency, 129–131 Bui Huu Nghia Street, Cholon, Saigon, South Viet-Nam, August 29, 1967, October 17, 1967–October 17, 1970.

International Tinplate Sales Co., 101 Maiden Lane, New York, N.Y. 10038, February 14, 1968, February 13, 1969–February 13, 1972.

Kao Hsing Iron and Steel Co., Ltd., 31 Lih Hsing Road, Koahsiung, Taiwan, March 4, 1968, March 29, 1968–March 29, 1971.

K.B.S. Trading Co., Ltd., 1334 Young Street, Honolulu, Hawaii, March 31, 1967, April 26, 1968–April 26, 1971.

Khotpanya, Mr. Thao, No. 513 Sam Sene Tkai Road, Vientiane, Laos, December 30, 1968, February 1, 1969–February 1, 1972.

Kim, Mr. B. H. (aka Kim, Byong Hwan), DAI Industrial Co., Ltd., Room 303–306, Tai-Yang Building, 28 Sokong-Dong, Chung-Ku, Seoul, Korea, March 31, 1967, April 26, 1968–April 26, 1971.

Kwak, Mr. William (aka Kwak, Byong Soo), K.B.S. Trading Co., Ltd., 1334 Young Street, Honolulu, Hawaii, March 31, 1967, April 26, 1968–April 26, 1971.

Ly, Mr. Kouang Sae, No. 513 Sam Sene Tkai Road, Vientiane, Laos, December 30, 1968, February 1, 1969–February 1, 1972.

Mane Fils, Inc., 250 Park Avenue South, New York, N.Y., January 7, 1969, February 6, 1970–February 6, 1973.

Marine Leasing, Ltd., 1624 Central Building, Pedder Street, Hong Kong, British Crown Colony, September 1, 1967, November 1, 1968–November 1, 1971.

Marocaine D'Appareils de Mesure, 90 Rue Pierre Parent, Casablanca, Morocco, June 30, 1967, April 5, 1968–April 5, 1971.

Mutual International, Inc., 420–444 Market Street, San Francisco, Calif. 94111, September 23, 1968, December 1, 1969–December 1, 1972.

National Oxygen & Equipment Co., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, December 14, 1967–December 14, 1970.

Navarra, Mr. Guy, 215–217 Avenue Ambassadeur, Ben Aicha Chtouka, Casablanca, Morocco, June 9, 1967, September 23, 1968–September 23, 1971.

Navarra, Mr. Sauveur, 215–217 Avenue Ambassadeur, Ben Aicha Chtouka, Casablanca, Morocco, June 9, 1967, September 23, 1968–September 23, 1971.

Nederlandse Radiateuren Fabriek au Maroc, 215–217 Avenue Ambassadeur, Ben Aicha Chtouka, Casablanca, Morocco, June 9, 1967, September 23, 1968–September 23, 1971.

North American Inspection Agency, 431 60th Street, West New York, N.J. 07093, February 14, 1968, February 13, 1969–February 13, 1972.

Osaka Koeki Co., Ltd., Dojima Building, 50 Kinugasa-Cho, Kita-Ku, Osaka, Japan, March 31, 1967, April 26, 1968–April 26, 1971.

Osborne Engineering Co., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, December 14, 1967–December 14, 1970.

Osborne Export-Import Co., 1899 South Seventh Street, Louisville, Ky. 40208, November 16, 1967, December 14, 1967–December 14, 1970.

Palmetto Industry, Co., 32 Broadway, Suite 808, New York, N.Y. 10004, March 15, 1968, October 26, 1969–October 26, 1972.

Priyathanaphong, Mr. Boonsak, Proprietor, Roong Riang Registered Ordinary Partnership, 535–537 Suntipaph Road, Bangkok, Thailand, December 30, 1968, February 1, 1969–February 1, 1972.
Richoux Co., Inc., 1133 Broadway, New York, N.Y. 10010, December 8, 1967, January 20, 1969–January 20, 1972.
Rodman, Mr. Norman, 1624 Central Building, Pedder Street, Hong Kong, British Crown Colony, September 1, 1967, November 1, 1968–November 1, 1971.
Roong Riang Registered Ordinary Partnership, 535–537 Suntipaph Road, Bangkok, Thailand, December 30, 1968, February 1, 1969–February 1, 1972.
Saharojn Weaving Factory Limited Partnership (aka Hah Heng Weaving Factory), No. 65 Buntuttong Road, Trogput Lane, Bangkok, Thailand, December 30, 1968, February 1, 1969–February 1, 1972.
Steel Factories Co., 431 60th Street, West New York, N.J. 07093, February 14, 1968, February 13, 1969–February 13, 1972.
Teck Yoo Industry, Ltd., Partnership, 1024 Songwad Road, Bangkok, Thailand, July 31, 1969, September 8, 1969–September 8, 1972.
Tinmill Products Co., 101 Maiden Lane, New York, N.Y. 10038, February 14, 1968, February 13, 1969–February 13, 1972.
Tinplate Association, Inc., 101 Maiden Lane, New York, N.Y. 10038, February 14, 1968, February 13, 1969–February 13, 1972.
Tumay, Mr. Francis, President, 32 Broadway, Suite 808, New York, N.Y. 10004, March 15, 1968, October 26, 1969–October 26, 1972.
Unico, J. E., Ltd., 3, Jalad Muang Road, Bangkok, Thailand, July 31, 1967, August 22, 1968–August 22, 1971.
Wewerka, Mr. Victor, President, Ets. L. Richoux, 22 Cite Trevise, 22, Paris 9, France, December 8, 1967, January 20, 1969–January 20, 1972.
Wong, P. C. & Co., 156 Funston Street, San Francisco, Calif., September 23, 1968, December 1, 1969–December 1, 1972.
Wong, Mr. Peter C., 156 Funston Street, San Francisco, Calif., September 23, 1968, December 1, 1969–December 1, 1972.
Yuan Feng Trading Co., 324 Cheng An, West, Taipei, Taiwan, March 4, 1968, March 29, 1968–March 29, 1971.
Yuan Ta Sheung Hong Co., Ltd., 324 Cheng An, West, Taipei, Taiwan, March 4, 1968, March 29, 1968–March 29, 1971.

SEC. 4. *Suppliers suspended from A.I.D. financing.* The following persons have been suspended from A.I.D. financing until further notice pending completion of an A.I.D. investigation of facts which may lead to the eventual debarment of such persons:

NAME, ADDRESS, AND INITIAL DATE OF SUSPENSION

Apollo International Corp., 55 Northern Boulevard, Greenvale, N.Y., March 20, 1969.
Archifar Pharmaceutical Products, Inc., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Associated Chemo-Pharm Industries, Inc., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Bershad, Mrs. Carolyn, 8211 Streamwood Drive, Baltimore, Md. 21208, September 26, 1967.
Bershad, Mr. Irving, 8211 Streamwood Drive, Baltimore, Md. 21208, September 26, 1967.
Bottone, Dr. Caesar, 1209 Anderson Avenue, Fort Lee, N.J. 07025, November 9, 1966.
Cathay Steel Export Corp., 160 Broadway, New York, N.Y. 10038, September 26, 1967.
Chatham Shipping Corp., 375 Park Avenue, N.Y., N.Y. 10022, April 30, 1970.
Chusid, Mr. Gerald, 55 Northern Boulevard, Greenvale, N.Y., March 20, 1969.
Colony Steel Co., 122 East 42d Street, New York, N.Y., March 26, 1968.
Concepcion, Mr. Segismundo, 160 Broadway, New York, N.Y. 10038, April 22, 1969.
Dixie Chick Co., 510 Davis Street SW., Gainesville, Ga. 30501, March 5, 1969.
Eastar Trading Co., 1830 West Olympic Boulevard, Los Angeles, Calif. 90006, May 20, 1970.
Eisler Engineering Co., Inc., 750 South 13th Street, Newark, N.J. 07103, March 26, 1968.
Farber, Dr. John J., International Chemical Corp., 720 Fifth Avenue, New York, N.Y. 10019, July 31, 1969.
Fertig, Captain Arthur H., 19 West Street, New York, N.Y. 10011, April 30, 1970.
Flat Steel Products, Inc., 430 East 86th Street, New York, N.Y., April 8, 1969.
Gubbay, Mr. Clement, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Higgins, Thomas Edison, Enterprises, Inc., 660 Capri Boulevard, Treasure Island, Fla. 33706, April 5, 1967.
Higgins, Mrs. Mabel, 660 Capri Boulevard, Treasure Island, Fla. 33706, April 5, 1967.
Higgins, Mr. Thomas Edison, 660 Capri Boulevard, Treasure Island, Fla. 33706, April 5, 1967.
Interasia, Inc., 55 Northern Boulevard, Greenvale, N.Y., June 16, 1969.
International Chemical Corp., 720 Fifth Avenue, New York, N.Y. 10019, July 31, 1969.
International Enterprises, 160 Broadway, New York, N.Y. 10038, April 22, 1969.
International Farm Products, 720 Fifth Avenue, New York, N.Y. 10019, July 31, 1969.
Kim, Mr. Peter, Eastar Trading Co., 1830 West Olympic Boulevard, Los Angeles, Calif. 90006, May 20, 1970.
Kleyman, Leslie, Corp., 720 Fifth Avenue, New York, N.Y. 10019, July 31, 1969.
Lesh, Mr. George B., Vice President, Chatham Shipping Corp., 375 Park Avenue, New York, N.Y. 10022, April 30, 1970.
Liao, Mr. J. Y. (aka Liao, Chi-Yo), President, Summid Corp., 7–2 Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Long, Mr. Sumner A., President, Chatham Shipping Corp., 375 Park Avenue, New York, N.Y. 10022, April 30, 1970.
Lowens, Mr. Ernest, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Marciem, S. A., c/o Buffete Tapia, Calle 31 3–80 Panama City, Republic of Panama, October 25, 1967.
Meoni, Mr. A., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Mid-Continent Supply Co., Inc., Post Office Box 189, Fort Worth, Tex., April 13, 1970.
Monarch Industrial Corp., 430 East 86th Street, New York, N.Y. 10023, August 16, 1968.
Nadler, Mr. Ira, Proprietor, Flat Steel Products, Inc., 430 East 86th Street, New York, N.Y., April 8, 1969.
Napco Industries, Inc., Post Office Box 570, Minneapolis, Minn. 55440, August 7, 1969.
Navarro, Mr. Ben, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
North Georgia Feed and Poultry, Inc., 514 Davis Street SW., Gainesville, Ga. 30501, March 5, 1969.
Omaha Manufacturing & Engineering Co., 3900 Dahlman Avenue, Omaha, Nebr. 68107, June 20, 1969.
Panmed Pharmaceuticals, Inc., 1209 Anderson Avenue, Fort Lee, N.J. 07025, November 9, 1966.
Pharma Scienta, 156 Rue de Damas, Imm. Homsi, Beirut, Lebanon, December 19, 1966.
R & Z Co., Inc., 2041–47 Pitkin Avenue, Brooklyn, N.Y. 11207, October 23, 1969.
Richter, Gedeon, Pharmaceutical Products, Inc., 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Rogers, Mr. Henry, 2041–47 Pitkin Avenue, Brooklyn, N.Y. 11207, October 23, 1969.
Sanyo Seiki Trading Co., Ltd., 35 Po Ai Road, Taipei, Taiwan, November 20, 1968.
Suhuco Industries, Inc., 110 Fifth Avenue, New York, N.Y. 10011, June 26, 1968.
Schuco International Corp., 110 Fifth Avenue, New York, N.Y. 10011, June 26, 1968.
Schuco Laboratories, Inc., 110 Fifth Avenue, New York, N.Y. 10011, June 26, 1968.
Schuco Sales, Inc., 110 Fifth Avenue, New York, N.Y. 10011, June 26, 1968.
Schueler and Co., 110 Fifth Avenue, New York, N.Y. 10011, March 15, 1968.
Schueler, Jr., Mr. Hassan E., 110 Fifth Avenue, New York, N.Y. 10011, June 26, 1968.
Shalom, Mr. Raleigh, 20 Exchange Place, New York, N.Y. 10005, November 9, 1966.
Societe des Laboratories Reunis (SOLAR), 156 Rue de Damas, Imm. Homsi, Beirut, Lebanon, December 19, 1966.
Societe Tunisienne Compto, Rue Es Sadikia, Tunis, Tunisia, June 24, 1968.
Spe-D-Magic Co., 660 Capri Boulevard, Treasure Island, Fla. 33706, April 5, 1967.
Stuhr-Kennedy Shipping Co., 1320 Peralta Street, Berkeley, Calif., March 21, 1968.
Stuhr, Mr. Raymond H., 1320 Peralta Street, Berkeley, Calif., March 21, 1968.
Summid Corp., 7–2, Alley 13, Lane 1032, Chung Cheng Road, Taipei, Taiwan, April 7, 1970.
Surplus Steel Exchange, Inc., 227 Fulton Street, New York, N.Y. 10007, January 16, 1968.
Tricon International, Inc., 160 Broadway, New York, N.Y. 10038, April 22, 1969.
United Pharmacal Laboratories, Post Office Box 1718, Lot 28, Foreign Trade Zone, Mayaguez, P.R., December 19, 1966.
White Magic Co., 660 Capri Boulevard, Treasure Island, Fla. 33706, April 5, 1967.
Wolff, Mr. Tom G., 787 Tucker Road, North Dartmouth, Mass., October 23, 1969.
World Acme Corp., 110 Fifth Avenue, New York, N.Y. 10011, October 3, 1969.
Zubof, Mr. Samuel, 2041–47 Pitkin Avenue, Brooklyn, N.Y. 11207, October 23, 1969.

Dated: June 24, 1970.

LANE DWINELL,
Assistant Administrator for Administration.

[F.R. Doc. 70–8440; Filed, July 1, 1970; 8:50 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

CLARENCE A. BARCOME

Notice of Granting of Relief

Notice is hereby given that Clarence A. Barcome, 5227 North Hubbard Lake Road, Spruce, Mich. 48762, 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 25, 1925, in the United States District Court, Frankfort, Ky., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Barcome, 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. Barcome to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Barcome's application and:

(1) I have found that 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 Mr. Barcome 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 24th day of June, 1970.

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

[F.R. Doc. 70-8409; Filed, July 1, 1970; 8:47 a.m.]

EDGAR F. BOYD

Notice of Granting of Relief

Notice is hereby given that Edgar F. Boyd, 3701 South Bassett Street, Detroit, Mich. 48217, 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 October 9, 1943, in the Recorder's Court, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Edgar F. Boyd, 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 Edgar F. Boyd to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Edgar F. Boyd's application and:

(1) I have found that 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 Edgar F. Boyd 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 24th day of June, 1970.

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

[F.R. Doc. 70-8410; Filed, July 1, 1970; 8:47 a.m.]

SUMNER COTTON

Notice of Granting of Relief

Notice is hereby given that Mr. Sumner Cotton, 71 Elda Road, Framingham, Mass., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 1942, in Essex County Court, Salem, Mass., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Sumner Cotton, 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. Sumner Cotton to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Sumner Cotton's application and

(1) I have found that 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 Mr. Sumner Cotton 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 24th day of June 1970.

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

[F.R. Doc. 70-8412; Filed, July 1, 1970; 8:47 a.m.]

WILLIE D. CRAWLEY

Notice of Granting of Relief

Notice is hereby given that Willie D. Crawley, 42 Auburndale, Highland Park, Mich. 48203, 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 August 4, 1960, in the Recorder's Court of the city of Detroit, Detroit, Mich., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Crawley, 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 Willie D. Crawley to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Crawley's application and:

(1) I have found that 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 establishd 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 Willie D. Crawley 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 25th day of June 1970.

[SEAL] WILLIAM H. SMITH,
Acting Commissioner of Internal Revenue.

[F.R. Doc. 70-8411; Filed, July 1, 1970; 8:47 a.m.]

EARL THOMAS HARTHCOCK

Notice of Granting of Relief

Notice is hereby given that Earl Thomas Harthcock, 308 Depot Street, Lexington, Miss. 39095, 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 November 16, 1940, in the Southern Judicial District, Jackson, Miss., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Mr. Harthcock, 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 Earl Thomas Harthcock to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Mr. Harthcock's application and:

(1) I have found that 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 Earl Thomas Harthcock 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 24th day of June 1970.

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

[F.R. Doc. 70-8413; Filed, July 1, 1970; 8:47 a.m.]

ERWIN J. JOA

Notice of Granting of Relief

Notice is hereby given that Erwin J. Joa, 9281 Inver Grove Trail, Inver Grove Heights, Minn. 55075, has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 17, 1946, in the District Court, County of Ramsey, Minn., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Erwin J. Joa, 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 Erwin J. Joa to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Erwin J. Joa's application and:

(1) I have found that 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 Erwin J. Joa 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 24th day of June 1970.

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

[F.R. Doc. 70-8414; Filed, July 1, 1970; 8:47 a.m.]

RONALD GAYHARDT MANKE

Notice of Granting of Relief

Notice is hereby given that Ronald Gayhardt Manke, 1346 Johnson Street NE., Minneapolis, Minn., 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, 1957, in the Minnesota District Court, Minneapolis, Minn., of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Ronald Gayhardt Manke, 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 Ronald Gayhardt Manke to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Ronald Gayhardt Manke's application and:

(1) I have found that 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 Ronald Gayhardt Manke 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 19th day of June 1970.

[SEAL] WILLIAM H. SMITH,
Acting, Commissioner of Internal Revenue.

[F.R. Doc. 70-8415; Filed, July 1, 1970; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S 1588A–S 857A]

CALIFORNIA

Notice of Classification of Public Lands for Transfer Out of Federal Ownership

MAY 22, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands described below are hereby classified for transfer out of Federal ownership under one or more of the below stated statutes.

2. As a result of two protests and other comments received following publication of the notice of proposed classification (35 F.R. 4143, Mar. 5, 1970), it was ascertained that lot 5, sec. 15, T. 3 S., R. 2 E., M.D.M., was too encumbered to be classified at this time, and is deleted from this classification. Land described as lot 5, sec. 1, T. 2 N., R. 2 W., M.D.M., was found necessary for use by the Department of the Navy and is deleted from this classification. Lands described as SE¼SW¼, SW¼SW¼, sec. 18, T. 8 S., R. 2 W., M.D.M., are patented and are deleted from this notice. Lands described as SW¼SW¼, sec. 35, T. 18 S., R. 4 E., M.D.M., were erroneously included in the proposed notice and are deleted from this classification. The segregative effect of the notice of proposed classification is terminated as to the above lands.

3. Lands described as SW¼NE¼, sec. 9, T. 15 S., R. 5 E., M.D.M., are in error. The description in this notice is changed to read SE¼NE¼.

4. An additional comment was received from the Western Rockhound Association protesting disposal of public land. Although this classification is not being held in abeyance, as requested, the protest will receive additional consideration prior to land transfers.

5. The following public lands are hereby classified for transfer out of Federal ownership by public sale pursuant to the Public Land Sale Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421–1427):

MOUNT DIABLO MERIDIAN, CALIFORNIA

CONTRA COSTA COUNTY

T. 1 S., R. 1 W.,
Sec. 17, lots 21 and 24.

MONTEREY COUNTY

T. 22 S., R. 10 E.,
Sec. 33, lot 6.

The public lands described above aggregate approximately 14.95 acres.

6. The following public lands are hereby classified for transfer out of Federal ownership by public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171):

MOUNT DIABLO MERIDIAN, CALIFORNIA

CONTRA COSTA COUNTY

T. 2 N., R. 1 W.,
Sec 17, lots 9 and 10.

SANTA CLARA COUNTY

T. 6 S., R. 4 E.,
Sec. 19, SE¼NE¼.
T. 10 S., R. 5 E.,
Sec. 6, lot 3;
Sec. 22, lot 6;
Sec. 35, lot 1.
T. 10 S., R. 6 E.,
Sec. 31, lots 5, 6, 7, and 8.
T. 11 S., R. 6 E.,
Sec. 2, lot 10.

MONTEREY COUNTY

T. 17 S., R. 3 E.,
Sec. 29, lot 2.
T. 18 S., R. 3 E.,
Sec. 24, NE¼SE¼.
T. 13 S., R. 4 E.,
Sec. 28, lots 5 and 6.
T. 14 S., R. 4 E.,
Sec. 24, lot 1;
Sec. 36, lots 1, 2, 3, and 4, and NE¼NE¼.
T. 17 S., R. 4 E.,
Sec. 28, S½NE¼.
T. 14 S., R. 5 E.,
Sec. 30, lot 4 and SE¼SW¼;
Sec. 31, lots 2, 6, 7, 8, and 9.
T. 15 S., R. 5 E.,
Sec. 9, lots 4, 5, and 6, SE¼NE¼ and NE¼SW¼;
Sec. 10, lot 4 and S½NW¼;
Sec. 12, lots 1, 2, 3, 6, 7, and 8;
Sec. 13, lots 1, 2, 7, and 9;
Sec. 14, lots 5, 9, 11, 12, 13, and 14;
Sec. 15, SE¼NE¼;
Sec. 23, lot 23;
Sec. 24, SE¼NW¼.
T. 18 S., R. 5 E.,
Sec. 31, lots 1, 10, 11, and 20, and W½E½;
Sec. 33, NW¼NE¼ and NE¼NW¼.
T. 19 S., R. 5 E.,
Sec. 1, lot 3;
Sec. 6, lot 2.
T. 15 S., R. 6 E.,
Sec. 18, NW¼NE¼ and SE¼NW¼.
T. 16 S., R. 6 E.,
Sec. 29, NW¼SE¼.
T. 17 S., R. 7 E.,
Sec. 34, E½NW¼ and E½SE¼;
Sec. 36, NE¼SE¼.
T. 18 S., R. 7 E.,
Sec. 4, SE¼NE¼ and NE¼SE¼;
Sec. 7, lot 4;
Sec. 10, SE¼NW¼.
T. 20 S., R. 7 E.,
Sec. 27, NW¼NE¼.
T. 21 S., R. 7 E.,
Sec. 3, SW¼NW¼;
Sec. 5, SE¼NW¼;
Sec. 11, S½NE¼;
Sec. 18, lots 5, 6, and 7;
Sec. 24, SE¼SW¼ and SW¼SE¼;
Sec. 25, N½NW¼.
T. 18 S., R. 8 E.,
Sec. 6, lot 2 and SW¼NE¼.
T. 22 S., R. 8 E.,
Sec. 27, SW¼NE¼ and NW¼SE¼.
T. 24 S., R. 8 E.,
Sec. 11, SW¼SW¼;
Sec. 12, SW¼SW¼.
T. 22 S., R. 9 E.,
Sec 15, lot 4;
Sec. 22, E½NE¼, NE¼SW¼, and SW¼SW¼;
Sec. 23, NW¼.
T. 23 S., R. 9 E.,
Sec. 11, NW¼NW¼, W½SW¼, and E½SE¼;
Sec. 13, NW¼NW¼;
Sec. 14, NE¼NE¼ and NW¼NW¼;
Sec. 17, NW¼SW¼.
T. 24 S., R. 9 E.,
Sec. 31, SE¼NE¼.
T. 21 S., R. 10 E.,
Sec. 23, NW¼NE¼.
T. 22 S., R. 10 E.,
Sec. 33, lot 3.
T. 23 S., R. 10 E.,
Sec. 21, SW¼SW¼.
T. 24 S., R. 10 E.,
Sec. 21, SE¼SW¼;
Sec. 27, NE¼NW¼ and SW¼NW¼.
T. 22 S., R. 11 E.,
Sec. 15, lots 11 and 14;
Sec. 22, lots 2, 3, 6, and 7;
Sec. 35, NE¼NE¼.
T. 23 S., R. 11 E.,
Sec. 2, NE¼SW¼.
T. 22 S., R. 12 E.,
Sec. 9, lot 5;
Sec. 13, lot 2;
Sec. 28, lot 15;
Sec. 33, lots 2, 3, 6, and 9, and NW¼SE¼;
Sec. 34, N½SE¼.
T. 23 S., R. 12 E.,
Sec. 4, SW¼NW¼;
Sec. 6, lots 2 and 3, SW¼NE¼, SE¼NW¼, E½SW¼, and SW¼SE¼;
Sec. 17, SE¼SW¼;
Sec. 18, NE¼SW¼.
T. 23 S., R. 13 E.,
Sec. 5, NW¼SW¼;
Sec. 11, NW¼SW¼;
Sec. 21, W½SE¼;
Sec. 22, W½NW¼;
Sec. 24, SW¼SW¼;
Sec. 25, N½NW¼;
Sec. 32, SE¼SE¼.
T. 24 S., R. 13 E.,
Sec. 4, lot 4;
Sec. 5, lots 1 and 2.
T. 22 S., R. 14 E.,
Sec. 32, SE¼NE¼.
T. 23 S., R. 14 E.,
Sec. 19, SE¼SW¼ and S½SE¼;
Sec. 30, E½NW¼.
T. 24 S., R. 14 E.,
Sec. 4, N½SE¼ and SW¼SE¼;
Sec. 13, W½SE¼.
T. 24 S., R. 16 E.,
Sec. 20, NE¼NE¼;
Sec. 26, SW¼SW¼.

The public lands described above aggregate approximately 6,629.63 acres.

7. The following public lands are hereby classified for lease or sale under the Recreation and Public Purposes Act (44 Stat. 741):

MOUNT DIABLO MERIDIAN, CALIF.

SANTA CRUZ COUNTY

T. 10 S., R. 2 E.,
Sec. 20, lots 1, 2, and 9.

MONTEREY COUNTY

T. 19 S., R. 6 E.,
Sec. 23, S½NE¼ and NW¼SE¼;
Sec. 24, lots 12 and 13.

The public lands described above aggregated approximately 216.07 acres.

8. Publication of this notice segregates the affected lands from all forms of disposal under the public land laws, including the mining laws, except the form or forms of disposal for which the lands are classified. However, publication does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their minerals or vegetative resources, other than under the mining laws.

9. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 302, Washington, D.C. 20240 (43 CFR 2411.1–2(d)).

J. R. PENNY,
State Director.

[F.R. Doc. 70–8434; Filed, July 1, 1970; 8:49 a.m.]

[S-965A]

CALIFORNIA

Notice of Classification of Public Lands for Transfer Out of Federal Ownership

JUNE 22, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands described below are hereby classified for transfer out of Federal ownership under one or more of the below stated statutes.

2. Following publication of a notice of proposed classification (35 F.R. 5633, April 7, 1970), it was ascertained that the description shown as S½NE¼ section 4, T. 19 S., R. 15 E., MD Mer., was in error. This description has therefore been changed to read lot 7 in this notice. The previous description shown as SW¼ NW¼ section 30, T. 22 S., R. 16 E., MD Mer., was inadvertently included in the proposed notice and has been deleted from this notice. Lands described as SW¼SW¼ section 29 and E½NW¼ section 32, T. 17 S., R. 8 E., MD Mer., were deleted from this notice as they have been determined to be patented. Lands described as lots 3 and 4 section 12 and lots 3 and 4 section 13, T. 13 S., R. 7 E., MD Mer., have been determined to be properly described as lot 5 section 12 and lot 5 section 13 and are so recorded in this notice.

3. The following public lands are hereby classified for disposal at public sale under section 2455 of the revised statutes (43 U.S.C. 1171):

MOUNT DIABLO MERIDIAN, CALIF.

FRESNO COUNTY

T. 15 S., R. 12 E.,
Sec. 31, lot 13.
T. 20 S., R. 12 E.,
Sec 35, E½NW¼.
T. 21 S., R. 12 E.,
Sec. 2, lots 9, 10, 12, 13, and 14, and S½NW¼;
Sec. 11, lots 2 and 3.
T. 19 S., R. 13 E.,
Sec. 26, NE¼SW¼.
T. 21 S., R. 13 E.,
Sec. 7, lot 4 and SE¼;
Sec. 8, NW¼SW¼;
Sec. 17, SW¼NE¼, W½NW¼, and SE¼SE¼;
Sec. 18, E½NE¼ and SW¼NE¼;
Sec. 20, E½NE¼;
Sec. 21, W½NW¼, SE¼NW¼, and SE¼SE¼;
Sec. 22, SW¼SW¼;
Sec. 25, NW¼SW¼, S½SW¼, and SW¼SE¼;
Sec. 26, S½S½;
Sec. 27, W½NW¼ and S½SE¼;
Sec. 28, E½NE¼ and N½SE¼;
Sec. 34, NE¼NE¼;
Sec. 35, N½, NE¼SW¼, and SE¼.
T. 22 S., R. 13 E.,
Sec. 1, lot 4 and W½SW¼.
T. 18 S., R. 14 E.,
Sec. 6, lot 1;
Sec. 8, N½NE¼.
T. 19 S., R. 14 E.,
Sec. 22, W½W½;
Sec. 24, NW¼NW¼, S½NW¼, SW¼, and SW¼SE¼;
Sec. 28, N½N½;
Sec. 30, lots 13 and 14, and NE¼;
Sec. 31, lot 14;
Sec. 34, NW¼NW¼.
T. 20 S., R. 14 E.,
Sec. 2, NW¼SE¼;
Sec. 8, N½N½;
Sec. 17, SE¼NW¼, SW¼, and SW¼SE¼;
Sec. 20, NE¼NW¼;
Sec. 29, SE¼SW¼;
Sec. 32, N½NW¼ and SE¼NW¼.
T. 21 S., R. 14 E.,
Sec. 12, lots 2, 7, and 9;
Sec. 24, NE¼;
Sec. 32, E½SW¼ and S½SE¼;
Sec. 33, S½SW¼ and SW¼SE¼;
Sec. 35, S½SE¼.
T. 22 S., R. 14 E.,
Sec. 2, SW¼NE¼, S½NW¼, and SW¼;
Sec. 4, NE¼SW¼;
Sec. 7, NE¼SW¼;
Sec. 8, SW¼NW¼;
Sec. 9, NE¼SE¼;
Sec. 10, SW¼NW¼ and NW¼SW¼;
Sec. 11, NE¼NE¼, NE¼SW¼, and NW¼SE¼;
Sec. 26, SE¼NW¼.
T. 18 S., R. 15 E.,
Sec. 30, N½ lot 6 and N½NE¼.
T. 19 S., R. 15 E.,
Sec. 2, E½ lot 7, NW¼SW¼NW¼SE¼, and SE¼SE¼;
Sec. 4, lots 4, 7, and 8, and SW¼;
Sec. 6, lots 3, 4, 5, 6, 13, and 14;
Sec. 8;
Sec. 12, NW¼;
Sec. 18, lots 1, 2, 3, and 4;
Sec. 20, W½SW¼, NE¼SE¼, N½NW¼SE¼, and S½SE¼;
Sec. 24, N½ and SE¼.
T. 20 S., R. 15 E.,
Sec. 2, lot 2, SW¼, SW¼NW¼SE¼, and E½SW¼SE¼;
Sec. 12, NE¼, SW¼, and W½SE¼.
T. 21 S., R. 15 E.,
Sec. 18, lots 4, 5, and 6;
Sec. 22, NE¼, SE¼SW¼, and NW¼SE¼;
Sec. 26, E½;
Sec. 28, NE¼;
Sec. 30, N½ lot 6, lot 7, and NW¼SE¼;
Sec. 31, lots 3 and 4;
Sec. 34, NW¼SE¼ and S½SE¼.
T. 22 S., R. 15 E.,
Sec. 2, SE¼SE¼;
Sec. 24, lot 4.
T. 19 S., R. 16 E.,
Sec. 18, lot 2.
T. 21 S., R. 16 E.,
Sec. 32, W½NW¼.
T. 22 S., R. 16 E.,
Sec. 32, SW¼NW¼.

SAN BENITO COUNTY

T. 12 S., R. 4 E.,
Sec. 22, lot 1.
T. 14 S., R. 6 E.,
Sec. 4, lot 7;
Sec. 9, lot 2.
T. 11 S., R. 7 E.,
Sec. 31, SW¼SE¼.
T. 12 S., R. 7 E.,
Sec. 18, lots 2 and 3;
Sec. 22, lot 5.
T. 13 S., R. 7 E.,
Sec. 12, lot 5;
Sec. 13, lot 5.
T. 14 S., R. 7 E.,
Sec. 13, SW¼NE¼ and SE¼NW¼.
T. 13 S., R. 8 E.,
Sec. 18, lot 3.
T. 14 S., R. 8 E.,
Sec. 7, lot 1;
Sec. 18, lots 1 and 5.
T. 15 S., R. 8 E.,
Sec. 15, lots 12, 13, and 14;
Sec. 22, lot 3.
T. 16 S., R. 8 E.,
Sec. 13, NW¼NW¼;
Sec. 23, NW¼SE¼ and SE¼SE¼;
Sec. 25, SW¼SE¼.
T. 17 S., R. 8 E.,
Sec. 1, SE¼NE¼.
T. 13 S., R. 9 E.,
Sec. 30, lot 4, SE¼NW¼, and E½SW¼.
T. 14 S., R. 9 E.,
Sec. 30, lot 1;
Sec. 32, SE¼SW¼;
Sec. 34, SW¼NW¼;
Sec. 35, NW¼NW¼.
T. 15 S., R. 9 E.,
Sec. 4, lot 7;
Sec. 5, lot 12;
Sec. 6, lot 9;
Sec. 19, lot 3 and SE¼NE¼.
T. 16 S., R. 9 E.,
Sec. 8, SE¼SW¼;
Sec. 13, NW¼NE¼;
Sec. 17, SE¼NE¼;
Sec. 33, NE¼NE¼ and W½SE¼.
T. 17 S., R. 9 E.,
Sec. 4, E½ lot 6;
Sec. 34, lots 1 and 2, W½NE¼, and E½NW¼.
T. 18 S., R. 9 E.,
Sec. 2, SE¼SW¼ and SW¼SE¼;
Sec. 12, NE¼NE¼;
Sec. 33, S½SE¼.
T. 19 S., R. 9 E.,
Sec. 9, SE¼NE¼.
T. 14 S., R. 10 E.,
Sec. 33, NW¼SW¼.
T. 17 S., R. 10 E.,
Sec. 9, SE¼NW¼.
T. 16 S., R. 12 E.,
Sec. 6, lot 3.
T. 17 S., R. 12 E.,
Sec. 7, lots 2, 3, and 4.

The public lands described above aggregate approximately 11,980.95 acres.

For transfer out of Federal ownership by exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315g), or for disposal at public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171):

SAN BENITO COUNTY

T. 14 S., R. 5 E.,
Sec. 13, lots 4 and 11;
Sec. 14, lots 1, 4, 5, 6, and 9;
Sec. 18, lots 1, 2, and 3, and SE¼SE¼;
Sec. 21, lot 12;
Sec. 22, lots 11, 15, and 16;
Sec. 23, lots 13 and 14;
Sec. 24, lots 1, 2, and 3;
Sec. 25, lots 5 and 9, SE¼SW¼, and S½SE¼;
Sec. 26, lots 3, 4, and 8;
Sec. 27, lots 1, 2, and 4, and NE¼NW¼;
Sec. 30, lot 1 and NE¼NW¼.
T. 14 S., R. 6 E.,
Sec. 19, lot 16;
Sec. 28, lot 6;
Sec. 29, SE¼SW¼ and NE¼SE¼;
Sec. 33, lots 15 and 16;
Sec. 34, lots 11, 13, and 14.
T. 15 S., R. 6 E.,
Sec. 3, lots 3, 4, 5, and 6;
Sec. 4, lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, and 15;
Sec. 5, lot 7;
Sec. 8, NE¼NE¼;
Sec. 12, lots 5 and 8.
T. 16 S., R. 6 E.,
Sec. 12, NW¼NE¼ and SE¼SW¼.
T. 15 S., R. 7 E.,
Sec. 3, E½SW¼ and SW¼SW¼;
Sec. 4, SE¼SW¼ and S½SE¼;
Sec. 7, lot 3;
Sec. 10, N½NW¼ and SE¼NW¼;
Sec. 15, N½NE¼;
Sec. 25, NW¼;
Sec. 26, NE¼, NE¼NW¼, and NW¼SE¼.
T. 15 S., R. 8 E.,
Sec. 29, lots 10 and 15;
Sec. 31, lots 8, 9, 10, and 11;
Sec. 32, lots 3 and 13.
T. 16 S., R. 8 E.,
Sec. 6, lot 4.

T. 17 S., R. 8 E.,
Sec. 31, E½SW¼, W½SE¼, and SE¼SE¼;
Sec. 32, W½NW¼.
T. 15 S., R. 9 E.,
Sec. 29, SW¼SE¼;
Sec. 30, SE¼SE¼;
Sec. 31, lots 2 and 3, and SE¼NW¼;
Sec. 32, NW¼NW¼;
T. 18 S., R. 11 E.,
Sec. 35, S½NE¼.
T. 19 S., R. 11 E.,
Sec. 2, N½SE¼ and SE¼NW¼.

The public lands described above aggregate approximately 4,488.92 acres.

For transfer out of Federal ownership by exchange under sec. 8 of the Taylor Grazing Act (43 U.S.C. 315g):

SAN BENITO COUNTY

T. 16 S., R. 9 E.,
Sec. 4, NW¼SE¼;
Sec. 9, N½NE¼;
Sec. 10, SE¼NW¼;
Sec. 11, NW¼NW¼.
T. 16 S., R. 10 E.,
Sec. 15, S½SE¼;
Sec. 20, SE¼NE¼;
Sec. 21, NW¼NW¼ and NW¼SE¼;
Sec. 22, NE¼NE¼;
Sec. 25, NW¼SW¼.

The public lands described above aggregate approximately 480 acres.

4. Publication of this notice segregates the affected lands from all forms of disposal under the public land laws, including the mining laws, except the form or forms of disposal for which the lands are classified. However, publication does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their minerals or vegetative resources, other than under the mining laws.

5. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240 (43 CFR 2411.1–2(d)).

J. R. PENNY,
State Director.

[F.R. Doc. 70–8385; Filed, July 1, 1970; 8:45 a.m.]

[Serial No. I–2788]

IDAHO

Notice of Classification for Multiple-Use Management and Opening Order

JUNE 23, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR, Group 2400, the lands described below are hereby classified for multiple use management. Publication of this notice segregates all the described lands from appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C., section 334), from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171), or the Public Land Sale Act (43 U.S.C. 1411–18), the Recreation and Public Purposes Act (43 CFR Part 2740), exchanges (43 U.S.C. 315g), Indemnity Selections (43 U.S.C. 851 and 852), and the general mining laws (30 U.S.C., Chapter 2). As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. No adverse comments were received following publication of a notice of proposed classification (35 F.R. 5634), or the posting and circulation of the said notice. The record showing the comments received and other information is on file and can be examined in the Land Office, Bureau of Land Management, Room 390, Federal Building, 550 West Fort Street, Boise, Idaho 83702. The public land affected by this classification is described as follows and is shown on maps designated by Serial No. I–2788 on file in the Boise District Office, Bureau of Land Management, 230 Collins Road, Boise, Idaho, and in the Land Office, Bureau of Land Management, Boise, Idaho:

BOISE MERIDIAN, IDAHO

ADA COUNTY

T. 5 N., R. 1 W.,
Sec. 30, lot 1.

Totaling 37.60 acres.

3. The land was reconveyed to the United States under provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272) as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g) and at 10 a.m. on July 27, 1970, shall be open to offers under the mineral leasing laws and to other applicable forms of appropriation consistent with paragraph 1 of this order.

4. For a period of 30 days from the date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2461–3. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240.

ORVAL G. HADLEY,
Acting State Director.

[F.R. Doc. 70–8386; Filed, July 1, 1970; 8:45 a.m.]

[Serial No. I–3362]

IDAHO

Milner Wildlife Habitat Area; Notice of Proposed Classification of Public Lands for Multiple-Use Management

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1411–18), and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for retention and multiple use management the public lands within the area described in paragraph No. 2. Publication of this notice segregates all of the public lands in the area described from appropriation under the agricultural land laws (43 U.S.C., Parts 7 and 9; 25 U.S.C., sec. 334); from sale under the Public Land Sale Act (43 U.S.C. 1421–1427) and section 2455 of the Revised Statutes (43 U.S.C. 1171); from Lieu Selection laws (43 U.S.C. 141–143, 851–2, and 870–1); and from operation of the general mining laws (30 U.S.C., Chapter 2) but not the mineral leasing laws. Except as provided for above, the lands shall remain open to all other applicable forms of appropriation.

As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Public lands proposed for classification are in Cassia County and within the area described below. They are shown on maps filed in the Burley District Office, Bureau of Land Management, and in the Land Office, Federal Building, 550 West Fort Street, Boise, Idaho 83702:

BOISE MERIDIAN, IDAHO

T. 10 S., R. 21 E.,
Secs. 22, 25, 26, 27, and 35 (all land south of Snake River).
T. 10 S., R. 22 E.,
Sec. 30, lots 3 and 4.

The area described aggregates approximately 1,415.39 acres.

3. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections concerning the proposed classification may present their views in writing to the Burley District Manager, Bureau of Land Management, Post Office Box 489, Burley, Idaho 83318.

JOE T. FALLINI,
State Director.

[F.R. Doc. 70–8435; Filed, July 1, 1970; 8:49 a.m.]

[Montana 12081]

MONTANA

Notice of Classification of Lands for Multiple-Use Management

JUNE 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands within the areas described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Comments and statements were received following publication of the notice of proposed classification published in the FEDERAL REGISTER (35 F.R. 6282 and 6283) dated April 17, 1970. Comments and statements were also received at the public hearing held May 27, 1970, at Miles City, Mont. These comments were generally favorable to the classification as proposed and therefore no changes have been made. The record showing comments received and other information can be examined in the Miles City District Office, Miles City, Mont., and the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

3. The public lands affected by this classification are located within the following described areas and are shown on maps on file in the Miles City District Office, Miles City, Mont., and on maps and records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

CUSTER COUNTY

T. 1 N., R. 45 E.
T. 2 N., R. 45 E.,
Secs. 1 through 4, inclusive;
Secs. 10 through 36, inclusive.
T. 3 N., R. 45 E.
T. 4 N., R. 45 E.,
Sec. 32.
T. 6 N., R. 45 E.,
Secs. 25 and 26.
T. 7 N., R. 45 E.,
Sec. 14, lot 1.
T. 9 N., R. 45 E.,
Secs. 1 through 30, inclusive;
Sec. 34, E½;
Secs. 35 and 36.
T. 10 N., R. 45 E.,
Secs. 18 and 19;
Secs. 25 through 36, inclusive.
T. 1 N., R. 46 E.,
Secs. 4 through 6, inclusive;
Sec. 30.
T. 2 N., R. 46 E.
T. 3 N., R. 46 E.,
Secs. 18 through 36, inclusive.
T. 5 N., R. 46 E.,
Sec. 4;
Secs. 12 through 14, inclusive.
T. 6 N., R. 46 E.,
Sec. 8;
Secs. 17 through 36, inclusive.
T. 8 N., R. 46 E.,
Secs. 4 through 6, inclusive.
T. 9 N., R. 46 E.
T. 10 N., R. 46 E.
T. 11 N., R. 46 E.
T. 12 N., R. 46 E.,
Secs. 19 through 22, inclusive;
Secs. 27 through 32, inclusive.
T. 4 N., R. 47 E.,
Sec. 24.
T. 5 N., R. 47 E.,
Secs. 2 through 8, inclusive;
Sec. 18;
Secs. 28 through 32, inclusive.
T. 6 N., R. 47 E.,
Secs. 19 through 36, inclusive.
T. 8 N., R. 47 E.,
Sec. 2, lots 5, 6, and 7, SW¼, and NW¼ SE¼;
Sec. 6.
T. 10 N., R. 47 E.,
Secs. 1 through 30, inclusive.
T. 11 N., R. 47 E.,
Secs. 13 through 36, inclusive.
T. 12 N., R. 47 E.,
Secs. 1 and 2.
T. 4 N., R. 48 E.,
Secs. 1 and 2;
Sec. 8, S½N½ and S½;
Secs. 9 through 36, inclusive.
T 5 N., R. 48 E.,
Secs. 10 through 15, inclusive;
Secs. 22 through 27, inclusive;
Secs. 34 through 36, inclusive.
T. 8 N., R. 48 E.,
Secs. 12 through 14, inclusive;
Secs. 22 through 24, inclusive;
Sec. 26, N½N½.
T. 9 N., R. 48 E.,
Sec. 10, lots 6 and 7;
Secs. 12 and 24.
T. 10 N., R. 48 E.,
Secs. 1 through 18, inclusive.
T. 11 N., R. 48 E.
T. 12 N., R. 48 E.
T. 2 N., R. 49 E.,
Secs. 1 and 2;
Secs. 13 and 14;
Secs. 22 through 24, inclusive.
T. 3 N., R. 49 E.,
Sec. 12.
T. 4 N., R. 49 E.
T. 5 N., R. 49 E.,
Secs. 20 through 36, inclusive.
T. 6 N., R. 49 E.,
Secs. 25 and 26.
T. 8 N., R. 49 E.,
Secs. 1 through 4, inclusive;
Secs. 7 through 20, inclusive.
T. 9 N., R. 49 E.
T. 10 N., R. 49 E.
T. 11 N., R. 49 E.,
Secs. 5 through 8, inclusive;
Secs. 17 through 20, inclusive;
Secs. 29 through 32, inclusive.
T. 1 N., R. 50 E.,
Secs. 1 and 2;
Secs. 10 through 12, inclusive.
T. 2 N., R. 50 E.
T. 3 N., R. 50 E.
T. 4 N., R. 50 E.
T. 5 N., R. 50 E.
T. 6 N., R. 50 E.,
Secs. 10 through 14, inclusive;
Secs. 22 through 36, inclusive.
T. 7 N., R. 50 E.,
Secs. 1, 2, 12, and 24.
T. 8 N., R. 50 E.,
Sec. 12.
T. 9 N., R. 50 E.
T. 10 N., R. 50 E.,
Secs. 29 through 32, inclusive.
T. 1 N., R. 51 E.,
Secs. 1 through 24, inclusive.
T. 2 N., R. 51 E.
T. 3 N., R. 51 E.
T. 4 N., R. 51 E.
T. 5 N., R. 51 E.
T. 6 N., R. 51 E.,
Secs. 1 through 5, inclusive;
Secs. 7 through 36, inclusive.
T. 7 N., R. 51 E.
T. 8 N., R. 51 E.
T. 9 N., R. 51 E.
T. 1 N., R. 52 E.,
Sec. 6.
T. 2 N., R. 52 E.
T. 3 N., R. 52 E.
T. 4 N., R. 52 E.
T. 5 N., R. 52 E.
T. 6 N., R. 52 E.
T. 7 N., R. 52 E.
T. 8 N., R. 52 E.
T. 9 N., R. 52 E.,
Secs. 13 through 36, inclusive.
T. 2 N., R. 53 E.,
Secs. 1 through 18, inclusive.
T. 3 N., R. 53 E.
T. 4 N., R. 53 E.
T. 5 N., R. 53 E.
T. 6 N., R. 53 E.
T. 7 N., R. 53 E.
T. 8 N., R. 53 E.
T. 9 N., R. 53 E.,
Secs. 13 through 36, inclusive.
T. 1 N., R. 54 E.
T. 2 N., R. 54 E.
T. 3 N., R. 54 E.
T. 4 N., R. 54 E.
T. 5 N., R. 54 E.
T. 6 N., R. 54 E.
T. 7 N., R. 54 E.
T. 8 N., R. 54 E.
T. 9 N., R. 54 E.
T. 9 N., R. 55 E.
T. 10 N., R. 55 E.,
Secs. 19 through 36, inclusive.

The public land in the areas described aggregate approximately 225,887 acres.

4. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240 (43 CFR 2411.1–2(d)).

EDWIN ZAIDLICZ,
State Director.

[F.R. Doc. 70-8387; Filed, July 1, 1970; 8:45 a.m.]

[Montana 12079]

MONTANA

Notice of Classification of Public Lands for Multiple Use Management

JUNE 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands within the areas described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Comments and statements were received following publication of the notice of proposed classification published in the FEDERAL REGISTER (35 F.R. 6155 and 6156) dated April 15, 1970. Comments and statements were also received at the public hearing held May 19, 1970, at Circle, Mont. All comments and statements received favored the proposed classification. The only change deemed necessary from the proposed classification publication is the addition of sections 10, 14, 22, and 24, T. 19 N., R. 43 E., P.M., Montana. These are public domain lands within the John D. LeValley ranch, added to the proposed retention classification at the request of Mr. Harold Meissner, representing the LeValley Ranch. The acreage to be classified as shown in paragraph 2 of the notice of

proposed classification is increased from 177,993 to 179,673 acres for McCone County, and the total acreage for Garfield and McCone Counties is increased from 179,409 to 181,089 acres. The record showing comments received and other information can be examined in the Miles City District Office, Miles City, Mont., and the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

3. The public lands affected by this classification are located within the following described areas and are shown on maps on file in the Miles City District Office, Miles City, Mont., and on maps and records in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

GARFIELD COUNTY

T. 22 N., R. 38 E.,
Sec. 25.
T. 24 N., R. 42 E.,
Secs. 1 to 4, inclusive;
Sec. 13.
The public lands described above aggregate approximately 1,416 acres.

M'CONE COUNTY

T. 25 N., R. 42 E.
T. 26 N., R. 42 E.,
Secs 1 to 6, inclusive, portions lying south of the Missouri River;
Secs. 7 to 36, inclusive.
T. 19 N., R. 43 E.,
Secs. 3 to 8, inclusive;
Secs. 10 to 14, inclusive;
Secs. 17 to 20, inclusive;
Secs. 22 to 24, inclusive;
Secs. 28 to 33, inclusive.
T. 20 N., R. 43 E.,
Secs. 1 to 24, inclusive;
Secs. 26 to 34, inclusive.
T. 21 N., R. 43 E.
T. 22 N., R. 43 E.
T. 23 N., R. 43 E.
T. 24 N., R. 43 E.
T. 25 N., R. 43 E.
T. 26 N., R. 43 E.,
Secs. 7 to 11, inclusive, portions lying south of the Missouri River;
Secs. 13 to 15, inclusive, portions lying south of the Missouri River;
Secs. 16 to 36, inclusive.
T. 20 N., R. 44 E.,
Secs. 1 to 19, inclusive;
Sec. 22.
T. 21 N., R. 44 E.
T. 22 N., R. 44 E.
T. 23 N., R. 44 E.
T. 24 N., R. 44 E.
T. 25 N., R. 44 E.
T. 26 N., R. 44 E.

Portions lying south of the Missouri River.

T. 20 N., R. 45 E.,
Secs. 4 to 9, inclusive;
Secs. 16 to 18, inclusive.
T. 21 N., R. 45 E.,
Sec. 1, Lots 1 and 2;
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 30 to 32, inclusive.
T. 22 N., R. 45 E.
T. 23 N., R. 45 E.
T. 24 N., R. 45 E.,
Secs. 5 to 10, inclusive;
Secs. 15 to 23, inclusive;
Secs. 25 to 36, inclusive.
T. 25 N., R. 45 E.,
Secs. 6 and 7.
T. 26 N., R. 45 E.,
Secs. 15 to 20, inclusive, portions lying south of the Missouri River;
Secs. 30 and 31.
T. 21 N., R. 46 E.,
Secs. 5 and 6.
T. 22 N., R. 46 E.,
Secs. 1 to 6, inclusive;
Secs. 8 to 24, inclusive;
Secs. 27 to 32, inclusive.
T. 23 N., R. 46 E.,
Secs. 2 to 11, inclusive;
Sec. 13, W½SW¼;
Secs. 14 to 23, inclusive;
Secs. 30 and 31;
Sec. 35, S½SE¼.
T. 24 N., R. 46 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 17, inclusive;
Secs. 20 to 22, inclusive;
Secs. 27 to 34, inclusive.
T. 25 N., R. 46 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 11, inclusive;
Sec. 12, NW¼NW¼;
Secs. 14 to 17, inclusive;
Secs. 21 to 28, inclusive;
Secs. 32 to 36, inclusive.
T. 22 N., R. 47 E.,
Sec. 6, Lots 4 to 7, inclusive, E½SW¼;
Secs. 7, 18, and 19.
T. 24 N., R. 47 E.,
Secs. 3 to 8, inclusive;
Sec. 9, N½N½;
Secs. 17 and 18.
T. 25 N., R. 47 E.,
Secs. 10 and 11;
Sec. 12, NW¼NE¼, NW¼, and NW¼SW¼;
Secs. 13 to 17, inclusive;
Secs. 19 to 24, inclusive;
Sec. 27, N½N½ and SW¼NW¼;
Secs. 28 to 33, inclusive.
T. 26 N., R. 47 E.,
Sec. 25.
T. 26 N., R. 48 E.,
Secs. 17 to 20, inclusive;
Sec. 30.
T. 27 N., R. 48 E.,
Secs. 25 and 26;
Sec. 35, NW¼NE¼.
T. 27 N., R. 49 E.,
Secs. 16, 17, and 18, portions lying south of the Missouri River;
Secs. 19 to 22, inclusive;
Secs. 27 to 32, inclusive;
Sec. 33, W½NE¼, N½NW¼, and NW¼SE¼.

The public lands described above aggregate approximately 179,673 acres.

Total public lands within the areas described aggregate approximately 181,089 acres.

4. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 320, Washington, D.C. 20240 (43 CFR 2411.1–2(d)).

EDWIN ZAIDLICZ,
State Director.

[F.R. Doc. 70–8397; Filed, July 1, 1970; 8:46 a.m.]

NEVADA

Notice of Filing of Plat of Survey and Order Providing for Opening of Lands

JUNE 25, 1970.

1. The plats of survey of lands described below will be officially filed at the Nevada Land Office, Reno, Nev., effective 10 a.m. on August 3, 1970.

MOUNT DIABLO MERIDIAN, NEVADA

(a) T. 16 N., R. 34 E. (Group 441).
(b) T. 30 N., R. 44½ E. (Group 439).

2. (a) The surveyed area in T. 16 N., R. 34 E., aggregates 9,171.52 acres. The plat was accepted April 27, 1970. Township 16 N., R. 34 E., M.D.M., is located about 40 miles east-southeast of Fallon, Nev. Access is provided by U.S. Highway No. 50, near the North boundary of the township and several trail roads. The elevation varies from about 4,400 to 7,900 feet above sea level. The terrain ranges from nearly level to mountainous. The soil is principally clay alluvium and is rocky. Vegetation is comprised of sagebrush, shadscale, greasewood and numerous grasses. There is juniper and pinon timber on the steep east slopes of Fairview Peak. No natural or developed water sources were noted. There is evidence of mineral activity; several prospect holes were noted. A prominent earthquake fault, occurring in 1954, is evident intermittently through the portion surveyed from North to South. There are no residents in the township.

(b) The surveyed area in T. 30 N., R. 44½ E., aggregates 19.48 acres. The plat was accepted April 27, 1970. The area surveyed within T. 30 N., R. 44½ E. is gently rolling desert land. The elevation ranges from about 4,780 to 5,160 feet above sea level. The soil is sandy gravel. The vegetation consists of shadscale, budsage, sagebrush, and sparse native grasses. No mineral formations of consequence were noted during the survey. Access into the area is provided by graveled roads. Principal users of the area are cattlemen.

3. Subject to any existing valid rights and the requirements of applicable laws, the above-described lands are hereby opened to filing applications, selections, and location, except for applications under the Small Tract, Desert Land, and Homestead Laws, in accordance with the following:

Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of the order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs: Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of such claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph. All valid applications and selections under the nonmineral public land laws presented prior to 10 a.m. August 3, 1970, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. Persons claiming preference rights based upon valid settlement, statutory

preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications, which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations. Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 300 Booth Street, Reno, Nev. 89502.

ROLLA E. CHANDLER,
Manager, Nevada Land Office.

[F.R. Doc. 70-8388; Filed, July 1, 1970; 8:45 a.m.]

[New Mexico 929; Amdt. 3]

NEW MEXICO

Notice of Proposed Classification of Public Lands for Multiple Use Management

JUNE 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18), and the regulations in 43 CFR Parts 2410 and 2411, the public lands described below were classified for multiple use management (32 F.R. 3894–3895) on March 9, 1967.

2. Publication of this notice has the effect of further segregating the lands described below from all forms of appropriation under the public land laws, including the general mining laws but not from the mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

3. The public lands described below are unique in that they contain caves having a high archeological and recreational value. The lands are shown on maps on file and available for inspection in the Roswell District Office, Bureau of Land Management, 1902 South Main Street, Roswell, N. Mex., and in the New Mexico Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501. The description of the lands is as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 22 S., R. 24 E.,
Sec. 22, SE¼;
Sec. 23, E½NW¼ and SW¼.
T. 22 S., R. 25 E.,
Sec. 28, W½SW¼.
T. 24 S., R. 26 E.,
Sec. 17, SW¼NW¼ and E½SW¼;
Sec. 18, SE¼NE¼ and E½SE¼.

The areas described aggregate approximately 720.00 acres in Eddy County.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed amendment, may present their views in writing to the Roswell District Manager, Bureau of Land Management, Post Office Box 1397, Roswell, N. Mex. 88201.

W. J. ANDERSON,
State Director.

[F.R. Doc. 70-8389; Filed, July 1, 1970; 8:45 a.m.]

[New Mexico 2639; Amdt. 1]

NEW MEXICO

Notice of Proposed Classification of Public Lands for Multiple Use Management

JUNE 25, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18), and the regulations in 43 CFR Parts 2410 and 2411, the public lands described below were classified for multiple use management (32 F.R. 13673–13674) on September 29, 1967.

2. Publication of this notice has the effect of further segregating the lands described below from all forms of appropriation under the public land laws, including the general mining and the mineral leasing laws subject to valid existing rights. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

3. The public land described below is unique in that it contains caves having a high archeological and recreational value. The land is shown on maps on file and available for inspection in the Roswell District Office, Bureau of Land Management, 1902 South Main Street, Roswell, N.M., and in the New Mexico Land Office, Bureau of Land Management, U.S. Post Office and Federal Building, Santa Fe, N. Mex. 87501. The description of the land is as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 5 S., R. 18 E.,
Sec. 20, NE¼SW¼.

The area described contains 40.00 acres in Lincoln County.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed amendment, may present their views in writing to the Roswell District Manager, Bureau of Land Management, Post Office Box 1397, Roswell, New Mexico 88201.

W. J. ANDERSON,
State Director.

[F.R. Doc. 70-8390; Filed, July 1, 1970; 8:45 a.m.]

[Wyoming 24649]

WYOMING

Notice of Proposed Classification of Public Lands for Multiple-Use Management

JUNE 26, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2400 through 2461, it is proposed to classify for multiple-use management the public lands within the areas described below.

2. Publication of this notice has the effect of segregating the public lands involved from appropriation under the public land laws, including the general mining laws (30 U.S.C. 21). As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

3. Public lands located in the following described area is shown on maps available for public inspection at the District Office, Bureau of Land Management, Pinedale, Wyo., and in the Land Office, Bureal of Land Management, Federal Building, Cheyenne, Wyo. The general description of the area involved is as follows:

SIXTH PRINCIPAL MERIDIAN

TETON COUNTY, WYOMING

All public lands in the following described area:

Tps. 40, 41, and 42 N., R. 116 W.
Tps. 40, 41, and 42 N., R. 117 W.

The lands described aggregate approximately 8,225 acres.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Pinedale District Office, Bureau of Land Management, Post Office Box 768, Pinedale, Wyo. 82941.

DANIEL P. BAKER,
State Director.

[F.R. Doc. 70-8436; Filed, July 1, 1970; 8:49 a.m.]

Fish and Wildlife Service

[Docket No. S-345]

RONALD DIVERS WATSON

Notice of Loan Application

JUNE 25, 1970.

Ronald Divers Watson, Box 904, Petersburg, Alaska 99833, has applied for permission to transfer the operations of the 38-foot length overall wood fishing vessel "Cape Strait," purchased with the aid of a fisheries loan, from the fishery for salmon to the fishery for salmon and halibut.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,
Chief, Division of Financial Assistance.

[F.R. Doc. 70–8392; Filed, July 1, 1970; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

ARGONNE NATIONAL LABORATORY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

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

Amended regulations issued under cited Act, as published in the October 14, 1969 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

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

Docket No. 70–00790–33–46070. Applicant: Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Ill. 60439. Article: Scanning electron microscope, Model Mark IIA. Manufacturer: Cambridge Instrument Co., Ltd., United Kingdom.

Intended use of article: The article will be used to obtain information in three dimensions on the topology of the organs or organelles to be observed. Biological investigations concern *amoeba carolinensis* surface and internal structures in control and irradiated animals; the effect of negative growth in the embryos of melanoplus differentialis (grasshopper) following irradiation; the effect of irradiation on dog bone marrow hematopoietic cells; and the effect of irradiation on the newly forming chick embryo blood vascular system. Application received by Commissioner of Customs: June 9, 1970.

Docket No. 70–00795–33–46040. Applicant: Veterans Administration Hospital, 1201 Northwest 16th Street, Miami, Fla. 33125. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic NVD, The Netherlands.

Intended use of article: The article will be used for research studies concerning a survey of the cell types and general architecture of the human anterior pituitary gland; the identification of the various secretory cell types seen in electron micrographs with the cell types of classical histology; an attempt to identify ferritin-tagged specific antibody on the tumor cells during rejection in immunized animals; and the examination of tumor tissue from patients with pituitary adenomas. Application received by Commissioner of Customs: June 12, 1970.

Docket No. 70–00802–33–46040. Applicant: Scott and White Memorial Hospital, Temple, Tex. 76501. Article: Electron microscope, Model HS–8. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used to train residents and interns from the departments of internal medicine, and surgical pathology in electron microscopy; for examination of biopsy material from patients with diagnostic problems or unusual and inadequately studied diseases; and for staff research programs. Application received by Commissioner of Customs: June 15, 1970.

Docket No. 70–00803–33–83000. Applicant: American Oncologic Hospital, Central and Shelmire Avenues, Philadelphia, Pa. 19111. Article: Medical thermography unit, Model PD–780. Manufacturer: Smith's Industries Ltd., United Kingdom. Intended use of article: The article will be used for medical research and diagnosis concerning malignant and benign diseases by means of infrared radiation detection and associated mapping of actual patient body sites. Application received by Commissioner of Customs: June 15, 1970.

Docket No. 70–00804–33–46500. Applicant: Veterans Administration Hospital, San Juan, P.R. 00920. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to study the ultrastructure of the human small intestine in health and disease and also the ultrastructure of small intestine of laboratory animals under various physiological states. The studies are designed to obtain information on the etiology, pathogenesis and pathophysiology of tropical sprue and to give some insight into the mechanisms involved in water absorption by the intestine. Application received by Commissioner of Customs: June 15, 1970.

Docket No. 70–00805–33–46500. Applicant: Mount Sinai Hospital, 11 East 100th Street, New York, N.Y. 10029. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic examination. Pathologic ocular tissues from patients as well as normal embryonic material will be studied. One of the major themes in the investigative work will be the three-dimensional configuration of intracytoplasmic organelles in retinal and corneal tissues where there is a need for extremely thin sections to determine the specific relationship between adjacent structures. Application received by Commissioner of Customs: June 15, 1970.

Docket No. 70–00806–33–46500. Applicant: University of Connecticut—Health Center, Life Science Annex, Room 707, Oral Biology Department, Box U–155, Storrs, Conn. 06268. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for research on salivary glands, using a variety of embedding mixture in order to obtain optimal results. Water-insoluble Durcupan will be used for analysis of the ultrastructure of the salivary glands, while the water-soluble compound will be used for autoradiography and cytochemistry. Maraglas will be used particularly for the ultrastructure analysis of developing embryonal glandular anlage having low electron density. Application received by Commissioner of Customs: June 15, 1970.

Docket No. 70–00807–33–46500. Applicant: University of Cincinnati, College of Medicine, Department of Laboratory Animal Medicine, Eden and Bethesda Avenues, Cincinnati, Ohio 45219. Article: Ultramicrotome, Model LKB 8800A, and Knifemaker Combination. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used on tissue for an investigation of spontaneous diseases of laboratory animals. The animals tissue will be from mice, rats, rabbits, dogs, cats, goats, monkeys and several additional species of animal that fall in the category of laboratory animals for the study at the light microscopic level and at the electron microscopic level. Application received by Commissioner of Customs: June 15, 1970.

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

[F.R. Doc. 70–8379; Filed, July 1, 1970; 8:45 a.m.]

CLARKSON COLLEGE OF TECHNOLOGY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of

the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No.: 70–00529–80–64000. Applicant: Clarkson College of Technology, Main Street, Potsdam, N.Y. 13676. Article: Polariscope, coupling device and model kit. Manufacturer: Sharples Photomechanics Ltd., U.K.

Intended use of article: The article will be used for research on pressure vessels, machine and structural components, and other solid parts will be investigated; for experiments to be conducted commonly carried out by photoelastic methods; and the objective will be to determine the stresses associated with the observed fringes. For educational purposes, the equipment will be used in a new course in experimental stress analysis and for student research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant intends to study large specimens which require space to be available all the way to the floor. Space, therefore, is a limiting factor in the applicant's research studies. In the design of the foreign article, the polarizer, analyzer and loading frame are separately floor mounted units. This arrangement provides the required space. Comparable domestic instruments manufactured by Photolastic, Inc. (Photolastic), Chapman Laboratories (Chapman), Ann Arbor Instrument Works (Ann Arbor), and Polarizing Instrument Company (PIC), do not provide separate floor mounted sections. We are advised by the National Bureau of Standards (NBS) in its memorandum dated May 28, 1970, that the difference in space that can be used for the specimen being studied, which the separate mounting arrangement of the foreign article provides, is pertinent to the applicant's intended purposes. We, therefore, find that the comparable domestic instruments manufactured by Photolastic, Chapman, Ann Arbor, and PIC are not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

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

[F.R. Doc. 70–8380; Filed, July 1, 1970; 8:45 a.m.]

NEW YORK UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No.: 70–00460–01–59800. Applicant: New York University, Chemistry Department, 181 Street and University Avenue, Bronx, N.Y. 10453. Article: Flash photolysis apparatus, Model FP–2. Manufacturer: Northern Precision Co., Ltd., U.K.

Intended use of article: The article will be used for basic research in photochemistry, involving experiments in flash photolysis and spectroscopic detection of transient molecules produced by flash excitation.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (Apr. 22, 1969).

Reasons: The study of transient intermediates by flash photolysis requires a short duration of the photolysis pulse at high energy. The foreign article provides a 15-microsecond (μsec) flash width at half peak height at an energy of 1,000 Joules. The most closely comparable domestic instrument available at the time the applicant ordered the foreign article was the Model A high energy micropulser manufactured by Xenon Corp. (Xenon). The Xenon Model A provided a pulse width of 15 μsec at 250 Joules of energy. We are advised by the National Bureau of Standards (NBS) in its memorandum dated May 13, 1970, that the greater energy of the photolysis pulse of the foreign article is pertinent to the applicant's research studies. We, therefore, find that the Xenon Model A high energy micropulser was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

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

[F.R. Doc. 70–8382; Filed, July 1, 1970; 8:45 a.m.]

PURDUE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 70–00412–07–13200. Applicant: Purdue University, Purchasing Department, Lafayette, Ind. 47907. Article: Photo-electric-apparatus for analyzing properties of meat according to the brightness of its color intensity. Manufacturer: Ernest Schutt Jun., West Germany.

Intended use of article: The article will be used for color evaluation on muscle and meat from research animals that have been subjected to controlled environments prior to slaughter. Meat color is one of the most difficult phenomena to evaluate objectively. Pigment properties vary from species to species as to optimum wavelength for brightness determination. In addition, these color pigments are somewhat unstable in that they change when exposed to the air, and are affected by temperature changes. Timing and experimental conditions are critical.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is designed to measure precisely the color shade, saturation, and brightness of meats. In addition, the article is portable and can withstand the environment required for the storage of meat. The foregoing characteristics are pertinent to the applicant's research studies. We are

advised by the National Bureau of Standards (NBS) in its memorandum dated June 11, 1970, that it knows of no domestically manufactured portable photometer which provides all of the pertinent characteristics described above.

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

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

[F.R. Doc. 70-8381; Filed, July 1, 1970; 8:45 a.m.]

RUTGERS STATE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 70-00517-01-78030. Applicant: Rutgers, The State University, New Brunswick, N.J. 08903. Article: Infrared Spectrophotometer, Model 225. Manufacturer: Bodenseewerk Perkin-Elmer & Co., West Germany.

Intended use of article: The article will be used for high resolution spectral measurements over range 5,000-200 wave numbers. Research programs include a study of the infrared spectra of molecules bound to metals that are contained in various proteins and enzymes; and a study to measure at various temperatures the infrared spectra of materials whose magnetism is strongly temperature dependent.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has the capability of operating over the wave number range of 5,000 to 200 reciprocal centimeters (cm^{-1}). The most closely comparable domestic instrument, the Model IR-12 spectrophotometer manufactured by Beckman Instruments, Inc. (Beckman) has a wave number range of 4,000 to 200 cm^{-1}. The additional upper range of the foreign article is pertinent to the purposes for which this article is intended to be used.

For this reason, we find that the Beckman Model IR-12 spectrophotometer is not of equivalent scientific value to the foreign article for the purposes for which the article is intended to be used.

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

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

[F.R. Doc. 70-8383; Filed, July 1, 1970; 8:45 a.m.]

Maritime Administration

[Report No. 106]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through June 8, 1970, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	*Gross tonnage*
Total all flags (175 ships)	1,282,682
Cypriot (68 ships)	513,238
Aegis Banner	9,024
Aegis Fame	9,072
Aegis Hope (previous trips to Cuba as the Huntsmore—British)	5,678
Alda	7,292
Alfa	7,388
Alice (previous trips to Cuba—Greek)	7,189
Alitric	7,564
Alma	6,585
Alpa	9,159
*Amarilis	8,959
Amfithea (previous trip to Cuba as the Antonia—Greek)	5,171
Angeliki	8,482
Anka	7,314
Annunciation Day	8,047
Aragon (previous trips to Cuba—Somali)	7,248
*Arendal	7,265
Areti (previous trips to Cuba—Lebanese)	7,176
Aria (previous trips to Cuba—Somali)	5,059
Arion	3,570
Armar	5,089
*Arosa	7,233
Athenian	9,943
Aurora	8,380
Azalea	9,506
Azure Coast II	7,638
Camelia	8,111
Claire (previous trips to Cuba—Lebanese)	5,411
Degedo	9,000
Diamondo	7,067
Dolphin	3,550
Dorine Papalios (previous trips to Cuba as the Formentor—British)	8,424
E. D. Papalios	9,431
Elpidoforos	4,963
Erato (previous trips to Cuba—Somali—and as the Eretria—Greek)	7,199
Felicie	7,096
Free Trader (previous trips to Cuba—Lebanese)	7,061
Gardenia	9,744
George	7,378
George N. Papalios	9,071
**Georgios C. (trips to Cuba as the Huntsfield—British and Cypriot)	9,483
Gladiator	8,346
Happy Land	9,080
Herodemos	7,356
**Ibrahim K. (trips to Cuba—as the Marichristina—Lebanese)	7,124
Ilena (previous trips to Cuba—Lebanese)	5,925
Irena (previous trips to Cuba—Greek)	7,232
Johnny	9,689
Katerina (previous trips to Cuba—Lebanese)	9,357
Kounistra (previous trips to Cuba as the Nicolaos Frangistas and the Nicolaos F.—Greek)	7,199
Lena	7,029
Marika (previous trip to Cuba—Lebanese)	7,290
Mery (previous trips to Cuba—Greek)	7,258
Mimis N. Papalios	9,069
Miss Papalios	9,072
Mitera Irini (trips to Cuba as the Soclyve—British and Maltese)	7,291
Nedi 2	7,679
Newgate (previous trips to Cuba—British)	6,743
Noelle (previous trips to Cuba—Lebanese)	7,251
Olga (previous trips to Cuba—Lebanese and Greek)	7,265
Plataese	7,244
Protoklitos	6,154
Sophia (previous trips to Cuba—Greek)	7,030
Suerte	7,267
Thios Costas (previous trips to Cuba—Somali)	7,258
Toula (previous trips to Cuba—Lebanese)	6,426
**Troyan (trips to Cuba as the Mauritanie—Moroccan)	10,392
Vassiliki (previous trips to Cuba—Lebanese)	7,192
Venturer	9,000
British (43 ships)	355,781
Antarctica	8,785
Arctic Ocean	8,791
Athelcrown (tanker)	11,149
Athellaird (tanker)	11,150
Athelmonarch (tanker)	11,182
Avisfaith	7,868
Baxtergate	8,813
Changpaishan	8,929
Cheung Chau	8,566
Chiang Kiang	10,481
East Sea	9,679
Eastfortune	8,789
Eastglory	8,995
Fortune Enterprise	7,696
**Glendalough (trip to Cuba—as the Ardrossmore—British)	5,820

See footnotes at end of document.

Flag of Registry and Name of Ship	Gross tonnage
British—Continued	
Green Walrus	9,443
Hemisphere	8,718
Ho Fung	7,121
Huntsland	9,353
*Hwachu	9,091
Hwang Ho	9,457
Jollity	8,819
Kinross	5,388
Magister	2,239
Nancy Dee	6,597
Nebula	8,907
Newheath	7,643
Oceantramp	6,185
Ocean Travel	10,419
*Purple Dolphin	9,420
Peony	9,037
Red Sea (previous trip to Cuba as the Grosvenor Mariner—British)	7,026
**Rosetta Maud (trips to Cuba as the Ardtara—British)	5,795
Ruthy Ann	7,361
Sea Amber	10,421
Sea Captain	7,385
Sea Coral	10,421
Sea Empress	9,841
Seasage	4,330
**Shun Wah (trip to Cuba as the Vercharmian—British)	7,265
Venice	8,611
Vergmont	7,381
Yunglutaton	5,414
Polish (21 ships)	150,590
Baltyk	6,984
Bialystok	7,173
Bytom	5,967
Chopin	9,231
Chorzow	7,237
Energetyk	10,876
Grodziec	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,179
Huta Zgoda	6,840
Hutnik	10,847
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Narwik	7,065
Piast	3,184
Rejowiec	3,401
Transportowiec	10,854
Yugoslav (8 ships)	53,948
Agrum	2,449
Bar	8,776
Cetinje	8,229
Kolasin	7,217
Piva	7,519
Plod	3,657
Tara	7,499
Uleinj	8,602
Greek (7 ships)	48,555
**Aliartos (trip to Cuba as the Loradore—British)	8,078
Andromachi (previous trips to Cuba as the Penelope—Greek)	6,712
**Anna Maria (trips to Cuba as the Helka—British)	2,111
Eftyhia	9,844
**Gold Land (trip to Cuba as the Amfred—Swedish)	2,838
**Lambros M. Fatsis (trips to Cuba as the La Hortensia—British)	9,486
**Pothite (trips to Cuba as the Huntsville—British)	9,486

See footnotes at end of document.

Flag of Registry and Name of Ship	Gross tonnage
Italian (6 ships)	53,930
Alderamine (tanker)	12,505
Elia (tanker)	11,021
*Probitas	8,150
San Francesco	9,284
Santa Lucia	9,278
Somalia	3,692
Lebanese (3 ships)	18,759
Antonis	6,259
Astir	5,324
Tony	7,176
French (3 ships)	6,980
**Atlanta (trip to Cuba as the Enee—French)	1,232
Circe	2,874
Nelle	2,874
Moroccan (3 ships)	22,354
Atlas	10,392
Marrakech	3,214
Toubkal	8,748
Netherlands (2 ships)	1,615
Meike	500
Tempo	1,115
Panamanian (2 ships)	17,543
**Ampuria (trips to Cuba as the Roula Maria—Greek)	10,608
**Robertina (trips to Cuba as the Anacreon—Greek)	6,935
Somali (2 ships)	11,090
**Atlas (trip to Cuba—Finnish)	3,916
**Marie (trips to Cuba as the Stevo—Lebanese and Somali)	7,174
Finnish (1 ship)	4,779
*Someri	4,779
Guinean (1 ship)	852
**Drame Oumar (trip to Cuba as the Neve—French)	852
Japanese (1 ship)	8,627
Chokyu Maru	8,627
Maltese (1 ship)	5,333
Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Pakistani (1 ship)	8,708
**Maulabaksh (trips to Cuba as the Phoenician Dawn and East Breeze—British)	8,708

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of Registry and Name of Ship

a. Since last report:
None.

b. Previous reports:

	Number of ships
Flag of registry (total)	129
British	45
Cypriot	8
Danish	1
Finnish	4
French	4
German (West)	1
Greek	30
Israeli	1
Italian	13
Japanese	1
Kuwaiti	1
Lebanese	9
Liberian	1
Norwegian	5
Somali	1
Spanish	6
Swedish	1
Yugoslav	2

SEC. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, or wrecked.

a. Since last report:

	Gross tonnage
Akmeon (Cypriot)	11,105
Avuanchoise (Panamanian)	7,199
Newforest (Cypriot)	7,189

b. Previous reports:

Flag of registry:	Broken up, sunk, or wrecked
British	23
Cypriot	30
Finnish	5
French	1
Greek	18
Italian	4
Lebanese	35
Maltese	2
Monaco	1
Moroccan	1
Norwegian	1
Pakistan	1
Panamanian	6
Singapore	1
South Africa	2
Swedish	1
Yugoslav	6
Total	138

SEC. 4. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through June 8, 1970.

Flag of registry	1963	1964	1965	1966	1967	1968	1969	1970 Jan.	1970 Feb.	1970 Mar.	1970 Apr.	1970 May	1970 June	Total
British	133	180	126	101	78	62	45	4	4	6	4	5		748
Cypriot		1	17	27	42	68	115	8	16	10	13	9		326
Lebanese	64	91	58	25	16	16	4		1					275
Greek	99	27	23	27	29	7								212
Italian	16	20	24	11	11	10	15		1	1	3	2		114
Yugoslav	12	11	15	10	14	9	6		1	2				80
French	8	9	9	10	10	4	2	1						53
Finnish	1	4	5	11	12	8	2				1			44
Spanish	9	17												25
Norwegian	14	10												24
Moroccan	9	13	1											23
Maltese		2	6	1	4	8	1							22
Somali					2	11	7							20
Netherlands		4	2											6
Sweden	3	3												6
Kuwaiti		2	1											3
Israeli			2											2
Japanese	1					1								2
Danish	1													1
German (West)	1													1
Haitian			1											1
Monaco				1										1
Subtotal	370	394	290	224	218	204	197	13	23	19	21	16		1,989
Polish	18	16	12	10	11	7	2			1				77
Grand total	388	410	302	234	229	211	199	13	23	20	21	16		2,066

NOTE: Trip totals in section 4 exceed ship totals in section 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data becomes available.

*Added to Report No. 105, appearing in the FEDERAL REGISTER issue of May 23, 1970.
** Ships appearing on the list which have made no trips to Cuba under the present registry.

By order of the Maritime Administrator.

Dated: June 11, 1970.

JOHN M. O'CONNELL,
Assistant Secretary.

[F.R. Doc. 70-8470; Filed, July 1, 1970; 8:52 a.m.]

Office of the Secretary

[Dept. Organization Order 35-3]

NATIONAL INDUSTRIAL POLLUTION CONTROL COUNCIL STAFF

Organization and Functions

The following order was issued by the Secretary of Commerce on June 17, 1970.

SECTION 1. *Purpose.* This order prescribes the organizational status and functions of the National Industrial Pollution Control Council Staff.

SEC. 2. *General.* .01 The National Industrial Pollution Control Council Staff (the "NIPCC Staff") is designated as a constituent operating unit of the Department of Commerce.

.02 The NIPCC Staff shall be headed by the Executive Director of the National Industrial Pollution Control Council, who shall be responsible to the Assistant Secretary for Economic Affairs in the direction and management of the NIPCC Staff.

SEC. 3. *Functions.* The NIPCC Staff shall provide the following support services for the National Industrial Pollution Control (the "Council"):

a. Define and report potential control problem areas within specific industries;

b. Establish and operate an information system that will permit progress on specific industrial pollution control programs to be measured and evaluated;

c. Take actions as will encourage and assure effective communication with the public concerning industrial pollution control activities;

d. Develop and recommend program ideas that stimulate company or industry interest and secure added control commitments;

e. Secure the cooperation and assistance of public and private agencies in the activities of the Council; and

f. Provide or arrange such other services, including technical support, to the Council as may be required.

SEC. 4. *Administrative services.* The Office of the Assistant Secretary for Administration shall provide personnel, budget, finance, and administrative support services required by the NIPCC Staff.

Effective date: June 17, 1970.

LARRY A. JOBE,
Assistant Secretary for Administration.

[F.R. Doc. 70-8430; Filed, July 1, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 8539]

CERTAIN ANTIBIOTIC-CONTAINING ANTIDIARRHEAL PREPARATIONS

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following anti-infective drugs for oral use:

1. Streptomagma Tablets; dihydrostreptomycin base (as sulfate) 150 milligrams, attapulgite 350 milligrams, pectin 45 milligrams, and aluminum hydroxide 70 milligrams; Wyeth Laboratories, Inc., Post Office Box 8299, Philadelphia, Pa. 19101 (NDA 60-119).

2. Polymagma Oral Suspension; each 30 cc. containing dihydrostreptomycin base (as sulfate) 300 milligrams, polymyxin B sulfate 120,000 units, attapulgite 3.0 grams, and pectin 270 milligrams; Wyeth Laboratories, Inc. (NDA 60-120).

3. Polymagma Tablets; dihydrostreptomycin sulfate equivalent to dihydrostreptomycin base 75 milligrams, polymyxin B sulfate 25,000 units per tablet, activated attapulgite 350 milligrams, pectin 45 milligrams, and aluminum hydroxide 70 milligrams; Wyeth Laboratories, Inc. (NDA 60-121).

4. Streptomagma Liquid; each fluid ounce containing dihydrostreptomycin base (as sulfate) 300 milligrams, kaolin 2.92 milligrams, and pectin 259 milligrams; Wyeth Laboratories, Inc. (NDA 60-122).

5. Kectil Suspension; each milliliter containing dihydrostreptomycin sulfate equivalent to 10 milligrams dihydrostreptomycin base, sulfaguanidine 50 milligrams, sulfadiazine 50 milligrams, aminopentamide sulfate 6.7 milligrams, bismuth subcarbonate 50 milligrams, pectin 5 milligrams, and kaolin 0.1 milligram; Bristol Laboratories, Division of Bristol Myers Co., Thompson Road, Post Office Box 657, Syracuse, N.Y., 13201 (NDA 60-067).

6. Strycin Syrup; each 5 cc. containing streptomycin 250 milligrams (as the sulfate); E. R. Squibb & Sons, Inc., Georges Road, New Brunswick, N.J., 08903 (NDA 60-124).

7. Donnagel with Neomycin Liquid, each 30 cc. containing neomycin base (as neomycin sulfate) 210 milligrams, kaolin 6.0 grams, pectin 142.8 milligrams, hyoscyamine sulfate 0.1037 milligrams, atropine sulfate 0.0194 milligrams, and scopolamine hydrobromide 0.0065 milligrams; A. H. Robins Co., 1407 Cummings Drive, Richmond, Va. 23220 (NDA 10-807).

8. Sorboquel with Neomycin Tablets; neomycin 150 milligrams (as the sulfate), polycarbophil 0.4 gram, and thihexinol methylbromide 15 milligrams; White Laboratories Inc., Galloping Hill Road, Kenilworth, N.J. 07033 (NDA 12-625).

9. Cremomycin; each 30 cc. contains neomycin sulfate 300 milligrams (equivalent to 210 milligrams neomycin base), succinylsulfathiazole 3.0 grams, colloidal kaolin 3.0 grams, and pectin 0.27 gram; Merck & Co., Inc., Rahway, N.J. 07065 (NDA 9-444).

10. Bacimycin Tablets; neomycin 25 milligrams (as the sulfate) and bacitracin 2500 units; Walker Laboratories, Division of Richardson-Merrell, Inc., Bradford Road, Mount Vernon, N.Y. 10551 (NDA 60-054).

11. Kaomycin Suspension; each fluid ounce containing neomycin sulfate 300 milligrams (equivalent to 210 milligrams neomycin base) kaolin 5.832 grams, and pectin 0.130 gram; The Upjohn Co., 7171 Portage Road, Kalamazoo, Mich. 49001 (NDA 8-539).

12. Neomycin Sulfate—Kaolin—Pectin Oral Suspension; each fluid ounce containing neomycin sulfate 300 milligrams (equivalent to 210 milligrams neomycin base), kaolin 6.0 grams, and pectin 0.13 gram; E. W. Heun Co., 2303 Schuetz Road, St. Louis, Mo. 63141 (NDA 60-318).

13. Quintess-N Solution; each 30 cc. containing neomycin sulfate 320 milligrams (equivalent to 225 milligrams neomycin base), activated attapulgite 3 grams, and activated colloidal attapulgite 0.9 gram; Eli Lilly and Company, Post Office Box 618, Indianapolis, Ind. 46206 (NDA 50-232).

14. Neomycin Sulfate, Kaolin, Pectin Suspension; each fluid ounce containing neomycin sulfate 300 milligrams (equivalent to 210 milligrams neomycin base), kaolin 6.0 grams, and pectin 130 milligrams; Vitamix Pharmaceuticals, Inc., Division of Wynn Pharmaceuticals, Inc., 2900 North 17th Street, Philadelphia, Pa. 19132 (NDA 60-352).

The Food and Drug Administration has considered the academy reports, as well as other available information, and concludes that there is a lack of substantial evidence, as defined in the Federal Food, Drug, and Cosmetic Act, that these drugs are effective for the uses prescribed, recommended, or suggested in their labeling; and in the case of those drugs which are combinations, there is also a lack of substantial evidence that each component of the combinations contributes to the total effects claimed for such combination drugs.

The ratio of benefit-to-risk with such drugs is regarded as unfavorable in that, for example, even the so-called nonabsorbable drugs such as neomycin and the streptomycins may be absorbed from an inflamed or diseased gastrointestinal tract and result in eighth cranial nerve toxicity; there is a possibility of development of hypersensitivity and blood dyscrasias with sulfonamides; the presence of an antibiotic in a mixture that is likely to be used to treat conditions of undetermined etiology may result in development of resistant strains of organisms; and flexibility of dosage required to safely achieve desired effects from individual components is lacking in the fixed-combinations.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to amend the antibiotic drug regulations, where necessary, to delete from the list of drugs acceptable for certification or release the above-listed drugs and any similar drugs for oral administration in man.

Prior to initiating such action, however, the Commissioner invites all interested persons who might be adversely affected by removal of these drugs from the market to submit pertinent data bearing on the proposal within 30 days following the date of publication of this announcement in the FEDERAL REGISTER. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12 (a) (5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their medits for corroborative support of efficacy and evidence of safety.

This announcement of the proposed action and implementation of the NAS-NRC reports for these drugs is made to give notice to persons who might be adversely affected by removal of these drugs from the market.

A copy of the NAS-NRC report has been furnished to the firms referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 8539, and should be directed to the attention of the following appropriate office and (unless otherwise specified) be addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Requests for NAS-NRC report: Press Relations Staff (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 17, 1970.

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

[F.R. Doc. 70-8454; Filed, July 1, 1970; 8:51 a.m.]

[DESI 11212]

COMBINATION DRUG CONTAINING NEOMYCIN SULFATE AND NYSTATIN FOR ORAL USE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug:

Mycifradin N Tablets, containing neomycin sulfate and nystatin; formerly marketed by the Upjohn Co., 7171 Portage Road, Kalamazoo, Mich. 49001 (NDA 11-212).

The Food and Drug Administration concludes that there is a lack of substantial evidence, as defined in the Federal Food, Drug, and Cosmetic Act, that the above-listed drug is effective as a fixed combination for its claimed clinical effect, and that each component of the drug contributes to the total effects claimed for such drug.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to amend the antibiotic drug regulations (21 CFR Part 148) where necessary to delete from the list of drugs acceptable for certification those that contain the above-listed combination.

Prior to initiating such action, however, the Commissioner invites all interested persons who might be adversely affected by removal of this drug from the market to submit pertinent data bearing on the proposal within 30 days following the date of publication of this announcement in the FEDERAL REGISTER.

To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well-organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a) (5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety. Such data should be identified with the reference number DESI 11212 and be addressed to the Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs, Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852.

This announcement of the proposed action and implementation of the NAS-NRC report for this drug is made to give notice to persons who might be adversely affected by removal of this drug from the market.

The firm listed above has been mailed a copy of the NAS-NRC report. Any interested person may obtain a copy of the report on this drug by writing to the Food and Drug Administration, Press Relations Office (CE-200), 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 19, 1970.

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

[F.R. Doc. 70-8456; Filed, July 1, 1970; 8:51 a.m.]

[DESI 8993; Docket No. FDC-D-182; NDA 8-993, etc.]

CYCLIZINE HYDROCHLORIDE AND MECLIZINE HYDROCHLORIDE PREPARATIONS FOR ORAL ADMINISTRATION

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs:

1. Marezine Tablets containing 50 milligrams cyclizine hydrochloride; marketed by Burroughs Wellcome & Co. (U.S.A.) Inc., 1 Scarsdale Road, Tuckahoe, N.Y. 10707 (NDA 8-993).

2. Bonine Chewable Tablets containing 25 milligrams meclizine hydrochloride; marketed by Pfizer Laboratories, Division of Charles Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017 (NDA 9-099).

The drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new-drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. A new-drug application is required from any person marketing such drugs without approval.

The Food and Drug Administration is prepared to approve new-drug applications and supplements to previously approved new-drug applications under conditions described in this announcement.

I. CYCLIZINE HYDROCHLORIDE (ORAL)

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy reports, as well as other available evidence, and concludes that:

1. This drug is effective for motion sickness.

2. Cyclizine hydrochloride lacks substantial evidence of effectiveness for nausea and vomiting of pregnancy.

B. *Form of drug.* Cyclizine hydrochloride preparations are in tablet form suitable for oral administration and contain not more than 50 milligrams cyclizine hydrochloride per tablet.

C. *Labeling conditions.* 1. The drug is labeled to comply with all requirements of the Act and regulations promulgated thereunder and its labeling bears adequate directions under which a layman can use the drug safely and for the purpose for which it is intended.

2. The labeling recommends use of the drug for the following condition: Motion sickness.

3. The label and any labeling for over-the-counter distribution of the drug prominently and conspicuously display the statement: "Warning—Not for use by women who are pregnant or who may possibly become pregnant, unless such use is directed by a physician, since this drug may have the potentiality of injuring the unborn child."

D. *Marketing status.* Marketing of the drug may continue under the conditions described in IV and V of this announcement.

II. MECLIZINE HYDROCHLORIDE (ORAL)

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes that:

1. The drug is effective for motion sickness.

2. The drug is possibly effective for control of nausea and vomiting and vertigo in other conditions; and in the management of nausea and vomiting and vertigo or dizziness in Meniere's syndrome, cerebral arteriosclerosis, labyrinthitis and vestibular dysfunction.

3. Meclizine hydrochloride lacks substantial evidence of effectiveness for nausea and vomiting of pregnancy.

B. *Form of drug.* Meclizine hydrochloride preparations are in tablet form suitable for oral administration and contain no more than 25 milligrams of meclizine hydrochloride per tablet.

C. *Labeling conditions.* 1. The drug is labeled to comply with all requirements of the Act and regulations promulgated thereunder and its labeling bears adequate directions under which a layman can use the drug safely and for the purpose for which it is intended.

2. The labeling recommends use of the drug for the following condition: Motion sickness.

3. The label and any labeling for over-the-counter distribution of the drug prominently and conspicuously display the statement: "Warning—Not for use by women who are pregnant or who may possibly become pregnant, unless such use is directed by a physician, since this drug may have the potentiality of injuring the unborn child."

D. *Marketing status.* Marketing of the drug may continue under the conditions described in IV and V of this announcement except that those claims referenced in III may continue to be used as described therein.

III. INDICATIONS PERMITTED DURING EXTENDED PERIOD FOR OBTAINING SUBSTANTIAL EVIDENCE

Those indications for which meclizine hydrochloride is described in paragraph II-A above as possibly effective (not included in the labeling conditions in paragraph II-C) may continue to be used for 6 months following the date of this publication to allow additional time within which holders of previously approved applications or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration data to provide substantial evidence of effectiveness.

IV. PREVIOUSLY APPROVED APPLICATIONS

A. Each holder of a "deemed approved" new-drug application (i.e., an application which became effective on the basis of safety prior to Oct. 10, 1962) for such drug is requested to seek approval of the claims of effectiveness and bring the application into conformance by submitting supplements containing:

1. Revised labeling as needed to conform to the labeling conditions described herein for the drug and complete current container labeling, unless recently submitted.

2. Adequate data to assure the biologic availability of the drug in the formulation which is marketed. If such data are already included in the application, specific reference thereto may be made.

3. Updating information as needed to make the application current in regard to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of the new-drug application form FD-356H to the extent described for abbreviated new-drug applications, § 130.4(f), published in the FEDERAL REGISTER April 24, 1970 (35 F.R. 6574). (One supplement may contain all the information described in this paragraph.)

B. Such supplements should be submitted within the following periods after the date of publication of this notice in the FEDERAL REGISTER:

1. 60 days for revised labeling—the supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new-drug regulations (21 CFR 130.9) which permit certain changes to be put into effect at the earliest possible time.

2. 180 days for biologic availability data.

3. 60 days for updating information.

C. Marketing of the drug may continue until the supplemental applications submitted in accord with the preceding subparagraphs A and B are acted upon, provided that within 60 days after the date of this publication, the labeling of the preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described in this announcement. (It may continue to include the indications referenced in paragraph III for the period stated.)

V. NEW APPLICATIONS

A. Any other person who distributes or intends to distribute such drug which is intended for the conditions of use for which it has been shown to be effective, as described under I-A and II-A above, should submit an abbreviated new-drug application meeting the conditions specified in the regulation, § 130.4(f) (1), (2), and (3), published in the FEDERAL REGISTER of April 24, 1970 (35 F.R. 6574).

Such applications should include proposed labeling which is in accord with the labeling conditions described herein and adequate data to assure the biologic availability of the drug in the formulation which is marketed or proposed for marketing.

B. Distribution of any such preparation currently on the market without an approved new-drug application may be continued provided that:

1. Within 60 days from the date of publication of this announcement in the FEDERAL REGISTER, the labeling of such preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described herein. (It may continue to include the indications referenced in paragraph III for the period stated.)

2. The manufacturer, packer, or distributor of such drug submits, within 180 days from the date of this publication, a new-drug application to the Food and Drug Administration.

3. The applicant submits within a reasonable time additional information that may be required for the approval of the application as specified in a written communication from the Food and Drug Administration.

4. The application has not been ruled incomplete or unapprovable.

VI. OPPORTUNITY FOR A HEARING

A. On October 27, 1965, a statement of policy or interpretation published in the FEDERAL REGISTER (30 F.R. 13628; 21 CFR 3.29) described the potential hazards that may result from the use of cyclizine hydrochloride or meclizine hydrochloride in pregnancy, hazards that were particularly unwarranted in the absence of evidence that the drugs were effective when used, as recommended, for nausea and vomiting of pregnancy. Interested persons were invited to submit substantial evidence to show that the drugs are effective for that use. As yet, such evidence has not been presented.

Therefore, the Commissioner of Food and Drugs proposes to issue an order under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of all new-drug applications and all amendments and supplements thereto providing for the indications for which substantial evidence of effectiveness is lacking as described in paragraph I–A of this announcement. An order withdrawing approval of the applications will not issue if such applications are supplemented, in accord with this notice, to delete such indications. Promulgation of the proposed order would cause any drug for human use containing the same components and offered for the indications for which substantial evidence of effectiveness is lacking, to be a new drug for which an approved new-drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the holders of any such applications, and any interested person who would be adversely affected by such an order, an opportunity for a hearing to show why such indications should not be deleted from labeling. A request for a hearing must be filed within 30 days after the date of publication of this notice in the FEDERAL REGISTER. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing there is a genuine and substantial issue of fact that requires a hearing, together with a well-organized and full-factual analysis of the clinical and other investigational data the objector is prepared to prove in a hearing. Any data submitted in response to this notice must be previously unsubmitted and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.13(a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety. If a hearing is requested and is justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue a written notice of the time and place at which the hearing will commence.

A copy of the NAS-NRC report has been furnished to each firm referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 8993 and be directed to the attention of the following appropriate office and addressed (unless otherwise specified) to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Requests for NAS–NRC report: Press Relations Staff (CE–200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

Supplements (identify with NDA number): Office of Marketed Drugs (BD–200), Bureau of Drugs.

Original abbreviated new-drug applications (identify as such): Office of Marketed Drugs (BD–200), Bureau of Drugs.

Requests for Hearing (identify with docket number): Hearing Clerk, Office of General Counsel (GC–1).

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD–201), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 8, 1970.

SAM D. FINE,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70–8394; Filed, July 1, 1970; 8:46 a.m.]

[DESI 11017]

CYCLOMETHYCAINE HYDROCHLORIDE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following drug: Surfacaine Aerosol, containing cyclomethycaine hydrochloride, marketed by Eli Lilly & Co., Post Office Box 618, Indianapolis, Ind. 46206 (NDA 11–017).

The drug is regarded as a new drug. The effectiveness classification and marketing status are described below .

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy report and concludes that cyclomethycaine hydrochloride is possibly effective as a local anesthetic agent to provide relief of pain and discomfort by topical application.

B. *Marketing status.* 1. Holders of previously approved new-drug applications and any person marketing any such drug without approval will be allowed 6 months from the date of publication of this announcement in the FEDERAL REGISTER to obtain and to submit in a supplemental or original new-drug application data to provide substantial evidence of effectiveness for the indication for which this drug has been classified as possibly effective. To be acceptable for consideration in support of the effectiveness of a drug, any such data must be previously unsubmitted, well organized, and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published as a final order in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for the approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

2. At the end of the 6-month period, any such data will be evaluated to determine whether there is substantial evidence of effectiveness of such use. After that evaluation, the conclusions concerning the drug will be published in the FEDERAL REGISTER. If no studies have been undertaken or if the studies do not provide substantial evidence of effectiveness, procedures will be initiated to withdraw approval of the new-drug applications for such drug, pursuant to the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act. Withdrawal of approval of the application will cause any such drugs on the market to be new drugs for which an approval is not in effect.

The above-named holder of the new-drug application for this drug has been mailed a copy of the NAS–NRC report. Any interested person may obtain a copy of this report by writing to the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 11017 and be directed to the attention of the following appropriate office and (unless otherwise specified) be addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (identify with NDA number): Office of Marketed Drugs (BD-200), Bureau of Drugs.
Original new-drug application: Office of New Drugs (BD-100), Bureau of Drugs.
All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD-201), Bureau of Drugs.
Requests for NAS-NRC report: Press Relations Staff (CE-200), Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 19, 1970.

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

[F.R. Doc. 70-8455; Filed, July 1, 1970; 8:51 a.m.]

[DESI 11663; Docket No. FDC-D-191; NDA 11-663]

MYDRIATIC DRUG CONTAINING CYCLOPENTOLATE HYDROCHLORIDE AND PHENYLEPHRINE HYDROCHLORIDE

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following mydriatic drug: Cyclopentolate hydrochloride 0.2 percent, in combination with phenylephrine hydrochloride 1 percent, marketed as Cyclomydril Ophthalmic Solution by Schieffelin & Co., Schieffelin Road, Apex, N.C. 27502 (NDA 11-663).

The drug is regarded as a new drug. Supplemental new-drug applications are required to revise the labeling in and to update previously approved applications providing for such drug. A new-drug application is required from any person marketing such drug without approval.

The Food and Drug Administration is prepared to approve new-drug applications and supplements to previously approved new-drug applications under conditions described in this announcement.

A. *Effectiveness classification.* The Food and Drug Administration has considered the report of the Academy, as well as other available evidence, and concludes that:

1. This drug is effective for use in the production of mydriasis.

2. Without further evidence of safety and effectiveness the possible hazards of use of the combination cyclopentolate hydrochloride with phenylephrine hydrochloride do not justify its continued use for indication: Inflammatory ocular diseases, such as iritis and iridocyclitis, keratitis, choroiditis, and posterior cynechiae. The drug is regarded as lacking substantial evidence of the effectiveness for this indication.

B. *Form of drug.* This mydriatic preparation is a sterile solution suitable for ophthalmic administration.

C. *Labeling conditions.* 1. The label bears the statement "Caution: Federal law prohibits dispensing without prescription," and a statement that the preparation is sterile.

2. The drug is labeled to comply with all requirements of the Act and regulations. The labeling bears adequate information for safe and effective use of such drug and is in accord with the guidelines for uniform labeling published in the FEDERAL REGISTER of February 6, 1970. The "Indications" section of the labeling is as follows:

INDICATIONS

This drug is indicated for the production of mydriasis.

D. *Marketing status.* Marketing of the drug may continue under the conditions described in paragraphs E and F of this announcement.

E. *Previously approved applications.* 1. Each holder of a "deemed approved" new-drug application (i.e., an application which became effective on the basis of safety prior to Oct. 10, 1962), for such drug is requested to seek approval of the claims of effectiveness and bring the application into conformance by submitting supplements containing:

a. Revised labeling as needed to conform to the labeling conditions described herein for the drug and complete current container labeling, unless recently submitted.

b. Updating information as needed to make the application current in regard to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of the new-drug application form FD-356H to the extent described for abbreviated new-drug applications, § 130.4(f) of the regulations, published in the FEDERAL REGISTER April 24, 1970 (35 F.R. 6574). (One supplement may contain all the information described in this paragraph.)

2. Such supplements should be submitted within the following time periods after the date of publication of this notice in the FEDERAL REGISTER:

a. 60 days for revised labeling—the supplement should be submitted under the provisions of section 130.9(d) and (e) of the new-drug regulations (21 CFR 130.9) which permit certain changes to be put into effect at the earliest possible time.

b. 60 days for updating information.

3. Marketing of the drug may continue until the supplemental application submitted in accord with the preceding subparagraphs 1 and 2 are acted upon, provided that within 60 days after the date of this publication, the labeling of the preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described in this announcement.

F. *New applications.* 1. Any other person who distributes or intends to distribute such drug which is intended for the conditions of use for which it has been shown to be effective, as described under A above, should submit an abbreviated new-drug application meeting the conditions specified in § 130.4(f) (1) and (2) of the regulations published in the FEDERAL REGISTER April 24, 1970 (35 F.R. 6574). Such applications should include proposed labeling which is in accord with the labeling conditions described herein.

2. Distribution of any such preparation currently on the market without an approved new-drug application may be continued provided that:

a. Within 60 days from the date of publication of this announcement in the FEDERAL REGISTER, the labeling of such preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described herein.

b. The manufacturer, packer, or distributor of such drug submits, within 60 days from the date of this publication, a new-drug application to the Food and Drug Administration.

c. The applicant submits, within a reasonable time, additional information that may be required for the approval of the application as specified in a written communication from the Food and Drug Administration.

d. The application has not been ruled incomplete or unapprovable.

G. *Opportunity for a hearing.* 1. The Commissioner of Food and Drugs proposes to issue an order under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of all new-drug applications and all amendments and supplements thereto providing for the indications for which substantial evidence of effectiveness is lacking as described in paragraph A2 of this announcement. An order withdrawing approval of the applications will not issue if such applications are supplemented, in accord with this notice, to delete such indications. Promulgation of the proposed order would cause any drug for human use containing the same components and offered for the indications for which substantial evidence of effectiveness is lacking, to be a new drug for which an approved new-drug application is not in effect. Any such drug then on the market would be subject to regulatory proceedings.

2. In accordance with the provisions of section 505 of the Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the holders of any such applications, and any interested person who would be adversely affected by such an order, an opportunity for a hearing to show why such indications should not be deleted from labeling. A request for a hearing must be filed within 30 days after the date of publication of this notice in the FEDERAL REGISTER. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing, together with a well-organized and full-factual analysis of

the clinical and other investigational data the objector is prepared to prove in a hearing. Any data submitted in response to this notice must be previously unsubmitted and include data from adequate and well-controlled clinical investigations (identified for ready review) as described in § 130.12(a)(5) of the regulations published in the FEDERAL REGISTER of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety. If a hearing is requested and is justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue a written notice of the time and place at which the hearing will commence.

H. *Unapproved use or form of drug.* 1. If the article is labeled or advertised for use in any condition other than those provided for in this announcement, it may be regarded as an unapproved new drug subject to regulatory proceedings until such recommended use is approved in a new-drug application, or is otherwise in accord with this announcement.

2. If the article is proposed for marketing in another form or for a use other than the use provided for in this announcement, appropriate additional information as described in § 130.4 or § 130.9 of the regulations (21 CFR 130.4, 130.9) may be required, including results of animal and clinical tests intended to show whether the drug is safe and effective.

A copy of the NAS–NRC report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 11663 and be directed to the attention of the following appropriate office and (unless otherwise specified below) be addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (identify with NDA number): Office of Marketed Drugs (BD–200), Bureau of Drugs.

Original abbreviated new-drug applications (identify as such): Office of Marketed Drugs (BD–200), Bureau of Drugs.

Request for hearing (identify with docket number): Hearing Clerk, Office of General Counsel (GC–1), Room 6–62, Parklawn.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (BD–201), Bureau of Drugs.

Requests for NAS-NRC report: Press Relations Staff (CE–200), 200 "C" Street SW., Washington, D.C. 20204.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 18, 1970.

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

[F.R. Doc. 70–8457; Filed, July 1, 1970; 8:51 a.m.]

Public Health Service

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organizations, Functions, and Delegations of Authority

Part 5 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15953, Oct. 30, 1968), is hereby amended with regard to section 5–B, Organization as follows:

After the section under National Center for Family Planning Services (3F00), published in 34 F.R. 17210, October 23, 1969, delete the center head "National Communicable Disease Center (2300)" and all the text under that center head, and substitute the following center head and accompanying text:

CENTER FOR DISEASE CONTROL (3G00)

(1) Plans, conducts, coordinates, supports, and evaluates a national program for the prevention and control of communicable and vector-borne diseases and other preventable conditions, including those related to malnutrition, through (a) surveillance activities, (b) research and development programs, (c) epidemiologic studies, (d) consultation and training, (e) public information and education, (f) technical assistance, and (g) community demonstrations; (2) directs foreign and interstate quarantine activities and enforces foreign and interstate quarantine regulations; (3) provides consultation and assistance in upgrading the performance of clinical laboratories and evaluates and licenses clinical laboratories engaged in interstate commerce; (4) provides consultation to international organizations and other nations in the control of preventable diseases and administers international activities for the eradication or control of malaria, malnutrition, measles, smallpox, and other preventable conditions.

Office of the Director (3G01). (1) Directs the activities of the Center for Disease Control; (2) advises the Administrator, Health Services and Mental Health Administration, on policy matters concerning the Center activities; (3) provides liaison, through the Center's Washington office, with other governmental agencies and outside groups; (4) provides or obtains technical assistance for State and local health departments and private and official agencies, as needed; (5) provides professional and technical direction to regional personnel on disease control matters; and (6) participates in the development of the Center's goals and objectives.

Office of International Services (3G11). (1) Plans, organizes, and administers programs of specialized training for foreign representatives and for domestic representatives to foreign countries; (2) provides for the reception and orientation of foreign visitors to the Center; (3) designs, develops, and implements seminar services and resources reference on current international health affairs for Center staff; (4) renders advisory services on Public Law 480 projects; and (5) establishes and maintains liaison with other organizations concerned with international health.

Office of Information (3G17). Plans, organizes, and administers the Center's public information program, publications management, and all concomitant activities such as tours and receptionist services, publications clearance, and distribution of information and educational materials.

Office of Research Grants (3G18). (1) Develops and administers the Center's research grants programs, including stimulation of research in neglected or underemphasized fields; (2) provides financial support to nonprofit research organizations; and (3) maintains active liaison with Administration and Department organizational components concerned with grants.

Staff Services—Administration Management (3G19). Under the direction of the Executive Officer: (1) Assists and advises in the development, coordination, direction, and assessment of management activities throughout the Center and assures consideration of management implications in program decisions; (2) conducts Center-level management services, such as administrative services, financial management, personnel management, engineering services, computer systems, management analysis, legislative reference, library, and other delegated authorities as may be assigned; (3) provides technical leadership and guidance to management services at field stations and evaluates technical performance; (4) maintains liaison with HSMHA officials on management matters including ADP systems, management information systems, and communication networks; (5) provides financial data and systems development support to the Program Planning and Budgeting system; and (6) participates in the development of the Center's goals and objectives.

Office of Program Planning and Evaluation (3G31). In cooperation with the Center's Executive Officer, programs, and staff services: (1) Plans and develops short- and long-range goals and objectives for the Center; (2) analyzes and evaluates the Center's programs activities; (3) collaborates in the development and implementation of the PPB system; (4) maintains liaison with counterpart organizations as appropriate; and (5) develops systematic approaches to reporting on the operations of the Center.

Ecological Investigations Program (3G41). (1) Plans, coordinates, and conducts field station activities which include investigations of: (a) Viral meningitis and encephalitis, (b) hepatitis and gastroenteritis, (c) respiratory infections caused by viruses, bacteria, and fungi, (d) plague and other zoonoses, (e) schistosomiasis and other tropical diseases, and (f) the epidemiology of oncogenic viruses; and (2) develops measures for prevention and control of diseases under investigation.

Epidemiology program (3G45). (1) Maintains surveillance over communicable and certain preventable diseases of national importance and develops programs of international surveillance in collaboration with the Foreign Quarantine Program, the Department of Defense, the Department of State, and the World Health Organization; (2) investigates special disease problems and recommends control measures; (3) evaluates experimental vaccines and immunizing agents and procedures; (4) provides epidemic aid and epidemiological services and consultation to States, Federal agencies, foreign countries, and other recipients; (5) recruits and trains public health epidemiologists; (6) collects and analyzes morbidity and mortality statistical data and publishes reports of findings; (7) enforces interstate quarantine regulations; and (8) serves as the WHO Regional Reference Laboratory for Rabies in the Americas.

Foreign quarantine program (3G51). (1) Plans, directs, and conducts the national program to protect the United States against the introduction of diseases from foreign countries; (2) provides epidemiological data on worldwide disease prevalence; and (3) implements the provisions of the International Sanitary Regulations.

Malaria program (3G55). Administers the Public Health Service international program of malaria eradication jointly planned and developed with U.S. Agency for International Development missions and the national ministries of health of cooperating countries and which encompasses as appropriate such activities as vector control, field investigations and testing of methods and procedures, evaluation of country programs, and training and epidemiological appraisals.

Nutrition program (3G57). (1) Plans, conducts, coordinates, supports, and evaluates a program designed to identify and oversee nutrition and health problems through technical advice and guidance to State and local governments, other agencies of the Federal Government, voluntary private agencies, universities, international health agencies, the food industry, and the public; (2) serves as the Department of Health, Education, and Welfare's clearinghouse on nutrition programs and problems; (3) plans, develops, supports, and administers demonstration projects to assess and improve nutritional status; (4) evaluates existing and proposed programs designed to reduce the incidence of malnutrition and the health problems that it causes; (5) develops and provides training to health workers to update their knowledge of and interest in nutrition; (6) collaborates with the National Center for Health Statistics in developing a continuing program for assessing the nutritional status and related health problems of the Nation; (7) plans and collaborates in applied research designed to identify gaps in nutrition knowledge; and (8) provides technical consultation and service to the Agency for International Development, the Department of Defense, and other U.S. Government agencies, and to international organizations, for assessing and improving the nutritional status of peoples throughout the world.

Smallpox eradication program (3G61). (1) Provides overall consultation, direction, coordination, and management for the United States' participation in the worldwide program for eradication of smallpox; (2) when feasible, conducts other simultaneous immunization programs; and (3) maintains surveillance of smallpox and smallpox vaccine reaction in the United States.

Training program (3G65). (1) Conducts a program of continuing education for the practicing health professions on methods and techniques of disease prevention and control; (2) promotes the establishment, maintenance, and improvement of State and other health training programs; (3) provides disease control training and consultation in natural disasters and epidemics; (4) devises, develops, and demonstrates advanced training methodologies through the above activities; and (5) coordinates the Center's training activities.

Laboratory Division (3G69). (1) Administers a comprehensive national laboratory improvement program; (2) directs and conducts the administration of the licensure and evaluation of clinical laboratories engaged in interstate commerce under the authority and provisions of the Clinical Laboratories Improvement Act of 1967; (3) conducts research for improving and standardizing laboratory methodology; (4) evaluates techniques, materials, and reagents used in public health laboratories; (5) provides reference and typing center services related to clinical laboratory procedures for national and international organizations; (6) produces and distributes microbiological reference and working reagents not commercially available or of unreliable supply; (7) provides consultation, training, and informational services in laboratory techniques and laboratory management to States and other recipients; (8) distributes experimental vaccines and special immune globulins to prevent and control laboratory infections; and (9) directs, coordinates, and manages biological, chemical, and engineering research and development on methods, materials, and equipment for the prevention, control, and eradication of vector-borne disease at the Technical Development Laboratories, Savannah, Ga.

State and Community Services Division (3G71). (1) Plans, directs, and coordinates a national program for the prevention, control, or eventual eradication of serious diseases, such as tuberculosis, respiratory diseases, syphilis, gonorrhea and other venereal diseases, for which specific preventive measures are available; (2) administers intramural and extramural programs for the control or eventual eradication of preventable diseases; and (3) conducts community demonstration programs in cooperation with State and local health departments and other agencies to serve as models in teaching disease control and prevention.

ELLIOT L. RICHARDSON,
Secretary.

JUNE 24, 1970.

[F.R. Doc. 70-8453; Filed, July 1, 1970; 8:51 a.m.]

CIVIL SERVICE COMMISSION

SECRETARY AND RELATED CLERICAL POSITIONS, COOK COUNTY, ILL.

Notice of Establishment of Minimum Rates and Rate Ranges

Under authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates and rate ranges as follows:

GS-312 CLERK-STENOGRAPHER

GS-316 CLERK-DICTATING MACHINE TRANSCRIBER

GS-318 SECRETARY

GS-322 CLERK-TYPIST

Geographic coverage: Cook County, Ill. (includes city of Chicago).

Effective date: First day of the first pay period beginning on or after July 1, 1970.

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-2	$5,083	$5,237	$5,391	$5,545	$5,699	$5,853	$6,007	$6,161	$6,315	$6,469
GS-3	5,734	5,908	6,082	6,256	6,430	6,604	6,778	6,952	7,126	7,300
GS-4	6,243	6,438	6,633	6,828	7,023	7,218	7,413	7,608	7,803	7,998
GS-5	6,766	6,984	7,202	7,420	7,638	7,856	8,074	8,292	8,510	8,728

All new employees in the specified occupational level will be hired at the new minimum rates.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the statutory rates shall receive

basic compensation at the corresponding numbered rate authorized by this notice on or after each date. The pay adjustment will not be considered an equivalent increase within the meaning of 5 U.S.C. 5335.

Under the provisions of section 3–2b, chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty under 5 U.S.C. 5723, of new appointees to positions cited.

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

[F.R. Doc. 70–8452; Filed, July 1, 1970; 8:50 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 498]

COMMON CARRIER SERVICES INFORMATION [1]

Domestic Public Radio Services Applications Accepted for Filing [2]

JUNE 29, 1970.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

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

APPLICATIONS ACCEPTED FOR FILING:

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE:

File No., applicant, call sign, and nature of application

8587–C2–P–70—Mobile Dispatch Service (KIF658), C.P. to add a second base station to operate on 152.03 MHz Station location: 942 Shelton Beach Road Extension, Mobile, Ala.

8588–C2–P–70—Michigan Bell Telephone Co. (KQD604), C.P. to change the base frequency to 152.78 MHz and change the antenna system for station located at 9 miles northwest of Cadillac, Mich.

8589–C2–P–70—Zip-Call (KCB890), C.P. for additional facilities to operate on frequency 43.58 MHz at a new site described as location No. 3: Asnebumskit Hill, 2.6 miles east of Paxton, Mass.

8590–C2–P–70—General Telephone Co. of the Southwest (KLB758), C.P. to change the base frequency from 152.60 MHz to 152.69 MHz Station location: 3.6 miles west-northwest of Black River Village, N. Mex.

8597–C2–P–70—Colorado Mobile Telephone Co. (New), C.P. for a new air-ground station to be located at 108 North Maple Avenue, Trinidad, Colo., to operate on frequency 454.875 MHz base and 454.675 MHz signaling.

8598–C2–P–70—Colorado Mobile Telephone Co. (New), C.P. for a new air-ground station to be located at 1225 South Seventh Street, Grand Junction, Colo., to operate on frequency 454.800 MHz base and 454.675 MHz signaling.

8599–C2–P–70—RAM Broadcasting of Massachusetts, Inc. (New), C.P. for a new one-way station to be located at 350 Cedar Street, Needham Heights, Mass., to operate on frequency 35.220 MHz.

8743–C2–P–70—RAM Broadcasting of Texas, Inc. (New), C.P. for a new air-ground station to be located at 320 South Polk Street, Amarillo, Tex., to operate on frequency 454.700 MHz base and 454.675 MHz signaling.

8744–C2–P–(5)70—Mobile Radio-Telephone Service, Inc. (KDE252), C.P. for additional base channels on frequencies 152.08, 152.09, 152.12, 152.18, and 152.21 MHz at location No. 1: Goon Peak, Oquirrh Range, 5.2 miles south-southwest of Garfield, Utah.

8748–C2–P–70—Radio Telephone Service (KJU819), C.P. to add frequency 152.18 MHz base. Station location: 0.2 miles west of Catlettsburg, Ky., also change the antenna system at same location.

8750–C2–P–70—Caprock Radio Dispatch (KKJ449), C.P. to relocate the control facilities operating on frequency 454.10 MHz to 102 West First Street, Roswell, N. Mex.

8751–C2–P–70—Buckeye Communications Co. (KLF500), C.P. to relocate the base facilities operating on frequency 454.20 MHz to 1 Levis Square (Fiberglass Tower), Toledo, Ohio.

8752–C2–P–70—RCC of Virginia, Inc. (KIA334), C.P. to replace the transmitter on 152.03 MHz; change the antenna system and relocate same to 1318 Spratley Street, Portsmouth, Va.

8753–C2–P–(2)70—Mobilfone (KKA402), C.P. to replace transmitters operating on frequencies 454.10 and 454.35 MHz for control facilities; change the antenna system and relocate same to location No. 4: 1.3 miles south-southwest of junction U.S. Highway No. 271 and State Highway No. 9, South Fort Smith, Ark.

Corrections

7322–C2–P–(2)70—Georgia Mobile Telephone Co. (New), Correct location description to read: Foxlake Road and State Road 405, Titusville, Fla. All other particulars same as reported in public notice dated May 11, 1970, report No. 491.

5294–C2–P–70—Office Service Bureau, Inc. (New), Correct frequency to read: 152.09 MHz. All other particulars same as reported in public notice dated May 18, 1970, report No. 492.

7520–C2–P–70—Tel-Car, Inc. (KLF590), Correct frequency to read: 152.06 MHz. All other particulars same as reported in public notice dated May 25, 1970, report No. 493.

7667–C2–P–(3)70—Pacific Northwest Bell Telephone Co. (New), Correct entry to indicate frequency as 152.84 MHz (for all locations). All other particulars same as reported on public notice dated June 1, 1970, report No. 494.

8068–C2–P–70—The Pacific Telephone and Telegraph Co. (KMD99), Correct file No. to read: 8068–C2–P–(2)70 and correct frequencies to read: 152.54 and 152.78 MHz. All other particulars same as reported in public notice dated June 8, 1970, report No. 495.

Major Amendment

7864–C2–P–70—Seattle Radiotelephone (KOR733), Change frequency from 454.075 MHz to 454.250 MHz. All other particulars same as reported in public notice dated June 1, 1970, report No. 494.

POINT-TO-POINT MICROWAVE RADIO SERVICE: (TELEPHONE CARRIER)

Telephone Utilities Services Corp.—The following 36 applications are for construction permits for point-to-point microwave stations to provide for transmission of data and other specialized communications between Dallas, Fort Worth, Waco, Austin, San Antonio, Corpus Christi, Houston, and Beaumont, Tex.

8396–C1–P–70—Telephone Utilities Services Corp. (New), Site 1: South Oakcliff Bank Building, Dallas, Tex., latitude 32°45'02" N., longitude 96°49'04" W., frequency 11145.0 MHz at azimuth 234°30'.

[1] All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

[2] The above alternative cutoff rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8397–C1–P–70—Telephone Utilities Services Corp. (New), Site 1A: 0.3 mile west of Dallas city limits, 0.3 mile south of Ledbetter Drive, Whispering Cedars, Tex., latitude 32°41′16″ N., longitude 96°55′09″ W., frequencies 6115.0 MHz at azimuth 234°30′, and 10945.0 MHz at azimuth 54°18′.

8398–C1–P–70—Telephone Utilities Services Corp. (New), Site 2: South city limits, Mansfield, Tex., latitude 32°33′10″ N., longitude 97°08′45.5″ W., frequencies 6226.9 MHz at azimuth 54°18′, 6315.8 MHz at azimuth 319°48′ and, 6301.0 MHz at azimuth 199°48′.

8399–C1–P–70—Telephone Utilities Services Corp. (New), Site 3: 3725 Frazier, Fort Worth, Tex., latitude 32°43′19″ N., longitude 97°18′58″ W., frequency 6197.2 MHz at azimuth 139°42′.

8400–C1–P–70—Telephone Utilities Services Corp. (New), Site 4: 1.2 miles north 180° east, Parker, Tex., latitude 32°14′17″ N., longitude 97°16′47″ W., frequencies 5989.7 MHz at azimuth 19°42′, and 6360.3 MHz at azimuth 245°42′.

8401–C1–P–70—Telephone Utilities Services Corp. (New), Site 5: Walnut Springs (Morgan), Tex., latitude 32°05′09″ N., longitude 97°40′36″ W., frequencies 6108.3 MHz at azimuth 650°30′, and 6034.2 MHz at azimuth 172°30′.

8402–C1–P–70—Telephone Utilities Services Corp. (New), Site 6: 3.9 miles north 348° east, Mosheim, Tex., latitude 31°41′01″ N., longitude 97°36′51″ W., frequencies 6286.2 MHz at azimuth 352°30′, 6078.6 MHz at azimuth 117°18′, and 5960.0 MHz at azimuth 225°54′.

8403–C1–P–70—Telephone Utilities Services Corp. (New), Site 7: Waco city limits, Waco, Tex., latitude 31°30′41″ N., longitude 97°13′28″ W., frequency 6137.9 MHz at azimuth 297°30′.

8404–C1–P–70—Telephone Utilities Service Corp. (New), Site 8: 8.3 miles north 278° east, Gatesville, Tex., latitude 31°26′55″ N., longitude 97°53′51″ W., frequencies 6345.5 MHz at azimuth 45°42′, and 6078.6 MHz at azimuth 181°12′.

8405–C1–P–70—Telephone Utilities Services Corp. (New), Site 9: 0.5 mile north 0° east, Copperas Cove, Tex., latitude 31°07′59″ N., longitude 97°54′18″ W., frequencies 6212.0 MHz at azimuth 1°12′, and 6301.0 MHz at azimuth 99°0′.

8406–C1–P–70—Telephone Utilities Services Corp. (New), Site 10: 0.5 mile north 350° east, Belton, Tex., latitude 31°04′24″ N., longitude 97°28′06″ W., frequencies 5989.7 MHz at azimuth 279°12′, and 6078.6 MHz at azimuth 181°36′.

8407–C1–P–70—Telephone Utilities Services Corp. (New), Site 11: 1.6 miles north 279° east, Granger, Tex., latitude 30°43′25″ N., longitude 97°28′47.5″ W., frequencies 6286.2 MHz at azimuth 1°36′, and 6241.7 MHz at azimuth 165°42′.

8408–C1–P–70—Telephone Utilities Services Corp. (New), Site 12: 2 miles north 353° east, Elgin, Tex., latitude 30°23′13″ N., longitude 97°22′50″ W., frequencies 5960.0 MHz at azimuth 345°48′, 6078.6 MHz at azimuth 249°18′, and 5974.8 MHz at azimuth 213°18′.

8409–C1–P–70—Telephone Utilities Services Corp. (New), Site 13: Austin National Bank Building, Austin, Tex., latitude 30°16′10″ N., longitude 97°44′19.5″ W., frequency 6019.3 MHz at azimuth 69°6′.

8410–C1–P–70—Telephone Utilities Services Corp. (New), Site 14: Lytton Springs (Cedar Creek) Tex., latitude 30°04′48″ N., longitude 97°36′49″ W., frequencies 6197.2 MHz at azimuth 33°12′ and 6078.6 MHz at azimuth 213°36′.

8411–C1–P–70—Telephone Utilities Services Corp. (New), Site 15: 9.6 miles north 239° east, Lockhart, Tex., latitude 29°48′20″ N., longitude 97°49′25″ W., frequencies 6182.4 MHz at azimuth 33°30′ and 6034.2 MHz at azimuth 230°48′.

8412–C1–P–70—Telephone Utilities Services Corp. (New), Site 16: 0.5 mile north 0° east, Marion, Tex., latitude 29°34′45″ N., longitude 98°08′31″ W., frequencies 6345.5 MHz at azimuth 50°36′, 6108.3 MHz at azimuth 247°42′ and 6019.3 MHz at azimuth 136°18′.

8413–C1–P–70—Telephone Utilities Services Corp. (New), Site 17: 725 North St. Mary's Street, San Antonio, Tex., latitude 29°25′49″ N., longitude 98°29′14.5″ W., frequencies 5989.7 MHz at azimuth 63°36′.

8414–C1–P–70—Telephone Utilities Services Corp. (New), Site 18: 7.3 miles north 301.5° east, Nixon, Tex., latitude 29°19′45″ N., longitude 97°52′05″ W., frequencies 6256.5 MHz at azimuth 316°24′ and 6093.4 MHz at azimuth 113°0′.

8415–C1–P–70—Telephone Utilities Services Corp. (New), Site 19: 1 mile north 254° east, Westhoff, Tex., latitude 39°11′20″ N., longitude 97°29′26.5″ W., frequencies 6330.7 MHz at azimuth 293°12′ and 6241.7 MHz at azimuth 130°0′.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8416–C1–P–70—Telephone Utilities Services Corp. (New), Site 20: 5.1 miles north 321.2° east, Mission Valley, Tex., latitude 28°57′19″ N., longitude 97°15′03″ W., frequencies 6049.0 MHz at azimuth 318°12′ and 6390.0 MHz at azimuth 119°48′.

8417–C1–P–70—Telephone Utilities Services Corp. (New), Site 21: Victoria city limits, Victoria, Tex., latitude 28°50′00″ N., longitude 97°00′30″ W., frequencies 5989.7 MHz at azimuth 296°15′, 6019.3 MHz at azimuth 190°15′ and 6078.6 MHz at azimuth 92°02′.

8418–C1–P–70—Telephone Utilities Services Corp. (New), Site 22: 5.2 miles north 225° east, McFaddin (Junction) Tex., latitude 28°29′31″ N., longitude 97°04′13″ W., frequencies 6330.7 MHz at azimuth 8°35′ and 6286.2 MHz at azimuth 221°38′.

8419–C1–P–70—Telephone Utilities Services Corp. (New), Site 23: Woodsboro city limits, Woodsboro, Tex., latitude 28°13′56″ N., longitude 97°19′29″ W., frequencies 6226.9 MHz at azimuth 40°31′ and 6404.8 MHz at azimuth 220°5′.

8420–C1–P–70—Telephone Utilities Services Corp. (New), Site 24: 2 miles north 3.8° east, Odem, Tex., latitude 27°58′47″ N., longitude 97°34′50″ W., frequencies 6345.5 MHz at azimuth 36°15′ and 6286.2 MHz at azimuth 153°31′.

8421–C1–P–70—Telephone Utilities Services Corp. (New), Site 25: 0.6 mile north 279° east, Corpus Christi, Tex., latitude 27°48′15″ N., longitude 97°27′20″ W., frequency 6226.9 MHz at azimuth 335°25′.

8422–C1–P–70—Telephone Utilities Services Corp. (New), Site 26: 0.2 mile north 57.5° east, Vanderbilt, Tex., latitude 28°49′33.5″ N., longitude 96°36′35″ W., frequencies 6271.4 MHz at azimuth 271°20′ and 6315.8 MHz at azimuth 71°02′.

8423–C1–P–70—Telephone Utilities Services Corp. (New), Site 27: Midfield city limits, Midfield, Tex., latitude 28°56′28.5″ N., longitude 96°12′41″ W., frequencies 6137.9 MHz at 252°03′ and 6360.3 MHz at azimuth 69°02′.

8424–C1–P–70—Telephone Utilities Services Corp. (New), Site 28: 4.5 miles north 225° east, Old Ocean, Tex., latitude 29°03′32″ N., longitude 95°49′28.5″ W., frequencies 5960.0 MHz at azimuth 251°40′ and 6019.3 MHz at azimuth 65°01.

8425–C1–P–70—Telephone Utilities Services Corp. (New), Site 29: 3.5 miles north 317.5° east, Angleton, Tex., latitude 29°12′15″ N., longitude 95°28′39″ W., frequencies 6330.7 MHz at azimuth 246°25′ and 6167.6 MHz at azimuth 20°48′.

8426–C1–P–70—Telephone Utilities Services Corp. (New), Site 30: 6.4 miles north 340° east, Alvin, Tex., latitude 29°31′04″ N., longitude 95°17′41″ W., frequencies 6271.4 MHz at azimuth 207°15′, 6049.0 MHz at azimuth 317°10′, and 6301.0 MHz at azimuth 58°25′.

8427–C1–P–70—Telephone Utilities Services Corp. (New), Site 31: Sharpstown State Bank Building, Houston, Tex., latitude 29°42′51″ N., longitude 95°31′25″ W., frequency 5989.7 MHz at azimuth 136°51′.

8428–C1–P–70—Telephone Utilities Services Corp. (New), Site 32: Baytown city limits, Baytown, Tex., latitude 29°43′27″ N., longitude 94°57′17″ W., frequencies 6049.0 MHz at azimuth 239°35′ and 6360.3 MHz at azimuth 59°48′.

8429–C1–P–70—Telephone Utilities Services Corp. (New), Site 33: 1 mile north 275.6° east, Hankamer, Tex., latitude 29°51′39″ N., longitude 94°38′46″ W., frequencies 6286.2 MHz at azimuth 241°35′ and 6019.3 MHz at azimuth 48°43′.

8430–C1–P–70—Telephone Utilities Services Corp. (New), Site 34: 1.2 mile north 213° east, Nome, Tex., latitude 30°01′11″ N., longitude 94°26′03″ W., frequencies 6115.7 MHz at azimuth 231°10′ and 6263.0 MHz at azimuth 85°32′.

8431–C1–P–70—Telephone Utilities Services Corp. (New), Site 35: 1 mile north 201° east, Beaumont, Tex., latitude 30°01′56″ N., longitude 94°07′12″ W., frequency 6115.7 MHz at azimuth 264°40′.

8591–C1–P–70—The Mountain States Telephone and Telegraph Co. (KYJ77), C.P. to add frequency 2162.4 MHz toward Separation Peak, Wyo. via passive reflector. Location: 611 West Cedar Street, Rawlins, Wyo.

8592–C1–P–70—The Mountain States Telephone and Telegraph Co. (KYJ78), C.P. to add frequencies 2118.8 MHz toward Lamont, Wyo., and 2112.4 MHz toward Rawlins, Wyo., via passive reflector. Location: 13.6 miles southwest of Rawlins, Wyo.

8593–C1–P–70—The Mountain States Telephone and Telegraph Co. (New), C.P. for a new station to be located at 1,000 feet southwest of the Lamont Public School, Lamont, Wyo. Frequency: 2168.8 MHz toward Separation Peak, Wyo.

8594–C1–P–70—The Virgin Islands Telephone Corp. (WWY43), C.P. to add frequency 5967.4 MHz toward Crown Mountain, V.I. Location: 10 King Street, Christiansted, St. Croix.

8595–C1–P–70—The Virgin Islands Telephone Corp. (WWT57), C.P. to add frequency 6115.7 MHz via a double passive reflector at Hawk Hill, V.I., toward Crown Mountain, V.I., and change direction of transmission of frequencies 5937.8 and 5997.1 MHz to Crown Mountain, V.I., to operate via double passive reflector at Hawk Hill, V.I. Station location: 48 Krondprindsens Gade, Charlotte Amalie, V.I.

8596–C1–P–70—The Virgin Islands Telephone Corp. (WWT60), C.P. to add frequency 6367.7 MHz via double passive reflector at Hawk Hill, V.I., toward Charlotte Amalie, V.I., and to change direction of transmission of frequencies 6189.8 and 6249.1 MHz to Charlotte Amalie, V.I., to operate via double passive reflector at Hawk Hill, V.I. Station location: Crown Mountain, Charlotte Amalie, V.I.

8600–C1–P–70—New England Telephone and Telegraph Co. (KCL58), C.P. to add frequencies 11425 and 11665 MHz toward Tiverton, R.I. Station location: 326 North Main Street, Fall River, Mass.

8601–C1–P–70—New England Telephone and Telegraph Co. (KCL59), C.P. to add frequencies 10775 and 11015 MHz toward Fall River, Mass., and 5937.8 and 11115 MHz toward Acushnet, Mass. Station location: Pocassett Avenue, Tiverton, R.I.

8602–C1–P–70—New England Telephone and Telegraph Co. (KCL60), C.P. to add frequencies 6189.8 and 11565 MHz toward Tiverton, R.I., and 6412.2 and 11425 MHz toward Falmouth, Mass. Station location: Mendall Road, Acushnet, Mass.

8603–C1–P–70—New England Telephone and Telegraph Co. (KCL61), C.P. to add frequencies 6160.2 and 11015 MHz toward Acushnet, Mass., and 5967.4 and 10815 MHz toward Falmouth, Mass. Station location: Blacksmith Shop Road, Falmouth, Mass.

8604–C1–P–70—New England Telephone and Telegraph Co. (KCE78), C.P. to add frequencies 6219.5 and 11225 MHz toward Falmouth, Mass. Station location: Main and Gifford Street, Falmouth, Mass.

8690–C1–P–70—New England Telephone and Telegraph Co. (KCL79), C.P. to add frequency 11035 MHz toward Worcester, Mass. Location: Asnebumskit Road, Paxton, Mass.

8691–C1–P–70—MCI Mid-South, Inc. (New), Site 1: C.P. for a new fixed station at 100 North Main Street, Memphis, Tenn., at latitude 35°08′46″ N., longitude 90°03′00″ W., frequencies 6004.5 MHz and 6123.1 MHz on azimuth 244°44′, and frequencies 6049.0 MHz and 6167.6 MHz on azimuth 148°06′.

8692–C1–P–70—MCI Mid-South, Inc. (New), Site 2: C.P. for a new fixed station 5.1 miles west of Hughes, Ark., at latitude 34°56′46″ N., longitude 90°33′43″ W., frequencies 6197.2 MHz and 6315.9 MHz on azimuth 64°27′, and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 208°34′.

8693–C1–P–70—MCI Mid-South, Inc. (New), Site 3: C.P. for a new fixed station 3.5 miles northwest of La Grange, Ark., at latitude 34°42′18″ N., longitude 90°43′15″ W. Frequencies 5974.8 MHz and 6093.5 MHz on azimuth 28°29′, and frequencies 5945.2 MHz and 6063.8 MHz on azimuth 247°41′.

8694–C1–P–70—MCI Mid-South, Inc. (New), Site 4: C.P. for a new fixed station 1.9 miles of Casscoe, Ark., at latitude 34°29′52″ N., longitude 91°19′34″ W., frequencies 6226.9 MHz and 6345.5 MHz on azimuth 67°20′, and frequencies 6256.5 MHz and 6375.2 MHz on azimuth 303°37′.

8695–C1–P–70—MCI Mid-South Inc. (New), Site 5: C.P. for a new fixed station 2.3 miles east of Lonoke, Ark., at latitude 34°47′07″ N., longitude 91°51′08″ W., frequencies 6034.2 MHz and 6152.8 MHz on azimuth 123°19′, and frequencies 5974.8 MHz and 6093.5 MHz on azimuth 263°28′.

8696–C1–P–70—MCI Mid-South, Inc. (New), Site 6: C.P. for a new fixed station at 200 West Capital, Little Rock, Ark., at latitude 34°41′41″ N., longitude 92°16′23″ W., frequencies 6226.9 MHz and 6345.5 MHz on azimuth 83°13′.

8697–C1–P–70—MCI Mid-South, Inc. (New), Site 7: C.P. for a new fixed station 3.8 miles of Wyatte, Miss., at latitude 34°41′40″ N., longitude 89°42′36″ W., frequencies 6197.2 MHz and 6315.9 MHz on azimuth 328°18′, and frequencies 6241.7 MHz and 6360.3 MHz on azimuth 166°48′.

8698–C1–P–70—MCI Mid-South, Inc. (New), Site 8: C.P. for a new fixed station 3.4 miles northeast of Water Valley, Miss., at latitude 34°11′03″ N., longitude 89°33′58″ W., frequencies 5960.0 MHz and 6078.6 MHz on azimuth 346°53′, and frequencies 6049.0 MHz and 6167.6 MHz on azimuth 91°22′, and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 157°04′.

8699–C1–P–70—MCI Mid-South, Inc. (New), Site 9: C.P. for a new fixed station 0.5 mile south-southeast of Randolph, Miss., at latitude 34°10′32″ N., longitude 89°09′52″ W., frequencies 6301.0 MHz and 6419.6 MHz on azimuth 271°35′, and frequencies 6212.0 MHz and 6330.7 MHz on azimuth 73°49′.

8700–C1–P–70—MCI Mid-South, Inc. (New), Site 10: C.P. for a new fixed station 0.5 mile north-northwest of Tupelo, Miss., at latitude 34°16′56″ N., longitude 88°43′07″ W., frequencies 5989.7 MHz and 6108.3 MHz on azimuth 254°04′, and frequencies 6019.3 MHz and 6137.9 MHz on azimuth 87°04′.

8701–C1–P–70—MCI Mid-South, Inc. (New), Site 11: C.P. for a new fixed station 3 miles west-southwest of Hodges, Ala., at latitude 34°18′42″ N., longitude 87°58′24″ W., frequencies 6241.7 MHz and 6419.6 MHz on azimuth 267°29′, and frequencies 6271.4 MHz and 6390.0 MHz on azimuth 73°20′.

8702–C1–P–70—MCI Mid-South, Inc. (New), Site 12: C.P. for a new fixed station 4.6 miles southeast of Newburg, Ala., at latitude 34°25′05″ N., longitude 87°32′29″ W., frequencies 6049.0 MHz and 6167.6 MHz on azimuth 253°35′, and frequencies 6019.3 MHz and 6137.9 MHz on azimuth 347°12′, and frequencies 5989.7 MHz and 6108.3 MHz on azimuth 66°46′.

8703–C1–P–70—MCI Mid-South, Inc. (New), Site 13: C.P. for a new fixed station 0.1 mile north of Florence, Ala., at latitude 34°48′51″ N., longitude 87°39′02″ W., frequencies 6212.0 MHz and 6330.7 MHz on azimuth 167°08′.

8704–C1–P–70—MCI Mid-South, Inc. (New), Site 14: C.P. for a new fixed station at 701 Bank Avenue, Decatur, Ala., latitude 34°36′44″ N., longitude 86°59′28″ W., frequencies 6301.0 MHz and 6419.6 MHz on azimuth 247°04′, and frequencies 6212.0 MHz and 6330.7 MHz on azimuth 75°10′, and frequencies 6371.4 MHz and 6390.0 MHz on azimuth 126°09′.

8705–C1–P–70—MCI Mid-South, Inc. (New), Site 15: C.P. for a new fixed station 1.2 miles southeast of Huntsville, Ala., at latitude 34°42′40″ N., longitude 86°32′07″ W., frequencies 6049.0 MHz and 6167.6 MHz on azimuth 255°25′.

8706–C1–P–70—MCI Mid-South, Inc. (New), Site 16: C.P. for a new fixed station 1.8 miles west-southwest of Florette, Ala., latitude 34°25′03″ N., longitude 86°40′13″ W., frequencies 5989.7 MHz and 6108.3 MHz on azimuth 139°29′ and frequencies 5960.0 MHz and 6078.6 MHz on azimuth 306°20′.

8707–C1–P–70—MCI Mid-South, Inc. (New), Site 17: C.P. for a new fixed station 0.9 mile northwest of Walnut Grove, Ala., latitude 34°04′44″ N., longitude 86°19′23″ W., frequencies 6271.4 MHz and 6390.0 MHz on azimuth 100°20′ and frequencies 6301.0 MHz and 6419.6 MHz on azimuth 319°41′.

8708–C1–P–70—MCI Mid-South, Inc. (New), Site 18: C.P. for a new fixed station 0.2 mile north of Gadsden, Ala., latitude 34°01′53″ N., longitude 86°00′46″ W., frequencies 5989.7 MHz and 6167.6 MHz on azimuth 163°58′ and frequencies 6019.3 MHz and 6137.9 MHz on azimuth 280°30′.

8709–C1–P–70—MCI Mid-South, Inc. (New), Site 19: C.P. for a new fixed station 3.2 miles south-southwest of Anniston, Ala., latitude 33°37′20″ N., longitude 85°52′20″ W., frequencies 5960.0 MHz and 6078.6 MHz on azimuth 259°05′ and frequencies 6301.0 MHz and 6419.6 MHz on azimuth 88°27′ and frequencies 6271.4 MHz and 6390.0 MHz on azimuth 344′02″.

8710–C1–P–70—MCI Mid-South, Inc. (New), Site 20: C.P. for a new fixed station 6 miles west-northwest of Abernathy, Ala., latitude 33°38′01″ N., longitude 85°18′41″ W., frequencies 6019.3 MHz and 6137.9 MHz on azimuth 268°46′ and frequencies 5960.0 MHz and and 6078.6 MHz on azimuth 100°03′.

8711–C1–P–70—MCI Mid-South, Inc. (New), Site 21: C.P. for a new fixed station 4 miles northwest of Palmetto, Ga., latitude 33°32′44″ N., longitude 84°43′39″ W., frequencies 6271.4 MHz and 6390.0 MHz on azimuth 53°20′ and frequencies 6212.0 MHz and 6330.7 MHz on azimuth 280°22′.

8712–C1–P–70—MCI Mid-South, Inc. (New), Site 22: C.P. for a new fixed station 3.4 miles southwest of Austell, Ga., latitude 33°51′47″ N., longitude 84°36′09″ W., frequencies 1168.5 MHz and 1136.5 MHz on azimuth 120°55′ and frequencies 6049.0 MHz and 6167.6 MHz on azimuth 198°18′.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8713–C1–P–70—MCI Mid-South, Inc. (New), Site 23: C.P. for a new fixed station at 100 Peachtree Street, Atlanta, Ga., latitude 33°45'21'' N., longitude 84°23'19'' W., frequencies 1115.5 MHz and 1091.5 MHz on azimuth 301°03'.

8714–C1–P–70—MCI Mid-South, Inc. (New), Site 24: C.P. for a new fixed station 3 miles south-southwest of Leeds, Ala., latitude 33°30'30'' N., longitude 86°33'55'' W., frequencies 6241.7 MHz and 6360.0 MHz on azimuth 78°42' and frequencies 6212.0 MHz and 6330.7 MHz on azimuth 151°17' and frequencies 6301.0 MHz and 6419.6 MHz on azimuth 272°38'.

8715–C1–P–70—MCI Mid-South Inc. (New), Site 25: C.P. for a new fixed station at 1900 Fifth Avenue, Birmingham, Ala., latitude 33°31'03'' N., longitude 86°48'34'' W., frequencies 6049.0 MHz and 6167.6 MHz on azimuth 92°30'.

8716–C1–P–70—MCI Mid-South, Inc. (New), Site 26: C.P. for a new fixed station 2.6 miles west-northwest of Hanover, Ala., latitude 33°00'38'' N., longitude 86°14'31'' W., frequencies 5989.7 MHz and 6108.3 MHz on azimuth 331°28' and frequencies 6019.3 MHz and 6137.9 MHz on azimuth 183°49'.

8717–C1–P–70—MCI Mid-South, Inc. (New), Site 27: C.P. for a new fixed station at 60 Commerce Street, Montgomery, Ala., latitude 32°22'43'' N., longitude 86°18'34'' W., frequencies 6212.0 MHz and 6330.7 MHz on azimuth 03°47' and frequencies 6301.0 MHz and 6419.6 MHz on azimuth 119°08'.

8718–C1–P–70—MCI Mid-South, Inc. (New), Site 28: C.P. for a new fixed station 3 miles southwest of Thompson, Ala., latitude 32°10'07'' N., longitude 85°52'01'' W., frequencies 6049.0 MHz and 6167.6 MHz on azimuth 299°22' and frequencies 5960.0 MHz and 6078.6 MHz on azimuth 52°48'.

8719–C1–P–70—MCI Mid-South, Inc. (New), Site 29: C.P. for a new fixed station 8.5 miles southeast of Opelika, Ala., latitude 32°31'04'' N., longitude 85°19'20'' W., frequencies 6241.7 MHz and 6360.3 MHz on azimuth 233°06' and frequencies 6212.0 MHz and 6330.7 MHz on azimuth 102°42'.

8720–C1–P–70—MCI Mid-South, Inc. (New), Site 30: C.P. for a new fixed station 1.5 miles east-southeast of Ladonia, Ala., latitude 32°28'00'' N., longitude 85°03'22'' W., frequencies 5989.7 MHz and 6108.3 MHz on azimuth 282°50' and frequencies 5960.0 MHz and 6078.6 MHz on azimuth 87°16'.

8721–C1–P–70—MCI Mid-South, Inc. (New), Site 31: C.P. for a new fixed station at 19 12th Street, Columbus, Ga., latitude 32°28'09'' longitude 84°59'38'' N., longitude 84°59'38'' W., frequencies 6241.7 MHz and 6360.3 MHz on azimuth 267°18'.

8722–C1–P–70—MCI Mid-South, Inc. (New), Site 32: C.P. for a new fixed station 3.1 miles southeast of Slate Springs, Miss., latitude 33°42'35'' N., longitude 89°19'34'' W., frequencies 6197.2 MHz and 6315.9 MHz on azimuth 337°12' and frequencies 6286.2 MHz and 6404.8 MHz on azimuth 164°52'.

8723–C1–P–70—MCI Mid-South, Inc. (New), Site 33: C.P. for a new fixed station 2.5 miles south-southwest of Ackerman, Ala., latitude 33°16'44'' N., longitude 89°11'15'' W., frequencies 6034.2 MHz and 6152.8 MHz on azimuth 344°57' and frequencies 5945.2 MHz and 6063.8 MHz on azimuth 190°05'.

8724–C1–P–70—MCI Mid-South, Inc. (New), Site 34: C.P. for a new fixed station 4 miles northwest of Plattsburg, Miss., latitude 32°58'01'' longitude 89°15'12'' W., frequencies 6197.2 MHz and 6315.9 MHz on azimuth 10°03' and frequencies 6286.2 MHz and 6404.8 MHz on azimuth 218°33'.

8725–C1–P–70—MCI Mid-South, Inc. (New), Site 35: C.P. for a new fixed station 3 miles south-southwest of Lena, Miss., latitude 32°33'43'' N., longitude 89°38'16'' W., frequencies 6034.2 MHz and 6152.8 MHz on azimuth 38°38' and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 240°54'.

8726–C1–P–70—MCI Mid-South, Inc. (New), Site 36: C.P. for a new fixed station at 127 South Roach Street, Jackson, Miss., latitude 32°18'00'' N., longitude 90°11'22'' W., frequencies 6226.9 MHz and 6345.5 MHz on azimuth 61°00' and frequencies 6286.2 MHz and 6404.8 MHz on azimuth 222°53'.

8727–C1–P–70—MCI Mid-South, Inc. (New), Site 37: C.P. for a new fixed station 6 miles northwest of Terry, Miss., latitude 32°07'54'' N., longitude 90°22'23'' W., frequencies 5945.2 MHz and 6063.8 MHz on azimuth 42°48' and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 139°46'.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—continued

8728–C1–P–70—MCI Mid-South, Inc. (New), Site 38: C.P. for a new fixed station 2 miles west-northwest of Shivers, Miss., latitude 31°46'33'' N., longitude 90°01'16'' W., frequencies 6226.9 MHz and 6345.5 MHz on azimuth 319°57' and frequencies 5945.2 MHz and 6063.8 MHz on azimuth 193°35'.

8729–C1–P–70—MCI Mid-South, Inc. (New) Site 39: C.P. for a new fixed station 1.8 miles south of Sartinsville, Miss., latitude 31°21'41'' N., longitude 90°08'16'' W., frequencies 6286.2 MHz and 6404.8 MHz on azimuth 13°31' and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 165°50'.

8730–C1–P–70—MCI Mid-South, Inc. (New), Site 40: C.P. for a new fixed station 2.5 miles south-southeast of Sheridan, La., latitude 30°50'03'' N., longitude 89°59'01'' W., frequencies 6197.2 MHz and 6315.9 MHz on azimuth 345°55' and frequencies 6286.2 MHz and 6404.8 MHz on azimuth 184°46'.

8731–C1–P–70—MCI Mid-South, Inc. (New) Site 41: C.P. for a new fixed station 7.1 miles northeast of Mandeville, La., latitude 30°22'30'' N., longitude 90°01'40'' W., frequencies 5974.8 MHz and 6093.5 MHz on azimuth 04°45' and frequencies 6004.5 MHz and 6123.1 MHz on azimuth 66°43' and frequencies 5945.2 MHz and 6063.8 MHz on azimuth 185°19'.

8732–C1–P–70—MCI Mid-South, Inc. (New), Site 42: C.P. for a new fixed station at 1010 Common Street, New Orleans, La., latitude 29°57'13'' N., longitude 90°04'22'' W., frequencies 6226.9 and 6345.5 MHz on azimuth 05°17'.

8733–C1–P–70—MCI Mid-South, Inc. (New), Site 43: C.P. for a new fixed station 6.9 miles west of Riceville, Miss., latitude 30°36'47'' N., longitude 89°23'02'' W. frequencies 6197.2 and 6315.9 MHz on azimuth 73°38' and frequencies 6226.9 and 6345.5 MHz on azimuth 247°03'.

8734–C1–P–70—MCI Mid-South, Inc. (New), Site 44: C.P. for a new fixed station 7.1 miles east of McHenry, Miss., latitude 30°42'19'' N., longitude 89°01'07'' W., frequencies 5945.2 and 6063.8 MHz on azimuth 253°49' and frequencies 6004.5 and 6123.1 MHz on azimuth 190°52' and frequencies 5974.8 and 6093.5 MHz on azimuth 87°26'.

8735–C1–P–70—MCI Mid-South, Inc. (New), Site 45: C.P. for a new fixed station at 2505 14th Street, Gulfport, Miss., latitude 30°22'03'' N., longitude 89°05'36'' W., frequencies 6226.9 and 6345.5 MHz on azimuth 10°49'.

8736–C1–P–70—MCI Mid-South, Inc. (New), Site 46: C.P. for a new fixed station 4.5 miles north of Hurley, Miss., latitude 30°43'29'' N., longitude 88°29'27'' W., frequencies 6256.5 and 6375.2 MHz on azimuth 267°42', and frequencies 6286.2 and 6404.8 MHz on azimuth 184°28', and frequencies 6256.5 and 6375.2 MHz on azimuth 94°37'.

8737–C1–P–70—MCI Mid-South, Inc. (New), Site 47: C.P. for a new fixed station at Jefferson and Second Streets, Pascagoula, Miss., latitude 30°23'19'' N., longitude 88°31'16'' W., frequencies 5945.2 and 6063.8 MHz on azimuth 04°27'.

8738–C1–P–70—MCI Mid-South, Inc. (New), Site 48: C.P. for a new fixed station at 31 North Royal Street, Mobile, Ala., latitude 30°41'33'' N., longitude 88°02'28'' W., frequencies 5945.2 and 6063.8 MHz on azimuth 274°51'.

(Informative: Applicant proposes to provide a specialized common carrier service between Little Rock, Ark.; Memphis, Tenn.; Atlanta, Ga.; Birmingham, Ala.; Jackson, Miss.; New Orleans, La.; Mobile, Ala. and intermediate points.)

American Telephone & Telegraph Co.—Four C.P. applications to provide an additional pair of Type TD–2 Telephone channels on the Cherryville-Netcong-Rochelle Park, N.J., radio relay route.

8754–C1–P–70—American Telephone & Telegraph Co. (KEA77), Add frequency 3910 MHz toward Netcong, N.J. Location: 0.8 mile north of Cherryville, N.J.

8755–C1–P–70—American Telephone & Telegraph Co. (KEM64), Add frequencies 3870 MHz toward Cherryville, and 3950 MHz toward Paterson West, N.J. Location: 2.6 miles south of Netcong, N.J.

8756–C1–P–70—American Telephone & Telegraph Co. (KEM65), C.P. to add frequencies 3990 MHz toward Netcong, and 4170 MHz toward Rochelle Park, N.J. Location: Paterson-Hamburg Turnpike near Benwell Avenue, Wayne Township, N.J.

8757–C1–P–70—American Telephone & Telegraph Co. (KEM66), Add frequency 4130 MHz toward Paterson West, N.J. Location: 75 Passaic Street, Rochelle Park, N.J.

Major Amendment

6890-C1-P-70—Northwestern Bell Telephone Co. (KBI62), Change frequency 6256.5 MHz to 6241.7 MHz at station located at Grand Island, Nebr.

6891-C1-P-70—Northwestern Bell Telephone Co. (KBI63), Change frequency from 6093.5 to 6019.3 MHz, and frequency 6034.2 MHz to 6049.0 MHz at station near Wood River, Nebr.

6892-C1-P-70—Northwestern Bell Telephone Co. (KBP25), Change frequency 6315.9 to 6271.4 MHz, and 6256.5 to 6241.7 MHz at station near Kearney, Nebr.

6893-C1-P-70—Northwestern Bell Telephone Co. (KBI65), Change frequency from 6093.0 to 6019.3 MHz at station near Holdrege, Nebr. All other particulars same as reported in public notice dated May 4, 1970.

POINT-TO-POINT MICROWAVE RADIO SERVICE: (NONTELEPHONE)

8586-C1-P-70—Teleprompter Transmission of Kansas, Inc. (KLF93), C.P. to power split frequencies 5960.0 and 6078.6 MHz toward Perryton, Tex., on azimuth 112°12'. Location: Approximately 10 miles north-northwest of Farnsworth, Tex., at latitude 36°27'09" N., longitude 101°01'39" W.

(Informative: Applicant proposes to provide the television signals of stations KFDA-TV and KGNC-TV, Amarillo to Perryton, Tex., for delivery to LVO Cable, Inc.)

Major Amendment

6480-C1-P-68—Tower Communications Systems Corp. (KQO41), Application amended to delete frequencies 11,175 MHz, 11,015 MHz, and 10,855 MHz toward Zanesville, Ohio, and add, in lieu thereof, frequency 6019.4 MHz, via power-split.

(Informative: Applicant amends application to provide for transmission of WKBF-TV, Cleveland, Ohio, in compliance with Commission Order FCC 70-575. See also public notice dated July 8, 1968.)

[F.R. Doc. 70-8429; Filed, July 1, 1970; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-322]

LONG ISLAND LIGHTING CO.

Third Prehearing Conference

In the matter of Long Island Lighting Co. (license application, Shoreham Nuclear Power Station Plant Unit No. 1); Docket No. 50-322.

The parties are hereby notified that a third prehearing conference in this matter will be held on July 16, 1970, at the U.S. Tax Court, Courtroom No. 2, Room 2142, 1111 Constitution Avenue NW., Washington, D.C., at 11 a.m., local time.

This conference will be for such purposes as may be appropriate in proper preparation for the hearing and particularly for the purpose of defining the material and relevant issues in this matter, and discussing evidentiary matters.

Dated: July 1, 1970.

ATOMIC SAFETY AND LICENSING BOARD,
JACK M. CAMPBELL,
Chairman.

[F.R. Doc. 70-8525; Filed, July 1, 1970; 10:04 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19362]

ADDITIONAL SERVICE TO COLUMBIA AND AUGUSTA CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter is assigned to be held on July 22, 1970, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 29, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-8460; Filed, July 1, 1970; 8:51 a.m.]

[Dockets Nos. 21017, 21371]

ST. LOUIS-CHARLOTTE/GREENSBORO/RALEIGH/RICHMOND PROCEEDING

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on July 15, 1970, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 29, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-8459; Filed, July 1, 1970; 8:51 a.m.]

FEDERAL MARITIME COMMISSION

COMPANIA PERUANA DE VAPORES AND PRUDENTIAL-GRACE LINES, INC.

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the field offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing ton, D.C. 20573, within 10 days after a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement refiled by:

Martin F. Richman, Esq., Barret, Knapp, Smith & Schapiro, 26 Broadway, New York, N.Y. 10004.

Notice of the filing of agreement No. 9849, between Compania Peruana de Vapores and Prudential-Grace Lines, Inc. establishing a pooling, sailing, and equal access to government-controlled cargo arrangement between the parties in the southbound trade from U.S. Atlantic Coast ports to ports in Peru was published in the FEDERAL REGISTER on April 30, 1970 in Volume 35, No. 84, at page 6880.

The subject agreement has been revised to incorporate clarifying language. The substantive change therein concerns Article 7(c) under the penalty for overcarriage provision. Under the initial filing, Prudential-Grace Lines, Inc., would be subject to the penalty for overcarriage provision in any year cargo carried by it is in excess of 65 percent of the Cargo Base for such year. The revised agreement provides:

The penalty for overcarriage provisions of this Article 7 shall be operative with respect to cargo carried by PGL as follows during the period shown:

(i) From the effective date of this agreement to January 14, 1971, in excess of sixty percent (60%) of the Cargo Base for such period;

(ii) From January 15, 1971 to January 14, 1972, in excess of fifty-five percent (55%) of the Cargo Base for such period; and

(iii) From and after January 15, 1972, in excess of fifty percent (50%) of the Cargo Base for such period.

Dated: June 30, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-8503; Filed, July 1, 1970; 8:52 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-4079, etc.]

CROWNWELL OIL CO., INC., ET AL.

Findings and Order

JUNE 22, 1970.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, making successors co-respondents, redesignating proceedings, making rate change effective, requiring filing of surety bond, requiring filing of agreements and undertakings, accepting agreement and undertaking for filing, and accepting related rate schedules and supplements for filing.

Each of the applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce or for permission and approval to abandon service or a petition to amend an order issuing a certificate, all as more fully set forth in the applications and petitions, as supplemented and amended.

Applicants have filed related FPC gas rate schedules or supplements thereto and propose to initiate, abandon, add to, or discontinue in part, natural gas service in interstate commerce as indicated in the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of General Policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that sales from areas for which area rates have been determined are authorized to be made at or below the applicable area base rates adjusted for quality of the gas, and under the conditions prescribed in the orders determining said rates.

Austral Oil Co. Inc., applicant in Docket No. G-11171, proposes to continue the sale of natural gas heretofore authorized in said docket to be made pursuant to Shell Oil Co. FPC Gas Rate Schedule No. 190. Said rate schedule will be redesignated as that of applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI65-475. Applicant has filed a motion to be made corespondent in said proceeding, together with an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding. Therefore, applicant will be made a corespondent; the proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

White Shield Oil and Gas Corp., applicant in Dockets Nos. CI64-1441 and CI64-1443, proposes to continue the sales of natural gas heretofore authorized in said dockets to be made pursuant to Valor Production Co. (Operator) et al., FPC Gas Rate Schedule No. 3 and Valor Production Co. FPC Gas Rate Schedule No. 4, respectively. Said rate schedules will be redesignated as those of applicant. The presently effective rates under Valor's FPC Gas Rate Schedules Nos. 3 and 4 are in effect subject to refund in Dockets Nos. RI66-375 and RI66-336, respectively. Therefore, applicant will be made a corespondent in each proceeding and said proceedings will be redesignated accordingly. Applicant has heretofore filed a general undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

Occidental Petroleum Corp., applicant in Docket No. CI70-541, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. CI63-1583 to be made pursuant to Shell Oil Co. (Operator) et al., FPC Gas Rate Schedule No. 289. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of applicant. The presently effective rate under Shell's rate schedule is in effect subject to refund in Docket No. RI67-19. Therefore, applicant will be made a corespondent in the proceeding pending Docket No. RI67-19; said proceeding will be redesignated accordingly; and applicant will be required to file an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding.

Prenalta Corp. (Operator) et al., applicant in Docket No. CI70-697, proposes to continue in part sales of natural gas heretofore authorized in Dockets Nos. CI67-1237 and CI67-293 to be made pursuant to Stauffer Chemical Company of Wyoming FPC Gas Rate Schedule No. 1 and Humble Oil & Refining Co. FPC Gas Rate Schedule No. 403. The contracts comprising said rate schedules will also be accepted for filing as rate schedules of applicant. On July 1, 1968, Stauffer filed with the Commission a notice of change in rate under its FPC Gas Rate Schedule No. 1. By order issued July 26, 1968, in Docket No. RI69-14 et al., the Commission suspended the proposed change in Docket No. RI69-26 until January 1, 1969, and thereafter until made effective. The notice of change was designated as Supplement No. 2 to said rate schedule. On March 9, 1970, applicant filed a motion to make the change in rate effective. The presently effective rate under Humble's rate schedule is in effect subject to refund in Docket No. RI70-469 and a prior increased rate was collected for a locked-in period subject to refund in Docket No. RI68-403. By letter of April 8, 1970, applicant states that it desires to collect the increased rates subject to refund in said dockets. Applicant indicates in its certificate application that in addition to the refund obligation required by § 154.92(d)(3) of the regulations under the Natural Gas Act it intends to be responsible for the total refund from the date that Humble's rate was made effective subject to refund. Therefore, applicant will be made a corespondent in the proceedings pending in Dockets Nos. RI68-403, RI69-26, and RI70-469; said proceedings will be redesignated accordingly; and the change in rate suspended in Docket No. RI69-26 will be made effective subject to refund. Applicant will be required to file an agreement and undertaking in Docket No. RI69-403 to assure the refund of all amounts collected by Humle and itself in excess of the amount determined to be just and reasonable in said proceeding, an agreement and undertaking in Docket No. RI70-469 to assure the refund of any amounts collected by itself in excess of the amount determined to be just and reasonable in said proceeding, and a surety bond in Docket No. RI69-26 to assure the refund of any amounts collected by itself in excess of the amount determined to be just and reasonable in said proceeding.

Texas Oil & Gas Corp., applicant in Docket No. CI70-833, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. CI68-119 to be made pursuant to Wessely Petroleum, Ltd., FPC Gas Rate Schedule No. 5. The contract comprising said rate schedule will also be accepted for filing as a rate schedule of applicant. The presently effective rate under Wessely's rate schedule is in effect subject to refund in Docket No. RI68-234 and applicant has filed a motion to be made a co-respondent in said proceeding. Therefore, applicant will be made a co-respondent and said proceeding will be redesignated accordingly. Applicant has heretofore filed a general undertaking to assure the refund of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

The Commission's staff has reviewed each application and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petitions to intervene, notices of intervention or protests to the granting of the applications have been filed.

At a hearing held on June 17, 1970, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications and petitions, as supplemented and amended, and exhibits thereto, submitted in support of the authorizations sought herein, and upon consideration of the record,

The Commission finds:

(1) Each applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will, therefore, be a "natural-gas company" within the meaning of the Natural Gas Act upon the commencement of service under the authorizations hereinafter granted.

(2) The sales of natural gas hereinbefore described, as more fully described in

the applications in this proceeding, will be made in interstate commerce subject to the jurisdiction of the Commission; and such sales by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales of natural gas by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefor should be issued as hereinafter ordered and conditioned.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates of public convenience and necessity in various dockets involved herein should be amended as hereinafter ordered and conditioned.

(6) The sales of natural gas proposed to be abandoned as hereinbefore described and as more fully described in the applications and in the tabulation herein are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act.

(7) The abandonments proposed by applicants herein are permitted by the public convenience and necessity and should be approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued to applicants relating to the abandonments hereinafter permitted and approved should be terminated or that the orders issuing said certificates should be amended by deleting therefrom authorization to sell natural gas from the subject acreage.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the name of the respondent, Crown Properties, Inc., in the proceedings pending in Dockets Nos. RI65–361, RI65–475, AR61–2 et al., and AR69–1 et al., should be changed to Crownwell Oil Co., Inc., and the proceedings should be redesignated accordingly.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Austral Oil Co., Inc., should be made a co-respondent in the proceeding pending in Docket No. RI65–475, that said proceeding should be redesignated accordingly, and that the agreement and undertaking submitted by Austral in said proceeding should be accepted for filing.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that White Shield Oil and Gas Corp. should be made a co-respondent in the proceedings pending in Dockets Nos. RI66–336 and RI66–375 and that said proceedings should be redesignated accordingly.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Occidental Petroleum Corp. should be made a corespondent in the proceeding pending in Docket No. RI67–19, that said proceeding should be redesignated accordingly, and that Occidental should be required to file an agreement and undertaking.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Prenalta Corp. (Operator) et al, should be made a co-respondent in the proceedings pending in Dockets Nos. RI68–403, RI69–26, and RI70–469; that said proceedings should be redesignated accordingly; that the change in rate suspended in Docket No. RI69–26 should be made effective subject to refund; and that Prenalta should be required to file agreements and undertakings in Dockets Nos. RI68–403 and RI70–469 and a surety bond in Docket No. RI69–26.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Texas Oil & Gas Corp. should be made a co-respondent in the proceeding pending in Docket No. RI68–234 and said proceeding should be redesignated accordingly.

(15) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the FPC gas rate schedules and supplements related to the authorizations hereinafter granted should be accepted for filing.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing sales by applicants of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications and in the tabulation herein.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder and is without prejudice to any findings or orders which have been or which may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for service to the particular customers involved imply approval of all of the terms of the contracts, particularly as to the cessation of service upon termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The certificates issued herein and the amended certificates are subject to the following conditions:

(a) The initial rates for sales authorized in Dockets Nos. CI70–645, CI70–785, CI70–786, CI70–787, CI70–788, CI70–881, CI70–882, CI70–883, CI70–884, CI70–891, and CI70–923[1] shall be the applicable area base rates prescribed in opinion No. 468, as modified by opinion No. 468–A, as adjusted for quality of gas, or the contract rates, whichever are lower. Within 90 days from the date of initial delivery applicants in Dockets Nos. CI70–881 and CI70–923 shall file rate schedule quality statements in the form prescribed in opinion No. 468–A.

(b) The initial rate for the sale authorized in Docket No. CI70–789 shall be the applicable area base rate prescribed in opinion No. 546, as modified by opinion No. 546–A, as adjusted for quality of gas, or the contract rate, whichever is lower. Within 90 days from the date of initial delivery applicant shall file a rate schedule quality statement in the form prescribed in opinion No. 546.

(c) If the quality of the gas delivered by applicants in Dockets Nos. CI70–645, CI70–785, CI70–786, CI70–787, CI70–788, CI70–789, CI70–881, CI70–882, CI70–883, CI70–884, CI70–891, and CI70–923 deviates at any time from the quality standards set forth in opinion No. 468, as modified by opinion No. 468–A, and opinion No. 546, as modified by opinion No. 546–A, whichever are applicable, so as to require a downward adjustment of the existing rates, notices of changes in rates shall be filed pursuant to section 4 of the Natural Gas Act; provided, however, that adjustments reflecting changes in B.t.u. content of the gas shall be computed by the applicable formula and charged without the filing of notices of changes in rates.

(d) No increase in rate shall be filed by applicant in Docket No. CI70–789 prior to January 1, 1974, at any price which would exceed the ceiling prescribed for the Southern Louisiana area as provided by opinion No. 546–A.

(e) In the event that applicant in Docket No. CI70–881 under Article II, section 3, of the subject contract exercises its option to process the gas, applicant shall submit to the Commission for acceptance, not less than 30 nor more than 90 days prior to the commencement of such processing, a rate schedule supplement setting forth the conditions and details of the contemplated actions.

(f) Applicant in Docket No. CI70–923 shall advise the Commission of any con-

[1] The authorization in Docket No. CI70–923 covers the sale of gas-well gas only.

templated processing of the gas for the removal of liquid hydrocarbons under the subject contract.

(g) The initial rate for the sales authorized in Dockets Nos. CI70–897 and CI70–915 shall be 15 cents per Mcf at 14.65 p.s.i.a. including tax reimbursement and subject to B.t.u. adjustment.

(h) The initial rate for the sales authorized in Dockets Nos. CI70–709, CI70–728, and CI70–780 shall be 17 cents per Mcf at 14.65 p.s.i.a. subject to B.t.u. adjustment.

(i) Applicants in Dockets Nos. CI63–489 and CI70–709 shall not require buyers to take-or-pay for an annual quantity of gas well gas during the first 2 contract years which is in excess of an average of 1 Mcf per day for each 3,650 Mcf of determined gas well gas reserves and a 1 Mcf per day for each 7,300 Mcf of determined gas reserves thereafter or the specified contract quantities, whichever are the lesser amounts. This condition shall remain in effect pending further Commission order in the subject dockets or in other matters relating to the buyers' take-or-pay obligation under the subject contracts.

(j) Applicant in Docket No. CI70–923 shall not require buyer to take-or-pay for an annual quantity of gas well gas which is in excess of an average of 1 Mcf per day for each 7,300 Mcf of determined gas reserves or the specified contract quantity, whichever is the lesser amount. This condition shall remain in effect pending further Commission order in the subject docket or in other matters relating to the buyer's take-or-pay obligations under the subject contract.

(k) The authorization granted in Dockets Nos. G–4079, G–4290, and CI70–428 shall be subject to opinions Nos. 546 and 546–A, and accompanying orders, specifically including those relating to rate reductions, refunds and filings required by those orders.

(l) The authorization granted in Docket No. G–11171 shall be subject to opinions Nos. 546 and 546–A, and accompanying orders and specifically including those relating to rate reductions, refunds, and filings required by those orders for sales made on and after July 1, 1968, and Shell Oil Co. shall be subject thereto for sales made prior to July 1, 1968.

(E) Certificates of public convenience and necessity are issued in the following dockets authorizing Reading and Bates, Inc., to continue the sales of natural gas heretofore authorized to be made pursuant to Thornton Oil Co. and Thornton Petroleum Corp. The small producer certificates heretofore issued to the predecessors are terminated and the related rate schedules are canceled.

New certificates	*Predecessors certificates*
CI70–645	CS66–49
CI70–785	CS66–52
CI70–786	CS66–48
CI70–787	CS66–51
CI70–788	CS66–52
CI70–882	CS66–52
CI70–883	CS66–49
CI70–884	CS66–52
CI70–891	CS66–52

(F) The orders issuing certificates in Dockets Nos. G–5716, G–12363, G–15424, CI61–593, CI63–489, CI68–1356, CI69–598, and CI69–833 are amended by adding thereto or deleting therefrom authorization to sell natural gas as described in the tabulation herein.

(G) Sales from the acreage added in Docket No. G–15424 shall be made at a rate subject to refund in Docket No. RI70–52.

(H) The orders issuing certificates in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	*New certificate and/or amendment to add acreage*
G–11229	CI68–1356
G–14967	CI70–789
G–15380	G–15424
CI60–468	CI70–752
CI63–1583	CI70–541
CI67–293	CI70–697
CI67–952	CI69–833
CI67–1237	CI70–697
CI68–119	CI70–833

(I) The orders issuing certificates in Docket Nos. G–11171, CI62–199, CI64–1441 and CI64–1443 are amended to reflect the successors in interest as certificate holders.

(J) The orders issuing certificates in Docket Nos. G–4079, G–4290 and CI70–428 are amended to reflect the change in name from Crown Properties, Inc., to Crownwell Oil Company, Inc.

(K) Permission for and approval of the abandonment of service by applicants, as hereinbefore described, all as more fully described in the applications and in the tabulation herein are granted.

(L) Permission for and approval of the abandonment in Docket No. CI70–903 shall not be construed to relieve applicant of any refund obligations in the rate proceeding pending in Docket No. RI68–528.

(M) The certificates heretofore issued in Dockets Nos. G–3502, G–6827, G–20314, and CI67–72 are terminated.

(N) The name of the respondent, Crown Properties, Inc., in the proceedings pending in Dockets Nos. RI65–361, RI65–475, AR61–2, et al., and AR69–1, et al., is changed to Crownwell Oil Co., Inc., and the proceedings are redesignated accordingly.

(O) Austral Oil Co., Inc., is made a corespondent in the proceeding pending in Docket No. RI65–475, said proceeding is redesignated accordingly, and the agreement and undertaking submitted by Austral in said proceeding is accepted for filing. Austral shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(P) White Shield Oil and Gas Corp. is made a corespondent in the proceedings pending in Dockets Nos. RI66–336 and RI66–375 and said proceedings are redesignated accordingly. White Shield shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(Q) Occidental Petroleum Corp. is made a corespondent in the proceeding pending in Docket No. RI67–19 and said proceeding is redesignated accordingly. Occidental shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(R) Within 30 days from the date of this order, Occidental Petroleum Corp. shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI67–19 to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(S) Prenalta Corp. (Operator) et al., is made a corespondent in the proceedings pending in Dockets Nos. RI68–403, RI69–26, and RI70–469 and said proceedings are redesignated accordingly. The rates, charges, and classifications set forth in Supplement No. 2 to Stauffer Chemical Co. of Wyoming shall be effective subject to refund with respect to sales made pursuant to Prenalta Corp. (Operator) et al., FPC Gas Rate Schedule No. 4. Prenalta shall charge and collect pursuant to its FPC Gas Rate Schedule No. 4 the rate of 17 cents per Mcf, plus B.t.u. adjustment, at 14.65 p.s.i.a. for sales made from November 1, 1969, through March 8, 1970, and the rate of 18 cents per Mcf, plus B.t.u. adjustment, at 14.65 p.s.i.a. subject to refund in Docket No. RI70–26 for sales made from March 9, 1970. Prenalta shall charge and collect pursuant to its FPC Gas Rate Schedule No. 5 the rate of 16 cents per Mcf, plus B.t.u. adjustment, at 14.65 p.s.i.a. subject to refund in Docket No. RI68–403 for sales made on November 1, 1969, and the rate of 16.24 cents per Mcf, plus B.t.u. adjustment, at 14.65 p.s.i.a. subject to refund in Docket No. RI70–469 for sales made from November 2, 1969. Prenalta shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(T) Within 30 days from the date of this order Prenalta Corp. (Operator) et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable surety bond for $1,350 in Docket No. RI69–26 to assure the refund of any amounts collected by it, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding for

sales made pursuant to Prenalta Corp. (Operator) et al., FPC Gas Rate Schedule No. 4 from March 9, 1970. The surety bond shall be accompanied by a certificate to the effect that no obligation has been assumed in connection with the bond in addition to payment of the bond premium. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such surety bond shall be deemed to have been accepted for filing. The surety bond shall remain in full force and effect until discharge by the Commission.

(U) Within 30 days from the issuance of this order Prenalta Corp. (Operator) et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking to assure the refund of all amounts collected pursuant to Humble Oil & Refining Co. FPC Gas Rate Schedule No. 403 and Prenalta Corp. (Operator) et al., FPC Gas Rate Schedule No. 5, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding for sales from the acreage assigned by Humble to Prenalta from the time that Humble's rate was made effective subject to refund. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(V) Within 30 days from the date of this order Prenalta Corporation shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable agreement and undertaking in Docket No. RI70–469 to assure the refund of any amounts collected pursuant to its FPC Gas Rate Schedule No. 5, together with interest at the rate of 7 percent per annum, in excess of the amount determined to be just and reasonable in said proceeding. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission, such agreement and undertaking shall be deemed to have been accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(W) Texas Oil & Gas Corp. is made a corespondent in the proceeding pending in Docket No. RI68–234 and said proceeding is redesignated accordingly. Texas Oil & Gas Corp. shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(X) The rate schedules and rate schedule supplements related to the authorizations granted herein are accepted for filing or are redesignated, all as described in the tabulation herein.

By the Commission.

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

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted: Description and date of document	No.	Supp.
G–4079 3–18–70 [1]	Cromwell Oil Co., Inc. (formerly Crown Properties, Inc.).	United Fuel Gas Co., Orange Grove Field, Terrebonne Parish, La.	Crown Properties, Inc., FPC GRS No. 2.	2	
			Effective date: 1–14–70		
G–4290 3–18–70 [1]	do	do	Crown Properties, Inc., FPC GRS No. 1.	1	
			Effective date: 1–14–70		
G–5716 D 3–17–70	Northern Natural Gas Producing Co. (Operator) et al.	Northern Natural Gas Co. Hugoton Field, Stevens County, Kans.	Notice of partial cancellation, 3–12–70.[21]	2	111
G–11171 E 6–30–69	Austral Oil Co., Inc. (successor to Shell Oil Co.).	Florida Gas Transmission Co., Mystic Bayou Field, St. Martin Parish, La.	Shell Oil Co., FPC GRS No. 190.	33	
			Supplement Nos. 1–10	33	1–10
			Notice of succession (Undated).		
			Conveyance 7–1–68	33	11
			Effective date: 7–1–68		
G–12363 C 2–2–70	Pan American Petroleum Corp. (Operator) et al.	El Paso Natural Gas Co., Co., Basin Dakota Field, Rio Arriba County, N. Mex.	Supplemental agreement, 3–18–70.[4 5]	199	18
F G–15424 (G–15380) C 4–2–70	Sun Oil Co	West Lake Natural Gasoline Co. and Atlantic Richfield Co., South Lake Trammell and Nena Lucia Fields, Nolan County, Tex.	Assignment 1–21–70 [6]	100	11
			Supplemental agreement 2–27–70.[7]	100	12
			Effective date: 1–1–70		
CI61–503 D 3–18–70	Petro Dynamics, Inc. (Operator) et al.	Transwestern Pipeline Co., Smith Perryton Field, Ochiltree County, Tex.	Letter agreement 12–31–69.[3 4]	2	13
CI62–199 E 4–1–70	Lewis Stephen DeBrular, d.b.a. Stephen Gas Co. (successor to N. G. Clark et al., d.b.a. Grundy Associates).	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	N. G. Clark et al., d.b.a. Grundy Associates, FPC GRS No. 6.	1	
			Notice of succession 8–1–69.		
			Assignment 8–1–69	1	1
			Effective date: 8–1–69		
CI63–489 C 3–23–70	Ashland Oil & Refining Co.[8]	Michigan Wisconsin Pipe Line Co., South Lonewolf and Dane Fields, Major County, Okla.	Amendment 2–17–70 [5]	81	24
CI64–1441 E 3–6–70	White Shield Oil & Gas Corp. (successor to Valor Production Co. (Operator) et al.).	Almos Gas Gathering Co., Linke Field, Bee County, Tex.	Valor Production Co. (Operator) et al., FPC GRS No. 3.	9	
			Supplemental Nos. 1–2.	9	1–2
			Notice of succession (undated).		
			Assignment 2–15–70	9	3
			Effective date: 1–1–69		
CI64–1443 E 3–6–70	White Shield Oil & Gas Corp. (successor to Valor Production Co.).	do	Valor Production Co., FPC GRS No. 4.	10	
			Supplement Nos. 1–2	10	1–2
			Notice of succession (Undated).		
			Assignment 2–15–70	10	3
			Effective date: 1–1–69		
CI68–1356 (G–11229) C 3–26–70	Marathon Oil Co., (Operator) et al.	Southern Natural Gas Co., Logansport Hosston Field, De Soto Parish, La.	Assignment 3–19–68 [10]	103	16
			Effective date: 3–19–68		
			Assignment 8–20–68 [10]	103	17
			Effective date: 8–20–68		
CI69–598 C 4–8–70	Star Gas Co. et al	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	Supplemental agreement 1–22–70.[5]	24	1
CI69–833 (CI67–952) C 4–7–70	Phillips Petroleum Co.	United Gas Pipe Line Co., West Bryceland Field, Bienville Parish, La.	Assignment 1–19–70 [11]	466	3
			Effective date: 7–28–69		
CI70–428 3–18–70 [1]	Crownwell Oil Co., Inc. (formerly Crown Properties, Inc.).	Transcontinental Gas Pipe Line Corp., Humphreys and South Humphreys Field, Terrebonne Parish, La.	Crown Properties, Inc., FPC GRS No. 3.	3	
			Effective date: 1–14–70		
CI70–541 (CI63–1583) F 12–11–69	Occidental Petroleum Corp. (successor to Shell Oil Co.).	Arkansas Louisiana Gas Co., North Carter Field, Beckham County, Okla.	Contract 8–4–61 [12a]	16	
			Assignment 5–24–29 [12a]	16	1
			Letter agreement 1–5–70.[5]	16	2
CI70–645 (CS66–49) E 1–12–70	Reading & Bates, Inc. (successor to Thornton Oil Co.).	Northern Natural Gas Co., East Ozona Canyon Field, Crockett County, Tex.	Contract 8–21–64 [13]	9	
			Agreement 6–25–65	9	1
			Agreement 10–28–65	9	2
			Agreement 4–1–66	9	3
			Agreement 7–16–46	9	4
			Assignment 2–27–68	9	5
			Agreement 10–25–68	9	6
			Letter agreement 12–30–68.	9	7
			Letter agreement 1–6–69.	9	8
			Assignment 10–23–69 [14]	9	9
			Quality statement 11–26–69.	9	10
			Effective date: 10–1–69		

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	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI70-697 (CI67-1237) F 1-26-70	Prenalta Corp. (Operator) et al. (successor to Stauffer Chemical Co., of Wyoming).	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Desert Springs Field, Sweetwater County, Wyo.	Contract 12-2-66 [15]	4	
			Letter 3-22-68	4	1
			Assignment 12-2-69 [15a]	4	2
			Assignment 12-31-69 [15b]	4	3
			Operating agreement 1-1-70, [15c]	4	4
			Effective date: 11-1-69		
CI70-697 (CI67-293) F 1-26-70	Prenalta Corp. (Operator) et al. (successor to Humble Oil & Refining Co.).	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Desert Springs Area, Sweetwater County, Wyo.	Contract 8-24-66 [16]	5	
			Amendment 2-27-67	5	1
			Amendment 6-8-67	5	2
			Assignment 12-22-69 [16a]	5	3
			Assignment 12-31-69 [15b]	5	4
			Operating agreement 1-1-70, [15c]	5	5
			Effective date: 11-1-69		
CI70-709 A 2-2-70	Texstar Exploration, Inc.	Northern Natural Gas Co., Bradford-Tonkawa Field, Lipscomb County, Tex.	Contract 1-16-70	1	
			Compliance 4-15-70 [5 17]	1	1
CI70-728 A 2-10-70	Aikman Bros. Corp. (Operator) et al.	Michigan Wisconsin Pipe Line Co., North Quinlan Field, Woodward County, Okla.	Contract 11-24-69	7	
			Letter 4-14-70 [5 18]	7	2
CI70-752 (CI60-468) F 2-16-70	Texas International Petroleum Corp. (successor to Sunset International Petroleum Corp).	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	Contract 3-19-53 [19]	1	
			Letter agreement 8-14-53.	1	1
			Letter agreement 5-5-53	1	2
			Supplemental agreement 10-5-53.	1	3
			Letter agreement 11-2-53.	1	4
			Letter agreement 12-15-53.	1	5
			Letter agreement 3-22-54.	1	6
			Letter agreement 9-10-54.	1	7
			Letter agreement 3-21-55.	1	8
			Supplemental agreement 7-23-56.	1	9
			Supplemental agreement 5-28-58.	1	10
			Letter agreement 7-5-60.	1	11
			Supplemental agreement 11-7-68.	1	12
			Letter agreement 4-1-69.	1	13
			Assignment 1-22-64 [19a]	1	14
			Assignment 3-20-64 [19b]	1	15
			Assignment 12-20-65 [19c]	1	16
			Effective date: 10-1-65		
CI70-780 A 3-2-70	Phillips Petroleum Co	Panhandle Eastern Pipe Line Co., West Gruver Field, Hansford County, Tex.	Contract 2-6-70	476	
			Compliance 4-14-70 [5 20]	476	1
CI70-785 (CS66-52) E 3-2-70	Reading & Bates, Inc. (successor to Thornton Petroleum Corp. (Operator) et al.).	El Paso Natural Gas Co., Sweetie Peck Field, Midland County, Tex.	Contract 5-1-52 [21]	13	
			Agreement 10-26-59	13	1
			Letter Agreement 6-19-68.	13	2
			Assignment 10-23-69 [21a]	13	3
			Quality statement 12-22-69.	13	4
			Effective date: 10-1-69		
CI70-786 (CS66-48) E 3-2-70	Reading & Bates, Inc. (Operator), et al. (successor to Thornton Petroleum Corp. and Late et al.).	El Paso Natural Gas Co., Spraberry Trend Area, Reagan County, Tex.	Contract 7-14-52 [22]	12	
			Letter agreement 7-14-52.	12	1
			Letter agreement 3-10-54.	12	2
			Agreement 10-26-59	12	3
			Agreement 9-9-60	12	4
			Agreement 8-6-69	12	5
			Assignment 10-24-69 [22a]	12	6
			Quality statement 12-22-69.	12	7
			Effective date: 10-1-69		
CI70-787 (CS66-51) E 3-2-70	Reading & Bates, Inc. (successor to E. G. Rodman (Operator) et al.).	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Contract 6-1-49 [23]	10	
			Letter agreement 6-28-52.	10	1
			Letter agreement 6-21-54.	10	2
			Agreement 11-6-60	10	3
			Assignment 9-8-66	10	4
			Agreement 7-10-69	10	5
			Assignment 10-1-69 [21a]	10	6
			Quality statement 12-22-, 69.	10	7
			Effective date: 10-1-69		
CI70-788 (CS66-52) E 3-2-70	Reading & Bates, Inc. (successor to Thornton Petroleum Corp.).	do	Contract 4-30-49 [24]	11	
			Agreement 7-10-51	11	1
			Agreement 3—56	11	2
			Agreement 10-26-59	11	3
			Agreement 9-27-68	11	4
			Assignment 10-1-69 [21a]	11	5
			Quality statement 12-22-69.	11	6
			Effective date: 10-1-69		
CI70-789 (G-14967) F 3-2-70 [25]	The Ballard & Cordell Corp. (successor to Humble Oil & Refining Co.).	United Fuel Gas Co., Florence Field, Vermilion Parish, La.	Contract 4-8-58 [26]	3	
			Letter agreement 6-9-58	3	1
			Letter agreement 7-31-63.	3	2
			Letter agreement 9-9-63	3	3
			Letter agreement 12-16-64.	3	4
			Letter agreement 4-7-67	3	5
			Assignment 1-29-70 [26a]	3	6
			Letter agreement 2-11-70. [5]	3	7
CI70-793 A 3-3-70	Westrans Petroleum, Inc. (successor to Adena Petroleum, Inc. (Operator), et al.). [27]	The Manufacturers Light & Heat Co., Various Districts, Calhoun, Ritchie, and Roane Counties, W. Va.	Contract 9-15-66	12	
			Assignment 9-16-68 [28]	12	1
			Assignment 9-16-68 [28]	12	2
			Assignment 9-16-68 [28]	12	3
			Effective date: 9-16-68		
			Letter agreement 8-28-69. [5 29]	12	4
CI70-833 (CI68-119) F 3-10-70	Texas Oil & Gas Corp. (successor to Wessely Petroleum, Ltd.).	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Laverne Field, Harper County, Okla.	Contract 6-25-57 [30]	57	
			Assignment 1-30-70 [5 30a]	57	1
CI70-880 A 3-30-70	White Shield Oil & Gas Corp.	Consolidated Gas Supply Corp., Troy District, Gilmer County, W.Va.	Contract 2-3-70 [5]	12	
CI70-881 A 3-30-70	Texaco, Inc. [31]	Northern Natural Gas Co., Northeast Oates (Devonian) Field, Pecos County, Tex.	Contract 3-16-70 [5]	439	

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
CI70-882 (CS66-52) E 3-23-70	Reading & Bates, Inc. (successor to Thornton Petroleum Corp.).	El Paso Natural Gas Co., Spraberry Trend Area, Upton and Reagan Counties, Tex.	Contract 10-12-62 [32]	16	
			Amendment 3-6-69	16	1
			Amendment 8-7-69	16	2
			Assignment 10-24-69 [21a]	16	3
			Assignment 10-27-69 [21a]	16	4
			Quality statement 12-22-69.	16	5
			Effective date: 10-1-69		
CI70-883 (CS66-49) E 3-23-70	Reading & Bates, Inc. (successor to Thornton Oil Co.).	El Paso Natural Gas Co., Spraberry Trend Area, Upton County, Tex.	Contract 11-9-64 [33]	15	
			Amendment 8-7-69	15	1
			Assignmnet 10-27-69 [14]	15	2
			Quality statement 12-22-69.	15	3
			Effective date: 10-1-69		
CI70-884 (CS66-52) E 3-23-70	Reading & Bates, Inc. (successor to Thornton Petroleum Corp.).	El Paso Natural Gas Co., Spraberry Trend Area, Midland and Reagan Counties, Tex.	Contract 8-2-57 [34]	14	
			Amendment 7-17-58	14	1
			Amendment 10-26-59	14	2
			Amendment 6-6-61	14	3
			Amendment 8-7-69	14	4
			Assignment 10-23-69 [21a]	14	5
			Assignment 10-24-69 [21a]	14	6
			Quality statement 12-22-69.	14	7
			Effective date: 10-1-69		
CI70-891 (CS66-52) E 3-23-70	Reading & Bates, Inc. (successor to Thornton Petroleum Corp. (Operator) et al.).	Transwestern Pipeline Co., Crawar Field, Ward County, Tex.	Contract 5-13-60 [35]	17	
			Assignment 10-29-69 [21a]	17	1
			Quality statement 12-8-69.	17	2
			Effective date: 10-1-69		
CI70-897 A 4-2-70	Royal Resources Corp.[36]	Arkansas Louisiana Gas Co., Kinta Field, Pittsburg County, Okla.	Contract 3-23-70	1	
			Contract 3-30-64 [37]	1	1
			Supplement 4-7-70 [5] [38]	1	2
CI70-900 A 4-3-70	Hays & Co., agent for Ferrell L. Prior et al.	Equitable Gas Co., Troy District, Gilmer County, W. Va.	Contract 2-23-70 [5]	334	
CI70-902 (G-3502) B 4-2-70	Phillips Petroleum Co.	Transcontinental Gas Pipe Line Corp., Tigre Lagoon Field, Vermilion Parish, La.	Notice of cancellation 3-30-70.[3] [8]	220	14
CI70-903 (G-20314) B 4-2-70	do	El Paso Natural Gas Co., Noelke Field, Crockett County, Tex.	Notice of cancellation 3-30-70.[3] [39]	358	8
CI70-907 A 4-6-70	Coastal States Gas Producing Co.	Transcontinental Gas Pipe Line Corp., Lucille Field, Live Oak County, Tex.	Contract 1-5-70 [40]	83	
CI70-909 A 4-6-70	Union Drilling, Inc.	Cumberland and Allegheny Gas Co., Meade District, Upshur County, W. Va.	Contract 11-6-67 [5] [41]	61	
CI70-910 (G-6827) B 4-7-70	Humble Oil & Refining Co. (Operator) et al.	Michigan Wisconsin Pipe Line Co., South Greenough Field, Beaver County, Okla.	Notice of cancellation 3-30-70.[3] [8]	189	2
CI70-915 A 4-9-70	Eason Oil Co.[42]	Arkansas Louisiana Gas Co., Kinta Field, Pittsburg County, Okla.	Contract 3-5-70 [43]	26	
			Contract 3-30-64	26	1
			Letter 4-7-70 [5] [44]	26	2
CI70-920 (CI67-72) B 4-9-70	A. L. Abercrombie, Inc. (agent).	Kansas-Nebraska Natural Gas Co., Inc., East Camrick Field, Beaver County, Okla.	Notice of cancellation 4-6-70.[3] [8]	19	4
CI70-921 A 4-10-70	Glenn L. Haught et al.	Equitable Gas Co., Otter District, Braxton County, W. Va.	Contract 3-19-70 [5]	30	
CI70-923 A 4-9-70	Mobil Oil Corp.[45]	Northern Natural Gas Co., Vacuum Field, Lea County, N. Mex.	Contract 4-6-70 [5]	463	
			Supplemental agreement 4-29-70.	463	1

[1] Amendment to the certificate to reflect the change in name.
[2] Partial release of nonproducing lease insofar as the lease covers gas rights below 3,020 feet under SE¼ sec. 28-31 S. 35 W., Stevens County, Kans.
[3] Effective date: Date of this order.
[4] Includes stipulation providing 5-year makeup period for gas taken, but not paid for, from the subject acreage.
[5] Effective date: Date of initial delivery (Applicant shall advise the Commission as to such date).
[6] From Pan American Petroleum Corp. to Sun Oil Co.
[7] Adds acreage previously covered under Pan American's FPC GRS No. 318.
[8] Source of gas depleted.
[9] By letter dated Apr. 9, 1970, Applicant stated willingness to accept permanent authorization conditioned to limit the buyer's take-or-pay obligation.
[10] Conveys acreage from Sinclair Oil & Gas Co. (now Atlantic Richfield Co. FPC GRS No. 380) to Marathon Oil Co.
[11] Conveys acreage from Humble Oil & Refining Co. FPC GRS No. 417 to Phillips Petroleum Co. to a depth of 8927.6 feet below sea level.
[12] Currently on file as Shell Oil Co. FPC GRS No. 289.
[12a] From Shell Oil Co. to Applicant.
[13] Previously on file as Thornton Oil Co. FPC GRS No. 2.
[14] From Thornton Oil Co. to Applicant.
[15] On file as Stauffer Chemical Co. of Wyoming FPC GRS No. 1.
[15a] From Stauffer Chemical Co. of Wyoming to Prenalta Corp.
[15b] Prenalta Corp.'s assignment of 12½% coowner interests to James A. Masterson and Clifford P. Hickok.
[15c] Between Prenalta Corp. and coowners.
[16] On file as Humble Oil & Refining Co. FPC GRS No. 403.
[16a] From Humble Oil & Refining Co. to Prenalta Corp.
[17] Accepts conditioned temporary certificate issued Apr. 6, 1970. By letter dated Apr. 21, 1970, Applicant advised willingness to accept a permanent certificate conditioned to 17 cents per Mcf and limiting buyer's take-or-pay obligation to a 1 to 3,650 ratio of takes to reserves during the first 2 years and a 1 to 7,300 ratio thereafter.
[18] Basic contract provides for a rate of 19.5 cents per Mcf, plus tax reimbursement and subject to B.t.u. adjustment; however, Applicant expressed willingness to accept a permanent certificate at 17 cents per Mcf plus B.t.u. adjustment;
[19] Presently on file as Sunset International Petroleum Corp. FPC GRS No. 24.
[19a] Assignment of reversionary interest from Sunac Petroleum Corp. (predecessor to Sunset International) to Morris Mizel et al., effective Jan. 1, 1959.
[19b] Assignment from Morris Mizel to Worldwide Petroleum Corp. Worldwide has made no filings.
[19c] From Worldwide Petroleum Corp. to Platco Corp. (predecessor to Texas International), effective Oct. 1, 1965.
[20] Accepts conditioned temporary certificate issued Apr. 16, 1970. Applicant indicates willingness to accept a permanent certificate conditioned to 17 cents.
[21] Previously on file as Thornton Petroleum Corp. (Operator) et al., FPC GRS No. 1.
[21a] From Thornton Petroleum Corp. to Applicant.
[22] Previously on file as Thornton Petroleum Corp. and Late et al., FPC GRS No. 4.
[22a] From Thornton Petroleum Corp. and Late et al., to Applicant.
[23] Previously on file as E. G. Rodman (Operator) et al., FPC GRS No. 2.
[24] Previously on file as Thornton Petroleum Corp. FPC GRS No. 3.
[25] Jan. 1, 1974, moratorium provided by Opinion No. 546-A.
[26] Between Humble Oil & Refining Co. and United Fuel Gas Co.; also on file as Humble Oil & Refining Co. FPC GRS No. 135.
[26a] Assigns acreage from Humble to The Ballard & Cordell Corp. down to a depth of 12,050 feet.
[27] Predecessor never made certificate filing to cover the subject acreage.
[28] Document whereby Applicant acquired its interest in the subject properties: Exhibit Z-5 (Supp. No. 1); Exhibit Z-6 (Supp. No. 2); and Exhibit Z-7 (Supp. No. 3).
[29] Deletes unproductive leases insofar as such leases cover and affect underlying formations from the surface to and including the Barea Sand, for the reason that the reservoir pressure in the horizons being released was insufficient to assure economic production and purchase of gas therein by Applicant and buyer.
[30] Currently on file as Wessely Petroleum, Ltd., FPC GRS No. 5.
[30a] From Wessely Petroleum, Ltd. to Applicant.
[31] Applicant has agreed to accept a permanent certificate containing Opinion No. 468 conditions. By letter dated Apr. 23, 1970, Applicant agreed to accept a permanent certificate conditioned to the filing of a summary of the terms of the related processing agreement should it elect to exercise its option to process gas under the contract.
[32] Previously on file as Thornton Petroleum Corp. FPC GRS No. 5.
[33] Previously on file as Thornton Oil Co. FPC GRS No. 3.
[34] Previously on file as Thornton Petroleum Corp. FPC GRS No. 6.
[35] Previously on file as Thornton Petroleum Corp. (Operator) et al., FPC GRS No. 2.
[36] Contract rate is 16.015 cents including tax reimbursement; however, Applicant states willingness to accept a permanent certificate conditioned to an initial rate of 15 cents per Mcf including tax reimbursement and subject to B.t.u. adjustment.
[37] Currently on file as Steve Gose (Operator) et al., FPC GRS No. 1.
[38] Amends basic contract to provide for a 5-year makeup period for gas paid for but not taken.
[39] Released to landowner because acreage is no longer productive. Phillips did not submit El Paso's concurrence but instead submitted a letter to buyer dated Feb. 2, 1970, stating that the well was plugged and abandoned and the contract terminated.
[40] Dedicates acreage to a depth of 3,500 feet below the surface of the ground.
[41] Sale being rendered without prior Commission authorization.
[42] Contract provides for rate of 16 cents per Mcf plus tax reimbursement; however, Applicant is willing to accept a permanent certificate conditioned to the area ceiling rate of 15 cents per Mcf.
[43] Adopts terms of contract dated Mar. 30, 1964 between Steve Gose et al., and the purchaser. Also amends said contract.
[44] Applicant unilaterally amends contract to provide for 5-year makeup period.
[45] By letter filed Apr. 24, 1970, Applicant agreed to accept a permanent certificate limiting buyer's take-or-pay obligations to a 1 to 7,300 reserves ratio.

SURETY BOND

Know All Men by These Presents:

That we (Name and address of the natural gas company) (hereinafter called "Principal"), as Principal, and (Name and address and place of incorporation of Surety Bond Company) (hereinafter called "Surety"), as Surety, are held and firmly bound unto the Federal Power Commission (Agency of the United States of America) (hereinafter called the "Obligee") in the sum of (Amount of proposed annual increased rates in dollars) for the payment of which well and truly to be made, we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that:

Whereas, (Name of Respondent), on (Date of Original Filing), filed with the Federal Power Commission (herein called the Commission) Supplement No. _____ to Respondent's FPC Gas Rate Schedule No. _____, proposing to increase a rate and charge over which the Commission has exercised jurisdiction; and

Whereas, by order issued (Suspension Order Issuance Date), the Commission suspended the operation of the proposed supplement and ordered a hearing to be held concerning the lawfulness of the proposed rate, charge, and classification, subject to the Commission's jurisdiction, as therein set forth; and by said order the use of such supplement was deferred until (Suspended Until Date), and until such further time as it is made effective in the manner prescribed by the Natural Gas Act; and

Whereas, a hearing has not been held and this proceeding has not been concluded; and (Name of Respondent), pursuant to the provisions of section 4(e) of the Natural Gas Act, having on (Date Motion Filed), filed a motion to make the change in rate effective as of (Requested Effective Date); and

Whereas, the Commission, in response to said motion, on (Date of Notice), issued its notice making the rate, charge, and classification set forth in the aforesaid Supplement No. _____ to Respondent's FPC Gas Rate Schedule No. _____, effective as of (Effective Date), subject to Respondent's furnishing a bond in the sum of $_____, satisfactory to the Commission, and requiring that Respondent refund any portion of the increased rate and charge found by the Commission in Docket No. _____ not justified;

Now, therefore, if (Name of Respondent), its corporate surety (and their heirs, executors, administrators),[1] successors and assigns, in conformity with the terms and conditions of the notice issued (Date of Notice) by the Federal Power Commission, Docket No. _____ (Name of Respondent), shall:

(1) Well and truly repay at such times and in such amounts, to the persons entitled thereto, and in such manner as may be required by the final order of the Commission in said proceeding, subject to court review thereof, any portion of such rate and charge collected by (Name of Respondent) after (Effective Date) as such final order may find not justified, together with interest thereon at the rate of seven (7) percent per annum from the date of payment thereof to (Name of Respondent) until refunded; and

(2) Comply otherwise with the terms and conditions of the notice issued (Date) in Docket No. _____, and with the provisions of the Natural Gas Act relating thereto, then this obligation shall be terminated, otherwise to remain in full force and effect.

[1] To be included if a noncorporate respondent.

In witness whereof, the parties hereto have placed their hands and seals on this _____ day of _____

Attest:

_____

By _____
Principal

By _____
Surety

Suggested agreement and undertaking:

BEFORE THE FEDERAL POWER COMMISSION

(Name of Respondent)_____)

Docket No. _____

AGREEMENT AND UNDERTAKING OF (NAME OF RESPONDENT) TO COMPLY WITH REFUNDING AND REPORTING PROVISIONS OF SECTION 154.102 OF THE COMMISSION'S REGULATIONS UNDER THE NATURAL GAS ACT

(Name of Respondent) hereby agress and undertakes to comply with the refunding and reporting provisions of Section 154.102 of the Commission's Regulations under the Natural Gas Act insofar as they are applicable to the proceeding in Docket No. _____, and has caused this agreement and undertaking to be executed and sealed in its name by a duly authorized officer this _____ day of _____, 19__.

(Name of Respondent)

By _____

Attest:

_____

[F.R. Doc. 70-8285; Filed, July 1, 1970; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

CITIZENS BANCSHARES OF FLORIDA, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by Citizens Bancshares of Florida, Inc., Hollywood, Fla., for prior approval by the Board of Governors of action whereby applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of Citizens National Bank of West Hollywood, West Hollywood; Citizens National Bank of Hollywood, Hollywood; Citizens National Bank of Davie, Davie; Citizens National Bank of Miami, Dade County, all in Florida.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 2 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors, June 25, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-8384; Filed, July 1, 1970; 8:45 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.; Temporary Reg. F-72]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the Michigan Public Service Commission in a proceeding (Docket No. U-3297) involving electric service rates of the Upper Peninsula Power Co.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: June 24, 1970.

ROBERT L. KUNZIG,
Administrator of General Services.

[F.R. Doc. 70-8433; Filed, July 1, 1970; 8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

IMPERIAL MESBIC, INC.

Notice of Application for License as Minority Enterprise Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) under the name of Imperial Mesbic, Inc., 11232 South Western Avenue, Los Angeles, Calif. 90047 for a license to operate in the State of California as a minority enterprise small business investment company (MESBIC) under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.) (Act).

The proposed officers and directors are as follows:

President and Director, George L. Graziadio, Jr., 1553 Palos Verdes Drive, West Palos Verdes, Calif. 90274.

Chairman of the Board and Director, George Eltinge, 887 North Bundy Drive, Los Angeles, Calif. 90047.

Treasurer and Director, Franklin Raynor, 224 North Hillcrest Boulevard, Inglewood, Calif. 90301.

Secretary and Director, Warren M. Gordon, 531 St. John's Place, Inglewood, Calif. 90301.

Director, Robert Goldberg, 6543 Olympic Place, Los Angeles, Calif. 90035.

Director, Edgar Morris, 16537 Adlon Road, Encino, Calif. 91316.

The principal owners of the MESBIC will be Warren M. Gordon (25.5 percent), Edgar Morris (25.5 percent), and the Imperial Bank, 11232 South Western Avenue, Los Angeles, Calif. 90047 (49 percent). The company's initial capitalization will be $150,500.

As a MESBIC, the company's investment policy is that its assistance will be solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such small business concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and regulations.

Notice is further given that any interested person may, not later than 5 days from the date of publication of this notice, submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice should be published in a newspaper of general circulation in Los Angeles, Calif.

JAMES THOMAS PHELAN,
Acting Associate Administrator for Investment.

JUNE 23, 1970.

[F.R. Doc. 70-8437; Filed, July 1, 1970; 8:49 a.m.]

SMALL BUSINESS INVESTMENT COMPANY OF GEORGIA

Notice of Application for Transfer of Control of Licensed Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the regulations governing small business investment companies (SBICs) (33 F.R. 326, 13 CFR Part 107) for transfer of control of Small Business Investment Company of Georgia (SBIC of Georgia), License No. 05/05-0016, 22 Marietta Street NW., Atlanta, Ga. 30303, a Federal Licensee under the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 661 et seq.).

SBIC of Georgia was licensed on December 4, 1960, with a paid-in capital and paid-in surplus from private sources of $155,000. It has 87,700 shares of issued and outstanding common stock held by 44 stockholders.

More than 50 percent of the issued and outstanding shares have been offered to Mr. I. Walter Fisher by 28 of the present shareholders. Mr. Fisher, 536 West Wesley Road NW., Atlanta, Ga. 30305, and his wife Louise A. Fisher (same address) are the owners of more than 50 percent of the issued and outstanding stock of Investor's Equity, Inc., 11 Pryor Street SW., Atlanta, Ga. 30303, an SBIC. The offer is subject to, and contingent upon, the approval of SBA.

As a result of the proposed transaction, the transferee will control two SBICs. Section 107.702 of the SBA regulations prohibits common control of more than one SBIC. Accordingly, SBA will require, as a condition of any approval granted, that the two SBICs either be merged in accordance with § 107.903 of the SBA regulations or that SBIC of Georgia be liquidated, within a period of 6 months of such approval so that the common control involved is merely intermediate to reorganization of the companies.

Matters involved in SBA's consideration of the proposed transaction include the general business reputation of I. Walter Fisher as well as the probability of the successful operation of the survivor SBIC resulting from any merger of the companies, including such factors as adequate profitability and financial soundness, in accordance with the Act and the regulations.

Prior to final action on the application, consideration will be given to any comments pertaining to the proposed transaction which are submitted in writing, to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within ten (10) days of the date of publication of this notice.

A copy of this notice will be published by the proposed transferee in a newspaper of general circulation in Atlanta, Ga.

JAMES THOMAS PHELAN,
Acting Associate Administrator for Investment.

JUNE 23, 1970.

[F.R. Doc. 70-8398; Filed, July 1, 1970; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 59]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

JUNE 26, 1970.

The following applications are governed by Special Rule 247[1] of the Commission's general rules of practice (49 CFR 1100.247, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1931 (Sub-No. 12), filed June 15, 1970. Applicant: VON DER AHE VAN LINES, INC., 600 Rudder Avenue, Fenton, Mo. 63026. Applicant's representative: Robert J. Gallagher, Suite 3020, Empire State Building, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, between points in the United States (except Alaska and Hawaii). NOTE: Common control may be involved. Applicant states that it would be willing to surrender all of its present authority if the 48-State nonradial application is granted. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 2228 (Sub-No. 58), filed June 3, 1970. Applicant: MERCHANTS FAST MOTOR LINES, INC., East U.S. Highway 80, Post Office Drawer 270, Abilene, Tex. 79604. Applicant's representative: Laurence M. Cottingham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, including classes A and B explosives (except household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading). A. (1) Between Dallas, and Houston, Tex., from Dallas, Tex., over U.S. Highway 175 to Jacksonville, Tex., thence over U.S. Highway 69 to Lufkin, Tex., thence over U.S. Highway 59 to Houston, Tex., and return over the same route, serving all intermediate points; (2) between Dallas, and Beaumont, Tex., from Dallas, Tex., over U.S. Highway 175 to Jacksonville, Tex., thence over U.S. Highway 69 to Beaumont, Tex., and return over the same route, serving all intermediate points; (3) between Alto, and Beaumont, Tex., from Alto, Tex., over Texas Highway 21 to San Augustine, Tex., thence over Texas Highway 147 to junction with U.S. Highway 59, thence over U.S. Highway 59 to Beaumont, Tex., and return over the same route, serving all intermediate points; (4) between Nacogdoches, and Lufkin, Tex., from Nacogdoches, Tex., over U.S. Highway 59 to Lufkin, Tex., and return over the same route, serving all intermediate points; (5) between Silsbee, Tex., and junction of Texas Highway 327 and U.S. Highway 69; from Silsbee, Tex., over Texas Highway 327 to junction with U.S. Highway 69, and return over the same route, serving all intermediate points. B. (1) Between San Augustine, and Zavalla, Tex., from San Augustine, Tex., over Texas Highway 147 to Zavalla, Tex., and return over the same route; (2) between Zavalla, and Jasper, Tex., from Zavalla, over Texas Highway 63 to Jasper, Tex., and return over the same route; (3) between Jasper and Livingston, Tex., and return over the same route, serving Woodville, Tex., for purposes of joinder only; (4) between Woodville, and Corrigan, Tex., from Woodville, over U.S. Highway 287 to Corrigan, Tex., and return over the same route serving no intermediate points as an alternate route for operating convenience only. NOTE: If a hearing is deemed necessary, applicant requests it be held at Austin, Houston, or Dallas, Tex.

No. MC 2860 (Sub-No. 78), filed June 9, 1970. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, N.J. 08360. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in New Jersey, New York, Connecticut, Massachusetts, Rhode Island, Pennsylvania, Delaware, Maryland, and the District of Columbia, and points in Accomack, and Northampton Counties, Va., to points in North Carolina, South Carolina, Georgia, and Florida, with no transportation for compensation on return except as otherwise authorized. NOTE: Applicant states it is presently authorized to perform the transportation for which authority is requested subject to observance of certain gateways. The purpose of the instant application is to eliminate those gateway requirements. Applicant further states that although tacking possibilities exist it is not its intention to use the proposed authority in combination with existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 8310 (Sub-No. 5), filed June 11, 1970. Applicant: RAY JEFFORDS, doing business as JEFF'S TRUCK SERVICE, Doty Street, Waupun, Wis. 53963. Applicant's representative: Nancy J. Johnson, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Tire patches, pneumatic tire repair kits, metal rivets, tire vulcanizers, tire retreaders, rivet machines, lubricating oils and greases, and scrap metals*, serving Brandon, Wis., as an off-route point in connection with applicant's presently authorized regular route authority in MC 8310. NOTE: If a hearing is deemed necessary, applicant requests it be held at Madison or Milwaukee, Wis.

No. MC 14702 (Sub-No. 29), filed June 12, 1970. Applicant: OHIO FAST FREIGHT, INC., Post Office Box 808, Warren, Ohio 44482. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum articles*, between Williamsport, Pa., on the one hand, and, on the other, points in the United States, excluding Alaska and Hawaii. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 30844 (Sub-No. 326), filed June 5, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* when transported in mechanically refrigerated vehicles, from points in Minnesota and Wisconsin, to points in Connecticut, Delaware, the District of Columbia, Indiana, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and Vermont. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Minneapolis, Minn.

No. MC 30844 (Sub-No. 327), filed June 8, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commerical, Waterloo, Iowa 50704. Applicant's representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (1) from Waterloo, Iowa, to points in Kansas and Nebraska, and (2) from Columbus Junction, Iowa, to points in Nebraska. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed

necessary, applicant requests it be held at Washington, D.C., or Omaha, Nebr.

No. MC 51146 (Sub-No. 159) (Correction), filed May 8, 1970, published in the FEDERAL REGISTER issue of June 18, 1970, and republished as corrected this issue. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54306. Applicant's representative: D. F. Martin (same address as above). The purpose of this partial republication is to include the destination State of South Dakota inadvertently omitted in the previous publication. The rest of the publication remains the same.

No. MC 52673 (Sub-No. 29), filed June 15, 1970. Applicant: FRED OLSON MOTOR SERVICE COMPANY, 6022 West State Street, Milwaukee, Wis. 53213. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in tank vehicles, from points in Cook and Will Counties, Ill., and Lake County, Ind., to points in Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 61592 (Sub-No. 179), filed June 16, 1970. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting. (1) *Meat, meat products and meat byproducts* as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, skins, and commodities in bulk), from Whitehall and Eau Claire, Wis., to points in California, Colorado, Kansas, Missouri, and Tennessee; and (2) *dairy products, butter, anhydrous milk fat, sweet cream, spray nonfat dry milk, spray buttermilk powder, sweetened condensed milk*, from Rice Lake, Wis., to points in Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Tennessee, and the District of Columbia. NOTE: Common control may be involved. Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 66121 (Sub-No. 16), filed June 8, 1970. Applicant: INDIAN BOW TRUCK LINES, LTD., 103 Harvard Street, Smithtown, N.Y. 11787. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rolling doors, and materials, supplies and equipment* used in the installation thereof (except in bulk), from West Babylon, N.Y., to points in that part of the United States in and east of Texas, Oklahoma, Kansas, Iowa, and Minnesota, and *returned shipments, and materials, supplies and equipment used in the manufacture thereof* (except in bulk), on return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 66886 (Sub-No. 18), filed June 1, 1970. Applicant: BELGER CARTAGE SERVICE, INC., 2100 Walnut Street, Kansas City, Mo. 64108. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, trenchers, construction equipment, attachments and parts*, from Wichita, Kans., to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 69116 (Sub-No. 129), filed June 8, 1970. Applicant: SPECTOR FREIGHT SYSTEM, INC., 205 West Wacker Drive, Chicago, Ill. 60606. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Gleason, Wis., as an intermediate point on applicant's regular route between Merrill, Wis., and Rhinelander, Wis., over Wisconsin Highway 17. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wausau or Madison, Wis.

No. MC 78228 (Sub-No. 27), filed June 16, 1970. Applicant: J. MILLER EXPRESS, INC., 152 Wabash Street, Pittsburgh, Pa. 15220. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel, and iron and steel articles*, as defined by the Commission, from the plantsites and other facilities of Jones & Laughlin Steel Corp., located at Pittsburgh, and Aliquippa, Pa., to points in Connecticut, New Jersey, and New York. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant further states that no duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 87476 (Sub-No. 2), filed May 26, 1970. Applicant: CARL SCHAEFER JR. TRUCK LINE, INC., 2600 Willowburn Avenue, Dayton, Ohio 45427. Applicant's representative: W. L. Jordan, 2609 Fenwood Avenue, Terre Haute, Ind. 47803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Fruit-flavored syrup*, (b) *fruit juices* (non refrigerated) packed in glass containers in cartons, and (c) *sunflower seeds*, in containers, from the plantsite of Wagoner Industries, Inc., located at Cicero, Ill., to points in Ohio, and points in those parts of Pennsylvania and West Virginia on and west of U.S. Highway 219 extending from the Pennsylvania-New York State line south to the West Virginia-Virginia State line near Bluefield, W. Va. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Columbus, Ohio.

No. MC 89684 (Sub-No. 75), filed June 15, 1970. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South Second W., Salt Lake City, Utah 84110. Applicant's representative: Harry D. Pugsley, 400 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery pies* in containers, from Salt Lake City, Utah, to Denver and Grand Junction, Colo. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 94201 (Sub-No. 86), filed May 13, 1970. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Gadsden, Ala. 35903. Applicant's representatives: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203; and H. Charles Ephraim, Suite 300, 1411 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment). Route 1: Between Atlanta, Ga., and Greenville, S.C., (a) from Atlanta, over Interstate Highway 85 and/or U.S. Highway 29, to Greenville, and return over the same route; (b) from Atlanta, over U.S. Highway 23 to Cornelia, Ga., thence over U.S. Highway 123 to Greenville, and return over the same route. Route 2: Between Athens, Ga. and Greenwood, S.C., from Athens, over Georgia Highway 72 and South Carolina Highway 72 to Greenwood and return over the same route. Route 3: Between Augusta, Ga., and Greenville, S.C., over U.S. Highway 25. Route 4: Between Columbia, S.C., and Athens, Ga., from Columbia, S.C., to Washington, Ga., over U.S. Highway 378, thence over U.S. Highway 78 to Athens, Ga., and return over the same route. Route 5: Between Augusta, Ga., and Charleston, S.C., over U.S. Highway 78. In connection with Routes 1, 2, 3, 4, and 5, service is sought to and from all intermediate points and all off-route points in Georgia and South Carolina without restriction.

Route 6: Between Charleston, S.C., and Spartanburg, S.C., (a) from Charleston over U.S. Highway 176 to Spartanburg and return over the same route, (b) from Charleston, over Interstate Highway 26 to its intersection with U.S. Highway 221 at or near Moore, S.C., thence over U.S. Highway 221 to Spartanburg, and return over the same route. Route 7: Between Columbia, S.C., and Greenville, S.C., from Columbia, over U.S. Highway 276 to Laurens, S.C., thence over U.S. Highway 221 to its junction with U.S. Highway 276, thence over U.S. Highway 276 to Greenville, and return over the same route. Route 8: Between Charleston, S.C., and Florence, S.C., over U.S. Highway 52. In connection with Routes 6, 7, and 8, service is sought to and from all intermediate points and all off-route points in South Carolina without restriction. Route 9: Between Savannah, Ga., and Atlanta, Ga., (a) from Savannah over U.S. Highway 80 to Macon, Ga., (1) thence over U.S. Highway 41 and also over (2) U.S. Highway 23 to Atlanta, and return over the same routes; (b) from Savannah, Ga., over Interstate Highway 16 to Macon, Ga., thence over Interstate Highway 75 to Atlanta, and return over the same route. Route 10: Between Augusta, Ga., and the junction of U.S. Highways 25 and 80 near Statesboro, Ga., from Augusta, over U.S. Highway 25 to its junction with U.S. Highway 80 near Statesboro, and return over the same route. Route 11: Between Adrian, Ga., and Atlanta, Ga., from Adrian, over Georgia Highway 15 to Sandersville, Ga., thence over Georgia Highway 24 to intersection with Georgia Highway 22, thence over Georgia Highway 22 to Milledgeville, Ga., thence over U.S. Highway 441 to Madison, Ga., thence over U.S. Highway 278 and/or Interstate Highway 20 to Atlanta, and return over the same route. Route 12: Between Macon, Ga., and Warren, Ga., from Macon over Georgia Highway 49 to Milledgeville, Ga., thence over Georgia Highway 22 to Sparta, Ga., thence over Georgia Highway 16 to Warrenton, and return over the same route. Route 13: Between Atlanta and Cedartown, Ga., over U.S. Highway 278.

Route 14: Between Rome, Ga., and the junction of U.S. Highway 411 and Interstate Highway 75 near Cartersville, Ga., from Rome, over U.S. Highway 411 to the intersection of U.S. Highway 411 and Interstate Highway 75 near Cartersville, and return over the same route. Route 15: Between Augusta, Ga., and Madison, Ga., from Augusta, Ga., over U.S. Highway 278 and/or Interstate Highway 20 to Madison, Ga., and return over the same route. Route 16: Between Augusta, Ga., and Athens, Ga., over U.S. Highway 78. Route 17: Between Cusseta, Ga., and Macon, Ga., from Cusetta, Ga., over Georgia Highway 26 to its intersection with Georgia Highway 49, thence over Georgia Highway 49 to Macon, and return over the same route. Route 18: Between Atlanta, Ga., and the Georgia-Tennessee State line, from Atlanta, Ga., over U.S. Highway 41 and/or Interstate Highway 75 to the Georgia-Tennessee State line, and return over the same route. In connection with Routes 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, service is sought to and from all intermediate points and all off-route points in Georgia without restriction. Route 19: Between Asheville, N.C., and Greenville, S.C., (a) from Asheville, over U.S. Highway 25 to Greenville, and return over the same route; (b) from Asheville, over U.S. Highway 25 to its junction with Interstate Highway 26, thence over Interstate Highway 26 to its junction with interstate Highway 85 near Spartanburg S.C., thence over Interstate Highway 85 to Greenville, and return over the same route. Route 20: Between Greenville, S.C., and Greensboro, N.C., from Greenville, S.C., over U.S. Highway 29 and/or Interstate Highway 85 to Greensboro, N.C., and return over the same route.

Route 21: Between Georgetown, S.C., and Rocky Mount, N.C., from Georgetown, S.C., over U.S. Highway 701 to its intersection with North Carolina Highway 403 at Clinton, N.C., thence over North Carolina Highway 403 to its intersection with U.S. Highway 117 at Faison, N.C., thence over U.S. Highway 117 to its intersection with U.S. Highway 301 near Wilson, N.C., thence over U.S. Highway 301 to its intersection with Interstate Highway 95 at Rocky Mount, and return over the same route. In connection with Routes 19, 20, and 21, service is sought to and from all intermediate and all off-route points in South Carolina without restriction and to and from all intermediate and all off-route points in North Carolina restricted to the transportation of traffic moving between points in South Carolina, on the one hand, and, on the other, points in North Carolina. Route 22: Between Savannah, Ga., and Charlotte, N.C., from Savannah, over U.S. Highway 321 to Columbia, S.C., thence over U.S. Highway 21 to Charlotte, N.C., and return over the same route. In connection with Route 22, service is sought to and from all intermediate and all off-route points in Georgia and South Carolina without restriction, and all intermediate and all off-route points in North Carolina restricted to the transportation of traffic moving between points in South Carolina, on the one hand, and, on the other, points in North Carolina. Route 23: Between Asheville, N.C., and Winston-Salem, N.C., over Interstate Highway 40. In connection with Route 23, service is sought to and from all intermediate points and all off-route points in North Carolina, restricted to the transportation of traffic moving between points in South Carolina, on the one hand, and, on the other, points in North Carolina.

Route 24: Between Augusta, Ga., and Baltimore, Md., (a) from Augusta, over U.S. Highway 1 to Baltimore, and return over the same route, (b) from Augusta, Ga., over U.S. Highway 25 to its junction with Interstate Highway 20 approximately 10 miles north of Augusta, Ga., thence over Interstate Highway 20 to its junction with Interstate Highway 95 near Florence, S.C., thence over Interstate Highway 95 to Baltimore, and return over the same route. Route 25: Between Savannah, Ga., and Baltimore, Md., (a) from Savannah, Ga., over U.S. Highways 17 and 17A to Norfolk, Va., thence over Interstate Highway 64 and/or U.S. Highway 60 to Richmond, Va., thence over U.S. Highway 1 to Baltimore, and return over the same route, (b) from Savannah, Ga., over U.S. Highway 321 to junction with Interstate Highway 95 at or near Hardeeville, S.C., thence over Interstate Highway 95 to Baltimore, and return over the same route. In connection with Routes 24 and 25, service is sought to and from all intermediate and all off-route points in Georgia and South Carolina without restriction, all intermediate and all off-route points in North Carolina restricted to the transportation of traffic moving between points in South Carolina, on the one hand, and, on the other, points in North Carolina, and the intermediate point of Richmond, Va., restricted to the transportation of traffic moving between points in South Carolina, on the one hand, and, on the other, Richmond, Va., and Baltimore, Md. Route 26: Between Cedartown, Ga., and Mobile, Ala., from Cedartown, to Piedmont, Ala., over U.S. Highway 278, thence over Alabama Highway 21 to Talladega, Ala., thence over U.S. Highway 231 and/or 231A to Montgomery, Ala., thence over Interstate Highway 65 and/or U.S. Highway 31 to Mobile, and return over the same route. Route 27: Between Cedartown, Ga., and Scottsboro, Ala., from Cedartown, Ga., over U.S. Highway 27 to Summerville, Ga., thence over Georgia Highway 48 to Alabama-Georgia State line, thence over Alabama Highway 117 to Hammondville, Ala., thence over Alabama Highway 40 to its intersection with Alabama Highway 35 near Scottsboro, Ala., thence over Alabama Highway 35 to its intersection with U.S. Highway 72, thence over U.S. Highway 72 to Scottsboro and return over the same route.

Route 28: Between Cedartown, Ga., and Brewton, Ala., from Cedartown, over U.S. Highway 27 to La Grange, Ga., thence over U.S. Highway 29 to Brewton, and return over the same route. Route 29: Between Cedartown, Ga. and Montgomery, Ala., from Cedartown, over U.S. Highway 27 to its junction with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, and return over the same route. Route 30: Between Cedartown, Ga., and Mobile, Ala., from Cedartown over U.S. Highway 278 to Piedmont, Ala., thence over Alabama Highway 21 to its intersection with U.S. Highway 78 and/or Interstate Highway 20 at or near Oxford, Ala., thence over U.S. Highway 78 and/or Interstate Highway 20 to intersection with U.S. Highway 231 at or near Pell City, Ala., thence over U.S. Highway 231 to Harpersville, Ala., thence over Alabama Highway 25 to its intersection with Alabama Highway 5 at or near Centreville, Ala., thence over Alabama Highway 5 to its intersection with U.S. Highway 43 near Thomasville, Ala., thence over U.S. Highway 36 to Mobile, and return over the same route. In connection with Routes 26, 27, 28, 29, and 30, service is sought to and from all intermediate points and all off-route

points in Georgia without restriction and all intermediate and all off-route points in Alabama restricted to the transportation of traffic moving between such Alabama points on the one hand, and, on the other, Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga. Route 31: Between Birmingham, Ala., and Tuscaloosa, Ala., from Birmingham over U.S. Highway 11 and/or Interstate Highway 20 and Interstate Highway 59 to Tuscaloosa, and return over the same route.

Route 32: Between Tuscaloosa, Ala., and Winfield, Ala., over U.S. Highway 43. Route 33: Between Cullman, Ala., and Hamilton, Ala., over U.S. Highway 278. Route 34: Between Summerville, Ga., and Miami, Fla., (a) from Summerville, over U.S. Highway 27 to Carrollton, Ga., thence over U.S. Highway 27A to its junction with Georgia Highway 16 near Newnan, Ga., thence over Georgia Highway 16 to its junction with U.S. Highway 41 at Griffin, Ga., thence over U.S. Highway 41 to Barnesville, Ga., thence over U.S. Highway 341 to its junction with Interstate Highway 75, at or near Perry, Ga., thence over Interstate Highway 75 to its junction with Florida Highway 44 near Wildwood, Fla., thence over Florida Highway 44 to its junction with U.S. Highway 27 at or near Leesburg, Fla., thence over U.S. Highway 27 to Miami, and return over the same route; (b) also over the immediately above-described route from Summerville, Ga., to the junction of Interstate Highway 75 and U.S. Highway 41 at or near Perry, Ga., thence over U.S. Highway 41 to its junction with U.S. Highway 441 at or near Lake City, Fla., thence over U.S. Highway 441 to Miami, and return over the same route; (c) also over the immediately above-described route to Griffin, Ga., thence over U.S. Highway 41 to Miami, and return over the same route. Route 35: Between Summerville, Ga., and Tampa, Fla., (a) from Summerville, over U.S. Highway 27 to Carrollton, Ga., thence over U.S. Highway 27A to its junction with Georgia Highway 16 near Newnan, Ga., thence over Georgia Highway 16 to its junction with U.S. Highway 41 at Griffin, Ga., thence over U.S. Highway 41 to Barnesville, Ga., thence over U.S. Highway 341 to its junction with Interstate Highway 75 at or near Perry, Ga., thence over Interstate Highway 75 to Tampa, and return over the same route, (b) also over the immediately above-described route to Perry, Ga., thence over U.S. Highway 41 to Tampa, Fla., and return over the same route.

Route 36: Between Summerville, Ga., and St. Petersburg, Fla., over the routes described in Route 35 (a) and (b) above to Tampa, Fla., thence over U.S. Highway 92 and/or Interstate Highway 4 to St. Petersburg, and return over the same route. Route 37: Between Cedartown, Ga., and St. Petersburg, Fla., from Cedartown, Ga., over U.S. Highway 278 to Atlanta, Ga., thence over U.S. Highway 19 to St. Petersburg, and return over the same route. Route 38: Between Summerville, Ga., and High Springs, Fla., over U.S. Highway 27. Route 39: Between Summerville, Ga. and the intersection of U.S. Highways 331 and 98 at a point approximately 27 miles east of Fort Walton Beach, Fla., from Summerville over U.S. Highway 27 to its intersection with Interstate Highway 85 at or near La Grange, Ga., thence over Interstate Highway 85 to Montgomery, Ala., thence over U.S. Highway 331 to the aforenamed intersection, and return over the same route. Route 40: Between Summerville, Ga., and Jacksonville, Fla., from Summerville, over U.S. Highway 27 to Cedartown, Ga., thence over U.S. Highway 278 to Atlanta, Ga., thence over U.S. Highways 23, 41, and/or Interstate Highway 75 to Macon, Ga., thence over U.S. Highway 23 to Jacksonville, and return over the same route. Route 41: Between Summerville, Ga., and Panama City, Fla., (a) from Summerville over U.S. Highway 27 to its junction with Georgia Highway 100, approximately 3 miles south of Cedartown, Ga., thence over Georgia Highway 100 to its intersection with U.S. Highway 78, thence over U.S. Highway 78 to Heflin, Ala., thence over Alabama Highway 9 to its junction with U.S. Highway 231 near Wetumpka, Ala., thence over U.S. Highway 231 to Panama City, and return over the same route; (b) from Summerville over U.S. Highway 27 to Columbus, Ga., thence over U.S. Highway 431 to Dothan, Ala., thence over U.S. Highway 231 to Panama City, and return over the same route.

Route 42: Between Birmingham, Ala., and Lake City, Fla., from Birmingham, over U.S. Highway 280 to Cusseta, Ga., thence over Georgia Highway 55 to Albany, Ga., thence over U.S. Highway 82 to Tifton, Ga., thence over U.S. Highway 41 and/or Interstate Highway 75 to Lake City, and return over the same route. Route 43: Between Decatur, Ala., and Pensacola, Fla., (a) from Decatur, Ala., over U.S. Highway 31 to Flomaton, Ala., thence over U.S. Highway 29 to Pensacola, and return over the same route; (b) from Decatur, Ala., over Interstate Highway 65 to its junction with Alabama Highway 21 near Atmore, Ala., thence over Alabama Highway 21 to its junction with Florida Highway 97 at the Alabama-Florida State line, thence over Florida Highway 97 to its junction with U.S. Highway 29, thence over U.S. Highway 29 to Pensacola and return over the same route; (c) also over the routes described in Route 43 above to Evergreen, Ala., thence over U.S. Highway 31 to Brewton, Ala., thence over U.S. Highway 29 to Pensacola, and return over the same route, (d) also over the routes described in Route 43 above to Brewton, Ala., thence over Alabama Highway 41 to the Alabama-Florida State line, thence over Florida Highway 87 to its junction with U.S. Highway 90 at or near Milton, Fla., thence over U.S. Highway 90 to Pensacola, and return over the same route. Route 44: Between Mobile, Ala., and Perry, Fla., over U.S. Highway 98. Route 45: Between Tampa, Fla., and Vero Beach, Fla., over Florida Highway 60. Route 46: Between Jacksonville, Fla., and Miami, Fla., from Jacksonville, Fla., over U.S. Highway 1 and/or Interstate Highway 95 to Miami, Fla., and return over the same route. Route 47: Between Tampa, Fla., and the junction of U.S. Highway 1, and Interstate Highway 4 at or near Daytona Beach, Fla., over Interstate Highway 4.

Route 48: Between Mobile, Ala., and Jacksonville, Fla., from Mobile, Ala., over U.S. Highway 90 and/or Interstate Highway 10 to Jacksonville, Fla., and return over the same route. In connection with Routes 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48, service is sought to and from: (a) all intermediate points and all off-route points in Georgia without restriction; (b) all intermediate and all off-route points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, Ala., restricted to the transportation of traffic moving between such Alabama points, on the one hand, and, on the other, points in that part of Florida described in (d) below (restricted against the transportation of cement and lime from the origin points of Leeds, Roberta, Ragland and North Birmingham, Ala.); (c) all intermediate and off-route points in Alabama restricted to the transportation of traffic moving between Alabama points, on the one hand, and, on the other, Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga.; (d) all intermediate and all off-route points in that part of Florida on and bounded by a line beginning at Clearwater, Fla., and extending along Florida Highway 590 to Junction Florida Highway 580, thence along Florida Highway 580 to Tampa, Fla., thence along U.S. Highway 92 to Orlando, Fla., thence along U.S. Highway 441 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 129, thence along U.S. Highway 129 to the Florida-Georgia State line; thence along the Florida-Georgia State line to the Florida-Alabama State line, thence along the Florida-Alabama State line to the Gulf of Mexico, and thence along the Gulf of Mexico to point of beginning, restricted to the transportation of traffic moving between such Florida points, on the one hand, and, on the other, points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, Ala. (restricted against the transportation of cement and lime from the origin points of Leeds, Roberta, Ragland and North Birmingham, Ala.); or (e) all intermediate and off-route points in Florida restricted to the transportation of traffic moving between Florida points, on the one hand, and, on the other, through Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga.

Route 49: Between Cedartown, Ga., and Nashville, Tenn., (a) from Cedartown, over U.S. Highway 27 to Chattanooga, Tenn., (1) thence over U.S. Highway 41 to Nashville, Tenn., also (2) from Chattanooga, Tenn., over Interstate Highway 59 to its junction with Interstate Highway 24; thence over Interstate Highway 24 to Nashville, and return over the same routes, (b) from Cedartown, to Rome, Ga., over U.S. Highway 27, thence over Georgia Highway 20 to the Georgia-Alabama State line, thence over Alabama Highway 9 to its intersection with Alabama Highway

35 at or near Lawrence, Ala., thence over Alabama Highway 35 to its junction with U.S. Highway 72 at or near Scottsboro, Ala., thence over U.S. Highway 72 to Huntsville, Ala., thence (1) over U.S. Highway 431 to Nashville, Tenn., (2) from Huntsville, Ala., over U.S. Highway 231 to Shelbyville, Tenn., thence over alternate U.S. Highway 41 to Nashville, Tenn., and (3) from Huntsville, Ala., over U.S. Highway 231 to Murfreesboro, Tenn., thence over U.S. Highway 41 to Nashville, and return over the same routes. In connection with Route 49, service is sought to and from all intermediate and all off-route points in Georgia without restriction; all intermediate and all off-route points in Tennessee, restricted to the transportation of traffic moving between such Tennessee points, on the one hand, and, on the other, Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga. Route 50: Between Birmingham, Ala., and Memphis, Tenn., over U.S. Highway 78. Route 51: Between Cullman, Ala., and Memphis, Tenn., from Cullman over Alabama Highway 157 to its intersection with U.S. Highway 72 at Tuscumbia, Ala., thence over U.S. Highway 72 to Memphis, Tenn., and return over the same route. Route 52: Between Chattanooga, Tenn., and Decatur, Ala., from Chattanooga, over U.S. Highway 64 to its junction with U.S. Highway 72 near South Pittsburg, Tenn., thence over U.S. Highway 72 to Huntsville, Ala., thence over alternate U.S. Highway 72 to Decatur, and return over the same route.

Route 53: Between Birmingham, Ala., and Bristol, Tenn., (a) from Birmingham, over U.S. Highway 11 to Knoxville, Tenn., thence over U.S. Highway 11W to Bristol, Tenn., and return over the same route, (b) from Birmingham over Interstate Highway 59 to Chattanooga, Tenn., thence over Interstate Highway 75 to Knoxville, Tenn., thence over Interstate Highway 40 to its junction with Interstate Highway 81, approximately 12 miles northwest of Newport, Tenn., thence over Interstate Highway 81 to Bristol, and return over the same route. In connection with Routes 50, 51, 52, and 53, service is sought to and from: (a) all intermediate and all off-route points in Georgia without restriction; (b) all intermediate and all off-route points within 65 miles of Birmingham, Ala., including Birmingham, Ala., restricted to the transportation of traffic moving between such Alabama points, on the one hand, and, on the other, (1) points in Tennessee (restricted against the transportation of cement and lime from the origin points of Leeds, Roberta, Ragland and North Birmingham, Ala.) or between such Alabama points, on the one hand, and, on the other, Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga.; (c) all intermediate and all off-route points in Alabama beyond 65 miles of Birmingham, Ala., restricted to the transportation of traffic moving between such Alabama points, on the one hand, and, on the other, Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga.; and (d) all intermediate and all off-route points in Tennessee, restricted to the transportation of traffic moving between points in Tennessee, on the one hand, and, on the other, (1) points within 65 miles of Birmingham, Ala., including Birmingham, Ala., (restricted against the transportation of cement and lime from the origin points of Leeds, Roberta, Ragland and North Birmingham, Ala.), or (2) between points in Tennessee, on the one hand, and, on the other, Cedartown, Lindale, Mount Berry, Rome, or Summerville, Ga.

Route 54: Between Birmingham, Ala., and Chicago, Ill., (a) from Birmingham to Nashville, Tenn., over U.S. Highway 31 and/or Interstate Highway 65; thence over alternate U.S. Highway 41A to Hopkinsville, Ky., thence over U.S. Highway 41 to Chicago, and return over the same route, (b) from Birmingham over U.S. Highway 78 to Jasper, Ala., thence over Alabama Highway 5 to Bear Creek, Ala., thence over Alabama Highway 237 to Spruce Pine, Ala., thence over U.S. Highway 43 to Florence, Ala., thence over U.S. Highway 72 to Corinth, Miss., thence over U.S. Highway 45 to Jackson, Tenn., thence over U.S. Highway 45E to Fulton, Ky., thence over U.S. Highway 51 to Bloomington, Ill., thence over U.S. Highway 66 to Chicago, and return over the same route. Route 55: Between Birmingham, Ala., and Indianapolis, Ind., from Birmingham, over U.S. Highway 31 and/or Interstate Highway 65 to Nashville, Tenn., thence over U.S. Highway 31W Alternate and/or Interstate Highway 65 to Indianapolis, and return over the same route. Route 56: Between Birmingham, Ala., and Cincinnati, Ohio, from Birmingham, Ala., over Interstate Highway 65 and/or U.S. Highway 31 to Nashville, Tenn., thence over U.S. Highway 31W and/or Interstate Highway 65 to Lousiville, Ky., thence over Interstate Highway 71 and/or U.S. Highway 42 to Cincinnati, and return over the same route. Route 57: Between Birmingham, Ala., and Cleveland, Ohio, from Birmingham, over U.S. Highway 11 and/or Interstate Highway 59 to Chattanooga, Tenn., thence over U.S. Highway 27 and/or Interstate Highway 75 to Lexington, Ky., thence over U.S. Highway 25 and/or Interstate Highway 75 to Cincinnati, Ohio, thence over U.S. Highway 42 and/or Interstate Highway 71 to Cleveland, and return over the same route.

Route 58: Between Decatur, and Chicago, Ill., from Decatur, over U.S. Highway 51 to Mendota, Ill., thence over U.S. Highway 34 to Chicago, and return over the same route. Route 59: Between Fort Wayne, Ind., and Chicago, Ill., from Fort Wayne, Ind., over U.S. Highway 33 to South Bend, Ind., (a) thence over Indiana Highway 2 to its junction with U.S. Highway 20 at or near Rolling Prairie, Ind., thence over U.S. Highway 20 to Chicago, Ill., and return over the same route, (b) also, from South Bend, Ind., over Indiana Highway 2 to its intersection with Interstate Highway 80 and Interstate Highway 90 at or near Rolling Prairie, Ind., thence over Interstate Highway 80 and/or Interstate Highway 90 to Chicago, and return over the same route. Route 60: Between Indianapolis, Ind., and Chicago, Ill., from Indianapolis, over Interstate Highway 65 to Gary, Ind., thence over Interstate Highway 94 to Chicago, and return over the same route. Route 61: Between Indianapolis, Ind., and Fort Wayne, Ind., from Indianapolis, over Interstate Highway 69 (also over Indiana Highway 37) to Fort Wayne, Ind., and return over the same route. Route 62: Between Indianapolis, Ind., and the intersection of U.S. Highways 41 and 52 near Gravel Hill, Ind., from Indianapolis, over U.S. Highway 52 to the intersection of U.S. Highways 52 and 41 near Gravel Hill, and return over the same route. Route 63: Between South Bend, Ind., and Indianapolis, Ind., over U.S. Highway 31. Route 64: Between Indianapolis, Ind., and Cincinnati, Ohio, from Indianapolis, over U.S. Highway 52 and/or Interstate Highway 74 to Cincinnati, and return over the same route. Route 65: Between Columbus, Ohio, and Indianapolis, Ind., from Columbus, over U.S. Highway 40 and/or Interstate Highway 70 to Indianapolis, and return over the same route. Route 66: Between Chicago, Ill., and Cleveland, Ohio, from Chicago over Interstate Highways 80 and/or 90 to Cleveland, and return over the same route. Route 67: Between Cincinnati, Ohio, and Fort Wayne, Ind., over U.S. Highway 27.

Route 68: Between Cincinnati, Ohio, and Cleveland, Ohio, from Cincinnati, over U.S. Highway 22 to Washington Courthouse, Ohio, thence over U.S. Highway 62 to Canton, Ohio, thence over Ohio Highway 8 to Cleveland, and return over the same route. Route 69: Between Cincinnati, Ohio, and Toledo, Ohio, from Cincinnati, Ohio, over U.S. Highway 25 and/or Interstate Highway 75 to Toledo, and return over the same route. Route 70: Between Columbus, Ohio, and Toledo, Ohio, over U.S. Highway 23. Route 71: Between the junction of Interstate Highway 80S and Interstate Highway 71, approximately 13 miles south of Medina, Ohio, and Youngstown, Ohio, from the aforesaid junction over Interstate Highway 80S to its junction with Ohio State Highway 18, thence over Ohio State Highway 18 and/or Interstate Highway 80S to Youngstown, Ohio, and return over the same route. In connection with Routes 54 through 71, inclusive, service is sought to and from: (a) all intermediate and off-route points in Alabama within 65 miles of Birmingham, Ala., including Birmingham, Ala., restricted to the transportation of traffic moving from, to, or through points in Tennessee; and (b) all intermediate and all off-route points in Indiana and Tennessee and those in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State

line, and thence along the Illinois-Indiana State line to point of beginning, and those in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio.

Restriction: All service covered in Routes 14 through 71, inclusive, restricted to the transportation of traffic moving between points in Alabama within 65 miles of Birmingham, Ala., on the one hand, and, on the other, points in Indiana, and Tennessee, points in that part of Florida on and bounded by a line beginning at Clearwater, Fla., and extending along Florida Highway 590 to junction Florida Highway 580, thence along Florida Highway 580 to Tampa, Fla., thence along U.S. Highway 92 to Orlando, Fla., thence along U.S. Highway 441 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 129, thence along U.S. Highway 129 to the Florida-Georgia State line, thence along the Florida-Georgia State line to the Florida-Alabama State line, thence along the Florida-Alabama State line to the Gulf of Mexico, and thence along the Gulf of Mexico to point of beginning, points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Ill., thence along Illinois Highway 116 to Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to Chicago, Ill., thence along Lake Michigan to the Illinois-Indiana State line, and thence along the Illinois-Indiana State line to point of beginning, and those in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio (and further restricted against the transportation of cement and lime from the origin points of Leeds, Roberta, Ragland, and North Birmingham, Ala.). NOTE: Applicant states that the purpose of this application is to convert applicant's existing irregular-route, general commodities authority to regular route, general commodities authority of equivalent scope.

The regular route authority here sought comprehends the same commodities, the same points, and the same territorial limitations and "gateways" as presently apply respecting applicant's irregular-route authority. In connection with the authority here sought, applicant will rely upon evidence of its past, existing, and evolving operations to support a grant of the authority sought. Applicant further states that it does not here seek any duplicating authority and is willing upon grant of the authority here sought: (a) To surrender for cancellation the existing irregular-route authority; (b) to have inserted in the existing irregular-route authority and the authority granted herein conditions precluding severance of such authorities by sale or otherwise prohibiting service between the same points under both types of authorities. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103993 (Sub-No. 534), filed June 15, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Paul H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drywall accessories*, including adhesives, cement, tape, beads, corners, studs, and nails, except in bulk, from plantsite and warehouse facilities of Supro Corp., Cleveland, Ohio, to points in Connecticut, District of Columbia, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 103993 (Sub-No. 535), filed June 15, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes and sectional buildings*, from Livingston, Mont., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary applicant requests it be held at Butte, Mont.

No. MC 103993 (Sub-No. 536), filed June 15, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Cumberland County, Tenn., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 103993 (Sub-No. 537), filed June 15, 1970. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representatives: Paul D. Borghesani and Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Otsego County, N.Y., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 105566 (Sub-No. 18), filed June 12, 1970. Applicant: SAM TANKSLEY TRUCKING, INC., Post Office Box 1119, Cape Girardeau, Mo. 63701. Applicant's representative: Thomas F. Kilroy, 2111 Jefferson Davis Highway, Arlington, Va. 22202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products*, from Oran, Mo., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC 106398 (Sub-No. 481), filed June 5, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, initial movements, in truckaway service and buildings in sections mounted on wheeled undercarriages from points of manufacture, from points in Park County, Mont., to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Billings or Butte, Mont.

No. MC 106398 (Sub-No. 482), filed June 5, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as applicant), and Leonard A. Jaskiewicz, 1730 M Street NW., Suite 501, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipes, ducts, fittings and heating, cooling and couplings used in air-handling systems, and material, supplies, and accessories used in the installation of such systems*, from the plantsite of United Sheet Metal at Rockford, Ill., to points in the United States (except Alaska and Hawaii, North Dakota, Colorado, New Mexico, Texas, Oklahoma, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, and North Carolina). NOTE: Applicant states that the requested authority can be tacked with the authority pending to merge Whitehouse Trucking, Inc., in MC-F 10725 into National Trailer Convoy, Inc., but indicates that it has no present intention to

tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 106398 (Sub-No. 483), filed June 8, 1970. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. 74151. Applicant's representatives: Irvin Tull (same address as above), and Leonard A. Jaskiewicz, 1730 M Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, roof decking, platforms, and accessories* used in the installation thereof, from Oregon, Ohio, to points in the United States (except Alaska and Hawaii). NOTE: Applicant states that the requested authority can be tacked with authorities in MC 106760 and subs thereunder, but indicates that it has no present intention to tack. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Toledo, Ohio.

No. MC 107151 (Sub-No. 24), filed June 11, 1970. Applicant: H. F. JOHNSON, INC., 1524 Lockwood Road, Billings, Mont. 59103. Applicant's representative: Hugh Sweeney, 2718 Third Avenue North, Post Office Box 1321, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Asphalts and residual fuels*, from Cody, Wyo., to points in Utah and Nevada, (2) *petroleum and petroleum products*, in bulk in tank vehicles, from Great Falls and Kevin, Mont., and points within 5 miles thereof and points in Glacier County, Mont., to points in Idaho and Washington, and (3) *asphalts and residual fuels*, from Billings, and Laurel, Mont., and points within 5 miles of each, to points in Utah and Nevada. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Billings, Mont., or Spokane, Wash.

No. MC 107295 (Sub-No. 392), filed June 8, 1970. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire, nails, mesh, staples, gates, rods, reinforcement bars, corrugated sheets, billets, fencing with parts, and accessories therefore*, from the plantsite of Continental Steel Corp., located at Kokomo, Ind., to points in Arkansas, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Pennsylvania, South Dakota, West Virginia, Wisconsin, points in Michigan on and north of U.S. Highway 10, and points in the Upper Peninsula of Michigan. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 107456 (Sub-No. 18), filed June 8, 1970. Applicant: HARRY L. YOUNG & SONS, INC., 542 West Sixth South, Salt Lake City, Utah. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which, by reason of size or weight, require special handling or the use of special equipment, and *commodities* which do not require special handling or the use of special equipment when moving in the same shipment on the same bill of lading as commodities which, by reason of size or weight, require special handling or the use of special equipment, and (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Oregon and Washington, on the one hand, and, on the other, points in Utah, Idaho, and Montana. Applicant states it intends to tack to provide a through service at points in Arizona, Idaho, Montana, Nevada, California, and Utah, either under presently held or pending authority. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, Portland, Oreg., or Seattle, Wash.

No. MC 108053 (Sub-No. 95), filed June 4, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Meats, meat products and meat byproducts and articles* distributed by meat packinghouses, from Omaha, Nebr., to points in Arizona, Idaho, Montana, Nevada (except Reno and Las Vegas), Oregon, and Washington, restricted to traffic originating at the plantsite or warehouse facilities utilized by Wilson Certified Foods, Inc. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 108053 (Sub-No. 96), filed June 8, 1970. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 129, Fremont, Nebr. 68025. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Saugatuck, Mich., to points in Colorado, Idaho, Montana, Nevada, North Dakota, South Dakota, Oregon, Utah, Washington, Wyoming, restricted to traffic from the plantsite and/or storage facilities of the Lloyd J. Harriss Pie Co. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 109294 (Sub-No. 13), filed March 16, 1970. Applicant: COMMERCIAL TRUCK CO., LTD., 230 Brunette Street, New Westminster, British Columbia, Canada. Applicant's representative: Joseph O. Earp, 607 Third Avenue, Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Clallam and Jefferson Counties, Wash., to ports of entry on the international boundary line between the United States and Canada, at or near Blaine and Sumas, Wash. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 109551 (Sub-No. 4), filed June 2, 1970. Applicant: MILLER TRUCKING, INC., 1001 South Fourth Street, Gas City, Ind. Applicant's representative: Donald W. Smith, 900 Circle Tower, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass and plastic containers and closures therefor*, from points in Indiana, to points in Kentucky, Ohio, Michigan, on the south of Michigan Highway 46, and St. Louis, Mo., restricted to traffic originating at the warehouse facilities owned or used by Owens-Illinois, Inc. NOTE: Applicant holds contract carrier authority under MC 74598, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Washington, D.C.

No. MC 110420 (Sub-No. 615), filed June 8, 1970. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. 53105. Applicant's representative: A. Bryant Torhorst (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Chicago, Ill., and points in its commercial zone, to points in the United States (except Hawaii). NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant further states no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110683 (Sub-No. 74), filed June 12, 1970. Applicant: SMITH'S TRANSFER CORPORATION, Post Office Box No. 1000, Staunton, Va. 24401. Applicant's representative: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from Philadelphia, Pa., to points in Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112822 (Sub-No. 161), filed June 5, 1970. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Carl L. Wright (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods and dog food*, from the plantsites of Allen Canning Co., 8 miles northeast of Siloam Springs, Ark., Gentry and Siloam, Ark., Proctor and Kansas, Okla., to points in California, Kansas, New Mexico, Oregon, Texas, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. It further states no duplicate authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark., or Oklahoma City, Okla.

No. MC 113678 (Sub-No. 390), filed June 15, 1970. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representatives: Duane W. Acklie, and Richard Peterson, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Clay County, Miss., to points in Washington, Oregon, California, Nevada, Arizona, Utah, Colorado, and Kansas on and west of U.S. Highway 75. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Denver, Colo.

No. MC 113024 (Sub-No. 91), filed June 16, 1970. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: S. Earnshaw, 835 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting: *Rubber hose*, from Wilmington, Del., to Mishawaka, Ind., under contract with Electric Hose & Rubber Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 206), filed June 8, 1970. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum pipe and/or tubing, aluminum billets, aluminum dross, aluminum fittings, and aluminum blanks, stampings, or unfinished shapes*, from Ellenville, N.Y., to points in Minnesota, Iowa, Nebraska, Kansas, Missouri, Arkansas, and Louisiana, and to points in States east of the aforementioned States; (2) *steel conduit*, from Bala Cynwyd, Pa., to points in Connecticut, Illinois, Indiana, Iowa, Kentucky, Maryland, Arkansas, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Tennessee, and Wisconsin. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114045 (Sub-No. 339), filed June 8, 1970. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. 75222. Applicant's Representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum pipe and/or tubing; aluminum billets; aluminum dross; aluminum fittings; and aluminum blanks, stampings, or unfinished shapes*, from Ellenville, N.Y., to points in Oklahoma and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New York City, N.Y.

No. MC 114969 (Sub-No. 39), filed June 11, 1970. Applicant: PROPANE TRANSPORT, INC., Post Office Box 232, 1734 State Route 131, Milford, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Van Wert, Ohio, to points in Kentucky, Indiana, Michigan, and West Virginia. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 115180 (Sub-No. 56), filed June 16, 1970. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from points in Minnesota, Wisconsin, and Illinois, to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 115180 (Sub-No. 57), filed June 16, 1970. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from Evansville, Indianapolis, and Washington, Ind., and Louisville, Ky., to points in Illinois, Wisconsin, Minnesota, Michigan, Ohio, Indiana, Pennsylvania, New Jersey, New York, Massachusetts, Connecticut, Rhode Island, Vermont, Maine, New Hampshire, Virginia, and West Virginia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 115311 (Sub-No. 110), filed June 10, 1970. Applicant: J & M TRANSPORTATION CO., INC., Post Office Box 488, Milledgeville, Ga. 31061. Applicant's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper articles*, between Yulee, Fla., on the one hand, and, on the other, points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Jacksonville, Fla.

No. MC 116273 (Sub-No. 125), filed June 8, 1970. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60605. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Chicago, Ill., to points in Arizona. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are

cautioned that failure to oppose the application may result in an unrestricted grant of authority. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116763 (Sub-No. 170), filed May 8, 1970. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 43580. Applicant's representative: H. M. Richters (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned, preserved, prepared, and frozen foods*, except commodities in bulk, in mechanically refrigerated vehicles, from Archbold, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and warehouse facilities of Beatrice Foods Companies including divisions and/or subsidiaries thereof, and destined to the named territories. NOTE: Applicant states no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116949 (Sub-No. 16), filed June 8, 1970. Applicant: BURNS TRUCKING INC., Route No. 1, South Sioux City, Nebr. Applicant's representative: Paul W. Deck, 222 Davidson Building, Sioux City, Iowa 51101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel and aluminum materials, products, components, parts and accessories* used in the manufacture and production of trailers, from the plantsites of Wilson Trailer Co. in/or near Sioux City, Iowa, to the plantsite of Wiltco Manufacturers, Inc., at/or near Yankton, S. Dak., under contract with Wiltco Manufacturers, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 117119 (Sub-No. 424), filed June 11, 1970. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Post Office Box 188, Elm Spring, Ark. 72728. Applicant's representative: Bobby G. Shaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from Saugatuck, Mich., to points in Colorado, Idaho, Montana, Nevada, North Dakota, South Dakota, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the plantsite and/or warehouse facilities of the Lloyd J. Harriss Pie Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Detroit, Mich.

No. MC 117765 (Sub-No. 105), filed June 8, 1970. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth Street, Post Office Box 75267, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer, fertilizer compound and ingredients, and urea*, dry, in bag or bulk, from Tonkawa, Okla., to points in Kansas; and (2) *malt beverages*, in containers and *related advertising* when moving in shipments of malt beverages, (a) from Belleville, Ill., to Wichita, Kans.; (b) from Peoria, Ill., to Salina, Manhattan, and Wichita, Kans.; and (c) from Fort Worth, Tex., to Fort Smith, Ark. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117799 (Sub-No. 3), filed June 5, 1970. Applicant: BEST WAY FROZEN EXPRESS, INC., 3033 Excelsior Boulevard, Minneapolis, Minn. 55416. Applicant's representative: Andrew R. Clark, 100 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles equipped with mechanical refrigeration (except commodities in bulk, in tank vehicles), from points in Minnesota, Wisconsin, and Illinois, to points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, Wisconsin, and the District of Columbia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 117940 (Sub-No. 23), filed June 8, 1970. Applicant: NATIONWIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Frozen foods*, from the plantsite and storage facilities of Pet, Inc., Frozen Foods Division, Chickasha, Okla., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin. NOTE: Applicant states that the requested authority can be tacked with its existing authority but indicates that it has no present intention to tack and therefore does not identify the points or territories which can be served through tacking. Persons interested in the tacking possibilities are cautioned that failure to oppose the application may result in an unrestricted grant of authority. Applicant holds contract carrier authority under MC 114789 and subs thereunder; therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 118159 (Sub-No. 97), filed June 12, 1970. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, New Orleans, La. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles* distributed by meat packinghouses as described in sections A and C of appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from the plantsite of Missouri Beef Packers, Inc., at or near Plainview, Tex., to points in Ohio, Indiana, Oklahoma, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, and Georgia. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Oklahoma City, Okla., Washington, D.C., or New Orleans, La.

No. MC 119789 (Sub-No. 31), filed June 10, 1970. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6188, Dallas, Tex. 75222. Applicant's representative: James T. Moore (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by products and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from the plantsite of Missouri Beef Packers, Inc., at or near Plainview, Tex., to points in Alabama, Georgia, Tennessee, Louisiana, Kentucky, North Carolina, South Carolina, Mississippi, Minnesota, Wisconsin, Michigan, Ohio, Indiana, Illinois, and Pensacola Fla. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex., Kansas City, Mo., or Washington, D.C.

No. MC 123654 (Sub-No. 2), filed June 12, 1970. Applicant: DORIS JONES, doing business as DORIS JONES TRUCKING COMPANY, Post Office Box 13, Gleason, Tenn. 38229. Applicant's representative: James Clarence Evans, 18th Floor, Third National Bank Building, Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Gleason and Nashville, Tenn., to (1) points in that part of Mississippi on or north of U.S. Highway 80, and, on completion of Interstate Highway 20, on or north of said Interstate Highway 20, (2) points in that part of Alabama on or north of the following described boundary; commencing at the Alabama-Mississippi State line east along U.S. Highway 80 to intersection U.S. Highway 29, thence along U.S. Highway 29 to the Alabama-Georgia State line, (3) points in that part of Georgia on or north of the following described boundary; commencing at the Alabama-Georgia State line northeastwardly along U.S. Highway 29 to Atlanta, Ga., thence along Interstate Highway 85 to intersection U.S. Highway 441, thence northerly along U.S. Highway 441 to the

Georgia-North Carolina State line, (4) points in that part of North Carolina on or west of the following described boundary; commencing at the Georgia-North Carolina State line northwardly along U.S. Highway 23 to its intersection with the North Carolina-Tennessee State line, (5) points in that part of Kentucky commencing at the Kentucky-Tennessee State line along U.S. Highway 25-E to Corbin, thence along U.S. Highway 25-E to Richmond, thence along U.S. Highway 227 to Winchester, thence along Interstate Highway 64 to Mt. Sterling, thence along U.S. Highway 460 northwestwardly to Paris, Ky., thence along U.S. Highway 27 to Covington and Newport, Ky., (6) points lying in Cincinnati, Ohio, and its commercial zone and points in Hamilton County, Ohio, (7) points in Indiana lying on or south of the followng described boundary; commencing at the intersection of Interstate Highway 74 and the Ohio-Indiana State line, thence northwesterly along Interstate Highway 74 to Indianapolis and thence westerly along U.S. Highway 40 to Illinois-Indiana State line.

(8) Points in that part of Illinois on or south of the following described boundary; commencing at the intersection of the Illinois-Indiana State line and U.S. Highway 40, thence westerly along Interstate Highway 70 to intersection Illinois Highway 140 thence westerly along Illinois Highway 140 to intersection U.S. Highway 67 at Alton, thence along U.S. Highway 67 to the Mississippi River, (9) points in that part of Missouri on or south of the following described boundary; commencing at the Mouth of the Missouri River thence westwardly along the Missouri River to its crossing by Missouri Highway 19 thence southwardly along Missouri Highway 19 to intersection U.S. Highway 66, thence westwardly along U.S. Highway 66 to Springfield, Mo., thence southerly along U.S. 65 to the Missouri-Arkansas State line, and including also St. Charles, Mo., which does not lie within the aforedescribed boundary, (10) points in that part of Arkansas on or east of the following described boundary; commencing at the Missouri-Arkansas State line along U.S. Highway 65 southerly to the Louisiana-Arkansas State line, and (11) serving points within the commercial zones of all points included within any and all of the foregoing, under contract with Herbert Materials, a division of W. G. Bush & Co., and its wholly owned subsidiary, Gleason Clay Products, Inc. NOTE: Applicant states that the purpose of this application is to expand the geographical limits of its presently held authority. Applicant does not seek any duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 123984 (Sub-No. 5) (Correction), filed May 18, 1970, published FEDERAL REGISTER issue of June 18, 1970, as No. MC 134630, and republished as corrected this issue. Applicant: COPEY'S MOVING & STORAGE CO., INC., 379 Penn Avenue, Sharon, Pa. 16146. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk in tank vehicles), between the piggyback ramp of the Erie Lackawanna Railway Co., at Sharon, Pa., on the one hand, and, on the other, points in Mahoning, Trumbull and Columbiana Counties, Ohio, and those in Mercer, Beaver, Lawrence, Crawford, and Venango Counties, Pa.; restricted to traffic having a prior or subsequent movement by rail in trailer-on-flatcar service. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. The purpose of this republication is to show the correct docket number assigned thereto in lieu of MC 134630, which was in error. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 123993 (Sub-No. 15), filed June 1, 1970. Applicant: FOGLEMAN TRUCK LINE, INC., Post Office Box 1504, Crowley, La. 70526. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Building, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt and salt products, mineral feed mixtures, material and supplies* used in agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries, in mixed loads with salt and mineral mixtures, and (2) *materials and supplies* used in manufacture and processing of salt and salt products and mineral feed mixtures, between the plant or warehouse facilities of Carey Salt Co., a subsidiary of Interspace Corp., at New Orleans, La., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant holds contract authority under MC 41116, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans or Baton Rouge, La.

No. MC 124174 (Sub-No. 80) (Correction), filed May 20, 1970, published in the FEDERAL REGISTER issue of June 11, 1970, and republished as corrected, this issue. Applicant: MOMSEN TRUCKING CO., a corporation, Highways 71 and 18 North, Spencer, Iowa 51301. Applicant's representative: Karl E. Momsen, 6801 L Street, Omaha, Nebr. 68117. The purpose of this partial republication is to include the destination States, Kansas, Wyoming, and Colorado, inadvertently omitted in the previous publication. The rest of the application remains the same.

No. MC 124212 (Sub-No. 50), filed June 15, 1970. Applicant: MITCHELL TRANSPORT, INC., 21111 Chagrin Boulevard, Cleveland, Ohio 44122. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement, pozzolan, and fly ash*, in bulk, from the railhead at Crum, Wash., located in Whitman County, Wash., to the Lower Granite Dam site located on the Snake River. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124708 (Sub-No. 24), filed June 8, 1970. Applicant: MEAT PACKERS EXPRESS, INC., 222 72d Street, Omaha, Nebr. 68114. Applicant's representative: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, frozen desserts, food stuffs, fruit drinks, fresh and frozen pudding, yogurt, dip and dressings, creamers, ice cream, and water ice confections*, (1) from Omaha, Nebr., to Tulsa and Durant, Okla., Topeka and Hays, Kans., Carroll, Iowa, Peoria, Ill., Kansas City, St. Louis, and Joplin, Mo., Denver, Colo., Boise, Idaho, and Phoenix, Ariz., and (2) from Denver, Colo., to Boise, Idaho, and Phoenix, Ariz. *Returned shipments* from the above named destination points to the above named origin points; under contract with Sealtest Foods. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 126714 (Sub-No. 3), filed June 15, 1970. Applicant: SOUTHWEST DELIVERY CO., INC., 304 Columbia Street, Vacouver, Wash. 98660. Applicant's representative: William J. Lippman, Suite 820, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Portland, Oreg., and Everett, Wash., over Interstate Highway 5 and/or U.S. Highway 99, serving the intermediate points of Vancouver and Olympia, Wash., and serving all intermediate points between Olympia and Everett, Wash. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 127505 (Sub-No. 32), filed May 26, 1970. Applicant: RALPH H. BOELK, doing business as R. H. BOELK TRUCK LINES, Route No. 2, Mendota, Ill. 61342. Applicant's representative: Ralph H. Boelk (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum blanks, extrusions, molding, shapes, sheet and stampings*, (except those which because of size or weight require the use of special equipment or handling), from St. Charles, Ill., to Goshen, Milford, New Paris, Lagrange, Plymouth and Syracuse, Ind.; Waldron, Mich.; Edgerton, Wis., and Bradner, Lima, and Van Wert, Ohio; and (2) *household appliances* in containers, from Louisville, Ky., to Edina, Minn. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing

is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127834 (Sub-No. 56), filed June 8, 1970. Applicant: CHEROKEE HAULING & RIGGING, INC., 540–42 Merritt Avenue, Nashville, Tenn. 32703. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water heaters and storage tanks*, from Ashland City, Tenn., to points in that part of the United States in and east of North Dakota, South Dakota, Nebraska, Colorado, New Mexico, Texas. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 128201 (Sub-No. 3), filed June 19, 1970. Applicant: SCHUSTER GRAIN COMPANY, INC., U.S. Highway 75 South, Le Mars, Iowa. Applicant's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed and animal health products*, from Des Moines, Iowa, to points in Nebraska, South Dakota, and Minnesota, and from Omaha, Nebr., to Des Moines, Iowa, under contract with Nixon & Co., a division of Nebraska Consolidated Milling Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Des Moines, Iowa.

No. MC 128273 (Sub-No. 71), filed June 8, 1970. Applicant: MIDWESTERN EXPRESS, INC., Box 189, Fort Scott, Kans. 66701. Applicant's representative: Danny Ellis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, products produced or distributed by manufacturers and converters of paper and paper products, and materials and supplies* used in the manufacture and distribution of the foregoing commodities (except commodities which, because of size or weight, require the use of special equipment, and except commodities in bulk), between points in Montgomery County, Ohio, on the one hand, and, on the other, points in California, Oregon, Washington, Idaho, Montana, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, Kansas, Missouri, Oklahoma, Arkansas, Texas, and Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. Applicant presently holds pending contract carrier authority under permit No. MC 133791, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D. C.

No. MC 128296 (Sub-No. 1), filed May 17, 1970. Applicant: AMERICAN MOVING & STORAGE CO., INC., 7020 Franklin Avenue, New Orleans, La. 70122. Applicant's representative: Harold R. Ainsworth, 2307 American Bank Building, New Orleans, La. 70130. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oilfield equipment, materials, and supplies; Irish and sweet potatoes, household goods, sugar cane, corn, lumber; potato crates; heavy building materials; rice; fresh and dehydrated vegetables; truck produce; fertilizers; feed; sacks; cotton; cotton seed, and syrup*, between points in Louisiana. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 128510, filed June 8, 1970. Applicant: RAY L. STOTTS TRUCKING CO., a corporation, Route 7, Zanesville, Ohio 43701. 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: *Scrap metals*, between points in Ohio, on the one hand, and on the other, points in Illinois and New York, under continuing contracts with Muskingum Iron and Metal Co. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 128701 (Sub-No. 6), filed June 8, 1970. Applicant: R. MARTEL EXPRESS LIMITED, a corporation, 700 Main Street West, Farnham, Quebec, Canada. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Limestone*, in bags, from Florence, Rutland, West Rutland, Middlebury, East Middlebury, and New Haven Junction, Vt., to ports of entry along the United States-Canada boundary line; and (2) *snowmobiles and parts and accessories* thereof and thereto, when moving with snowmobiles, from ports of entry along the United States-Canada boundary line to points in Maine, Vermont, New Hampshire, Ohio, Michigan, Indiana, Illinois, Iowa, Missouri, Kansas, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Oklahoma, New Mexico, Colorado, Wyoming, Utah, Idaho, Montana, California, Oregon, Washington, and Alaska, Connecticut and Massachusetts. Restriction: The transportation sought herein is restricted to foreign commerce only, and is under contract with St. Lawrence Chemical Co. (Sales) Ltd., Featherweight Corp. and Eskimo Snowmobile, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Montpelier, Vt.

No. MC 128902 (Sub-No. 4), filed June 1, 1970. Applicant: SCHOENEGGE, INC., Route 20 East, Box 525, Norwalk, Ohio 44857. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Truck cab assemblies and parts*, from the plantsite of Superior Coach Co., at Norwalk, Ohio, to Sommerville, N.J.; (2) *damaged and returned shipments of truck cab assemblies, skids, and automotive body parts*, from (a) Allentown, Pa.; and (3) *skids*, from (b) York, Pa., to the plantsite of Superior Coach Co., at Norwalk, Ohio, under contract with Superior Coach Co. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 129104 (Sub-No. 2), filed May 22, 1970. Applicant: BOOTH TRANSPORT CO. LIMITED, Rural Route 3, Simcoe, Ontario, Canada. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed periodicals*, from the international boundary between the United States and Canada at the St. Clair, Detroit, and Niagara Rivers, to Detroit, Mich., and La Grange, Ind., under contract with Pathway Publishing Corp. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Buffalo, N.Y.

No. MC 133333 (Sub-No. 2), filed June 18, 1970. Applicant: JACK A. HART, doing business as PARTS LOCATOR SERVICE, 5501 Northwest Walnut Street, Vancouver, Wash. 98663. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oregon, 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked motor vehicles*, between points in Oregon and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 133492 (Sub-No. 3), filed June 15, 1970. Applicant: CECIL CLAXTON, East Elm Street, Wrightsville, Ga. 31096. Applicant's representative: William Addams, Suite 527, 1776 Peachtree Street NW., Atlanta, Ga. 30309.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Miami and Tampa, Fla., to Talladega, Ala., and (2) from Newport, Ky., to Dublin and Savannah, Ga., under contract with Southern Sales Co., Dublin, Ga., Coastal Beverage Co., Savannah, Ga., and Talladega Beverage Co., Talladega, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 133966 (Sub-No. 4), filed April 3, 1970. Applicant: NORTH EAST EXPRESS, INC., Post Office Box 1303, Wilkes-Barre, Pa. 18704. Applicant's representatives: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517, and Edward G. Villalon, 1745 K Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulation and insulation materials*, from the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Township, Luzerne County, Pa., and Williamstown Junction, N.J., the warehouse site of Certain-Teed, Saint Gobain Insulation Corp. at Baltimore, Md., Alliance and Columbus, Ohio, and Glendale, Long Island, N.Y. to points in

New York, New Jersey, Maryland, Delaware, Ohio, and Michigan (except points in the Upper Peninsula); *insulation and insulation materials*, from the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Williamstown Junction, N.J., to points in Pennsylvania; *equipment supplies and materials* used or useful in the manufacture and shipping of insulation or insulation products, from points in New York, New Jersey, Maryland, Delaware, Ohio, and Michigan (except points in the Upper Peninsula), to the plantsite of Certain-Teed, Saint Gobain Insulation Corp., Wright Township, Luzerne County, Pa., and Williamstown, Junction, N.J. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 134064 (Sub-No. 2), filed June 8, 1970. Applicant: INTERSTATE TRANSPORT, INC., Post Office Box 867, Gainesville, Ga. 30501. Applicant's representative: Monty Schumacher, Suite 310, 2045 Peachtree Road NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, from Delmar, Del., and Salisbury, Md., to points in North Carolina, South Carolina, Tennessee, Alabama, Georgia, and Florida. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 134068 (Sub-No. 5), filed June 15, 1970. Applicant: KODIAK REFRIGERATED LINES, INC., 5243 San Feliciano Drive, Woodland Hills, Calif. 91364. Applicant's representative: Duane W. Acklie, 521 South 14th Street, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Clay County, Miss., to points in Washington, Oregon, California, Nevada, Arizona, Utah, Colorado, and points in Kansas on and west of U.S. Highway 75. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 134123 (Sub-No. 1), filed June 12, 1970. Applicant: FRANK CAVALIERI and VINCENT GANCI, a partnership, doing business as C & G TRUCKING COMPANY, 650 Grand Street, Jersey City, N.J. 07304. Applicant's representative: F. X. Masterson, 221 Palisade Road, Elizabeth, N.J. 07208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods as defined by the Commission, classes A and B explosives, and commodities in bulk), between the Lehigh Valley Railroad Co. piggyback ramp in Newark, N.J., on the one hand, and, on the other, points in Hudson, Essex, Union, Middlesex, Somerset, Bergen, Sussex, and Hunterdon Counties in New Jersey and the New York, N.Y. commercial zone, restricted to traffic moving in railroad piggyback service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Newark, N.J., or New York City, N.Y.

No. MC 134227 (Sub-No. 1), filed June 10, 1970. Applicant: A. R. HOEHL, doing business as 1565 Endicott Drive, San Jose, Calif. 95122. Applicant's representative: E. H. Griffiths, 433 Turk Street, San Francisco, Calif. 94102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, blanket-wrapped, between points in California, Oregon, and Washington. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif., Portland, Oreg., or Seattle, Wash.

No. MC 134248 (Sub-No. 2), filed June 15, 1970. Applicant: FREEZONE TRUCKING & TRANSPORTATION CO., INC., 1234 Paterson Plank Road, Secaucus, N.J. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household gas and electrical appliances and equipment* therefor, between the warehouse of Freezone Warehouse Co., Inc., Secaucus, N.J., on the one hand, and, on the other, points in Nassau and Westchester Counties, N.Y., beyond the New York, N.Y. exempt zone as defined by the Interstate Commerce Commission in Ex Parte MC 37, and points in Rockland, Orange, and Suffolk Counties, N.Y., under contract with Apollo Distribution Corp. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y. or Washington, D.C.

No. MC 134267 (Sub-No. 1), filed June 1, 1970. Applicant: GRAHAM TRUCKING CORP., Morgan, Utah 84050. Applicant's representative: Harry D. Pugsley, 401 El Paso Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic pipe and fittings*, from Morgan, Utah, to points in Washington, Oregon, California, Arizona, Nevada, Idaho, Montana, Wyoming, Colorado, New Mexico, Kansas, Illinois, Indiana, Alabama, Louisiana, and Texas, (2) *polyethylene, ABS, polystyrene, PVC and fittings*, restricted against the transportation of commodities in bulk, in tank vehicles, from points in West Virginia, Illinois, Indiana, Kansas, Louisiana, California, and Texas, to Morgan, Utah, under contract with Four D West, Inc. NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 134372 (Sub-No. 1), filed June 12, 1970. Applicant: EDWARD H. SINNER, Route No. 1, Box 554, Toppenish, Wash. 98948. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock, and poultry feed, and feed supplements*, between points in Multnomah, Clackamas, Marion, Linn, Lane, Yamhill, Deschutes, Washington, and Lincoln Counties, Oreg., on the one hand, and, on the other, points in Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Yakima, Wash., or Portland, Oreg.

No. MC 134376 (Sub-No. 1), filed May 28, 1970. Applicant: McKEE'S TRANSPORT LIMITED, 674 Lougheed Highway, Coquitlam, British Columbia, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, particle board, and related building products*, between points in Washington and Oregon, on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada, located at or near Blaine and Sumas, Wash., under contract with North Coast Forest Products, Ltd., Burnaby, British Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.

No. MC 134408 (Sub-No. 2) (Amendment), filed April 27, 1970, published in FEDERAL REGISTER issue of May 21, 1970, amended June 10, 1970 and republished as amended this issue. Applicant: SARCHFIELD TRANSFER, LTD., Woodstock, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., 536 Granit Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fencing*, from ports of entry on the international boundary line between the United States and Canada at or near Houlton, Calais, and Vanceboro, Maine, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware Maryland, Virginia, and the District of Columbia. NOTE: The purpose of this republication is to add Maryland and Virginia as additional States to destination territory. If a hearing is deemed necessary, applicant requests it be held at Portland, Maine, or Boston, Mass.

No. MC 134592 (Sub-No. 2), filed June 7, 1970. Applicant: HERB MOORE AND HAZEL MOORE, a partnership, doing business as H & H TRUCKING CO., 10360 North Vancouver Way, Portland, Oreg. Applicant's representative: Seymour L. Coblens, 510 Corbett Building, Portland, Oreg. 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Los Angeles, Long Beach and San Diego, Calif., and Seattle, Wash., to ports of entry on the international boundary line between the United States and Canada at or near Blaine and Oroville, Wash., and Sweetgrass, Mont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 134604 (Sub-No. 2), filed June 11, 1970. Applicant: WALLACE C. SCORE, Route 3, Detroit Lakes, Minn. 56501. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients,* dry; (1) from La Moure, N. Dak., to points in the United States (except Alaska and Hawaii); and (2) from points in the United States (except Alaska, Hawaii, and those in Iowa on and west of U.S. Highway 59, those in Nebraska on and east of U.S. Highway 81 and on and north of U.S. Highway 34, and those in Minnesota on and west of U.S. Highway 71) to La Moure, N. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or Minneapolis, Minn.

No. MC 134668 (Sub-No. 1), filed June 5, 1970. Applicant: MARINE TERMINALS, INC., 1040 Biscayne Boulevard, Miami, Fla. 33132. Applicant's representative: Steven A. Schultz, 1301 Alfred I. DuPont Building, Miami, Fla. 33131. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *General commodities,* except those of unusual value, classes A and B explosives, and household goods as defined by the Commission, between Dodge Island, Port of Miami, and points within Dade County, Fla., restricted to traffic having prior or subsequent movement by water under contract with Atlantic Lines, Ltd., Mamenic Line, and Pan American Mail Line, Inc. NOTE: Applicant states that the authority sought herein shall be limited to the transportation of trailers or semitrailers already laden with such general commodities. It further states it does not intend to load or unload such trailers but merely to transport same (already loaded) by tractor to and from those points named above. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 134670, filed June 1, 1970. Applicant: CABS UNLIMITED, INC., 997 Dana Steet, Mountain View, Calif. 94040. Applicant's representative: Wilmer A. Hill, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier,* by motor vehicle over irregular routes, transporting: *General commodities* in packages not to exceed 700 pounds and restricted against the transportation of packages or articles weighing in the aggregate more than 2,000 pounds from one consignor to one consignee on any one day, between points in Alameda, Colusa, Contra Costa, Lake, Marin, Mendocino, Monterey, Napa, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Sutter, and Yolo Counties, Calif., restricted to the transportation of traffic having a prior or subsequent movement by air. NOTE: Applicant states it holds a permit under MC 133375 (Sub-3) to transport radiopharmaceuticals and radioactive chemicals, in packages not to exceed 100 pounds and to and from the same points in the instant application and if the common carrier authority sought herein is granted it will agree to cancellation simultaneously of the contract-carrier authority now held. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or San Francisco, Calif.

No. MC 134681, filed June 8, 1970. Applicant: VULCRAFT CARRIER CORPORATION, Post Office Box 59, Norfolk, Nebr. 68701. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Iron and steel, and iron and steel articles* as described in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209, and 276, from Florence and Darlington, S.C., Fort Payne, Ala., Grapeland, Tex., and Norfolk, Nebr., to points in the United States (except Hawaii); and (2) *such materials, supplies, and equipment as are dealt in or utilized by manufacturers or fabricators of the commodities* named in (1) above, from the destinations named in (1) above to the origins named in (1) above. Restriction: Restricted to performance of such service under a continuing contract or contracts with Nuclear Corporation of America. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, or Omaha, Nebr., Florence, S.C., or Washington, D.C.

No. MC 134691, filed June 8, 1970. Applicant: DANIEL GOLDFARB, doing business as D & M TRUCKING CO., 67–71 Yellowstone Boulevard, Forest Hills, N.Y. 11375. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Insulating materials,* in packages or rolls, between the warehouse facility of the shipper at or near Raritan Center (Edison/Woodbridge), N.J., on the one hand, and, on the other, points in New Jersey, New York, N.Y., points in Nassau, Suffolk, Westchester, Putnam, Rockland, and Orange Counties, N.Y., and points in Fairfield County, Conn., under contract with Certain-Teed Saint Gobain Insulation Corp., West Conshohocken, Pa. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 134696, filed June 14, 1970. Applicant: BEAR CAT, INC., 2936 Hillyard Street, Klamath Falls, Oreg. 97601. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Oreg. 97210. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except petrochemicals), (1) from Klamath Falls, Oreg., to points in Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, and Lassen Counties, Calif.; (2) from Klamath Falls, Oreg., to points in Navada; (3) between points in Malheur, Grant, Harney, Lake, Crook, Deschutes, Klamath, Douglas, Coos, Curry, Josephine, and Jackson Counties, Oreg.; (4) from Oildale, Calif., to points in Malheur, Grant, Harney, Lake, Crook, Deschutes, Klamath, Douglas, Coos, Curry, Josephine, and Jackson Counties, Oreg.; and (5) from points in San Mateo, Santa Clara, Alameda, Contra Costa, San Joaquin, Soleno, and Sacramento Counties, Calif., to points in Malheur, Grant, Harney, Lake, Crook, Deschutes, Klamath, Douglas, Coos, Curry, Josephine, and Jackson Counties, Oreg., under contract with Witco Chemical Corporation. NOTE: If a hearing is deemed necessary, applicant requests it be held at Klamath Falls or Portland, Oreg.

MOTOR CARRIERS OF PASSENGERS

No. MC 107896 (Sub-No. 2), filed June 4, 1970. Applicant: GEORGE W. CHAPIN, doing business as CHAPIN AND SADLER, Post Office Box 1, Montague, Mass. 03510. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers and their baggage,* in charter operations: (1) From Montague, Deerfield, Sunderland, Conway, Buckland, Shelburne Falls, Bernardston, and Erving, Mass., to points in Connecticut, Maine, New Hampshire, Rhode Island, Vermont, and New York, and return; (2) from Northampton, Mass., for employees of the Consolidated Cigar Corp., to points in Connecticut, and return. NOTE: Applicant states that the requested authority cannot be tacked with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass., Hartford, Conn., or Albany, N.Y.

No. MC 124933 (Sub-No. 1), filed June 3, 1970. Applicant: EAGLE BUS LINES, LTD., 339 Archibald Street, St. Boniface, Manitoba, Canada. Applicant's representative: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Passengers and their baggage,* from points on the international boundary, between the United States and Canada, to points in the United States (except Alaska and Hawaii), and return in round trip charter service. NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

APPLICATION OF WATER CARRIER

No. W–1247 (Sub-No. 1) (Canyon Tours, Inc. common carrier application), filed June 17, 1970. Applicant: CANYON TOURS, INC., Post Office Box 1597, Page, Ariz. 86040. Applicant's representative: George F. Senner, Jr., 609 Luhrs Building, Phoenix, Ariz. 85003. Application of Canyon Tours, Inc., filed June 17, 1970, for a certificate to operate as a *common carrier,* by water, in interstate or foreign commerce, by self-propelled vessels, in the transportation of *passengers,* from Wahweap and Rainbow Bridge Marinas, Lake Powell, Ariz., and to points and places in the State of Utah, on Lake Powell.

By the Commission.

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

[F.R. Doc. 70–8350; Filed, July 1, 1970; 8:45 a.m.]

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